

APPENDIX F – ENVIRONMENTAL CONSTRAINTS MEMORANDUM



MEMORANDUM

To: Michelle Carpenter
Turning Point Energy

From: Ashley Payne
Kimley-Horn and Associates, Inc.

Date: July 12, 2023

Subject: *Sugar Grove Township, Kane County, Illinois – KN188 Environmental Constraints Memorandum*

INTRODUCTION

Kimley-Horn was contracted by Turning Point Energy to review the KN188 Solar project study area for potential environmental constraints. See Figure 1 for project location and Figure 2 for the study area boundary. The study area is located in Sugar Grove Township, Kane County, Illinois. The study area is approximately 82 acres in size and is located in Section 5, Township 38N, Range 7E. Kimley-Horn reviewed available background data to assist in determining if there are any potential environmental constraints for the study area.

ENVIRONMENTAL CONSTRAINTS:

Aquatic Resources (Wetlands and Waterways)

Kimley-Horn reviewed available topographic maps, the National Wetlands Inventory (NWI), the National Hydrography Dataset (NHD), LiDAR, soil survey data, public waters, floodplain data, and aerial photography to identify potential wetlands or surface waters within the study area vicinity.

U.S. Geological Survey (USGS) Topographic Map

A review of the Sugar Grove, Illinois 7.5-minute topographic quadrangle depicted no streams, wetlands, or ponds within the study area. A pond is depicted adjacent to the southeast of the study area boundary. The USGS topographic map is presented on Figure 3.

National Wetlands Inventory (NWI)

Based on a review of the U.S. Fish and Wildlife Service (USFWS) NWI,¹ one freshwater pond (PUBGx) is present within the study area. The NWI is presented on Figure 4.

USGS National Hydrography Dataset (NHD)

Based on a review of the USGS NHD,² no waterway features or waterbodies were identified within the study area. The information is presented on Figure 4.

¹ USFWS. 2022. National Wetlands Inventory. Vector Digital Data. Published August 20, 2019.

² USGS. 2022. National Hydrography Dataset. Vector Digital Data. Published July 22, 2022.

2-ft LiDAR Contours

Two-foot contours³ were reviewed to determine if any wetland areas or drainage swales may be present within the study area. The study area generally slopes to the north and east. Closed depression are present in the wooded areas located in the central and southeast portions of the study area. The study area ranges in elevation from 704 to 764 feet above sea level. The 2-foot contours are presented on Figure 5.

Kane County Soil Survey

A review of the Kane County soil survey via Websoil identified five soil types within the study area. Approximately 26 percent of the study area is mapped with a predominantly hydric soils rating of 98 percent or higher. These areas are generally located in the north and east portion of the study area. Approximately 55 percent of the study area is mapped with a predominantly non-hydric rating of 3 percent. The remainder of the study area is mapped with a non-hydric soils rating of 0 percent. Hydric soils rating data are presented on Figure 6.

Illinois Department of Natural Resources (IDNR) Public Waters Inventory

A review of the IDNR Public Waters Inventory⁴ was completed. No IDNR Public Waters are located within the study area vicinity.

FEMA Floodplain

The Federal Emergency Management Agency (FEMA) National Flood Hazard Layer (NFHL) Viewer⁵ was reviewed to determine if FEMA 100-year floodplains are located within the study area. Based on Panel 17089C0315J (effective December 18, 2007), the study area is not located within a FEMA 100-year floodplain. The FEMA floodplain data is presented on Figure 7.

Previous Study Area Disturbance

Historic aerials provided by Google Earth from 1993 to 2017 were reviewed to determine previous land use and disturbance on the study area and are presented in Attachment A. The study area has been used for primarily agricultural purposes since at least 1993.

Aquatic Resource Assessment

Based on the National Wetlands Inventory and National Hydrography Dataset, Kimley-Horn identified potential wetland features within the property (see Figure 4). A Level 2 (field) wetland delineation was conducted and additional information will be included in the level 2 wetland delineation report.

USFWS Federally Listed Threatened and Endangered Species

Kimley-Horn conducted a preliminary review of the potential for federally listed threatened, endangered, and proposed species to occur within the study area or be affected by the proposed project for the purposes of due diligence in compliance with the Endangered Species Act (ESA). A list of the threatened, endangered, and proposed species, and designated critical habitat that could occur in Kane County was obtained and evaluated from the USFWS Information for Planning and Consultation (IPaC) online planning tool. The resource list is not considered official USFWS correspondence for ESA

³ USGS. 2016. USGS 3 Meter DEM Panels. Published August 8, 2019.

⁴ IDNR. 2023. Illinois Public Waters. Available online at

<https://idnr.maps.arcgis.com/apps/webappviewer/index.html?id=b64decfb69504164a46badb2841ebb11>

⁵ USGS. FEMA National Flood Hazard Layer Viewer. Available online at <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd>

consultation. Habitat descriptions for the identified species were compared to the habitat within or near the study area. The resource list obtained via the USFWS IPaC for the project identified four species that should be considered in an effects analysis. The resource list is included in Attachment B and the five identified species are reviewed below in Table 2.

Table 1. USWFS Listed Threatened and Endangered Species

Species	Status	Preferred Habitat	Findings
<i>Myotis septentrionalis</i> (Northern Long-Eared Bat [NLEB])	Endangered	During summer, NLEB roost singly or in colonies underneath bark, in cavities, or in crevices of both live and dead trees. This bat uses tree species based on suitability to retain bark or provide cavities or crevices. It has also been found, rarely, roosting in structures like barns and sheds. Northern long-eared bats spend winter hibernating in caves and mines.	No critical habitat has been designated for this species. Suitable habitat may be present within the forested southern portion of the study area. Any tree trimming or removal should be completed between October 1 and March 31.
<i>Grus americana</i> (Whooping crane)	Experimental population, Non-essential	The whooping crane breeds, migrates, winters and forages in a variety of habitats, including coastal marshes and estuaries, inland marshes, lakes, open ponds, shallow bays, salt marsh and sand or tidal flats, upland swales, wet meadows and rivers, pastures, and agricultural fields.	No critical habitat has been designated for this species. The study area contains agricultural fields which are listed as habitat for the whooping crane. Due to the presence of adjacent farmland, no adverse impacts are anticipated.
<i>Danaus plexippus</i> (Monarch butterfly)	Candidate	The monarch butterfly requires grassland habitats where milkweed and flowers are present. North American populations of the monarch butterfly typically follow a seasonal migration pattern.	No critical habitat has been designated for this species. Minimal preferred habitat may appear within the study area. The area is primarily active farmland. No adverse impacts anticipated. To avoid potential impacts, reseeding with native seed mixes is recommended, although not required.
<i>Platanthera leucophaea</i> (Eastern Prairie Fringed Orchid)	Threatened	The eastern prairie fringed orchid occurs in a wide variety of habitats, from wet to mesic prairie, to wetland	No critical habitat has been designated for this species. Minimal preferred habitat may appear in

Species	Status	Preferred Habitat	Findings
		communities, including sedge meadow, fen, marsh and marsh edge. It can occupy a very wide moisture gradient of prairie and wetland vegetation. In general, the habitat is moist or moderately moist.	wetland area. Impacts to these areas should be avoided or minimized to the extent practicable. The remaining area is primarily active farmland. No adverse impacts are anticipated in this area.

Migratory Birds

According to the IPaC resource list, 17 migratory species on the Birds of Conservation Concern (BCC) list have been identified within the study area. The BCC list was updated in 2021 by the USFWS and is an effort to “identify species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become candidates for listing under the Endangered Species Act.”

The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to “take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations by the USFWS”. Typically, if active nests of bird species protected by the MBTA are identified, the USFWS recommends avoiding tree clearing or nest removal until at least the peak of the nesting season (generally March through August) has passed or until the nest is abandoned.

The U.S. Department of the Interior, Office of the Solicitor, published a memorandum (M-37050) dated December 22, 2017 regarding the MBTA and how “incidental take” is viewed by the Department. The memorandum analyzes whether the MBTA prohibits the accidental or “incidental” taking or killing of migratory birds. “Incidental take” is take that results from an activity, but is not the purpose of that activity. In this memorandum, the Department of the Interior concluded that “the MBTA’s prohibition on pursuing, hunting, taking, capturing, killing, or attempting to do the same applies only to direct and affirmative purposeful actions that reduce migratory birds, their eggs, or their nests, by killing or capturing, to human control.” Therefore, according to the Department of the Interior, the MBTA does not prohibit “incidental take.” Courts have different opinions and decisions with respect to including or excluding “incidental take” when considering the prohibitions under the MBTA. In 2015, the Fifth Circuit in *United States v. Citgo Petroleum Corp.* issued an opinion that agreed with the Eighth and Ninth circuits that a taking is limited to deliberate acts done directly and intentionally to migratory birds. Therefore, the Fifth Circuit decided that the MBTA only prohibits intentional take and does not prohibit incidental take. This decision by the Fifth Circuit set precedent within the Fifth Circuit’s jurisdiction.

On January 7, 2021, the USFWS published a final rule (“MBTA rule”) defining the scope of the MBTA which excluded incidental take of migratory birds from being unlawful. This interpretation of the MBTA was effective as of March 8, 2021. On May 7, 2021, the USFWS proposed to revoke the January 7, 2021 final regulation and opened a public comment period which closed on June 7, 2021. On September 29, 2021, the U.S. Department of Interior announced a series of actions to unwind the most recent rulemaking in an effort “to ensure that the MBTA conserves birds today and into the future.” On October 4, 2021, the USFWS published a final rule revoking the most recent rule enacted by the Trump Administration that limited the scope of the MBTA. According to the Federal Register, the final MBTA revocation rule will go into effect on December 3, 2021.

In addition, on October 4, 2021, the USFWS published an Advanced Notice of Proposed Rulemaking announcing the intent to solicit public comments and information to help develop proposed regulations that would establish a permitting system to authorize the incidental take of migratory birds in certain circumstances. The USFWS issued a Director's Order establishing criteria for the types of conduct that will be a priority for enforcement activities with respect to incidental take of migratory birds.

It should be noted that the regulatory climate with respect to the MBTA is changing; however, it is our understanding that as of December 3, 2021 incidental take of migratory birds will be liable under the MBTA. This should be considered until a rulemaking process is complete. Kimley-Horn recommends evaluating the MBTA regulation prior to ground disturbance activities commencing.

Kimley-Horn downloaded the Trust Resources Report Migratory Bird List from the IPaC online planning tool. The IPaC results are included in Attachment B. Kimley-Horn conducted a preliminary desktop review of the potential for migratory bird habitat (focusing primarily on trees and shrubs) to occur on the proposed study area or be affected by the proposed study area for the purposes of due diligence in complying with the MBTA. The desktop review revealed the presence of potential migratory bird habitat within the study area. It is our understanding that as of December 3, 2021, incidental take would be enforceable under the MBTA.

IDNR State Listed Threatened, Endangered, and Species of Special Concern

The IDNR identified no Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the study area. Three state listed endangered species were identified within the study area: Wilson's phalarope (*Phalaropus tricolor*), the Northern harrier (*Circus cyaneus*), and the Northern long-eared myotis (*Myotis septentrionalis*). The IDNR determined that adverse effects to these species are unlikely. The IDNR Consultation Letter is included in Attachment B.

Historic Resources Database Review

Kimley-Horn reviewed the Illinois Inventory of Archaeological Sites (IIAS) database for known historic resources within the project vicinity. According to the IIAS, there no previously identified archaeological sites, surveys, or cemeteries within the study area boundary (see Attachment C). Within a half mile study area, there are two previously identified archaeological sites and four archaeological surveys. There are no known sites listed in or eligible for the NRHP within the project boundary.

According to the Historic and Architectural Resources Geographic Information System (HARGIS), there are no previously identified historic buildings within the study area boundary or within a half mile of the study area (see Attachment C). Therefore, there are no known resources listed in or eligible for inclusion in the National Register of Historic Places within a half mile of the study area. The results of the IIAS review are sensitive in nature and should not be shared publicly.

CONCLUSIONS AND RECOMMENDATIONS:

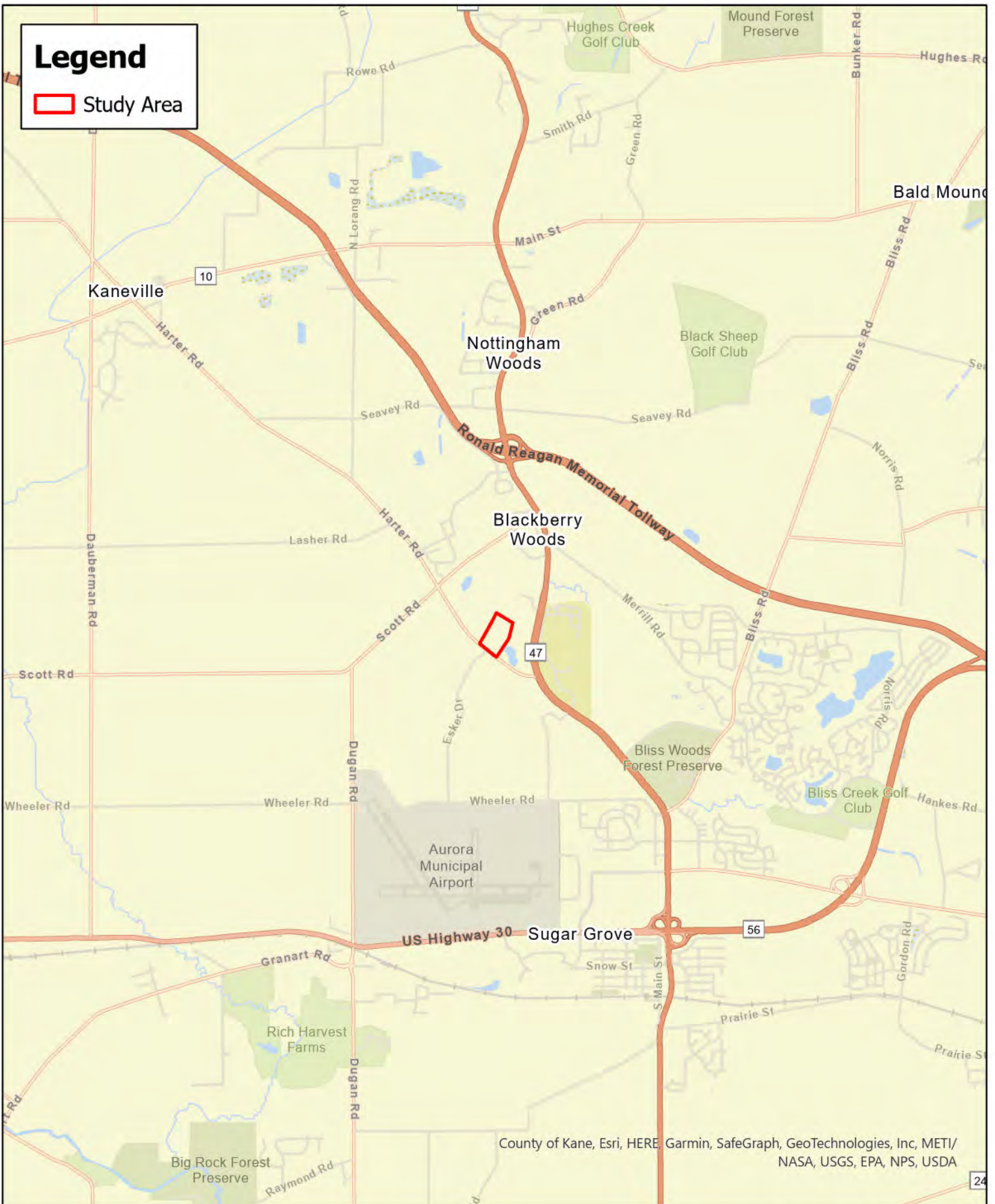
Based on the information reviewed, Kimley-Horn has identified potential environmental constraints that could require additional planning.

A level 2 (field) wetland delineation was conducted and additional information will be included in the level 2 wetland delineation report. The site plan is included as Attachment D.

Potential suitable habitat for listed federal species may be present within the study area. If tree clearing is anticipated, it is recommended to be completed between October 1 and March 31, which is outside of the active bat season. Impacts to wetlands should be avoided or minimized to the extent practicable. The IDNR determined that adverse effects to state listed species or protected resources are unlikely.

No impacts to known IAS-listed resources are anticipated. Correspondence with the Illinois State Historic Preservation Office (SHPO) is ongoing and results are pending.

Figures



Legend

Study Area

County of Kane, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/
NASA, USGS, EPA, NPS, USDA



Figure 1. Project Location
Sugar Grove Township, Kane County
Turning Point Energy

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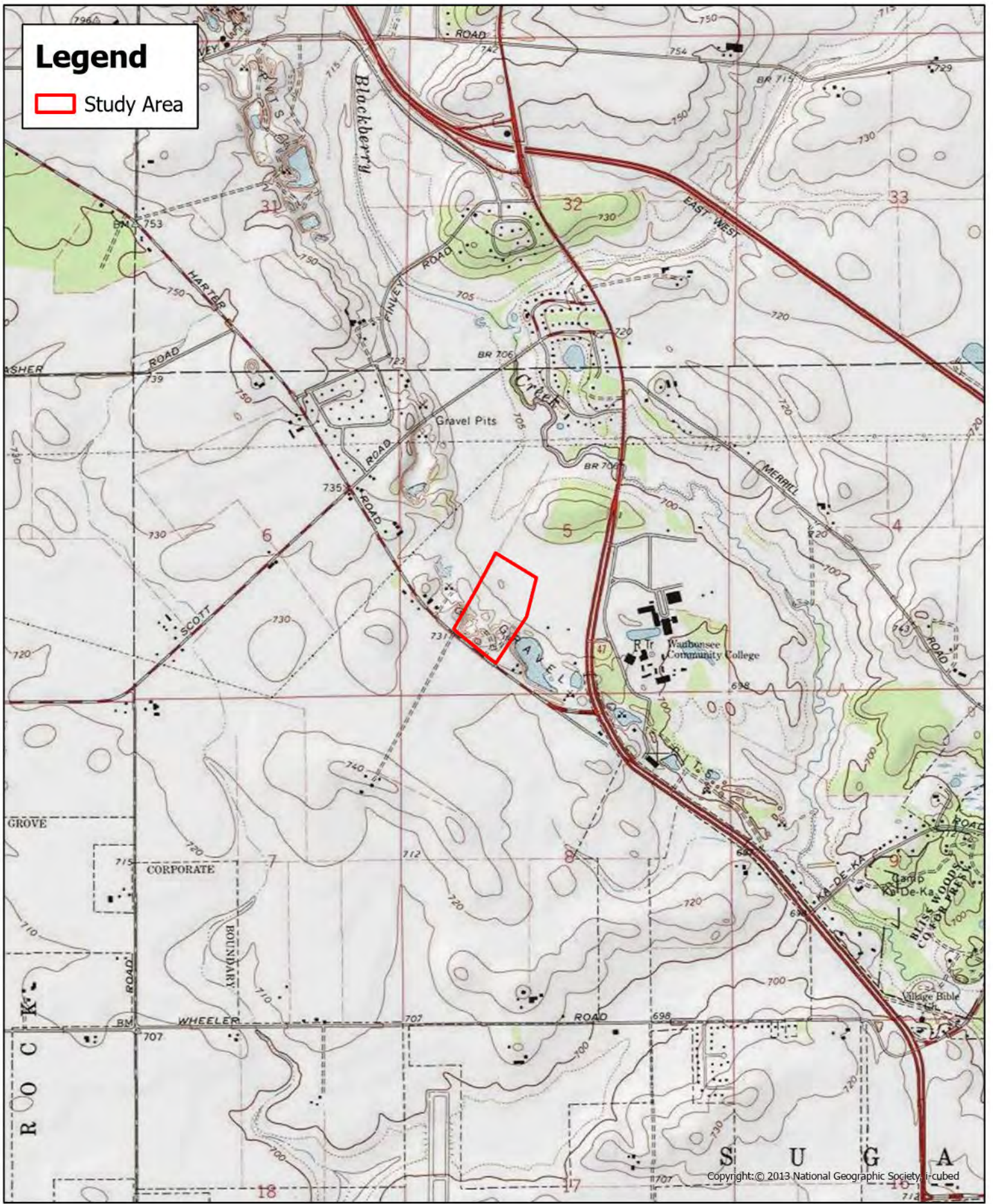
 Study Area



Aerial Imagery Courtesy of USDA (08/09/2019)



Figure 2. Study Area Boundary
Sugar Grove Township, Kane County
Turning Point Energy

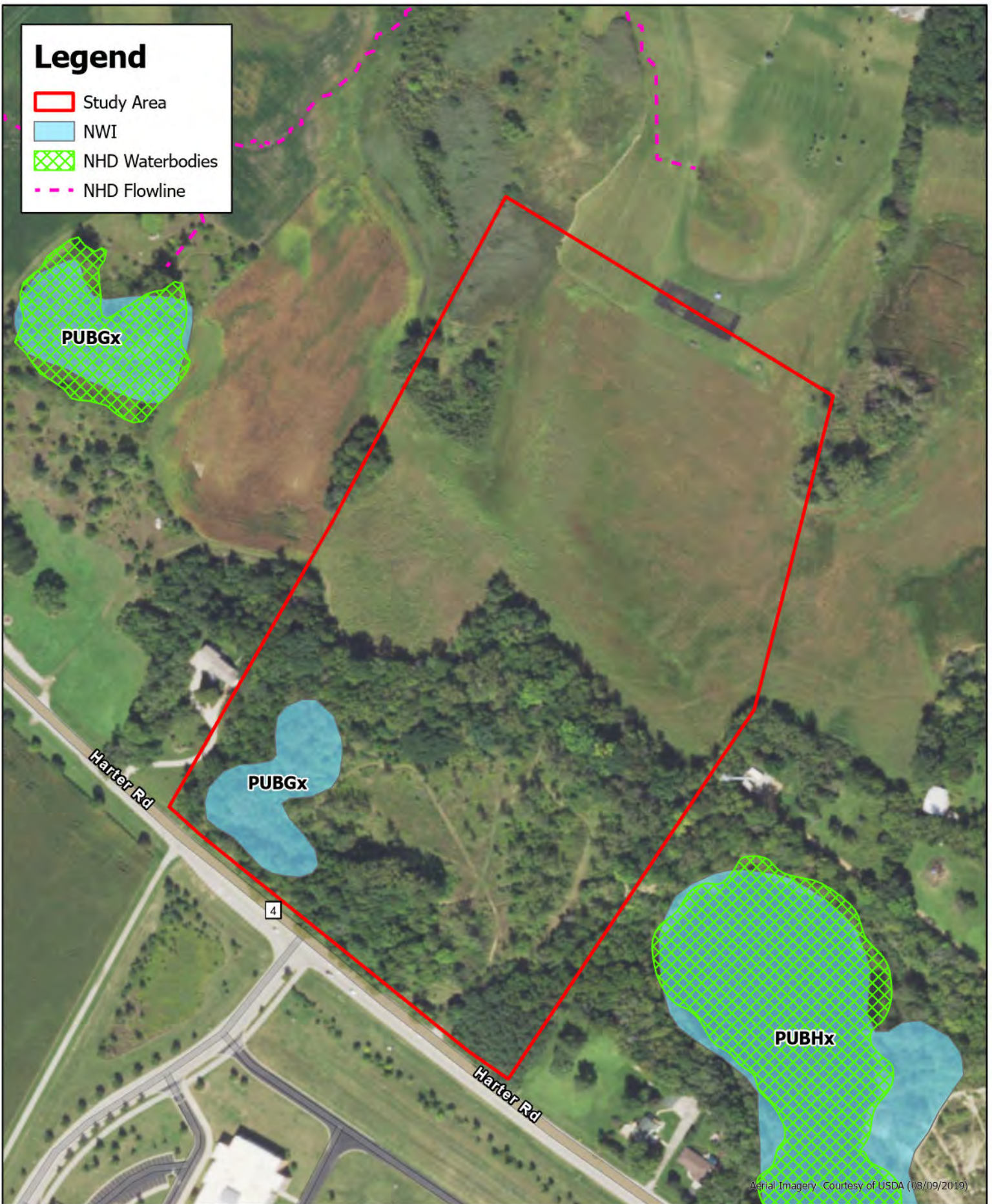


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 Study Area

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Figure 3. USGS Topographic Map
 Sugar Grove Township, Kane County
 Turning Point Energy





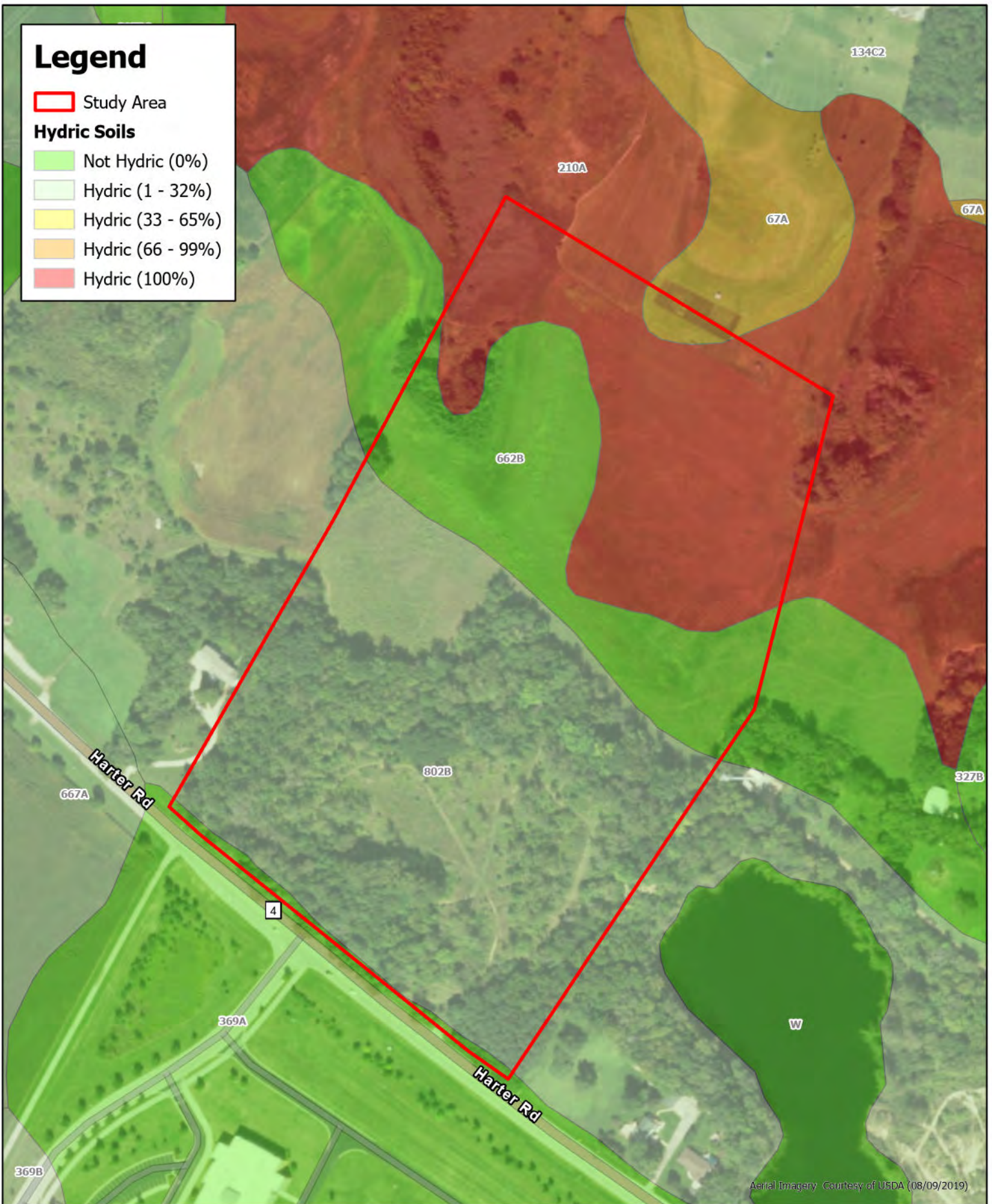
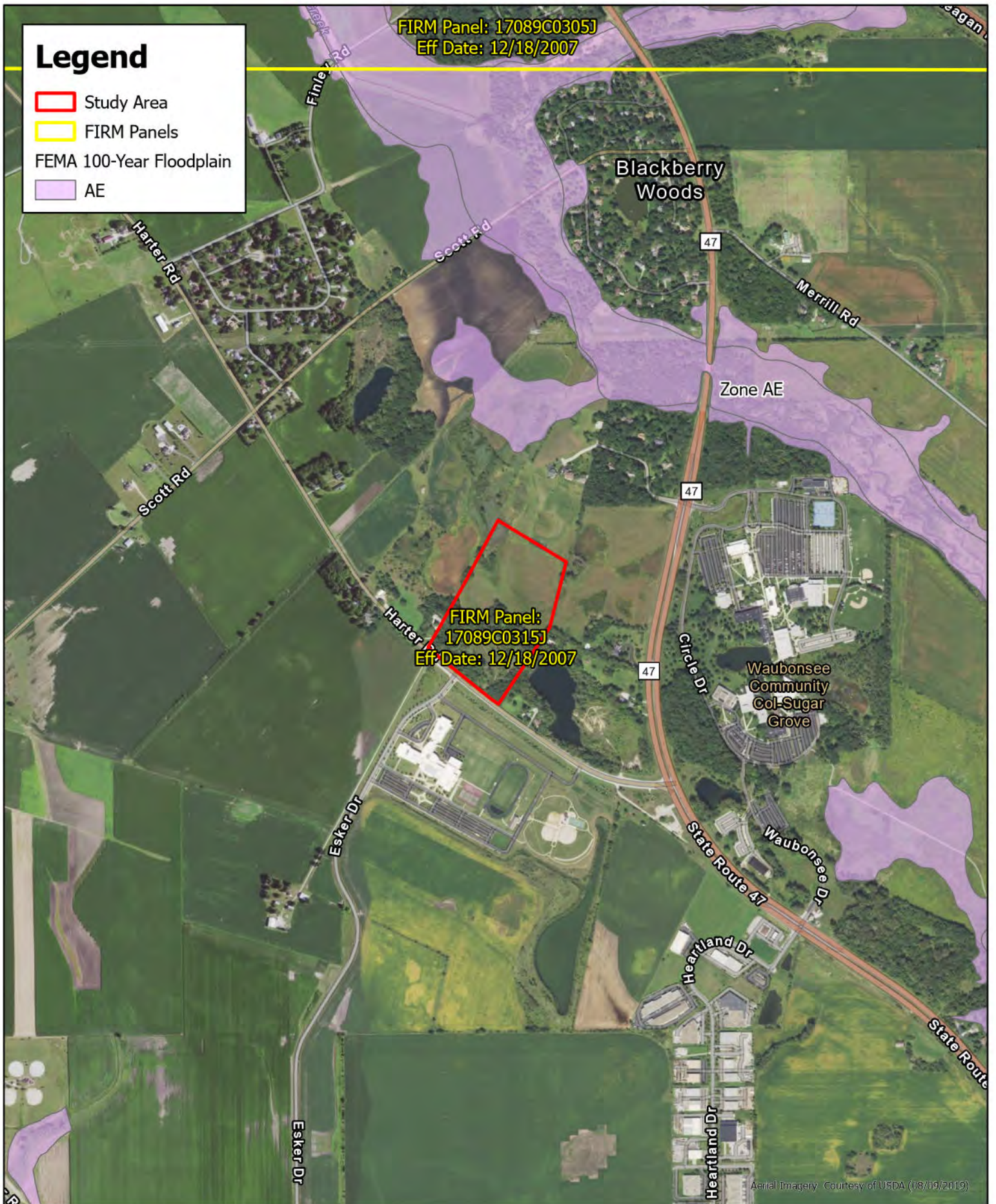


Figure 6. Hydric Soils
 Sugar Grove Township, Kane County
 Turning Point Energy

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
67A	Harpster silty clay loam, 0 to 2 percent slopes	98	0.3	0.9%
210A	Lena muck, 0 to 2 percent slopes	100	7.6	25.6%
369A	Waupecan silt loam, 0 to 2 percent slopes	0	0.3	1.1%
662B	Barony silt loam, 2 to 5 percent slopes	0	5.5	18.6%
802B	Orthents, loamy, 1 to 6 percent slopes	3	15.9	53.8%
Totals for Area of Interest			29.6	100.0%



ATTACHMENT A

Historic Aerials

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 Study Area



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Aerial Imagery Courtesy of Google Earth (08/09/2019)



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 Study Area



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Aerial Imagery Courtesy of Google Earth (08/09/2019)

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 Study Area



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 Study Area



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Aerial Imagery Courtesy of Google Earth (08/09/2019)



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Aerial Imagery Courtesy of Google Earth (08/09/2019)



ATTACHMENT B

Species Resources

Applicant: TPE IL KN188, LLC
Contact: Gloria Foxman
Address: 3720 S Dahlia St
Denver, CO 80326

IDNR Project Number: 2316649
Date: 06/13/2023

Project: TPE IL KN188
Address: 111 West Jackson Blvd, Chicago

Description: Installation of solar panels and associated equipment on-site.

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*)
Northern Long-Eared Myotis (*Myotis septentrionalis*)
Wilson's Phalarope (*Phalaropus tricolor*)

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: Kane

Township, Range, Section:
38N, 7E, 5



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

Government Jurisdiction
IL Environmental Protection Agency
Terri LeMasters
1020 North Grand Avenue East
Springfield, Illinois 62794 -9276

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

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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.

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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.

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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 13, 2023

Gloria Foxman
TPE IL KN188, LLC
3720 S Dahlia St
Denver, CO 80326 1018

RE: TPE IL KN188
Project Number(s): 2316649
County: Kane

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.

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



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Chicago Ecological Service Field Office
U.s. Fish And Wildlife Service Chicago Ecological Services Office
230 South Dearborn St., Suite 2938
Chicago, IL 60604-1507
Phone: (312) 485-9337

In Reply Refer To:
Project Code: 2023-0102649
Project Name: KN188

July 10, 2023

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 enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

Additionally, please note that on March 23, 2022, the Service published a proposal to reclassify the northern long-eared bat (NLEB) as endangered under the Endangered Species Act. The U.S. District Court for the District of Columbia has ordered the Service to complete a new final listing

determination for the NLEB by November 2022 (Case 1:15-cv-00477, March 1, 2021). The bat, currently listed as threatened, faces extinction due to the range-wide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across the continent. The proposed reclassification, if finalized, would remove the current 4(d) rule for the NLEB, as these rules may be applied only to threatened species. Depending on the type of effects a project has on NLEB, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective (anticipated to occur by December 30, 2022). If your project may result in incidental take of NLEB after the new listing goes into effect this will first need to be addressed in an updated consultation that includes an Incidental Take Statement. If your project may require re-initiation of consultation, please contact our office for additional guidance.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see <https://www.fws.gov/birds/policies-and-regulations.php>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and

recommended conservation measures see <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

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:

Chicago Ecological Service Field Office

U.s. Fish And Wildlife Service Chicago Ecological Services Office

230 South Dearborn St., Suite 2938

Chicago, IL 60604-1507

(312) 485-9337

PROJECT SUMMARY

Project Code: 2023-0102649
Project Name: KN188
Project Type: Power Gen - Solar
Project Description: Solar farm and associated utilities.
Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@41.79809215,-88.46789586614257,14z>



Counties: Kane County, Illinois

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 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. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, 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.

-
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
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered

BIRDS

NAME	STATUS
Whooping Crane <i>Grus americana</i> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/758	Experimental Population, Non- Essential

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

FLOWERING PLANTS

NAME	STATUS
Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i>	Threatened
No critical habitat has been designated for this species.	
This species only needs to be considered under the following conditions:	
<ul style="list-style-type: none">▪ Follow the guidance provided at https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html	
Species profile: https://ecos.fws.gov/ecp/species/601	

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.

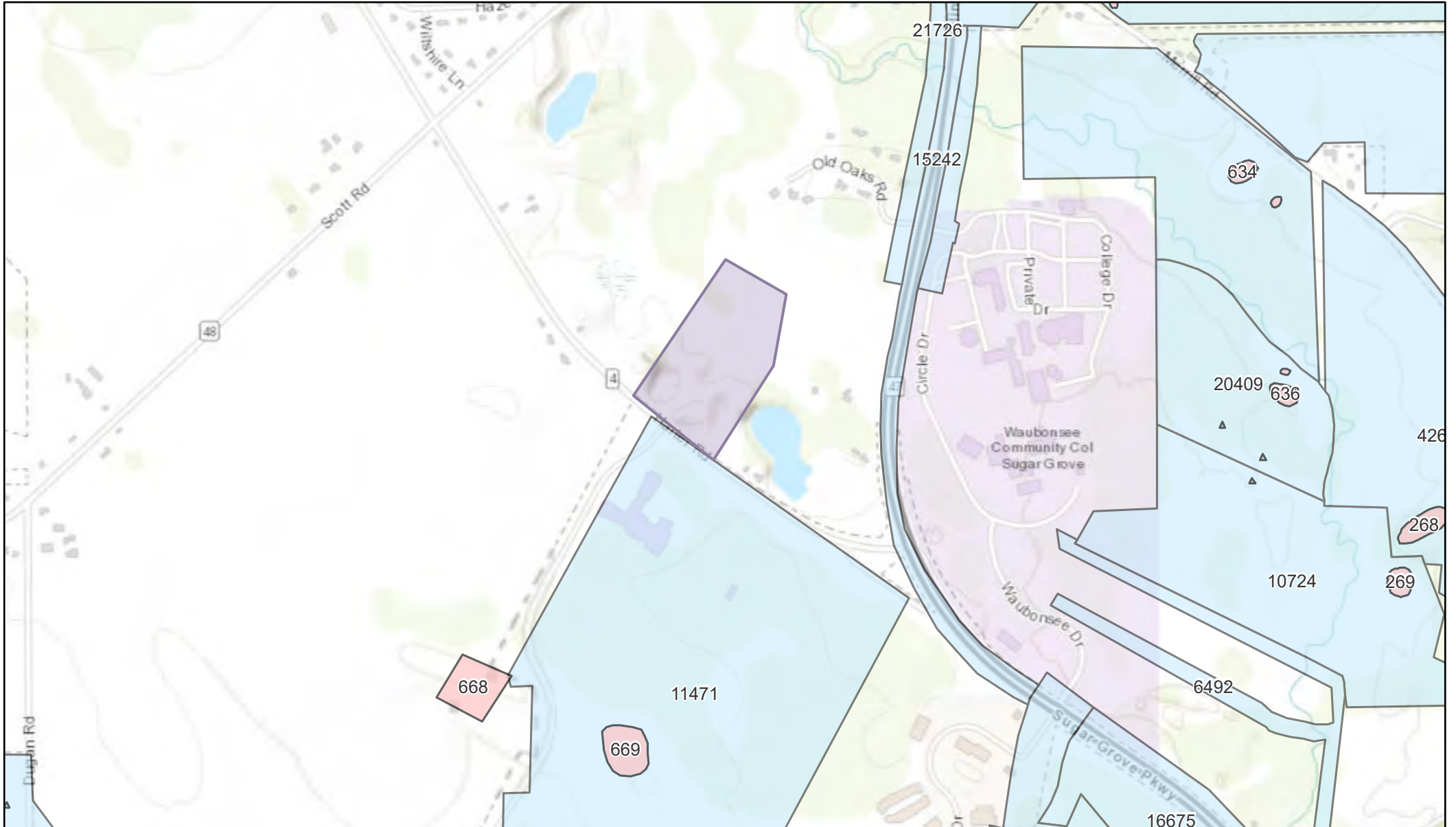
IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Theodor Robinson
Address: 1515 University Avenue SE
City: Minneapolis
State: MN
Zip: 55414
Email: theodor.robinson@kimley-horn.com
Phone: 6512608188




ATTACHMENT C

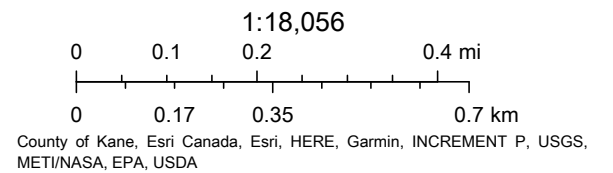
Historic Resources

TPE KN188 Solar

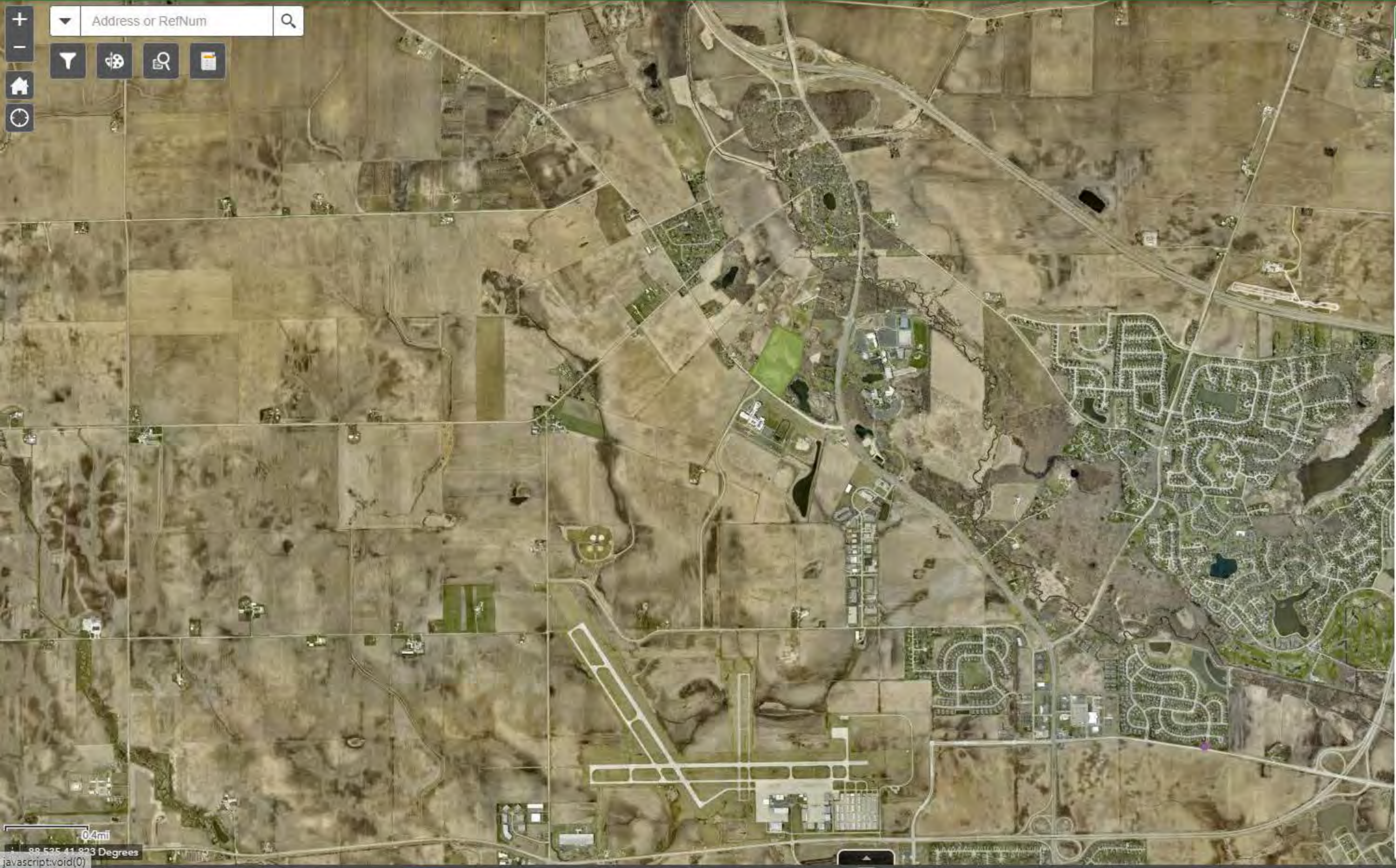


6/16/2023, 9:40:37 AM

-  **Study Area**
-  **IAS Sites**
-  **Surveys**




Address or RefNum









Legend


Areas




National Register Properties

-  Part of a NR Historic District
-  Determined eligible for the NR
-  Part of a NR Historic District - contributing
-  Entered in the NR
-  Undetermined
-  Other


IL Boundary



National Register Districts



County Boundaries



0.4mi
98.535 41.923 Degrees
javascript:void(0)

ATTACHMENT D

Site Plan



- General Notes
- 1) 5.00 MW AC
 - 2) 7.21 MW DC
 - 3) OVERALL SITE 29.60 ACRES
 - 4) AREA OF INTEREST 22.02 ACRES
 - 5) FENCE AREA 20.43 ACRES
 - 6) ARRAY AREA 17.20 ACRES
 - 7) TOTAL LOD 21.48 ACRES
 - 8) FIXED TILT 5.35 GCR
 - 9) TBD DRIVEN SCREWS
 - 10) 15,780 SOLAR MODULES
 - 11) 545 WATT SOLAR MODULES
 - 12) 00.00 ACRES TREE CLEARING
 - 13) 4,241 FEET FENCING
 - 14) 180 LINEAR FEET NEW ROADS
 - 15) 3,216 50 FT NEW ROADS
 - 16) STRING SIZE - ELECTRICAL - 26
 - 17) 15:5.30
 - 18) LAYDOWN AREA 0.45 ACRES
 - 19) PARCEL ID: 14-05-300-026

- USABLE AREA
- FENCE
- SOLAR MODULES
FIXED TILT
- PROPERTY BOUNDARY
- PROPERTY BOUNDARY
50' SETBACK

WETLAND
25' SETBACK
WETLAND

POINT OF INTERCONNECTION
GPS 41.796879°, -88.470389°
UTILITY POLE

ELECTRICAL EQUIPMENT
CUSTOMER POLE
SITE ACCESS

LAYDOWN AREA
ACCESS ROAD 20' WIDE

No.	Revision/Issue	Date

Firm Name and Address



Project Name and Address

KN188
Harter Rd, Sugar Grove,
IL 60554

Project	KN188	Sheet	A.1
Date	02.22.2023	Scale	
Scale	NTS		