STATE OF ILLINOIS)
)SS
COUNTY OF BUREAU)

In the Matter of the Petition

of

Salvia Solar, LLC

Dover Township
Bureau County, Illinois

Testimony of Witnesses
Produced, Sworn and
Examined on this 21st day
of December, A.D., 2023,
before the Bureau County
Zoning Board of Appeals

Present:

Shirley Ann Smith
Dave Bickett
Bill Jensen
Mike Stutzke
Barry Welbers, Chairman

Val Beattie, Secretary
Kristine Donarski, Zoning Enforcement Officer

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EXHIBITS

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MR. WELBERS: So that brings us to this application. That brings us to the one hearing and one application that we have that we will hear tonight, called Salvia Solar, LLC.

And the parcel number is 10-34-300-004.

The common location is the east side of 2100 E Street, just north of 1800 North Avenue.

The property is presently zoned as Agriculture.

And this is a request for a Conditional Use to build and operate a 5-megawatt AC commercial solar energy facility --

Shut that off. I forgot to do that.

-- on a portion of the subject property. The project will consist of solar panels, racking, foundation piles, inverters, overhead power poles and lines, and perimeter fencing.

It's also an application for a Variation, requesting a setback Variation to construct the proposed commercial energy facility as close as 350 feet from the corporate boundary line of the city of Princeton. The Bureau County Zoning Ordinance requires a setback of 1.5 miles (7,920 feet) from the municipality's corporate

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boundary line. Requesting up to a 7,570 foot setback Variation.

The present use is cropland.

We have a letter from Pete Nelson:

> The City of Princeton agrees to waive the requirement of the Road Use Agreement prior to the issuance of the Conditional Use Permit on the condition that the City of Princeton reserves the right to require -- they abbreviate -- RUA be in place prior to the issuance of the building permit for the project.

So in other words, they don't care that we don't have it here tonight. They do care it be agreed upon before the project building permit is issued if the zoning modifications are approved.

From Eric Balensiefen:

> I will agree to waive the requirement of an RUA prior to the issuance of a Conditional Use Permit. As we talked about and stated below, you will need an RUA from Princeton Township before the issuance of a building permit.

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This is a letter from Attorney Seth Uphoff addressed to our Zoning Office:

Kris, please find the conditional waivers of an RUA from Princeton Township and the City of Princeton. Mr. McCauley of Dover Township told me verbally that he would waive, but I have not yet received his written waiver. We are all agreeing to waive an RUA at this time on the condition that they reserve the right to require one before a building permit be issued.

Hello. My name is Rosanna Stremlau. I live at 21635 - 1800 North Avenue, which places me approximately one-half mile from the easternmost boundary of the proposed solar farm.

My concern is the proximity to so many residences. Perhaps that location is ideal because runoff can go into the creek, but are there no other places? Most of us want to find alternative energy sources. But as we do that, we also need to consider location.

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Another consideration is the short-term and long-term effect on the natural environment. That creek bed has a diverse population of plants and animals. Has this been considered?

What about our property values? What about the negative effects surrounding fields? Are there short-term and long-term health effects on humans who live within 1.5 -- 1.2 miles of a solar farm?

There are many questions. Can more time be given to considering the full effects of building a solar farm so close to so many residences?

Thank you. Rosanna Stremlau.

From the Bureau County Regional Planning Commission:

The Commission found that the application for Conditional Use as listed above was consistent with the applicable goals, objective and policies of the Comprehensive Plan, and was recommended for approval to the Board of Appeals and the Bureau County Board.

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From the City of Princeton, Raymond Mabry, Mayor: Our municipality has no objection to the above application.

From Princeton High School District Number 500: Our School District has no objection to the above application.

From Princeton Elementary School District Number 115: Our School District has no objection to the above application.

From the Soil and Water Conservation Direct:

It is the opinion of the Bureau County Soil and Water Conservation District Board of Directors that this report as summarized on this page is pertinent to the zoning request.

Cultural Resource Information. Upon review of the historic 1821 plat map, we found no historic sites on the property.

Biological Resources. Historically the site was of prairie landscape. We recommend planting a pollinator mix for the ground cover around and underneath the solar panels arrays to improve the

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biological resources on the site and to protect the soil. Common management of pollinator plantings and soil sites is routine mowing and occasional inter-seeding. Our office can provide seed mixes and management plan upon request.

Wetland and Floodplain Information. The site is within the area of Minimal Flood Hazard Zone X. Consultation with the Illinois Department of Natural Resources Floodplain Permit Program should happen before the finalization of work plans to see if any permitting will be required. The site does not contain wetland areas within the footprint of the construction site. Please contact the U.S. Army Corps of Engineers to determine your responsibilities going forward with the project site.

Erosion Control. The building is located -- the building site is located on gently-sloping ground. Care should be taken to cover bare soil during construction whenever possible. Grading

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should be kept to a minimum. The landowner and Salvia Solar, LLC, should agree upon a reasonable method to control erosion on the landowner's property.

Soils Information. All but apparently 9 acres of the soil on the site are considered Prime Farmland or Prime if Drained by the USDA. Much of the soils on the site are highly suitable for agricultural production. Some of the soils are not suitable for shallow excavation due to depth of saturation zone or ponding. Additional building and engineering considerations may be needed for these locations.

Soils and Health Assessment. A site visit was constructed on October 30th, 2023, to further evaluate potential natural resource concerns of the zoning request. Current soil health conditions are considered good on the field indicators that were tested on the site. A pollinator planting with the solar project would help maintain and possibly

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improve the soil health on the site.

AIMA. Refer to the specifications outlined in the Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture. AIMA standards are for the minimum applied to all construction or deconstruction activities. We emphasize that activities when normal farming operations, such as plowing, disking, planting or harvesting, cannot take place due to weather conditions. If an AIMA is still needed, appropriate forms can be found at the Illinois Department of Agriculture website.

And the certificate of publication proof is here.

So that's everything I'm to read into the record.

You have some witnesses?

MR. UPHOFF: Yes, sir.

MR. WELBERS: You probably would introduce yourself for the court reporter.

MR. UPHOFF: I will.

I'm going to provide each of you with a

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printout here.

MR. WELBERS: Do you have one for our Zoning Office as well?

MR. UPHOFF: I do.

SETH UPHOFF,

being first duly sworn, testified as follows:

MS. BEATTIE: Could you please state your name and address for the record.

MR. UPHOFF: Yes. My name is Seth, S-E-T-H, last name is Uphoff, U-P-, as in Paul, H-O-F-F. Address is 5901 North Prospect Road, Peoria, Illinois, 61614.

MS. BEATTIE: Thank you.

MR. UPHOFF: Good evening. As I just stated, my name is Seth Uphoff, and I am an attorney in Peoria who's here to work with the team from Salvia Solar to present an application for your consideration this evening.

Just by way of a little bit of background, I grew up on a small farm in Livingston County. I still try to help my brother farm as often as I can these days. So I have some familiarity with agriculture and farming life. I also grew up in Livingston County, which is a fairly rural

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county like Bureau County. So I believe that they are pretty similar in those regards.

And I'm here with Salvia Solar because we're bringing to you this project that we believe is a good fit between the contrast of trying to provide clean renewable energy but also still maintaining the rural farm nature of many of our counties.

So as you previously heard, the Regional Planning Commission determined that this was in compliance with the Comprehensive Plan for Bureau County and has recommended it for consideration and for approval. So we want to present to you additional evidence so that you can have as many facts as possible to make an informed decision on this application. And we're hopeful that when we get to the end, you'll see that we have met all the requirements of your Ordinance, and that we're presenting for your consideration a project that is worthy of recommendation to your County Board.

So with that, our witness, or at least first witness, this evening will be Mr. Paul Bottum from Salvia Solar. And I'll have him

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come up at this time.

PAUL BOTTUM,

being first duly sworn, testified as follows:

MS. BEATTIE: Could you please state your name and address for the record.

MR. BOTTUM: Yes. My name is Paul Bottum. Last name is B-O-T-T-U-M. My address is 30 West Hubbard, Suite 400, Chicago, Illinois, 60654.

MS. BEATTIE: Thank you.

MR. BOTTUM: Thank you everybody for making the time this evening for me to come before you and present the Salvia Solar Project.

As you heard, my name is Paul Bottum. I am a representative of the developer. I have passed out to everybody a copy of the presentation I'm going to demonstrate for you.

And I'll just start with, tonight's presentation will be on Salvia Solar here in Bureau County.

If I can get to the next page on this presentation. Salvia Solar is a community solar project that will connect to the local distribution grid and provide power to customers within the Ameren service territory.

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Ameren customers, including homeowners, renters and businesses, can subscribe to and receive a portion of the energy produced from the project.

And then credits for Ameren customers are applied directly to their bill. There is no delay in the credit applied to the Ameren customer's bill, and no change in the customer's billing cycle.

EXAMINATION

BY MR. UPHOFF:

Q. Paul, if I could, just to clarify that and drive home that point, any Ameren customers in Bureau County and the surrounding area would be eligible to be subscribers to this project?

A. That is correct.

Q. And community solar projects in the state of Illinois, under the law all the power from these has to stay within the bounds of the state of Illinois, correct?

A. That is correct.

MR. UPHOFF: All right. Thank you.

MR. BOTTUM: Now, on this next slide I will present to you information about why we

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chose this area, this location, for Salvia Solar. There are a couple different important things we look at when choosing a project.

In this case, we have Salvia Solar, which has a proximity to relevant electrical and road infrastructure. When it comes to the electrical infrastructure, the project where it's located on the 2100 East Road, has a three-phase line with capacity to connect to the Ameren utility feeder line/transmission line.

And then there was capacity at the substation, which is located throughout the south of the project, close to the Ace Hardware Distribution Center.

We also look for an area that has good road infrastructure. In this case, for this project, we do have that, with I-80 onto State Route 26 and over to 1800 North, which the project is at the corner of 1800 and 2100 East.

We also --

MR. UPHOFF: Sorry. Go ahead.

MR. BOTTUM: We also -- another important piece is the topography of the land. We look for projects -- areas that have limited slope,

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no wetlands. And this project has those parameters for this development.

Another important component is the interest from our landowners. This is really an important piece, because there's a lot of communication that goes into developing a project like this. And in this case, we have a landowner partner who we have been working with for quite some time, really was involved very deeply in the process of where the project would be suited for his land. And he's here this evening to support the project.

Another thing we look at is the current use and surrounding uses. And in this case, we have a project on an agricultural parcel which is surrounded by -- also by agricultural parcels -- or agricultural districts.

Then another important component is the Bureau County Ordinance. Bureau County has a strong Solar Ordinance, strong Conditional Use Permit standard, and a good Comprehensive Plan.

As stated, the project is at 18800 - 2100 East Road in Princeton, Illinois.

Q. (By Mr. Uphoff:) So, Paul, just to sort of

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recap some of that. You can't just put a solar project anywhere, right?

A. That's correct.

Q. And some of the key restraints that you have to start with is finding capacity on the right kinds of lines, and then finding capacity on the substation that those lines feed into; is that correct?

A. That is correct.

Q. And a lot of people think that all the lines you see running out in the country are three-phase lines, but in reality not many of them are; is that accurate?

A. That's correct.

Q. So you have to find a three-phase line that has capacity that connects to a substation that's got capacity, and you really have to sort of start from there because you have to be able to establish that point of interconnection to the electrical grid, right?

A. That is correct.

Q. Because without that point of interconnection, a solar farm is not going to do any good because it can't put the power out onto the grid for

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consumption; is that right?
A. Yes, that's correct.
Q. So it's not as simple as we just can put a solar farm wherever we think it best fits; you have these constraints that you have to work within in order to locate these parcels that will fit all these criteria; correct?
A. Yes.
MR. UPHOFF: Okay. Thank you.
MR. BOTTUM: To continue with the presentation, Salvia Solar is designed in full compliance with the Bureau County Ordinance, Article III, Section 3.41-4 v. and the Conditional Use Standards under Section 8.35.
Q. (By Mr. Uphoff:) Paul, before we get into some of the requirements that you're going to go through here that are required by Bureau County, I just want to ask you a few questions about construction of these projects generally.
So can you provide just a very brief overview of the essential parts of constructing a solar project like Salvia Solar?
A. Yes. So the construction of the Salvia Solar Project will include, as a base to -- for the

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supports, we have to drive pilings into the ground. And we drive -- they are typically 3-by-6 steel pilings that we drive down into the ground anywhere from 5 to 10 feet. And we drive those into the ground with no cement footings at all. Those are driven straight into the ground.

Then on top of that sits a framing system, which allows the solar panels themselves to sit on top as the frame and the support system on top of those pilings. Then the solar panels sit on top of that support system.

In our project, we use single-axis tracker panels, which has a mechanism that allows the panels to rotate from -- follow the sun in the east in the morning to the west at sunset.

Q. So you're essentially putting steel posts down into the ground; is that right?

A. Yes.

Q. And then along the top of those steel posts, you have got essentially a bar that holds the panels; is that right?

A. That's correct.

Q. And that's the single-axis tracker that you were talking about that allows those panels to

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swivel throughout the day?
A. That's correct.
Q. And they act sort of like a sunflower. They'll be facing east in the morning. As the day goes on, they'll flatten out. Then towards the evening, they'll point to the west; is that right?
A. Yes, right.
Q. And the next morning they'll start that process back over again?
A. Yes, that's correct.
Q. But all that's really required is driving these posts into the ground and mounting these panels on top, correct?
A. Yes.
Q. So there's no significant grading that has to occur or removal of topsoil from the parcel?
A. No, there's not.
Q. And there's not a significant amount of -- well, there's no concrete pilings or supports for these posts, correct?
A. That's correct.
Q. There would be a small amount of concrete poured for a small pad, where you have the

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inverters or the transformers; is that accurate?
A. That's accurate, yes.
Q. But aside from that, you're not going to have any other significant concrete structures on the parcel?
A. No.
Q. Okay. And in terms of the equipment that's required to do this, would it be fair to say that about the heaviest piece of equipment is a skid steer loader that's out there to unload the trucks and to pound the posts into the ground?
A. That's correct.
Q. So there's no heavy equipment, no bulldozers, end loaders, anything like that?
A. Nothing like that, correct.
Q. And when you're doing this work, is it typically either union labor or at least -- obviously it's got to be prevailing wage labor here in Illinois?
A. Yes, prevailing wage.
MR. UPHOFF: Okay. Thank you.
MR. BOTTUM: I'm going to go through, the next three slides are all of the requirements for the Bureau County Solar Energy Ordinance.

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I'm going to touch on a few of them. I won't read them all to you. I'm going to touch on a few of those.

First and foremost, the setback requirements. This project does comply with the 50-feet setback from right-of-way and other property lines. And then it does comply with 150 feet from any residence that is not part of the Special Use.

This project has submitted an AIMA and has filed an AIMA application with the Illinois Department of Agriculture. And that AIMA application has been submitted as part of the project application.

The project -- when it comes to the drainage, the project will locate the subsurface drain tiles, and will repair or replace any damage to the drainage system.

The last one I want to point out on this page is in regard to public road use. The project, as Seth has mentioned, we consulted with the various entities who are involved in road use approval and entrance to the project approval. And we will continue to work with

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them all the way up and to pulling of permits.
Q. (By Mr. Uphoff:) Paul, in relation to the drain tile mapping that you touched on, just so that everybody can be clear and aware of what that is, before you go out and construct the project, you will enlist a surveying or engineering firm that will go out and specifically map where all the tile currently exists on the project site; is that correct?
A. That is correct.
Q. And that tiling company will then work with your engineers to develop a plan that will allow you to design this project so that it works with the current drainage system or any upgrades to the drainage system that may be made; is that right?
A. Yes, that's correct.
Q. And if there is any point in that plan where there's going to be a conflict between the drainage system and the -- where the steel posts would need to go, then those land surveying engineers would help develop, work around, essentially reroute, the drainage system so that it still accomplishes the drainage that's needed

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but isn't in conflict with any of the steel posts that are being put in the ground; is that right?

A. That's correct.

Q. And those engineering or surveying companies also work with the neighboring properties and the drainage district to make sure that they're accounting for any potential future drainage that may need to be accounted for and to make sure that they're servicing the upland and downstream neighbors, as is required by the Illinois Drainage Law; is that right?

A. That's correct.

Q. And in this case, you have some existing tile mapping from the landowner; is that right?

A. Yes, we do.

Q. But you'll still have this surveying company come out and go and identify where all these tiles are by using either mapping or probing in order to specifically identify exactly where these tiles are located?

A. Right. Yes, that's correct.

MR. UPHOFF: Okay. Thanks.

MR. BOTTUM: To continue with the

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presentation, this project has submitted an emergency services plan to Princeton, Illinois, Chief Scott Etheridge, to coordinate with the procedures and guidelines for operations, maintenance and safety of the Salvia project.

I have spoken to Chief Etheridge on the phone and have also emailed him the communications regarding this project. So I have shared the site plan and the emergency services plan.

This project also has a -- in regards to vegetation management, we have submitted a vegetation management plan that has a very specific process for maintaining and managing the vegetation of the project. The vegetation management will include the area within the project area, as well as the buffer area and the surrounding outside-of-the-fence area, to make sure that the vegetation is well maintained.

And then the project will be surrounded a by 7-foot chain link fence, and it will be gated for security purposes.

Q. (By Mr. Uphoff:) So, Paul, in relation to a couple of those things. First of all, when you

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have been coordinating with emergency services, and then you were just mentioning the fencing around there, will there be what they refer to generally as Knox boxes at the entrance to this property which will allow emergency personnel to gain access via a key or a code?

A. Yes.

Q. And all that information will be provided to the emergency services that are responding to that area?

A. Yes.

Q. And then additionally, will there be signage, both, you know, any warning signs that are required according to any national codes and also, like, a 911 address sign for that location?

A. Yes, there will.

Q. And then you said that you would be working out a plan with the emergency services for how they would address any potential emergencies on the site?

A. Yes.

Q. And would Salvia Solar be working on making sure that there would be any training necessary

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for those emergency services personnel?
A. Yes.
Q. And when it comes to some of the other things that are listed on here, would it be fair to say that aside from maybe the possibility of having a few lights out there just during construction hours, that otherwise there would be no lighting on this project?
A. That is correct, no lighting on this site.
Q. So no light pollution in that regard; is that right?
A. Correct.
Q. And then there also -- aside from, you know, typical construction noise, once construction is over there wouldn't be any noise pollution coming off of this site as well; is that right?
A. Correct.

MR. UPHOFF: Okay. Thank you.

MR. BOTTUM: Move to the next slide. There are four items on this slide in regards to the Ordinance. I'm going to touch on decommissioning.

Salvia Solar guarantees that the facility will be properly removed within 12 months of the

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end of the life of the project or in the unlikely event that the system ceases power production.

We will also work with the Bureau County Treasurer's Office to provide a decommissioning bond or a surety bond and comply with the Bureau County decommissioning requirements.

Now, on this next slide is just a little bit more information about the overview of the project. It's on a 95-acre parcel. The project area is 30 acres. It produces enough electricity to power 1100 homes.

Local vegetation will be chosen and maintained to prevent erosion runoff and strengthen the root structure within the soil.

The project will generate significant tax revenue, create 24 local jobs during construction, and it will take approximately 12 to 16 weeks to build.

Q. (By Mr. Uphoff:) Paul, you mentioned previously vegetation management and you mentioned it again here. I noted that when the Chairman was reading through some of the materials at the beginning, the report from Soil

and Water Conservation District indicated that they recommended that type of native vegetation; is that right?

A. That's correct.

Q. And also that they would potentially have some seed mixes that they would recommend. And would you intend to work with the Soil and Water Conservation District on developing that vegetation management plan?

A. Yes. We will continue to consult with them.

Q. And in terms of the site plan, in this slide there's a version of it. In terms of the vegetation, it is currently planned for there to be vegetation, a buffer screening area, on the south side and going up about halfway on the west side of the project?

A. Yes.

Q. And it's a little hard to make that out on this particular site plan. Do you know, are there larger site plans that are available?

A. Yes. There are 11-by-17s for all of the members here.

MR. UPHOFF: Do we have those?

MS. DONARSKI: I think they should have

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them in their packet.

If you look on your -- the back page of your packet, the second page of your packet, it folds out, and then there's the 11-by-17 there.

Q. (By Mr. Uphoff:) Just so we can point it out for the members, there's a line going around the perimeter of the project. That's the fence line that you referenced earlier, right?

A. That's correct.

Q. And then on the southern border, outside of that fence and going up, like I said, about halfway along the eastern border outside that fence, is a darker line. And that would be the vegetative screening buffer that you would be planting for this area; is that right?

A. That is correct. The west end and the south side.

Q. And that's just on the exterior. Then on the interior you would be using, again, native pollinator-friendly plantings for vegetative ground cover underneath the entirety of the solar array area; is that right?

A. That's correct.

Q. And I believe also in the Soil and Water

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Conservation District Report it concurred that using those types of native ground cover on this property would help with reducing or limiting soil erosion. It would also improve soil quality over time. Is that right?

A. That's correct.

Q. Now, when you were talking about some of these jobs earlier, you said they would be prevailing wage and potentially union jobs. And that's going to provide an economic injection during the construction period, right?

A. Yes.

Q. And then in terms of the ongoing maintenance, is there also always a potential for hiring local companies to do some of the ongoing maintenance, particularly with the vegetation management, both exterior and interior to the project?

A. Yes.

MR. UPHOFF: Okay. Thank you.

MR. BOTTUM: On this slide, I'm going to demonstrate a little bit more information about the property tax benefits.

This project as it sits right now as

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agricultural land here in Bureau County, the property tax benefits for year one is about $1,286. With a solar farm, in year one the property tax benefits will be about 15 times or more, or $29,927. Over the lifetime of the project, the property tax benefits will be around $634,800.

As you can see on the left side of this slide, those are the different districts within the county that that benefits. So the Princeton High School will benefit to the amount of about $273,000; Princeton Grade School, $178,000; Bureau County; Dover Township; Illinois Valley Community College; and the Fire Protection District.

Q. (By Mr. Uphoff:) And so, Paul, those are some pretty significant increases on the annual taxes that will be coming in from this project; is that right?

A. Yes.

Q. And that's because the State of Illinois has a formula by which they specifically assess and tax solar projects, right?

A. That's correct, the Illinois Department of

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Revenue.
Q. And so that's what ends up generating this additional tax revenue from just that small portion of the parcel, right?
A. That is correct.
Q. And you noted here that the schools are going to especially benefit from this. Wouldn't it be fair to say that they're going to receive those additional benefits but without any additional burdens; meaning, there's no additional kids, they're not going to need to build additional classrooms because of an influx of additional students? So they're getting the benefits, but there's nothing that's taxing their system as it currently stands; is that right?
A. That is correct.
Q. Okay. The same would be true then for the other taxing bodies, you know, the Fire Protection District, Bureau County; they're going to receive additional tax benefits, but there's not going to be any additional residences in the fire district that they have to, you know, deal with, there's not going to be any additional traffic on the roadways that the

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road districts or the County would have to address. Again, it's going to be a benefit but without the burdens; is that right?

A. That's correct.

MR. BOTTUM: Now, as I get into the next slide, this is a little more information about the Agricultural Impact Mitigation Agreement that we have signed with the Department of Agriculture. This agreement sets the standards for construction/deconstruction, including the support structures, the cabling depth, the drain tiles, topsoil, construction timing, and decommissioning.

When you have a solar project such as Salvia Solar, it maintains the permeable nature of the land, due to limited concrete.

The field tiles will be located prior to construction, designed around, and repaired when needed, as previously mentioned.

Then, again, we will have the land seeded with Illinois native vegetation and maintained as pollinator friendly. Then it will also be reseeded post decommissioning as part of the decommissioning plan.

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Q. (By Mr. Uphoff:) Paul, in relation to the vegetative management and the pollinator friendly nature of this, there's also an Illinois Department of Resources Score Card that they use for pollinator-friendly sites; is that correct?
A. That's correct.
Q. And Salvia Solar submitted their Score Card as part of the application; is that right?
A. That's correct.
Q. And that Score Card is the Illinois Department of Natural Resources' method of ensuring that you're, you know, putting in the right types of pollinators and that you're doing it in such a way that you meet a minimum threshold score so that you can qualify as a pollinator-friendly site; is that right?
A. Yes, that's correct.
Q. And this plan that you submitted will exceed the minimum scores necessary to be considered pollinator friendly?
A. Yes, that's correct.
Q. Is this going to be a permanent use for this property, the solar project?

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A. No, it will not be permanent. It's temporary.
Q. A temporary use, right? Because there's a lease that you're going to have with the landowner, and upon the expiration of that lease, if it's not renewed, then this project would be removed; is that right?
A. That's correct.
Q. So the AIMA, Agricultural Impact Mitigation Agreement, governs both how you deal with putting a project in at construction and then also deconstruction, because it's anticipated that at some point in the future this project will be decommissioned and will be deconstructed, right?
A. That is correct.

MR. BOTTUM: The next slide, if you pull out the larger site plan that you have, what I'm going to do with this slide is walk through a little bit more information in detail about the project itself.

So the first thing I want to point out about the Salvia project is that this project is on a parcel that, on the southern end of the parcel, where you see the parcel boundary,

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there's also an additional 2-acre strip of land. So the parcel, even though it's the same landowner, the parcel is separated. And that 2-acre strip of land is about a hundred feet by roughly a thousand feet, and that's going to be important because of that intersection. So there won't be blocking any of the intersection or traffic.

The second thing I want to point out is the setbacks. So you can see on the larger site plan that we do have the setbacks called out for, which are 50 feet from the neighboring parcels. And that includes on the southern border. So we have even set it back further to comply with the setback requirements.

Then on the eastern side of the -- I'm sorry, the western side of the project, we have a setback from the right-of-way, and that's 50 feet. Then on the eastern side of the project, to the neighboring parcel you can see the setback where that fence line is. That fence line is the line with the Xs. And that is also set back 50 feet on that side.

Now, I want to talk a little bit more and

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take you to the center of the project. So you can see, along the 2100 East Road we have a gravel road that we plan on installing. That will be used to get to the construction laydown area. That gravel road is offset from the neighboring driveway across the road to make sure that there is no congestion in that area.

When you follow that gravel road to the center of the project, you will see two rectangles. That is the area where we will install our equipment pads. And those equipment pads will hold the inverter, the transformer, and the combiner boxes. We centrally locate those on these projects specifically so they're within the project itself.

Then to the right you can see a long strip rectangle, and that is our construction laydown area. Once construction is complete, that construction laydown area will be removed and reseeded and returned back to its regular land in that area.

If you'll follow that road back towards the 2100 East Road, you'll see right when you come in the entrance, and to the north there's a

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small road and five poles there. Those five poles are the poles that will be used for our point of interconnection, working with Ameren and the utility.

The other thing that I want to mention on that road that goes north of that area, that will also be the area where construction crews can park their vehicular traffic, to keep them out of the roadway, to avoid any congestion on the road as well.

We talked about the panels being single-axis tracker panels. And those panels themselves will take up the entire project area. But the vegetation buffer that's on the west and southern portion, if you look to the right of the Salvia site plan, you can see a picture demonstration of what that buffer will look like. And that buffer will be used -- it's for view shed and, you know, enhancing any wildlife.

And those are going to be planted as evergreen trees and deciduous shrubs. And they're typically planted at 3 to 5 feet, and within three to five years will grow 7 to 10 feet tall to really create a nice vegetation

buffer around that south and western portion of the project.

That's really -- that's the overlay of the site itself. And I don't really have anything else to share there. So I'm going to move on to the next slide.

Q. (By Mr. Uphoff:) Just briefly, Paul, to follow up on that. You indicated that between the laydown yard and this roadway along these poles, there will be plenty of room for any construction traffic to get off of the road so that we're not having vehicles parked along the road and were not having semis, you know, unloading on the road. They're all going to come onto the site via the laydown yard and/or this parking area; is that right?

A. That is correct.

Q. And the poles in that roadway on the outside, those are outside of the fence so that Ameren can have access to those at any point in time without needing to make entry into the site; is that right?

A. That is correct.

Q. In terms of construction, the construction

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period, I think you mentioned it earlier but I just wanted to call it out, is that 12 to 16 weeks to get this project constructed?

A. Yes.

Q. So it won't be a particularly long period of time before this project will be complete, and any of that additional traffic during that time period will dissipate; is that correct?

A. That's right.

MR. UPHOFF: Okay.

MR. BOTTUM: Now, on this next slide I want to talk about, this relates to the Agricultural Impact Mitigation Agreement, but we have also submitted a decommissioning plan.

Again, the decommissioning plan is -- for the project, having to decommission within 12 months of the end of the life of the project. Adjustments to the financial assurance amount will be resubmitted to the County every five years, and an updated deconstruction plan will be provided at the end of the tenth year in coordination with the AIMA agreement.

We will also remove all aboveground and below-ground facilities of the SUP or the

Conditional Use Permit and restore the soil and the vegetation.

And then I provided a -- on the original packet, the ability to read was very hard. I know it's a very small print for the decommissioning plan. So I brought in a larger printout of the decommissioning plan, and I shared it with everybody so they can see how those costs are determined for the decommissioning.

And that amount has come out to $256,520, and that is the amount we will be willing -- we will be putting up as a surety bond with the County as a decommissioning surety bond.

Q. (By Mr. Uphoff:) So, Paul, the AIMA, as we have talked about before. Is this agreement that's signed and is controlled by the Illinois Department of Agriculture?

A. Yes.

Q. And the AIMA is really designed to protect the land, the landowner and the County; is that right?

A. That is correct.

Q. So it's protecting the land by having strict

requirements as to how construction and deconstruction occurs; is that right?

A. That's correct.

Q. And similarly, protecting a landowner in that situation so that the land is returned back to the state in which it was found, essentially, right?

A. That's correct.

Q. And then the County and the landowner also have protection via the bonding that's put up to ensure that the deconstruction will take place after the useful life of the project; is that correct?

A. That's correct.

Q. And would it be fair to say that the overall goal of the AIMA is that when you're done, you return the land to as good or better condition as it was when you started?

A. That is correct.

MR. UPHOFF: Okay.

MR. BOTTUM: Now, on this next slide we talk a little bit more about stormwater and drainage.

The American Society of Civil Engineers

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issued an abstract titled "Hydrologic Response of Solar Farms." This report analyzed the effects of solar panels over vegetated ground cover. The report concludes that solar panels over a grassy field does not have much of an effect on the volume of runoff, the peak discharge, nor the time to peak.

Q. (By Mr. Uphoff:) So, Paul, what this is overall getting at is, when you have got consistent vegetative ground cover on the ground, it allows for additional infiltration, because you have got good root systems allowing for the water to go in, it slows the water down, which also aids in filtration, and those things together reduce runoff and erosion; is that correct?

A. That's correct.

Q. And I know sometimes people think that, Well, you have got these panels, they're going to shed all of the water and it's going to create additional erosion. But actually, this study confirmed that as long as you have got the vegetative ground cover underneath, they actually didn't find there to be increased

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erosion or runoff in that scenario; is that right?

A. That's correct.

MR. UPHOFF: Okay.

MR. BOTTUM: Then on this next slide, it's just a visual demonstration. Currently, right now with row crops, there's less absorption, and with the solar panels there would be more absorption, as Seth just talked about.

Then on the right, a little bit more about the root structure, with the vegetation or the ground cover or the pollinator vegetation.

Q. (By Mr. Uphoff:) And, Paul, it's also fair to say that it maintains a consistent root structure throughout the year. Whereas, when you're dealing with row crops, you know, once they're harvested, the roots are still there but they're not active roots, the plant has died and it's no longer maintaining those. Whereas, with the types of native vegetation ground cover that would be planted, the root structures stay intact and hold the ground better throughout the entirety of the year; is that correct?

A. That's correct.

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Q. Additionally, when you're using these -- in order to be pollinator friendly, in order to meet the Score Card requirements for the Illinois Department of Agriculture, you can't be using heavy amounts of pesticides or herbicides, and, in fact, after the first couple of years the intent is that you don't use those at all; is that right?
A. That's correct.
Q. And you're also not using additional fertilizer every year on the property because it's just naturally taking over; is that right?
A. That's correct.
Q. So you also have a reduction, and eventually an elimination, of pesticides that could potentially run off from that parcel, as well as excess fertilizer running off from that parcel into nearby waterways; is that correct?
A. That's correct.
Q. So in that sense, this type of project actually reduces the potential for contamination in the local waterways by eliminating the herbicides, pesticides and fertilizer that oftentimes can find its way into those waterways; is that

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correct?

A. Yes, that's correct.

Then the next slide is just a photo of what that vegetation would look like under the solar panels.

Q. So when you have that type of ground cover, Paul, that's good for the pollinators; meaning pollinator insects and even some pollinator birds. And any other plants that need pollinators benefit from having an increased population of pollinating insects and animals; is that correct?

A. Yes.

Q. And also they have found that provides good habitat for small game and upland birds, such as pheasants and quail; is that correct?

A. That's correct.

Q. And then ultimately, like we had referenced before, when we have these natural vegetative substances that continue to compost year over year, it actually tends to improve the soil long term, just like when you allow a farm to lay fallow. This is allowing the soil to lay fallow and rest and rejuvenate for a very long period

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of time; is that right?
A. That's correct.
MR. UPHOFF: Okay.
MR. BOTTUM: Now, these next couple slides, I will just talk about the Conditional Use Standards.
Under 8.35-1, the establishment, maintenance or operation of this will have no negative impact on the health, safety, morals, comfort or general welfare of surrounding community members.
This solar farm will work to better the environmental health, human welfare and economic development in the surrounding area.
This proposed project will not -- 8.35-2, this proposed project will not be detrimental to the public welfare, and is not anticipated to have a negative impact on the property value of neighboring homes and properties.
Under 8.35-3, the proposed Special Use will not impede on the orderly growth, development and improvement of neighboring properties. Due to the minimum impact of solar farms, both present and future development

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should see no deviation from the originally-determined course of action established by the Bureau County Planning and Development Department.

Under Conditional Use Standard 8.35-4, the proposed project will maintain the existing drainage patterns on site and reduce the amount of stormwater runoff that will leave the site. The project will analyze the existing subsurface drain tile network. The project will not require sewage, water or natural gas resources on this site. And then, a single-access gravel road will be installed, as I mentioned previously.

Under 8.35-5, the proposed solar energy system will generate very little traffic, similar to a single-family home. The site will be designed with efficient access, and will work with local departments and the Illinois Department of Transportation to ensure this, as well as secure all necessary state and local permitting.

Then if I could just recap this project, on the last slide:

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It's clean and reliable energy produced right here in Illinois;

There will be subscriptions, too, for the consumer to electricity at or below market rates;

We, as the developer, partner with workforce development organizations to provide support for training centers to create jobs;

This is a quiet and low-maintenance development;

It is environmentally safe and pollution-free;

And there are economic benefits for our landowner;

And a significant property tax revenue for the community.

Thank you again very much for your time, and I'll be glad to answer any questions you may have.

MR. WELBERS: Do you have any further questions for your witness?

MR. UPHOFF: No further questions for this witness at this time.

MR. WELBERS: Do you have questions, Kris?

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MS. DONARSKI: I do.

EXAMINATION

BY MS. DONARSKI:

Q. So, Paul, for -- at the highest point when the panels are tilting, how tall are they from the ground to the top when they're at the highest angle?

A. At maximum?

Q. Maximum tilt, we'll say.

A. They are approximately 10 feet.

Q. Okay. And then my question then about tilting -- the tilting and following the sun, how do -- how does, like, heavy snow or ice or things like that, how does that affect the ability to tilt or to perform? How is that handled?

A. It typically doesn't have any effect. There is a mechanism that's a drive system controlled by a motor. We actually can use that if there's a heavy snow to push the snow off of the panels. And then typically the wind and sun will do the rest.

Q. Now, how is that monitored? Is there someone here locally, or is that monitored from off

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site, or how does that work?

A. We monitor the project remotely. And we watch 24/7, 365 for any performance anomalies. If there is anything that shows up on a performance indicator, then we come out and have our operations and maintenance team inspect the site and the project area.

Q. And how often does somebody come out, actually physically come out, and take a look at the site?

A. So in the -- it's two things. Based on -- solar operations maintenance is a little less repetitive. So it will be a couple, three times as a scheduled maintenance check. And then there will also be conditional checks. For example, if we have a performance anomaly, we would have a team come out and really dig into why that's happening.

But I also want to touch on the vegetation maintenance part. It's a little bit more involved, to make sure that vegetation maintenance is being done. For example, in the beginning of implementing the vegetation buffer, you want to make sure it's watered consistently

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in the very beginning.

So the vegetation aspect will be more frequent site visits. Somewhere close to three to six times in the first and second year, and then it will be a little bit less, two to three times, again, as scheduled maintenance.

But there will also be conditions-based maintenance. If our solar operations team is out there as the maintenance team and they see something that has to do with vegetation, they'll inform the vegetation team that there's a condition that they need to address.

Q. Okay. Thank you.

And so my next question is about your 2 -- hold on. Excuse me one moment here.

On the vegetation and all that, how many acres actually will be used for the proposed solar energy facility? The fenced area, what kind of acreage is that exactly?

A. Roughly 20 acres.

Q. Okay. And then what is -- the balance of that agricultural field, what's that going to be used for?

A. The balance, as in the rest of the 96 acres?

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Q. Right.
A. Continue to be agricultural for the landowner's use.
Q. So the landowner will farm the other part, except for the 20 acres where the solar array is?
A. Correct.
Q. Okay. And, let's see. Now, I have a question on the site plan map that you provided. There's some white rectangles that kind of go zigzag across the picture. What does that stand for?
A. That's a good question. Thank you for that.

Those are the 1-foot increment and changing of the topography. So it measures if there's a movement in the land from a higher level to a lower level.

And you can see this project does have a slope that heads towards the southeast.

Q. So that's kind of how the drainage naturally goes on that property?
A. Correct.
Q. Okay. And then the drain tiles are mapped separately? That's not this?
A. That is correct.

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Q. That's separately, okay.

Do you have an interconnection agreement with Ameren with your power station, or how does that work with the substation?

A. Yes. So we do have an interconnection agreement with Ameren. Ameren utility, when we apply for it, we reach the milestone of the interconnection agreement. So it has been completely executed, and we've actually made a deposit for the project.

Q. Okay. Now, on your presentation here, on Page 2 at the bottom, you have on here that Ameren customers can subscribe. And you said credits are applied directly to the customer's bill. What does that mean, in more plain terms?

A. So we work with a subscription company that works directly with Ameren as a trade ally. And they will go out to the community and meet with people to sign up for the energy on this project. Once they do that, they will receive -- nothing will change with their bill. They will just receive a credit for the energy that they have used for the project, and it will be directly applied to their Ameren electric

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bill.
Q. Okay. Then kind of on the terms of the financial part, is this project dependent on, like, receiving production tax credit or some federal tax credits for this to happen? Or is this just a private agreement between your company and Ameren? How does that work?
A. So this project will have investment tax credit benefits and then renewable energy credit benefits.
Q. Okay.
A. That are both -- one is a federal benefit and the other one is a state benefit.
Q. Okay. So for the length of the lease or the anticipated useful life of the project, what kind of a number are you looking at in that?
A. So typical -- a solar project like this can go for many years. Our current lease arrangement with the landowner is a 20-year lease, and then we have four 5-year options. We do expect this project to go a full 30 to 40 years.
Q. Okay. Now, how do you handle -- like, do you do checking for, like, buried pipelines, electrical, gas lines, things like that, like

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utilities that might be out there? Has that already been done, prior to your asking for this Conditional Use, or is that done prior to the start of construction? Or how does that fit into the scheme of things?

A. So when we apply here for the Conditional Use, we typically don't do a lot of the fieldwork or the land surveys. But once -- if we receive zoning approval, one of the next steps we'll do is commission an ALTA survey. And that survey will demonstrate any type of subsurface items that are pipelines, gas lines and so on. It will be part of the ALTA survey.

Q. Okay. And then you'll design your plan accordingly, not to negatively impact any of those things?

A. Correct.

Q. Okay. Now, what about an erosion control plan? I know Soil and Water had said about that. Is there a lot of exposed soil? Or how does that happen during construction and when the operation gets operating?

A. So during the construction period, there will be -- it will be just your farmland that's

there. And they will move the topsoil around, but it won't be any heavy grading. Then the next thing they'll do is put down what's called a ground cover to make sure that that's down once construction is complete, and that will help with any type of erosion or any soil runoff.

Q. But you will comply with all aspects of the Illinois State Drainage Law?

A. Yes.

Q. Okay. My next question is, are you proposing a battery energy storage system, or BESS, at this site?

A. No. At this time we have no expectation to put a battery energy storage system on this site. And if we were to, in the future, determine that the site was feasible for that, we would come back to the County and follow the Ordinance and the requirements and come back for this Board for approval for that.

Q. Okay. And is it your testimony that you are working -- as far as a roads agreement, that you are working with the City of Princeton, Princeton Township and Dover Township to come up

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with a Road Use Agreement for the different portions of the roads under their jurisdiction, and then that agreement will be in place prior to getting your building permit? Is that your testimony?

A. Yes, that is correct, as well as the Illinois Department of Transportation.

Q. Okay. Now, when the vehicles are entering and exiting the gate on 2100, you have designed this so that the vehicles or their trailers are off the right-of-way while the gate is being opened and closed?

A. Yes, that's correct.

Q. Okay. Have you or anyone associated with this project met or spoken with any of the adjoining property owners and talked to them about this project?

A. So, yes. So the first thing we do, when the public hearing is set for schedule, we send out a letter to introduce ourselves and introduce the project.

In this case, I also, as a developer, really knew how important it is to get into in the community and speak to the neighbors. I

have spoken with every neighbor on this project within a half mile, and maybe even a little further, because I think the Claytons are probably another quarter mile up the road. So I have spoken with everybody about this project, and we have had great feedback from most of the surrounding neighbors.

Q. Will there be any type of noise or sounds emitted from the inverters, transformers or other electrical equipment used for this project?

A. One of the things I would mention is, the reason why we centrally locate the inverters is because the inverters do run with a humming sound, 67 decibels. But when you have that centrally located and you have the vegetation underneath, and you have the panels and the infrastructure of the panels, and you have the vegetation buffer that surrounds the project, that noise doesn't travel beyond the parcel boundaries.

We have done some studies in regard to this, and we know that's an important part of Ordinance. And we'll willing to do an

additional study once the project is operational to make sure that that is demonstrated properly.

Q. Okay. Will there be any kind of electromagnetic fields, or EMFs, emitted from the inverters or transformers or electrical equipment that can pose any potential health hazards to individuals living or working in close proximity?

A. So this project, with that central equipment pad of transformer and inverters, the inverters themselves we use are smart inverters, they are electric motors, but there is no electromagnetic frequency.

The transformers are another electric device. But any type of electromagnetic frequency that they would put out would be similar to your microwave or your telephone, and nothing larger than that. They are designed specifically for that. They are insulated. They are designed to accommodate.

Q. So nothing goes beyond the limits of the fence?

A. The equipment pad.

Q. Of the equipment pad, okay.

Then tell us about construction. When you

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had a -- you said you had a time frame. What are your plans for disposal of construction debris during and after construction?

A. So construction will be -- the solid waste will be discarded in accordance with the Ordinance and the County rules. And it will be done actively, while the project is going, on site. And then there will be a final cleanup of all things to remove everything.

And there is typically no HAZMAT items. It's just packaging material, and other components of the project that weren't used and so on will be removed completely off site.

Q. Now, what if there's -- let's say we have a big hailstorm or something, and let's say some of the panels are cracked. Is there anything inside that can leak out or be emitted if there is a rupture in the panels?

A. So thank you for your question. These panels are designed with an aluminum frame. The majority of the panels themselves, 75 to 85 percent of the panels, are made out of glass or silica with film in between. It kind of acts as an integrated circuit. There are other

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components, such as silver, copper, lead, and some metals that are in there, but nothing that will leach or seep out.

I would just add that these panels are designed to withstand a great amount of force. Even under a large amount of pressure, there is no seeping or leaking of any material at all. When I talk about the amount of force, these panels are designed to withstand golf ball-sized hail at 80 miles an hour before they're challenged. So they are really well-designed and encapsulated within that frame.

MS. DONARSKI: That's all my questions I have. Thank you.

MR. WELBERS: Do you have questions? Here's what we -- one second. Let me brief you. The first thing you'll do, for the court reporter, is state your name, and then you can ask what questions that you want of the witness; questions.

If you also -- at the completion of this witness, or if there's any others and your questions, you would like to testify and say, This is how I feel about it, you're welcome to

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do that. But try to restrict what you do now to ask questions of this witness.

So first tell the court reporter your name.

MS. ETTER: My name is Marie Etter. I'm a resident of Princeton, and I have lived here well over 45, 50 years.

EXAMINATION

BY MS. ETTER:

Q. I wondered how soon you plan -- if this does pass, how soon you plan to begin construction?

A. So the first phase we do, following the approval, if we get the approval, we do a suite of due diligence process: environmental studies, threatened and endangered species, geotech, the ALTA survey. Then we also consult with Ameren utility for this process for the interconnection.

I apologize for the long answer, but I think it's important to explain it. The Ameren utilities is running about one year right now. So we anticipate Ameren being done with their part, looking at next fall. And then our construction would follow that, the three- to

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four-month construction period. We really believe it will start in the spring of 2025.

MS. ETTER: Thank you.

MR. WELBERS: Any other questions?

State your name for the court reporter.

MS. KEANE: My name is Karmen Keane, K-E-A-N-E.

EXAMINATION

BY MS. KEANE:

Q. You mentioned that the solar panels rotate. Could you talk a little bit about glare and how to prevent glare?

A. Yes. So the panels themselves are designed to absorb the sun, and they actually have -- the top layer is an anti-glare film. The angle that they rotate, they don't rotate to where it would be towards any traffic or any home because of the position towards the sun.

So there really is not a lot of glare that comes off these for those reasons. Primarily, the antiglare film is a big piece of that as well.

Q. I heard in the beginning that power poles and lines would be involved. So would you be

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erecting power poles?
A. So -- and on the site plan -- I'm sorry you don't have a copy, but on the site plan, where there's existing three-phase lines, we will install five power poles. But we will work -- we don't install them. We work with Ameren to install those power poles. And they connect directly into the existing line.
Q. So about three, you said?
A. Five power poles.
Q. Oh, okay.
A. And the power poles are there to hold the safety equipment and the equipment for measuring the power outputs of the grid.
Q. Okay. Thanks. Thanks for a lot of explanation on decommissioning.

What would happen, not that it would be expected, if your company goes out of business, and it's 20 years from now and it's time for decommissioning?
A. So we don't anticipate that happening. We want to see the full lifetime of this project. But that is part of why -- there's two parts of this.

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We set a surety bond with the County. And if that were to happen, that would be a situation where the County would step in, they have a mechanism in their Ordinance that would step in and address the removal of the project.

But we don't anticipate that happening. A lot of times, if somebody goes out of business, typically there's another -- there's another, whether it's a developer or another solar operator, owner/operator, they will come in and possibly buy the project and reconvene it and have it working again.

Q. Okay. With the information you provided about vegetation, will there be vegetation between the panels? And how far apart will the panels be spaced?

A. So the panels in this case are very close together, roughly 6, 7 inches between, because it's a very condensed space for a 5-megawatt project.

The panels themselves, below the panels will be the vegetation. And that will grow up to the panels, but it won't -- once it gets above the panels, we want it to cut back. So

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we'll have our operations and maintenance team out there doing their mowing and trimming and so on, pulling anything that's hard wood out of the way if it's growth that's coming up.

Q. So with the absence of the diagram, like, how many panels, like, are together, right, 6 to 7 inches apart? Like, how many are there in a setting and then to the next row or whatever?

A. Yeah, so there's roughly, typically, eight in each setting. And then those are on the pilings of that row, then there will be a space in between, and then pilings on the next row.

Q. Okay. And how far apart are the rows?

A. Roughly 6 to 12 inches, depending on the space constraints.

Preliminary -- this is preliminary. A final design will be more specific to exact.

Q. So what I am envisioning, based on what you described, is, it's a lot of surface, with vegetation below it, but not huge spaces in between?

A. It's enough space for managing the projects.

Q. Okay. You did reference an article. And I am sorry, I didn't write it down. You referenced

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an article when you were speaking.
A. Yes.
Q. In the research in that article, is that based on models of solar panels and the solar farms, or is it actual field data that you were citing?
A. You know, if it would be okay, I have a civil engineer here from Kimley-Horn who might be able to shed some more light on that information, if that's okay.
Q. Okay. I can wait until --
MR. WELBERS: One second. Make sure you are finished with all the questions from you, and then we'll swear in your civil engineer and have her do her presentation and ask her questions.
MS. KEANE: Okay. That's all I have got.
MS. ETTER: I do have one more question.

EXAMINATION

BY MS. ETTER:
Q. Do you have any documentation on weather effects and heat that these -- that this would produce above the panels?
A. So I don't have any documentation with me with regard to that.

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I think what you're asking about, is there a heat effect on the panel area?

Q. Yeah.

A. So during the day, just as when the sun is shining on the earth and it's hitting the cement and it heats up the cement, during that day when the sun is in full force, the panels themselves will heat up a degree or two, a really small amount. But when the nighttime comes and the panels stop operating, everything goes back to normal temperature.

So there's really not a major change in the heat of these panels or of this project.

Q. There's not?

A. No, there really isn't. They are designed to absorb the sun's radiation. They are designed to pull it all in. So there really isn't a major effect on the change of temperature.

Q. What would be the effect on birds? wildlife?

A. So in this case we have consulted with the Illinois Department of Natural Resources for what they call an EcoCAT study. That study was completed a few months back, and it shows that there is no further consultation with regard to

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Illinois Department of Natural Resources.

We have also completed a U.S. Fish and Wildlife Study. Which in this case, for this project, the Fish and Wildlife Study does a much more comprehensive study on the bird migration and some of the other animal life. And this project was determined to have what's called a no effect memo, which means this project will have no effect on the wildlife or any of the wildlife regarding birds and animals. It really doesn't have any effect on that.

And we have submitted that no effect memo as part of the application.

MR. WELBERS: Any other questions from the audience?

(No verbal response.)

MR. WELBERS: Does our Board have any questions directly. Go ahead.

MS. SMITH: I had a couple.

EXAMINATION

BY MS. SMITH:

Q. I am wondering why you are not putting a buffer around the entire project?

A. That's a very good question. I thank you for

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that. Bear with me while I explain this.

When we put a buffer on the agricultural side of a project, the farmers who are doing the work in the field, with the herbicides, spraying the chemicals, a lot of times there's drift. And that drift will hit that vegetation buffer, and it really -- to speak frankly, it affects it and it looks really bad. So that's a big part why we don't it.

Q. Why wouldn't you put it the rest of the way along the roadside? You're just putting it here on this -- I'm just curious why you would have it --

A. No specific reason. We would be willing to do it, if it was something that was important.

Q. I mean, it might look -- you know, it would cover some of that equipment. Might be more aesthetically pleasing.

A. And we're open to that suggestion.

Q. And then are you giving the fire departments any special training? Because solar panels are not something they are used to working with, and I know they can be very dangerous, from what I have researched. So are you doing anything

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special with the fire department to train them?
A. So as of right now, we have no commitments, but it was part of our conversation.

Right now the National Fire Protection Agency is rolling out more information about how to manage these situations if it occurs. I will mention, from what I have researched and what I know, it is a very rare occurrence that there's any problems. And it typically is component malfunction or a design issue.

But we will continue to consult with the fire department and work with them. If they need additional resources, we're willing to work with them to help that, get them trained up and educated on the NPFA rules that are coming up.
Q. I think that's really important. It's like when you let your hail insurance go; you haven't had it for ten years, and all the sudden you get hail. And our weather is changing a lot. And I know a school that had a fire because of their solar.

So just curious about that. I appreciate you're doing that. Thank you.

MR. WELBERS: Any other questions?

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Go ahead, Bill.

EXAMINATION

BY MR. JENSEN:

Q. She actually kind of brought up a thing that kind of clicked a little. What, if any -- what are the risks of lightning strikes? Does it increase or does it not --

A. Really has no --

Q. -- with the amount of electricity that's generated and whatnot?

A. No, it really has no effect. It's all grounded equipment, so it would just -- you wouldn't -- I don't even think you would know unless it was a direct hit.

I think maybe Emily might be able to share more information on that as well.

MR. JENSEN: Okay.

MS. SMITH: I have one more question.

EXAMINATION

BY MS. SMITH:

Q. You talked about the EcoCAT project and that birds aren't going to be affected. But we have a lot of eagles in that area, and they have their breeding seasons in the fall. If your

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project gets delayed and you're going to be working in the fall, are you going to be doing something to take that into consideration?

A. Yes. As a matter of fact, that's part of the U.S. Fish and Wildlife Study that we have convened. There's a whole section on bird migration and the type of birds, the eagles.

We will take all that information in consideration when we are doing our development.

Q. Good. Thank you.

MR. WELBERS: Anything else?

(No verbal response.)

MR. WELBERS: I believe you are good to sit down now.

MR. UPHOFF: Could I ask him just a couple follow-up questions?

MR. WELBERS: Yes, go ahead.

EXAMINATION

BY MR. UPHOFF:

Q. Just a couple of things to clarify. You were asked before about the remote monitoring. In addition to having the remote monitoring for anomalies in the panels, would there also be contact information around the project area on

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the signage for a 24-hour emergency number that could be contacted if anybody has any issues or complaints, and then they would be routed to a representative from the company to be able to address that?

A. Yes.

Q. Okay. When you were being asked some questions earlier, and I believe in the materials it says 30 acres; you said 20 acres. I just wanted to -- I think you misspoke. But it's a 30-acre project design that you have got planned here, correct?

A. Correct. It's -- yes.

Q. Okay. When you were talking about the construction of the panels, I just wanted to make sure that it was clear. First of all, in terms of the amount of any of these metals that's in those, it's a very minute amount; is that correct?

A. Very, very minute.

Q. All right. And the panels have multiple layers of lamination, right, that seal all those things in; is that correct?

A. That's correct.

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Q. Okay. And that's what helps make it so, essentially, impervious to anything but the most extreme type of events, like you were talking about hail the size of a golf ball coming at 80 miles an hour, right?
A. That is correct.
Q. When you were asked some questions about the panels and whether they generate any heat, as you described, they are designed to absorb that. And have you been out around some of these panels in the summertime months?
A. Yes.
Q. All right. Would it be fair to say that oftentimes if you were to touch a car in the middle of the summer, that would be hotter than touching these panels, right?
A. That is correct.
Q. Okay. And when you were asked some questions about the glare, not only do these have a design that absorbs light and the antiglare film, but isn't it true that there are a lot of airports, for example the Indianapolis Airport and other major airports, where they are building solar arrays on the airport grounds?

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A. That is correct.
Q. And so that's a demonstration that there's no significant glare issues with these panels. Because if there were, certainly the FAA would not allow them to be placed right by runways; right?
A. That is correct.
And we also did a consultation with the FAA for this project.
Q. When you were talking about the decommissioning and surety bond issue, should there happen to be a situation where the company was no longer viable, first of all, you pointed out that oftentimes these projects then would be bought out by other companies that would want to come in and take over, correct?
A. That's correct.
Q. But if, for some reason, that wasn't the case and there was going to have to be decommissioning, when you were describing the construction of this project, essentially pounding posts into the ground and mounting some panels, deconstruction is ultimately fairly easy: you take the panels off, you pull the

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posts out of the ground, and you take the chain link fence out, right?
A. That is correct.
Q. So it's not a real tricky process, would that be fair to say, to come in and deconstruct one of these?
A. Correct.
Q. And the vast majority of the materials that are used are recyclable materials; is that right?
A. Recyclable and reusable, yes.
Q. So you can get a fairly high salvage value for any of these materials. So any companies that would be coming in to do the deconstruction, not only is it fairly simple, but they have an opportunity to gain a lot in salvage value, right?
A. That is correct.
Q. And that's factored into the bonding amounts, is that correct, the salvage value?
A. That's correct, yes.
Q. And when those bonds are set up, obviously it's set up so that the County can access those, in the event that they would need to? They don't have to go through your company in order to

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access the money?
A. Correct.
Q. You were asked some questions about adding some additional vegetation on the west side. I'm trying to remember, I may have misspoke earlier when I was talking about what side that was on. If I did, I apologize.

So the vegetation buffer that you've got planned is only for about half of the west side, but you would be willing to go up the rest of the west side if that was a condition that was required by the ZBA?
A. That's correct.
Q. But on the north side, where it's going to abut the land that Mr. Rapp is going to continue to farm, you prefer to not have it there, number one because of the issues you talked about, but also because it would take away additional tillable land that he could utilize; is that right?
A. That is correct.
Q. When it comes to the fire hazards on these projects, if any, when there's been instances of fire with solar projects, has it typically been

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either at the inverter or the transformer?
A. Typically.
Q. All right. And so the panels themselves are not really made of combustible materials, right?
A. That's correct.
Q. So the panels themselves don't really light on fire or start to burn or anything, correct?
A. Right.
Q. You have got electrical cabling, which there could be a small internal fire and it could melt the coating on the outside, right?
A. Yes.
Q. But otherwise, the fires that you hear about in the news are typically at either the inverter site or there's an electrical connection that wasn't properly made?
A. That is correct.
Q. And isn't it also fair to say that part of the training you do with the fire agencies, most times if there is a fire, in these situations they are actually instructed to just remain outside of the project and let the transformer burn itself out rather than going in there and trying to fight the fire, right?

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A. That is correct.
Q. So really the idea is just to maintain and make sure that it doesn't spread to any neighboring properties, correct?
A. That's correct.
Q. And sometimes that can also, you know, depending on the months and how dry it is, there could be some fire that you could end up with on the ground; is that right?
A. Yes.
Q. But because you're planning to have this vegetative ground cover, unless we are in a real drought situation, there is the possibility that you have that, but it's going to be low-lying and it's going to be something where, again, if the firefighters are around the perimeter, can easily put down, you know, small grass fires and things like that?
A. That's correct.
Q. Also, you touched on this a little bit. No additional threat from lightning any more than any other substation or any other electrical equipment anywhere else that's on the grid; is that right?

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A. That's correct.
Q. And when it comes to the -- like, the questions about the eagles. There's actually a whole specific section in the materials about the things that have to be done in order to accommodate any eagles or migratory birds, right?
A. That's correct.
Q. And a specific section just for eagles, right?
A. Correct.

MR. UPHOFF: Okay. Thank you. That's all.

MS. ETTER: I do have another question, please.

EXAMINATION

BY MS. ETTER:

Q. What are your plans for the buffer on the east side by the creek, along the creek, and the adjoining property -- farming property ground?
A. On that side, the same situation. We don't have plans for a buffer over there because it is going to be farmed. It's an agricultural field. So herbicide spray and chemical spray can affect that buffer. We normally wouldn't do that in

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this case.
Q. Why wouldn't you be doing something for the runoff into the creek? Why wouldn't you be planting something?
A. So that's the pollinator-friendly -- first of all the ground cover after construction, and then the pollinator-friendly vegetation that goes in. And that's all part of the runoff, to manage the runoff.

Again, I think the civil engineer will touch more on that.

EXAMINATION

BY MR. UPHOFF:
Q. Sorry, if I could ask, by way of clarification, I think maybe we are mixing up two different things. So when we're talking about dealing with erosion and runoff, we're talking about the ground cover, right?
A. Correct.
Q. And when we're talking about the screening, we're talking about, like, evergreen trees that would be planted that would have some height to them, right?
A. Correct.

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Q. There still would be the ground cover to deal with the erosion throughout the entirety of the parcel project area?
A. Yes, including the surrounding of the fence area also.
MR. UPHOFF: Okay. All right. Thank you.
MS. KEANE: I have a follow-up question about decommissioning.

EXAMINATION

BY MS. KEANE:
Q. I heard you mention that it's a pretty simple process, but I wanted to clarify that you also mentioned heavy metals are within. So wouldn't it require some special handling?
A. There's nothing -- the metals inside are silver, copper, some lead for solder connections, and them some cadmium. But there really isn't anything specific that would be removed or anything like that.
Q. But it requires, like, a special trained team, right? Like, could the property owner just go take them down safely?
A. An electric- -- because it's an electrical power system, we would prefer -- we would not

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allow it to be just anybody. You would have to be a specialist in electrical removal, but that would really -- typically it's the electricians that do all that work --

Q. Okay.

A. -- both building and deconstruction.

MS. KEANE: Okay. Thank you.

EXAMINATION

BY MR. UPHOFF:

Q. And to that point, when it comes to the labor for these, again, all of those materials that you referenced, those minute materials are laminated inside the panel. When you deconstruct it, you don't take the panels apart, you just take the panels off the racking, correct?

A. That is correct.

Q. And then the panels can go to facilities to be recycled; is that right?

A. That is correct.

Q. But you use -- whether they're union or prevailing wage, you use laborers, carpenters and electricians to mount these things?

A. That's correct.

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Q. There's no special HAZMAT training, or HAZMAT materials, or HAZMAT warnings for any of the materials that are used in these projects?
A. There is none of that, correct.
MR. UPHOFF: Okay.
MR. WELBERS: Are we good?
(No verbal response.)
MR. WELBERS: Sir, you may sit down and we'll deal with your civil engineer.
EMILY KAHANIC,
being first duly sworn, testified as follows:
MS. BEATTIE: Would you please state your name and address for the record.
MS. KAHANIC: My name is Emily Kahanic, and my address is 111 West Jackson Boulevard, Chicago, Illinois.
I don't have a formal presentation. I just wanted to address a couple of the comments. So one of them was about panel spacing. I just wanted to clarify. So the panel spacing, when he was saying 6 to 12 inches, that's not the distance from center to center. So it does change based on the rotation of the panels. So that distance would only be when it's at -- when

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it's flat. So when the sun is above and the panels are flat. Then it will kind of rotate back. So it's only for a brief moment that there's that small spacing, if that clarifies things.

EXAMINATION

BY MR. UPHOFF:

Q. Emily, on that point, on Page 15 of the handout, the presentation, and also somewhat on the first page, which is a little bit more of a distant view, as you were saying, as the panels are tilting throughout the day it's going to create a greater gap between these rows of panels, correct?

A. Correct.

Q. And so when the rows are actually being laid in, when they are driving the posts, do you know approximately what that post-to-post distance is?

A. I don't recall it on this site. It's probably closer to 10 feet, but I don't have the measurements in front of me.

Q. Okay. But it's a significant number of feet apart? I mean, it's not inches?

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A. Yeah. The panels, yes, it has to have room for them to be flat. So it won't be 6 to 12 inches between the posts.
Q. Okay. Also there was some questions, you know, about the panels themselves. Are you familiar with the panels and panel construction for these types of solar panels?
A. Yeah, as far as some of the studies of what's in the panels.
Q. Okay. So just to reiterate, you don't have to have any special hazardous materials, training, or anything to handle these panels, right?
A. No.
Q. I mean, technically you and I could go out and mount these panels, if we were wanting to do that; is that right?
A. If I had the training to electrically connect them.
Q. Sure. But just to actually physically put the panels on the racking system, if we didn't have to hook up the power, it's a fairly straight-forward process, right?
A. Yes.
Q. Then I think there were also some questions

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about the study in relation to stormwater runoff or runoff off of the panels. Are you familiar with that study?

A. Yes.

Q. What can you tell us about that study?

A. So I know they compared row crops with grass, and they were trying to figure out the impact of runoff and if it would increase with solar panels. Because the panels are impervious, but they run off underneath the panels into a pervious system. So it will actually infiltrate into the ground, as opposed to if it were just a solid roof that water would run off and increase the amount of flow going off site.

So ASCE did a study to prove that it is not increasing the runoff off site.

Q. Okay. Was there anything else that you heard during the questions that you felt you could provide any additional information on with your training and background?

A. I do know there was a question about grounding and lightning. I don't have a ton to add other than what has already been said, but I do know we have to follow the National Electric Code.

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So we are required to have fence a certain distance from panels. And if it is within, I believe, 15 to 17 feet, that fence has to be grounded, just to kind of mitigate any issues with that.

MS. KAHANIC: I think that's all I have.

Did that answer your question about the study?

EXAMINATION

BY MS. KEANE:

Q. Do you know if it was based on models or actual field data?

A. That I would have to check on. I do not know the exact source of the testing. But that's a good question.

MS. KEANE: Thank you.

MR. WELBERS: Do you have questions, Kris?

EXAMINATION

BY MS. DONARSKI:

Q. Emily, could you spell your last name for the court reporter.

A. K-A-H-A-N-I-C.

Q. And then what is your position with and who do you work for?

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A. I work for Kimley-Horn. So I'm a civil engineer. So my team put together the zoning site plan for this project and the decommissioning plan.

MS. DONARSKI: Okay. Thank you.

MR. WELBERS: Bill, did you have a question for the civil engineer?

MR. JENSEN: No. She answered it.

MR. WELBERS: She answered it. She's a quick study, isn't she?

MS. KAHANIC: Okay. Thank you.

MR. WELBERS: Any other questions?

(No verbal response.)

MR. WELBERS: I guess not.

Okay. Anything else you would like to present?

MR. UPHOFF: No, we don't have any additional evidence at this time -- well, I take that back. Yes, I do have one additional. I am glad you asked.

I'll hand out -- this is just the first page of the agricultural census done by the USDA. This is the most recent census, 2017. It is supposed to be every five years, but, I guess

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maybe not surprisingly, the government is a little behind on getting the newest one out.

But the 2017 numbers are the newest numbers that are available. And just would point out, on the second line once you get into the chart, it says, Land in farm acres for Bureau County. And the -- in 2017, the number of acres in farmland in Bureau County was 437,055. There's a possibility that some of that has shrunk by now, but I think that it would probably still be pretty close to that amount or at least, you know, 430,000 acres or above.

So wanted that to be introduced into evidence as a government record.

Then in terms of procedure, I didn't know if there would be an opportunity for summation at the end, after all the other testimony?

MR. WELBERS: Yes, sir.

MR. UPHOFF: Okay. Then aside from summation, no further evidence.

MR. WELBERS: Now, if I recall, you handed out three different things. This, this, and what you just handed out. Is that correct?

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MR. UPHOFF: That's correct. So if we could label the slide presentation as Exhibit A?

MR. WELBERS: Petitioner's Exhibit 1.

MR. UPHOFF: Exhibit 1.

MR. WELBERS: We call them numbers here.

MR. UPHOFF: Sure. Fair enough.

MS. BEATTIE: IP 1.

MR. WELBERS: Very good.

(IP Exhibit Number 1 marked for identification.)

MR. WELBERS: This would be 2, and this would be 3.

(IP Exhibits Number 2 and 3 marked for identification.)

MR. UPHOFF: I was going to put in, but I believe they are already part of your record, the correspondence from the road districts that we received so far.

MR. WELBERS: That's part of the record.

MR. UPHOFF: That's already part of the record, okay.

MR. WELBERS: They are.

MR. UPHOFF: Okay. Perfect. Thank you.

MR. WELBERS: Would you like to testify,

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like to tell us something, either one of you?

MS. KEANE: Sure.

MR. WELBERS: Come forward and be sworn in and tell us what you would like us to know.

KARMEN KEANE,

being first duly sworn, testified as follows:

MS. BEATTIE: Would you please state your name and address for the record.

MS. KEANE: Sure. My name is Karmen, with a K, K-A-R-M-E-N, last name is Keane, K-E-A-N-E. Address is 22591 Amber Court in Frankfort, Illinois, 60423.

MS. BEATTIE: Thank you.

MS. KEANE: More background about myself. I am a Bureau County property owner and a taxpayer. I was raised on road 1800 North. I'm the daughter of Marie Etter and Rod Etter, who is deceased but previously farmed the land.

So with my family's crop farm sitting 50 feet from the planned site, we do have concerns about some of the things you talked about, erosion and stormwater management. We want to be sure we preserve the long-term fertility of our soil, and we don't want to

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disrupt our crop yield with changes in soil moisture, stormwater runoff, or flooding of the creek that's right there as a result of the solar farm.

We also don't want to be a guinea pig and try it out and see how it goes. There seems to be limited research, if any, on the impact to crops and fields adjacent to a solar farm. There's even limited research regarding runoff and erosion at the site of a solar farm based on actual field data.

So I did bring a study with me. If you'd like, I can provide it to you. It was published in August of 2022, so roughly 16 months ago. It's from a multidisciplinary journal called "Environmental Research Infrastructure and Sustainability." So some researchers there concluded that studies on solar farms and runoff have only been conducted on models, not on actual field data. And research on the impacts of solar farms and erosion is limited.

So these are people collecting, you know, the information.

You know, to approve the proposed location

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for a solar farm, there needs to be certainty that it won't be detrimental to the use of the surrounding property. It can't impede the normal development of our crops and land.

There is a change in elevation from where the proposed site will be to where Marie Etter's land is. So the proposed site is at a higher elevation, so water naturally, of course, would run down.

You know, these are things that we're concerned about. It seems to me that additional detailed environmental engineering studies are needed.

The Bureau County Water and Conservation District identified the soil on the site as Somewhat Limited or Very Limited to allow for shallow excavation. So that's also in the report, and you probably have it as part of the presentation. I can give it to you if you need it.

So those are our concerns. In order to move forward with the project, we think additional research is needed and evaluation.

MR. WELBERS: Okay. Now you're subject to

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some questions, if somebody would like to ask any.

MS. KEANE: I'm not an expert, but happy to answer honestly.

MR. WELBERS: Answer if you know, that's all.

Did you have a question?

MR. UPHOFF: No, I don't have any questions.

MR. WELBERS: Anyone on our Board?

(No verbal response.)

MR. WELBERS: I guess you got off easy.

MS. KEANE: Thanks for listening.

MR. WELBERS: Mrs. Etter, would you like to?

MS. ETTER: Yes.

MARIE ETTER,

being first duly sworn, testified as follows:

MS. BEATTIE: Would you please state your name and address for the record.

MS. ETTER: Marie Etter, 616 Celebration Drive, Princeton.

As my daughter has stated, I am the owner of the property adjacent to Jim Rapp's proposed

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solar farm. My husband farmed that property many years while he was alive.

I am opposed to the solar farm being this near my property for all the reasons that were mentioned previously. If anything, we need more evaluation as to the effects it will have on residents that will be nearby and also on the adjoining land. We need more evaluation, and I believe we need more time. This has come very quickly.

I feel that perhaps another location could be considered. I'm not opposed to solar energy; I'm opposed to the location. Thank you.

MR. WELBERS: Okay. Are there any questions from anyone?

MR. UPHOFF: Just a couple, if you don't mind.

MR. WELBERS: Okay.

EXAMINATION

BY MR. UPHOFF:

Q. Ms. Etter, I just wanted to clarify. So your land abuts this but not your residence; is that correct?

A. That's correct. We -- Mrs. Stremlau --

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Ms. Stremlau lives in the residence. We had sold that residence.
Q. And the residence I think that you're referring to, is that the one that there was a letter that was submitted?
A. Yes, that's correct.
Q. Okay. And that's approximately half a mile away?
A. Yes, that's correct.
Q. And so currently you have some farmland that abuts this property?
A. Very close, uh-huh.
Q. Okay. And so Mr. Rapp has been farming his side of that, right?
A. Yes, he has.
Q. And then you have a tenant farmer that farms yours?
A. Yes, I do. It's my nephew, Jaron Petersen, who is farming that.
Q. And do you know, does Mr. Rapp use no till or conventional till for his fields?
A. Mr. Rapp is -- I'm not sure. You would have to ask him.
Q. And do you know what, either, herbicides or

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pesticides he uses year in and year out?
A. You would have to ask Mr. Rapp.
Q. Okay. Do you know what his -- what type of fertilizer he uses and what amounts on his property?
A. I sure don't.
Q. So would it be fair to say that you don't currently know what his farming practices are doing to your farm fields?
A. As far as his farming practices, I think he practices good farming, no till, so forth.

My concern is water runoff and flooding. The area -- the acreage that joins very close to our property has always been a wet spot for us, too. And we have invested money in waterways. We're very conservation conscious. That creek area has been a home to habitat, wildlife. My concern is the flood issue and the runoff.

And there would be no buffer then, as your representative stated, between on that east side. And that's only 50 feet. And in one area of where our property joins, our property is going to get the full brunt of the water runoff.

Q. Okay. Right now, if we were to go out to the

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field, there's nothing there, right? It's bare ground?
A. That's correct.
Q. Okay. When this goes in, the vegetative ground cover underneath -- I don't know if you had an opportunity to see some of the pictures?
A. I did.
Q. It essentially creates a meadow or a pasture underneath that area. Did you see that?
A. I did.
Q. All right. And so if you had a meadow or a pasture that was alongside your farm, do you think that would cause runoff issues onto your farm?
A. Well, not as much as bare erosion would. But when we have heavy flooding, that creek has been noted to flood quite heavily, and it also will include the waterway. Now, where else is the water going to go? It's going to go downhill. It's going to go toward my land.
Q. But it does that now, right?
A. It -- I assume. There's some tiling. There's some tiling that he's done.
Q. Okay. So you don't really know that there's

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going to be any additional runoff from his land onto yours as opposed to how it is now, correct?
A. Do you?
Q. Well, we have got studies that show that there's no additional runoff from these solar fields. And it will be essentially a pasture underneath.
So would you say that in your life experience, having, you know, lived out in a farm area, that there's less runoff from a pasture than there is from bare ground?
A. Yes, but there still is runoff.
Q. Okay. And the area outside of the project is still going to be, I believe, on that side farmed by Mr. Rapp in the area between where the project ends and where your field starts, right?
A. Where the project ends and my field starts, that's just 50 feet.
Q. And that's a strip that he still intends to farm; is that correct?
A. I was not aware of that.
Q. Okay.
A. I was not aware that he was going to farm that. I thought -- my understanding is that it was

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going to be a buffer zone, just like on the north side.

Q. Okay. So if it was farmed, that 50-foot strip, that would be the same as it is now, right, in terms of how his land is and how your land is?

A. Sure, yes.

Q. The other option would be is if he decides that he doesn't want to farm that strip and he was allowed -- you know, just going to put it into an additional grass strip, a filter strip maybe or something along there. That would serve to improve the situation for your land, right?

A. Possibly.

Q. Okay.

A. Possibly.

MR. UPHOFF: Okay. I just wanted to get an idea of what some of your concerns were. So thank you.

MS. ETTER: My concern is that there's just not enough consideration before this is trying to be approved. There's not enough consideration for property owners nearby and other residences.

Now, I know that the zoning requirements

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have changed some. I -- as I said, I'm not opposed to solar at all. It's the location. I think there's a lot of residences in that area. I think there would be other options that would be more favorable. That's my concern.

We'd like to keep our land conserved too. I'm here because of our property, our interest in our property, so. And we have always tried to be very conscious of the environment and conservation.

MS. KEANE: Can I ask a question?

MR. WELBERS: Yes.

EXAMINATION

BY MS. KEANE:

Q. Would you agree or would you say that you would not be concerned about a meadow of flowers alone, that the water runoff would not concern you with an open meadow of flowers, but an open meadow of flowers with solid surfaces sitting on it --

A. Correct.

Q. -- is what concerns you?

A. Correct. We are talking about a mass of solid surfaces. 30 acres, you know, that's a lot. So

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where is the water going to go?

And I've lived there for 30 years, and there was flooding in that creek area and at one time a bridge was washed out. I mean, there's flooding.

We have not had heavy rains the last few years, but there has been in the past. And we don't know what the weather patterns are going to be. We can't predict that. And we also don't know what the solar panels will -- how they will affect the weather patterns. We don't know. There's no documentation on that.

EXAMINATION

BY MR. UPHOFF:

Q. So you have some concern that they're going to affect weather patterns?

A. I do.

Q. But you don't have any evidence of that?

A. No, I don't. I thought maybe you would. You know, tornadic activity, that type of thing. I have -- I don't have anything substantial to base that on, but I have read that.

Q. You have read that somewhere?

A. Uh-huh, but I don't have anything substantial

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to base that on.

MS. ETTER: Any other questions?

MR. UPHOFF: No, ma'am.

MR. WELBERS: Any questions of our witness?

(No verbal response.)

MR. WELBERS: We have none. Thank you, Mrs. Etter.

MS. ETTER: You're welcome. Thank you.

MR. WELBERS: We have no further witnesses -- go ahead.

MS. DONARSKI: I do have a copy -- when you had read the letter from the Planning Commission that they recommended approval, they did recommend approval with the standard conditions. And I do have a copy of those conditions that I can hand out to you.

I did talk to the Applicant, and they said that they would waive me to read them out loud, if you would like. I mean, I can read them out loud, if you could like. Otherwise, I could do that. But it would be the standard solar conditions -- extra terms and conditions.

MR. WELBERS: Do you have enough copies to

share with Mr. Etter and --

MS. DONARSKI: Yes. And if you wanted to put an additional condition on there, we would be able to add that.

MR. WELBERS: Okay.

MR. UPHOFF: Mr. Chairman, can I have an opportunity to call Mr. Bottum for a bit of rebuttal evidence?

MR. WELBERS: Yes, you do, sir.

MR. UPHOFF: Are you ready?

MR. WELBERS: Yes.

PAUL BOTTUM,

having been previously duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. UPHOFF:

Q. Mr. Bottum, I just -- we're trying to get clear here, and I think some of the differences in nomenclature may have caused some of this. So if you could go to your site plan, which is either Slide 11 or the 11-by-17 handout.

So along the east side of the project, where it would abut Ms. Etter's property, you didn't have intentions of putting screening

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along there, which would be the trees that would have height, correct?
A. That's correct.
Q. Okay. But you did intend for that 50-foot strip to either be -- it could be farmed, if Mr. Rapp wanted to farm it, but if he's not going to farm it, then it would just be maintained in a grassland area, right, with a vegetative ground cover; is that correct?
A. That is correct.
Q. So depending on what you decide with Mr. Rapp, he could either choose to farm that area or he could choose to leave it in grassland; is that right?
A. That's correct.

MR. UPHOFF: That's all I have.

And then also for rebuttal, I would like to call Mr. Rapp up, just for one question on that.

JAMES RAPP,

being first duly sworn, testified as follows:

MS. BEATTIE: Could you please state your name and address for the record.

MR. RAPP: James Rapp, 20952 - 1800 North

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Avenue, Princeton, Illinois.

MS. BEATTIE: Thank you.

EXAMINATION

BY MR. UPHOFF:

Q. Mr. Rapp, just a couple of quick questions.

You're the landowner for this project; is that right?

A. Yes, sir.

Q. And you live -- you live catty-corner to the southwest from the project?

A. Yes.

Q. All right. And the question I have for you mainly pertains to the east side of the property that abuts Ms. Etter's farm.

There's going to be approximately 50 feet there from the fence line to the property line. Now, it's a thin strip. Technically you could farm that, if you really wanted to, right?

A. Yeah, but my understanding, when we did the lease, was that was going to be a filter strip.

Q. Okay.

A. And I call a filter strip an area of grass that lets any soil or any water come through there.

We use a lot of filter strips along our

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creek. We've got quite a bit of creek water along Epperson Run, which is the waterway which was in question. And we have an average of -- probably average of about 60 feet, and it's called a filter strip, that filters any chemicals, any fertilizer that comes out. And that's what I thought that was going to be.

Q. So would it be your intention then to have that area between the project fence line and Ms. Etter's property be maintained in a filter strip condition?

A. Yes. 50 feet doesn't work for me. I've got a 60-foot corn planter. It won't work on that.

Q. So it used to be that farmers had a little bit smaller equipment and you could make that work, right?

A. Yeah.

Q. And nowadays --

A. And I understood that it was going to be a filter strip all along there, as well as on the north side, right. On the north side of the property.

So essentially there's 50 feet of grass all the way around the property --

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Q. There just wouldn't be --
A. -- outside of the fence.
Q. Sure. There just wouldn't be any of the trees planted along that area?
A. No.
Q. It would just be maintained as a grass area?
A. Yes.
MR. UPHOFF: That's all. I just wanted to make sure we were all on the same page on that.
MR. WELBERS: Anybody else?
(No verbal response.)
EXAMINATION
BY MR. WELBERS:
Q. This is to the -- your home is over here, this is across the road, and up there is the field you intend to use?
A. Yeah. My house is southwest of there.
Q. So it's across and up over there?
A. Yes.
Q. So the property -- I see.
And the stream is coming down through there. You come right down to 1800 here, and then up over here is your property. The Etters' is -- they are like two L-shaped pieces of

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property?
A. Yes.
MR. WELBERS: Okay. I'm in focus now, Jim.
MR. RAPP: Okay. Thank you.
MR. WELBERS: Anyone have questions?
(No verbal response.)
MR. WELBERS: I guess you can sit down.
MR. RAPP: Okay. Thank you.
MR. WELBERS: So we have passed out -- you have passed out the conditions. These conditions were approved by the Planning Commission.
MS. DONARSKI: Planning Commission, uh-huh.
MR. WELBERS: So for their recommendation of the project and that it met the standards, they are imposing these conditions.
MS. DONARSKI: Correct.
MR. WELBERS: And they are very similar to conditions we have seen before.
MS. DONARSKI: Yes. They are the standard conditions. We just changed the name of the project and the application date on there.

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Otherwise, it is all 13, including the perimeter fencing one, Number 13.

MR. WELBERS: Do you have a summation you would like to do, sir?

MR. UPHOFF: I do. I didn't know if you went in reverse order or how you did it, so.

MR. WELBERS: No, go ahead.

MR. UPHOFF: Okay.

MR. WELBERS: Then we'll see if anyone else would like to do something similar, and we'll go from there.

MR. UPHOFF: Fair enough.

Well, I thank you for your time and attention. I know it's a lot of information that has been presented this evening.

I always -- I know it takes up time, but I always think that's a good thing, because you're here to make as much of an informed decision as possible. Right? You need the information so you can make your decisions, and you can go through the factors you have to consider in making these decisions.

Mr. Bottum ran through some of those factors for you to consider, in terms of not

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being detrimental to the health, safety and welfare of the area, not impeding the growth in that area or the typical uses. I won't go through and reiterate all those, because you're the ZBA, you're familiar with those, you understand those.

I think that our evidence has established that we've met the factors of your Zoning Ordinance, and that we have met those additional considerations that you take into account when making your decision.

And I know I don't have to tell you this, but I always like to reiterate it for the record. You're basing your decision on evidence that's been presented to you here tonight. And that requires that it actually be, you know, evidence that's presented, as opposed to hypotheticals or as opposed to personal concerns. And that's not to diminish any personal concerns that people have, but those aren't evidence.

I think that, even if you were to consider some of those things, also some of the evidence you have heard, and maybe you have seen this in

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your line of work, is that these types of projects are being sited by major airports. And if there were concerns for glare or if there were concerns for changes in weather patterns or increased tornado activity, I would think that they would not be doing that.

But that as it may, if we're basing these decisions based on the evidence that's been presented, the evidence that's been presented to you tonight is that this is a project that meets all the requirements of your Ordinance; it is a source of clean energy to be provided to the electrical grid; it provides an opportunity for savings to subscribers that are in the Ameren grid territory; it creates a benefit for the landowner; gives an opportunity to, you know, benefit from the use of this land; and it's a use that's a very small use.

When I say "very small," the reason I pointed out the amount of acres in Bureau County that are farmland, this parcel, if you take it at 30 acres, if you do the math on that, it is, you know, I think 0.007 percent or less of the overall land acreage, farm acreage, for Bureau

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County that would be taken out of production temporarily. So that is a very small amount.

That means after this project, if it were to be approved and built, you would still have more than 99.99 percent of the farmland that you had to begin with.

So is it taking some farmland out of production? It is, yes. But is it a very, very small amount? Yes, it is. And is it a temporary taking? Yes, it is, because it's not a permanent situation. There's a lease that's going to run out. And if it's not renewed, the project goes away and the acreage gets returned back to farmland.

And the farmland, arguably, is going to be better than it is currently. That was backed up, I believe, by the Soil and Water Conservation District's report.

And I think anybody who's farmed or been familiar with agriculture understands that when you allow the ground to lay fallow, you allow the natural plant material to compost back into the soil, you end up with better soil in the end than what you started with.

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You also wouldn't be putting in the pesticides and herbicides that are used. I'm not against those. I grew up farming; still farm. They're necessary. But I think we understand that some of those chemicals that have been used throughout the years are having detrimental effects that nobody anticipated. I think they are constantly finding newer and better ways of farm management practices to try and reduce the amount of pesticides that are going on the land. But this type of project would certainly reduce it for those 30 acres and essentially eliminate it.

The same goes with fertilizer. Again, fertilizer is used to bring back up the productivity in the soil, but oftentimes a lot of that finds its way into the waterways, all the way down to the Gulf of Mexico.

So it's something where a project like this, again, reduces and eliminates that for the surrounding environment. So you have got those environmental benefits that go along with some of the other benefits we have mentioned.

Then there's the economic benefits that

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come along with it. You have some jobs during construction. You may have some long-term jobs for the maintenance out there and the vegetation management. You have got some of the economic investment that comes with it, especially at the beginning and during the construction phase. But then ultimately you have got a really significant tax revenue increase for the taxing bodies in this area, and in particular the schools.

And all of that increase comes without any additional burden to the system. There's not an additional burden on the schools, in terms of more students; there's not an additional burden on the County, in terms of additional residences or more utilities being used up. So you get a really significant benefit without a burden.

But lastly, what I'll end on is, when it comes down to these calculations that you have to make, I think one of the things that has to be weighed very heavily is landowner rights. That is a bedrock principle of our country, that landowners have the right to own and utilize their land. Now, they can't do it in a way that

actively is going to harm their neighbors. But if they're not harming their neighbors, they have earned the right to utilize that land to what can be the best and highest use for them. And so I believe that they should have the opportunity to utilize their land when they're not harming anyone else.

And so far the evidence that's been presented is that there's no noise pollution, there's no light pollution, there's no evidence that there's going to be any additional runoff. I would argue that all the evidence shows that there's likely to be less runoff from that property, because you're going to have vegetative ground cover year round, you're going to have additional filter strips, as opposed to the bare ground that you have out there right now.

I think this is a landowner rights issue that should be considered very strongly. And so when you're balancing all these factors, I think you should balance that one with greater weight.

That's my argument to you as to why I think we have met the elements that are required

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for your Ordinance. I think the evidence supports approval and recommendation of this process -- project. And so I would ask that you recommend for approval the Salvia Solar Conditional Use Permit. Thank you.

MR. WELBERS: Thank you.

Is there anything that you would like to say in closing that you haven't said?

MS. ETTER: Just more time, and if it could be extended.

MR. WELBERS: You would like more time to study on it, is what you're saying?

MS. ETTER: And a lot of people, I think, need more time, you know. More evaluation, more time.

MR. WELBERS: Okay. Good?

(No verbal response.)

MR. WELBERS: I didn't look. Troy, did you look at this?

MR. STUTZKE: It's mine.

MR. WELBERS: You did? Troy didn't look at it; he's not here.

MR. STUTZKE: For sure.

MR. WELBERS: Michael, go ahead.

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MR. STUTZKE: Okay. I met with Mr. Rapp. And for the record, I think this is probably one of the most comprehensive projects that's come before us in the way that it was presented. And I also walked the area as well.

Given the evidence that's been presented to us this evening, and having visited the site, having visited with the landowner, I would like to move forward with a motion regarding a Conditional Use.

MR. WELBERS: Go ahead.

MR. STUTZKE: I would move to approve the Conditional Use to build and operate a 5-millowatt (sic) commercial solar energy facility on a portion of the subject property. The project will consist of a solar -- of solar panels, racking, foundation piles, inverters, overhead power poles and lines, and perimeter fencing.

That's to the Conditional Use.

MR. WELBERS: You have made a motion, and that's subject to the --

MR. STUTZKE: Subject to the conditional --

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MR. WELBERS: Use --

MS. DONARSKI: Extra terms and conditions or stipulations.

MR. STUTZKE: Yes.

MR. WELBERS: Okay. So a motion is made to recommend this to the County Board, which, of course, it's ultimately their decision on this matter, subject to these conditions and recommendations -- conditions. Got it.

Okay. Is there a second on that?

MR. JENSEN: I'll second that.

MR. WELBERS: Val, you can please call the roll.

MS. BEATTIE: Mr. Jensen?

MR. JENSEN: Yes.

MS. BEATTIE: Mr. Bickett?

MR. BICKETT: Yes.

MS. BEATTIE: Mr. Stutzke?

MR. STUTZKE: Yes.

MS. BEATTIE: Mrs. Smith?

MS. SMITH: Yes.

MS. BEATTIE: Mr. Welbers?

MR. WELBERS: Yes.

(By voice vote five ayes.)

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MR. WELBERS: Again, this is ultimately a decision for the County Board, which is January 12th, is it -- no, January 9th. It's their decision on this. We created the public record. They have everything you have said. It will be available to them. Of course, John is here as their witness. And as well as everything that the Applicant has said. It's their decision.

MS. DONARSKI: We have got the Variation next.

MR. WELBERS: Yes, I know.

MS. DONARSKI: Okay.

MR. WELBERS: I haven't forgotten.

Now we go to the Variation. And that is a decision of this Board. So go ahead, Mike.

MR. STUTZKE: Okay. I would move for the Variation to be approved requesting a Setback Variation to construct proposed commercial energy facility as close as 50 feet from the corporate boundary line of the City of Princeton. The Bureau County Zoning Ordinance requires a setback of 1.5 miles (7,920 feet) from the municipality's corporate boundary line.

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Requesting up to 7,570-foot setback Variation.

MR. WELBERS: Okay. So the Variation is -- you have made a motion to approve the Variation, which you have read.

Is there a second?

MR. JENSEN: I'll second that also.

MR. WELBERS: Mr. Jensen is also the second.

Val, please call the roll.

MS. BEATTIE: Mr. Jensen?

MR. JENSEN: Yes.

MS. BEATTIE: Mr. Bickett?

MR. BICKETT: Yes.

MS. BEATTIE: Mr. Stutzke?

MR. STUTZKE: Yes.

MS. BEATTIE: Mr. Smith?

MS. SMITH: Yes.

MS. BEATTIE: Mr. Welbers?

MR. WELBERS: Yes.

(By voice vote five ayes.)

MR. WELBERS: So the Variation is approved. Should the County Board approve the Conditional Use, the Variation is good. The City of Princeton has let it clearly be known

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that they do not want -- that they are willing to waive that mile and a half. So that much is done.

And so that concludes what we have to do here tonight.

MS. DONARSKI: I have no other business.

MR. BICKETT: Make a motion to adjourn.

MS. SMITH: I second that.

MR. WELBERS: Everybody in favor.

(All those simultaneously responded.)

MR. WELBERS: Any opposed.

(No verbal response.)

MR. WELBERS: There are none. All right. Thank you.

(The hearing was concluded at 9:06 p.m.)

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Now on this 21st day of December, A.D., 2023, I do signify that the foregoing testimony was given before the Bureau County Zoning Board of Appeals.

Barry Welbers, Chairman

Kristine Donarski,
Zoning Enforcement Officer

Callie S. Bodmer
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