

KANE COUNTY DEVELOPMENT DEPARTMENT
 Zoning Division, Kane County Government Center
 719 S. Batavia Avenue
 Geneva, Illinois 60134
 Office (630) 444-1236 Fax: (630) 232-3411

4622

Received Date

**APPLICATION FOR ZONING MAP AMENDMENT
 AND/OR SPECIAL USE**

Instructions:

To request a map amendment (rezoning) for a property, complete this application and submit it with all required attachments to the Subdivision and Zoning Division.

When the application is complete, we will begin the review process.

The information you provide must be complete and accurate. If you have a question please call the subdivision and zoning division, and we will be happy to assist you.

1. Property Information:	Parcel Number (s): 05-23-400-021, 05-24-300-014, 05-24-300-039, 05-24-300-040
	Street Address (or common location if no address is assigned): Off Nesler Rd, Elgin, IL 60124

2. Applicant Information:	Name Nesler Road Solar LLC	Phone 617-610-7042
	Address Attn: Cecelia Stephens 501 Boylston St, Floor 10 Boston, MA 02116	Fax
		Email cecelia.stephens@lightstar.com

3. Owner of record information:	Name Jeffrey M. Jayne	Phone 847-707-3808
	Address 10 N086 Nesler Rd Elgin, IL 60124	Fax
		Email jmjayne@sbcglobal.net

Zoning and Use Information:

2040 Plan Land Use Designation of the property: Resource management/proposed open space

Current zoning of the property: F-Farming District

Current use of the property: Agriculture

Proposed zoning of the property: F - Farming District

Proposed use of the property: Solar Panels & Agriculture

If the proposed Map Amendment is approved, what improvements or construction is planned? (An accurate site plan may be required)

Construction of a 4.95 MWac solar array which will be dual use/agrivoltaic to allow for continued farming under the panels.

Attachment Checklist

- Plat of Survey prepared by an Illinois Registered Land Surveyor.
- Legal description
- Completed Land Use Opinion (Available in pdf form at www.kanedupageswed.org/luo.pdf), as required by state law, mailed to: The Kane Dupage Soil and Water Conservation District, 545 S. Randall Road, St. Charles, IL 60174.
- Endangered Species Consultation Agency Action Report (available in pdf form at <http://dnr.illinois.gov/ecopublic/>) to be filed with the Illinois Department of Natural Resources. (* This report may best be accessed with Internet Explorer on some computers, per the State)
- List of record owners of all property within 250 feet of the subject property
- Trust Disclosure (If applicable)
- Findings of Fact Sheet
- Application fee (make check payable to Kane County Development Department)

I (we) certify that this application and the documents submitted with it are true and correct to the best of my (our) knowledge and belief.

Jeffrey M. Jayne 10/11/2023
Record Owner Date

Matthew O'Neil 10/11/2023
Applicant or Authorized Agent Date

Findings of Fact Sheet – Map Amendment and/or Special Use

- *The Kane County Zoning Board is required to make findings of fact when considering a rezoning. (map amendment)*
- *You should "make your case" by explaining specifically how your proposed rezoning relates to each of the following factors.*

Nesler Road Solar LLC

10/10/2023

Name of Development/Applicant

Date

- 1. How does your proposed use relate to the existing uses of property within the general area of the property in question?**

The area is currently used for farming (currently soy is planted). The solar array is being designed so that farming can continue under the array. The tenant farmer has yet to decide what he will farm under the panels but it will likely be hay (may be soy if we can adjust the spacing of the panels to accommodate soy farming equipment).

- 2. What are the zoning classifications of properties in the general area of the property in question?**

Forest preserve, F, F-1, E-1, E-3, PUD

Note: Old Canadian National Railroad abutts project area to the south.

- 3. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification?**

Farming is currently permitted under the existing zoning and agriculture will continue under the proposed solar array.

- 4. What is the trend of development, if any, in the general area of the property in question?**

Per the Kane County Land Use Map the trend is to be resource management/proposed open space. The forest preserve northeast of the site is trending to remain and the farmland surround the site is trending to remain.

- 5. How does the projected use of the property, relate to the Kane County 2040 Land Use Plan?**

The proposed use of this land for both clean energy production and agriculture align strongly with the Kane County 2040 Land Use Plan. This project provides clean, affordable energy to local residents while also providing income to a local farmer and maintaining land in agricultural production for the lifetime of the project. This helps support a number of Kane County's planning goals, including Agriculture: Farm and Food and Sustainability and Energy.

Findings of Fact Sheet – Special Use

Special Use Request

Date

- *The Kane County Zoning Board is required to make findings of fact when considering a special use.*
 - *Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board **will not** recommend a special use **unless** the following items are addressed:*
6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

The tenant farmer and solar maintenance workers will have access to the array area. Other electrical equipment will be fenced separately outside the array for farmer safety. The panels will generate clean energy which will be sold at a discount to local residents through Illinois' community solar program, and farming will continue.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

The solar array will be set far back from the road so there are minimal viewshed concerns. Vegetative screening will be used to mitigate any viewshed concerns that do arise.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

The solar array will not impede any development in areas outside of the area leased for solar.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:

Yes, the existing access road to the property (currently functioning as the access road for a cell tower on the property) will be expanded to allow for access to the solar site. Also, per coordination with Kane County Stormwater the proposed vegetative swales are accepted BMPs.

10. Will adequate measures be provided for ingress and egress and so designed to minimize the traffic and congestion? Please explain:

Site access is through the land owner's existing driveway and there will be an access gate to limit ingress and egress to the site.

11. Will the special use conform to the regulations of the district in which it is located? Please explain:

The land will remain in agricultural production, which conforms to the regulations of the Farming District. The land will also be used to generate solar power, and this use is not explicitly addressed in the regulations for the Farming District.

**CERTIFICATION OF NOTIFICATION
OF PROPERTY OWNERS WITHIN 250 FEET OF SUBJECT PROPERTY**

Date: 10/10/23

To: KANE COUNTY ZONING BOARD OF APPEALS
From: Nesler Road Solar LLC

(Ph #) 617-610-7042

The undersigned, being sworn upon this oath, deposes and says that the list below includes the names and addresses of all owners of property within 250 feet of the property referred to in petition for

(circle one) Variance Rezoning Special Use

for the purpose of Construction of a 4.95 MWac solar array which will be dual use/agrivoltaic to allow for continued farming under the panels.

and, further, that all persons owning property within 250 feet of the parcel referred to in petition have been notified of the intent of the petitioner(s).

Petitioner's property is located in Section 23, Township 41N, County of Kane. (Legal Description Attached)

List names of property owners below. (Property Owners do not have to sign this form)

NAME

ADDRESS (street, city, state and zip code)

See attached exhibit for names and addresses of property owners within 250-ft of the parcel

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

By: Nesler Road Solar LLC

By: [Signature]
(Property Owner or Agent)
AARON MACQUEEN
AUTHORIZED PERSON

Subscribed and sworn to before me

this 6 day of November, 2023

[Signature]
Notary



LIST OF PROPERTY OWNER MAILING ADDRESSES WITHIN 250FT OF PROPERTY:

05-23-400-021, 05-24-300-039, 05-24-300-040, 05-24-300-014

	PARCEL NO.	OWNERS NAME	MAILING ADDRESS ON KANE COUNTY PROPERTY TAX INQUIRY SITE	ACTUAL MAILING ADDRESS VERIFIED BY USPS
1	05-23-200-002	FOREST PRESERVE DISTRICT OF KANE COUNTY	1996 S KIRK RD STE 320 GENEVA, IL, 60134-4118	1996 S KIRK RD STE 320 GENEVA IL 60134-4118
2	05-24-100-001	FOREST PRESERVE DISTRICT OF KANE COUNTY	1996 S KIRK RD STE 320 GENEVA, IL, 60134-4118	1996 S KIRK RD STE 320 GENEVA IL 60134-4118
3	05-24-300-001	FOREST PRESERVE DISTRICT OF KANE COUNTY	1996 S KIRK RD STE 320 GENEVA, IL, 60134-4118	1996 S KIRK RD STE 320 GENEVA IL 60134-4118
4	05-24-300-012	JAYNE, SILAS C	10N112 NESTLER RD ELGIN, IL, 60120	10N112 NESLER RD ELGIN IL 60124-8406
5	05-24-300-008	JAYNE, ALEX R REVOC DCLRN OF TR ALEX R & LINDA JAYNE, CO-TRUSTEES	10N206 NESLER RD ELGIN, IL, 60124-8407	10N206 NESLER RD ELGIN IL 60124-8406
6	05-24-300-011	JAYNE, SILAS C	10N112 NESTLER RD ELGIN, IL, 60120	10N112 NESLER RD ELGIN IL 60124-8406
7	05-24-300-036	JAYNE, SILAS & LYN	10N012 NESLER RD ELGIN, IL, 60123	10N102 NESLER RD ELGIN IL 60124
8	05-24-300-032	JAYNE, SILAS C	10N112 NESTLER RD ELGIN, IL, 60123	10N112 NESLER RD ELGIN IL 60124-8406
9	05-24-300-038	JAYNE, SILAS & LYNN	10N012 NESLER RD. ELGIN, IL, 60123	10N102 NESLER RD ELGIN IL 60124
10	05-24-300-042	JAYNE, JEFFREY M	10N086 NESLER RD ELGIN, IL, 60124-8406	10N086 NESLER RD ELGIN IL 60124-8406
11	05-24-300-043	JAYNE, SUSAN E DCLRN OF TR #2016 & JEFFREY M SUSAN E JAYNE, TRUSTEE	847 S RANDALL RD UNIT 221 ELGIN, IL, 60123-3002	847 S RANDALL RD PMB 221 ELGIN IL 60123-3002
12	05-24-300-029	JAYNE, ALEX R REVOC DCLRN OF TR ALEX R & LINDA JAYNE, CO-TRUSTEES	10N206 NESLER RD ELGIN, IL, 60124-8406	10N206 NESLER RD ELGIN IL 60124-8406
13	05-24-300-028	JAYNE, ALEX R REVOC DCLRN OF TR ALEX R & LINDA JAYNE, CO-TRUSTEES	10N206 NESLER RD ELGIN, IL, 60124-8406	10N206 NESLER RD ELGIN IL 60124-8406
14	05-25-101-006	KROG FAMILY DCLRN TRUST # 2023 BRUCE R & JUDY L KROG, TRUSTEES	40W122 BOWES RD ELGIN, IL, 60124-8382	40W122 BOWES RD ELGIN IL 60124-8382
15	05-23-400-015	JAYNE, ALEX R REVOC DCLRN OF TR ALEX R & LINDA JAYNE, CO-TRUSTEES	10N206 NESLER RD ELGIN, IL, 60124-8406	10N206 NESLER RD ELGIN IL 60124-8406
16	05-23-400-012	JAYNE, ALEX R REVOC DCLRN OF TR ALEX R & LINDA JAYNE, CO-TRUSTEES	10N206 NESLER RD ELGIN, IL, 60124-8406	10N206 NESLER RD ELGIN IL 60124-8406
17	05-23-400-013	JAYNE, ALEX R REVOC DCLRN OF TR ALEX R & LINDA JAYNE, CO-TRUSTEES	10N206 NESLER RD ELGIN, IL, 60124-8406	10N206 NESLER RD ELGIN IL 60124-8406

**TIME ESTIMATE
REZONINGS AND SPECIAL USES
(After all required documents have been submitted)**

<u>ACTION</u>	<u>AVERAGE NUMBER OF DAYS</u>
KDS & WCD AND IDOC APPLICATIONS (Kane-DuPage Soil & Water Conservation District; Illinois Department of Natural Resources)	30
TECHNICAL STAFF REVIEW (Meeting held each Monday morning- Petitions scheduled as time permits.)	20
ZONING BOARD PUBLIC HEARING (Hearing held as needed--published 15 days prior to hearing-Statutory requirement)	30
DEVELOPMENT COMMITTEE Agenda set for County Board Meeting (Meeting held third Tuesday of each month)	20
COUNTY BOARD MEETING Final Decision (Meeting held second Tuesday of each month)	20
	<hr/> TOTAL 120 (4 MONTHS)

ALTA/NSPS LAND TITLE SURVEY

BASIS OF BEARINGS

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

SURVEY PREPARED FOR

LIGHTSTAR RENEWABLES LLC
501 BOYLSTON ST
BOSTON, MA 02116

TITLE NOTES

FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NUMBER TL891016 WITH A COMMITMENT DATE OF MARCH 29, 2023 HAS BEEN REVIEWED IN CONJUNCTION WITH THE PREPARATION OF THIS SURVEY. THIS SURVEY MAY NOT REFLECT MATTERS OF TITLE THAT MAY BENEFIT OR BURDEN THE PROPERTY UNLESS THEY ARE EVIDENT FROM THE FIELD SURVEY OR THEY ARE CONTAINED IN THE ABOVE TITLE COMMITMENT. THE FOLLOWING NOTES ARE RELATED TO CERTAIN TITLE EXCEPTIONS CONTAINED IN THE ABOVE COMMITMENT.

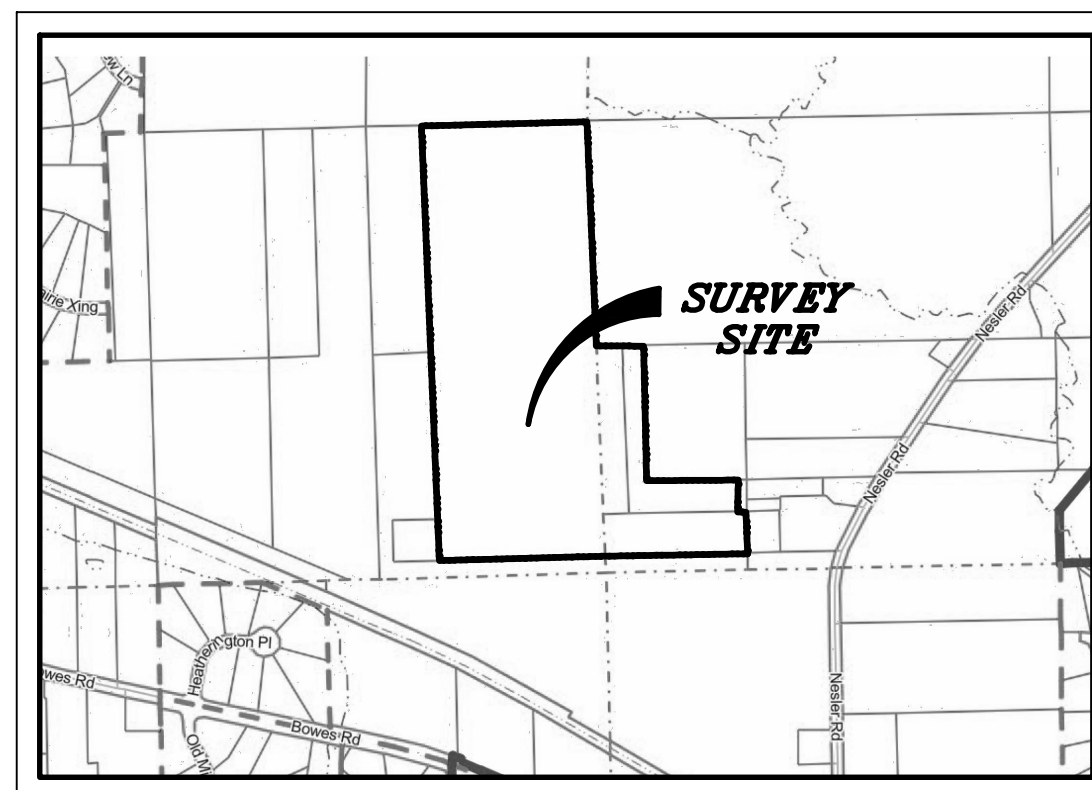
(EXCEPTION 10) THE SURVEYED PROPERTY IS NOT SUBJECT TO TAXES RELATED TO PIN: 05-24-400-021. SEE PINS LISTED HEREON FOR THE CORRECT PINS FOR THE SURVEYED PROPERTY.

(EXCEPTION 28) THE SURVEYED PROPERTY MAY BE SUBJECT TO A 100' RIGHT-OF-WAY AGREEMENT PER DOCUMENT 2011K057416, THE LOCATION OF THE 100' RIGHT-OF-WAY IS NOT DEFINED IN THE AGREEMENT CAUSING IT TO BE NOT PLOTTABLE.

(EXCEPTION 29) THE SURVEYED PROPERTY IS NOT SUBJECT TO A LEGALLY BINDING EASEMENT AGREEMENT PER DOCUMENT 2022K053725. THE AGREEMENT PROVIDED FOR RIGHTS-OF-WAY AND PUBLIC OR PRIVATE EASEMENTS ALL AS REASONABLY NECESSARY FOR COMMERCIAL, INDUSTRIAL, RESIDENTIAL OR ROADWAY PURPOSES OF THE RESPECTIVE TRACTS AND PARCELS FOR DEVELOPMENT. THE EASEMENT IS RESTRICTED TO THE EXISTING CELL TOWER GRAVEL DRIVEWAY OVER PIN 05-24-300-043 WHICH IS EAST OF THE SURVEYED PROPERTY AND DOES NOT PROVIDE A WIDTH OR DESCRIPTION. THE GRAVEL DRIVEWAY DOES NOT EXTEND TO THE SURVEYED PROPERTY AS PIN 05-24-300-042 IS BETWEEN THE SURVEYED PROPERTY AND PIN 05-24-300-043. THE GRAVEL DRIVEWAY HAS BEEN SHOWN HEREON. THE SURVEYED PROPERTY DOES NOT HAVE ACCESS TO NESLER ROAD.

(EXCEPTION 31) THE SURVEYED PROPERTY IS SUBJECT TO ORDINANCE NO. T29-09 PER DOCUMENT 2009K054461, WHICH IS A RECAPTURE AGREEMENT RELATED TO SANITARY SEWER.

(EXCEPTION 32) THE SURVEYED PROPERTY IS SUBJECT TO ORDINANCE NO. T28-09 PER DOCUMENT 2009K054457, WHICH IS A RECAPTURE AGREEMENT RELATED TO SANITARY SEWER.



LOCATION MAP

NOT TO SCALE

INDEX TO SCHEDULE B

EXCEPTION NUMBER	DOCUMENT NUMBER	DESCRIPTION	PLOTTABLE	NOTATION
1	N/A	RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS	UNKNOWN	NOT ADDRESSED BY SURVEY
2	N/A	EASEMENTS NOT SHOWN BY PUBLIC RECORDS	UNKNOWN	IMPROVEMENTS SHOWN ON SURVEY
3	N/A	MATTERS DISCLOSED BY AN ACCURATE SURVEY	YES	IMPROVEMENTS SHOWN ON SURVEY
4	N/A	ANY LIEN NOT SHOWN BY PUBLIC RECORDS	UNKNOWN	NOT ADDRESSED BY SURVEY
5	N/A	TAXES OR SPECIAL ASSESSMENTS NOT SHOWN BY PUBLIC RECORDS	UNKNOWN	NOT ADDRESSED BY SURVEY
6	N/A	NOTE REGARDING MATTERS THAT MAY APPEAR IN PUBLIC RECORDS BETWEEN THE COMMITMENT DATE AND THE DATE THE REQUIREMENTS ARE MET	UNKNOWN	NOT ADDRESSED BY SURVEY
7	N/A	PROPERTY TAXES FOR THE YEARS 2022 AND 2023 (05-23-400-021)	UNKNOWN	NOT ADDRESSED BY SURVEY
8	N/A	PROPERTY TAXES FOR THE YEARS 2022 AND 2023 (05-24-300-039)	UNKNOWN	NOT ADDRESSED BY SURVEY
9	N/A	PROPERTY TAXES FOR THE YEARS 2022 AND 2023 (05-24-300-040)	UNKNOWN	NOT ADDRESSED BY SURVEY
10	N/A	PROPERTY TAXES FOR THE YEARS 2022 AND 2023 (05-24-400-021)	UNKNOWN	NOTED ON SURVEY
11	96K055001	MORTGAGE	NO	NO EASEMENTS GRANTED
12	2006K060621	MORTGAGE	NO	NO EASEMENTS GRANTED
13	2013K049178	MORTGAGE	NO	NO EASEMENTS GRANTED
13	2016K055153 2018K023760 2020K001195 2023K005217	AMENDMENTS TO MORTGAGE	NO	NO EASEMENTS GRANTED
14	N/A	NOTE REGARDING NO OUTSTANDING VOLUNTARY LIENS OF RECORD AFFECTING SUBJECT PROPERTY	UNKNOWN	NOT ADDRESSED BY SURVEY
15	N/A	TERMS, POWERS, PROVISIONS AND LIMITATIONS OF THE TRUST UNDER WHICH TITLE TO SAID LAND IS HELD	UNKNOWN	NOT ADDRESSED BY SURVEY
16	N/A	NOTE REGARDING TRUST UNDER WHICH TITLE TO THE LAND IS HELD AND COMMITMENT BEING SUBJECT TO FURTHER EXCEPTIONS	UNKNOWN	NOT ADDRESSED BY SURVEY
17	2007-P-000039	MATTERS ARISING BY COURT CASE 2007-P-000039	UNKNOWN	NOT ADDRESSED BY SURVEY
18	2007-P-000037	MATTERS ARISING BY COURT CASE 2007-P-000039	UNKNOWN	NOT ADDRESSED BY SURVEY
19	2009K05428	QUIT CLAIM DEED	UNKNOWN	NOT ADDRESSED BY SURVEY
20	2011K057412	QUIT CLAIM DEED	UNKNOWN	NOT ADDRESSED BY SURVEY
21	2015K062239	QUIT CLAIM DEED	UNKNOWN	NOT ADDRESSED BY SURVEY
22	N/A	EXISTING UNRECORDED LEASES	UNKNOWN	NOT ADDRESSED BY SURVEY
23	N/A	REQUEST FOR PROPERTY MANAGERS STATEMENT	UNKNOWN	NOT ADDRESSED BY SURVEY
24	N/A	NOTE REGARDING PLAT ACT (PARAGRAPH 1(a) OF 765 ILCS 205/1)	UNKNOWN	NOT ADDRESSED BY SURVEY
25	N/A	NOTE REGARDING MUNICIPALITY AND REQUIREMENTS PRIOR TO CLOSING	UNKNOWN	NOT ADDRESSED BY SURVEY
26	N/A	NOTE REGARDING REQUIREMENTS PRIOR TO THE DELETION OF STANDARD EXCEPTIONS	UNKNOWN	NOT ADDRESSED BY SURVEY
27	2008K034806	LEASE	YES	SHOWN HEREON
27	2008K061003	MEMORANDUM OF ASSIGNMENT AND SITE LEASE AGREEMENT	YES	SHOWN HEREON
27	2013K049177	PURPORTED MEMORANDUM OF ASSIGNMENT	YES	SHOWN HEREON
28	2011K057416	RIGHT-OF-WAY AGREEMENT	UNKNOWN	NOTED ON SURVEY
29	2022K053725	EASEMENT AGREEMENT	YES	NOTED ON SURVEY/IMPROVEMENTS SHOWN ON SURVEY
30	2003K221582	ORDINANCE NO. 2003-11-3	YES	SHOWN HEREON
31	2009K054461	ORDINANCE NO. T29-09	NO	NOTED ON SURVEY
32	2009K054457	ORDINANCE NO. T28-09	NO	NOTED ON SURVEY
33	N/A	RIGHTS OF THE PUBLIC, THE STATE OF ILLINOIS AND THE MUNICIPALITY IN AND TO THAT PART OF THE LAND, IF ANY, TAKEN OR USED FOR ROAD PURPOSES	YES	IMPROVEMENTS SHOWN ON SURVEY
34	N/A	RIGHTS OF WAY FOR DRAINAGE TILES, DITCHES, FEEDERS AND LATERALS, IF ANY	YES	IMPROVEMENTS SHOWN ON SURVEY
36	N/A	NOTE REGARDING THE PERISHABLE AGRICULTURAL COMMODITIES ACT	UNKNOWN	NOT ADDRESSED BY SURVEY

LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF THE FOLLOWING PARCEL OF LAND FALLING WITHIN PARCEL J ON ORDINANCE NO. 2003-11-3 RECORDED DECEMBER 30, 2003, AS DOCUMENT NO. 2003K221582:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23 AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 24, BOTH IN TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 23; THENCE NORTH 00 DEGREES 27 MINUTES 17 SECONDS WEST, A DISTANCE OF 100.00 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 05 MINUTES 26 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23, A DISTANCE OF 1249.25 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 34 SECONDS WEST, A DISTANCE OF 243.37 FEET; THENCE NORTH 89 DEGREES 05 MINUTES 26 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 23, A DISTANCE OF 1251.09 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24, A DISTANCE OF 1516.35 FEET TO THE CENTER LINE AS MONUMENTED OF NESLER ROAD; THENCE SOUTH 27 DEGREES 43 MINUTES 17 SECONDS WEST, ALONG SAID CENTER LINE AS MONUMENTED, A DISTANCE OF 277.19 TO A LINE THAT IS PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24 AND PASSES THROUGH THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24, A DISTANCE OF 1385.46 FEET TO THE POINT OF BEGINNING, BEING SITUATED ON PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTH HALF, 147.30 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 91 DEGREES 23 MINUTES 09 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, 981.91 FEET; THENCE WESTERLY AT AN ANGLE OF 88 DEGREES 46 MINUTES 22 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID PARALLEL LINE, 147.29 FEET TO SAID WEST LINE; THENCE NORTHERLY AT AN ANGLE OF 91 DEGREES 13 MINUTES 38 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID WEST LINE, 983.32 FEET TO THE PLACE OF BEGINNING, ALL IN PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTH HALF, 147.30 FEET FOR THE POINT OF BEGINNING; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTH HALF, 147.30 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHERLY, AT AN ANGLE OF 91 DEGREES 23 MINUTES 09 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, 981.91 FEET; THENCE EASTERLY AT AN ANGLE OF 91 DEGREES 13 MINUTES 38 SECONDS, MEASURED CLOCKWISE FROM SAID PARALLEL LINE, 615.05 FEET; THENCE NORTHERLY AT AN ANGLE OF 91 DEGREES 13 MINUTES 52 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 139.16 FEET; THENCE NORTHERLY AT AN ANGLE OF 179 DEGREES 44 MINUTES 32 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 40.78 FEET; THENCE WESTERLY AT AN ANGLE OF 89 DEGREES 11 MINUTES 12 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 490.47 FEET; THENCE NORTHERLY, AT AN ANGLE OF 91 DEGREES 22 MINUTES 27 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 800.23 FEET TO SAID NORTH LINE; THENCE WESTERLY, AT AN ANGLE OF 91 DEGREES 22 MINUTES 23 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID NORTH LINE, 132.33 FEET TO THE POINT OF BEGINNING, ALL IN PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 1618.11 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY, AT AN ANGLE OF 90 DEGREES 48 MINUTES 43 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER, 2566.00 FEET TO A POINT ON A LINE THAT IS 100.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER; THENCE EASTERLY, AT AN ANGLE OF 89 DEGREES 11 MINUTES 02 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID PARALLEL LINE, 978.49 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE NORTHERLY, AT AN ANGLE OF 89 DEGREES 42 MINUTES 20 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID EAST LINE, 1227.65 FEET; THENCE CONTINUING NORTHERLY, AT AN ANGLE OF 179 DEGREES 46 MINUTES 41 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID EAST LINE, 1327.62 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE WESTERLY, AT AN ANGLE OF 90 DEGREES 42 MINUTES 04 SECONDS, MEASURED CLOCKWISE FROM SAID EAST LINE, ALONG SAID NORTH LINE, 978.59 FEET TO THE POINT OF BEGINNING, ALL IN PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

PROPERTY AREA

3,078,071 SQUARE FEET (70.663 ACRES)

PIN'S

05-24-300-014 (PARCEL 1)
05-24-300-039 (PARCEL 2)
05-24-300-040 (PARCEL 3)
05-23-400-021 (PARCEL 4)

PROPERTY ADDRESS

10N086 NESLER ROAD
ELGIN, ILLINOIS 60124

SHEET INDEX

SHEET 1:	LEGAL DESCRIPTION, FEMA, TITLE INDEX & NOTES, ZONING, SURVEYORS NOTES AND CERTIFICATION
SHEET 2:	EXISTING LOT AND EASEMENT DETAILS
SHEET 3:	EXISTING IMPROVEMENTS AND TIES

SURVEYOR'S NOTES

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON. DISTANCES AND/OR BEARINGS SHOWN IN PARENTHESIS (456.67') ARE RECORD OR DEED VALUES, NOT FIELD MEASURED.
- COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY MONUMENTS BEFORE BUILDING, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.
- THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED ON THE LEGAL DESCRIPTION CONTAINED IN THE TITLE COMMITMENT AND SHOWN HEREON. THIS INFORMATION HAS BEEN FURNISHED BY THE CLIENT AND COMPARED TO RECORD DEEDS TO CHECK FOR GAPS AND/OR OVERLAPS. HOWEVER, THIS SURVEY MAY NOT REFLECT HISTORICAL MATTERS OF TITLE AND OWNERSHIP THAT HAVE NOT BEEN DISCLOSED BY THE TITLE COMMITMENT.
- UNLESS OTHERWISE NOTED, ONLY THE IMPROVEMENTS WHICH WERE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY AND THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE ARE SHOWN ON THE FACE OF THIS PLAT. LAWN SPRINKLER SYSTEMS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
- MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH, AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY, THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE. THE LABELING OF THESE MANHOLES (SANITARY, WATER, ETC.) IS BASED SOLELY ON THE "STAMPED" MARKINGS ON THE RIM. NO UNDERGROUND OBSERVATIONS HAVE BEEN MADE TO VERIFY THE ACTUAL USE OR EXISTENCE OF UNDERGROUND UTILITIES.
- SURFACE INDICATIONS OF UTILITIES ON THE SURVEYED PARCEL HAVE BEEN SHOWN. UNDERGROUND AND OFFSITE OBSERVATIONS HAVE NOT BEEN MADE TO DETERMINE THE EXTENT OF UTILITIES SERVING OR EXISTING ON THE PROPERTY. PUBLIC AND/OR PRIVATE RECORDS HAVE NOT BEEN SEARCHED TO PROVIDE ADDITIONAL INFORMATION. OVERHEAD WIRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
- THIS SURVEY MAY NOT REFLECT ALL UTILITIES, OR IMPROVEMENTS, IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING, OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS OR TRAILERS, OR WHEN THE SITE WAS COVERED WITH SNOW. AT THE TIME OF SURVEY, THE SITE WAS NOT COVERED BY SNOW. OVERHEAD WIRES AND POLES (IF ANY) HAVE BEEN SHOWN, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
- OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE OR UTILITY LINE, CONTROLLED UNDERGROUND EXPLORATORY EFFORT TOGETHER WITH "JACKET" MARKINGS IS RECOMMENDED TO DETERMINE THE FULL EXTENT OF UNDERGROUND SERVICE AND UTILITY LINES. CONTACT J.U.L.I.E. AT 1-800-892-0123.
- THE SURVEYED PROPERTY MAY HAVE A DRAINILE SYSTEM, WHICH HAS NOT BEEN SURVEYED OR SHOWN HEREON. IN ORDER TO DETERMINE IF A DRAINILE SYSTEM DOES EXIST ON THE SUBJECT PROPERTY, AND TO WHAT EXTENT, A DETAILED DRAINILE STUDY MUST BE COMPLETED BY THE APPROPRIATE PROFESSIONAL.
- RESTRICTIONS THAT MAY BE FOUND IN LOCAL BUILDING AND/OR ZONING CODES HAVE NOT BEEN SHOWN. HEIGHT AND BULK RESTRICTIONS (IF ANY) HAVE NOT BEEN SHOWN, ONLY THOSE SETBACK RESTRICTIONS SHOWN ON THE RECORDED SUBDIVISION PLAT OR IN THE TITLE COMMITMENT HAVE BEEN SHOWN.
- AT THE TIME OF THE SURVEY THERE WERE NO BUILDINGS OBSERVED ON THE SURVEYED PROPERTY THEREFORE THERE ARE NO BUILDING DIMENSIONS SHOWN HEREON. (PERTAINS TO TABLE A, ITEM 7A)
- AT THE TIME OF THE SURVEY THERE WERE NO PARKING STALLS OBSERVED ON THE SURVEYED PROPERTY (PERTAINS TO TABLE A, ITEM 9)

FLOOD HAZARD NOTE

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FIRM COMMUNITY PANEL NUMBER 17089C0144H WITH AN EFFECTIVE DATE OF AUGUST 3, 2009 INDICATES THAT THE ABOVE DESCRIBED PROPERTY LIES WITHIN AREAS DESIGNATED AS ZONE X (UNSHADED). ZONE X (UNSHADED) IS DEFINED AS AREAS DETERMINED TO BE OUTSIDE OF 0.2% ANNUAL CHANCE FLOODPLAIN PER THE FLOOD INSURANCE RATE MAPS. THIS MAP DOES NOT NECESSARILY SHOW ALL AREAS SUBJECT TO FLOODING IN THE COMMUNITY OR ALL PLANIMETRIC FEATURES OUTSIDE SPECIAL FLOOD HAZARD AREAS. THIS DOES NOT GUARANTEE THAT THE SURVEYED PROPERTY WILL OR WILL NOT FLOOD.

SURVEYOR CERTIFICATE:

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)
CERTIFIED TO: FIRST AMERICAN TITLE INSURANCE COMPANY
AND:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 7(c), 8, 9 AND 14 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 11, 2023.

DATED THIS 6TH DAY OF JUNE, A.D., 2023.

Jacob I. Dunham
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3966
EMAIL ADDRESS: JDUNHAM@MANHARD.COM
LICENSE EXPIRES NOVEMBER 30, 2024



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

DATE	
REVISIONS	



10N086 NESLER ROAD
ELGIN, ILLINOIS
ALTA/NSPS LAND TITLE SURVEY

PROJ. MGR.: JD
PROJ. ASSOC.: AAS
DRAWN BY: AAS
DATE: 06/06/23
SCALE: NA

SHEET
1 OF 3
LRLLEU10

LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF THE FOLLOWING PARCEL OF LAND FALLING WITHIN PARCEL J ON ORDINANCE NO. 2003-11-3 RECORDED DECEMBER 30, 2003, AS DOCUMENT NO. 2003K221582:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 23 AND THAT PART OF THE SOUTHWEST QUARTER OF SECTION 24, BOTH IN TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 23; THENCE NORTH 00 DEGREES 27 MINUTES 17 SECONDS WEST, A DISTANCE OF 100.00 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 05 MINUTES 26 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 23, A DISTANCE OF 1249.25 FEET; THENCE NORTH 00 DEGREES 54 MINUTES 34 SECONDS WEST, A DISTANCE OF 245.37 FEET; THENCE NORTH 89 DEGREES 05 MINUTES 26 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 23, A DISTANCE OF 1251.09 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS EAST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24, A DISTANCE OF 1516.35 FEET TO THE CENTER LINE AS MONUMENTED OF NESTLER ROAD; THENCE SOUTH 27 DEGREES 43 MINUTES 17 SECONDS WEST, ALONG SAID CENTER LINE AS MONUMENTED, A DISTANCE OF 277.19 TO A LINE THAT IS PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24 AND PASSES THROUGH THE POINT OF BEGINNING; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 24, A DISTANCE OF 1385.46 FEET TO THE POINT OF BEGINNING. BEING SITUATED ON PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTH HALF, 147.30 FEET; THENCE SOUTHERLY, AT AN ANGLE OF 91 DEGREES 23 MINUTES 09 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, 981.91 FEET; THENCE WESTERLY AT AN ANGLE OF 88 DEGREES 46 MINUTES 22 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID PARALLEL LINE, 147.29 FEET TO SAID WEST LINE; THENCE NORTHERLY AT AN ANGLE OF 91 DEGREES 13 MINUTES 38 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID WEST LINE, 983.32 FEET TO THE PLACE OF BEGINNING, ALL IN PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTH HALF; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTH HALF, 147.30 FEET FOR THE POINT OF BEGINNING; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTH HALF, 147.30 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHERLY, AT AN ANGLE OF 91 DEGREES 23 MINUTES 09 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, 981.91 FEET; THENCE EASTERLY AT AN ANGLE OF 91 DEGREES 13 MINUTES 38 SECONDS, MEASURED CLOCKWISE FROM SAID PARALLEL LINE, 615.05 FEET; THENCE NORTHERLY AT AN ANGLE OF 91 DEGREES 13 MINUTES 52 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 139.16 FEET; THENCE NORTHERLY AT AN ANGLE OF 179 DEGREES 44 MINUTES 32 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, **40.78** FEET; THENCE WESTERLY AT AN ANGLE OF 89 DEGREES 11 MINUTES 12 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 490.47 FEET; THENCE NORTHERLY, AT AN ANGLE OF 91 DEGREES 22 MINUTES 27 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, 800.23 FEET TO SAID NORTH LINE; THENCE WESTERLY, AT AN ANGLE OF 91 DEGREES 22 MINUTES 23 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID NORTH LINE, 132.33 FEET TO THE POINT OF BEGINNING, ALL IN PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

PARCEL 4:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 41 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHEAST QUARTER; THENCE EASTERLY, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 1618.11 FEET FOR A POINT OF BEGINNING; THENCE SOUTHERLY, AT AN ANGLE OF 90 DEGREES 48 MINUTES 43 SECONDS, MEASURED COUNTERCLOCKWISE FROM SAID NORTH LINE, PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST QUARTER, 2566.00 FEET TO A POINT ON A LINE THAT IS 100.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EASTERLY, AT AN ANGLE OF 90 DEGREES 11 MINUTES 02 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID PARALLEL LINE, 978.49 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTHERLY, AT AN ANGLE OF 89 DEGREES 42 MINUTES 20 SECONDS, MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID EAST LINE 1227.65 FEET; THENCE CONTINUING NORTHERLY, AT AN ANGLE OF 179 DEGREES 46 MINUTES 41 SECONDS, MEASURED COUNTERCLOCKWISE FROM THE LAST DESCRIBED COURSE, ALONG SAID EAST LINE, 1327.62 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER; THENCE WESTERLY, AT AN ANGLE OF 90 DEGREES 42 MINUTES 04 SECONDS, MEASURED CLOCKWISE FROM SAID EAST LINE, ALONG SAID NORTH LINE, 978.59 FEET TO THE POINT OF BEGINNING, ALL IN PLATO TOWNSHIP, KANE COUNTY, ILLINOIS.

LAND USE OPINION

23-067

October 18th, 2023

Prepared for:
Kane County

Petitioner:
Manhard Consulting
1 E Wacker Drive, Suite 2700,
Chicago, IL 60601

PURPOSE AND INTENT

This Land Use Opinion report and Natural Resources Inventory intend to present the most current natural resource information available for a parcel, lot, or tract of land in an understandable format. It contains a description of the present conditions and resources available and their potential impact on each other, especially in regards to a proposed change to that parcel of land. This information comes from standardized data, investigations of the parcel, and other information furnished by the petitioner. **This report must be read in its entirety**, so that the relationship between natural resource factors and the proposed land use can be fully understood.

This report presents natural resource information to owners, land-managers, officials of local governing bodies, and other decision makers concerning the parcel. Decisions concerning variations, amendments, or relief of local zoning ordinances may reference this report. Also, decisions concerning the future of a proposed subdivision of vacant or agricultural lands, and the subsequent development of these lands may reference this report. This report is a requirement under the State of Illinois Soil and Water Conservation District Act contained in ILCS 70, 405/1 ET seq.

This report provides the best available natural resource information for the parcel and when used

properly, will provide the basis for good land use change decisions and proper development while protecting the natural resource base of the county. However, because of the variability of nature, and because of the limitations of map scale and the precision of natural resource maps (which includes the property boundaries represented for the parcel), this report does not reflect precise natural resource information at specific locations within the parcel. On-site investigations, soil evaluations, and engineering studies should be conducted as necessary, for point-specific information.

The opinions and ratings given in this report are based on the review of natural resource maps and literature, and are the opinions of the Kane-DuPage Soil and Water Conservation District. The opinions are not meant as a recommendation for the success, nor the failure of, the proposed use of this parcel.

This report should alert the reader to the capabilities of the parcel and to the possible issues that may occur if the properties and characteristics of the land are ignored. Please direct technical questions about information supplied in this report to:

Kane-DuPage Soil & Water Conservation District
2315 Dean Street, Suite 100
St. Charles, IL 60175
Phone: (630) 584-7960 x3

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PARCEL LOCATION

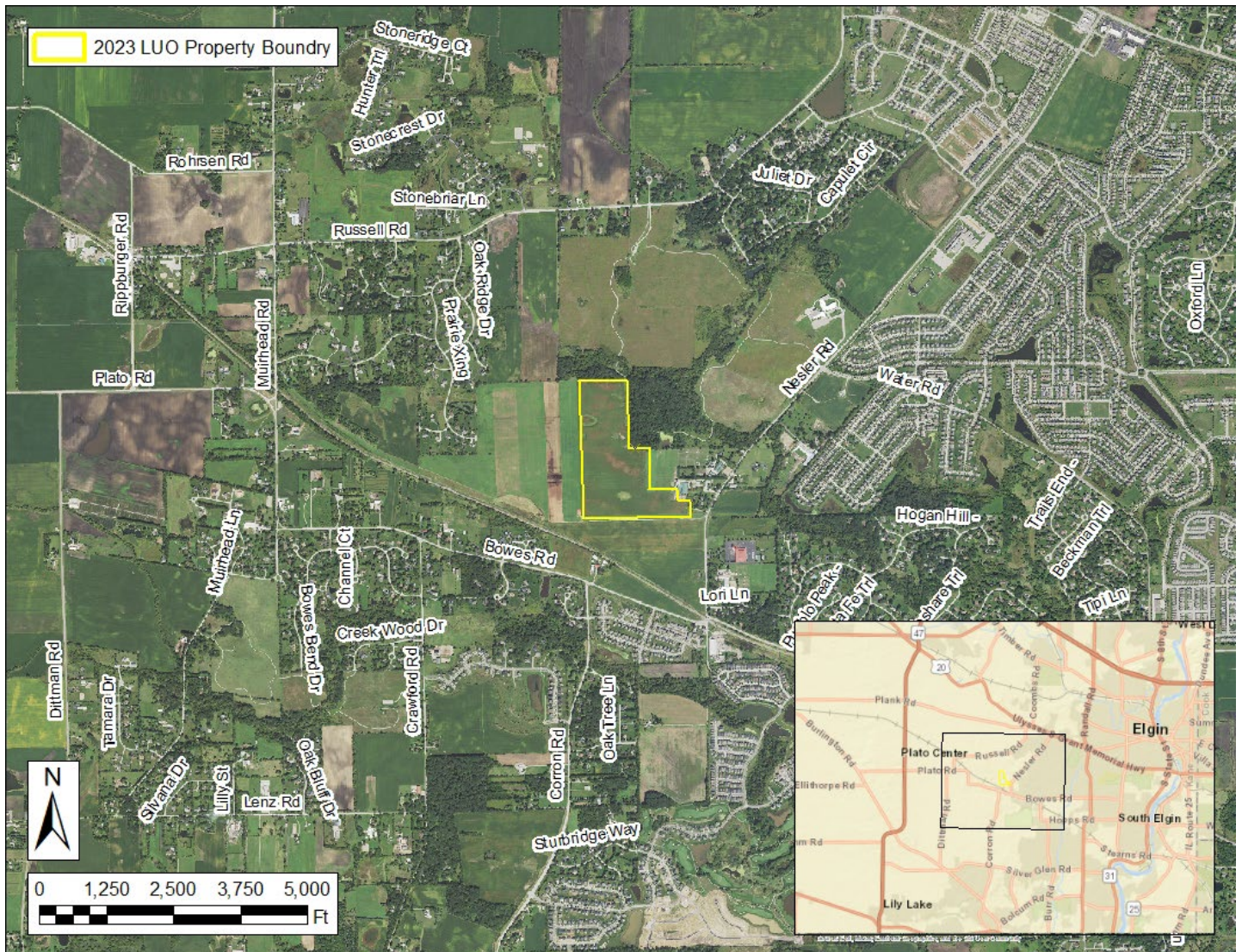


Figure 1: Plat Map with aerial background and parcel boundary

This site is in Plato Township. The public land survey system identifies the site in **Section 24 in Township 41 North and Range 7 East**. The site is parcel #05-23-400-021, 05-24-300-039 located at **10N205 Nesler Road in Elgin, IL**.

LAND COVER IN THE EARLY 1800'S

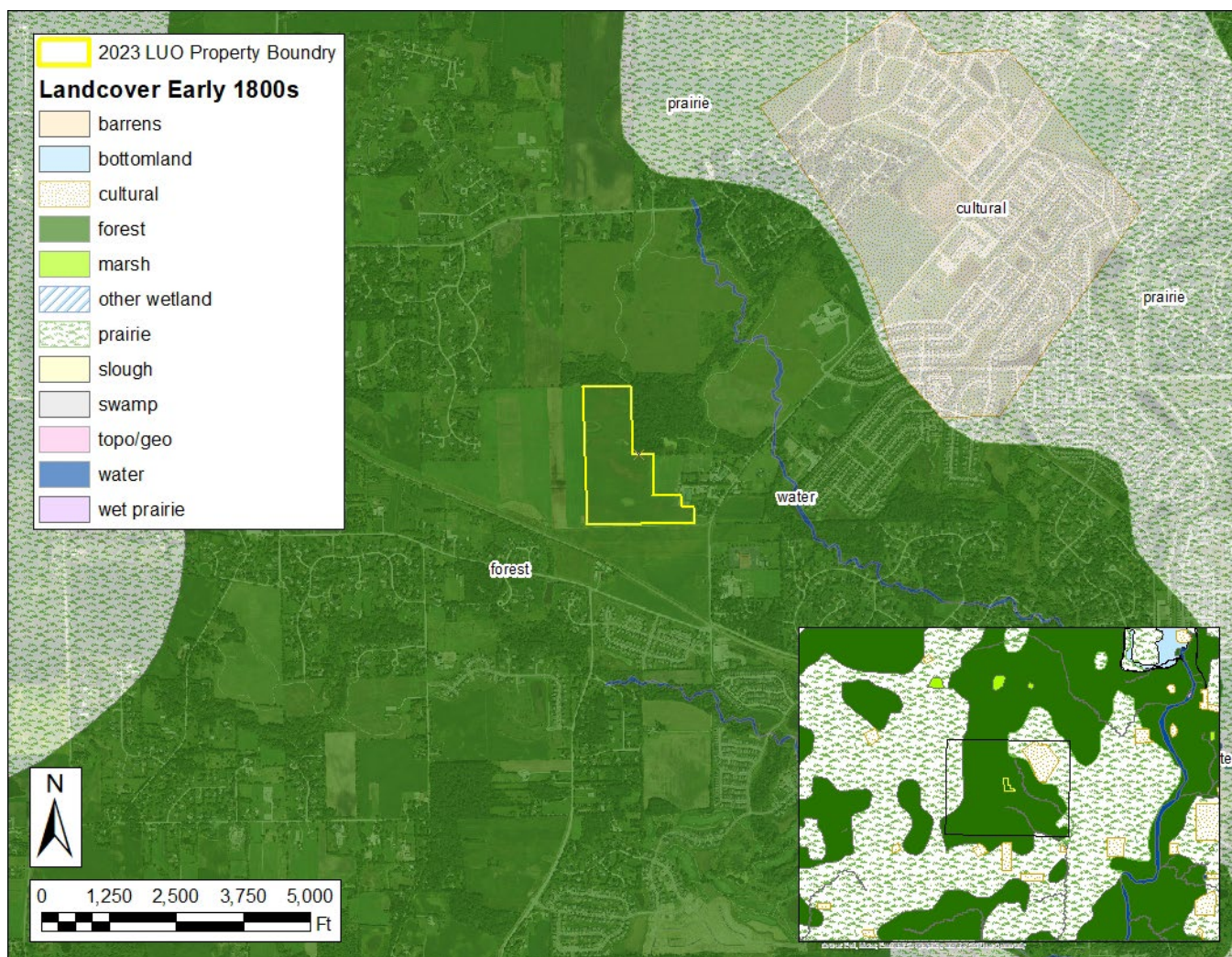


Figure 2: Land Cover of Illinois in the Early 1800's

The public land survey system represents one of the earliest detailed maps for Illinois. The surveys began in 1804 and were largely completed by 1843. The surveyors recorded the land cover and natural resource areas as they worked across the state. These plat maps and field notebooks contain a wealth of information about what the landscape was like before large numbers of settlers came into the state and began modifying the land.

Much of the landscape of Illinois in the early 1800's consisted of two different natural resource areas; prairie and forest. The forest category includes woodlands and savannas, typical of northeastern Illinois. Prairie and forest ecosystems are extremely valuable resources for many reasons. These areas:

- provide wildlife habitat and support biodiversity
- provide areas for recreational opportunities

- improve soil health and reduce soil loss
- improve air and water quality

The original 42 categories of natural resource areas were later simplified to 12 categories; barrens, bottomland, cultural (farms), forest, marsh, other wetlands, prairie, slough, swamp, special geographic features, wet prairie, and water. The maps do not represent exact site conditions, but represent the observations of individual surveyors as they crossed through the area.

This site is recorded as forest land cover on the early 1800's map. The Kane-DuPage Soil & Water Conservation District recommends preserving as much of the natural character of the site as possible, using native plants for landscaping, and removing and controlling invasive species.

GREEN INFRASTRUCTURE

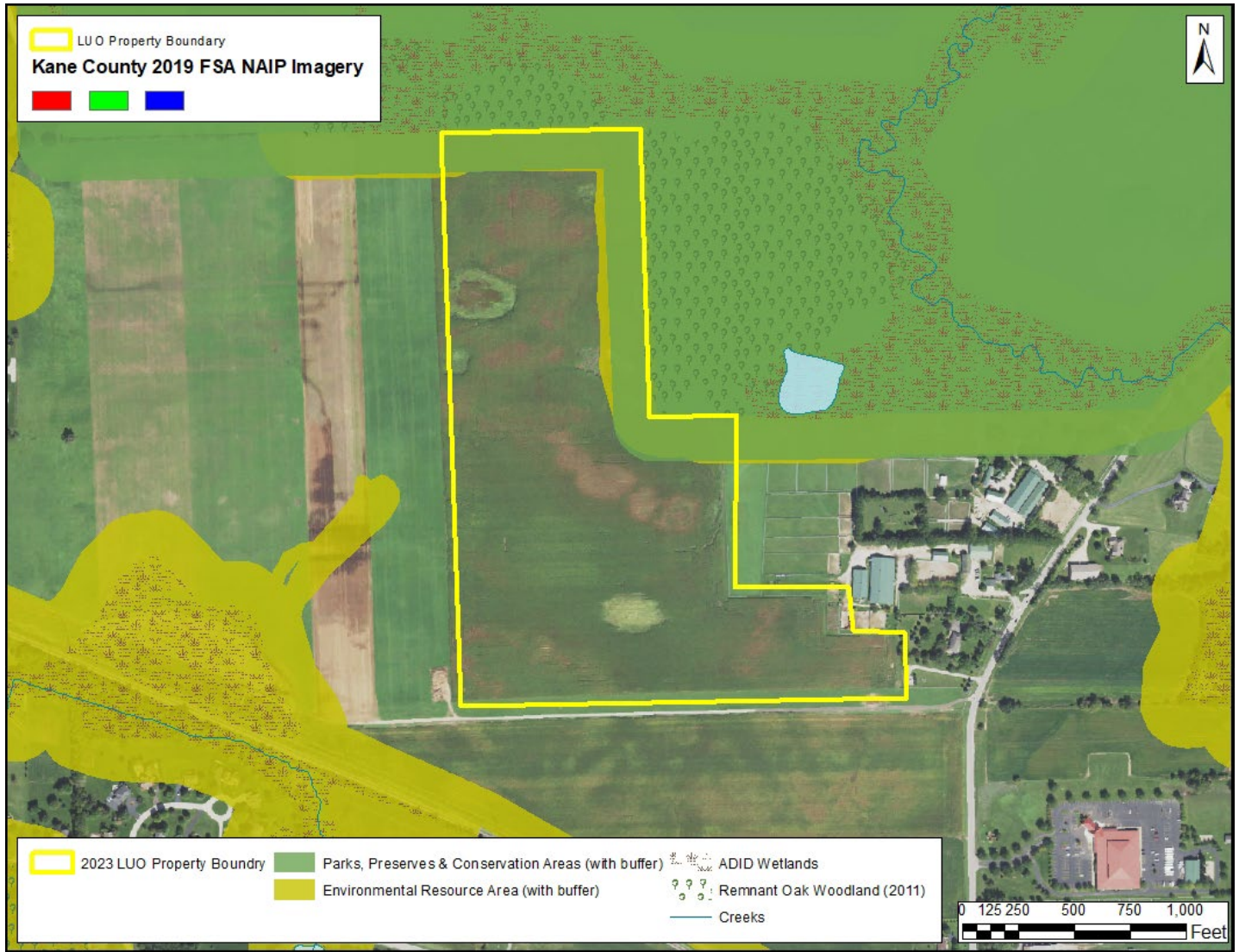


Figure 3: Kane County 2040 Green Infrastructure Plan site map

Green infrastructure is an interconnected system of natural areas and open spaces including woodlands, wetlands, trails, and parks, which are protected and managed for the ecological values and functions they provide to people and wildlife. The Kane County Green Infrastructure Plan includes analysis of existing natural resources in the county and recommendations for green infrastructure priorities and approaches. The goal is to lay the ground-work for green infrastructure planning and projects at the regional, community, neighborhood, and site level, (from the “Kane County 2040 Green Infrastructure Plan”).

The benefits of green infrastructure include:

- Preservation of habitat and diversity
- Water and soil conservation
- Flood storage and protection
- Improved public health
- Encourage local food production
- Economic benefits
- Mitigation and adaptation for climate change

This site includes one or more of the following priority areas in the “Kane County 2040 Green Infrastructure Plan: forest preserves, park preserves and conservation area, and environmental resource area.

NATIONAL WETLAND INVENTORY (NWI)

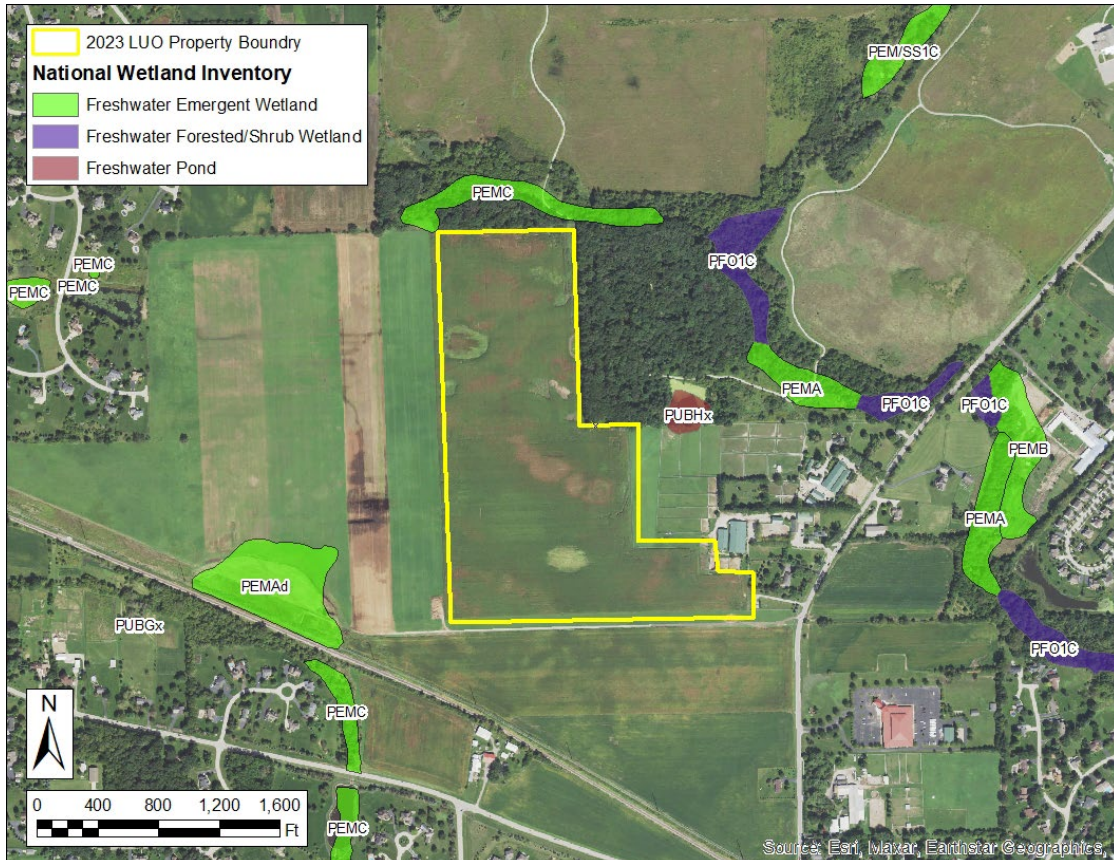


Figure 4: National Wetland Inventory (NWI) Map

The National Wetland Inventory (NWI), conducted by the U.S. Fish and Wildlife Service, identifies significant wetlands throughout the country. All U.S. federal agencies define wetlands as follows, “Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.” Other common wetlands located in this part of Illinois are fens, wet meadows, seasonally saturated soils, and farmed wetlands.

Wetlands are protected and regulated by federal, state, and local laws, without regard to size. Wetlands are valuable, productive, and diverse ecological systems and provide multiple benefits, including:

- controlling flooding by slowing the release of

- excess water downstream or through the soil,
- cleansing water by filtering out sediment and pollutants,
- functioning as recharge areas for groundwater,
- providing essential breeding, rearing, and feeding habitat for many species of wildlife.

A review of the National Wetland Inventory indicates that there are no NWI wetlands on this site. Although the NWI is very thorough, it is not a complete inventory of all possible wetlands. Other regulated wetlands may be present.

The KDSWCD recommends contacting the U.S. Army Corps of Engineers and the Kane County Division of Environmental and Water Resources before commencing any construction activities that may impact wet areas or floodplains. Please see the Regulatory Agencies page near the end of the report for wetland regulation information.

ADVANCED IDENTIFICATION OF WETLANDS (ADID)

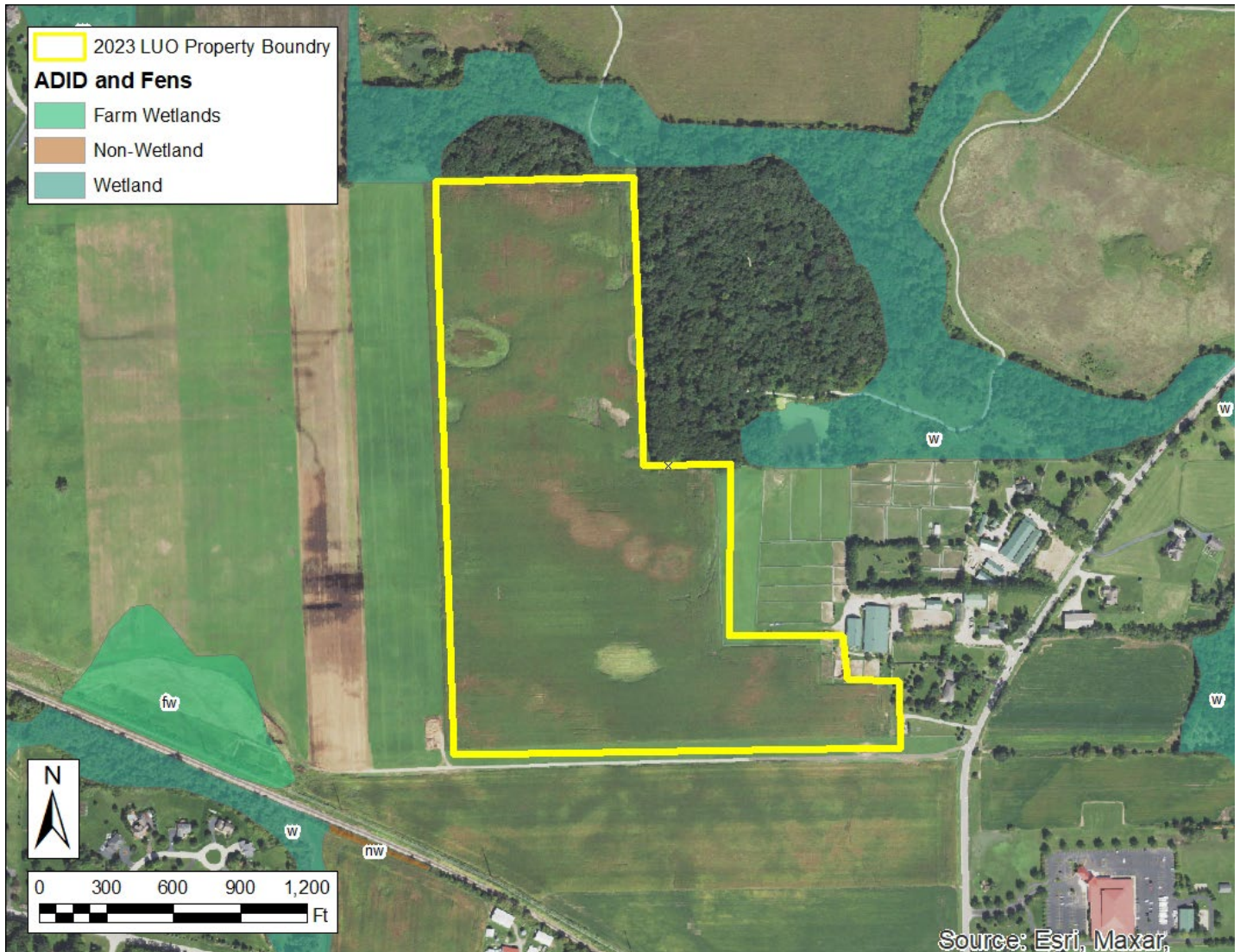


Figure 5: Advanced Identification of Wetlands (ADID), Kane County

Released in August of 2004, the Kane County Advanced Identification of Wetlands (ADID) study was a cooperative effort between federal, state, and local agencies to identify the location and quality of the wetlands of Kane County and to develop wetland protection strategies. ADID studies are a U.S. Environmental Protection Agency program to provide improved awareness of the locations, functions, and values of wetlands and other waters of the United States. This information can be used by federal, state, and local government to aid in zoning,

permitting, and land acquisition decisions. In addition, the information can provide data to agencies, landowners, and private citizens interested in restoration or protection of aquatic sites and resources. For more detailed information regarding wetlands in Kane County, please refer to the Advanced Identification of Wetlands (ADID) study at:

<http://dewprojects.countyofkane.org/adid/>

A review of the Kane County ADID map revealed that no ADID wetlands were identified on this site.

FLOODPLAINS

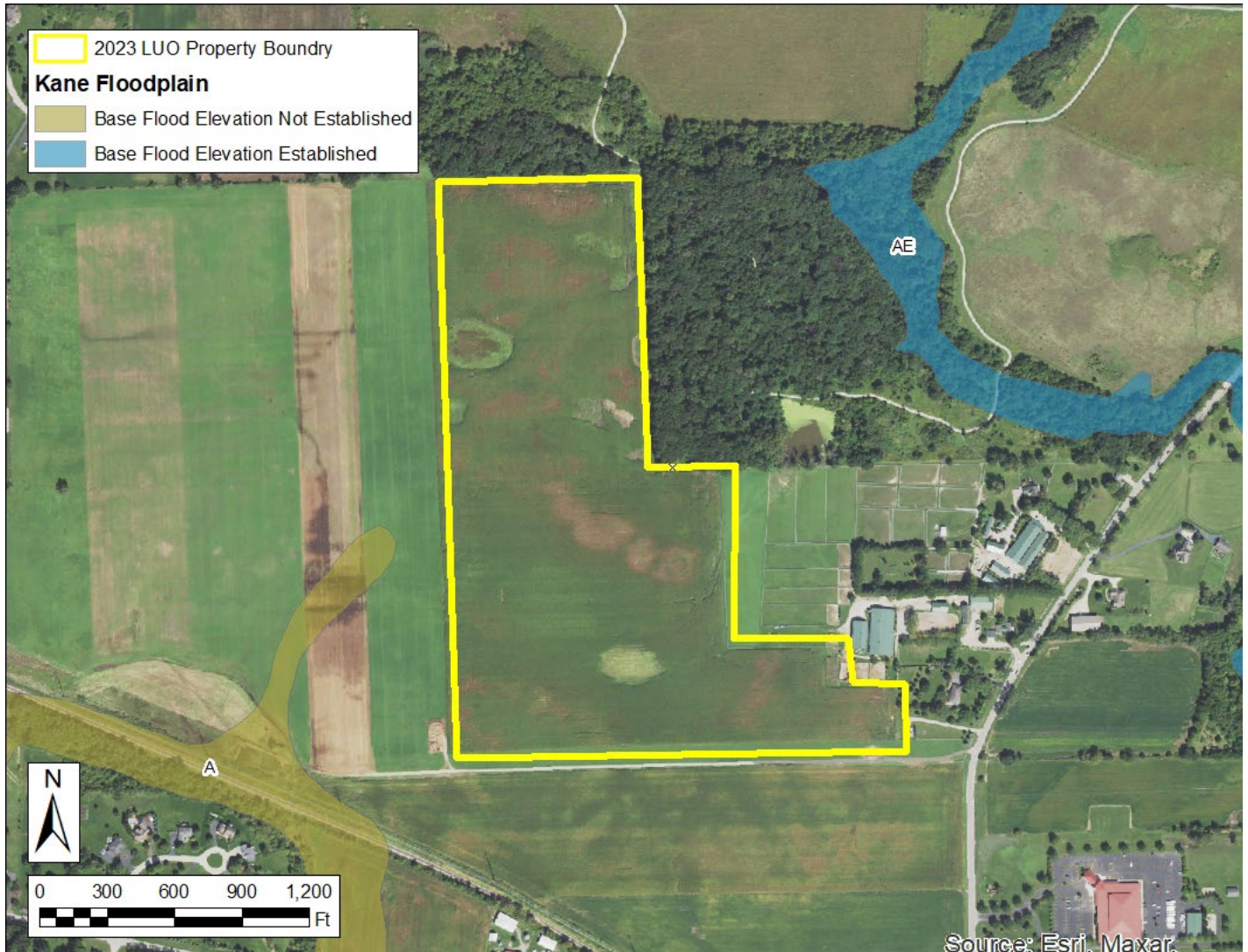


Figure 6: Floodplain map - Federal Emergency Management Agency (FEMA)

Undeveloped floodplains provide many natural resources and functions of considerable economic, social, and environmental value. Floodplains often contain wetlands and other important ecological areas as part of a total functioning system that impacts directly on the quality of the local environment.

Here are a few of the benefits and functions of floodplains:

- natural flood storage and erosion control,
- water quality maintenance,
- groundwater recharge,
- nutrient filtration,

- biological productivity/wildlife habitat,
- recreational opportunities/aesthetic value.

Also, development in a floodplain has a hazardous risk of damage by high flood waters and stream overflow. For this reason, floodplains are generally unsuited to most development and structures.

According to the FEMA Flood Insurance Rate Map, **none** of this site is within the boundaries of a 100-year floodplain. Any development in the floodplain, other than restoration efforts, is generally unsuited and hazardous and will impede the beneficial functions of the floodplain. See the Regulatory Agencies page near the end of this report for information regarding floodplain regulations.

WATERSHEDS AND STREAMS

Watersheds are areas of land that eventually drain into a river or stream. Everyone lives in a watershed, no matter if a river or stream is nearby. Watersheds may be named according to its major river or stream. Watersheds, such as the Mississippi River watershed, may be extremely large, encompassing multiple states. Watersheds may also be subdivided into smaller units. Some very small watersheds may not contain a named stream. However, the water that drains from that watershed eventually reaches a stream or river. Watersheds may also be referred to as hydrologic units (HU) and may be identified by a number.

Kane County has been subdivided into three watersheds by federal and state agencies, based upon the drainage area of local rivers: the Kishwaukee River watershed in the northwest; a small portion of the Des Plaines River watershed, along the border with DuPage County; and the Fox River watershed, which occupies the central portion of the county. The Kishwaukee River watershed is part of the Rock River watershed and the Des Plaines River and Fox River watersheds are part of the Illinois River watershed. Both the Rock River and Illinois River are part of the greater Mississippi River watershed. These watersheds have been subdivided into smaller local watersheds for planning.

Local watershed management planning is an important effort that involves citizens of a watershed in the protection of their local water resources. Water quality is a reflection of its watershed.

Common Watershed Goals:

- Protect and restore natural resources
- Improve water quality
- Reduce flood damage
- Enhance and restore stream health
- Guide new development to benefit watershed goals
- Preserve and develop green infrastructure
- Enhance education and stewardship

There are many watershed plans that have already been developed in DuPage County. Please follow the link below to the DuPage County Stormwater Management Watershed Plans.

https://www.dupageco.org/EDP/Stormwater_Management/6597/

Rivers and Streams are necessary components of successfully functioning ecosystems. It is important to protect the beneficial functions and integrity of our local streams and rivers. Development near stream systems has the potential to increase flooding, especially in urban areas where there is a lot of impervious surface and a greater amount of stormwater runoff. Pollution is also an issue for stream systems in urban and rural areas. It is rare for any surface waters to be impacted by only one source of pollution. With few exceptions, every land-use activity is a potential source of nonpoint source water pollution (IEPA Nonpoint Source Pollution).

The Illinois Environmental Protection Agency (IEPA) provides the following in regards to nonpoint source pollution, "Nonpoint source pollution (NPS) occurs when runoff from rain and snowmelt carries pollutants into waterways such as rivers, streams, lakes, wetlands, and even groundwater. Examples of or sources of NPS pollution in Illinois include runoff from farm fields, livestock facilities, construction sites, lawns and gardens, city streets and parking lots, surface coal mines, and forestry. The major sources of NPS pollution in Illinois are agriculture, urban runoff, and habitat modification."

Nutrient management is of vital importance to the health of our rivers and streams. Nutrient load in our local streams and rivers has contributed to the Gulf of Mexico hypoxia, or a "dead zone" located where the Mississippi River meets the Gulf of Mexico. This dead zone has little to no biological activity. Yearly averages indicate the dead zone to be greater than 5,000 square miles in size. Illinois was required and has introduced a plan to reduce nutrient loss from point source pollution sources, such as wastewater treatment plants and industrial wastewater, as well as nonpoint pollution sources. Read Illinois's Plan for reducing nutrient loss here:

<https://www2.illinois.gov/epa/topics/water-quality/watershed-management/excess-nutrients/Pages/nutrient-loss-reduction-strategy.aspx>

AQUIFER SENSITIVITY

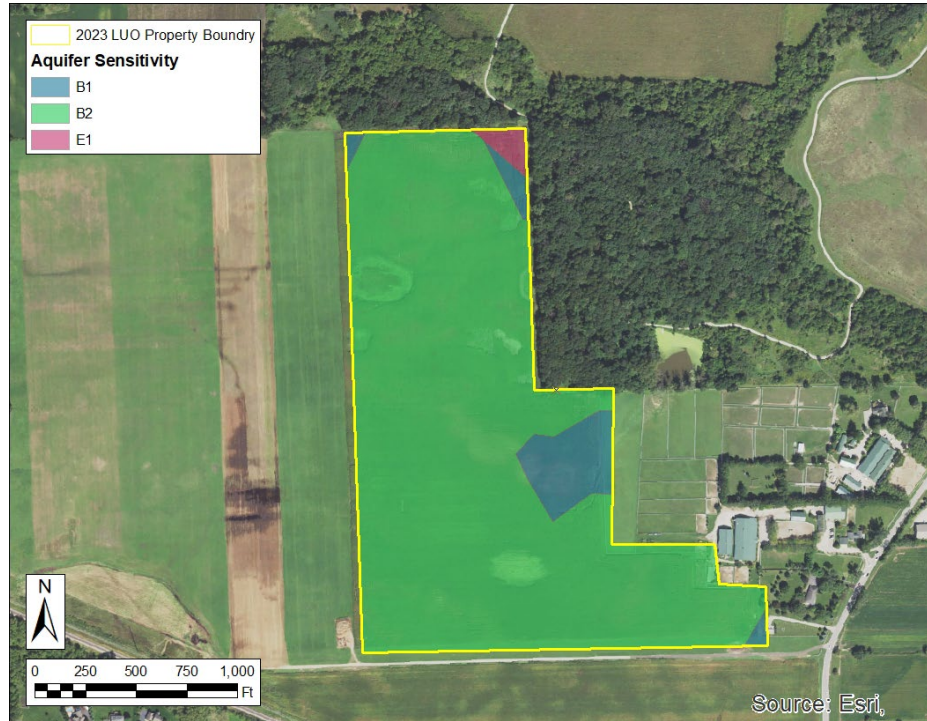


Figure 7: Aquifer Sensitivity to Contamination map

The map of Aquifer Sensitivity to Contamination is a representation of the potential vulnerability of aquifers (underground water sources) to contamination from pollutants at or near the surface of the ground. The U.S. Environmental Protection Agency (US EPA) defines aquifer sensitivity contamination potential as “a measure of the ease with which a contaminant applied on or near the land surface can migrate to an aquifer.”

Aquifers function as a storage area for groundwater, which makes them a valuable source of fresh water. Groundwater accounts for a considerable percentage of the drinking water in Kane County. The chart below shows the aquifer sensitivity classifications. **This site is classified as having a Moderately High to low potential for contamination.**

A1	Aquifers are greater than 50ft thick and within 5ft of the surface	C1	Aquifers are greater than 50ft thick and between 20 and 50ft below the surface
A2	Aquifers are greater than 50ft thick and between 5 and 20ft below the surface	C2	Aquifers are between 20 and 50ft thick and between 20 and 50ft below the surface
A3	Aquifers are between 20 and 50ft thick and within 5ft of the surface	C3	Sand and gravel aquifers are between 5 and 20ft thick, or high- permeability bedrock aquifers are between 15 and 20ft thick, both between 20 and 50ft below the surface
A4	Aquifers are between 20 and 50ft thick and between 5 and 20 feet below the surface	D1	Aquifers are greater than 50ft thick and between 20 and 50 ft below the surface
B1	Sand and gravel aquifers are between 5 and 20ft thick, or high-permeability bedrock aquifers are between 15 and 20ft thick, both within 5ft of the surface	D2	Aquifers are between 20 and 50ft thick and between 50 and 100ft below the surface
B2	Sand and gravel aquifers are between 5 and 20ft thick, or high-permeability bedrock aquifers are between 15 and 20ft thick, both between 5 and 20ft below the surface	D3	Sand and gravel aquifers are between 5 and 20ft thick, or high- permeability bedrock aquifers are between 15 and 20ft thick, both between 50 and 100ft below the surface
E1	Sand and gravel or high-permeability bedrock aquifers are not present within 100 ft of the land surface		

A = High Potential, B = Moderately High Potential, C=Moderate Potential, D = Moderately Low Potential, E = Low Potential

TOPOGRAPHY AND OVERLAND FLOW

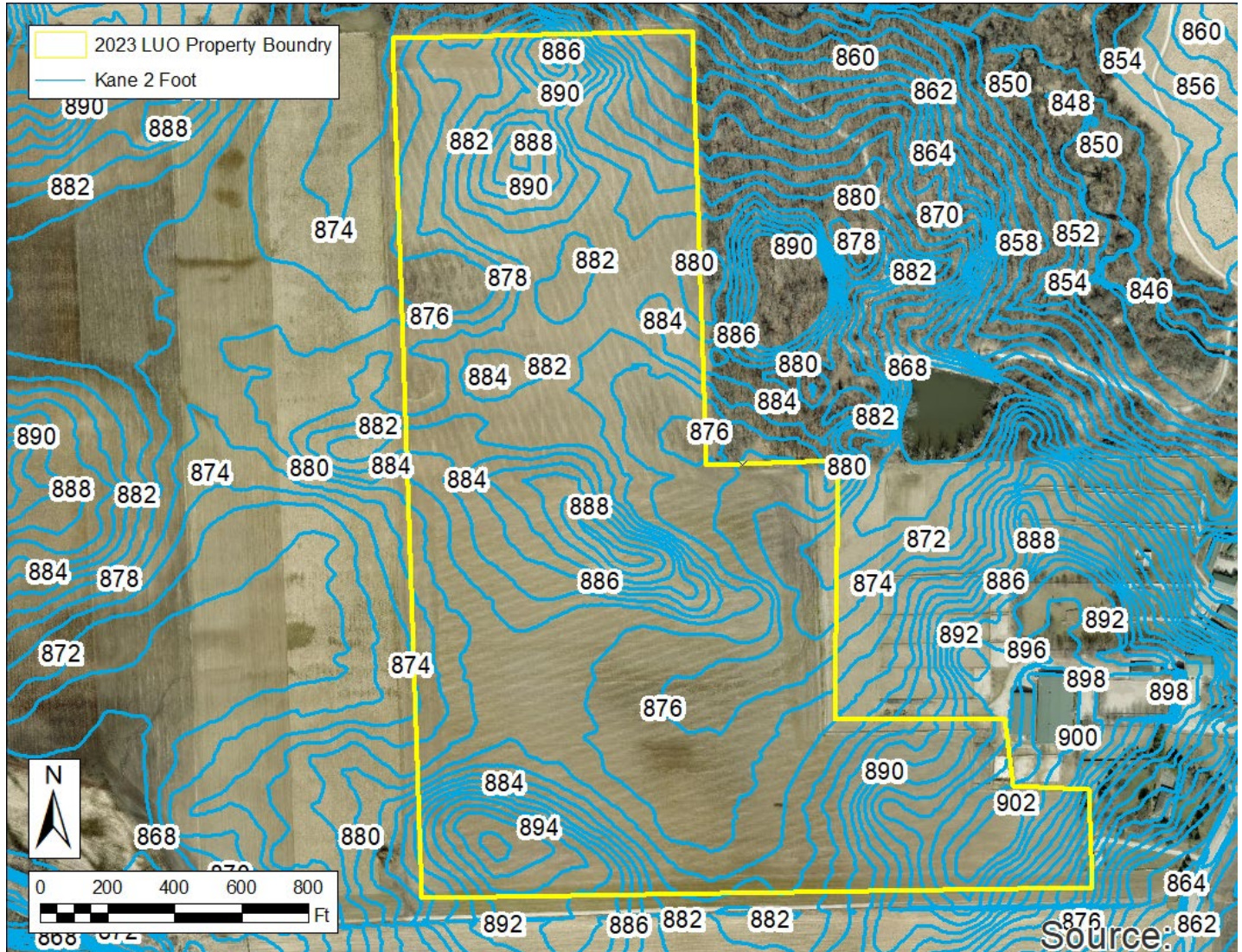


Figure 8: Topographic map showing contour lines

Topographic maps (contour maps) give information on the elevation of the land, which is important to determine slope steepness, natural water flow paths, and watershed information. The natural water flow path can determine where water leaves a property and where it may impact surrounding natural resources. Slope, along with soil erodibility factors, affect the potential of soil erosion on a site. Contour maps can also help determine the areas of potential flooding. It is important to consider the direction of water flow and erosion potential on all construction

sites. Areas where water leaves the site should be monitored for sediment and other pollutants, which could contaminate downstream waters.

The map above shows contour lines with 2 feet elevation distance between each line. The high point of this property is in the southern portion of the site at an elevation of approximately 902 feet above sea level. The lowest elevation on the property is approximately 876 feet above sea level.

STORMWATER MANAGEMENT

Managing stormwater and stormwater runoff is critical for all development. Stormwater runoff from a site usually increases as a result of soil compaction, more impervious surfaces, loss of vegetation, and soil degradation during construction activities. Increased runoff causes downstream flooding, soil erosion, sedimentation, and pollution of surface waters. The KDSWCD recommends the use of onsite stormwater management strategies whenever possible. These strategies include: stormwater retention and detention basins; bioswales, raingardens, and the use of natural depressions and vegetated swales; deep-rooted native plants; permeable pavers or permeable asphalt. Combinations of these and other practices may be able to retain stormwater onsite. The Illinois Environmental Protection Agency (IEPA) now

recommends that stormwater pollution prevention plans include post-construction stormwater management to keep as much stormwater on the site, as possible.

Site assessment with soil testing should help to determine what stormwater management practices are best for your site. Insufficient stormwater management has the potential to cause or aggravate flooding conditions on surrounding properties, or elsewhere in the watershed. Please refer to the Kane County Stormwater Ordinance for stormwater requirements and minimum standards.

<https://www.countyofkane.org/FDER/Pages/EnvironmentalResources/waterResources.aspx>

SOIL EROSION

Soil erosion is the degradation of soil, mostly caused by the force of rain and the movement of water detaching soil particles and carrying the soil off the site. Factors that affect soil erosion are the slope of the land, the inherent properties of the soil, and the cover (or lack of cover) on the soil surface. Extra care must be taken to prevent or reduce soil erosion on construction sites containing highly erodible soils.

The potential for soil erosion during and after construction activities could have major impacts, both onsite and offsite. The erosion and resulting sedimentation may become a primary nonpoint source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, degrade water quality, and destroy aquatic ecosystems lower in the watershed. Soil erosion also increases the risk of flooding due to choking culverts, ditches, and storm sewers, and reduces the capacity of natural and man-made detention facilities.

Construction and development activities should include a soil erosion and sedimentation control plan. Erosion and sedimentation control measures include:

- staging the construction to minimize the amount of disturbed areas present at the same time,
- keeping the ground covered, either by mulch or vegetation, and
- keeping runoff velocities low.

Many construction sites are required to develop and follow a Stormwater Pollution Prevention Plan (SWPPP) in order to be in compliance with local, state, and federal laws regarding soil erosion and stormwater management. Soil erosion and sedimentation control plans, including maintenance responsibilities, should be clearly communicated to all contractors working on the site. Special care must be taken to protect any wetlands, streams, and other sensitive areas.

Please refer to the Illinois Urban Manual for erosion and sediment control information and technical guidance when creating erosion and sediment control plans. The practice standards and standard drawings from the Illinois Urban Manual represent the minimum standard in Illinois. Contact the KDSWCD for assistance in preparing a stormwater pollution prevention plan.

HIGHLY ERODIBLE LAND (HEL)

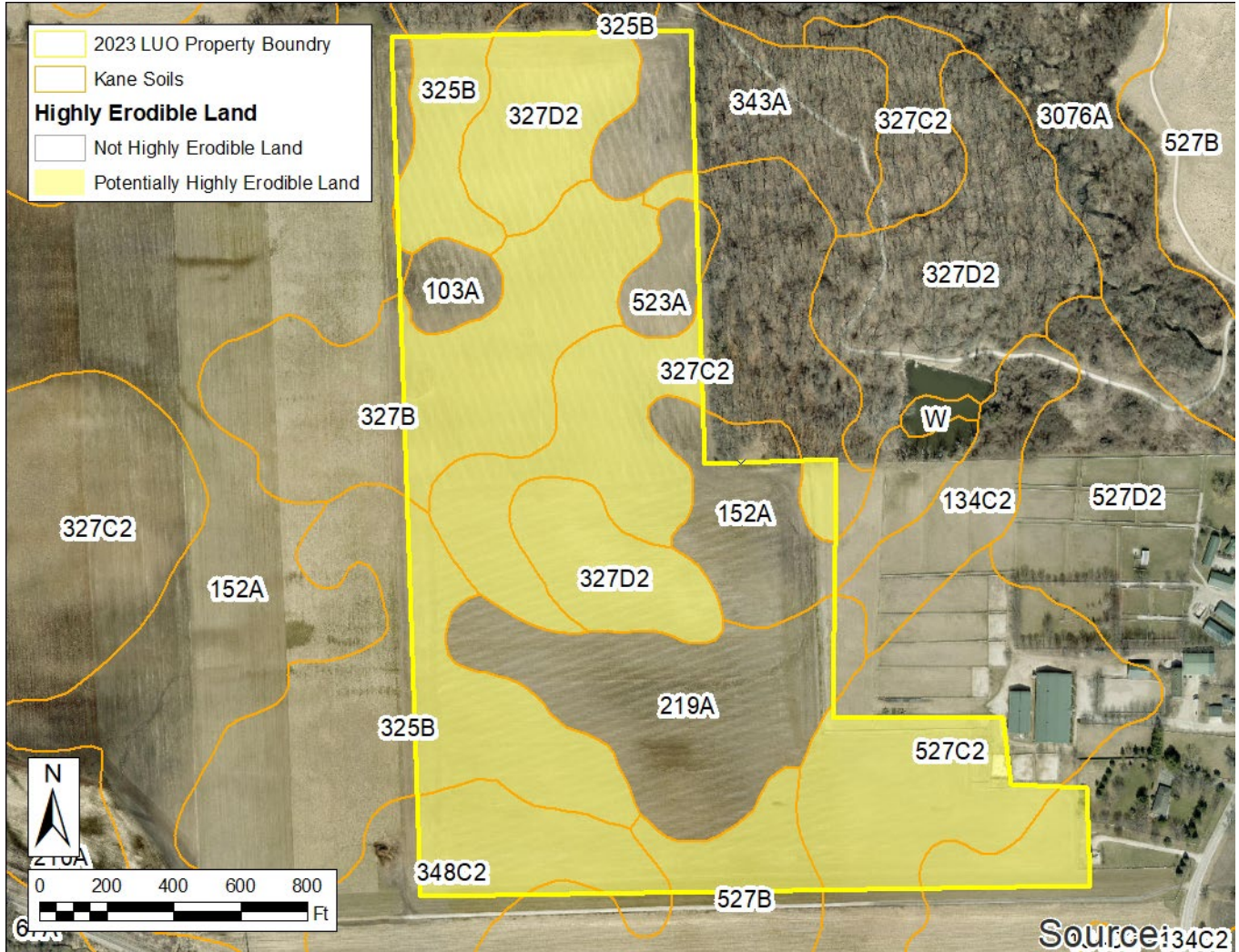


Figure 9: Highly Erodible Land map

Soils vary in their susceptibility to erosion. Highly erodible land (HEL) is land that can erode at excessive rates. Highly erodible land is generally sloping and contains soils that are susceptible to soil erosion by runoff and raindrop impact. The susceptibility to erosion and the highly erodible rating depend upon several factors and properties of the soil. Fine-textured soils high in clay have low erodibility values, because the soil particles are resistant to detachment. Coarse-textured soils, such as sandy soils also have low erodibility values because the water infiltrates and they have less runoff. Medium textured soils, such as loams, are moderately susceptible to detachment and they produce moderate runoff. Soils having a high silt content, like many soils in Kane County, are the most erodible of all soils. They are easily detached and

they tend to crust and produce large amounts and rates of runoff.

Other factors that affect the erodibility of soils include the force of the rainfall, the steepness and length of the slope of the land, and the amount of organic matter in the surface soil layer.

Highly Erodible Land (HEL) contains soils that have been determined by the USDA Natural Resources Conservation Service to be highly erodible. The HEL determination uses a formula involving the properties previously described, to determine the Soil Erodibility Index. Soils that have a Soil Erodibility Index above a certain value are considered highly erodible or potentially highly erodible. **Soils on this site are considered Potentially Highly Erodible Land (PHEL) by the NRCS.**

SOILS & SOIL INTERPRETATIONS

Soils are our foundation for life and most of what we do and need depend upon the soil. Soil is a dynamic ecosystem of living things; plants, animals, and microscopic organisms. Soil is also a substance composed of various minerals and organic matter, interfused with lots of pore spaces which help move and store air and water. Soils are formed over hundreds and thousands of years, taking about 500 years to form an inch of topsoil. Soil is formed by the influences of climate, organisms (plants and animals), topography, the material in which it is developing (parent material), and time. There are thousands of soil series in the world. In Illinois alone, there are over 600 different soil series. Each soil series is unique in its content and its behavior for a particular use.

The different soils across the U.S. have been mapped and identified by the USDA Natural Resources Conservation Service (NRCS) in a soil survey. The soil map of this area (Figure 61: Soil Survey) indicates different soil map units. Each soil map unit and corresponding symbol represent a phase of a soil series. Phases include slope, erosion, flooding frequency, etc. of each soil. Each soil and associated phase have strengths and limitations for a variety of land uses such as septic systems, buildings site development, local roads, and many other uses. **See the Soil Map Units Table in the Soil Survey section for the composition of soil map units of the site. See the Soil Interpretations section for the soil interpretations for the proposed use of the site.**

How the soil is managed as a resource, can be either beneficial or detrimental for the environment or for any particular use. It is difficult to change the inherent properties of the soil, such as the mineral composition or the amount of sand, silt, or clay in the soil. However, it is easy to compact the soil and erode the soil so much that many of the soil functions, such as water storage, infiltration, rooting medium, carbon storage, and soil health can all be compromised or destroyed. Management techniques to protect the integrity and functions of the soil include:

- limiting traffic on the site to reduce compaction of the soil surface
- keeping the soil covered as much as possible, with deep rooted grasses or with mulch or other erosion control practices

- disturbing only the areas necessary for the footprint of structures and reducing or eliminating mass grading of sites

Soils and Onsite Waste Disposal

Soils are often used for onsite waste disposal or underground septic systems to dispose of sewage, especially for individual homes that are not connected to a municipal sewage system. No interpretive rating is given in this report for on-site wastewater disposal (septic systems). The detail of the soil information in the soil survey is not precise enough to determine suitability for the small area required for a septic system. **A Certified Professional Soil Classifier, in cooperation with the county department of public health, must conduct a soil evaluation to determine the suitability of the parcel for on-site wastewater disposal (i.e. septic system), as required by the State of Illinois.**

Soil Interpretation Ratings

The soil interpretation (limitation) ratings are used mainly for engineering designs for proposed uses, such as dwellings with or without basements, local streets and roads, small commercial buildings, etc. The ratings given are based on NRCS national criteria and are defined and used as follows:

Not Limited – This limitation rating indicates that the soil properties are generally favorable for the specified use and that any limitations are minor and easily overcome.

Somewhat Limited - This rating indicates that the soil properties and site features are unfavorable for the specified use, but that the limitations are moderate and can be overcome or minimized with special planning and design.

Very Limited - This indicates that one or more soil properties have severe limitations and are very unfavorable and difficult to overcome. A major increase in construction effort, special designs, or intensive maintenance is required. These costly measures may not be feasible for some soils that are rated as Very Limited.

Contact the KDSWCD for questions concerning the soil and refer to the **Illinois Urban Manual** for best management practices to protect the soil resource.

SOIL SURVEY

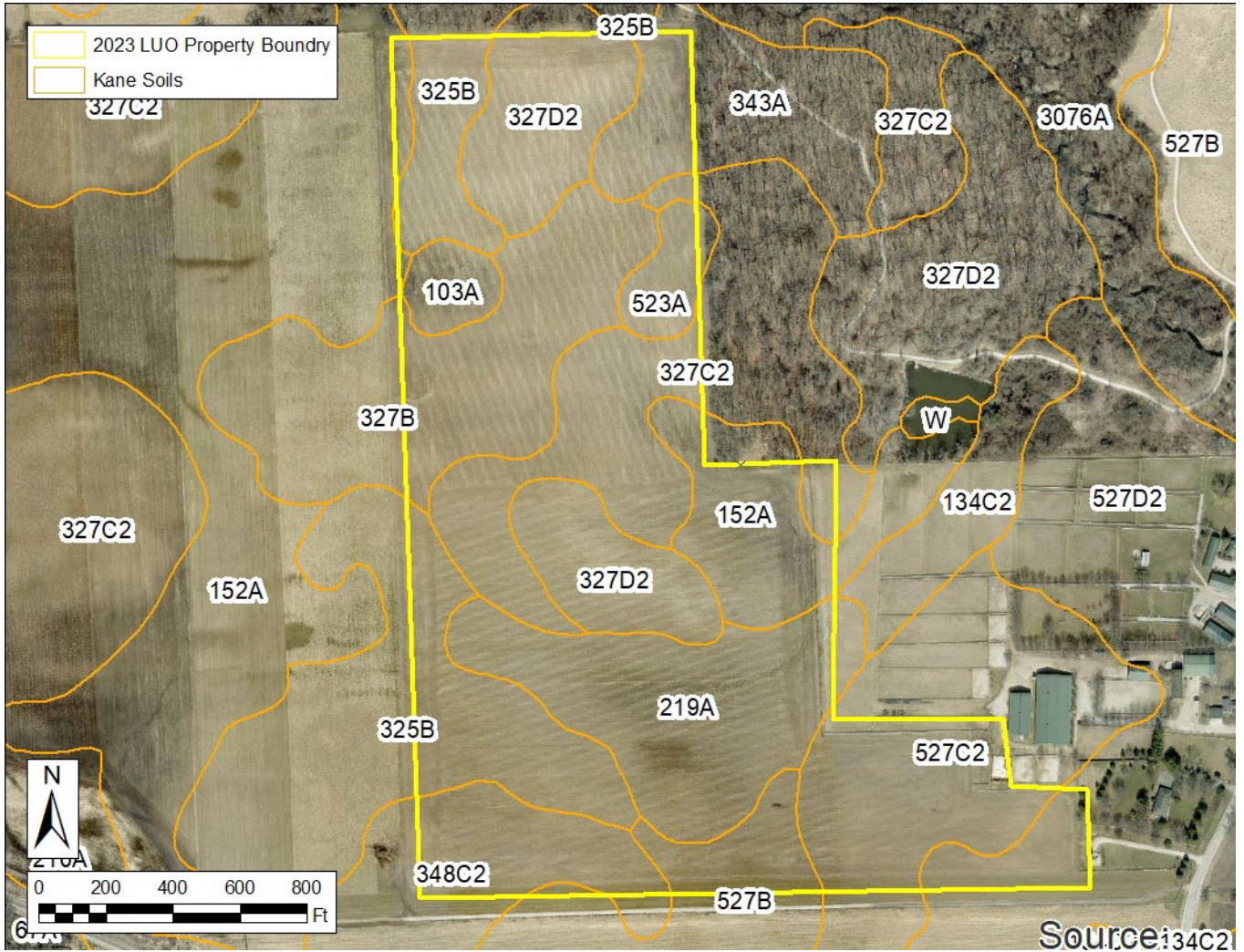


Figure 10: Soil Survey

The soil map unit symbol consists of a combination of numbers and letters which represent the interpretive phase of a soil series for an area of the landscape. Areas within the line of that symbol will have similar soil properties and interpretations.

Table 1: Soil Map Units

SOIL MAP UNIT SYMBOL	PERCENT OF PARCEL	ACRES
103A – Houghton	2.1%	1.5
152A – Drummer	7.1%	5.0
219A - Millbrook	14.8%	10.5
325B – Dresden	12.5%	8.8
327B – Fox	11.1%	7.9
327C2 – Fox	11.8%	8.4

327D2 – Fox	1.1%	9.3
343A - Kane	3.4%	2.4
348C2 – Wingate	6.0%	4.2
523A - Dunham	2.2%	1.6
527B – Kidami	3.7%	2.6
527C2 -Kidami	9.4%	6.7
527D2 - Kidami	2.9%	2.0
	Total	70.8

All percentages and acreages are approximate.

The soil map in this report has been enlarged beyond the original scale. Enlargement of this map may cause misunderstanding of the accuracy and precision of the mapping. When enlarged, maps do not show the small areas of contrasting soil that could have been

identified if the mapping was completed at a larger scale. The depicted soil boundaries and interpretations derived from the map units do not eliminate the need of onsite sampling, testing, and detailed study of specific sites for intensive uses. Thus, this map and its interpretations are intended for planning purposes only.

The KDSWCD suggests to contact a certified professional soil classifier to conduct an onsite investigation for point-specific soil information to determine the capabilities and the limitations of the soil for a specific use.

SOIL MAP UNIT DESCRIPTIONS

The map units delineated on the detailed soil map in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions in the report, along with the map, can be used to determine the composition and properties of a unit.

A map unit delineation of a soil map represents an area dominated by one or more major kinds of soil or miscellaneous area. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are

natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. The scale of the maps limits the detail that can be shown. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils. These minor components are inclusions within the named map unit.

LIST OF MAP UNITS

103A	Houghton muck, 0 to 2 percent slopes
152A	Drummer silty clay loam, 0 to 2 percent slopes
219A	Millbrook silt loam, 0 to 2 percent slopes
325B	Dresden silt loam, 2 to 4 percent slopes
327B	Fox silt loam, 2 to 4 percent slopes
327C2	Fox silt loam, 4 to 6 percent slopes, eroded
327D2	Fox loam, 6 to 12 percent slopes, eroded
343A	Kane silt loam, 0 to 2 percent slopes
348C2	Wingate silt loam, 5 to 10 percent slopes, eroded
523A	Dunham silty clay loam, 0 to 2 percent slopes
527B	Kidami silt loam, 2 to 4 percent slopes
527C2	Kidami loam, 4 to 6 percent slopes, eroded
527D2	Kidami loam, 6 to 12 percent slopes, eroded

SOIL INTERPRETATIONS – Local Roads and Streets

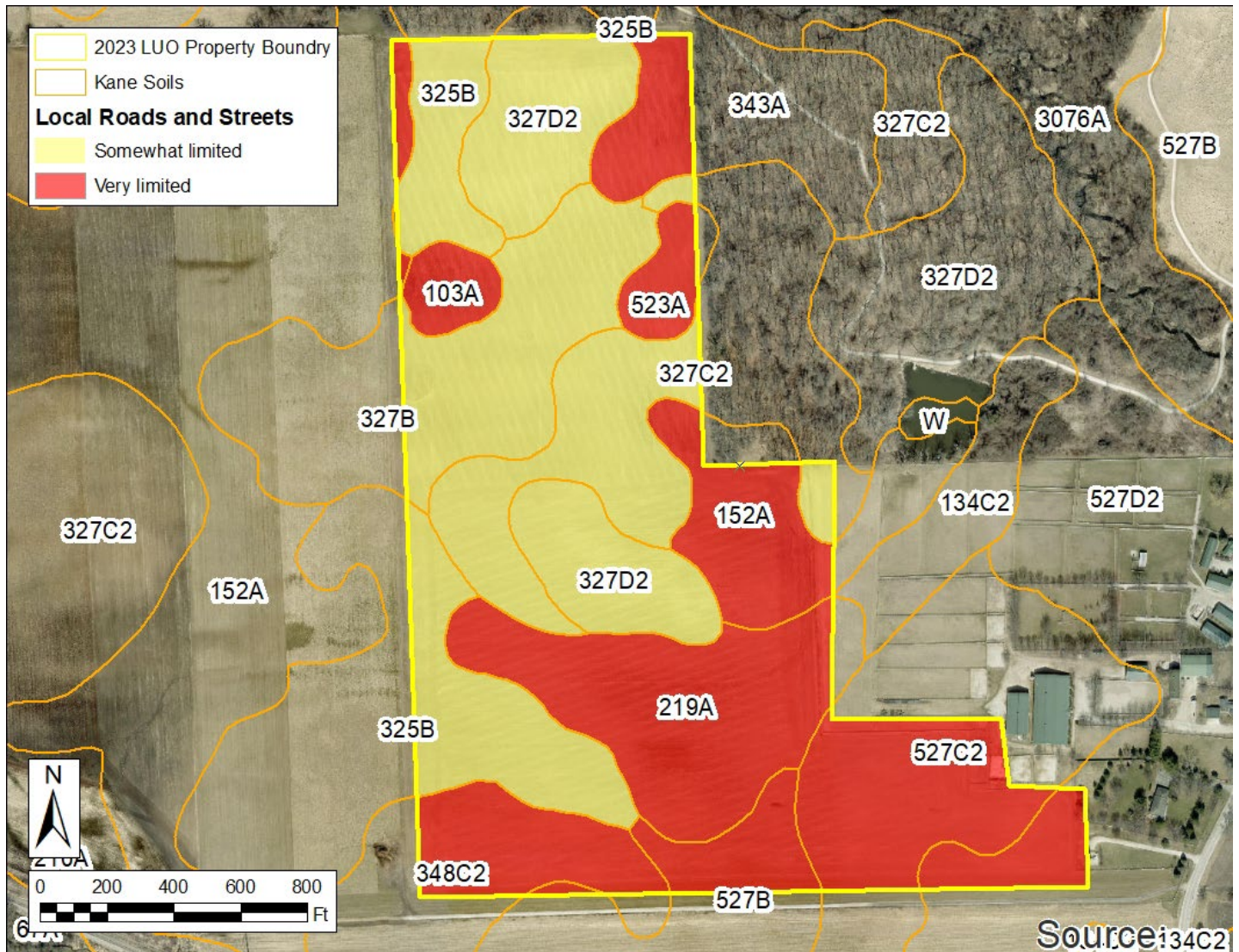


Figure 11: Soil Interpretations for Local Roads and Streets

Local roads and streets have an all-weather surface and carry automobile and light truck traffic all year. They have a subgrade of cut or fill soil material; a base of gravel, crushed rock, or soil material stabilized by lime or cement; and a surface of flexible material (asphalt), rigid material (concrete), or gravel with a binder.

The ratings are based on the soil properties that affect the ease of excavation and grading and the traffic-supporting capacity. The properties that affect the ease of excavation and grading are depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, depth to a water table, ponding, flooding, the amount of large stones, and slope. The properties that affect the traffic-supporting capacity

are soil strength (as inferred from the AASHTO group index number), subsidence, linear extensibility (shrink-swell potential), the potential for frost action, depth to a water table, and ponding. **The high-water table is often a limiting factor in Kane County.**

Areas not shaded represent NOT LIMITED, and good performance and very low maintenance can be expected. Yellow represents SOMEWHAT LIMITED, and fair performance and moderate maintenance can be expected. Red represents VERY LIMITED, and poor performance and high maintenance are to be expected.

See the preceding **Soils Section** for more information concerning soil limitations.

SOIL INTERPRETATIONS – Lawns and Landscaping

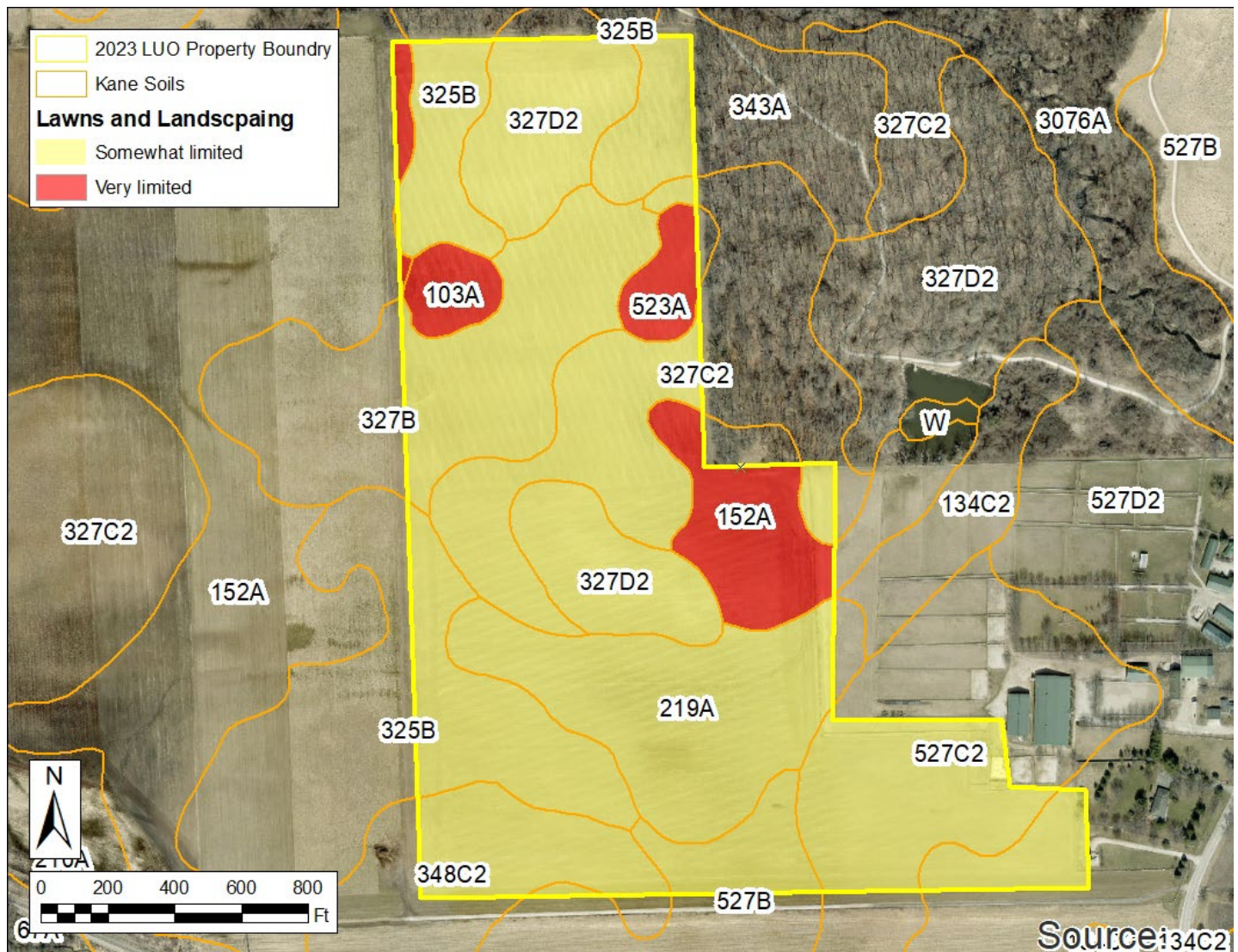


Figure 12: Soil Interpretations for Lawns and Landscaping

Lawns and landscaping require soils on which turf and ornamental trees and shrubs can be established and maintained. Irrigation is not considered in the ratings. The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established. The properties that affect plant growth are pH (acidic or alkaline conditions); depth to a water table; ponding; depth to bedrock; the available water capacity in the upper 40 inches; and the content of calcium carbonate. The properties that affect trafficability are flooding, depth to a water table, ponding, slope, stoniness, and the amount of sand, clay, or organic matter in the

surface layer. **The high-water table is often a limiting factor in Kane County.**

Areas not shaded represent NOT LIMITED, and good performance and very low maintenance can be expected. Yellow represents SOMEWHAT LIMITED, and fair performance and moderate maintenance can be expected. Red represents VERY LIMITED, and poor performance and high maintenance are to be expected.

See the preceding **Soils Section** for more information concerning soil limitations.

SOIL INTERPRETATIONS – Solar Array, Soil-based Anchoring Systems

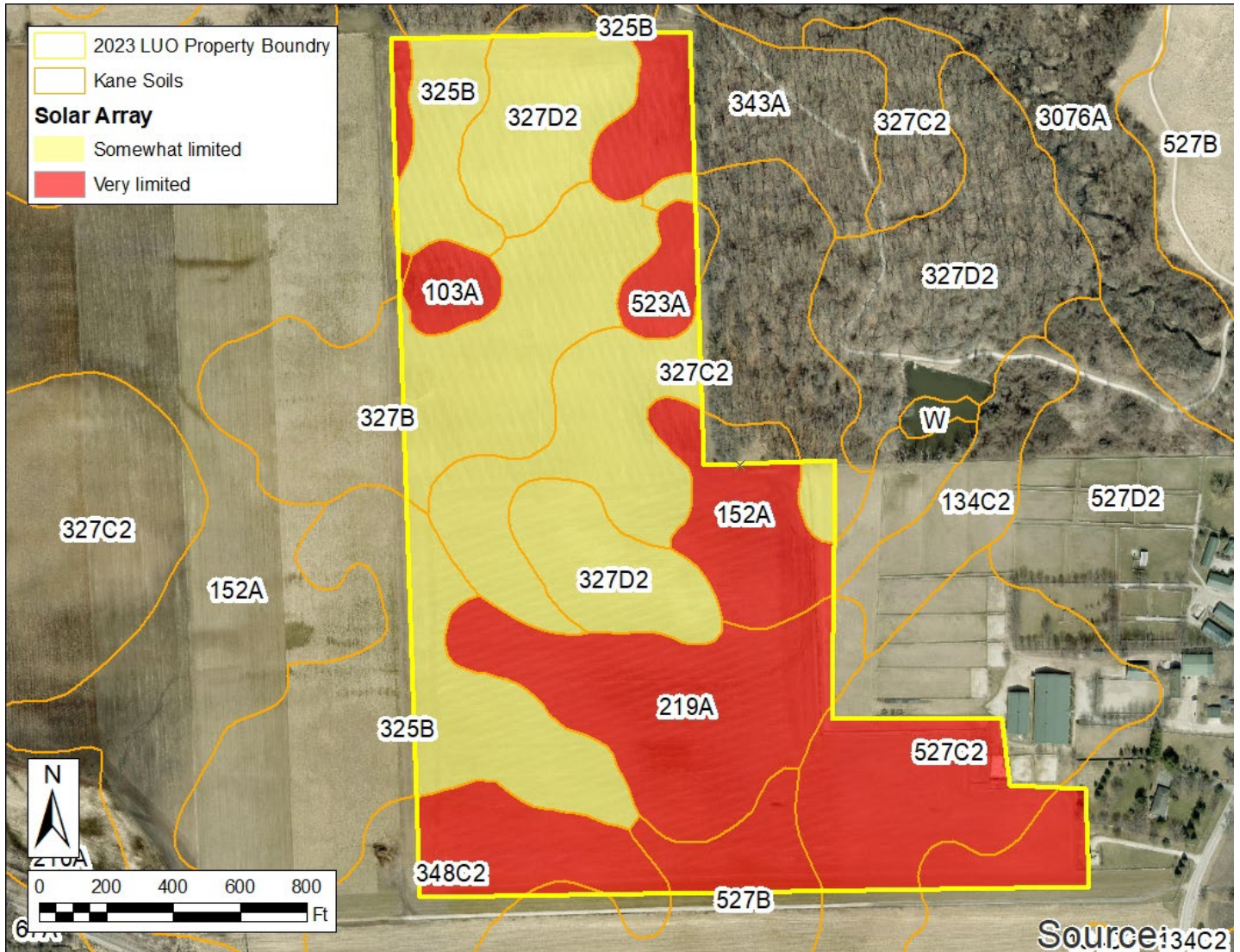


Figure 13: Soil Interpretations for Solar Arrays, Soil-based Anchoring Systems

Ground-based solar arrays are sets of photovoltaic panels that are not situated on a building or pole. These installations consist of a racking system that holds the panel in the desired orientation and the foundation structures that hold the racking system to the ground. Two basic methods are used to hold the systems to the ground, based on site conditions and cost. One method employs driven piles, screw augers, or concrete piers that penetrate into the soil to provide a stable foundation. The other basic anchoring system utilizes precast ballasted footings or ballasted trays on the soil surface to make the arrays too heavy to move. The site considerations that impact both basic systems are slope, slope aspect, wind speed, land surface shape, flooding, and ponding.

Soil-penetrating anchoring systems can be used where the soil conditions are not limited. Installation of these systems requires some power equipment for hauling components and either driving piles, turning helices, or boring holes to install the anchoring apparatus.

The high-water table is often a limiting factor in Kane County.

Areas not shaded represent NOT LIMITED, and good performance and very low maintenance can be expected. Yellow represents SOMEWHAT LIMITED, and fair performance and moderate maintenance can be expected. Red represents VERY LIMITED, and poor performance and high maintenance are to be expected.

See the preceding Soils Section for more information concerning soil limitations.

WATER TABLE

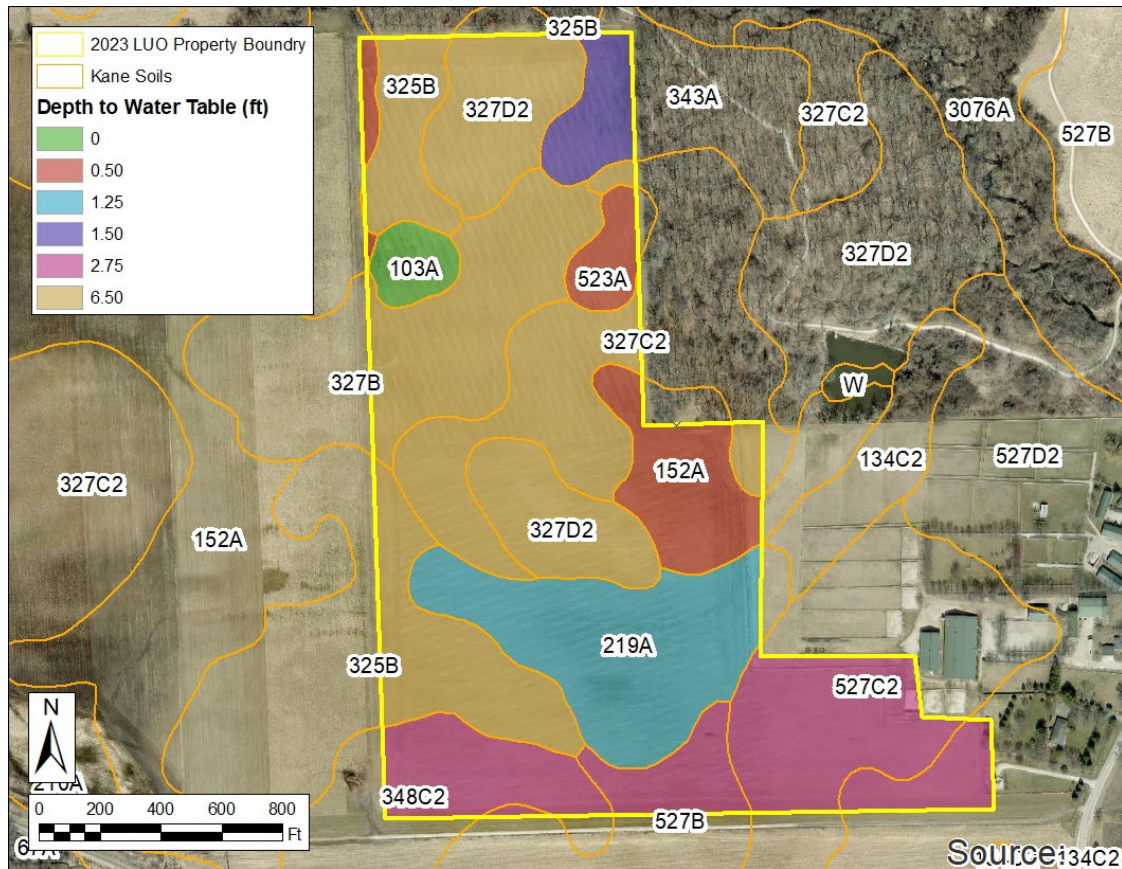


Figure 14: Map showing the depth to a seasonal high-water table

A seasonal high-water table, or the depth to a zone saturated with water in the soil during the wet season (typically spring through early summer), is present in most soils in Kane County, as it is in much of Illinois. The relatively low relief and flat landscape of the region slows the dissipation of water from the soil. This saturated zone fluctuates throughout the year and is closer to the surface in the spring and drops to deeper levels during summer and fall. Soils that are lower on the landscape are generally wetter than those soils higher on the landscape or on more sloping landscape positions. Some soils, especially those in landscape depressions and low-lying areas, have a water table above the soil surface. Water that occurs above the soil surface is considered “ponded” water. Ponding is different from flooding, as the water in ponded areas comes from water rising from below the soil surface or from runoff from adjacent areas. Flooding comes from the overflow of water from rivers and streams.

The duration of the seasonal high-water table may have been altered by artificial drainage systems,

especially those areas in cropland or former cropland. Even when soils are artificially drained, they will likely retain wet characteristics and the wetness will be difficult to eliminate entirely. However, artificial drainage may shorten the duration of the seasonal high-water table.

The wetness from the seasonal high-water table is a limiting property of the soil for many uses, especially homesites with or without basements, septic absorption fields, commercial buildings, and roads and streets. Most sites that are zoned for construction will require improved drainage, sump pumps, foundation drains, and other management practices to reduce the wetness. Any change to the natural drainage of the site has the potential to create flooding issues downstream from the site, so use caution in installing drainage systems.

The Soil Survey indicates a seasonal high-water table at a depth of 0 to 6.5 feet of the soil surface during the spring and early summer in most years, on the wettest soils of the site.

HYDRIC SOILS

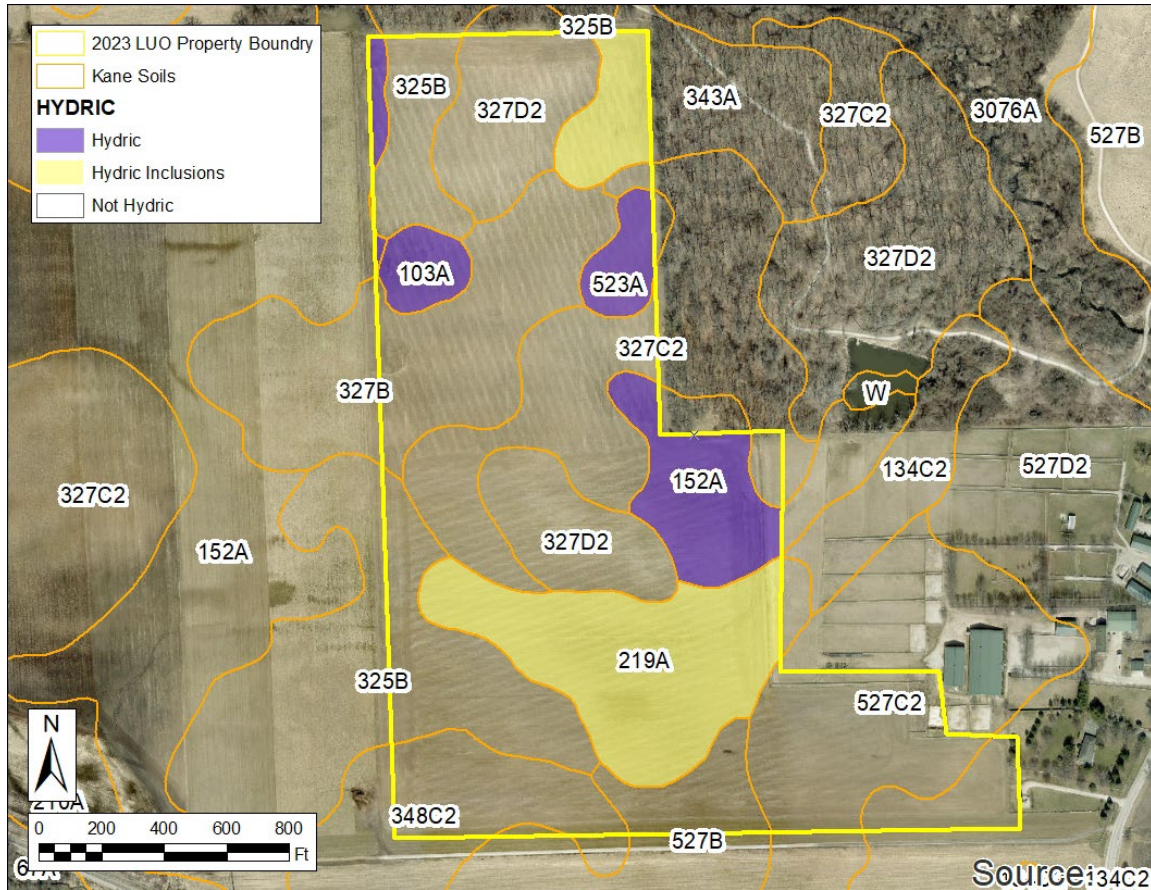


Figure 15: Hydric Soils map

Hydric Soils are wet soils that have a water table near the surface or above the surface, mostly in the spring and summer. The wetness is often a result of being on a lower position on the landscape. Many areas of hydric soils have been altered by artificial drainage systems. Even though they may have artificial drainage, they are still considered to meet the definition of a hydric soil. Although not all hydric soils are considered wetlands, hydric soils are a component of wetlands.

Even when hydric soils are artificially drained, they will likely retain wet characteristics and the wetness will be difficult to eliminate entirely. However, artificial drainage may shorten the duration of the seasonal high-water table. Most sites will require improved drainage, sump pumps, and other management practices to reduce the wetness. Any change to the natural drainage of the site has the potential to create flooding issues on and adjacent to the site, so use caution in installing drainage systems.

Some hydric soils are dominated by organic material (peat or muck) instead of mineral soil material and are not suitable construction sites, because of the low strength of the organic deposits. **Organic soils are extremely difficult to modify for other uses.**

Hydric inclusions are small areas (inclusions) of hydric soils in the lower positions of a landscape dominated by higher, nonhydric soils and these inclusions are not identified on the soil map, given the map scale. However, hydric inclusions may still have a significant impact on your site.

The Soil Survey indicates that hydric soils or soils with hydric inclusions are on this site. A certified wetland determination may be needed prior to any earth disturbing activities. The KDSWCD recommends contacting the proper regulatory agencies shown near the end of this report.

PRIME FARMLAND – LAND EVALUATION & SITE ASSESSMENT

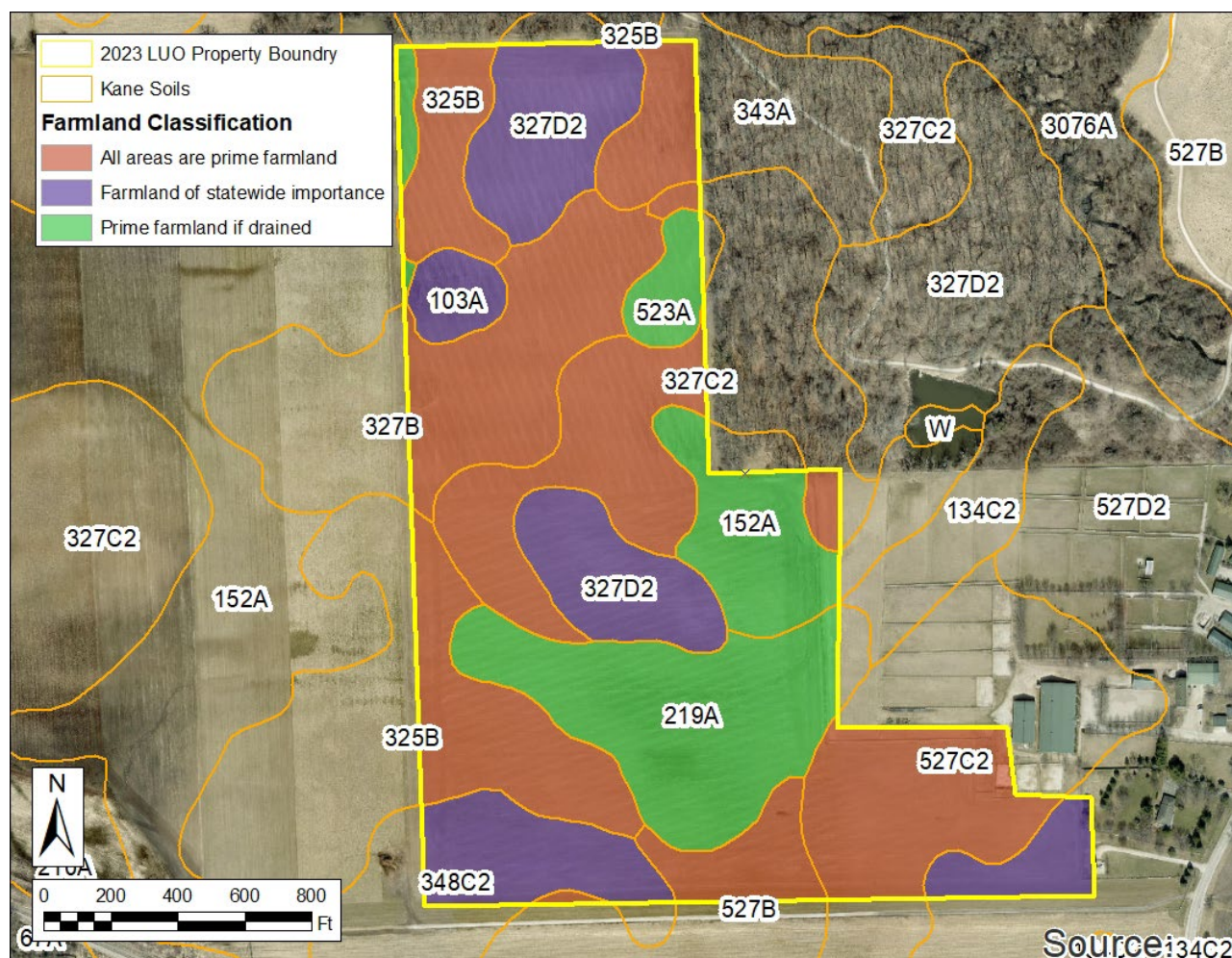


Figure 16: Prime Farmland map

Prime Farmland is a designation assigned by the U.S. Department of Agriculture defining land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops and is also available for these land uses. The Prime Farmland designation is assigned to each soil map unit.

In addition to Prime Farmland, there is Farmland of Statewide Importance (Important Farmland). Important Farmland is designated for soils that are slightly outside the definition of Prime Farmland. Prime and Important Farmland are valuable for Kane County agriculture, ag industry, and county tax base. In order to protect the best farmland, a Land Evaluation and Site Assessment (LESA) system was developed and adopted by Kane County in 2003.

LESA is designed to determine the quality of land for agricultural uses and to assess a site for long term agricultural economic viability. The LESA is a 100-point maximum numerical value based on two parts – Land Evaluation (LE) and Site Assessment (SA). The LE is based upon the inherent ability of the soils of a parcel to produce commonly grown crops. The LE counts as 1/3 of the total score. The SA is a value based on the proximity of the parcel to agricultural areas. Parcels further from developed areas rank higher for protection. The SA counts for 2/3 of the LESA score. Of this parcel, 9 percent or 15.9 acres are considered Farmland of Statewide Importance.

The LE value for this site is 25 and the SA value is 31 for a total LESA score of 56. This score represents Low Protection effort warranted.

REGULATORY INFORMATION

Wetlands, Rivers, Streams, and Other Waters: The laws of the United States, the State of Illinois, and local governments assign certain agencies specific and different regulatory roles to protect the waters within their jurisdictional boundaries. These roles include protection of navigation channels and harbors, protection against floodway encroachment, maintenance and enhancement of water quality, protection of fish and wildlife habitat, and protection of recreational resources. Unregulated use of waters could permanently destroy or alter the character of these valuable resources and adversely impact the public. Contact the proper regulatory authorities when planning any work associated with floodplains, wetlands, or other waters so that proper consideration and approval can be obtained.

Wetland and/or Floodplain Permit: Anyone proposing to dredge, fill, riprap, or otherwise alter the banks or beds of a floodplain or floodway; or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility of a lake, stream, or river subject to federal, state, or local regulatory jurisdiction should apply for agency approvals.

Construction Permit: Anyone disturbing an acre or more of land during proposed construction activities should apply for the NPDES General Construction Permit ILR10. Building and stormwater permits should also be obtained locally from municipal government and/or Kane County.

REGULATORY AGENCIES

Wetlands, Floodplains, Streams, & Other Waters:

U.S. Army Corps of Engineers, Chicago District,

111 North Canal Street

Chicago, IL 60606-7206

(312) 353-6400

<http://www.lrc.usace.army.mil/>

Kane County Water Resources Division

719 Batavia Avenue

Geneva, IL 60134

(630)232-3400

<https://www.countyofkane.org/FDER/Pages/environmentalResources/waterResources.aspx>

Illinois Department of Natural Resources, Office of Water Resources

2050 W. Stearns Road

Bartlett, IL 60103

(847)608-3100

<https://www.dnr.illinois.gov/WaterResources/Pages/PermitPrograms.aspx>

NPDES General Construction Permit ILR10

Illinois Environmental Protection Agency, Division of Water Pollution Control

1021 North Grand Avenue East

P.O. Box 19276

Springfield, Illinois 62794

(217)782-0610

<https://www2.illinois.gov/epa/topics/forms/water-forms/Pages/default.aspx>

The KDSWCD recommends early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stage. This could reduce time required to process necessary approvals. Please be advised that failure to coordinate with regulatory agencies could result in project shut down, fines and/or imprisonment.

CONTACTS**STATE AGENCIES****Illinois Department of Natural Resources**

1 Natural Resources Way
Springfield, Illinois 62702-1271
(217)782-6302
<http://dnr.state.il.us/>

Illinois Department of Transportation

2300 South Dirksen Parkway
Schaumburg, Illinois 62764-0001
(217)782-7820/(800)452-4368
<http://www.idot.illinois.gov/>

Illinois Environmental Protection Agency

1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217)782-3397
<http://www.epa.state.il.us/>

Illinois Natural History Survey

1816 South Oak Street MC652
Champaign, Illinois 61820
(217)333-6880
<http://www.inhs.uiuc.edu/>

COUNTY / LOCAL OFFICES**Kane County Government Center**

719 South Batavia Ave.
Geneva, IL 60134
(630)232-3400
<http://www.countyofkane.org/>

Kane County Development Department

(630)232-3492

Kane County Dept. of Environmental Management

(630)208-5118

Kane County Forest Preserve District

1996 South Kirk Road, Suite 320
Geneva, IL 60134
(630)232-5980
forestpreserve.countyofkane.org

Kane County Health Department

1240 North Highland Avenue
Aurora, IL 60506
(630)208-3801

Kane-DuPage Soil and Water Conservation District

2315 Dean Street Suite 100
St. Charles, Illinois 60175
(630)584-7960 ext. 3

FEDERAL AGENCIES**U. S. Army Corps of Engineers**

Regulatory Branch
231 S LaSalle Street, Suite 1500
Chicago, Illinois 60604
(312)846-5330
<http://www.usace.army.mil>

U.S. Environmental Protection Agency

Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604
(312)353-2000 or (800)621-8431
<http://www.epa.gov/region5/>

U.S. Fish & Wildlife Service

Chicago Illinois Field Office
230 South Dearborn Suite 2938
Chicago, IL 60604
(847)298-3250
<http://www.fws.gov/>

U.S.D.A. Natural Resources Conservation Service

2315 Dean Street Suite 100
St. Charles, Illinois 60175
(630)584-7960 ext. 3
<http://www.il.nrcs.usda.gov/>

REFERENCES

- Berg, Richard C, Aquifer Sensitivity Classification for Illinois Using Depth to Uppermost Aquifer Material and Aquifer Thickness, Cir. 560, 2001, Illinois State Geological Survey
<https://isgs.illinois.edu/maps/county-maps/aquifer-sensitivity/kane> Authors: William S. Dey, Alec M. Davis, B. Brandon Curry
- County of Kane. Kane County 2040 Green Infrastructure Plan. Adopted December 10, 2013.
- Dey, W.S., A.M. Davis, and B.B. Curry, 2007, Aquifer Sensitivity to Contamination, Kane County, Illinois: Illinois State Geological Survey, Illinois County Geologic Map, ICGM Kane-AS.
- Illinois Department of Natural Resources, Ecological Compliance Assessment Tool.
- Illinois Department of Natural Resources, Illinois Natural History Survey, Land Cover of Illinois in the Early 1800s., Vector Digital Data, Version 6.0, August, 2003.
- Illinois Environmental Protection Agency, Nonpoint Source Pollution – What’s it All About?, 2015
- Kane County Development Dept., Kane-DuPage Soil & Water Conservation District, US Dept of Agriculture Natural Resources Conservation Service. Kane County Land Evaluation and Site Assessment, December 2003,
- Kane County’s Wetlands and Streams Advanced Identification (ADID) Study completed in 2004.
- Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link: <https://websoilsurvey.sc.egov.usda.gov/>. Accessed on the date of this report.
- U.S. Dept. of Homeland Security, Federal Emergency Management Agency, National Flood Insurance Program, Q3 Flood Data, 2011.
- U.S. Dept of the Interior, Fish and Wildlife Service, National Wetlands Inventory, Photo Year 1983- 1984, Digitized 1985-1986.
- U.S. Geological Survey, Illinois Digital Orthophoto Quadrangles, 2006 photos, Published: Champaign, Illinois State Geological Survey, 2006.
- 2019 Farm Service Agency National Agriculture Imagery Program
- Base Layer Credits: Source: ESRI, DigitalGlobe, GeoEye, Eaststar Geographics, CNES/Airbus DS, USDA, USGS, AEROGriD, IGN and GIS User Community

EXECUTIVE SUMMARY
APPLICATION 23-067
October 18th, 2023

Petitioner: Manhard Consulting, 1 E Wacker Drive, Chicago, IL 60601

Contact Person: Matt Callaghan, 312-824-3817

Unit of Government Responsible for Permits: Kane County

Acreage: 70.8

Area of Disturbance (acreage): 37

Location of Parcel: Section 24, Township 41N, Range 7E

Property Address/PIN#: 10N206 Nesler Road, Elgin, IL. #05-23-400-021, 05-24-300-039

Existing Land Use: Agriculture

Proposed Land Use: Solar Farm

NATURAL RESOURCE CONCERNS

Land Cover in the Early 1800's: This site is in an area previously identified as forest. (See **page 5** for more information.)

Kane County Green Infrastructure Plan: This site includes one or more of the following priority areas in the "Kane County 2040 Green Infrastructure Plan: forest preserves, park preserves and conservation area, and environmental resource area. (See **page 6**.)

Wetlands: The National Wetland Inventory map and the ADID wetland map do not identify wetland areas on this site. If there are any indications of unidentified wetlands on this site, noticed during the proposed land use change, contact the appropriate county and federal wetland regulatory agencies (**page 8**)

Floodplain: There are no floodplain areas identified on this site. (See **page 9**)

Streams: There are no streams on this site. (See **page 10**)

Aquifer Sensitivity: This site is classified as having a Moderately high to low potential for aquifer contamination. (See **page 11**)

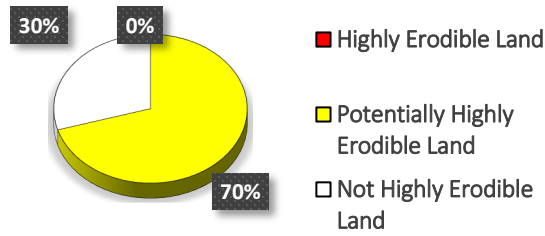
Topography and Overland Flow: The high point of this property is in the southern portion of the site at an elevation of approximately 902 feet above sea level. The lowest elevation on the property is approximately 876 feet above sea level. (See **page 12** for information regarding site topography and drainage.)

Stormwater Management: This site may or may not need a Stormwater Pollution Prevention Plan (SWPPP). Contact the KDSWCD for questions or assistance in developing a SWPPP. See **page 13** for information regarding stormwater management.

Soil Erosion: Many construction sites are required to develop and follow a Stormwater Pollution Prevention Plan (SWPPP) in order to be in compliance with local, state, and federal laws regarding soil erosion and stormwater management. Contact the KDSWCD for questions or assistance in developing a SWPPP. (See **page 13**)

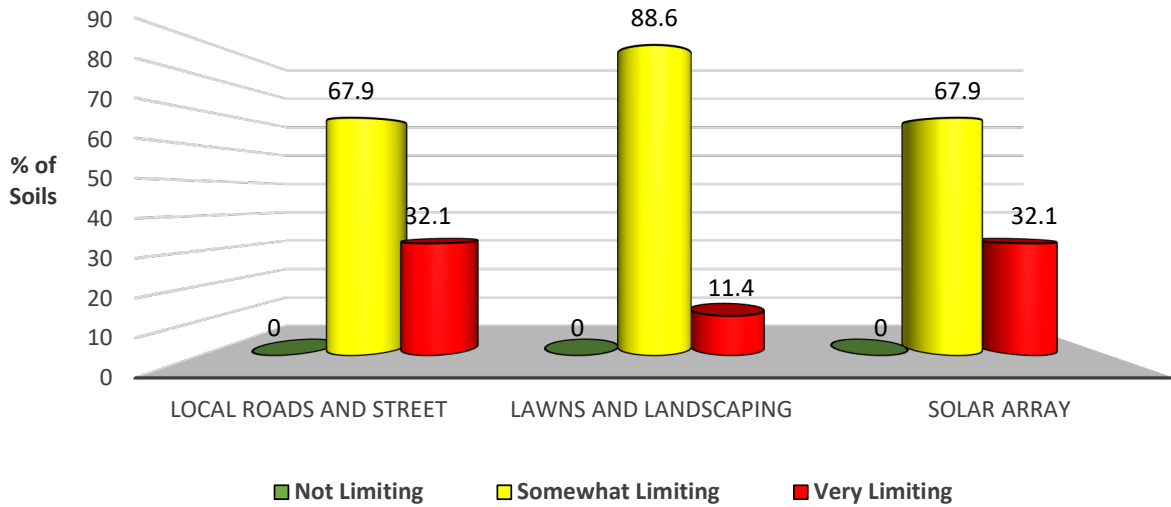
EXECUTIVE SUMMARY
APPLICATION 23-067
October 18th, 2023

Highly Erodible Land: There are Potentially Highly Erodible Land identified on this site. (See page 14)

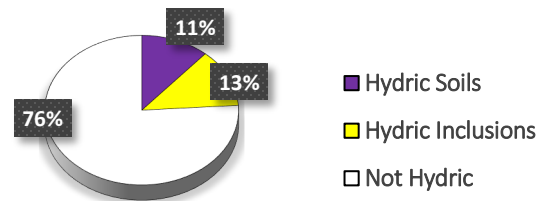


Regulations: Please note that additional permits are required for any development impacting wetlands, streams, or floodplain areas. (Please see page 25 for regulation information.)

Soil Interpretations: Soils at this site may contain limitations for the proposed use. All information is from the Soil Survey of Kane County, Illinois. The limiting factors for this site are: **seasonal high-water table, shrink-swell, low strength, ponding, frost action, Dusty, organic Matter Content.** (See page 15 and attached Soils Tables on page 16.)

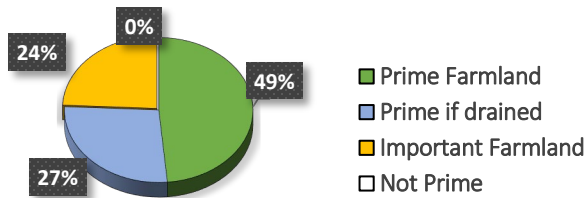


Hydric Soils: There are hydric soils and/or soils with hydric inclusions identified on this site. (See page 23)



**EXECUTIVE SUMMARY
APPLICATION 23-067
October 18th, 2023**

Prime Farmland: Prime and Important Farmland **do** occur on this tract.



LESA: Sites with a LESA score of 85 or greater are considered to warrant protection. This site has an LE score of 25, and a SA score of **31**, with a total of **56**, placing it in the Low protection category for farmland. (See **page 24** for more information.)

LAND USE OPINION

The most current natural resource data indicates the following concerns for this site **Soil Limitations, Aquifer Sensitivity, High-water Table, Soil Erosion and Sediment Control, and Stormwater Management**. These concerns need to be managed, monitored, and/or considered in the planning and development of the site for the best possible results and for the least negative impact to the environment and natural resources.

Based upon the LESA score and the Kane County Land Evaluation and Site Assessment, this tract warrants **Low** Protection effort from development.

Based on the information in this report, it is the opinion of the Kane-DuPage Soil and Water Conservation District Board that this site **is somewhat suited** for the proposed land use change.

SITE INSPECTION

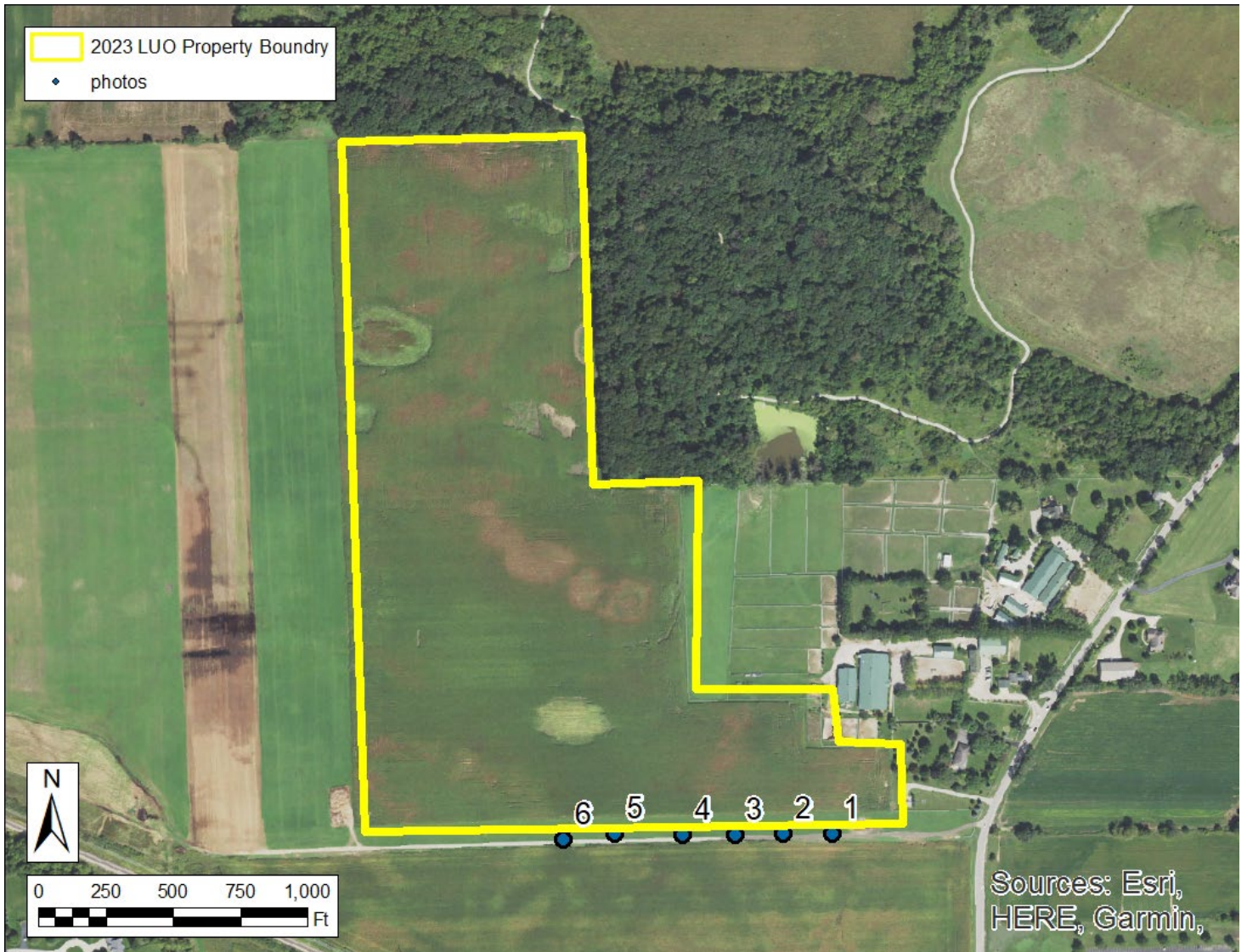


Figure 17: Location of site inspection photos

A site inspection was conducted by **Resource Analyst, Becky Monreal** on **September 29th, 2023**. A thorough inspection of the property was not possible due to the existing standing crop. The following photos were taken during this inspection and reflect the site conditions at that time.

SITE INSPECTION PHOTOS



Photo 1 facing northwest



Photo 2 facing west



Photo 3 facing north



Photo 4 facing north



Photo 5 facing west



Photo 6 facing north

Applicant: Manhard Consulting
Contact: Sonia Brania
Address: 1 E. Wacker Drive
Floor 27
Chicago, IL 60601

IDNR Project Number: 2314467
Date: 05/03/2023

Project: Lightstar Solar Development
Address: (42.014981, -88.396923) west of Nesler Rd. north of Bowes Rd., Elgin

Description: The project will include the construction of solar panels and all auxiliary utilities.

Natural Resource Review Results

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

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

Consultation 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. Termination does not imply IDNR's authorization or endorsement.

Location

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

County: Kane

Township, Range, Section:

41N, 7E, 23

41N, 7E, 24



IL Department of Natural Resources

Contact

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

Government Jurisdiction

IL Environmental Protection Agency
Illinois Environmental Preservation Agency
1021 North Grand Avenue
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.

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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: 2023-0019994
Project Name: IL001_PLA001_Nesler Rd

November 30, 2022

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: 2023-0019994

Project Name: IL001_PLA001_Nesler Rd

Project Type: Power Gen - Solar

Project Description: Development of an up to 5 MW community solar project

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.01508724999999,-88.3972359405408,14z>



Counties: Kane County, Illinois

Endangered Species Act Species

There is a total of 3 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	Threatened

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> 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	Threatened

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.



IPaC User Contact Information

Agency: IL Solar 9000 LLC

Name: Cecelia Stephens

Address: 501 Boylston St Floor 10

City: Boston

State: MA

Zip: 02116

Email: cecilia.stephens@lightstar.com

Phone: 6176107042
