

IN THE MATTER OF THE APPLICATION OF)
NP SOLAR FARM, APPLICANT)
 FOR AN AMENDMENT OF THE UNIFIED DEVELOPMENT) Z25-0088
 ORDINANCE OF McHENRY COUNTY, ILLINOIS FOR A)
CONDITIONAL USE)

WHEREAS, your Petitioner **NP SOLAR FARM**, as your Applicant, has filed a petition with the McHenry County Zoning Board of Appeals requesting the issuance of a Conditional Use as it relates to the McHenry County Unified Development Ordinance, as it relates to the real property more fully described as:

ALL THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 43 NORTH, RANGE 5, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE HIGHWAY, IN MCHENRY COUNTY, ILLINOIS. PIN 16-21-200-001

Commonly known as **Anthony Road, Marengo, Illinois, in Riley Township.**

WHEREAS, the Petition requests no reclassification of the subject property from its present classification which is **“A-1” Agriculture District**, but a Conditional Use be granted **to allow for a Commercial Solar Energy Facility.**

WHEREAS, the subject property consists of approximately **29.66 acres** in which no reclassification is contemplated.

WHEREAS, a hearing on said petition was held before the Zoning Board of Appeals of McHenry County in the manner and the form as prescribed by the Ordinance and Statute; and

WHEREAS, as a result of said hearing, the taking of evidence, and the viewing of exhibits advanced thereat, the Zoning Board of Appeals of McHenry County **did recommend, by a vote of 6 ayes and 1 nays, the granting of a Conditional Use to allow for a Commercial Solar Energy Facility, with the following conditions:**

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by WCP Solar, dated October 8, 2024 and received by the Department of Planning and Development on January 29, 2026 (attached).
3. The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.

6. Recommendations made by the Illinois Department of Natural Resources in their September 9, 2025, letter to the applicants shall be followed.
7. Fencing shall be provided in compliance with the National Electrical Code (NEC), as applicable, and shall be of a woven wire agricultural style, containing a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Fence bonding and grounding shall be in compliance with NEC 250.194 and NEC 691.11. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.

WHEREAS, the McHenry County Board has considered the recommendation as submitted by the Zoning Board of McHenry County.

WHEREAS, the McHenry County Board has determined that the standards for a Conditional Use Permit as set forth in the McHenry County Unified Development Ordinance and the Illinois Compiled Statutes have been met.

NOW, THEREFORE BE IT ORDAINED, that the Unified Development Ordinance and the Zoning Maps of McHenry County, and such Ordinances and such maps as amended, be and the same are hereby amended to allow the ***issuance of a Conditional Use to allow for a Commercial Solar Energy Facility, with the following conditions:***

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by WCP Solar, dated October 8, 2024 and received by the Department of Planning and Development on January 29, 2026 (attached).
3. The Decommissioning Plan shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the Decommissioning Plan.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Recommendations made by the Illinois Department of Natural Resources in their September 9, 2025, letter to the applicants shall be followed.
7. Fencing shall be provided in compliance with the National Electrical Code (NEC), as applicable, and shall be of a woven wire agricultural style, containing a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Fence bonding and grounding shall be in compliance with NEC 250.194 and NEC 691.11. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.

If any part, sentence, clause, or provision of this ordinance is adjudged to be unconstitutional or invalid, the remainder of this Ordinance shall not be affected thereby.

This Ordinance shall be in full force and effect from and after its passage as by law provided.

DATED this _____ day of _____, 2026.

Chairperson, McHenry County Board
McHenry County, Illinois

ATTEST:

County Clerk

NUMBER VOTING AYE: _____

NUMBER VOTING NAY: _____

NUMBER ABSTAINING: _____

NUMBER ABSENT: _____

ATTACHMENT: OFFICIAL SITE PLAN



PO BOX 308
TOWNEVILLE, IL 60560

WCP SOLAR EXPRESSLY RESERVES THE RIGHT TO MAKE ANY CHANGES TO THESE PLANS WITHOUT NOTICE. ANY CHANGES WILL BE MADE AT THE DISCRETION OF WCP SOLAR. THESE DRAWINGS MAY BE REPRODUCED AT A SIZE DIFFERENT THAN ORIGINALLY DRAWN. THE USER ASSUMES ALL RESPONSIBILITY FOR USE OF INCORRECT SCALE. DO NOT SCALE DRAWINGS.

SYSTEM SIZE	10.13 MW
SYSTEM SIZE	9.9 MW
PROJECT NO.	
TOTAL NO. MODULES	14,476

PROJECT NAME AND ADDRESS:
NP SOLAR FARMS
ANTHONY RD
SOLAR PROJECT
ANTHONY RD
MARENGO, IL

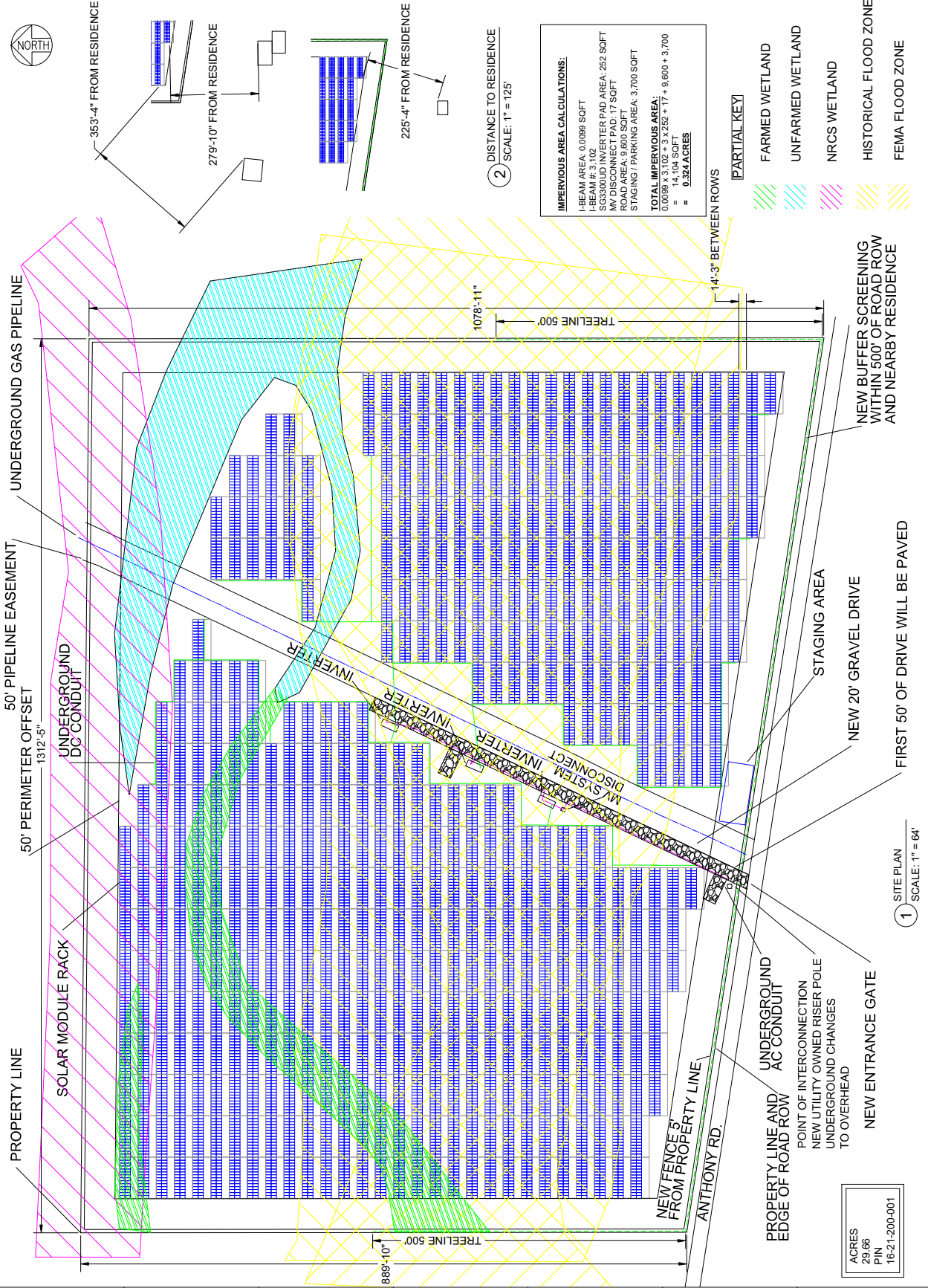
PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE PLANS AND ALL RELATED DOCUMENTS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF ILLINOIS.

PAPER SIZE	24" X 36"
REV	DESCRIPTION
DATE	

DESIGNED BY	REVIEWED BY
DRAWN BY	DATE
CHECKED BY	
SCALE	

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER:
GA-300



IMPERVIOUS AREA CALCULATIONS:

- 1-BEAM AREA: 0.0089 SOFT
- 2-3 INVERTER PAD AREA: 252 SOFT
- 3-11 INVERTER PAD: 17 SOFT
- MV DISCONNECT PAD: 17 SOFT
- ROAD AREA: 9,600 SOFT
- STAGING / PARKING AREA: 3,700 SOFT

TOTAL IMPERVIOUS AREA:
0.0089 x 3,3102 + 3 x 2,252 + 17 + 9,600 + 3,700
= 14,476 SQ FT
= 0.328 ACRES

- PARTIAL KEY**
- FARMED WETLAND
 - UNFARMED WETLAND
 - NRCS WETLAND
 - HISTORICAL FLOOD ZONE
 - FEMA FLOOD ZONE



353'-4" FROM RESIDENCE

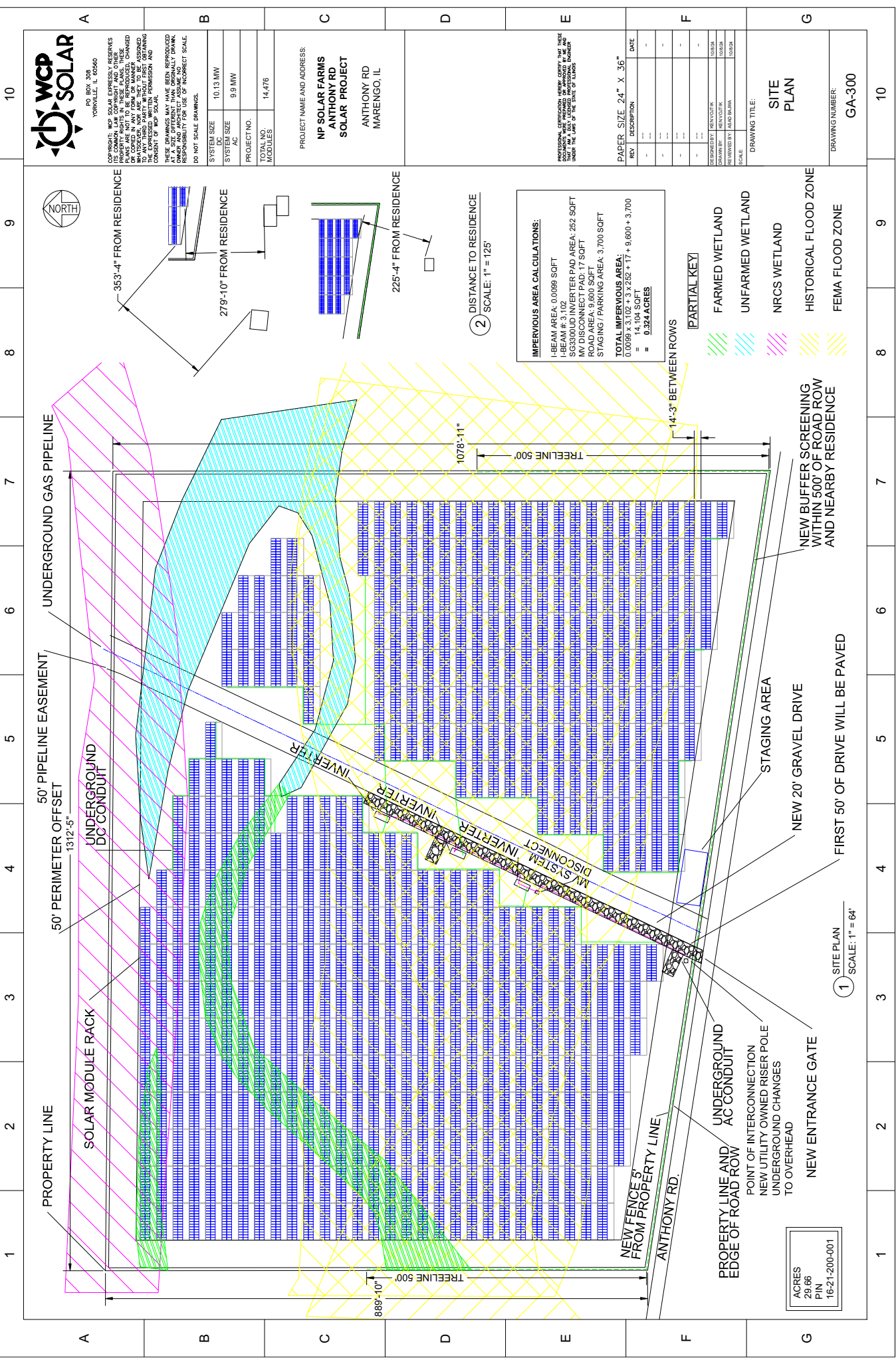
279'-10" FROM RESIDENCE

225'-4" FROM RESIDENCE

DISTANCE TO RESIDENCE
SCALE: 1" = 125'

1 SITE PLAN
SCALE: 1" = 64'

ACRES
29.06
PIN
16-21-200-001



MCHENRY COUNTY
ZONING BOARD OF APPEALS
MINUTES ● March 4, 2026

Zoning Hearing

County Board Conference Room
667 Ware Rd, Woodstock, IL 60098

1:30 PM

ZONING BOARD OF APPEALS REPORT TO THE MCHENRY COUNTY BOARD – Z25-0088

- 1. APPLICANT:** NP Solar Farm LLC
- 2. REQUEST:** Conditional Use Permit to allow for a Commercial Solar Energy Facility
- 3. LOCATION AND SIZE OF PROPERTY IN QUESTION:** The property consists of approximately thirty (30) acres and is located on the north side of Anthony Road, approximately one-half (.5) mile east of Interstate 90, in Riley Township, Illinois. PIN 16-21-200-001
- 4. DATE AND TIME OF HEARING AND VOTING MEETING:** March 4, 2026 at 1:30 PM
- 5. LOCATION OF HEARING AND VOTING MEETING:** County Board Conference Room, 667 Ware Road, Woodstock, Illinois
- 6. PRESENT AT HEARING:**
 - A. ZBA Members: Linnea Kooistra – Chair, Vicki Gartner – Vice Chair, Charles Eldredge, Kurt Schnable, Robert Kosin, Mary Donner, Duane Dahlman
 - B. Witness: Dr. Everton Walters of WCP Solar; Joseph Heinz of Gerald Heinz & Associates
 - C. Public: Kim Scharlow – County Staff, Kit GearhartSchinske – County Staff, Cary Mallory, Delores Mallory, Eugene Ballard, Paul Hoban, Debra Bullen, Yvonne Daniels, Jim Tennessen, Rodrigo Perez, Jacob Maxwell
- 7. ITEMS OF EVIDENCE:** Power Point presentation
- 8. SUMMARY OF TESTIMONY:** Chair Kooistra opened the meeting. The board introduced themselves. Ms. Kooistra swore in the applicants, staff and the public.

Applicant Testimony

- The proposal involves construction of a 10-megawatt solar energy facility on approximately 29.66 acres which includes approximately 14,000 solar panels rated at 650 watts each, producing approximately 10.13 megawatts of capacity, approximately 13 gigawatt-hours of electricity annually, sufficient to supply approximately 2,500 homes.
- Solar panels will be mounted on aluminum alloy pile-driven racking systems, with pile depths determined through geotechnical analysis.
- The project will include approximately 14,104 square feet of impervious surface, including access drives and equipment pads.
- The applicant proposed using a suspended cable (“CAB”) system to carry electrical cabling above ground to reduce soil disturbance rather than trenching underground cables.
- The applicant stated the project has been reviewed for compliance with County requirements and applicable environmental guidance.
- An EcoCAT review was completed; the applicant committed to soil decompaction prior to planting and implementation of pollinator-friendly vegetation consistent with state pollinator guidelines.
- A landscaping and screening plan was submitted, including installation of juniper trees along roadway frontages and use of native seed mixes for ground cover.
- Vegetation maintenance may include agrivoltaic practices such as sheep or goat grazing, or conventional mowing if grazing is not feasible.
- Limited tree removal is anticipated, primarily in the northeast portion of the property, estimated at approximately 1.5 acres.
- The project will include perimeter fencing, and the applicant expressed willingness to comply with agricultural fencing requirements if required by the County.
- The applicant stated a drain tile study will be performed prior to construction.
- The anticipated operational life of the facility is 25–35 years, with potential extension depending on system performance.
- A decommissioning bond will be maintained to ensure removal of equipment and restoration of the property at the end of the project life.
- The applicant estimated the facility would generate approximately \$53,000 annually in property tax revenue, totaling approximately \$1.3 million over 25 years.
- The applicant stated the solar facility would not alter drainage patterns and would be neutral to site hydrology.
- The project will connect to the Commonwealth Edison electrical system, which will conduct its own design and permitting for interconnection upgrades.
- The applicant stated that comments from Riley Township regarding fencing setbacks, roadway access, and construction traffic will be addressed.

Board Questions and Comments

- Board members asked about the frequency and extent of flooding on the property. The applicant indicated the site may experience annual flooding but stated the panels would be installed approximately three feet above ground and above typical water levels.
- Questions were raised regarding corporate ownership and project structure. The applicant stated the project owner is NP Solar, which is owned by Kachi Energy, while WCP Solar is serving as engineering consultant and contractor.
- Board members asked about the current land use of the property. The applicant stated the land had previously been farmed for corn but was not farmed in the previous year.

- The board asked about the extent and location of tree removal. The applicant estimated approximately 1.5 acres of trees would be removed, primarily in the northeast portion of the site.
- Questions were asked about solar panel height and orientation. The applicant stated panels would be fixed-tilt, south-facing, and approximately three feet above ground at the lowest point and about thirteen feet at the highest point.
- Board members asked whether the panels would track the sun; the applicant confirmed they would be fixed rather than tracking systems.
- The board requested clarification about the suspended cabling system, including height above ground and potential wildlife interactions. The applicant stated the cables would be approximately three feet above ground and wildlife impacts are not expected.
- Questions were asked about noise from the inverters. The applicant stated inverter noise is approximately 50 decibels and should not be noticeable at surrounding properties.
- Board members asked about the pipeline easement crossing the property and potential impacts. The applicant stated the design maintains a 100-foot buffer and no equipment will be installed within the easement area.
- The board asked about screening and landscaping along Anthony Road. The applicant stated conifer trees would be planted and indicated willingness to adjust planting layout or density if required by the board.
- Board members discussed fencing setbacks, clarifying that the proposed fence would be located approximately 25 feet from the right-of-way.

Staff Questions and Comments

- Staff requested confirmation that construction traffic would comply with seasonal road weight restrictions, noting heavy truck traffic is restricted between February 1 and May 1. The applicant stated construction scheduling can be adjusted to comply.
- Staff asked whether the suspended cabling system could be adjusted in height to comply with floodplain requirements requiring equipment to be located at least two feet above the base flood elevation. The applicant stated additional racking or piles could be installed if necessary to elevate the cabling.
- Staff asked whether pile depth variations from geotechnical studies would affect the overall height of the solar arrays. The applicant stated only the portion of the piles below ground would vary and the above-ground panel height would remain consistent.

Members of the Public Questions and Comments

- Members of the public expressed concern over setbacks, flooding, drain tiles and lighting of the site.

Staff gave their report. The subject property is zoned "A-1" agriculture district. It is surrounded by A1 Agricultural District on all four sides. The current land use of the subject property is agricultural, surrounding land uses are all agricultural with the exception of single family residential to the south. The future land use designation for the property is agricultural and environmentally sensitive area. Staff stated that if the pipeline does want to come obtain additional easement or relocate the existing pipeline, the applicant will need to work around that and it could potentially impact the design.

Ms. Kooistra closed the testimony portion of the hearing.

9. SOIL AND WATER CONSERVATION DISTRICT REPORT:

For further information refer to report number: 26-004-4787.

10. ILLINOIS DEPARTMENT OF NATURAL RESOURCES:

The consultation was received for this application.

11. SUMMARY OF VOTING MEETING DISCUSSION:

Chair Kooistra opened the voting meeting immediately following the hearing.

Mr. Eldredge motioned to accept the conditions as presented. Ms. Donner seconded the motion. Motion carried (7-0).

Mr. Eldredge motioned to accept the petition subject to the conditions. Ms. Donner seconded the motion. Motion carried (6-1).

Mr. Eldredge stated that the parcel has been farmland for decades and is very wet hydric soils. Mr. Eldredge stated that native plantings improve water drainage over the usage of land as crop land. He stated that the standards have been met.

Mr. Dahlman stated that he is concerned with the flooding and lack of (interconnection) agreement with Commonwealth Edison.

Ms. Kooistra stated that the standards in in the Unified Development Ordinance under 16.56.030, the principal use standards, have been met well as the requirements under Illinois Public Act 1021123 and Public Act 1030580 have been met. She also stated that the (interconnection) agreement with Commonwealth Edison is a requirement for the project, but not for the CUP.

12. FACTS THAT SUPPORT RECOMMENDING APPROVAL OF THE REQUEST:

- The property is zoned "A-1" Agricultural District.
- The surrounding land use for the property is mainly agricultural.
- All county and state standards have been met.

13. FACTS THAT SUPPORT RECOMMENDING DENIAL OF THE REQUEST: None.**14. VOTE:**

6 – AYES; 1 – NAYS; 0 – ABSTAIN

GOES TO COUNTY BOARD WITH ZBA RECOMMENDATION FOR Approval of the conditional use subject to the following conditions:

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by WCP Solar, dated October 8, 2024 and received by the Department of Planning and Development on January 29, 2026 (attached).

3. The *Decommissioning Plan* shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the *Decommissioning Plan*.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Recommendations made by the Illinois Department of Natural Resources in their September 9, 2025, letter to the applicants shall be followed.
7. Fencing shall be provided in compliance with the National Electrical Code (NEC), as applicable, and shall be of a woven wire agricultural style, containing a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Fence bonding and grounding shall be in compliance with NEC 250.194 and NEC 691.11. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.

Full Comments for the above agenda items are included in the audio recording of this meeting, which can be found on the McHenry County Meeting Portal.

In compliance with the McHenry County Artificial Intelligence Appropriate Use Policy, draft minutes were prepared from the official audio recording and staff notes using transcription and drafting software. Final minutes were reviewed and edited by Staff.

big thing that actually could cause a lot of problems, especially when there's water and inverters flood, the catch fire who's going to extinguish that. I mean, it's in the water, but still it's dangerous to be around that thing with the water around it.

linnea kooistra:

Anyone else? Do you have a closing statement?

Dr. Everton Walters:

Yes, we do. We are desiring to provide this system for a number of reasons. Among them being the provision of jobs, the provision of our renewable energy for the use within the community as it were. And we are confident that we will make sure that we maintain and abide by all the ordinances that have been stated, implied or otherwise by the county for the application of this system.

We will endeavor to make sure that if there are any drain tiles discovered on the site, we protect and if damaged, mitigate those damages and subsequently cover all costs associated with that. We will be bonded for the project as it were for the commissioning, and we definitely request therefore that for being said that this be granted to us for the operation of this solar.

linnea kooistra:

Okay. So at this time we will close the hearing portion of this meeting and we'll move on to the voting portion. Again, the application Z250088, the request is for a conditional use permit to allow for a commercial solar energy facility, and the property consists of about 30 acres located on the north side of Anthony Road, approximately one half mile east of Interstate 90 in Riley Township, and the applicant is MP Solar Farm LLC.

In your packet and on the website are the proposed conditions. If there's no objection, I won't read through those since all members of the board have had access to them.

Speaker X:

No objection.

linnea kooistra:

Hearing no objection, I'll read through them. Are there any proposed changes or additions to these proposed conditions?

Charles Eldredge:

Madam Chairman, I move acceptance of the conditions as presented.

Mary Donner:

I'll second. Donner.

linnea kooistra:

Okay. It's been moved by Mr. Eldredge to accept these conditions, and second by Ms. Donner. Discussion. Any discussion on the conditions?

Charles Eldredge:

I have none.

linnea kooistra:

Anyone else?

Charles Eldredge:

None.

linnea kooistra:

Okay. Then I will call for the vote on the conditions. Mr. Eldredge?

Charles Eldredge:

Yes.

linnea kooistra:

Ms. Gartner?

Vicki Gartner:

Yes.

linnea kooistra:

Mr. Kosin?

Robert Kosin:

Yes.

linnea kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

linnea kooistra:

Ms. Donner?

Mary Donner:

Aye.

linnea kooistra:

Mr. Dahlman?

Duane Dahlman:

Yes.

linnea kooistra:

And I'll vote, yes. So the conditions are approved seven to zero. At this time, I would entertain a motion for approval of this conditional use request.

Charles Eldredge:

Madam Chairman, I move for acceptance of the petition subject to the conditions.

Mary Donner:

Donner seconds.

linnea kooistra:

Then moved by Mr. Eldredge, seconded by Ms. Donner to approve this request. Discussion. Mr. Eldredge?

Charles Eldredge:

Yes. This is a roughly 30 acre parcel in Riley Township on the north side of Anthony Road, not far from Highway I 90. It is a vacant parcel surrounded by farmland. It has been farmland for most of the time since settlement. Testimony has been provided that it's pretty darn wet, and in fact, much of Riley Township in that area are hydric soils that are quite wet. It was not particularly addressed here except in passing. But the testimony we have received over the last several years from a variety of sources, not just petitioners, but also experts, are that the net water handling of a solar farm, which has the wild flower mix planted under it, improves rather than gets worse if it is moved from crop farmland to a wildflowers underneath solar farms. So while I respect the concerns of the objectors with this, I do not agree with it.

I think that at very worst, it will be neutral in that regard. And all of this to some extent is moot because Public Act 102-1123 and 103-0580 requires us to vote in favor of a petition if it has meet and met the state standards and staff has testified that it has met the state standards. And my examination of this petition agrees with that. So having found that it meets the state's standards, I am required by law to vote in favor. I think that this is probably not the best possible location, but I don't think it's anywhere near the worst either. So I am fairly comfortable. There have been petitions where I was very uncomfortable following the law, but I still believe that it is my obligation to do so. In this case, I'm not super happy with it, but I'm not terribly uncomfortable either, so I support the petition.

linnea kooistra:

Ms. Gartner?

Vicki Gartner:

I agree with Mr. Eldredge. It's not the best site we've ever seen, but it's not the worst. And by state law, it's going to happen if all of your ducks can get in a row, and that's a big if at this point. These don't always go through. I just wanted to touch a little bit on the concern for the farmers. It is the farmers who lease or sell these properties for solar farms. And part of the reason they do that is because they can't get the profitability out of the farming industry that they've known all along. And so this is a more lucrative solution for many of them that actually allow them to go on. And in the same breadth, it also preserves the farmland for later use, be it 25, 30 years up the road, whatever. So in that respect, I have to say I agree. I have to be in favor here.

linnea kooistra:

Mr. Kosin.

Robert Kosin:

Thank you, Madam Chairman. I recognize the submission of the documents as presented, the compliance that they purport to fulfill those requirements. But in lieu of my support of this, I need to note two elements, and it may be because of how the information is now so readily available. Which is, on one hand, a good thing, but on another, there's that phrase of a data dump. Specifically, I wish that Hay & Associates were present to give the explanation to their September 12th, 2024 report, along with the explanation of the 1970 Coon Creek flooding that was recognized in an aerial photo by USG as published two years later, and now leaves a concern for all of us. But I have enough confidence in the process and procedures of the county and its staff to address that.

The second document that is also tangentially referenced to us was the Federal Energy Commission's approval of the A&R pipeline on January 22nd, 2026, despite the objection filed by McHenry County Conservation District in this particular area.

Nonetheless, that is beyond the scope as I recognize and have been admonished for the petition before us. And so with the information and authority that we've been given, this is the petition that I'll be supporting.

linnea kooistra:

Mr. Schnable?

Kurt Schnable:

Illinois is also, as I understand it, recently approved battery electric storage systems, which can be built within 150 feet of a house. Be glad this is not that. That I could never vote for. And I just want to add, everything you people said is absolutely true. I've got the eagles at my place. I've got Coon Creek very near my yard. I've got the high water table. We've got the roads that flood over. It's my opinion that in the future, Coon Creek flooding will only get worse because it generally originates in the Hampshire area. I understand the Hampshire sewage system enters that after treatment. And Hampshire, unlike Marengo, is developing fairly rapidly with new subdivisions and apartments and the like, and that will, no doubt more than likely, increase runoff.

Coon Creek is channelized through DeKalb County and Kane County, and McHenry County does not have laws in place that allow Coon Creek to be channelized through Riley Township, hence its nature of sprawling around all over the place and so on and so forth. So my advice to the contractor would be, if you think you need a two feet off the ground, you better put four feet off the ground, would just be my advice. And everything else everyone said here is true. I think everyone was more or less, not happy, but good spirited about listening to what everyone here had to say. I appreciate that. And I will, as a result of what's required, very reluctantly vote to support the petition.

linnea kooistra:

Ms. Donner?

Mary Donner:

Thank you, Ms. Chairman. Understanding that this is the start of the process, that we considered that all the information that was needed was appropriate and we should go ahead. The state has told us we have to go ahead. But understand also that so many things are going to be coming up that they will have to go through that require a deeper dive now. Our stormwater ordinance, for instance, they have to be able to work with that as well. They have anybody, any other group that is part of this process now can do the deep dive on what it is they have to do to be able to make it work.

The other thing is that when you talk about water, I live next door. When we built our house, when the house was built in my subdivision, all I had to do was dig down that far, and I had this much water. So when you talk about a high water table, I can see it and know it. There's 125 homes on top of that, and what we're doing. So I get it on that kind of a thing. But again, we are the beginning of this process and we are under strict rules from our end and I will be voting for approval.

linnea kooistra:

Mr. Dahlman.

Duane Dahlman:

Thank you. I have issues with the flooding going on there annually. No firm agreement with ComEd. And I know we're bound by state law to approve this because it's been presented correctly and in great detail. My conscience will not let me vote yes on this. I will vote no.

linnea kooistra:

And I believe that the standards in our ordinance under 1656030, the principal use standards, have been met as well as the requirements under Illinois Public Act 1021123 and Public Act 1030580 have been met. First of all, to address the ComEd thing, I mean, this will not happen until they have a ComEd agreement, but we've had a lot of solar farms that have come through here and are still working on their ComEd agreement. That's just one other thing that they have to do before they will get a building permit. So that has nothing to do with really our approval of this and our standards that we need to address for land use.

But as far as wetlands and that sort of thing, the wetlands are being ... They're outside the wetland areas. They're avoiding that and this area does flood. These panels are above the flood area. And so I believe those standards have been met and so I believe I'm obligated to support this. So I will be voting in favor of the request. So I'll call for the vote. Mr. Eldredge?

Charles Eldredge:

Yes.

linnea kooistra:

Ms. Gartner?

Vicki Gartner:

Yes.

linnea kooistra:

Mr. Kosin?

This transcript was exported on Mar 19, 2026 - view latest version [here](#).

Robert Kosin:

Yes.

linnea kooistra:

Mr. Schnable?

Kurt Schnable:

Yes.

linnea kooistra:

Ms. Donner.

Mary Donner:

Aye.

linnea kooistra:

Mr. Dahlman.

Duane Dahlman:

No.

linnea kooistra:

And I will vote yes. So this will go to the county board with a six to one vote approving request. So at this time your hearing is closed.

Staff Report for the McHenry County Zoning Board of Appeals

Application: #Z25-0088

PINs: 16-21-200-001

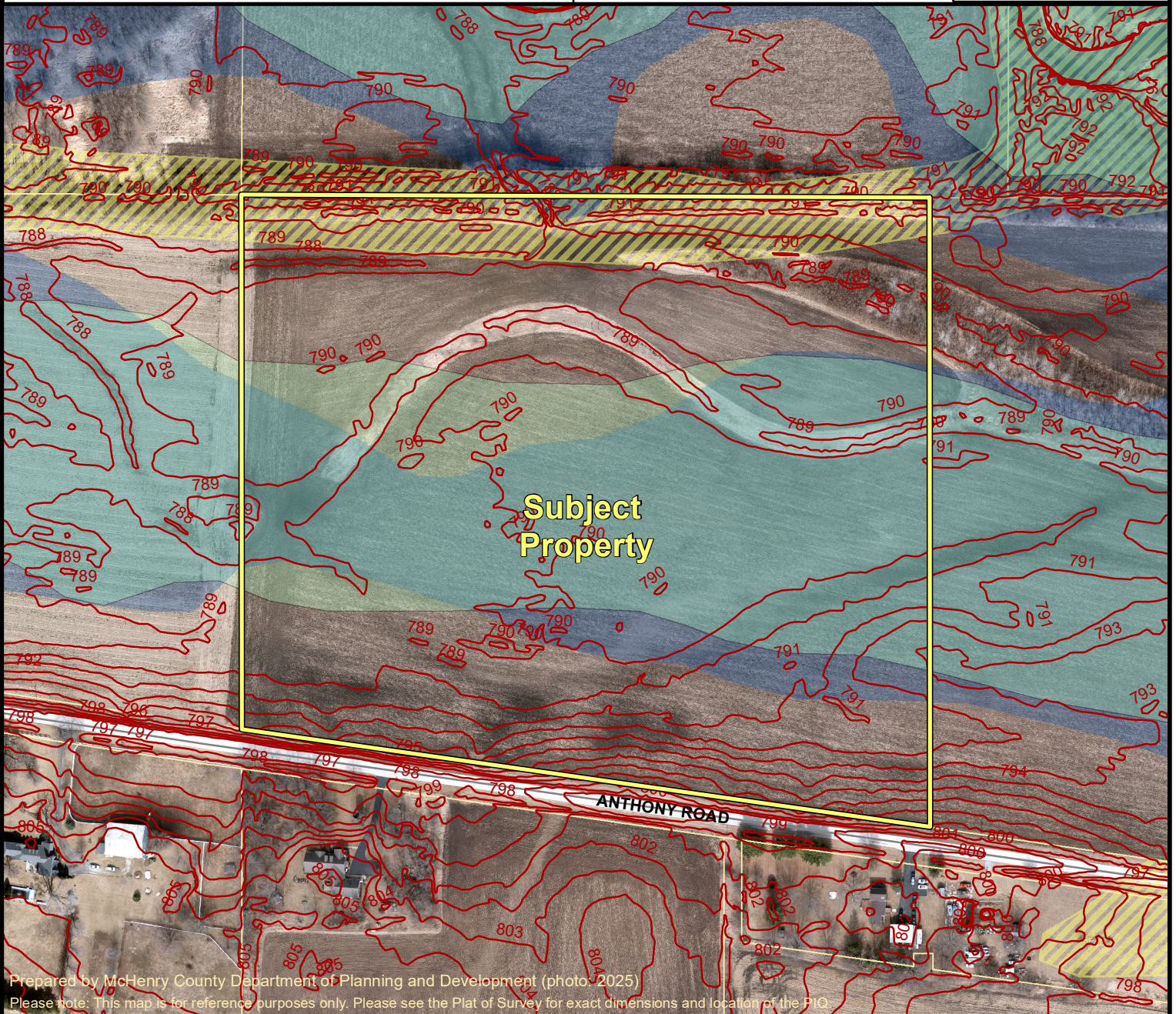
Location: The property consists of approximately thirty (30) acres and is located on the north side of Anthony Road, approximately one-half (.5) mile east of Interstate 90, in Riley Township, Illinois.

Hearing: March 4, 2026

Applicant: NP Solar Farm LLC

Request: Conditional Use Permit to allow for a Commercial Solar Energy Facility

Aerial Map



Prepared by McHenry County Department of Planning and Development (photo: 2025)

Please note: This map is for reference purposes only. Please see the Plat of Survey for exact dimensions and location of the PIC.

Elevation

(feet above sea level)




Contours



ADID Wetland Map 2005

-  High Functional Value Wetland (hfw)
-  High Quality Wetland (hqw)
-  Wetland (w)
-  Farmed Wetland (fw)

FEMA Flood Hazard Areas

-  0.2 % Annual Chance of Flood
-  1% Annual Chance of Flood
-  Floodway

Historic Flood Zone



Feet
125 62.5 0 125 250
1 inch equals 250 feet



Staff Report for the McHenry County Zoning Board of Appeals

STAFF COMMENTS

The following comments and conclusions are based upon staff analysis and review prior to this hearing and are to be considered viable unless evidence is established to the contrary. Staff may have additional comments based upon the testimony presented during the public hearing.

BACKGROUND & REQUEST SUMMARY

The applicant is requesting a Conditional Use Permit to allow for a Commercial Solar Energy Facility. The subject property consists of approximately twenty-nine and sixty-six (29.66) acres and is zoned A-1 Agriculture District. According to aerial photography, the majority of the subject property is in crop cultivation.

According to the narrative, the applicant is proposing a 9.9-megawatt commercial solar energy facility, enclosed by a seven (7)-foot tall security fence, per the regulations of the National Electric Code. The nearest adjacent residence on a nonparticipating parcel is over one-hundred fifty (150) feet from the proposed location of the solar array.

Note: On January 27, 2023, the State of Illinois passed Public Act 102-1123 (further modified under trailer bill P.A. 103-0580 on December 8, 2023), which modifies regulations for proposed commercial solar energy facilities. The County of McHenry has amended the Unified Development Ordinance, as of April 18, 2023, in order to comply with the State's regulations.

MCHENRY COUNTY UNIFIED DEVELOPMENT ORDINANCE

- The applicant must meet the Principal Use Standards for a Solar Farm, listed in County Code Section 16.56.030.PP of the UDO (*with the exception of any changes provided by Public Act 102-1123, as outlined above*).

STAFF ANALYSIS

Current Land Use & Zoning

The property is adjacent to agricultural uses to the north, south, east and west, as well as single-family residential to the south. The surrounding zoning consists of A-1 Agriculture to the north, south, east, and west.

2030 Comprehensive Plan Future Land Use Map

The proposed conditional use permit is consistent with the County's future land use designation of Agriculture.

2030 Comprehensive Plan & 2030 and Beyond Analysis

The 2030 Comprehensive Plan and 2030 and Beyond Update support the construction of commercial solar energy facilities within existing agricultural areas. (*See analysis below*)

McHenry County 2030 and Beyond, Adopted October 18, 2016

Big Idea #1 Let's make our communities healthy, active, and green

"We can make it happen by preserving our groundwater aquifers, lakes, rivers, streams, and their natural functions." (p.11)

- The McHenry County Water Resources Division has determined that the panels will not be calculated as an impervious surface for the development permit. This is because the panels are proposed to be elevated above the ground several feet and supported by driven piles. The petitioner will be required to obtain a Stormwater Management Permit which will include calculations for all impervious areas, including but not limited to the piles, access drives, and equipment pads.

Big Idea #2 Let's build on our strengths

"We can make it happen by recognizing the economic and social importance of our agricultural industry." (p. 15)

- The McHenry County Soil and Water Conservation District's Natural Resources Inventory report (#26-004-4787) indicates that the LE score is 3.27 out of a possible 100 regarding soils for crop production. This is due to the majority of soil type on site being prone to flooding and difficult to farm. The concerns that the development of solar facilities in the county will result in the loss of farmland, particularly prime farmland can be remediated because, unlike other forms of development, the land is preserved for future farming. Also, the proposed native vegetation may slow the velocity of runoff, capturing sediments or other pollutants and allowing water to infiltrate into the soil, thereby reducing potential for erosion and sedimentation and improving soil conditions.

Big Idea #3 Let's grow smarter

"The county should also be open to commercial enterprises in the unincorporated areas that are major generators of jobs or tax revenues for which no suitable municipal sites exist elsewhere in the county, or that are dependent upon a direct proximity to agriculture or open space and designed in harmony with these areas." (p. 17 & 21)

- Due to the size and scale of the project, undeveloped acreage is important to the siting and development of a commercial solar energy facility. The applicant should be prepared to address how the proposed use relates to the statement above regarding generation of jobs, tax revenues, and siting of the facility.

Big Idea #4 Let's expand our economy

"We can make it happen by improving infrastructure, including freight and commuter rail, access to major regional and interstate roadways, and access to high-speed internet services." (p.22)

- The proposed commercial solar energy facility will provide a renewable energy source to the electrical grid as an alternative to energy created from sources with a larger carbon footprint.

McHenry County 2030 Comprehensive Plan, Adopted April 20, 2010

Community Character & Housing

No applicable text.

Agricultural Resources

"Encourage owners of parcels with the greatest potential for productive agricultural use, such as parcels with an LE score of 80 or above that are in agricultural use and contiguous with other such parcels, to preserve their parcels for agricultural uses." (p. 38, #7)

- Commercial solar energy facilities typically have a life of approximately thirty (30) to forty (40) years and after that time the property may return to agriculture.

"Continue joint participation with the USDA Natural Resources Conservation Service and McHenry County Soil and Water Conservation District in educational programs regarding best soil conservation practices and improving rural water quality." (p. 38, #20)

- The McHenry-Lake County Soil and Water Conservation District recommends that areas between panels be planted to a native prairie mix to help increase water infiltration and reduce runoff from the site. It is recommended that a planting and maintenance plan be developed with the landowner to ensure that noxious weeds are controlled, and native plantings are properly installed and managed. The petitioner is encouraged to add pollinator species to this planting plan. The Soil and Water Conservation District also recommends, upon decommissioning, that if any underground lines are to remain, they should have at least five (5) feet of cover to adequately allow farming operations to commence after the facility's removal.

Greenways, Open Space & Natural Resources

"Protect environmentally sensitive areas from negative impacts of adjacent land uses." (p.57, #9)

- The IDNR found record of potential protected resources in the vicinity of the project location - Spike (*Elliptio dilatata*) - but concluded that adverse effects were unlikely, as long as the applicants adopted their recommendations as outlined in their September 9, 2025, letter. The endangered species consultation was closed.

"Encourage the design of developments to achieve the broader sustainability of human and natural communities, including the social and economic dimensions of sustainability." (p. 57, #15)

- The proposed commercial solar energy facility will contribute to a broader sustainability objective in that it will produce clean energy as a replacement for energy produced by unsustainable means.

Water Resources

"Preserve and enhance the chemical, physical, biological, hydrologic integrity of streams, lakes and wetlands." (p.63)

"...land use and development should be carefully examined and regulated within sensitive groundwater recharge areas to ensure that the water quality, quantity, and natural recharge functions of the area are safely maintained." (p.67)

- The applicant will be required to obtain a Stormwater Management Permit prior to construction.

Economic Development

"Decrease the degree to which the residential sector in the County must pay for services." (p.87)

- The state legislature has approved standards that would regulate how commercial solar energy facilities are assessed for tax purposes. The standards would result in an increase from the current assessed value of agricultural land.

Infrastructure

"It is estimated that every 120 MW of solar power would eliminate 1.7 million tons of carbon dioxide emissions which is the equivalent of removing 310,000 vehicles from the nation's roadways annually. A 1,000 MW coal plant produces approximately 6 million tons of carbon dioxide per year." (p.116)

"Encourage all governmental units in the County to adopt and support ordinances that will enhance all segments of the areas electric grid." (p. 120, #5)

The proposed commercial solar energy facility is consistent with the *Comprehensive Plan* support of more sustainable energy sources.

STAFF ASSESSMENT

The 2030 Comprehensive Plan and the 2030 and Beyond Update both support the development of commercial solar energy facilities. Once the facility is constructed, there is very little to no traffic generated by the use. There is very minimal risk of noise, lighting, or other nuisances generated by this use. The proposed use is compatible with adjacent uses. As noted within Public Act 102-1123, a request for a Conditional Use Permit for a commercial solar energy facility shall be approved if the request is in compliance with the standards and conditions imposed within the Act, the zoning ordinance adopted consistent with this Code, and the conditions imposed under State and Federal statutes and regulations. A County may not adopt zoning regulations that disallow commercial solar energy facilities from being developed or operated in any district zoned to allow agricultural or industrial uses. All construction will be required to meet applicable codes and ordinances for: fire protection, commercial building and electrical construction, and stormwater management.

Staff offers the following conditions for consideration:

1. The Conditional Use shall have no time limit, unless the use is abandoned as specified in 16.56.030.PP.4 of the McHenry County Unified Development Ordinance.
2. Site development shall be in substantial conformance with the site plan prepared by WCP Solar, dated October 8, 2024 and received by the Department of Planning and Development on January 29, 2026 (attached).
3. The *Decommissioning Plan* shall be applicable in part as well as in whole. If any portion of the commercial solar energy facility ceases to perform its intended function for more than twelve (12) consecutive months, that portion of the facility shall be decommissioned in compliance with all the terms of the *Decommissioning Plan*.
4. A McHenry County Stormwater Management Permit shall be secured prior to construction. Any damaged drainage tiles shall be repaired at the expense of the Petitioner and in a manner satisfactory to the Water Resources Division Manager.
5. A detailed Landscape Plan illustrating compliance with required landscape screening standards and Illinois Department of Natural Resources Pollinator Scorecard Standards and land management practices shall be approved by the Zoning Enforcement Officer prior to issuance of construction/building permit.
6. Recommendations made by the Illinois Department of Natural Resources in their September 9, 2025, letter to the applicants shall be followed.
7. Fencing shall be provided in compliance with the National Electrical Code (NEC), as applicable, and shall be of a woven wire agricultural style, containing a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Fence bonding and grounding shall be in compliance with NEC 250.194 and NEC 691.11. The use of barbed wire is prohibited. Setting fence posts in concrete is prohibited except for gate posts and where otherwise required for stability.
8. All requirements of McHenry County Unified Development Ordinance §16.56.030.PP (as amended, subject to State of Illinois Public Act 102-1123 and Public Act 103-0580) shall be met or exceeded unless specifically amended by this Conditional Use Permit.
9. All other federal, state, and local laws shall be met.

16.56.030 Principal Use Standards

PP. COMMERCIAL SOLAR ENERGY FACILITY. Conditional use permits for a COMMERCIAL SOLAR ENERGY FACILITY shall have no time limit, unless the use is abandoned as specified in subsection PP.4. below (COMMERCIAL SOLAR ENERGY FACILITY: Abandonment), or the permit is revoked in accordance with § 16.20.040I. (Revocation of Conditional Use Permits).

1. Application.

a. A threatened and endangered species consultation (EcoCAT) from the Illinois Department of Natural Resources is required at the time of conditional use permit application for any site that is five (5) acres or greater in size and currently in agricultural use or undeveloped.

b. A site plan shall be provided showing all improvements, including structures, fencing, power lines (above and below ground), lighting, and landscaping, at a detail sufficient to understand the location, height, appearance, and area.

c. All other application submittal requirements outlined in the *Planning and Development Department Zoning Application Packet* as published on the McHenry County Website.

2. Site design.

a. Solar panels, structures, and electrical equipment, excluding fences and power lines for interconnection, shall be erected no less than fifty (50) feet from any lot line and no less than one hundred fifty (150) feet from any residence, other than a residence on the same ownership parcel.

b. No structures, excluding power lines for interconnection, may exceed twenty (20) feet in height. Power lines shall be placed underground to the maximum extent possible.

c. Lighting must comply with § 16.60.020 (Exterior Lighting).

d. Solar panels shall have a surface that minimizes glare and shall comply with § 16.60.040D. (Lighting and Glare).

e. The facility shall be situated as to minimize impacts to woodlands, savannas, wetlands, drainage tiles, and encroachment into flood plains. All site development shall comply with the Stormwater Management Ordinance. Any damaged drainage tiles shall be repaired.

f. In order prevent erosion, manage run-off, and provide ecological benefit, the facility shall be planted with “low-profile” native prairie species, using a mix appropriate for the region and soil conditions per Illinois Department of Natural Resources (IDNR) standards, as amended from time to time.

g. Fencing shall be provided in compliance with the National Electrical Code, as applicable. The use of barbed wire must comply with § 16.56.050H.1.c. of this Ordinance.

h. Any part of the facility that is within five hundred (500) feet of a NONPARTICIPATING RESIDENCE, or road right-of-way, shall be landscaped with an arrangement of native shrubs, subject to approval by the County Board, unless the facility is screened from view by existing vegetation.

i. Prior to building permit issuance, the operator shall prepare a landscape monitoring and maintenance plan to ensure the establishment and continued maintenance of the native prairie species, all installed landscape screening, and all existing vegetation that provides required landscape screening.

j. Prior to scheduled public hearing, the operator shall enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture (IDOA), as required by that department.

k. Prior to building permit issuance, the operator shall provide an executed road use agreement between the Applicant and the appropriate governing road and highway jurisdictions or the Illinois Department of Transportation (IDOT), showing approved entrances.

3. Safety.

a. Prior to construction, the operator shall prepare an emergency management plan acceptable to the County and the local fire district and shall be responsible for training of emergency personnel, as needed.

b. A sign shall be posted providing the name of the operator and a phone number to be used in case of an on-site emergency.

c. Access shall be granted, provided appropriate advance notice, for periodic inspection of the site by the County or the local fire district.

d. Damaged solar panels shall be removed, repaired, or replaced within sixty (60) days of the damage. The ground shall remain free of debris from damaged solar panels at all times.

4. Abandonment.

a. The COMMERCIAL SOLAR ENERGY FACILITY shall be considered abandoned if the operator fails to pay rent as specified in the Agricultural Impact Mitigation Agreement, or it ceases to generate electricity for a period of twelve (12) consecutive months. Reports of electrical power production shall be provided to the County upon request. An abandoned COMMERCIAL SOLAR ENERGY FACILITY must be decommissioned and removed within twelve (12) months from the time it is deemed abandoned. The operator may appeal in writing to the Zoning Enforcement Officer for an extension of time in order to remove the facility or to bring the solar farm back into operation.

5. Decommissioning. Decommissioning and removal of the COMMERCIAL SOLAR ENERGY FACILITY shall be the responsibility of the operator upon abandonment or revocation of the conditional use permit. All operators shall comply with the following:

a. Prior to building permit issuance, the operator shall prepare a decommissioning plan which shows the final site conditions after the COMMERCIAL SOLAR ENERGY FACILITY has been removed from the property. Decommissioning plans shall require removal of all solar panels, electrical equipment, poles, piles, foundations, and conduits (above and below ground). Access roads, fencing, groundcover, and landscaping may remain only by agreement of property owner.

b. Prior to building permit issuance, the operator shall submit an engineer's estimate of cost for decommissioning the facility and restoring the site in accordance with the approved decommissioning plan. Upon review and approval by the Zoning Enforcement Officer of the estimate, the operator shall obtain a bond, letter of credit, or other form of surety acceptable to the County to be held by the Department of Planning and Development in the amount of one hundred percent (100%) of the

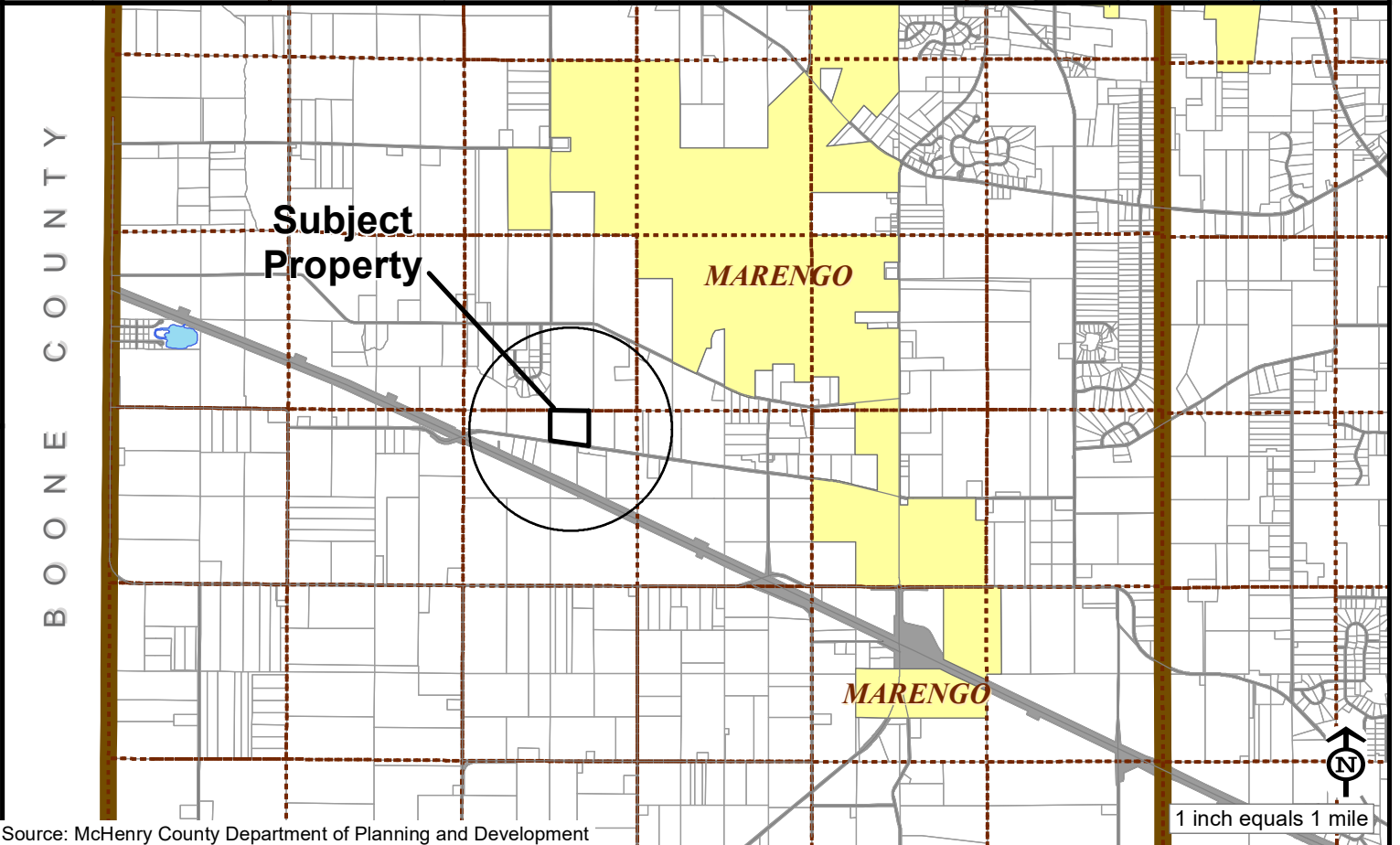
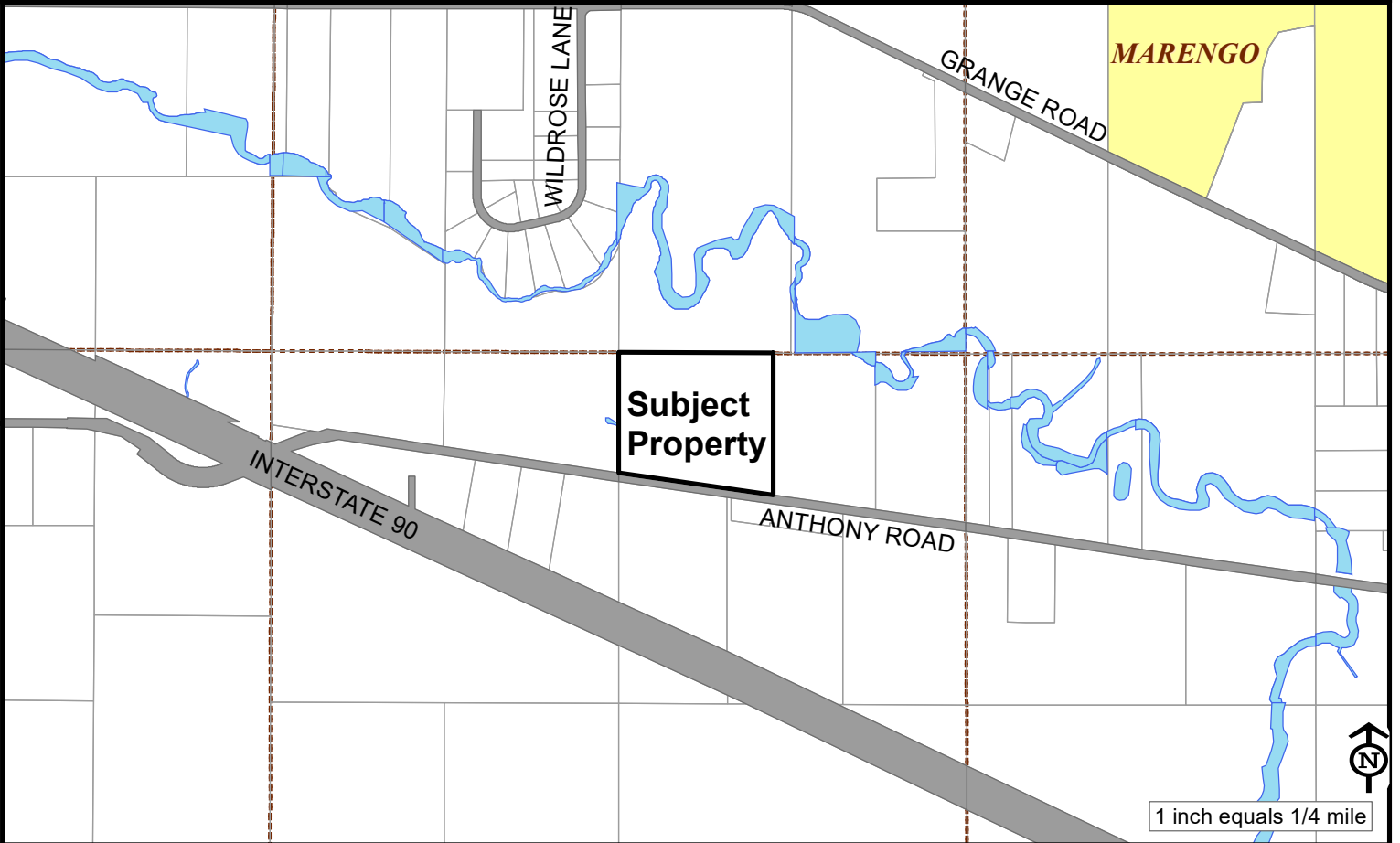
estimate. Provision of this financial assurance shall be phased in over the first eleven (11) years of the project's operation or as otherwise provided in accordance with the executed Agricultural Impact Mitigation Agreement.

c. During the operation of the facility, a new engineer's estimate of cost for decommissioning shall be submitted every ten (10) years to the Department of Planning and Development. Upon approval of the estimated costs by the Zoning Enforcement Officer, a revised surety shall be provided to the Department of Planning and Development in the amount of one hundred percent (100%) of the new estimate.

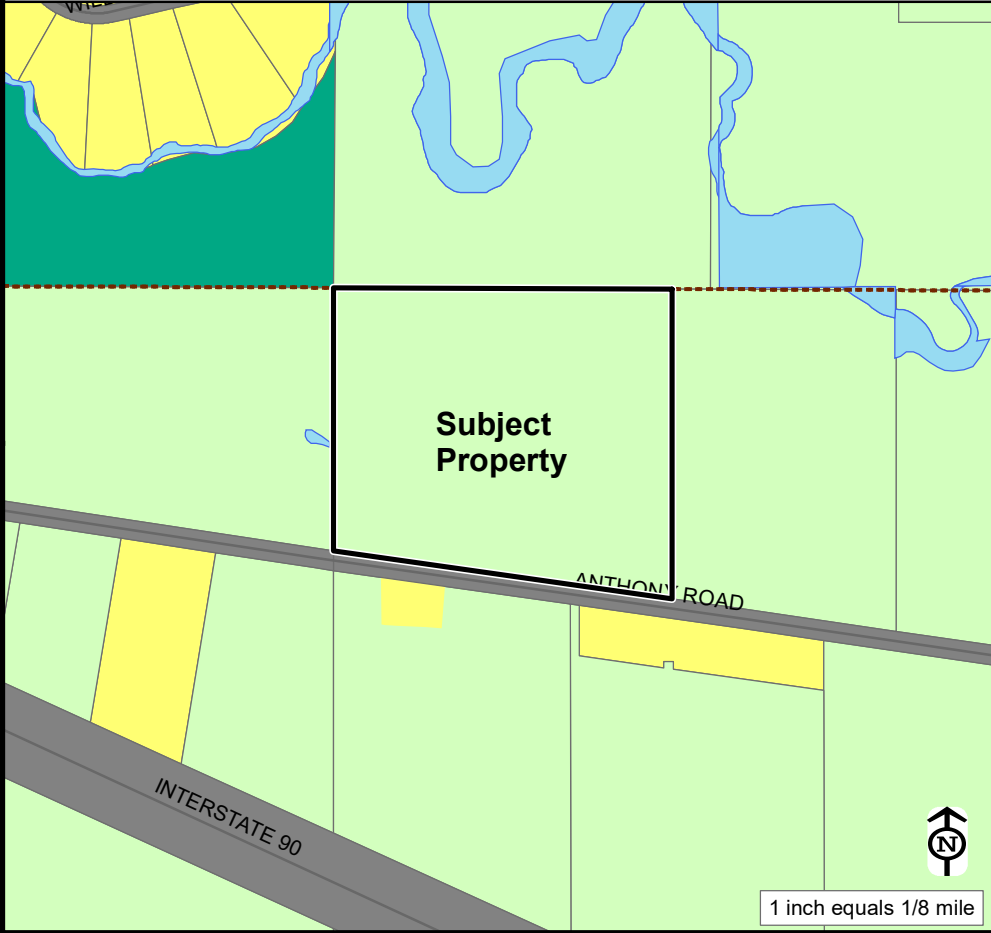
Location Map

Anthony Road, Marengo, Illinois

Riley Township



Current Land Use Map



Current Land Use

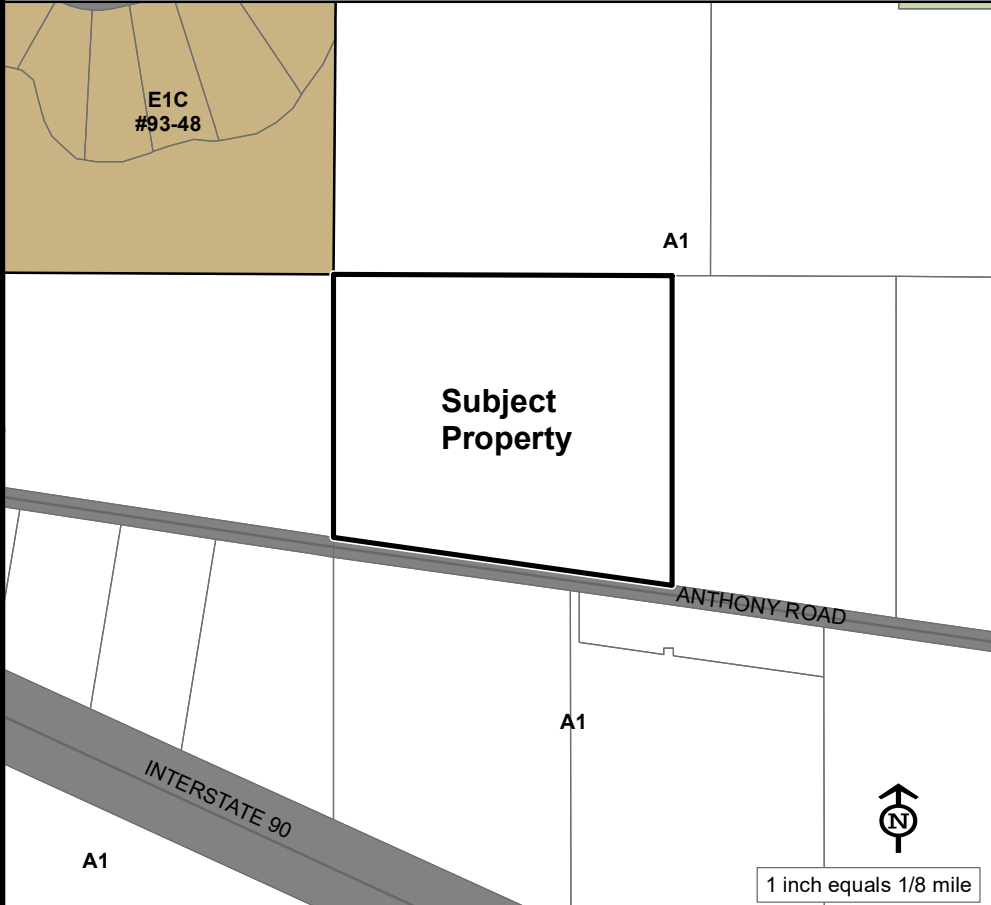
Agriculture

Adjacent Land Use(s)

North: *Agriculture*
 South: *Agriculture/Single-Family Residential*
 East: *Agriculture*
 West: *Agriculture*

- Agriculture
- MCCD Agriculture
- Single-Family Residential
- Multi-Family Residential
- Open Space
- Golf Course
- Commercial
- Office
- Industrial
- Mixed Use
- Earth Extraction
- Vacant
- Government / Institutional
- Transportation, Communication, Utilities
- Under Review

Zoning Map



Current Zoning

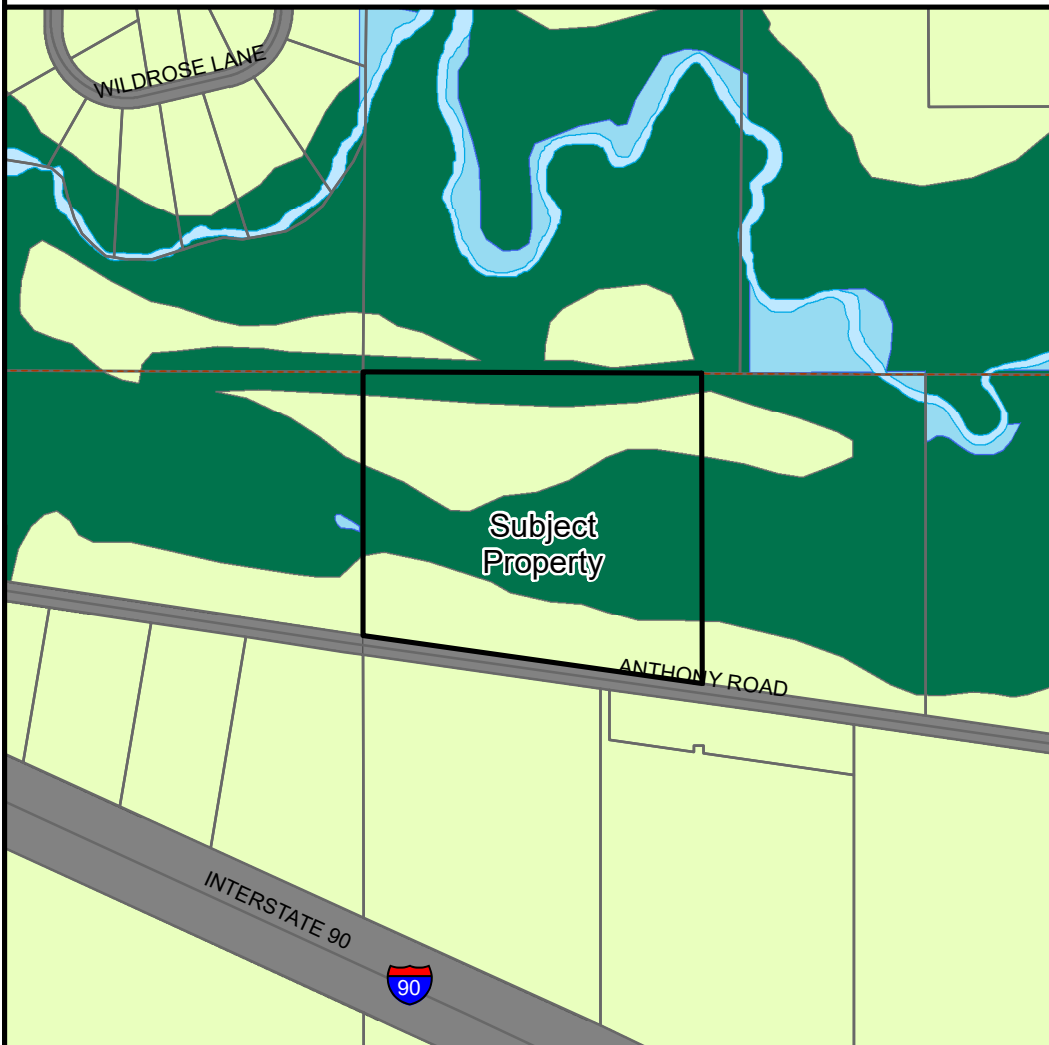
A-1 Agriculture

Adjacent Zoning

North: **A-1 Agriculture**
 South: **A-1 Agriculture**
 East: **A-1 Agriculture**
 West: **A-1 Agriculture**

- A-1 Agriculture
- A-2 Agriculture
- E-5 Estate
- E-3 Estate
- E-2 Estate
- E-1 Estate
- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- B-1 Neighborhood Business
- B-2 Neighborhood Business
- B-3 General Business
- O Office / Research
- I-1 Light Industrial
- I-2 Heavy Industrial
- PD Planned Development
- C Conditional Use
- V Variation
- Incorporated

McHenry County 2030 Comprehensive Plan Future Land Use Map



Future Land Use Map Designation Agricultural/ Environmentally Sensitive Area

- Agricultural
 - Open Space
 - Environmentally Sensitive Area
 - Estate
 - Isolated Estate
 - Residential
 - Isolated Residential
 - Retail
 - Mixed Use
 - Office, Research, Industrial
 - Gov't, Institutional, Utilities
 - TOD Existing Rail Station
 - TOD Future Rail Station
 - Active Earth Extraction Site
 - Municipality
- Scale: 1 inch = 1/8 mile

Municipal / Township Plan Designations

Riley Township: Agriculture
 Marengo: Rural

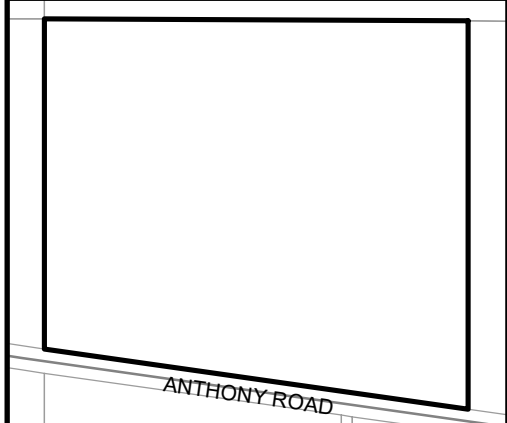
McHenry County 2030 Comprehensive Plan — Text Analysis Land Use

AGRICULTURAL – represents existing agricultural acres, including cropland, pastureland, farm yards, and farmsteads, that should remain in agricultural use through the 2030 planning horizon. Development in the Agricultural District should be strictly limited to agriculture, agricultural residences, and agricultural support uses. (p. 134)

Sensitive Aquifer Recharge Areas

The site is not located in a zone with elevated contamination potential.

Sensitive Aquifer Recharge Areas (SARA)



- Sensitive Recharge Area



PO BOX 308
TOWNEVILLE, IL 60560

WCP SOLAR EXPRESSLY RESERVES THE RIGHT TO MAKE ANY CHANGES TO THESE PLANS WITHOUT NOTICE. ANY CHANGES WILL BE MADE AT THE DISCRETION OF WCP SOLAR. THESE DRAWINGS MAY BE REPRODUCED AT A SIZE DIFFERENT THAN ORIGINALLY DRAWN. THE USER ASSUMES ALL RESPONSIBILITY FOR USE OF INCORRECT SCALE. DO NOT SCALE DRAWINGS.

SYSTEM SIZE	10.13 MW
SYSTEM SIZE	9.9 MW
PROJECT NO.	
TOTAL NO. MODULES	14,476

PROJECT NAME AND ADDRESS:
NP SOLAR FARMS
ANTHONY RD
SOLAR PROJECT
ANTHONY RD
MARENGO, IL

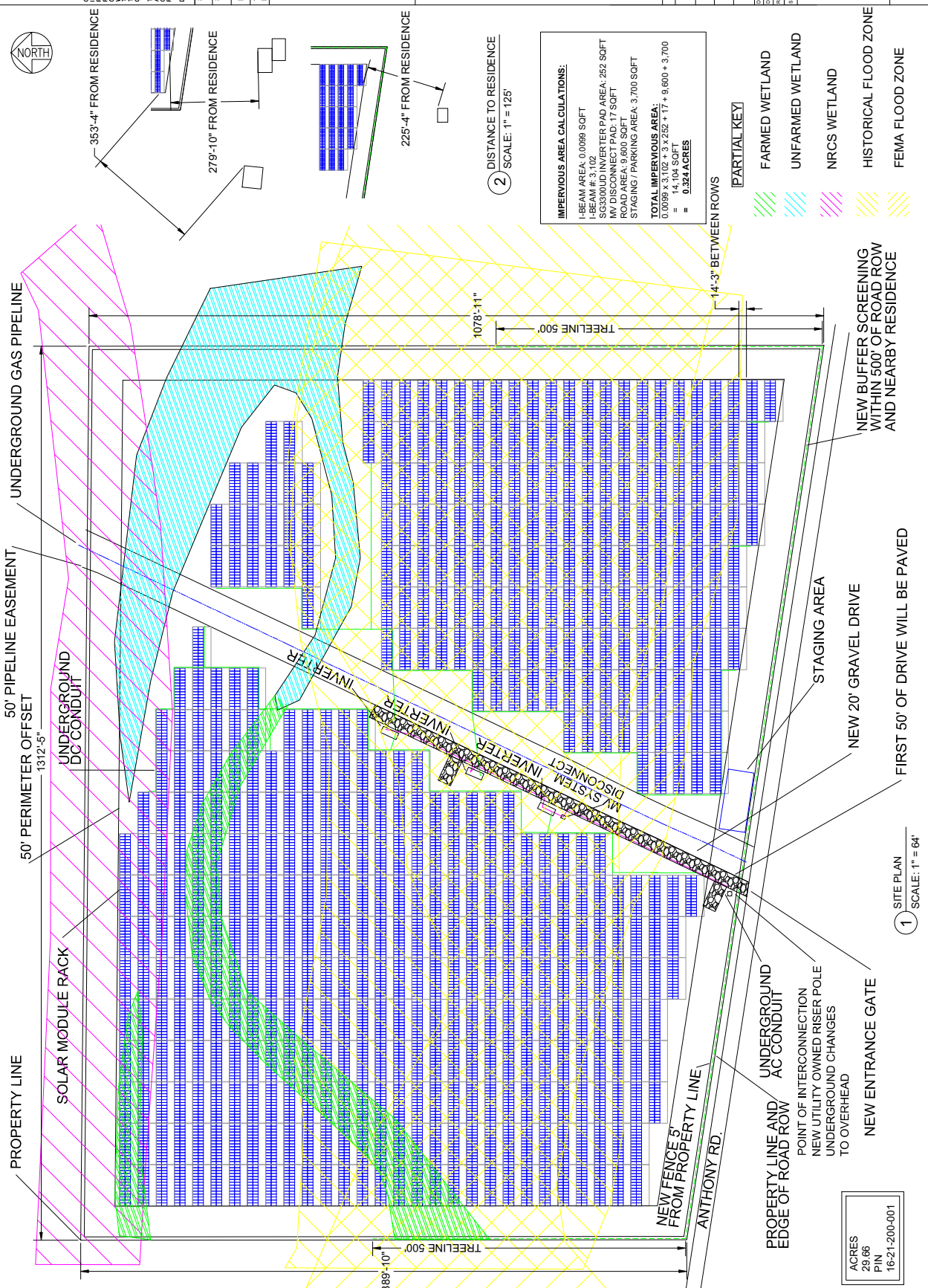
PROFESSIONAL CERTIFICATION: I HEREBY CERTIFY THAT THESE PLANS AND ALL RELATED DOCUMENTS WERE PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF ILLINOIS.

PAPER SIZE	24" X 36"
REV	DESCRIPTION
DATE	

DESIGNED BY	REVIEWED BY
DRAWN BY	DATE
CHECKED BY	
SCALE	

DRAWING TITLE:
SITE PLAN

DRAWING NUMBER:
GA-300



ACRES
29.06
PIN
16-21-200-001

1 SITE PLAN
SCALE: 1" = 64'

10 9 8 7 6 5 4 3 2 1

A B C D E F G

11614 ALGONQUIN RD.
HUNTLEY, IL. 60142

TOPOGRAPHICAL-ALTA/ACSM-BOUNDARY-SUBDIVISIONS-MORTGAGE-CONDOMINIUM

PHONE: (847) 458-1710
FAX: (847) 458-1712

ORDER NO.
23-0788



Scale - 1 inch = 100 feet

Jens K. Doe
Professional Land Surveyors
A DIVISION OF CDK, IL. DESIGN FIRM SURVEYOR 2812

PLAT OF SURVEY

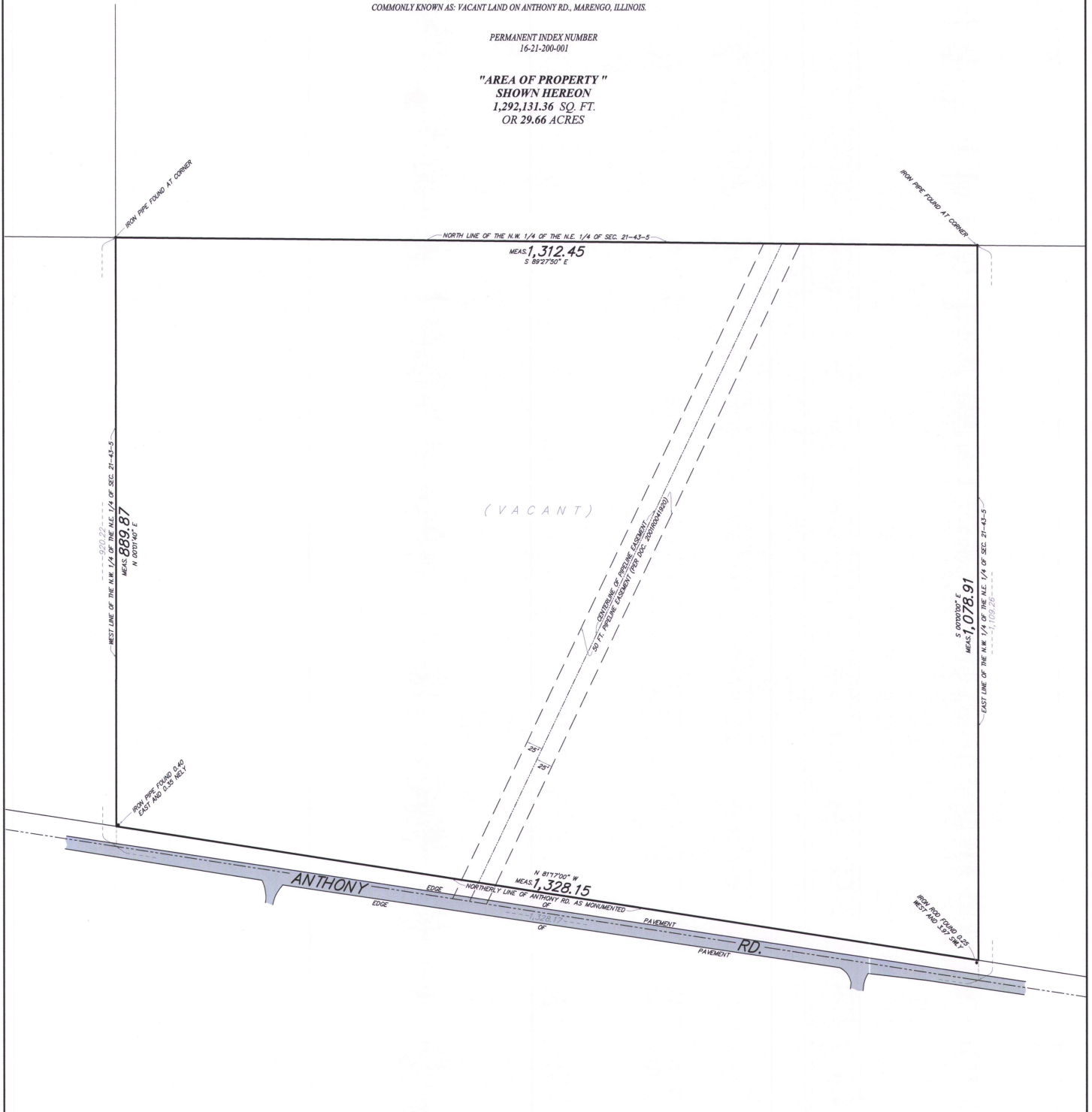
of

ALL THAT PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 43 NORTH, RANGE 5, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE HIGHWAY, IN MCHEERY COUNTY, ILLINOIS.

COMMONLY KNOWN AS: VACANT LAND ON ANTHONY RD., MARENGO, ILLINOIS.

PERMANENT INDEX NUMBER
16-21-200-001

"AREA OF PROPERTY"
SHOWN HEREON
1,292,131.36 SQ. FT.
OR 29.66 ACRES



NOTE:
The legal description noted on this plat is a copy of the land survey order placed by the client and for accuracy MUST be compared with the Deed. For building restrictions refer to your Abstract, Deed or Contract.

Compare distances between points before building and report any discrepancy to this office immediately.

Dimensions shown hereon are not to be assumed or scaled.

Dimensions shown hereon are in feet and decimal parts thereof.

Field work completion date : December 27, 2023.

ORDERED BY:

BELL & SHAH



State of Illinois)
County of Cook)

JENS K. DOE PROFESSIONAL LAND SURVEYORS, does hereby certify that a survey has been made under its direction, by an Illinois Professional Land Surveyor of the property described hereon and that the plat hereon drawn is a correct representation of said survey.

Chicago, Illinois, Dated this 4th Day of January, 2024.

This professional service conforms to the current Illinois minimum standards for a boundary survey.

JENS K. DOE PROFESSIONAL
LAND SURVEYORS, (A DIVISION OF CDK, IL.)



ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3228
LICENSE EXPIRATION: 11 - 30 - 24

McHENRY~LAKE COUNTY SOIL & WATER CONSERVATION DISTRICT

NATURAL RESOURCES INFORMATION REPORT

26-004-4787

January 22, 2026



This report has been prepared for:
NP Solar Farm LLC

Contact Person:
Paul Brown

PREPARED BY:
McHENRY-LAKE COUNTY SOIL & WATER CONSERVATION
DISTRICT

1648 S. EASTWOOD DR.

WOODSTOCK, IL 60098

PHONE: (815) 338-0444

www.mchenryswcd.org

The McHenry-Lake County Soil & Water Conservation District
is an equal opportunity provider and employer.

EXECUTIVE SUMMARY OF NRI REPORT #26-004-4787

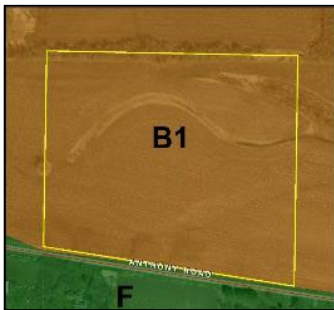
It is the opinion of the McHenry-Lake County Soil and Water Conservation District Board of Directors that this report as summarized on these pages are pertinent to the requested zoning change.



Jan 20, 2026 at 1:17:53 PM



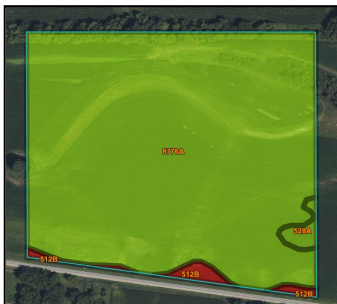
Site Picture: Looking north from Anthony Road



Aquifer Sensitivity Map (*This is the area beneath the soil profile down to bedrock)
The Geologic features map indicates the parcel is comprised of B1 geologic limitations which has a moderately high contamination potential.

Sensitive Aquifer Recharge Areas (Includes the soil profile and underlying geology).

The Sensitive Aquifer Recharge Map indicates the parcel is not within an area designated as Sensitive Aquifer Recharge.



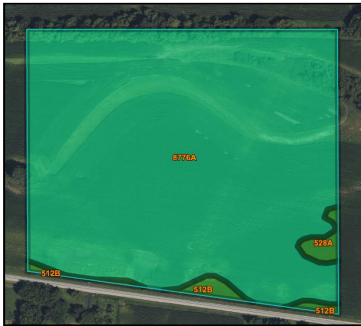
Soil Leachability Map (This is only the soil profile within the parcel from the surface down to approx. 5 feet).
The Soil Leachability Index indicates 0.6 acres or 2.2% of the parcel has high leachable soils, for fertilizers (identified in red).

Soil Permeability (This is only the soil profile within the parcel from the surface down to approx. 5 feet. Soil permeability is a reflection of the speed in which water (with or without pollutants) can move through the soil profile.)
The USDA-NRCS Soil Survey Map of the area indicates 0.4 acres or 1.4% of highly permeable soils on the parcel.

Soil Limitations (This evaluates the parcel from the surface down to approximately 5 feet.):

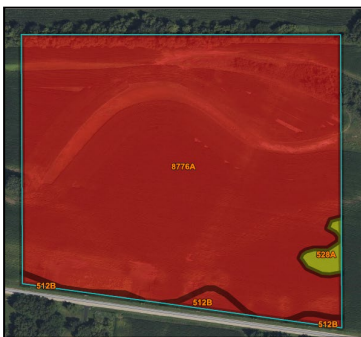
Erosion Ratings

The NRCS Soils Survey indicates there are no highly erodible soils.



Prime Farmland Soils

The Natural Resources Conservation Service (NRCS) Soil Survey indicates 1.0 acres or 3.5% of the parcel is comprised of prime farmland soils (identified in green) and 25.4 acres or 96.5% of the parcel is comprised of prime farmland if drained soils (identified in blue).



Ground-Based Solar Arrays

The Natural Resources Conservation Service (NRCS) Soil Survey indicates 26.0 acres or 98.6% of the parcel has very limited soils for ground-based solar arrays (identified in red).



Hydric Soils

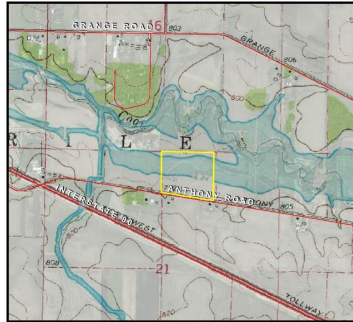
The NRCS Soil Survey indicates 25.4 acres or 69.5% of the parcel contains hydric soils (identified in orange).

Floodplain Information:



The Flood Insurance Rate Map

Indicates 10.42 acres of the parcel is within Zone A, 100-year floodplain (identified in blue).



Flood of Record Map (Hydrologic Atlas)

The Flood of Record Map for this area indicates 12.02 acres of the parcel has previously flooded (identified in blue).

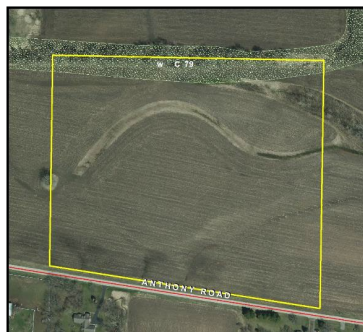
*As we were not provided with a site plan, it is unclear if the floodplain areas will be impacted.

Wetland Information:



USDA-NRCS Wetland Inventory

The NRCS Wetlands Inventory indicates NIH: Non-Inventoried Hydric Soil on 2.36 acres of the parcel (identified in purple).



ADID Wetland Inventory

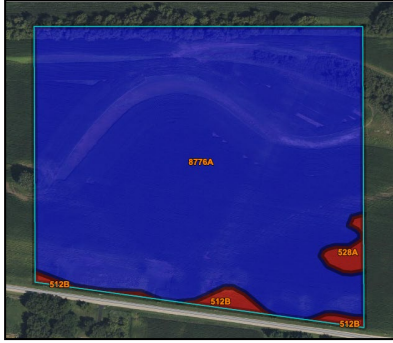
The ADID Wetland Study indicates wetland C79 on 2.36 acres of the parcel.

*The project narrative indicates a wetland delineation has been completed. As we were not provided with a site plan, it is unclear if the wetland areas will be impacted. Additional permitting may be required for the site.



Flooding Frequency

The NRCS Soil Survey indicates Occasional flooding on 25.4 acres or 96.5% of the parcel (identified in green). Flooding occurs infrequently under normal weather conditions. The chance of flooding is 5 to 50 percent in any year.



Ponding Frequency

The NRCS Soil Survey indicates that frequent ponding occurs on 25.4 acres or 96.5% of the parcel (identified in blue). Ponding occurs, on the average, more than once in 2 years. The chance of ponding is more than 50 percent in any year.

Cultural Resources: Office maps indicate there is a high probability for cultural/historical features within the parcel in question.

Preserved or Recognized Ecological Sites: None identified

Woodlands: None Identified

Agricultural Areas: Office Maps indicate there are no State designated agricultural areas on the parcel in question.

Land Evaluation Site Assessment (LESA)

The Land Evaluation Score for the parcel is 3.27 and the Site Assessment Score is 100, for a total LESA Score of 103.27 indicating the land use change has a moderate impact to existing land use and resources.

Vegetation: Information provided by the applicant indicates the site will be revegetated with native plantings. A management and monitoring plan will need to be developed in accordance with guidance from the Illinois Department of Natural Resources and the McHenry County Department of Planning & Development. It is recommended that early coordination with the McHenry County Department of Planning & Development occur to ensure the planting and monitoring plan adequately reflect the site conditions.

Agricultural Impact Mitigation Agreement: We have received notice from the Illinois Department of Agriculture that an Agricultural Impact Mitigation Agreement has been filed.

Potential Grassed Waterway: Aerial photographs indicate the possible presence of a grassed waterway within the northern half of the parcel. Site conditions at the time of the site visit prevented confirmation. Grassed waterways are constructed graded channels that are seeded to grass or other suitable vegetation. The vegetation slows the water, and the grassed waterway conveys the water to a stable outlet at a non-erosive velocity protecting the soil from concentrated flows. Grassed waterways significantly reduce gully erosion and should be maintained.



NATURAL RESOURCE INFORMATION REPORT (NRI)

NRI Report Number	26-004-4787		
Applicant's Name	NP Solar Farm LLC		
Size of Parcel	29.66 acres		
Zoning Change	Conditional Use - Solar Facility		
Parcel Index Number(s)	16-21-200-001		
Common Location	Undefined		
Contact Person	Paul Brown		
<i>Copies of this report or notification of the proposed land-use change were provided to:</i>	<i>yes</i>	<i>no</i>	
The Applicant		x	
The Applicant's Legal Representation/Consultant	x		
The Village/City/County Planning and Zoning Department or Appropriate Agency	x		

Report Prepared By: *Spring M. Duffey*

Position: *Executive Director*



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

JB Pritzker, Governor

Natalie Phelps Finnie, Director

September 09, 2025

Dr EVERTON Walters
Paul Brown
1275 Davis Road
Suite 110
Elgin, IL 60512 1304

RE: Anthony Rd Solar PV Plant
Project Number(s): 2605100
County: McHenry

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

However, the Department recommends:

Establishing pollinator-friendly habitat as groundcover wherever feasible. Solar Site Pollinator Establishment Guidelines can be found here:
<https://dnr.illinois.gov/conservation/pollinatorscorecard.html>

The site should be de-compacted before planting.

Long term management of the site should be planned for prior to development to ensure successful native pollinator habitat establishment and prevent the spread of invasive species throughout the lifetime of this project. An experienced ecological management consultant should be hired to assist with long-term management.

Required fencing, excluding areas near or adjacent to public access areas, should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Woven wire or a suitable habitat wildlife friendly fence should be used. Barbed wire should be avoided.

Trees should be cleared between November 1st and March 31st. All night lighting should follow IDA guidance.



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This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Isabella Newingham
Division of Ecosystems and Environment
217-785-5500

STANDARD AGRICULTURAL IMPACT MITIGATION AGREEMENT

between
NP Solar Farms, LLC

and the
ILLINOIS DEPARTMENT OF AGRICULTURE
Pertaining to the Construction of a Commercial Solar Energy Facility
in
McHenry County, Illinois

Pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147), the following standards and policies are required by the Illinois Department of Agriculture (IDOA) to help preserve the integrity of any Agricultural Land that is impacted by the Construction and Deconstruction of a Commercial Solar Energy Facility. They were developed with the cooperation of agricultural agencies, organizations, Landowners, Tenants, drainage contractors, and solar energy companies to comprise this Agricultural Impact Mitigation Agreement (AIMA).

NP Solar Farms, LLC, hereafter referred to as Commercial Solar Energy Facility Owner, or simply as Facility Owner, plans to develop and/or operate a 10.13-MWp Commercial Solar Energy Facility in McHenry County [GPS Coordinates: 42.18N, -88.65W], which will consist of up to 29.66 acres that will be covered by solar facility related components, such as solar panel arrays, racking systems, access roads, an onsite underground collection system, inverters and transformers and any affiliated electric transmission lines. This AIMA is made and entered between the Facility Owner and the IDOA.

If Construction does not commence within four years after this AIMA has been fully executed, this AIMA shall be revised, with the Facility Owner's input, to reflect the IDOA's most current Solar Farm Construction and Deconstruction Standards and Policies. This AIMA, and any updated AIMA, shall be filed with the County Board by the Facility Owner prior to the commencement of Construction.

The below prescribed standards and policies are applicable to Construction and Deconstruction activities occurring partially or wholly on privately owned agricultural land.

Conditions of the AIMA

The mitigative actions specified in this AIMA shall be subject to the following conditions:

- A. All Construction or Deconstruction activities may be subject to County or other local requirements. However, the specifications outlined in this AIMA shall be the minimum standards applied to all Construction or Deconstruction activities. IDOA may utilize any legal means to enforce this AIMA.
- B. Except for Section 17. B. through F., all actions set forth in this AIMA are subject to modification through negotiation by Landowners and the Facility Owner, provided such changes are negotiated in advance of the respective Construction or Deconstruction activities.
- C. The Facility Owner may negotiate with Landowners to carry out the actions that Landowners wish to perform themselves. In such instances, the Facility Owner shall offer Landowners the area commercial rate for their machinery and labor costs.

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- D. All provisions of this AIMA shall apply to associated future Construction, maintenance, repairs, and Deconstruction of the Facility referenced by this AIMA.
- E. The Facility Owner shall keep the Landowners and Tenants informed of the Facility's Construction and Deconstruction status, and other factors that may have an impact upon their farming operations.
- F. The Facility Owner shall include a statement of its adherence to this AIMA in any environmental assessment and/or environmental impact statement.
- G. Execution of this AIMA shall be made a condition of any Conditional/Special Use Permit. Not less than 30 days prior to the commencement of Construction, a copy of this AIMA shall be provided by the Facility Owner to each Landowner that is party to an Underlying Agreement. In addition, this AIMA shall be incorporated into each Underlying Agreement.
- H. The Facility Owner shall implement all actions to the extent that they do not conflict with the requirements of any applicable federal, state and local rules and regulations and other permits and approvals that are obtained by the Facility Owner for the Facility.
- I. No later than 45 days prior to the Construction and/or Deconstruction of a Facility, the Facility Owner shall provide the Landowner(s) with a telephone number the Landowner can call to alert the Facility Owner should the Landowner(s) have questions or concerns with the work which is being done or has been carried out on his/her property.
- J. If there is a change in ownership of the Facility, the Facility Owner assuming ownership of the Facility shall provide written notice within 90 days of ownership transfer, to the Department, the County, and to Landowners of such change. The Financial Assurance requirements and the other terms of this AIMA shall apply to the new Facility Owner.
- K. The Facility Owner shall comply with all local, state and federal laws and regulations, specifically including the worker protection standards to protect workers from pesticide exposure.
- L. Within 30 days of execution of this AIMA, the Facility Owner shall use Best Efforts to provide the IDOA with a list of all Landowners that are party to an Underlying Agreement and known Tenants of said Landowner who may be affected by the Facility. As the list of Landowners and Tenants is updated, the Facility Owner shall notify the IDOA of any additions or deletions.
- M. If any provision of this AIMA is held to be unenforceable, no other provision shall be affected by that holding, and the remainder of the AIMA shall be interpreted as if it did not contain the unenforceable provision.

Definitions

Abandonment

When Deconstruction has not been completed within 12 months after the Commercial Solar Energy Facility reaches the end of its useful life. For purposes of this definition, a Commercial Solar Energy Facility shall be presumed to have reached the end of its useful life if the Commercial Solar Energy Facility Owner fails, for a period of 6 consecutive months, to pay the Landowner amounts owed in accordance with an Underlying Agreement.

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Aboveground Cable	Electrical power lines installed above ground surface to be utilized for conveyance of power from the solar panels to the solar facility inverter and/or point of interconnection to utility grid or customer electric meter.
Agricultural Impact Mitigation Agreement (AIMA)	The Agreement between the Facility Owner and the Illinois Department of Agriculture (IDOA) described herein.
Agricultural Land	Land used for Cropland, hayland, pastureland, managed woodlands, truck gardens, farmsteads, commercial ag-related facilities, feedlots, livestock confinement systems, land on which farm buildings are located, and land in government conservation programs used for purposes as set forth above.
Best Efforts	Diligent, good faith, and commercially reasonable efforts to achieve a given objective or obligation.
Commercial Operation Date	The calendar date of which the Facility Owner notifies the Landowner, County, and IDOA in writing that commercial operation of the facility has commenced. If the Facility Owner fails to provide such notifications, the Commercial Operation Date shall be the execution date of this AIMA plus 6 months.
Commercial Solar Energy Facility (Facility)	A solar energy conversion facility equal to or greater than 500 kilowatts in total nameplate capacity, including a solar energy conversion facility seeking an extension of a permit to construct granted by a county or municipality before June 29, 2018. "Commercial solar energy facility" does not include a solar energy conversion facility: (1) for which a permit to construct has been issued before June 29, 2018; (2) that is located on land owned by the commercial solar energy facility owner; (3) that was constructed before June 29, 2018; or (4) that is located on the customer side of the customer's electric meter and is primarily used to offset that customer's electricity load and is limited in nameplate capacity to less than or equal to 2,000 kilowatts.
Commercial Solar Energy Facility Owner deemed (Facility Owner)	A person or entity that owns a commercial solar energy facility. A Commercial Solar Energy Facility Owner is not nor shall it be to be a public utility as defined in the Public Utilities Act.
County	The County or Counties where the Commercial Solar Energy Facility is located.
Construction	The installation, preparation for installation and/or repair of a Facility.
Cropland	Land used for growing row crops, small grains or hay; includes land which was formerly used as cropland, but is currently enrolled in a government conservation program; also includes pastureland that is classified as Prime Farmland.

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Deconstruction	The removal of a Facility from the property of a Landowner and the restoration of that property as provided in the AIMA.
Deconstruction Plan	A plan prepared by a Professional Engineer, at the Facility's expense, that includes: <ol style="list-style-type: none">(1) the estimated Deconstruction cost, in current dollars at the time of filing, for the Facility, considering among other things:<ol style="list-style-type: none">i. the number of solar panels, racking, and related facilities involved;ii. the original Construction costs of the Facility;iii. the size and capacity, in megawatts of the Facility;iv. the salvage value of the facilities (if all interests in salvage value are subordinate to that of the Financial Assurance holder if abandonment occurs);v. the Construction method and techniques for the Facility and for other similar facilities; and(2) a comprehensive detailed description of how the Facility Owner plans to pay for the Deconstruction of the Facility.
Department	The Illinois Department of Agriculture (IDOA).
Financial Assurance	A reclamation or surety bond or other commercially available financial assurance that is acceptable to the County, with the County or Landowner as beneficiary.
Landowner	Any person with an ownership interest in property that is used for agricultural purposes and that is party to an Underlying Agreement.
Prime Farmland	Agricultural Land comprised of soils that are defined by the USDA Natural Resources Conservation Service (NRCS) as "Prime Farmland" (generally considered to be the most productive soils with the least input of nutrients and management).
Professional Engineer	An engineer licensed to practice engineering in the State of Illinois.
Soil and Water Conservation District (SWCD)	A unit of local government that provides technical and financial assistance to eligible Landowners for the conservation of soil and water resources.
Tenant	Any person, apart from the Facility Owner, lawfully residing or leasing/renting land that is subject to an Underlying Agreement.
Topsoil	The uppermost layer of the soil that has the darkest color or the highest content of organic matter; more specifically, it is defined as the "A" horizon.
Underlying Agreement	The written agreement between the Facility Owner and the Landowner(s) including, but not limited to, an easement, option, lease, or license under the terms of which another person has constructed, constructs, or intends to construct a Facility on the property of the Landowner.

Underground Cable	Electrical power lines installed below the ground surface to be utilized for conveyance of power within a Facility or from a Commercial Solar Energy Facility to the electric grid.
USDA Natural Resources Conservation Service (NRCS)	An agency of the United States Department of Agriculture that provides America's farmers with financial and technical assistance to aid with natural resources conservation.

Construction and Deconstruction Standards and Policies

1. Support Structures

- A. Only single pole support structures shall be used for the Construction and operation of the Facility on Agricultural Land. Other types of support structures, such as lattice towers or H-frames, may be used on nonagricultural land.
- B. Where a Facility's Aboveground Cable will be adjacent and parallel to highway and/or railroad right-of-way, but on privately owned property, the support structures shall be placed as close as reasonably practicable and allowable by the applicable County Engineer or other applicable authorities to the highway or railroad right-of-way. The only exceptions may be at jogs or weaves on the highway alignment or along highways or railroads where transmission and distribution lines are already present.
- C. When it is not possible to locate Aboveground Cable next to highway or railroad right-of-way, Best Efforts shall be expended to place all support poles in such a manner to minimize their placement on Cropland (i.e., longer than normal above ground spans shall be utilized when traversing Cropland).

2. Aboveground Facilities

Locations for facilities shall be selected in a manner that is as unobtrusive as reasonably possible to ongoing agricultural activities occurring on the land that contains or is adjacent to the Facility.

3. Guy Wires and Anchors

Best Efforts shall be made to place guy wires and their anchors, if used, out of Cropland, pastureland and hayland, placing them instead along existing utilization lines and on land other than Cropland. Where this is not feasible, Best Efforts shall be made to minimize guy wire impact on Cropland. All guy wires shall be shielded with highly visible guards.

4. Underground Cabling Depth

- A. Underground electrical cables located outside the perimeter of the (fence) of the solar panels shall be buried with:
 1. a minimum of 5 feet of top cover where they cross Cropland.
 2. a minimum of 5 feet of top cover where they cross pastureland or other non-Cropland classified as Prime Farmland.
 3. a minimum of 3 feet of top cover where they cross pastureland and other Agricultural Land not classified as Prime Farmland.

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4. a minimum of 3 feet of top cover where they cross wooded/brushy land.
 - B. Provided that the Facility Owner removes the cables during Deconstruction, underground electric cables may be installed to a minimum depth of 18 inches:
 1. Within the fenced perimeter of the Facility; or
 2. When buried under an access road associated with the Facility provided that the location and depth of cabling is clearly marked at the surface.
 - C. If Underground Cables within the fenced perimeter of the solar panels are installed to a minimum depth of 5 feet, they may remain in place after Deconstruction.
- 5. Topsoil Removal and Replacement**
- A. Any excavation shall be performed in a manner to preserve topsoil. Best Efforts shall be made to store the topsoil near the excavation site in such a manner that it will not become intermixed with subsoil materials.
 - B. Best Efforts shall be made to store all disturbed subsoil material near the excavation site and separate from the topsoil.
 - C. When backfilling an excavation site, Best Efforts shall be used to ensure the stockpiled subsoil material will be placed back into the excavation site before replacing the topsoil.
 - D. Refer to Section 7 for procedures pertaining to rock removal from the subsoil and topsoil.
 - E. Refer to Section 8 for procedures pertaining to the repair of compaction and rutting of the topsoil.
 - F. Best Efforts shall be performed to place the topsoil in a manner so that after settling occurs, the topsoil's original depth and contour will be restored as close as reasonably practicable. The same shall apply where excavations are made for road, stream, drainage ditch, or other crossings. In no instance shall the topsoil materials be used for any other purpose unless agreed to explicitly and in writing by the Landowner.
 - G. Based on the mutual agreement of the landowner and Facility Owner, excess soil material resulting from solar facility excavation shall either be removed or stored on the Landowner's property and reseeded per the applicable National Pollution Discharge Elimination System (NPDES) permit/Stormwater Pollution Prevention Plan (SWPPP). After the Facility reaches the end of its Useful Life, the excess subsoil material shall be returned to an excavation site or removed from the Landowner's property, unless otherwise agreed to by Landowner.
- 6. Rerouting and Permanent Repair of Agricultural Drainage Tiles**
- The following standards and policies shall apply to underground drainage tile line(s) directly or indirectly affected by Construction and/or Deconstruction:
- A. Prior to Construction, the Facility Owner shall work with the Landowner to identify drainage tile lines traversing the property subject to the Underlying Agreement to the extent reasonably practicable. All drainage tile lines identified in this manner shall be shown on the Construction and Deconstruction Plans.

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B. The location of all drainage tile lines located adjacent to or within the footprint of the Facility shall be recorded using Global Positioning Systems (GPS) technology. Within 60 days after Construction is complete, the Facility Owner shall provide the Landowner, the IDOA, and the respective County Soil and Water Conservation District (SWCD) with "as built" drawings (strip maps) showing the location of all drainage tile lines by survey station encountered in the Construction of the Facility, including any tile line repair location(s), and any underground cable installed as part of the Facility.

C. Maintaining Surrounding Area Subsurface Drainage

If drainage tile lines are damaged by the Facility, the Facility Owner shall repair the lines or install new drainage tile line(s) of comparable quality and cost to the original(s), and of sufficient size and appropriate slope in locations that limit direct impact from the Facility. If the damaged tile lines cause an unreasonable disruption to the drainage system, as determined by the Landowner, then such repairs shall be made promptly to ensure appropriate drainage. Any new line(s) may be located outside of, but adjacent to the perimeter of the Facility. Disrupted adjacent drainage tile lines shall be attached thereto to provide an adequate outlet for the disrupted adjacent tile lines.

D. Re-establishing Subsurface Drainage Within Facility Footprint

Following Deconstruction and using Best Efforts, if underground drainage tile lines were present within the footprint of the facility and were severed or otherwise damaged during original Construction, facility operation, and/or facility Deconstruction, the Facility Owner shall repair existing drainage tiles or install new drainage tile lines of comparable quality and cost to the original, within the footprint of the Facility with sufficient capacity to restore the underground drainage capacity that existed within the footprint of the Facility prior to Construction. Such installation shall be completed within 12 months after the end of the useful life of the Facility and shall be compliant with Figures 1 and 2 to this Agreement or based on prudent industry standards if agreed to by Landowner.

E. If there is any dispute between the Landowner and the Facility Owner on the method of permanent drainage tile line repair, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

F. During Deconstruction, all additional permanent drainage tile line repairs beyond those included above in Section 6.D. must be made within 30 days of identification or notification of the damage, weather and soil conditions permitting. At other times, such repairs must be made at a time mutually agreed upon by the Facility Owner and the Landowner. If the Facility Owner and Landowner cannot agree upon a reasonable method to complete this restoration, the Facility Owner may implement the recommendations of the appropriate County SWCD and such implementation constitutes compliance with this provision.

G. Following completion of the work required pursuant to this Section, the Facility Owner shall be responsible for correcting all drainage tile line repairs that fail due to Construction and/or Deconstruction for one year following the completion of Construction or Deconstruction, provided those repairs were made by the Facility Owner. The Facility Owner shall not be responsible for drainage tile repairs that the Facility Owner pays the Landowner to perform.

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7. Rock Removal

With any excavations, the following rock removal procedures pertain only to rocks found in the uppermost 42 inches of soil, the common freeze zone in Illinois, which emerged or were brought to the site as a result of Construction and/or Deconstruction.

- A. Before replacing any topsoil, Best Efforts shall be taken to remove all rocks greater than 3 inches in any dimension from the surface of exposed subsoil which emerged or were brought to the site as a result of Construction and/or Deconstruction.
- B. If trenching, blasting, or boring operations are required through rocky terrain, precautions shall be taken to minimize the potential for oversized rocks to become interspersed in adjacent soil material.
- C. Rocks and soil containing rocks removed from the subsoil areas, topsoil, or from any excavations, shall be removed from the Landowner's premises or disposed of on the Landowner's premises at a location that is mutually acceptable to the Landowner and the Facility Owner.

8. Repair of Compaction and Rutting

- A. Unless the Landowner opts to do the restoration work on compaction and rutting, after the topsoil has been replaced post-Deconstruction, all areas within the boundaries of the Facility that were traversed by vehicles and Construction and/or Deconstruction equipment that exhibit compaction and rutting shall be restored by the Facility Owner. All prior Cropland shall be ripped at least 18 inches deep or to the extent practicable, and all pasture and woodland shall be ripped at least 12 inches deep or to the extent practicable. The existence of drainage tile lines or underground utilities may necessitate less ripping depth. The disturbed area shall then be disked.
- B. All ripping and disking shall be done at a time when the soil is dry enough for normal tillage operations to occur on Cropland adjacent to the Facility.
- C. The Facility Owner shall restore all rutted land to a condition as close as possible to its original condition upon Deconstruction, unless necessary earlier as determined by the Landowner.
- D. If there is any dispute between the Landowner and the Facility Owner as to what areas need to be ripped/disked or the depth at which compacted areas should be ripped/disked, the appropriate County SWCD's opinion shall be considered by the Facility Owner and the Landowner.

9. Construction During Wet Weather

Except as provided below, construction activities are not allowed on agricultural land during times when normal farming operations, such as plowing, disking, planting or harvesting, cannot take place due to excessively wet soils. With input from the landowner, wet weather conditions may be determined on a field by field basis.

- A. Construction activities on prepared surfaces, surfaces where topsoil and subsoil have been removed, heavily compacted in preparation, or otherwise stabilized (e.g. through cement mixing) may occur at the discretion of the Facility Owner in wet weather conditions.

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- B. Construction activities on unprepared surfaces will be done only when work will not result in rutting which may mix subsoil and topsoil. Determination as to the potential of subsoil and topsoil mixing will be made in consultation with the underlying Landowner, or, if approved by the Landowner, his/her designated tenant or designee.

10. Prevention of Soil Erosion

- A. The Facility Owner shall work with Landowners and create and follow a SWPPP to prevent excessive erosion on land that has been disturbed by Construction or Deconstruction of a Facility.
- B. If the Landowner and Facility Owner cannot agree upon a reasonable method to control erosion on the Landowner's property, the Facility Owner shall consider the recommendations of the appropriate County SWCD to resolve the disagreement.
- C. The Facility Owner may, per the requirements of the project SWPPP and in consultation with the Landowner, seed appropriate vegetation around all panels and other facility components to prevent erosion. The Facility Owner must utilize Best Efforts to ensure that all seed mixes will be as free of any noxious weed seeds as possible. The Facility Owner shall consult with the Landowner regarding appropriate varieties to seed.

11. Repair of Damaged Soil Conservation Practices

Consultation with the appropriate County SWCD by the Facility Owner shall be carried out to determine if there are soil conservation practices (such as terraces, grassed waterways, etc.) that will be damaged by the Construction and/or Deconstruction of the Facility. Those conservation practices shall be restored to their preconstruction condition as close as reasonably practicable following Deconstruction in accordance with USDA NRCS technical standards. All repair costs shall be the responsibility of the Facility Owner.

12. Compensation for Damages to Private Property

The Facility Owner shall reasonably compensate Landowners for damages caused by the Facility Owner. Damage to Agricultural Land shall be reimbursed to the Landowner as prescribed in the applicable Underlying Agreement.

13. Clearing of Trees and Brush

- A. If trees are to be removed for the Construction or Deconstruction of a Facility, the Facility Owner shall consult with the Landowner to determine if there are trees of commercial or other value to the Landowner.
- B. If there are trees of commercial or other value to the Landowner, the Facility Owner shall allow the Landowner the right to retain ownership of the trees to be removed and the disposition of the removed trees shall be negotiated prior to the commencement of land clearing.

14. Access Roads

- A. To the extent practicable, access roads shall be designed to not impede surface drainage and shall be built to minimize soil erosion on or near the access roads.

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- B. Access roads may be left intact during Construction, operation or Deconstruction through mutual agreement of the Landowner and the Facility Owner unless otherwise restricted by federal, state, or local regulations.
- C. If the access roads are removed, Best Efforts shall be expended to assure that the land shall be restored to equivalent condition(s) as existed prior to their construction, or as otherwise agreed to by the Facility Owner and the Landowner. All access roads that are removed shall be ripped to a depth of 18 inches. All ripping shall be performed consistent with Section 8.

15. Weed/Vegetation Control

- A. The Facility Owner shall provide for weed control in a manner that prevents the spread of weeds. Chemical control, if used, shall be done by an appropriately licensed pesticide applicator.
- B. The Facility Owner shall be responsible for the reimbursement of all reasonable costs incurred by owners of agricultural land where it has been determined by the appropriate state or county entity that weeds have spread from the Facility to their property. Reimbursement is contingent upon written notice to the Facility Owner. Facility Owner shall reimburse the property owner within 45 days after notice is received.
- C. The Facility Owner shall ensure that all vegetation growing within the perimeter of the Facility is properly and appropriately maintained. Maintenance may include, but not be limited to, mowing, trimming, chemical control, or the use of livestock as agreed to by the Landowner.
- D. The Deconstruction plans must include provisions for the removal of all weed control equipment used in the Facility, including weed-control fabrics or other ground covers.

16. Indemnification of Landowners

The Facility Owner shall indemnify all Landowners, their heirs, successors, legal representatives, and assigns from and against all claims, injuries, suits, damages, costs, losses, and reasonable expenses resulting from or arising out of the Commercial Solar Energy Facility, including Construction and Deconstruction thereof, and also including damage to such Facility or any of its appurtenances, except where claims, injuries, suits, damages, costs, losses, and expenses are caused by the negligence or intentional acts, or willful omissions of such Landowners, and/or the Landowners heirs, successors, legal representatives, and assigns.

17. Deconstruction Plans and Financial Assurance of Commercial Solar Energy Facilities

- A. Deconstruction of a Facility shall include the removal/disposition of all solar related equipment/facilities, including the following utilized for operation of the Facility and located on Landowner property:
 - 1. Solar panels, cells and modules;
 - 2. Solar panel mounts and racking, including any helical piles, ground screws, ballasts, or other anchoring systems;
 - 3. Solar panel foundations, if used (to depth of 5 feet);

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4. Transformers, inverters, energy storage facilities, or substations, including all components and foundations; however, Underground Cables at a depth of 5 feet or greater may be left in place;
 5. Overhead collection system components;
 6. Operations/maintenance buildings, spare parts buildings and substation/switching gear buildings unless otherwise agreed to by the Landowner;
 7. Access Road(s) unless Landowner requests in writing that the access road is to remain;
 8. Operation/maintenance yard/staging area unless otherwise agreed to by the Landowner; and
 9. Debris and litter generated by Deconstruction and Deconstruction crews.
- B. The Facility Owner shall, at its expense, complete Deconstruction of a Facility within twelve (12) months after the end of the useful life of the Facility.
- C. During the County permit process, or if none, then prior to the commencement of construction, the Facility Owner shall file with the County a Deconstruction Plan. The Facility Owner shall file an updated Deconstruction Plan with the County on or before the end of the tenth year of commercial operation.
- D. The Facility Owner shall provide the County with Financial Assurance to cover the estimated costs of Deconstruction of the Facility. Provision of this Financial Assurance shall be phased in over the first 11 years of the Project's operation as follows:
1. On or before the first anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover ten (10) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
 2. On or before the sixth anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover fifty (50) percent of the estimated costs of Deconstruction of the Facility as determined in the Deconstruction Plan.
 3. On or before the eleventh anniversary of the Commercial Operation Date, the Facility Owner shall provide the County with Financial Assurance to cover one hundred (100) percent of the estimated costs of Deconstruction of the Facility as determined in the updated Deconstruction Plan provided during the tenth year of commercial operation.

The Financial Assurance shall not release the surety from liability until the Financial Assurance is replaced. The salvage value of the Facility may only be used to reduce the estimated costs of Deconstruction if the County agrees that all interests in the salvage value are subordinate or have been subordinated to that of the County if Abandonment occurs.

NP Solar Farms, LLC
Standard Solar Agricultural Impact Mitigation Agreement

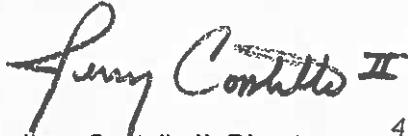
- E. The County may, but is not required to, reevaluate the estimated costs of Deconstruction of any Facility after the tenth anniversary, and every five years thereafter, of the Commercial Operation Date. Based on any reevaluation, the County may require changes in the level of Financial Assurance used to calculate the phased Financial Assurance levels described in Section 17.D. required from the Facility Owner. If the County is unable to its satisfaction to perform the investigations necessary to approve the Deconstruction Plan filed by the Facility Owner, then the County and Facility may mutually agree on the selection of a Professional Engineer independent of the Facility Owner to conduct any necessary investigations. The Facility Owner shall be responsible for the cost of any such investigations.
- F. Upon Abandonment, the County may take all appropriate actions for Deconstruction including drawing upon the Financial Assurance.

Concurrence of the Parties to this AIMA

The Illinois Department of Agriculture and NP Solar Farms, LLC concur that this AIMA is the complete AIMA governing the mitigation of agricultural impacts that may result from the Construction and Deconstruction of the solar farm project in McHenry County within the State of Illinois.

The effective date of this AIMA commences on the date of execution.

**STATE OF ILLINOIS
DEPARTMENT OF AGRICULTURE**



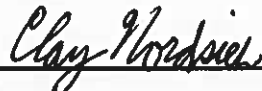
By: Jerry Costello II, Director ⁴

NP Solar Farms, LLC

Signed by:

E9REZZD808EAACE

By Paul Brown



By Clay Nordsiek, Deputy General Counsel

1275 Davis Rd, Suite 110,
Elgin IL 60123

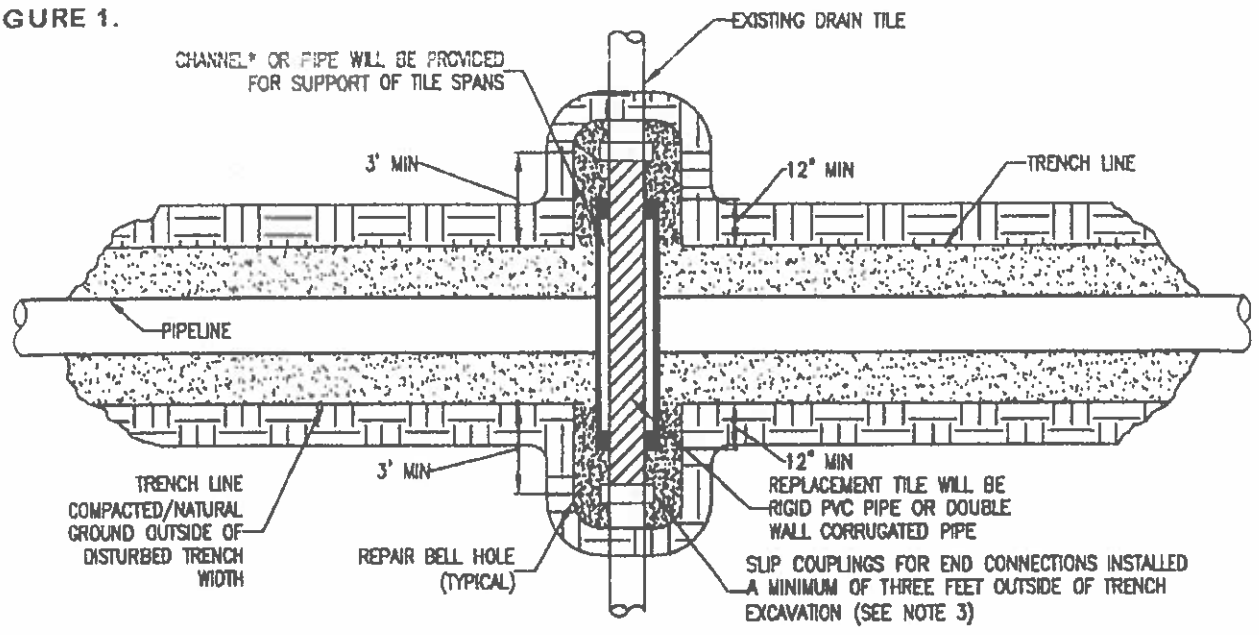
Address

801 E. Sangamon Avenue,
State Fairgrounds, POB 19281
Springfield, IL 62794-9281

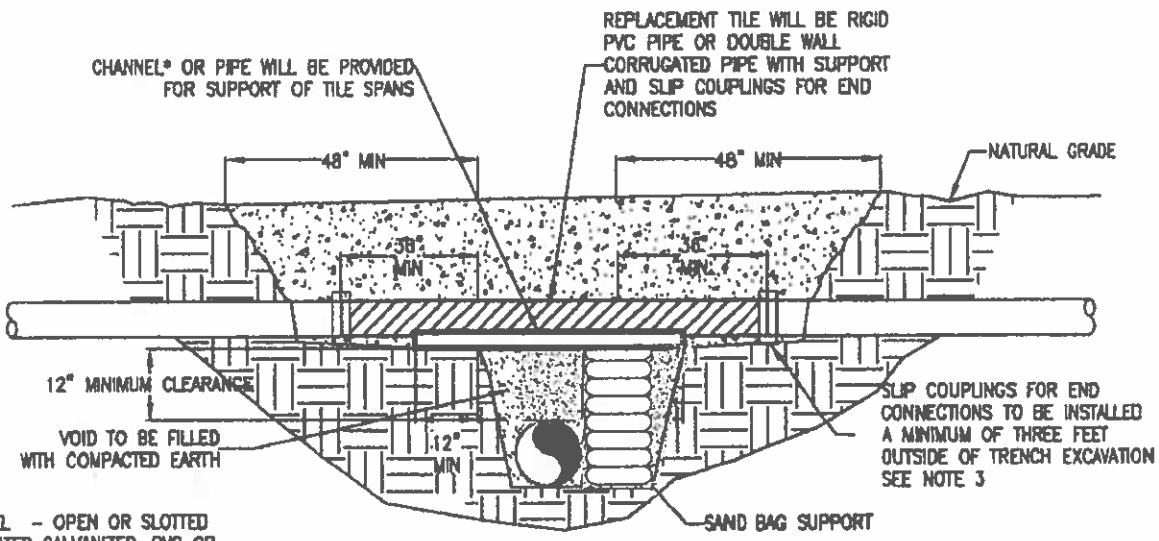
9/26, 2025

_____, 20____

FIGURE 1.



PLAN
N.T.S.



CROSS SECTION
N.T.S.

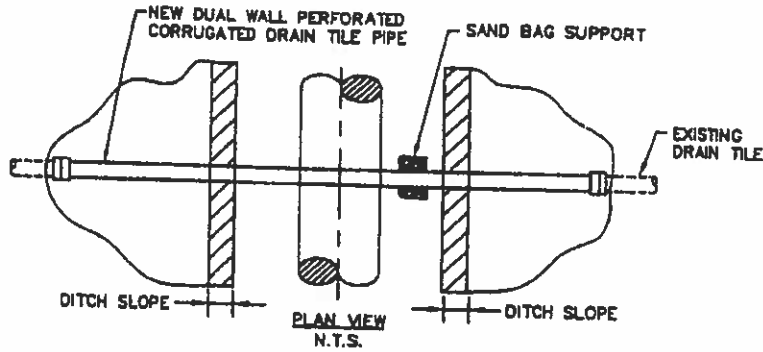
*CHANNEL - OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE TO SUPPORT DRAIN TILE.

NOTE:

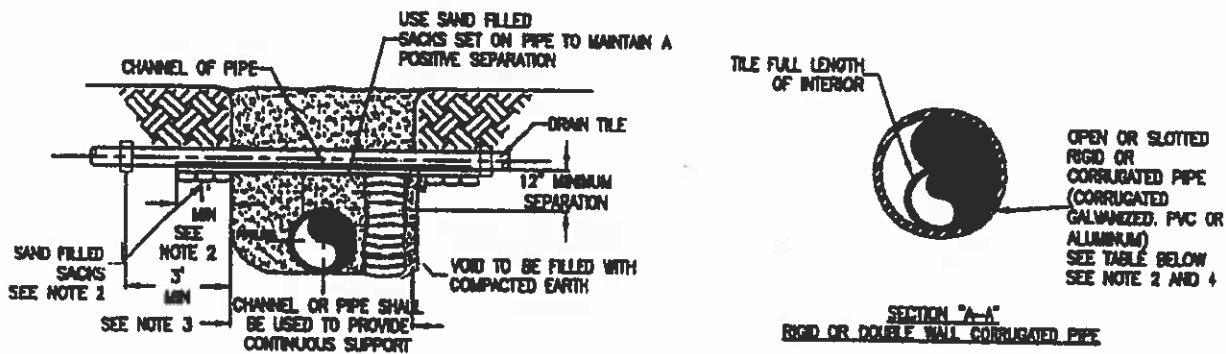
1. IMMEDIATELY REPAIR TILE IF WATER IS FLOWING THROUGH TILE AT TIME OF TRENCHING. IF NO WATER IS FLOWING AND TEMPORARY REPAIR IS DELAYED, OR NOT MADE BY THE END OF THE WORK DAY, A SCREEN OR APPROPRIATE 'NIGHT CAP' SHALL BE PLACED ON OPEN ENDS OF TILE TO PREVENT ENTRAPMENT OF ANIMALS ETC.
2. CHANNEL OR PIPE (OPEN OR SLOTTED) MADE OF CORRUGATED GALVANIZED PIPE, PVC OR ALUMINUM WILL BE USED FOR SUPPORT OF DRAIN TILE SPANS.
3. INDUSTRY STANDARDS SHALL BE FOLLOWED TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES.

TEMPORARY DRAIN TILE REPAIR

FIGURE 2.



PLAN VIEW



END VIEWS

MINIMUM SUPPORT TABLE				
TILE SIZE	CHANNEL SIZE		PIPE SIZE	
3"	4" @ 5.4	#/ft	4"	STD. WT.
4'-5"	5" @ 6.7	#/ft	8"	STD. WT.
8'-9"	7" @ 8.8	#/ft	8'-10"	STD. WT.
10"	10" @ 15.3	#/ft	12"	STD. WT.

NOTE:

1. TILE REPAIR AND REPLACEMENT SHALL MAINTAIN ORIGINAL ALIGNMENT GRADIENT AND WATER FLOW TO THE GREATEST EXTENT POSSIBLE. IF THE TILE NEEDS TO BE RELOCATED, THE INSTALLATION ANGLE MAY VARY DUE TO SITE SPECIFIC CONDITIONS AND LANDOWNER RECOMMENDATIONS.
2. 1'-0" MINIMUM LENGTH OF CHANNEL OR RIGID PIPE (OPEN OR SLOTTED CORRUGATED GALVANIZED, PVC OR ALUMINUM CRADLE) SHALL BE SUPPORTED BY UNDISTURBED SOIL, OR IF CROSSING IS NOT AT RIGHT ANGLES TO PIPELINE, EQUIVALENT LENGTH PERPENDICULAR TO TRENCH. SHIM WITH SAND BAGS TO UNDISTURBED SOIL FOR SUPPORT AND DRAINAGE GRADIENT MAINTENANCE (TYPICAL BOTH SIDES).
3. DRAIN TILES WILL BE PERMANENTLY CONNECTED TO EXISTING DRAIN TILES A MINIMUM OF THREE FEET OUTSIDE OF EXCAVATED TRENCH LINE USING INDUSTRY STANDARDS TO ENSURE PROPER SEAL OF REPAIRED DRAIN TILES INCLUDING SLIP COUPLINGS.
4. DIAMETER OF RIGID PIPE SHALL BE OF ADEQUATE SIZE TO ALLOW FOR THE INSTALLATION OF THE TILE FOR THE FULL LENGTH OF THE RIGID PIPE.
5. OTHER METHODS OF SUPPORTING DRAIN TILE MAY BE USED IF ALTERNATE PROPOSED IS EQUIVALENT IN STRENGTH TO THE CHANNEL/PIPE SECTIONS SHOWN AND IF APPROVED BY COMPANY REPRESENTATIVES AND LANDOWNER IN ADVANCE. SITE SPECIFIC ALTERNATE SUPPORT SYSTEM TO BE DEVELOPED BY COMPANY REPRESENTATIVES AND FURNISHED TO CONTRACTOR FOR SPANS IN EXCESS OF 20', TILE GREATER THEN 10" DIAMETER, AND FOR "HEADER" SYSTEMS.
6. ALL MATERIAL TO BE FURNISHED BY CONTRACTOR.
7. PRIOR TO REPAIRING TILE, CONTRACTOR SHALL PROBE LATERALLY INTO THE EXISTING TILE TO FULL WIDTH OF THE RIGHTS OF WAY TO DETERMINE IF ADDITIONAL DAMAGE HAS OCCURRED. ALL DAMAGED/DISTURBED TILE SHALL BE REPAIRED AS NEAR AS PRACTICABLE TO ITS ORIGINAL OR BETTER CONDITION.

PERMANENT DRAIN TILE REPAIR