SPECIAL USE PERMIT APPLICATION
FOR
PROSPERITY WIND

PROSPERITY WIND

PROSPERITY WIND, LLC
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JULY 2023
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Signature:  

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# TABLE OF CONTENTS

1.0 INTRODUCTION ........................................................................................................... 1

1.1 Special Use Permit Application Checklist ................................................................. 3

2.0 THIS APPLICATION ACCOMPLISHES THE PURPOSE OF PIATT COUNTY’S WECS ORDINANCE .......................................................... 6

3.0 SPECIAL USE PERMIT APPLICATION REQUIREMENTS: §V .................................. 7

3.1 WECS Project Summary: §V.B.1 ............................................................................... 7

3.2 Applicant Description and Contact Information: §V.B.2 ........................................... 8

3.3 Project Participants: §V.B.2 .................................................................................... 8

3.4 Waivers from Setback Requirements: §V.B.3 ............................................................ 9

3.5 Waivers from Shadow Flicker Requirements: §V.B.4 ............................................... 9

3.6 Preliminary Site Plan: §V.B.5 .................................................................................... 10

3.7 Landscape Plan: §V.B.6 ........................................................................................... 10

3.8 Supporting Documentation: §V.B.7 ........................................................................... 11

3.8.1 Substantial Investment in the Community and Community Engagement .................. 11

3.8.2 Economic Benefits ............................................................................................... 11

3.8.3 Property Value Impact Study ................................................................................ 13

3.9 FAA Permit Applications: §V.B.8 ............................................................................. 13

3.10 Financial Assurance: §V.B.9 .................................................................................. 14

3.11 Additional Information: §V.B.10 .............................................................................. 14

3.12 Agricultural Impact Mitigation Agreement: §V.B.11 .................................................. 15

3.13 Proposed Decommissioning Plan: §V.B.12 ............................................................. 16

3.14 Avoidance of Protected Lands§V.B.13 ................................................................... 16

3.15 Notification to Mahomet Valley Water Aquifer Authority: §V.B.14 ...................... 16

3.16 Draft Road Use Agreement: §V.B.15 ........................................................................ 16

3.17 Good Neighbor Plan: §V.B.16 ................................................................................. 18

3.18 SUP Application Copies: §V.B.17 .......................................................................... 18

3.19 Map of Overlapping Drainage District(s): §V.B.18 .................................................. 18

4.0 Fees: §VI ..................................................................................................................... 20

5.0 Design and Installation: §VII ....................................................................................... 21

5.1 Design Safety Certification: §VII.A .......................................................................... 21

5.2 Controls and Brakes: §VII.B ..................................................................................... 21

5.3 Electrical Components: §VII.C ................................................................................ 21

5.4 Aesthetics and Color: §VII.D ................................................................................... 22

5.5 Turbine Consistency: §VII.E ..................................................................................... 22

5.6 Federal Aviation Administration: §VII.F ................................................................. 22

5.7 Lighting: §VII.G ...................................................................................................... 22

5.7.1 FAA Approval of the Prosperity Wind Aircraft Detection Lighting System ........ 23

5.7.2 Prosperity Wind’s Lighting Plan .......................................................................... 23

5.8 Warnings: §VII.H .................................................................................................... 24

5.9 Climb Prevention: §VII.I ......................................................................................... 24

5.10 Height: §VII.J ......................................................................................................... 24

5.11 Blade Clearance: §VII.K ......................................................................................... 25

5.12 Turbine Setbacks: §VII.L ....................................................................................... 25
5.13 Drainage Repair: §VII.M ................................................................. 26
5.14 Compliance with Additional Regulations: §VII.N ............................ 26
5.15 Use of Public Roads: §VII.O ..................................................... 31
5.16 911 Addressing: §VII.P .............................................................. 31
5.17 Terms: §VII.Q ........................................................................... 31
5.18 Use of Drainage District Facilities/Drainage to Farmland: §VII.R ... 31

6.0 Project Operations: §VIII .................................................................. 33
6.1 Project Maintenance: §VIII.A .......................................................... 33
6.2 Site Assessment: §VIII.B ................................................................. 33
6.3 Communications Analysis - Interference: §VIII.C ............................. 33
6.4 Coordination with Local Fire Department: §VIII.D ......................... 34
6.5 Water, Sewer, Materials Handling, Storage, and Disposal: §VIII.E 35
6.6 Shadow Flicker: §VIII.F .................................................................. 35

7.0 Noise Levels: §IX ........................................................................... 37
7.1 IPCB Noise Regulations ..................................................................... 37
7.2 Sound Modeling Report ..................................................................... 37

8.0 Additional Terms and Conditions: §X ................................................ 39
8.1 Compliance with the Professional Engineering Practice Act of 1989: §X.1 39
8.2 Inspections: §X.2 ........................................................................... 39
8.3 Access Road Gates: §X.3 ................................................................. 39
8.4 Special Use Permit shall bind and inure: §X.4 .................................... 39
8.5 Approved Entrances: §X.5 ................................................................. 39
8.6 Telecommunication Interference: §X.6 ............................................ 39
8.7 Icing Conditions: §X.7 .................................................................... 39

9.0 Birds: §XI ......................................................................................... 41

10.0 Public Participation: §XII ................................................................. 43

11.0 Complaint Resolution: §XIII ........................................................... 44

12.0 Liability Insurance and Indemnification: §XIV .................................. 45

13.0 Hearing Factors: §XV ................................................................. 46

14.0 As-Built Map and Plans .................................................................... 52

15.0 Decommissioning Plan (Cessation of Operations): §XVI .................. 53

16.0 WECS Building Permit Submittal Checklist ................................... 55

LIST OF TABLES

Table 1.1-1 SUP Application Key to WECS Ordinance Requirements .......... 3
Table 3.8-1 Economic Impact of the Prosperity Wind Project .................... 12
Table 5.12-1 Turbine Setback Requirements for WECS Projects ............... 25
Table 5.14-1 List of Potential Federal, State, and Local Approvals ............. 27
Table 7.1-1  Allowable Octave Band Sound Pressure Levels (dBZ) of Sound Emitted to Receiving Class A Land from Class C Land
Table 9.0-1  Prosperity Wind’s Habitat Avoidance Measures
Table 16.0-1  WECS Building Permit Submittal Checklist

LIST OF APPENDICES

Appendix A  Landowner Contact Information and Agreements

1. Landowner Names, Addresses, and Agreement Information1 (V.B.2)
2. Evidence of Recorded Site Control Documents1 (V.B.2)
3. Template Lease and Easement Agreement for Wind Energy Project (V.B.3 and V.B.4)
4. Template Wind Farm Participation and Support Agreement (V.B.3 and V.B.16)
5. Template Grant of Easement and Easement Agreement for Underground Facilities (V.B.3)
6. Template Grant of Easement and Easement Agreement for Transmission Facilities (V.B.3)
7. Template Access Road Gate and Tower Landscape Waiver (VII.D and X.3)

Appendix B  Project Maps

1. Project Summary (V.B.1)
2. Site Control (V.B.2)
3. Turbine Setbacks (VII.L)
4. Preliminary Site Plan (V.B.5)
5. Avoidance of Protected Lands (V.B.13)
6. Overlapping Drainage District(s) (V.B.18)

Appendix C  Supporting Documentation (V.B.7)

1. Economic Impact Analysis
2. Property Values Market Impact Analysis
3. Natural Resource Impact Assessment

Appendix D  Project Agreements and Drainage District Contacts

1. Agricultural Impact Mitigation Agreement (V.B.11)
2. Piatt County Draft Road Use Agreement including Draft Financial Assurance (V.B.15)
3. Blue Ridge Township Draft Road Use Agreement including Draft Financial Assurance (V.B.15)
4. Goose Creek Township Draft Road Use Agreement including Draft Financial Assurance (V.B.15)
5. Table of Overlapping Drainage District Commissioners and their Attorneys (V.B.18)

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1 These appendices include a hyperlink to site control documents that are in process or have been recorded at the Piatt County Recorder.

Appendix E  Project Studies, Reports, and Plans

1. Landscape Plan (V.B.6)
2. Telecommunications Studies and NTIA Letter (VIII.C)
3. Draft Emergency Management Plan (VIII.D)
4. Shadow Flicker Report (VIII.F)
5. Sound Modeling Report (IX)
6. Wildlife Habitat Assessment including IDNR EcoCAT (XI)
7. Draft Decommissioning Plan including Draft Financial Assurance (XVI)

Appendix F  Airspace Compliance

1. Federal Aviation Administration Determination of No Hazard for 53 turbine locations in the Project Area at a turbine height up to 620 feet (V.B.8 and VII.F)
2. U.S. Department of Defense Letter
3. Federal Aviation Administration Determination of No Hazard for Aircraft Detection Lighting System (VII.G)
4. Federal Aviation Administration Approved Marking and Lighting Plan (VII.G)
1.0 INTRODUCTION

Prosperity Wind, LLC (Applicant or Prosperity Wind), an indirect subsidiary of Apex Clean Energy Holdings, LLC (Apex), submits this Special Use Permit (SUP) Application (Application) to construct the Prosperity Wind Project (Project). The Project complies with local ordinances and federal and state law and regulations. This Application demonstrates compliance with these requirements, meets the standards that protect local property rights and interests, protects the natural environment and natural resources, and economically benefits the community.

Many different portions of the Piatt County community support this Project. For example, nearly 35,000 acres of family farms in the county have signed up to participate in the Project. For these families, the Project will provide direct payments every year for at least thirty years. Thus, the Project represents critical revenue for these Piatt County farms. Piatt County school districts support this Project because it will be a source of local, guaranteed tax revenue that can improve the schools, rather than being dependent on limited state funding that may change every year. Similarly, the Project will bring improved roads and millions of dollars to the county and township road districts. Specifically, this Application includes draft road use agreements that include the same $15.4 million in surface repair payments and $3 million in road permit fees that the Piatt County Board unanimously approved for a different wind project earlier this year. Thus, Piatt County and other critical County services will all benefit from the Project. This Application is an opportunity for Piatt County to enjoy all of these benefits without having to raise any taxes. We ask the County Board to approve the Project and enable Piatt County and its many participating residents to benefit from the Project.

Prosperity Wind is submitting this Application approximately seven weeks after Piatt County updated its WECS Ordinance to come into compliance with a newly passed state law. Under that law, an application “shall be approved” if it meets the specifications of the law, ordinance provisions that comply with that law, and any other applicable federal or state regulations. As demonstrated below, this Application meets all such requirements and, in many instances, far exceeds them. Thus, this Application “shall be approved.”

Brief Project Description

The Project is located in Blue Ridge and Goose Creek townships in Piatt County, Illinois. The Project will generate approximately 300 megawatts (MW), utilizing the Vestas V162 6.0 MW turbine. This Application seeks siting approval for 53 turbine locations and associated supporting facilities for construction and operation of the Project. We note that only 50 turbines will be constructed, as noted throughout the Application, and three sites are treated as spare locations if construction issues arise with any of the sited turbines. The Project parcels are depicted on the Site Control Map and the Preliminary Site Plan in Appendix B. The Applicant controls the rights to develop the Project on the Project parcels; all landowners have voluntarily signed agreements to participate in the Project. The Project location was selected based on the area’s strong wind resources, land use, landowner interest to host Project facilities, and proximity to existing

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2 We note that Project development occurs over an extended period of years during which various studies are conducted to determine the viability of a project. Apex Clean Energy, or a subsidiary of Apex, may have commissioned some studies or reports referenced in this application. The Applicant may update the Application from time to time as needed and/or as requested by the Piatt County Board (Board), the Piatt County Engineer, the Zoning Board of Appeals or the County’s designee. The Application will be considered final at the time the Piatt County Board votes to approve it, including any conditions imposed by the County Board.
transmission infrastructure. The Project will produce equivalent energy as would be needed to power approximately 99,000 homes annually.

Apex intends to own and operate Prosperity Wind, LLC, and no plans exist to sell the Project to another operator.

**Brief Overview of Standards**

Piatt County amended its WECS Ordinance on May 17, 2023, and this Application complies with the WECS Ordinance “unless the WECS Ordinance conflicts with the state “Wind Siting Statute”, 55 ILCS 5/12020. The Wind Siting Statute and the WECS Ordinance require that a request for a special use permit “shall be approved if the request is in compliance with the standards and conditions imposed in this Act...” The Wind Siting Statute does not allow Piatt County to impose conditions that conflict with or are more restrictive than the Wind Siting Statute. Prosperity Wind demonstrates in this Application that it satisfies both the current WECS Ordinance and the Wind Siting Statute. In the case of any conflict between the WECS Ordinance and the Wind Siting Statute, such conflict and the resolution of the conflict will be noted in the text of the Application.

Because the Wind Siting Statute requires the County Board to hold a public hearing, allows the County Board to attach conditions that do not conflict with the Wind Siting Statute, and requires a hearing allowing public comment, the Wind Siting Statute protects the due process interests and the use and enjoyment of property interests held by Prosperity Wind and the residents of Piatt County. The Applicant respectfully requests that the Board vote to approve the Application and issue Prosperity Wind a Special Use Permit to construct and operate the Project.

**ORGANIZATION OF THIS APPLICATION**

This Application is organized with several purposes in mind. First, the Application supplies all the information necessary to satisfy the criteria for issuance of the Special Use Permit as set forth in the WECS Ordinance. Next, the Application sets forth the various components that are necessary to construct and operate the Project. Last, the Application clearly identifies the differences between the documents and information required for the Special Use Permit and those that are required to obtain WECS Building Permits. To that end, not all details of the Project are final at the time of Application submittal. Where appropriate, this Application explains the type of information that will be gathered after issuance of the Special Use Permit and prior to WECS Building Permit.

The Application follows the WECS Ordinance structure, specifically identifying each section of the WECS Ordinance and how it has been satisfied:

- **Section 2**: Reviews the Special Use Permit process set forth in Section XVII of the Ordinance.

- **Section 3**: Sets forth Siting Approval Permit Application Requirements found in Section V of the Ordinance.

- **Section 4**: Sets forth the fees for the project set forth in Section VI of the Ordinance.

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3 After obtaining siting approval, Prosperity Wind must demonstrate that it has met all conditions of the Special Use Permit prior to beginning construction and must obtain WECS Building Permits that demonstrate that it has satisfied those conditions. The WECS Building Permit application will be reviewed by the County’s designee or a third-party consultant engaged for this purpose, and the Applicant includes a checklist at the end of this Application to serve as an initial roadmap for what is required by the WECS Ordinance prior to construction. This checklist will be updated as required to include conditions imposed by the Board in its approval.
• Section 5: Provides documentation concerning how the Project does or will meet the Design and Installation Standards found in Section VII of the Ordinance.

• Section 6: Sets forth how the Project meets or will meet the Operations standards set forth in Section VIII of the Ordinance.

• Section 7: Sets forth how the Project complies with the noise levels set forth in Section IX of the Ordinance.

• Section 8: Discusses additional terms and conditions set forth in Section X of the Ordinance.

• Section 9: Provides documentation concerning birds as set forth in Section XI of the Ordinance and includes documentation concerning bats as discussed with state and federal wildlife agencies.

• Section 10: Discusses Public Participation as set forth in Section XII of the Ordinance.

• Section 11: Discusses Complaint Resolution as set forth in Section XIII of the Ordinance.

• Section 12: Provides documentation Sets forth Liability Insurance requirements set forth in Section XIV of the Ordinance.

• Section 13: Reviews how the Project meets the applicable Hearing Factors set forth in Section XV of the Ordinance.

• Section 14: Describes As-Built Plans set forth in Section XV of the Ordinance.

• Section 15: Sets forth the Decommissioning Plan provisions set forth in Section XVI of the Ordinance.

• Section 16: Identifies those items defined in the WECS Ordinance as required for the WECS Building Permit.

1.1 Special Use Permit Application Checklist

This SUP Application provides a Project narrative, supporting studies, maps, required agreements, and other related documentation that demonstrates that this Project will comply with the applicable provisions of the WECS Ordinance. These standards were developed by the State of Illinois and Piatt County to assure that any SUP authorized by the County Board will comply with the Ordinance. Table 1.1-1 is a detailed cross reference sheet, which notes the sections of the WECS Ordinance Requirements applicable to this Project and the corresponding information contained in this Application required to demonstrate compliance with the WECS Ordinance.

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<tr>
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<th>Requirement</th>
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<tr>
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<td>Special Use Permit Application</td>
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<td>V.B.1</td>
<td>A WECS Project Summary</td>
<td>3.1 and Appendix B</td>
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<td>Applicant Description and Contact Information</td>
<td>3.2</td>
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<tr>
<td>V.B.2</td>
<td>Project Participant Contact Information</td>
<td>3.3 and Appendix A</td>
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<tr>
<td>WECS Ordinance Reference</td>
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<td>3.4 and Appendix A</td>
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<td>Waivers from Shadow Flicker Requirements</td>
<td>3.5 and Appendix A</td>
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<td>V.B.5</td>
<td>Preliminary Site Plan</td>
<td>3.6 and Appendix B</td>
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<td>V.B.6</td>
<td>Landscape Plan</td>
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<td>3.8.3</td>
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<td>V.B.8</td>
<td>FAA Permit Applications</td>
<td>3.9 and Appendix F</td>
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<td>Financial Assurance</td>
<td>3.10</td>
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<tr>
<td>V.B.10</td>
<td>Additional Information</td>
<td>3.11 and Appendix C</td>
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<td>Agricultural Impact Mitigation Agreement</td>
<td>3.12 and Appendix D</td>
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<td>Proposed Decommissioning Plan</td>
<td>3.13 and Appendix E</td>
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<td>Avoidance of Protected Lands</td>
<td>3.14 and Appendix B</td>
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<tr>
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<td>Notification to Mahomet Valley Water Aquifer Authority</td>
<td>3.15</td>
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<td>Draft Road Use Agreement</td>
<td>3.16 and Appendix D</td>
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<td>V.B.16</td>
<td>Good Neighbor Plan</td>
<td>3.17 and Appendix A</td>
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<td>5.4 and Appendix A</td>
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2.0 THIS APPLICATION ACCOMPLishes THE PURPOSE OF PIATT COUNTY’S WECS ORDINANCE

Piatt County’s Wind Energy Conversion System (WECS) Ordinance opens with a statement of purpose.

*This Ordinance is adopted for the following purposes:*

1. To assure that any development and production of wind-generated electricity in Piatt County is safe and effective; [and]

2. To facilitate economic opportunities for local residents.

This Application accomplishes these purposes. As discussed in the pages that follow, this Project is safe and effective. Every regulatory or reviewing entity that has evaluated the safety and effectiveness of this Project has approved it. From the Federal Aviation Administration and the Department of Defense, who both found that the Project will not interfere with airspace or national security, to the 1,300-page culvert study that shows that the Project will actually improve drainage flow in Piatt County, this Project has been thoroughly reviewed and is safe and effective. As further examples, this Application includes a well drawdown hydrology study that concludes that the Project will not impact the Mahomet Aquifer and it includes a natural resource impact assessment that concludes that Piatt County’s farmland, soil, and other natural resources will be protected. Thus, prong one of the WECS Ordinance statement of purpose has been met.

Similarly, this Project facilitates economic opportunities for local residences and for Piatt County. As discussed in more detail below, these economic opportunities include:

- Up to $210 million in lease payments made to Piatt County farms;
- Over $57 million in school district revenue for Piatt County schools; and
- Over $91 million in local property taxes for Piatt County taxing districts.

These economic opportunities for Piatt County residences mean significant revenue in the County, all without raising taxes. Thus, the second prong of the WECS Ordinance statement of purpose has been met.
3.0 SPECIAL USE PERMIT APPLICATION REQUIREMENTS: §V

3.1 WECS Project Summary: §V.B.1

The Project includes approximately 23,900 acres of agricultural land (Project Area) in Blue Ridge and Goose Creek Townships of northern Piatt County, Illinois. The Project is roughly bounded by the Piatt-McLean County line to the north, the Piatt-Dewitt County line to the west, Goose Creek to the south, and the Norfolk Southern railroad between Monticello and Mansfield to the east and the Piatt-Champaign County line to the east north of Interstate 74.

The Project will be approximately 300 MW nameplate generating capacity and comprised of 50 wind turbines. Prosperity Wind is proposing to use the Vestas V162 6.0 MW turbine at 344.5 feet (105 meters) hub height with a rotor diameter of 531.5 feet (162 meters) and a tip height of 610.2 feet (186 meters). Throughout Sections 3 and 5-15 of this Application, Prosperity Wind demonstrates compliance with the SUP standards for the Vestas V162 turbine.

In addition to wind turbines, the Project will consist of:

- Access roads to each turbine.
- Underground 34.5 kilovolt (kV) electrical collector lines connecting the turbines to the collector substation and associated facilities.
- Underground fiber-optic cable for turbine communications co-located with the collector lines.
- A 34.5 kV to 345 kV “step-up” Project substation owned by Prosperity Wind.
- An O&M building co-located with the Project substation.
- Three temporary LiDAR units, one of which will be operational for the life of the Project.
- An Aircraft Detection Lighting System (ADLS), which has been approved by the FAA.
- Temporary construction facilities such as laydown yards and a concrete batch plant.
- A 2.25-mile 345 kV overhead transmission line.

Electricity generated by the Project will be delivered to a single point of interconnection on the existing overhead Goose Creek Energy Center to Maroa East 345 kV transmission line running southwest-northeast through the southern portion of the Project Area. Project facilities are included on the Preliminary Site Plan in Appendix B.

The Project Area is largely utilized for agricultural purposes with corn and soybeans as the predominant crops. All wind turbines will be located on land currently used for growing crops with each turbine utilizing approximately 0.06 acres of land per turbine. In some cases, new access roads will be developed while in other cases, existing field roads will be upgraded. Applicant, landowners, their designees, and tenant farmers can use or continue to use the access roads for agricultural purposes. Collectively, the footprint of the turbines, access roads, Project substation, O&M building, and ADLS radar tower are less than 40 acres spread out over nearly 40 square miles. In addition, construction and operation of the Project will not significantly affect current land use in the Project Area, and crop production can continue up to and surrounding the wind turbines and access roads. Outside of the small amount of land actually needed to site the wind farm, the remaining land of participating and neighboring farms is unaffected and can continue to be farmed.
unlike other more intrusive developments that might not be consistent with the rural character of the community.

This portion of Piatt County is considered an excellent location for constructing and operating a wind farm. The area contains large, open, and flat farmland, a strong wind resource, close proximity to existing transmission infrastructure, interested landowners and broad community support, readily accessible transportation routes for delivery and construction of turbine components, and suitable topography to support turbine foundations.

### 3.2 Applicant Description and Contact Information: §V.B.2

Founded in 2009, Apex is an American company focused on bringing utility-scale generation facilities to market. Apex’s mission-driven team of more than 400 professionals uses a data-focused approach and an unrivaled portfolio of projects to create solutions for the world’s most innovative and forward-thinking customers. Headquartered in Charlottesville, Virginia, Apex is expanding the renewable frontier across the United States.

Apex’s track record of successful transactions and strong relationships in the global financial community underpin its capabilities: since the company’s founding, Apex has commercialized more than 30 projects totaling nearly 8 gigawatts (GWs) of capacity, and more than two dozen Apex-originated wind and solar facilities are now operating around the country, totaling approximately 6.5 GW.

Importantly, Apex intends to operate Prosperity Wind LLC and will not seek another company to operate the Project.

Apex Clean Energy’s Project contacts for Prosperity Wind are:

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Company</th>
<th>Address</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alan Moore</td>
<td>Senior Development Manager</td>
<td>Apex Clean Energy</td>
<td>120 Garrett Street, Suite 700, Charlottesville, VA 22902</td>
<td>(434) 328-2303</td>
<td><a href="mailto:alan.moore@apexcleanenergy.com">alan.moore@apexcleanenergy.com</a></td>
</tr>
<tr>
<td>Scott Koziar</td>
<td>Vice President of Development, West</td>
<td>Apex Clean Energy</td>
<td>120 Garrett Street, Suite 700, Charlottesville, VA 22902</td>
<td>(434) 328-2303</td>
<td><a href="mailto:scott.koziar@apexcleanenergy.com">scott.koziar@apexcleanenergy.com</a></td>
</tr>
</tbody>
</table>

The Applicant, Owner, and Operator of the WECS are:

Prosperity Wind, LLC
120 Garrett Street, Suite 700
Charlottesville, VA 22902

### 3.3 Project Participants: §V.B.2

Community support for the Project has been overwhelmingly positive, with 92 agreements signed by Piatt County families and farmers, totaling over 19,100 acres across 211 parcels. As discussed in more detail in the Soil and Farmland Impact Analysis, over 99% of this land will remain untouched; however, the land is included within the Project to satisfy setback requirements and other protections. All the land included in the Prosperity Wind Project has been secured through agreements that were voluntarily signed. The names, addresses, and signatures of the...
Participating Landowners in the Project, as well as a hyperlink to recorded memoranda reflecting lease or easement agreements entered into with Participating Landowners, and forms of agreements, including waivers, can be found in Appendix A of the Application. 4

Prosperity Wind has signed additional agreements for parcels outside the Project Area that are not included in this Application (14,225 acres). These parcels are denoted as Additional Prosperity Wind Allies on Figure B.2 and represent additional landowners who will share in the economic benefits of the Project but for which Prosperity Wind is not requesting a Special Use Permit. Prosperity Wind has completed its site control efforts and does not anticipate any additional agreements. Collectively, Participating Landowners within the Project Area and Additional Prosperity Wind Allies total nearly 35,000 acres.

All Project participants, both within and outside the Project Area, will receive payments during the life of the Project. The Project’s compensation package will provide approximately $210 million in payments to Project participants over the course of the Project’s 30-year life. 5

3.4  Waivers from Setback Requirements: §V.B.3

Waivers of setback requirements are contained in leases with participating property owners. As required by the Piatt County WECS Ordinance, all setback waiver documents are recorded, evidencing a stamp from the Piatt County Recorder. Due to delays in recording, some documents have not been returned with stamps but all documents have been submitted to the County Recorder’s Office. As the recorded documents are received, the landowner list in Appendix A will be updated with a link to the recorded document. A form lease with the relevant setback waiver language is included in Appendix A. Prosperity Wind also has other types of agreements with landowners that waive setbacks – Wind Farm Participant and Support Agreements, and, in some cases, easements for underground facilities and easements for transmission facilities. These form agreements are also included in Appendix A. Prosperity Wind notes that these form agreements are templates, and, in some cases, individual terms are negotiated by the landowner. (Section 5.12 of this Application demonstrates Prosperity Wind’s compliance with the minimum setback requirements for both participating and non-participating property owners.)

3.5  Waivers from Shadow Flicker Requirements: §V.B.4

As detailed in Section 6.6 of this Application, Prosperity Wind has designed the Project such that no participating residences, non-participating residences, or occupied community buildings receive more than 30 hours of shadow flicker per year, and therefore, no waivers from shadow flicker requirements are required.

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4 For privacy reasons we have not included telephone numbers on the lists, even though those are requested by the WECS Ordinance. Phone numbers can be provided upon request for a valid purpose relating to this Application.

5 This includes parties who have entered into leases and easements, easements for underground facilities, easements for transmission facilities, and Wind Farm Participation and Support Agreements. The compensation formula in the full landowner leases includes a community pool in which landowners receive payments for signed acreage, turbines hosted on signed parcels, and other facilities installed on signed parcels such as underground collection cables and turbine access roads. This type of lease agreement pays all participants, even those that do not get the opportunity to host wind facilities on their property. Some landowners chose not to sign a full lease but were willing to host only underground collection cables and are paid to host these facilities only. And finally, some landowners chose not to host turbines or any associated facilities but nonetheless wanted to support the project through wind farm participation and support agreements that offer an annual payment.
3.6 Preliminary Site Plan: §V.B.5

Project facilities are included on the Preliminary Site Plan in Appendix B. This Preliminary Site Plan includes the proposed Project facilities: turbines, access roads, collection lines, Project substation, transmission line, ADLS tower, LiDAR, operations and maintenance building, and the laydown area/batch plant. In addition, the Preliminary Site Plan depicts participating and non-participating residences, occupied community buildings, parcel boundary lines, setback lines, public access roads and preliminary turnout locations, third-party above ground transmission lines, preliminary laydown area/preliminary batch plant, and other structures. The Project will not have any permanent met towers, and therefore, they are not depicted on the Preliminary Site Plan. Instead, the Project will install three temporary LiDAR units for power performance testing. Only one LiDAR location will permanently remain through the life of the project and will be identified on the Final Site Plan with the WECS Building Permit subject to engineering and landowner approval. The Preliminary Site Plan includes the preliminary locations of the LiDAR units. The Preliminary Site Plan also shows the location of any wetlands, floodplains, drainage structures, underground mines, scenic and natural areas within one thousand and five hundred (1,500) feet of the proposed WECS, and communication towers within 2 miles of the WECS Project.

This Preliminary Site Plan identifies 53 potential turbine locations; however, only 50 of these locations will be used when the Project is constructed. The Preliminary Site Plan identifies the 50 primary turbine locations and 3 additional spare locations. The selection of turbine sites for construction will be made during the final implementation stage of the Project and will be noted in the WECS Building Permit application. All turbine positions comply with the Piatt County setbacks described in Section VII.L of the WECS Ordinance; these are discussed in more detail in Section 5.12 of this Application.

The Final Site Plan will be subject to final engineering and other development considerations and will be provided to the Piatt County Zoning Officer (or such other County staff that is responsible for issuing building permits) for review prior to issuance of WECS Building Permits. Although the Preliminary Site Plan is not finalized, as allowed by the Ordinance, no turbine locations will be moved more than 150 feet from the location depicted on the Preliminary Site Plan. Prosperity Wind requests this be a condition of the Special Use Permit.

3.7 Landscape Plan: §V.B.6

Prosperity Wind includes a preliminary landscape plan for the Project substation and O&M building in Appendix E. This plan includes the location and dimensions of the existing and proposed structures, parking lot and drives, signs, and electrical equipment as well as the location, quantity, size, and name (both botanical and common names) of the proposed plant materials including trees, shrubs, ground cover, and turf. The planting materials shall be of good quality and meet the American Association of Nurserymen Standards (AANS) for minimum acceptable form, quality and size for species selected, and capable to withstand the seasonal temperature variations, as well as the individual site microclimates. To the extent practicable, the species will be native to Central Illinois.

The installation of the planting materials will be in accordance with the current planting procedures established by AANS. This includes plant materials being free of disease and installed with sufficient volume, composition, and nutrient balance of the soil to sustain healthy growth. The landscaping materials will be maintained in good condition such that they present a healthy, neat and orderly appearance, and free of refuse and debris. Any dead, unhealthy, or missing plants
shall be replaced within six (6) months of notification by the County and/or seasonally. Fencing and other similar landscaping elements will also be maintained in good operating condition. Prosperity Wind will be responsible for the maintenance, repair, and replacement of all landscape materials, fences, and similar landscaping elements, and refuse disposal areas. A final landscaping plan, which is anticipated to be similar to the one provided with the SUP, will be submitted with the WECS Building Permit. All landscaping materials are subject to availability.

3.8 Supporting Documentation: §V.B.7

This Application and its appendices contain all studies, reports, certifications, and approvals required to demonstrate compliance with the applicable provisions in the Piatt County WECS Ordinance and state statutes. Prosperity Wind has gone above and beyond the requirements of the WECS Ordinance and is including additional studies in support of the Application. A summary of Prosperity Wind’s substantial investment in the community and community engagement efforts, expected economic benefits to the County and other taxing jurisdictions, and property values impacts are described below and included in Appendix C.

3.8.1 Substantial Investment in the Community and Community Engagement

Over the expected 30-year life of the Project, the Project will generate approximately $370 million in direct economic benefits for local landowners, new local employees, Piatt County, and the State of Illinois, in addition to fees associated with permitting the Project. Additional benefits include spending related to these payments that will feed into the local economy in and around the Project Area, and collateral spending during Project construction. Collateral spending during Project construction and clean renewable energy for the region. The Project will bring a capital investment of approximately $550 million of clean, cost-effective energy in Piatt County, helping the State of Illinois meet its statutory goal of 100% by 2050 (Climate and Equitable Jobs Act signed into law September 15, 2021; Public Act 102-0662).

Project staff and representatives have built considerable relationships with local organizations emphasizing the value the Project can bring to the area. Prosperity Wind, LLC’s parent Company, Apex Clean Energy, has made over $120,000 in contributions of community grants supporting many organizations in the area including Blue Ridge School District, Monticello Community Unity School District #25, Village of DeLand, Monticello Fire Department, Piatt County Soil & Water Conservation District, and more.

3.8.2 Economic Benefits

As discussed below, the Project will create both short-term and long-term benefits to Piatt County. Local economic benefits from construction activities will be significant. These benefits include hundreds of construction jobs and increased revenue to local businesses, such as restaurants, grocery stores, hotels, and gas stations, during this phase from construction-related workers. At the same time, Piatt County and local road districts will receive over $18 million through the proposed road use agreements. Looking at the long-term, the Project will generate over $57 million in revenue for local school districts, over $91 million in property taxes, and over $200 million in rent payments to participating farms. The Project will enable Piatt County to realize all these economic benefits without requiring Piatt County to raise taxes or seek other sources of revenue.

A. The Economic Impact Study Demonstrates this Project Brings Hundreds of Millions of Dollars to Piatt County.
Prosperity Wind hired Dr. David Loomis, *Professor Emeritus* at the University of Illinois, now retired, to conduct an economic impact study for this Project. Professor Loomis’s study is provided in Appendix C and a summary of the economic benefits expected to be produced by the Project is included in Table 3.8-1 below. These benefits include the following:

- Over $57.2 million in total school district revenue over the life of the Project;
- Over $93.5 million in property taxes for all taxing districts over the life of the Project;
- Over $32.5 million in new earnings during construction for Piatt County;
- Over $1.2 million in new long-term earnings for Piatt County annually; and
- 550 new jobs during construction for Piatt County.

### Table 3.8-1

<table>
<thead>
<tr>
<th>Economic Impact of the Prosperity Wind Project</th>
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<tbody>
<tr>
<td><strong>Taxing Entity</strong></td>
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<tr>
<td>Local School Districts</td>
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<tr>
<td>Piatt County</td>
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<tr>
<td>Local Townships</td>
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<td>Local Road Districts</td>
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<tr>
<td>Parkland Community College</td>
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<td>Local Fire Districts</td>
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<tr>
<td>Goose Creek District Library</td>
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<tr>
<td>Forest Preserve</td>
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<td>Multi-Township Assessor</td>
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<td><strong>TOTAL</strong></td>
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<tr>
<th>Summary of Earnings Impact</th>
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<tr>
<td><strong>Piatt County</strong></td>
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<tr>
<td>Construction¹</td>
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<tr>
<td>Direct Impacts: Project Development and Onsite Jobs</td>
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<tr>
<td>Indirect Impacts: Turbine and Supply Chain Impacts</td>
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<tr>
<td>Induced Impacts</td>
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<tr>
<td>New Local Output during Construction</td>
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<tr>
<td>Operations (Annual)²</td>
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<tr>
<td>Direct Impacts: Project Development and Onsite Jobs</td>
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<td>Indirect Impacts: Turbine and Supply Chain Impacts</td>
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<tr>
<td>Induced Impacts</td>
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<tr>
<td>New Local Long-Term Output</td>
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¹ Based on 238 direct, 271 indirect, and 41 induced (550 total) jobs in Piatt County and 398 direct, 315 indirect, and 195 induced (909 total) jobs in Illinois.

² Based on 8.3 direct, 14.6 indirect, and 5.8 induced (28.7) jobs in Piatt County and 8.3 direct, 20.7 indirect, and 22.3 induced (51.3 total) jobs in Illinois.
B. Under Prosperity Wind’s Proposed Road Use Agreements, Piatt County, Blue Ridge Township Road District, and Goose Creek Township Road District Will Receive $18.4 Million in Direct Payments.

Prosperity Wind has submitted proposed road use agreements to Piatt County, Blue Ridge Township Road District, and Goose Creek Township Road District. These draft road use agreements are included in Appendix D and more fully discussed in Section 3.16 below. There are three points worth emphasizing regarding these proposed road use agreements. First, these road use agreements include payments of Eighteen Million, Four Hundred Thousand Dollars ($18,400,000) to these road authorities. Prosperity Wind is offering these payments as further economic benefits of the Project and this revenue would dramatically increase the resources of these road authorities.

Second, these payments are in addition to Prosperity Wind’s obligations under the road use agreements to repair and improve county and township roads that it is going to use to construct the Project. Taken together, this means that the county and township stand to receive improved roads and $18,400,000 for the road districts.

Third, these draft road use agreements are nearly identical to the road use agreement that the Piatt County Engineer presented to the Piatt County Board for a different wind project on March 16, 2023. The Piatt County Board unanimously approved that road use agreement. For more information, please refer to section 3.16 below.

C. The Prosperity Wind Project Will Increase the Village of De Land’s Annual Budget by Approximately 20%.

Prosperity Wind also has a Compensation and Waiver of Siting Authority Agreement with the Village of De Land. Under the agreement, Prosperity Wind will pay, annually, the Village of De Land the greater of (1) $75,000 or (2) $2,000 per MW of total nameplate capacity that is installed between 0.75 miles and 1.5 miles from the Village of DeLand’s corporate boundaries. These payment obligations, in total, mean that the Village of De Land will receive approximately $108,000 every year as a benefit of this Project. Based on the Village of De Land’s recent annual budgets, these payments will increase the village’s annual budget by approximately 20%.

3.8.3 Property Value Impact Study

A property value study is not required by the WECS Ordinance. Nevertheless, to better inform the County Board and Piatt County landowners, as well as rebut any speculation to the contrary, MaRous & Company conducted a detailed analysis of the Project Area, reviewed literature of county assessors in Illinois, examined home and property sales in wind projects around the region, and interviewed local and county real estate assessors. The MaRous study demonstrates that the Project will not have a negative impact on rural residential or agricultural property values in the surrounding area. MaRous & Company has extensive experience conducting market analyses of a variety of energy projects in the Midwest, as well as residential, commercial, and industrial developments, religious facilities, and recreational use sites. A copy of the study and the company’s credentials is provided in Appendix C.

3.9 FAA Permit Applications: §V.B.8

On July 27, 2022, Apex submitted the turbine locations in this SUP application to the FAA for Determinations of No Hazard (DNH). On December 27, 2022, the FAA issued DNHs for the
turbine locations in this SUP application. The project company that submitted the turbine locations to the FAA assigned land control for these turbine locations, as well as these FAA determinations, to Prosperity Wind in 2023. The DNHs for the 50 primary and three spare turbine locations that comprise the Prosperity Wind project are included in Appendix F.

3.10 Financial Assurance: §V.B.9

Prosperity Wind, LLC is a special purpose entity created to own and operate the Prosperity Wind Project. Prosperity Wind is a subsidiary of Apex. Founded in 2009, Apex is a full-service renewable energy company focused on bringing utility-scale generation facilities to market, from site origination and financing to construction and long-term operations. Apex’s mission-driven team of more than 400 professionals uses a data-focused approach and an unrivaled portfolio of projects to create solutions for the world’s most innovative and forward-thinking customers. Headquartered in Charlottesville, Virginia, Apex is expanding the renewable frontier across North America.

Apex’s track record of successful transactions and strong relationships in the global financial community underpin its capabilities: since the company’s founding, Apex has commercialized more than 30 projects totaling over 7.5 GW of capacity, and nearly two dozen Apex-originated wind and solar facilities are now operating around the country. A

In recent years, Apex has expanded its offerings from utility-scale wind and solar to energy storage facilities, distributed energy resources, microgrids, and green fuel technologies. The capacity to build and operate projects, combined with the largest portfolio of projects in the nation, gives Apex unprecedented flexibility and financial resources. These resources give Apex the financial capability and experience to build, own, and operate wind facilities, including the Prosperity Wind Project. This includes arranging adequate financing and insurance for the Project’s development, construction, and operation through a combination of Apex’s balance sheet, committed capital, corporate lenders, and corporate financing partners. Apex is highly experienced in raising corporate and project-level financing in support of developing, constructing, and operating renewable energy facilities.

3.11 Additional Information: §V.B.10

To satisfy this Ordinance section, Prosperity Wind is voluntarily submitting the Natural Resource Impact Assessment that is attached as Appendix C. As demonstrated and discussed in the 1,360-page assessment, Prosperity Wind will have little to no impact on Piatt County’s farmland, soil, or other natural resources. The assessment includes the following items:

- A Soil and Farmland Impact Analysis demonstrating that of the nearly 40 square miles of land included within the Prosperity Wind project boundary, less than 40 acres will have any impact from the project. Thus, Prosperity Wind will avoid entirely or have minimal impact to agricultural land and water resources in Piatt County.
- A fully executed Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture that prescribes the standards and policies for construction and deconstruction, including restoration after both phases, thereby ensuring that any such impact is temporary.

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6 A gigawatt is one billion watts of electricity. One gigawatt is approximately enough electricity to power 750,000 homes. Apex has financed, constructed, and operationalized projects that, combined, produce over seven times this amount of electricity.
• A hydrology study performed by Barr Engineering that determines that Prosperity Wind “can be expected to have minimal impact on the Mahomet Aquifer.”
• A Farmland Drainage Plan that includes protections for both public and private drainage facilities.
• Turbine foundation design specifications by RRC Power & Energy, certified by an Illinois structural engineer, that are engineered to have minimal impact on surrounding farmland and the foundation designs are compatible with soil and climate conditions.
• A comprehensive culvert and hydraulic study of every known culvert within the nearly 40-square mile Project Area and specifications for how Prosperity Wind will actually improve this infrastructure within Piatt County.

Prosperity Wind asked to be added to the agenda of the June 21, 2023 meeting of the Piatt County Soil and Water Conservation District Board (SWCD) to present this Natural Resources Impact Assessment and to address any questions the SWCD may have about the Project. At the last moment, the SWCD cancelled the meeting for a lack of quorum. Prosperity Wind subsequently submitted the Natural Resource Impact Assessment to the SWCD and offered to attend a later meeting to answer any questions.

The authorizing laws specify NRI/LESA reports for specific situations that are not relevant to Prosperity Wind. A NRI/LESA report is not legally required because there will be no permanent conversion of agricultural land and Prosperity Wind is not a state or federally funded project.\(^7\,^8\) An NRI/LESA report has not been previously required by Piatt County. Consequently, the NRI/LESA requirement is more restrictive than the Wind Siting Statute. Specifically, in January 2023, Illinois amended Section 5-12020 of the Illinois Counties Code, which grants counties authority to regulate specific aspects of the development of commercial wind energy facilities. P.A. 102-1123 (eff. Jan. 27, 2023). After that change in law, counties may not impose requirements on wind energy facilities that are more restrictive than the requirements imposed by state law. Nothing in the Wind Siting Statute requires any impact assessment or report, and therefore, Piatt County would be in violation of state law if it required such an assessment or report. See P.A. 102-1123 (eff. Jan. 27, 2023) (prohibiting counties from imposing requirements on wind projects that are more restrictive than the standards set forth in the state’s Counties Code). Moreover, the Piatt County WECS Ordinance only requires “other information normally required by the County.” WECS Ordinance § V.B.10. Piatt County has never required such a report for a wind project application; and therefore, imposing it now would violate the WECS Ordinance itself. Nonetheless, Prosperity Wind hereby voluntarily submits the Natural Resource Impact Assessment to demonstrate the little to no impact the project will have on Piatt County’s farmland, soil, drinking water, and other natural resources.

### 3.12 Agricultural Impact Mitigation Agreement: §V.B.11

The Illinois Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147/1, et seq.) requires the owner of a wind farm to enter into an Agricultural Impact Mitigation Agreement with the Illinois Department of Agriculture prior to a public hearing on a siting permit application. Section V.B.11 of the WECS Ordinance requires an executed copy of the AIMA be included with the Special Use Permit. The intent of the AIMA is to preserve and/or restore the integrity of affected agricultural land during construction and decommissioning activities. A copy of the

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\(^7\) Illinois Farmland Preservation Act requires a study of agricultural impacts for state-funded capital projects that will lead to the conversion of farmland to nonagricultural purposes. 505 ILCS 75/5

\(^8\) 70 ILCS 405/22.02a (“Any person who petitions any municipality or county agency in the district for variation, amendment, or other relief from that municipality’s or county’s zoning ordinances or who proposes to subdivide vacant or agricultural lands therein shall furnish a copy of such petition or proposal to the Soil and Water Conservation District.”)
executed AIMA between Prosperity Wind and Illinois Department of Agriculture, dated May 11, 2023, is included in Appendix D. The AIMA was mailed to Project participants by the Illinois Department of Agriculture on or about June 23, 2023.

3.13 Proposed Decommissioning Plan: §V.B.12

A proposed Decommissioning Plan, including cost estimations, is included in Appendix E. This decommissioning plan is discussed in greater detail in Section 15.0 below.

3.14 Avoidance of Protected Lands§V.B.13

The Protected Lands Map in Appendix B demonstrates the Project will avoid all protected lands. This includes the Illinois Department of Natural Resources (IDNR) half-mile setback from Illinois Natural Area Inventory (INAI) sites recommended in the EcoCAT: Mansfield Botanical Area, Salt Creek Farmer City Reach, and Sangamon River INAI sites. The EcoCAT is discussed more in Section 9.0.

3.15 Notification to Mahomet Valley Water Aquifer Authority: §V.B.14

On July 24, 2023 Prosperity Wind provided a Project summary and Preliminary Site Plan to the Mahomet Valley Water Aquifer Authority. As a courtesy, Prosperity Wind also provided a copy of the Natural Resource Impact Assessment, including the hydrology study discussed above, that included the hydrology study performed by Barr Engineering. That hydrology study determined that Prosperity Wind “can be expected to have minimal impact on the Mahomet Aquifer.”

3.16 Draft Road Use Agreement: §V.B.15

Attached as Appendix D are three draft road use agreements (RUA): one for Piatt County, one for the Blue Ridge Township Road District, and one for the Goose Creek Township Road District. All three RUAs contain nearly identical provisions except, as explained below, for different payment amounts for each road authority. Also as discussed in greater detail below, these RUAs:

- Ensure that Prosperity Wind repairs, and in fact improves, Piatt County roads;
- Require that Prosperity Wind pay the road authorities $18.4 million; and
- Are nearly identical to the RUA that the Piatt County Engineer endorsed and that the Piatt County Board unanimously approved on March 16, 2023 for a different wind project.

3.16.1 The Draft RUAs Will Improve Piatt County Roads and Include Further Protections for Piatt County.

The three draft RUAs included in Appendix D each include identical terms and conditions regarding the repairs and improvements Prosperity Wind must make to public roads, as well as the standards and engineering specifications for those repairs and improvements. These provisions include:

- Prosperity Wind will make certain road improvements prior to construction of the turbines under the supervision of local authorities;
- Road improvements and repairs must conform to the applicable Illinois Department of Transportation standards;
• The Piatt County Engineer must approve of all such repairs and improvements and is given the authority to issue penalties and exercise other oversight if Prosperity Wind fails to follow the agreements;
• Prosperity Wind will reimburse Piatt County for oversight and inspection costs related to Prosperity Wind’s improvement and repair of public roads;
• Prosperity Wind must conduct a traffic impact analysis and take specific steps, in coordination with the Piatt County Engineer, to minimize impact to local traffic during construction; and
• Prosperity Wind must provide financial assurances to Piatt County to further guarantee that funds are available for road repairs and improvements.

3.16.2 Through these RUAs, Prosperity Wind Will Pay $18.4 Million to Piatt County, the Blue Ridge Township Road District, and the Goose Creek Township Road District.

The three RUAs all contain two different payment obligations. Under each RUA, Prosperity Wind must pay a “road permit fee” and a “surface repair payment.” These payments total $18.4 million and are broken down as follows:

**Road Permit Fees - $3,000,000**
- $1,500,000 to the Blue Ridge Township Road District;
- $1,000,000 to the Goose Creek Township Road District; and
- $500,000 to Piatt County;

**Surface Repair Payments - $15,400,000**
- $5,782,020.12 to the Blue Ridge Township Road District;
- $3,608,086.50 to the Goose Creek Township Road District;
- $609,893.38 to Piatt County; and
- $5,400,000, specifically for County Highway 2, to Piatt County.

To be clear, Prosperity Wind is *voluntarily* offering these payments through these draft RUAs. The Wind Siting Statute now places limits on fees that can be required under a road use agreement. Those limits were not previously in effect. Specifically, the Wind Siting Statute states:

> The road use agreement shall not require the facility owner to pay costs, fees, or charges for road work that is not specifically and uniquely attributable to the construction of the commercial wind energy facility…. Road-related fees, permit fees, or other charges… shall be reasonably related to the cost of administration of the road use agreement.

It is unclear whether these payment amounts would pass the “reasonably related to the cost of administration” requirement under the new law. Nonetheless, these payment obligations were negotiated and then agreed to by the Piatt County Engineer and counsel for all the road districts in March of this year for a different wind project, and Prosperity Wind is willing to voluntarily make them here. Thus, Prosperity Wind hereby voluntarily submits the draft RUAs, including these payment terms.
3.16.3 The Piatt County Engineer Already Endorsed, and the Piatt County Unanimously Approved a Nearly Identical RUA on March 16, 2023.

Prosperity Wind’s draft RUAs include the exact same terms and conditions – including the millions of dollars in permit fees and surface repair payments – that were included in the March 16, 2023 road use agreement. On March 16, 2023, the Piatt County Engineer summarized and endorsed that road use agreement before the Piatt County Board and the Board unanimously approved it.

There are only three differences between the draft road use agreements submitted here and the road use agreement the Piatt County Board approved on March 16, 2023. First, Prosperity Wind’s draft agreements are for a new project with a new applicant, thus, the names have been changed. Second, dates have been updated in the draft agreements. Third, the March 16, 2023 road use agreement included an annual operations fee of $29,883 that would have been paid to Piatt County. With the recent changes to state law, these ongoing payments are now prohibited in road use agreements. Thus, the annual operations fee provision has been deleted from each of the draft RUAs.

3.17 Good Neighbor Plan: §V.B.16

Prosperity Wind does not have a specific so-called good neighbor plan or property value guarantee plan because the Project is in compliance with the standards that were established and is supported by the reports of qualified experts that confirm no material adverse impact on neighbors or their property values. While there is no formal plan or criteria which automatically provides or allows for doing so, Prosperity Wind has entered into Participation and Support Agreements with certain local property owners who desire to participate in the Project even though they may not host Project improvements on their properties. While these Participation and Support Agreements can differ, a template Participation and Support Agreement can be found in Appendix A.

3.18 SUP Application Copies: §V.B.17

Pursuant to Section V.B.17 of the WECS Ordinance, Prosperity Wind provides fourteen (14) hard copies and one electronic copy of the Special Use Permit application to Piatt County.

3.19 Map of Overlapping Drainage District(s): §V.B.18

Appendix B includes a map showing Project facilities and drainage district boundaries delineated in Piatt County’s Geographic Information System data. The drainage districts that overlap with the WECS Project (Overlapping Drainage Districts) include:

- Union #1 Goose Creek and Sangamon Drainage District
- Goose Creek #2 Drainage District
- Goose Creek #3 Drainage District
- Goose Creek #4 Drainage District
- DeWitt Special Drainage District
  - DeWitt Special Sub #2
  - DeWitt Special Sub #2A
  - DeWitt Special Sub #2B
- DeLand Special Drainage District
• Trenkle Slough/Blue Ridge Drainage District
  o Trenkle Slough/Blue Ridge Sub #1
  o Trenkle Slough/Blue Ridge Sub #2
  o Trenkle Slough/Blue Ridge Sub #3
  o Trenkle Slough/Blue Ridge Sub #3A
  o Trenkle Slough/Blue Ridge Sub #4
  o Trenkle Slough/Blue Ridge Sub #5
  o Trenkle Slough/Blue Ridge Sub #6
  o Trenkle Slough/Blue Ridge Sub #7

• Lotus Special Drainage District
  o Lotus Special Sub #1
  o Lotus Special Sub #2

• Newcomb Drainage District
  o Newcomb Sub #3
  o Newcomb Sub #4

Pursuant to Section V.B.18 of the WECS Ordinance, Prosperity Wind will forward a copy of this Application to the drainage district commission of any Overlapping Drainage District and its attorney within five days of filing this Special Use Permit Application. As a courtesy, Prosperity Wind will also provide a copy of the Natural Resource Impact Assessment, which includes a detailed Farmland Drainage Plan that provides further protections and specifications regarding both public and private drainage facilities.

The list of drainage district commissioners and their attorneys that will receive this Application is included in Appendix D based on contact information provided in the Piatt County Reference & Yearbook, published by the County Clerk (July 2022 edition), which is the most recent publication, and in coordination with the Piatt County Clerk and Recorder, the Champaign County Circuit Clerk’s Office, and the DeWitt County Circuit Clerk’s Office.
4.0 FEES: §VI

Pursuant to the requirements in Section VI of the WECS Ordinance, Prosperity Wind has provided Piatt County a certified check for $250,000.00 to satisfy the WECS Ordinance’s fee schedule for a wind energy conversion system special use.
5.0  DESIGN AND INSTALLATION: §VII

5.1  Design Safety Certification: §VII.A

All wind turbines are built to conform to industry standards including the American National Standards Institute (ANSI). Pursuant to Section VII.A.1 of the WECS Ordinance, Prosperity Wind will provide a certificate of design compliance that equipment manufacturers have obtained from Underwriters Laboratories, Det Norske Veritas, Germanischer Loyd Wind Energy TUV Nord, or an equivalent third party prior to issuance of the WECS Building Permits. The Vestas V162 6.0 MW turbines will be new equipment commercially available manufactured by a United States based company (Vestas’ North American headquarters is in Portland, Oregon); the turbines will not be used or experimental.

As part of the information provided to the SWCD in June 2023, Prosperity Wind included foundation design documentation with a certification from an Illinois structural engineer (see Exhibit E of Appendix C.3). These design documents are issued for construction and demonstrate the foundation and tower designs are compatible with and within acceptable standards given local soil and climate conditions.

Based on the June 9, 2023 IDNR EcoCAT (Appendix E.6), the IDNR did not make any recommendations on turbine equipment related to wildlife; therefore, no such equipment will be installed.

The turbines will be equipped with fire detection and suppression systems.

5.2  Controls and Brakes: §VII.B

Controls and brakes are standard equipment on the Vestas V162 turbine. The hydraulically actuated individual blade pitch systems act as the main braking system for the wind turbine generator. Braking under normal operating conditions is accomplished by feathering the blade out of the wind. Any single feathered rotor blade is designed to slow the rotor. Hydraulic systems are in place to control blade pitch to optimize blade output, decrease power output above the rated wind speeds, or to function as an aerodynamic brake. Upon loss of power from the grid, the hydraulic power will automatically feather the blades to safely brake the turbine before bringing the blades to a complete stop.

The wind turbine generator is also equipped with a mechanical brake located at the output (high-speed) shaft of the gearbox. This mechanical brake is utilized as a parking brake to engage the rotor lock, or in the event an emergency stop button is pressed.

The turbines are also equipped with rotor locking pins for the purpose of securing the rotor during certain maintenance procedures and to allow safe entry into the hub. These pins are hydraulically actuated and can only be engaged manually by the company’s technicians in the nacelle. Both the rotor lock and high-speed brake are intended to be used no longer than 24 to 48 hours.

5.3  Electrical Components: §VII.C

All electrical components for the Project will conform to applicable national, state and local codes and relevant national and international standards such as ANSI. All intra-project electrical wires and cables connecting each wind turbine to other turbines will be installed underground to a depth
of at least 60 inches in accordance with the WECS Ordinance VII.C, the AIMA, and participating landowner agreements until they reach the Project substation.

5.4 **Aesthetics and Color: §VII.D**

The tower and blades for each wind turbine will be painted with a non-reflective unobtrusive color. The surface of each turbine will consist of non-reflective material. All wind turbine surfaces will be designed to resist erosion. No advertising or signage, outside of safety warnings or standard manufacturer markings, will be affixed to any of the turbines, and each turbine will comply with any other Piatt County ordinances relating to signage.

WECS Ordinance Sections VII.D.2 and VII.D.3 require vegetative screening 150 feet in diameter around the turbine and perimeter fencing at a distance of 135 feet outside the edge of the base of the turbine (approximately 270’ in diameter), respectively. Both the vegetative screening and perimeter fencing can be waived by the landowner in writing. The footprint of the turbine pad is 0.06 acre. These vegetation and fencing requirements would take an additional 1.5 acres per turbine out of agricultural production or 25 times the footprint of the turbine. As such, the landowners hosting turbines have all waived this requirement and vegetative screening and perimeter fencing will not be installed around the turbines. See Appendix A for the waiver documentation.

5.5 **Turbine Consistency: §VII.E**

Prosperity Wind will install one turbine model for the Project. All 50 turbines will have the same tip height and rotor diameter, rotate in the same direction, and be the same color.

5.6 **Federal Aviation Administration: §VII.F**

As described in Section 3.9, the FAA has issued DNHs for the turbine locations in this Application to a height of 620 above ground level (see Appendix F). Additionally, the Department of Defense (DoD) and its Military Aviation and Installation Assurance Siting Clearinghouse (Clearinghouse) have determined the WECS Towers included in the Project will not have adverse impacts to DoD missions in the area provided there are no more than 54 turbines up to 742 feet above ground level and more than two meteorological evaluation towers up to 443 feet above ground level. The Clearinghouse entered a determination of “No Objection with Provision” via the FAA. A copy of the DoD letter is provided in Appendix F. As described throughout this Application, Prosperity Wind will construct 50 turbines at a height of 610.2 feet above ground level, which is in compliance with the DoD.

Taken together, the federal agencies that govern airspace have approved the turbine locations in this Application.

5.7 **Lighting: §VII.G**

The FAA has Approved Prosperity Wind’s ADLS and Lighting Plan

As discussed in more detail below, and demonstrated in Appendix F, the FAA has already reviewed and fully approved the Aircraft Detection Lighting System (ADLS) and marking and lighting plans for each turbine (collectively with the other documents in Appendix X - the Prosperity Wind Lighting Plan) for this Project. These FAA approvals and related documents are explained below and attached as Appendix F.
5.7.1 FAA Approval of the Prosperity Wind Aircraft Detection Lighting System

Any tall structure over 200 feet above ground level, including wind turbines, requires lighting and approval by the FAA for aircraft safety. 14 C.F.R. §77.9. By default, the FAA requires synchronized red flashing lights on wind turbines for aircraft safety. As soon as the turbine structures reach 200’ tall, and until ADLS is installed and calibrated, synchronized red flashing lights are required.

ADLS is a newer technology that allow the red lights to remain off as a default. With this radar system, turbine lighting is off until the radar detects an aircraft within a prescribed distance and elevation to the Project, at which time, the blinking red lights turn on. After the aircraft is safely beyond the Project, the blinking lights are again turned off. More specifically, the ADLS radar detects aircraft within 16 nautical miles and activates the lights when the aircraft is within 3.5 nautical miles. The lights turn off five minutes after the aircraft is at least 3.5 nautical miles past the turbines. Aircraft flying at cruising altitudes, Class A airspace above 18,000 feet, do not trigger the ADLS.

The ADLS tower is located strategically to ensure direct communication with the lights installed on the turbines, similar to a motion sensor on a light outside of a home. The FAA has approved the location of the ADLS tower (see Appendix F). The FAA-approved ADLS tower is centrally located to provide radar coverage to all 53 turbine locations, including 50 primary and three spare locations.

The ADLS tower will be an approximately 100-foot lattice tower with a rotating radar on the top and will sit inside a graveled and fenced enclosure of approximately 35’ by 35’ (see Figure 1). The radar tower is connected to the turbines with underground (at least 60” below ground) fiber optic cabling that allows the ADLS system to communicate with the turbines to turn the lights on and off. The location of this radar system is such that it provides adequate coverage of the Project (all turbines) and a buffer beyond and must be located at least 2,000 feet from a turbine.

Once the ADLS system is installed during construction of the wind farm, the system requires calibration and testing that cannot occur until the turbines are operational. For safety reasons, the FAA will not allow Prosperity Wind to rely on the ADLS system to turn on the synchronized flashing lights on the wind turbines until it is tested and functioning properly. Therefore, during the calibration phase, the FAA requires the synchronized red lights to be on at all times. The radar system is then “trained” to detect aircraft and differentiate them from birds and other targets. As the radar system is tested in groups, and determined to be functioning properly, the percentage of time that the lights are on will decrease. The construction, calibration, and testing phase typically takes three to six months but has been known to take longer.

The ADLS features built-in safeguards to ensure light activation in the event of equipment/software failure or loss of power or network. The high reliability, state-of-the-art, long-range, solid state doppler radar has 15 selectable channels within the band to prevent interference from other sensors operating in the area.

5.7.2 Prosperity Wind’s Lighting Plan

Also included within Appendix F is Prosperity Wind’s fully approved Lighting Plan. As discussed in more detail within the plan, it includes:

- location and correlation information for each turbine;
• the FAA's approval of the ADLS;
• the FAA’s approval of the marking and lighting design for each turbine;
• and other applicable design and engineering specifications related to lighting requirements for these turbines.

Collectively, the Prosperity Wind Lighting Plan describes all lighting that will be used for the Project and demonstrates that the Project has been developed to minimize the visual impact of the WECS Towers.

To be clear, Prosperity Wind is voluntarily submitting this Lighting Plan to be a good partner to Piatt County and to be transparent about the Project’s FAA approvals and designs to minimize any visual impact. Nothing in the Wind Siting Statute requires any such lighting plan, and therefore, Piatt County would be in violation of state law if it required such a plan as a requirement for county approval of this Project. See P.A. 102-1123 (eff. Jan. 27, 2023) (prohibiting counties from imposing requirements on wind projects that are more restrictive than the standards set forth in the state’s Counties Code). Nonetheless, Prosperity Wind hereby voluntarily submits the Lighting Plan to demonstrate that the FAA has fully authorized this Project and to demonstrate that the Project will have minimal visual impact from lighting.

5.8 Warnings: §VII.H

Signage, including a visible warning concerning voltage and a 24/7 emergency contact number, will be placed at the Project Substation, as well as at the entrance of access roads that connect to each Project wind turbine. For the Vestas V162 6.0 MW turbines, the transformer is located in the nacelle; it is not pad-mounted at the base of the turbine and, therefore, warnings concerning voltage will be located at the entrance of the access road. In addition, 911 address signs that conform to the County specifications for size, color, and reflectivity will be placed at the entrance of the access road to each turbine. Each turbine access road will also have a sign that indicates the turbine number and provide a toll-free telephone number to be answered twenty-four hours a day seven days per week for emergency calls and informational inquiries, consistent with Section VII.H.3 of the WECS Ordinance.

The wind turbine towers, by design, will be self-supporting and not require guy wires or anchor bases. If guy wires are used for the temporary LiDAR units, they will have reflective warning markers.

5.9 Climb Prevention: §VII.I

Access to the inside of wind turbines will be limited to Project employees. Each wind turbine will be mounted on a tubular tower which will be a smooth, tapered monopole structure. The only climbing access will be by ladder or lift located inside the tower. The door to the tower will be kept locked. By design, the towers will be externally un-climbable.

5.10 Height: §VII.J

As provided in Appendix F, the FAA has issued DNHs for all 50 primary and three spare turbine locations at a height of 620 feet above ground level. The height of the turbine will be 610.2 feet above ground level; the additional ten feet in the DNH provides for discrepancies in the site elevation based on existing site conditions.
5.11 **Blade Clearance: §VII.K**

The turbine model proposed for the Project has a blade clearance of at least 20 feet between the ground and the lowest point of the arc of the blades, per Section VII.K of the WECS Ordinance. Blade clearance is approximately 78.7 feet for the Vestas V162 6.0 MW turbine at 105-meter hub height.

5.12 **Turbine Setbacks: §VII.L**

In designing the layout for the Project, Prosperity Wind worked with Participating Landowners to minimize impacts to farmland, residential properties, and any other site-specific concerns such as stream crossings. Where possible, the Project also tried to exceed minimum setbacks to residences.

In taking a conservative approach to setbacks from WECS turbines, the proposed layout for the Project meets or exceeds the setbacks prescribed under Section VII.L of the WECS Ordinance as shown in the Turbine Setbacks map in Appendix B. All setback distances are calculated using the Vestas V162 at 105m (344.5 feet) hub height and 186m tip height (610.2 feet). Table 5.12-1 shows the setback distances based on this turbine model.

<table>
<thead>
<tr>
<th>Setback Feature</th>
<th>Piatt County WECS Ordinance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupied Community Buildings</td>
<td>2.1 times the maximum blade tip height of the wind tower to the nearest point on the outside wall of the structure (1,282 feet or 391 meters)</td>
</tr>
<tr>
<td>Participating Residences</td>
<td>1.1 times the maximum blade tip height of the wind tower to the nearest point on the outside wall of the structure (672 feet or 205 meters)</td>
</tr>
<tr>
<td>Non-participating Residences</td>
<td>2.1 times the maximum blade tip height of the wind tower to the nearest point on the outside wall of the structure (1,282 feet or 391 meters)</td>
</tr>
<tr>
<td>Boundary Lines of Participating Property</td>
<td>None</td>
</tr>
<tr>
<td>Boundary Lines of Non-participating Property</td>
<td>1.1 times the maximum blade tip height of the wind tower to the nearest point on the property line of the nonparticipating property (672 feet or 205 meters)</td>
</tr>
<tr>
<td>Public Road Rights-of-Way</td>
<td>1.1 times the maximum blade tip height of the wind tower to the center point of the public road right-of-way (672 feet or 205 meters)</td>
</tr>
<tr>
<td>Overhead Communication and Electric Transmission and Distribution Facilities</td>
<td>1.1 times the maximum blade tip height of the wind tower to the nearest edge of the property line, easement, or right of way containing the overhead line (672 feet or 205 meters)</td>
</tr>
<tr>
<td>Overhead Utility Service Lines to Individual Houses or Outbuildings</td>
<td>None</td>
</tr>
<tr>
<td>Fish and Wildlife Areas and Illinois Nature Preserve Commission Protected Lands</td>
<td>2.1 times the maximum blade tip height of the wind tower to the nearest point on the property line of the fish and wildlife area or protected land (1,282 feet or 391 meters)</td>
</tr>
<tr>
<td>Incorporated Village or Municipality</td>
<td>1.5 miles from the corporate limits unless approved by the Village or Municipality</td>
</tr>
</tbody>
</table>
Setback waivers from participating landowners have been obtained and are or are in the process of being recorded with the County and are discussed in Section 3.4 of this Application.

No part of the Project will be located within municipal corporate boundaries. A municipality may regulate wind farms within its zoning jurisdiction and a 1.5-mile radius surrounding its zoning jurisdiction (65 ILCS § 5/11-13-26). The Preliminary Site Plan notes that eight turbines are sited within 0.75 and 1.5-mile radius (extraterritorial jurisdiction) of the Village of DeLand. The Village of DeLand waived its authority to regulate the siting of wind energy turbines and other ancillary Project improvements within its extraterritorial jurisdiction provided that no turbine will be located within 0.75 miles of the corporate limits. The Project complies with the Village of DeLand’s waiver of siting authority agreement executed on July 26, 2022 and included in Appendix D.

5.13 Drainage Repair: §VII.M

Section VII.M of the WECS Ordinance requires the Applicant to repair waterways, drainage ditches, field tiles, or any other infrastructure damaged during construction, maintenance phases, upgrading, and decommissioning. This requirement must be read along with the Wind Siting Statute, which states that the owner of a wind energy facility “is authorized to cross or impact a drainage system, including, but not limited to, drainage tiles, open drainage districts, culverts, and water gathering vaults, owned or under the control of a drainage district under the Illinois Drainage Code without obtaining prior agreement or approval from the drainage districts.”

Thus, the Wind Siting Statute authorizes Prosperity Wind to cross public drainage systems without any type of agreement or approval from drainage districts.

Despite this authorization, Prosperity Wind has voluntarily created a Farmland Drainage Plan that is included in Exhibit D of Appendix C.3. Under this Plan, Prosperity Wind provides detailed information and specifications regarding the crossing of public and private drainage systems and Prosperity Wind agrees to repair any such systems that are damaged during construction, maintenance, upgrading, or decommissioning.

On June 22, 2023, Prosperity Wind submitted this Farmland Drainage Plan to the Piatt County SWCD as well as to the following drainage districts within Piatt County: DeLand Special Drainage District, Trenkle Slough – Blue Ridge Drainage District, DeWitt Special Drainage District, Goose Creek Drainage District 3, and Goose Creek Drainage District 4.

In addition, the lease agreements with Participating Landowners and the AIMA include requirements pertaining to repair of drainage tiles. Prosperity Wind will comply with all state and local requirements related to the treatment and repair of drainage tiles.

5.14 Compliance with Additional Regulations: §VII.N

The Project will require various regulatory permits, reviews, and approvals. Table 5.14-1 provides a summary of the required permits, approvals, and consultations for the Project. All permits, licenses, approvals, or consultations which are required for the Project will be obtained in the applicable areas prior to construction beginning.
### Table 5.14-1
List of Potential Federal, State, and Local Approvals

<table>
<thead>
<tr>
<th>Administering Agency</th>
<th>Permit, Approval, or Consultation</th>
<th>Applicability to the Project</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Federal</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>U.S. Army Corps of Engineers</td>
<td>Federal Clean Water Act Section 404</td>
<td>Dredging or filling jurisdictional waters of the United States.</td>
<td>To be obtained prior to construction, if necessary.</td>
</tr>
<tr>
<td>U.S. Fish and Wildlife Service (USFWS)</td>
<td>Review for Threatened and Endangered Species</td>
<td>Consultation on potential impacts to species protected under the Endangered Species Act</td>
<td>Prosperity Wind has been coordinating with USFWS since 2019 and is developing a short-term Habitat Conservation Plan for federally listed bats.</td>
</tr>
<tr>
<td>Environmental Protection Agency</td>
<td>Spill Prevention Control and Countermeasure Plan</td>
<td>Required if any facility associated with the Project (substation) has oil storage of more than 1,320 gallons</td>
<td>To be prepared prior to construction, if necessary.</td>
</tr>
</tbody>
</table>
| Federal Aviation Administration (FAA) | Form 7460-1 Notice of Proposed Construction or Alteration (Determination of No Hazard) | • Construction or alteration of structures standing higher than 200 feet above ground level  
• Construction or alteration of structures near airports; 14 Code of Federal Regulations 77.13 provides details  
• Siting within radar line of sight of an air defense facility | Complete - Received December 27, 2022 (Appendix F). |
|                      | Notice of Actual Construction or Alteration (Form 7460-2) | Supplemental notice provided to FAA in advance of beginning construction. | To be provided in advance of or after commencing construction, as appropriate. |
|                      | Marking & Lighting Recommendations | Required for approval of Aircraft Detection Lighting System (ADLS) | Complete – Received December 27, 2022 (Appendix F). |
| Federal Communications Commission | Radio Station Authorization/License | Typically required for operation of communications tower associated with ADLS. | If needed, prior to operation of ADLS communications tower. |
### Table 5.14-1

List of Potential Federal, State, and Local Approvals

<table>
<thead>
<tr>
<th>Administering Agency</th>
<th>Permit, Approval, or Consultation</th>
<th>Applicability to the Project</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Registration</td>
<td>Typically required for communications tower associated with ADLS.</td>
<td>Prior to construction/installation of ADLS communications tower.</td>
</tr>
<tr>
<td></td>
<td>U.S. Department of Commerce – National Telecommunications and Information Administration</td>
<td>Notification to National Telecommunications and Information Administration and review by Interdepartmental Radio Advisory Committee</td>
<td>Typically required to confirm no impact to federal telecommunications.</td>
</tr>
<tr>
<td></td>
<td>Illinois Environmental Protection Agency</td>
<td>Clean Water Act Section 401 Water Quality Certification</td>
<td>Construction activities requiring a Section 404 permit also require certification under Section 401.</td>
</tr>
<tr>
<td></td>
<td>Illinois Historic Preservation Division, State Historic Preservation Office (SHPO)</td>
<td>Cultural and Historic Resources Review and Review of State and National Register of Historic Places (NRHP) and Archeological Survey</td>
<td>Projects that have state permitting requirements are obligated to consult.</td>
</tr>
<tr>
<td></td>
<td>Illinois Pollution Control Board</td>
<td>35 Ill. Admin Code Sections 900, 901, and 910</td>
<td>Activities that emit noise that have the potential to be audible beyond the edge of the property on which the activity is occurring.</td>
</tr>
<tr>
<td>Administering Agency</td>
<td>Permit, Approval, or Consultation</td>
<td>Applicability to the Project</td>
<td>Status</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
<td>------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Illinois Department of Natural Resources (IDNR)</td>
<td>Statewide Permit #2 – Construction of Bridge and Culvert Crossings of Streams in Rural Areas</td>
<td>Required for construction of bridge and culvert crossings of streams in rural areas of the state</td>
<td>To be obtained prior to construction, if applicable.</td>
</tr>
<tr>
<td></td>
<td>Statewide Permit #8 – Underground Pipeline and Utility Crossings</td>
<td>Required for construction of underground pipeline and utility crossings across waterways, floodplains, and wetlands.</td>
<td>To be obtained prior to construction, if applicable.</td>
</tr>
<tr>
<td></td>
<td>Statewide Permit #12 – Bridge and Culvert Replacement Structures and bridge Widenings</td>
<td>Required for replacement of existing bridges and culverts and the widening of existing bridges over waterways, floodplains, and streams regulated by IDNR.</td>
<td>To be obtained prior to construction, if applicable.</td>
</tr>
<tr>
<td></td>
<td>Statewide Permit #13 – Temporary Construction Activities</td>
<td>Required for construction activities in waterways, floodplains, and streams</td>
<td>To be obtained prior to construction, if applicable.</td>
</tr>
<tr>
<td></td>
<td>Water withdrawal reporting</td>
<td>Required for withdrawals from surface water or ground water sources at a rate of 70 gallons per minute or greater (100,000 gallons per day)</td>
<td>To be obtained prior to construction, if applicable.</td>
</tr>
<tr>
<td></td>
<td>Consultation with IDNR (EcoCAT)</td>
<td>State and local governments are required to consider impacts of proposed actions on Illinois endangered and threatened species as well as sites listed on the Illinois Natural Areas Inventory.</td>
<td>Complete – see Section 9.0 and Appendix E</td>
</tr>
<tr>
<td>Illinois Department of Agriculture</td>
<td>Executed Agricultural Impact Mitigation Agreement</td>
<td>Required per Section V.B.11 of the WECS Ordinance.</td>
<td>Complete - Executed May 11, 2023 (Appendix D)</td>
</tr>
<tr>
<td>Illinois Department of Transportation (IDOT)</td>
<td>Oversize/Overweight Permit for State Highways</td>
<td>Vehicles and loads that surpass legal dimension and weight limits</td>
<td>To be obtained prior to construction.</td>
</tr>
<tr>
<td>Administering Agency</td>
<td>Permit, Approval, or Consultation</td>
<td>Applicability to the Project</td>
<td>Status</td>
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</tr>
<tr>
<td></td>
<td>Access Driveway Permits for IDOT Roads</td>
<td>Construction of driveway or other access onto state road rights of way</td>
<td>To be obtained prior to construction.</td>
</tr>
<tr>
<td></td>
<td>Permit to perform work within State Highway Right-of-Way</td>
<td>Installation of underground or overhead structures crossing or occupying state road rights of way.</td>
<td>To be obtained prior to construction.</td>
</tr>
<tr>
<td>Local Approvals</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Piatt County</td>
<td>Special Use Permit</td>
<td>Required for construction of a commercial wind farm over 500 kW</td>
<td>Filed July 2023</td>
</tr>
<tr>
<td>Piatt County</td>
<td>Right-of-way permits, crossing permits, driveway permits for access roads, oversize/overweight permits for County Roads</td>
<td>Prosperity Wind will enter into a Road Use Agreement (RUA) prior to construction.</td>
<td>To be obtained prior to WECS Building Permits.</td>
</tr>
<tr>
<td>Piatt County</td>
<td>WECS Building Permit</td>
<td>Required to construct, make addition to, or reconstruct a building or structure.</td>
<td>To be obtained prior to construction.</td>
</tr>
<tr>
<td>Townships (Goose Creek and Blue Ridge)</td>
<td>RUA</td>
<td>Prosperity Wind will enter into a RUA for any proposed non-county roads that will be used for construction.</td>
<td>To be obtained prior to WECS Building Permits.</td>
</tr>
<tr>
<td>DeWitt-Piatt Bi-County Health Department</td>
<td>Well/Septic Permits</td>
<td>Required for establishing new water source or sewage system (O&amp;M building)</td>
<td>To be obtained prior to construction.</td>
</tr>
</tbody>
</table>
5.15 Use of Public Roads: §VII.O

Section VII.O.1.a of the WECS Ordinance requires a Special Use Permit application to include the identity of all public roads within the county that will be used for the construction, operation, or maintenance of the project. As discussed in greater detail in Section 3.16 above, Prosperity Wind includes fully complete draft RUAs with Piatt County and with all applicable road authorities in Appendix D. These draft agreements identify all public roads that will be used and provide detailed protections and benefits to Piatt County and the road authorities. For more information, please see Section 3.16 above.

Section VII.O.1.b requires, prior to the issuance of WECS Building Permits, fully executed road use agreements, with supporting documentation. As discussed in Section 3.16 above, the draft RUAs included in Appendix D are substantially similar to the road use agreement that the Piatt County Board approved for a different WECS project on March 16, 2023. Prosperity Wind looks forward to working with the Piatt County Engineer and other local officials to execute these agreements prior to the issuance of WECS Building Permits.

Prosperity Wind will implement several Best Management Practices (BMPs) to control dust including mulching exposed soils, wetting exposed soils, maintaining vegetative cover, and reduced speed limits. These BMPs will be designed and detailed as part of the National Pollutant Discharge Elimination System permit and associated Stormwater Pollution Prevention Plan administered by the Illinois Environmental Protection Agency.

5.16 911 Addressing: §VII.P

Pursuant to Section VII.P of the WECS Ordinance, Prosperity Wind will provide GIS shapefiles of the turbine locations, associated access roads, Project substation, O&M building, and ADLS tower to Piatt County prior to issuance of the WECS Building Permits. This information will be used for E-911 addresses for each of the wind turbines and the Project substation and O&M building.

5.17 Terms: §VII.Q

Notwithstanding any other provisions of the Piatt County Zoning Ordinance, Prosperity Wind understands that a SUP for a WECS shall be effective and may be relied upon so long as construction of the WECS is commenced within 36 months after issuance of the Special Use Permit, which period may be extended by the County Board without further public hearing. Prosperity Wind anticipates starting construction in Q1 2024.

5.18 Use of Drainage District Facilities/Drainage to Farmland: §VII.R

Section VII.R of the WECS Ordinance requires an applicant “[t]o the extent practical, in cooperation with the drainage district... locate all existing agricultural drainage facilities.... Also, “Applicant, Owner, or Operator shall contact affected landowners and tenants for their knowledge of the drainage facilities locations prior to the proposed construction.” This requirement must be read along with the Wind Siting Statute, which states that the owner of a wind energy facility “is authorized to cross or impact a drainage system, including, but not limited to, drainage tiles, open drainage districts, culverts, and water gathering vaults, owned or under the control of a drainage district under the Illinois Drainage Code without obtaining prior agreement or approval from the drainage districts.”
Thus, the Wind Siting Statute authorizes Prosperity Wind to cross public drainage systems without any type of agreement or approval from drainage districts.

Despite this authorization, Prosperity Wind has voluntarily created a Farmland Drainage Plan that is included in Exhibit D of Appendix C.3. Under this Plan, Prosperity Wind provides detailed information and specifications regarding the crossing of public and private drainage systems and Prosperity Wind agrees to repair any such systems that are damaged during construction, maintenance, upgrading, or decommissioning. This detailed information includes, for example, as Exhibit B to the Farmland Drainage Plan, detailed mapping of the location of existing public agricultural drainage facilities.”

Prosperity Wind previously submitted this Farmland Drainage Plan to the Piatt County Soil and Water Conservation District as well as to the following drainage districts within Piatt County: DeLand Special Drainage District, Trenkle Slough – Blue Ridge Drainage District, DeWitt Special Drainage District, Goose Creek Drainage District 3, and Goose Creek Drainage District 4.

As discussed in greater detail in the Farmland Drainage Plan, Prosperity Wind has worked, and continues to work, with all affected landowners and tenants to identify the existence and location of any other drainage facilities. Prosperity Wind will also identify and mark drainage tile lines prior to construction.
6.0 PROJECT OPERATIONS: §VIII

The Project will be staffed locally from an O&M building co-located with the Project’s substation. The Project will be operated and maintained by a team of roughly 8 personnel, including facility managers, a site manager, and a certified crew of technicians. All contact information for the Project’s facilities including the names of key Project staff will be provided to relevant Piatt County and Project Road District officials and authorities, and participating landowners.

6.1 Project Maintenance: §VIII.A

During operations, the O&M staff will perform scheduled, preventive maintenance on the turbines. This is typically done in conjunction with representatives from the turbine manufacturer. Turbine maintenance is performed twice a year as a semiannual and annual maintenance. Semiannual maintenance is conducted on the turbine for 10 hours with a crew of technicians. It consists of lubrication, fluid checks, minor electrical inspections and checks of turbine functionality. The annual maintenance is a 36-hour inspection with a crew of technicians. During this inspection, the entire turbine is maintained, including but not limited to bolt torque checks on tower and all major components, lubrication and filter changes, electrical inspections, pitch calibrations, and blade inspections. The on-site operations team also will drive throughout the Project on a daily basis conducting visual inspections of the Project. This team will be at the Project site or O&M building during normal business hours and will also have specified personnel on-call 24 hours per day, seven days per week, should an issue arise outside of normal business hours.

Pursuant to Section VIII.A of the WECS Ordinance, Prosperity Wind will provide re-certification documentation from a third-party should turbine maintenance require any physical modification to the turbines that alters the mechanical load, mechanical load path, or major electrical components (certification described in Section 5.1 of this Application). This re-certification will be provided prior to any physical modification. Any like-kind replacements shall not require the re-certification.

6.2 Site Assessment: §VIII.B

The WECS Building Permit submittal will include geotechnical investigations by an Illinois-licensed engineer on behalf of Prosperity Wind at each turbine site to ensure that the subsurface conditions will properly support the turbines. Prosperity Wind notes that the foundation design documents in Exhibit E of Appendix C.3 are issued for construction and demonstrate the foundation and tower designs are compatible with and within acceptable standards given local soil and climate conditions. Nonetheless, Prosperity Wind will provide the geotechnical investigations with the WECS Building Permit submittal. Prosperity Wind will also submit grading plans for the Project substation to the Piatt County Soil and Water Conservation District prior to the WECS Building Permit submittal.

6.3 Communications Analysis - Interference: §VIII.C

Prosperity Wind contracted with Capital Airspace Group and Westslope Consulting to conduct telecommunication studies on microwave beam paths, FCC-licensed communication towers, land mobile and emergency services, AM/FM radio towers, television reception, and weather radar as required in Sections VIII.C.1, VIII.C.2, and VIII.C.3 of the WECS Ordinance. These telecommunication studies are included in Appendix E. Prosperity Wind provided Capital Airspace Group and Westslope Consulting’s qualifications to the Zoning Administrator on July 3, 2023, as required by the WECS Ordinance. Evidence of this is also provided in Appendix E.
The microwave beam path study demonstrates that all turbines, including 50 primaries and three spares, are sited to avoid interference with microwave beam paths in the Project Area. The FCC-licensed communication tower report found all 53 turbines are sited to avoid interference with communication towers. The land mobile and emergency services analysis found that no FCC-licensed land mobile or public safety transmitting stations are expected to be adversely affected. This conclusion is based on: turbines being sited more than 77.5 meters from a tower (the closest proposed turbine is approximately 1,060 meters); the E-911 communication system operating on a reliable network with multiple transmitter stations and a not line-of-sight environment; and the frequencies of operation for E-911 services have characteristics that allow the signal to propagate through wind turbines. The AM and FM Radio Report concludes that turbines are sited outside the 6-kilometer exclusion distance (the closest turbine to an AM tower is over 27-kilometers), and, therefore, will not impact coverage of local AM radio stations. The report goes on to indicate that the coverage of FM stations is generally not sensitive to interference due to wind turbines, especially when turbines are located in the far field region of radiating antenna. At over 5 kilometers from the nearest FM station, turbines are sited adequately to avoid interference. The analysis also assessed television channels within and beyond 1½ miles of the footprint of the Project to serve as a baseline reading for television reception conditions prior to the construction of the Project. The analysis indicates steps that may be taken should interference occur due to operations of the Project (Appendix E). Lastly, the weather radar report demonstrates turbines are not sited within the line-of-sight of the Lincoln WSR-88D radar and are within a “no-impact zone” due to the distance from the weather radar (see Appendix E).

In addition to FCC-licensed telecommunications, operation of radio frequencies for federal government use is managed by the National Telecommunications and Information Administration (NTIA), which is part of the U.S. Department of Commerce. On August 31, 2022, NTIA provided a letter stating that no reviewing federal agencies had concerns with the wind turbine construction that is now part of this Project. A copy of the response letter is included in Appendix E.

To comply with Section VIII.C.3 of the WECS Ordinance, the Applicant must take commercially reasonable measures to minimize or mitigate any severe interference with microwave transmissions, emergency services, residential television interference, radio reception, or weather radar. Prosperity Wind commits to undertaking commercially reasonable steps to respond to a written complaint related to interference caused by the Project as is required by the WECS Ordinance and the Village of DeLand’s waiver of siting authority agreement. The Project will also take immediate actions to mitigate or minimize interference with communications that impact local government public safety as required in the WECS Ordinance. Specific to complaints related to local broadcast television, Prosperity Wind will follow the complaint procedure outlined in WECS Ordinance Section VIII.C.4 in providing notification to the County Board of receipt, validity, and response to television complaints received within six months from the date each wind turbine generator goes online. Prosperity Wind will also provide copies of the Project Summary and Final Site Plan to all applicable microwave transmission providers and local emergency service providers.

### 6.4 Coordination with Local Fire Department: §VIII.D

Section VIII.D of the WECS Ordinance requires that the Applicant cooperate with local emergency responders to develop an emergency response plan. Prosperity Wind provides a draft Emergency Management Plan (EMP) in Appendix E. This draft EMP is intended to demonstrate the attention, diligence, and resources the Applicant dedicates to safety and responding to emergency situations. Prosperity Wind has shared an this draft EMP with the DeLand, Mid-Piatt, and Farmer City Fire Protection Districts to collect feedback and finalize the EMP in the coming
months. Based on this coordination and as part of the WECS Building Permit submittal, Prosperity Wind will finalize an emergency response plan that ensures that there will always be close coordination with emergency responders and local officials. This plan, at a minimum, will include contact information (names, titles, email addresses, cell phone numbers) for Prosperity Wind’s local Project representatives as well as its Remote Operations Control Center (ROCC), which is staffed 24 hours a day, 7 days a week, 365 days per year. The plan will be updated upon changes in the designated WECS representatives and annually. This plan will also address fire protection such that local fire departments and other local emergency response authorities are cognizant of actions required in the event of a fire or other emergency at the wind facility. This plan will be submitted to the Piatt County Emergency Management Agency director for review and approval prior to issuance of the WECS Building Permits.

As required in VIII.D.1 of the WECS Ordinance, Prosperity Wind will provide the Final Site Plan to local fire departments as part of the WECS Building Permit submittal. Similarly, Prosperity Wind will provide GIS shapefiles of the turbine locations and associated access roads, Project substation, O&M Building, and ADLS tower to Piatt County as part of the WECS Building Permit submittal. This information will be used for E-911 addresses for each of these facilities. This coordination will ensure the local law enforcement, fire protection district and rescue units, emergency medical service providers, and emergency management service providers that have jurisdiction in the area evaluate and coordinate their emergency response plans with Prosperity Wind.

In addition, Prosperity Wind offers to provide, at its expense, annual training and necessary equipment to local emergency responders so they can properly respond to a potential emergency at the Project. The first emergency response trainings/drill will commence within 90 days of operations and be conducted annually thereafter. Prosperity Wind notes that responding to an emergency situation at the Project will not require specialized equipment. Local emergency responders need only secure the site if up-tower emergency occurs. If a member of the operations and maintenance team is involved, the highly trained operations and maintenance staff work in pairs and are responsible to get each other down from any up-tower incident. Once on the ground, local emergency personnel assist in treating any injuries. Therefore, Prosperity Wind may assist an emergency department with updating or increasing existing equipment.

6.5 Water, Sewer, Materials Handling, Storage, and Disposal: §VIII.E

All solid wastes generated during the construction, operation, and maintenance of the Project will be removed from the site promptly and recycled to the extent practicable and disposed of in accordance with all federal, state and local laws and regulations regarding waste disposal.

Construction, operation and maintenance of the Project are not likely to result in the generation of any hazardous wastes. If hazardous waste is produced it will be handled according to local, state or federal laws and regulations. Safety Data Sheets will be retained at the O&M building and copies of these sheets will be provided to the local fire departments in accordance with federal laws and regulations. The Project will comply with all existing applicable septic and well regulations of Piatt County and the State of Illinois.

6.6 Shadow Flicker: §VIII.F

Prosperity Wind hired EDR to perform a shadow flicker modeling analysis for the proposed Project turbines. WindPRO, a standard industry software, was used to perform the shadow flicker modeling. EDR modeled the Vestas V162 6.0MW turbine at 105m hub height for 387 residences.
and seven occupied community buildings within the Project Area and approximately one mile buffer. The analysis was conducted on the 50 primary turbines; should Prosperity Wind activate a spare for a primary turbine, Applicant will provide an updated shadow flicker report to demonstrate compliance with the WECS Ordinance with the WECS Building Permit submittal. This analysis is conservative in that it assumes turbines are always operating and does not account for the actual location and orientation of windows or the screening effects associated with existing obstacles such as trees and buildings. Additionally, the analysis included turbine positions in the adjacent Sapphire Sky Project located in adjacent McLean County to account for potential cumulative impacts.

The study from EDR, which is provided in Appendix E, shows no non-participating residence or occupied community building will exceed the 30 hours per year shadow flicker limit. Similarly, while not required by the WECS Ordinance, turbines are sited such that all participating residences are also modeled less than 30 hours per year. As such, turbines are sited in compliance with the WECS Ordinance.

As required by Section VIII.F.3 of the WECS Ordinance, Prosperity Wind will provide an updated Shadow Flicker analysis with the WECS Building Permit submittal.
7.0 NOISE LEVELS: §IX

The WECS Ordinance requires the Project to be in compliance with applicable Illinois Pollution Control Board (IPCB) noise regulations. The following sections discuss how the Project will comply with the IPCB’s noise rules and regulations. As discussed in more detail below, the Applicant hired RSG, Inc. (RSG) to conduct a complete noise study of the planned Project. RSG’s study determined that the Project will stay within the IPCB limitations.

7.1 IPCB Noise Regulations

Each WECS or WECS project will be in compliance with applicable Illinois Pollution Control Board (IPCB) regulations. The IPCB has promulgated regulations under 35 Ill. Admin. Code Sections 900, 901 and 910 that are applicable to wind farms. Under 35 Ill. Admin. Code §901, a WECS Project operating in an agricultural field (Class C Land) cannot cause an exceedance of sound levels to residential land (Class A Land). The IPCB standard is based on the land use of the sound source and receiver. Both alternative energy sources and agricultural are considered Class C. Residences are considered Class A, as is the land subject to residential use directly surrounding them. Therefore, impacts to individual residences, and the land subject to residential use immediately surrounding them are evaluated according to the Class C to Class A standard. The applicable standards are shown in Table 7.1-1.

<table>
<thead>
<tr>
<th>Limit Time</th>
<th>31.5 Hz</th>
<th>63 Hz</th>
<th>125 Hz</th>
<th>250 Hz</th>
<th>500 Hz</th>
<th>1 kHz</th>
<th>2 kHz</th>
<th>4 kHz</th>
<th>8 kHz</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class C to A Daytime</td>
<td>75</td>
<td>74</td>
<td>69</td>
<td>64</td>
<td>58</td>
<td>52</td>
<td>47</td>
<td>43</td>
<td>40</td>
</tr>
<tr>
<td>Class C to A Nighttime</td>
<td>69</td>
<td>67</td>
<td>62</td>
<td>54</td>
<td>47</td>
<td>41</td>
<td>36</td>
<td>32</td>
<td>32</td>
</tr>
</tbody>
</table>

7.2 Sound Modeling Report

Prosperity Wind hired RSG to perform a sound modeling analysis for the proposed Project turbines. For this analysis, the 50 primary turbine locations and transformers at the Project substation were modeled and sound levels analyzed at 387 residences. The analysis was performed in accordance with the standard ISO 9613-2, taking into account typical industry standards for modeling inputs and assumptions such as ANSI/ACP 111-1. The analysis is over-inclusive and therefore incorporated conservative assumptions in that the model assumes that each receptor is downwind from each turbine, which is not meteorologically possible.

As described above, the IPCB regulations limit sound to Class A (residential) from Class C (agricultural) land. Turbines are sited on Class C agricultural land. To determine the Class A areas, residential house points were identified within one mile of the Project Area as receptors. RSG reports on these receptor points in the sound study. In addition, any receptor point within 2 dB of an octave band limit was reviewed to confirm that the sound level contour demonstrating the IPCB limit did not cross the residential use (i.e. yard) surrounding the residence. By doing so, the sound study confirms that the IPCB limits are met at the Class A land, which includes the associated yard, and not just the residence itself.
The study, attached in Appendix E, demonstrates that the Project will comply with the Illinois Pollution Control Board’s noise regulations. All residences, participating and non-participating, are modeled below the IPCB limits in each of the eight octave bands, and therefore, the Project is in compliance with Section IX of the WECS Ordinance. Should Prosperity Wind activate a spare for a primary turbine, Applicant will provide an updated sound report to demonstrate compliance with the WECS Ordinance with the WECS Building Permit submittal.
8.0 ADDITIONAL TERMS AND CONDITIONS: §X

8.1 Compliance with the Professional Engineering Practice Act of 1989: §X.1

All technical submissions contained in this Application and that will be provided in the WECS Building Permit submittal will be prepared and signed by an Illinois Professional Engineer or structural engineer for the relevant discipline.

8.2 Inspections: §X.2

Prosperity Wind understands Piatt County may retain a qualified, independent code inspector or professional engineer both to make appropriate inspections of the WECS Project during and after construction and to consult with the County to confirm the construction, substantial repair, replacement, repowering, and/or decommissioning of the WECS Project is performed in compliance with applicable electrical and building codes. The cost and fees so incurred by the County in retaining said inspector or engineer will be reimbursed by Prosperity Wind.

8.3 Access Road Gates: §X.3

Prosperity Wind has coordinated with landowners on access road gates. No landowners have requested locked metal gates on access road entrances. Prosperity Wind has waivers from all landowners with access roads. A Template Access Road Gate and Tower Landscape Waiver Form is included in Appendix A.

8.4 Special Use Permit shall bind and inure: §X.4

The Special Use Permit approval to Prosperity Wind shall bind and inure to the benefit of the Applicant, its successors-in-interest and assigns.

8.5 Approved Entrances: §X.5

Prosperity Wind will provide written proof of approved entrances from the appropriate governing road and highway jurisdiction to the Piatt County Board in the WECS Building Permit submittal. As described in Sections 3.16 (Draft Road Use Agreement) and 5.15 (Use of Public Roads), these approvals will be contained within the RUA with Piatt County and the applicable townships.

8.6 Telecommunication Interference: §X.6

As described in Section 6.3, turbines are sited to avoid interference with telecommunications, including microwave communications, FCC-licensed communication towers, land mobile and emergency services, AM/FM radio, and television reception.

8.7 Icing Conditions: §X.7

Prosperity Wind will deploy two methods to detect icing conditions on turbine blades. First, turbine sensors and the turbine control system will assess ice detection. The turbine ice detection system will shut down turbines when icing or thawing events are detected. Second, the Project will utilize a combination of meteorological and ice sensors to determine whether ice accumulation is likely.
The Project will be designed to shut down turbines if these conditions occur or the Applicant will manually shut down turbines if icing conditions are present.
9.0 BIRDS: §XI

Section XI of the WECS Ordinance requires that a qualified professional conduct an avian habitat study to determine if the installation of the WECSs will have a substantial impact on birds and/or bats. Prosperity Wind hired WEST, Inc. to conduct bird, bat, and other rare species habitat assessments in the Project Area. A memo summarizing the wildlife studies and wildlife agency database reviews is provided in Appendix E.

Apex Clean Energy has been coordinating with the USFWS and IDNR regarding the potential impact of the Project on flora and fauna since early 2019. This early coordination included data requests and database reviews regarding the potential presence of federal and state threatened and endangered species and eagles (species of concern) in the Project Area. In coordination with USFWS and IDNR, Apex Clean Energy conducted a series of wildlife surveys and habitat assessments for species of concern with the potential to occur in the Project Area.

Apex Clean Energy used the results from the studies, along with recommendations from the USFWS and IDNR, to inform appropriate impact avoidance, minimization, monitoring, and adaptive management measures for the Project (e.g., facility setbacks or construction timing restrictions). Table 9.0-1 summarizes the measures that Prosperity Wind has implemented into turbine siting to avoid potential impacts to species of concern. Additionally, associated facilities have been designed to either avoid habitat or implement avoidance measures based on agency coordination (i.e., upland sandpiper habitat).

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Species Status</th>
<th>Potential to Occur</th>
<th>Agency Recommended Avoidance and Setback Implemented by Prosperity Wind</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indiana bat²</td>
<td>FE, SE</td>
<td>Possible</td>
<td>There is no suitable bat habitat in the Project Area.</td>
</tr>
<tr>
<td>Northern long-eared bat²</td>
<td>FT, ST</td>
<td>Possible</td>
<td>There is no suitable bat habitat in the Project Area.</td>
</tr>
<tr>
<td>Tricolored bat²</td>
<td>PE</td>
<td>Possible</td>
<td>There is no suitable bat habitat in the Project Area.</td>
</tr>
<tr>
<td>Eastern massasauga²</td>
<td>FT, ST</td>
<td>Unlikely</td>
<td>While both USFWS and IDNR confirmed this species is very unlikely to occur in the Project Area, all proposed turbines are sited to avoid potential eastern massasauga habitat.</td>
</tr>
<tr>
<td>Eastern prairie fringed orchid³</td>
<td>FT, ST</td>
<td>Unlikely</td>
<td>There is no suitable eastern prairie fringed orchid habitat in the Project Area.</td>
</tr>
<tr>
<td>Sangamon phlox³</td>
<td>SE</td>
<td>Possible</td>
<td>There is no suitable Sangamon phlox habitat in the Project Area.</td>
</tr>
<tr>
<td>Monkeyface mussel³</td>
<td>ST</td>
<td>Unlikely</td>
<td>While this species is unlikely to occur in the Project Area, Prosperity Wind has incorporated a 300-foot setback from non-forested perennial streams, per IDNR best management practices/conservation measures.</td>
</tr>
<tr>
<td>Upland Sandpiper⁴</td>
<td>SE</td>
<td>Possible</td>
<td>Turbines are sited outside upland sandpiper habitat. As agreed to with IDNR, construction activities will avoid the breeding season (April 15 – July 31) to the extent practicable. If construction activities for linear facilities occur during the breeding season, suitable habitat with will either be removed prior to April 15 (i.e., mowed) or nest surveys will be conducted by a biological monitor to determine if upland sandpiper nests are present.</td>
</tr>
</tbody>
</table>
Table 9.0-1
Prosperity Wind’s Habitat Avoidance Measures

<table>
<thead>
<tr>
<th>Common Name</th>
<th>Species Status</th>
<th>Potential to Occur</th>
<th>Agency Recommended Avoidance and Setback Implemented by Prosperity Wind</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bald Eagle</td>
<td>BGEPA</td>
<td>Likely</td>
<td>While this species is likely to occur in the Project Area, there are no bald eagle nests within the Project Area; the closest bald eagle nest to a turbine is over 3.1 miles.</td>
</tr>
</tbody>
</table>

2. USFWS, 2023, based on IPaC review
3. IDNR, 2023, based on EcoCAT review
4. Identified during Avian Use Surveys

In addition to siting turbines away from sensitive habitats, Prosperity Wind has agreed to implement operational measures that have been shown to reduce impacts to species of concern, including curtailment of turbines during wind conditions and seasons when bats are most likely to be at risk. Prosperity Wind will curtail turbines at wind speeds up to 6.9 meters per second from sunset to sunrise from July 15 to October 15 until a federal incidental take permit and state incidental take authorization have been obtained for the Project. The siting and operational measures employed are likely to be successful in avoiding impacts to birds and bats, including species of concern, and Prosperity Wind has agreed to conduct one year of post-construction monitoring to confirm that is the case.

In addition to the species-specific IDNR recommendations, the Project complies with the IDNR recommendations listed in the EcoCAT letter of a one-half mile (0.5) linear mile setback from the listed INAI sites of Mansfield Botanical Area, Salt Creek Farmer City Reach, and Sangamon River (see Section 3.14 and Appendix B).

Lastly, although not required by IDNR or the Wind Siting Statute, Prosperity Wind will comply with the following best management practices/conservation measures:

- Setback at least 300-feet from perennial streams with a non-forested riparian zone including Trenkle Slough.
- Implement lighting recommendations (fully shielded fixtures, “warm-white” or filtered LEDs, limit lighting to lumens needed) for the O&M Building.
- Utilize wildlife-friendly plastic-free erosion control blanket project wide, or if not feasible to implement project-wide, around wetlands and adjacent to natural areas.

As a company with a core value of Sustainability, Apex Clean Energy endeavors to not only minimize our projects’ impacts, but to ensure that our renewable energy projects further benefit host communities by preserving and restoring natural resources in the vicinity of our projects. Through the Apex Conservation Grant program, a program Apex voluntarily funds, Prosperity Wind will choose a conservation program in or near Piatt County to support with a $300,000 contribution. The Apex Conservation Grant program sets aside $1,000 per MW at commercialization to support local or regional wildlife conservation, reforestation and flora restoration, protection of sensitive habitats such as grassland or wetlands, and other environmental conservation initiatives in or near project communities.
10.0 PUBLIC PARTICIPATION: §XII

Section XII of the WECS Ordinance states “Nothing in the Ordinance is meant to augment or diminish existing opportunities for public participation in the County's consideration of the special use application.” Article IV (Administration) of the Piatt County Zoning Ordinance outlines the Organization of the Board of Appeals including membership, meetings, appeals, and decisions which stipulate that all meetings of the Board shall be open to the public and all business of the Board shall be transacted at such meetings. Prosperity Wind welcomes public participation in the application process.
11.0 COMPLAINT RESOLUTION: §XIII

Prosperity Wind will coordinate with the County to develop a system for logging and investigating complaints relating to the operation of the Project. The Applicant commits to resolving any complaint on a case-by-case basis and will provide written confirmation to the Piatt County Board after complaints are resolved. The Applicant will maintain a toll-free telephone number and an email address as a public information/complaint “hotline”. The telephone number and email account will be staffed by a Project employee. This contact information will be posted in a prominent, easy to find location on the Project’s website, be provided to participating landowners, and be posted at the Project site.
12.0 LIABILITY INSURANCE AND INDEMNIFICATION: §XIV

The Piatt County WECS Ordinance requires that an applicant has sufficient insurance in place at the time of its WECS Building Permit Submittal. In accordance with these requirements, Prosperity Wind will maintain and pay for (a) a general liability insurance policy or policies covering bodily injury and property damage with policy limits of not less than $10,000,000 per occurrence and $40,000,000 in the aggregate; and (b) an insurance policy or policies covering environmental pollution liability with policy limits of not less than $5,000,000. All of these limits will be met with primary and excess policies and Prosperity Wind will ensure that the total amount of insurance coverage provided is equal to or greater than the amount specified here. Prosperity Wind will further ensure that the insurance policy is obtained from a reputable insurance provider with a net worth of at least $50,000,000 and that an annual certificate of insurance is provided to Piatt County.
13.0 HEARING FACTORS: §XV

The Wind Siting Statute states:

A request for siting approval or a special use permit for a commercial wind energy facility or a commercial solar energy facility, or modification of an approved siting or special use permit, shall be approved if the request is in compliance with the standards and conditions imposed in this Act, the zoning ordinance adopted consistent with this Code, and the conditions imposed under State and federal statutes and regulations.

55 ILCS 5/5-12020(g).

Prosperity Wind has demonstrated that the Project meets or exceeds the standards and conditions imposed by state law, the zoning ordinance and other state and federal statutes and regulations. Only if information presented at the hearing not only contradicts the information set forth in this application but also, by the manifest weight of the evidence, indicates that Prosperity Wind has not met the requirements, can Piatt County deny the application. If the application is denied, the reasons therefore must be set forth in writing and Prosperity Wind can appeal the denial within 90 days of the denial.

WECS Ordinance Section XV sets forth the factors below that are to guide the ZBA and ultimately the County Board in weighing the information presented by Prosperity Wind in this Application, the testimony at hearing, and the resulting deliberations. The factors are applied as a balancing test, not individual requirements to be met. The Applicant has reviewed the factors in relation to the Application and sets forth a response indicating how the Project and application have and will meet each item:

1. The establishment, maintenance or operation of the WECS Project will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

RESPONSE:

a. The proposed Project complies with and will operate in accordance with all the requirements of the WECS Ordinance.

b. The proposed Project is specifically designed to promote the public health, safety, and welfare of the community. It generates renewable energy from a local renewable resource that does not pollute the air or water, is not subject to the price volatility of fossil fuels, adds fuel diversity and reliability to domestic production of electricity and furthers the state’s goals of clean energy generation.

c. This Application demonstrates that the Project will utilize wind energy turbines that meet all design and safety requirements of the WECS Ordinance. As included in Exhibit E of Appendix C.3, an Illinois structural engineer has certified that the foundation and tower design both conform to Piatt County and industry standards (Section 5.1).

d. This Application demonstrates that the Project complies with all setback requirements from occupied community buildings, participating and non-participating residences, non-participating property lines, public road rights-of-way, overhead communication and electric transmission and distribution facilities, fish
and wildlife areas and Illinois Nature Preserve Commission Protected Lands, and incorporated villages or municipalities, unless waived by the appropriate owner. Compliance with these setback requirements ensures that Project improvements are located at appropriate distances from other uses and roads. This is shown in Appendix B.

e. This Application includes the report of a qualified acoustics consultant that demonstrates that the Project will comply with the sound standards of the WECS Ordinance and Illinois Pollution Control Board. The sound model utilized conservative assumptions and established that the Project will not emit sound to surrounding residential uses at levels that interfere with the use and enjoyment of such residential uses (Section 7.0). The Sound Modeling Report is included in Appendix E.

f. The Applicant has designed the Project such that no occupied community building, non-participating residence, or participating residence receive more than 30 hours of shadow flicker per year (Section 6.6). This will essentially eliminate the adverse impact of shadow flicker on primary structures in the area. The shadow flicker analysis is included in Appendix E.

g. This Application demonstrates, through the report of a qualified telecommunications consultant, that interference with television reception is unlikely (Section 6.3). Pursuant to the WECS Ordinance and Village of DeLand Compensation and Waiver of Siting Authority Agreement, after the Project begins operation, the Applicant will resolve any complaints of any television reception caused by the Project, if any.

h. This Application demonstrates, through the report of a qualified telecommunications consultant, that the Project will not interfere with any radio transmissions, microwave beam paths, emergency communications, weather radar, or other existing telecommunication systems (Section 6.6). The telecommunication studies are included in Appendix E. The Project also will not improve any current telecommunications deficiencies that may exist within the Project footprint.

i. This Application includes a decommissioning and site reclamation plan prepared by an Illinois licensed engineer which estimates the cost to decommission the Project and restore property in accordance with the WECS Ordinance (Section 15.0 and Appendix E). Decommissioning financial security in the form of a bond will be posted based on the estimated decommissioning cost as required by the WECS Ordinance and the Agricultural Impact Mitigation Agreement entered into with the Illinois Department of Agriculture on May 11, 2023. The decommissioning cost estimate will be updated during the life of the Project as required by the WECS Ordinance and the AIMA. The AIMA is included in Appendix D.

j. The wildlife habitat studies completed for the Project and provided to U.S. Fish and Wildlife Service and Illinois Department of Natural Resources demonstrate that the Project is unlikely to negatively affect the environment or wildlife. Nearly all of the land in the Project Area is used for agricultural production, and the agricultural use of this land will continue and will not be negatively impacted by the Project. Furthermore, the Project has sited turbines to comply with recommended buffers.
and setbacks by USFWS and IDNR. The Wildlife Habitat Assessment is described in Section 9.0 and included in Appendix E.

k. This Application includes the findings made by the Federal Aviation Administration and that the turbine locations and turbine height will not interfere with airspace and do not pose a hazard to aviation. The FAA issued Determinations of No Hazard for the turbines in this Application (Appendix F).

l. This Application includes a mitigation agreement with the U.S. Department of Defense that limits the Project to no more than 54 wind turbines up to 742 feet and two permanent meteorological towers up to 443 feet to avoid impacts to military airspace and operations. A letter from the DoD is included in Appendix F.

m. Operation of radio frequencies for federal government use is managed by the National Telecommunications and Information Administration, which is part of the U.S. Department of Commerce. The NTIA has confirmed no reviewing federal agencies have concerns with wind turbine construction in the Project Area (see Appendix E).

n. Finally, the Project will provide significant property tax benefits to Piatt County and other taxing districts, such as local school districts, fire districts, road districts, and Goose Creek District Library which entities specifically benefit and protect the public health, safety, morals, comfort and general welfare. The Project will create approximately 550 construction jobs in Piatt County during construction, 8 new permanent jobs in the community, and provide significant stimulus to the local economy during the life of the Project. The full economic impact analysis is included in Appendix C.

2. The WECS Project will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

RESPONSE:

a. Use and enjoyment of residential property in the vicinity of the Project will not be injured because the Project meets all the setback standards as to non-participating property owners. In addition, this Application demonstrates that the Project will comply with the noise standards of the Illinois Pollution Control Board, and the Project will limit shadow flicker on residences and occupied community buildings to no more than 30 hours per year. The sound modeling study and shadow flicker analysis are included in Appendix F. This Application also establishes that the Project is not likely to cause any interference with TV reception, and the Applicant has committed to resolve any such complaints pursuant to the WECS Ordinance and the Village of DeLand Compensation and Waiver of Siting Authority Agreement (Appendix D).

b. Use and enjoyment of the agricultural property in the immediate vicinity of the Project will not be harmed because the land surrounding the wind turbines will remain farmland and will continue to be farmed. Prosperity Wind has coordinated with landowners hosting facilities on the siting facilities on their property. Collectively, the footprint of the turbines, access roads, Project substation, O&M
building, and ADLS radar tower are less than 40 acres spread out over nearly 40 square miles. The Project will not negatively affect the agricultural uses of the surrounding properties. The significant rental payments to local agricultural landowners over the life of the Project will support and preserve agricultural use of their land and have enhanced economic benefits to the entire community. See both the Economic Impact Analysis and Market Impact Analysis reports included in Appendix C.

c. The Project will not diminish property values within the immediate area. Prosperity Wind has demonstrated through its property valuation expert that the value of residential properties located near wind energy turbines in Illinois have not diminished as a result of wind energy projects. A Market Impact Analysis report is included in Appendix C.

3. The establishment of the WECS Project will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

RESPONSE:

a. The Project will not impede the normal and orderly development and improvement of the surrounding properties for the uses permitted in the Agricultural district. Nearly all the property surrounding the Project is already developed with existing agricultural uses, as permitted by the WECS Ordinance. The Project is compatible with existing and future agricultural uses.

b. To the extent surrounding properties may be developed for other uses permitted in the WECS Ordinance, such as limited residential uses, the Project will not impede the development of such uses. The Project complies with all required setbacks and sound and shadow flicker standards. The Applicant demonstrates, through use of a qualified professional property valuation expert, that the Project will not diminish the value of nearby residential parcels. A Market Impact Analysis report is included in Appendix C. To the contrary, the economic benefits of the Project will support the County, schools, police, fire, township, and other governmental entities that enhance the value and strength of the community.

4. Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided.

RESPONSE:

a. The Project does not require any expenditures by Piatt County or other units of local government to extend public services to the Project. The Project will include the construction of all access roads to all wind energy turbines and other improvements per the requirements of the WECS Ordinance. Prosperity Wind will enter into a road use agreement with Piatt County and other affected road jurisdictions to ensure that the existing roadways are sufficient for the development of the Project, and the Applicant will make, at its expense, any road improvements necessary. A draft RUA is included in Appendix D. The Project will obtain all necessary permits from the entities having jurisdiction over roadways used for the Project prior to obtaining WECS Building Permits, as defined by the WECS Ordinance.
b. The Applicant will protect the existing drainage in the vicinity of the Project and promptly repair any damage to drain tile or any other drainage improvements. Prosperity Wind has executed an AIMA with the Illinois Department of Agriculture which requires that the Project minimize impacts upon the agricultural uses, quickly repair any damage to drain tiles, and restore land after construction or decommissioning to its pre-Project state. In addition, Prosperity Wind includes a comprehensive Farmland Drainage Plan in Exhibit D of Appendix C.3 that includes protections for both public and private drainage facilities.

5. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

RESPONSE:

a. This Application shows that all parcels in the Project have access via public roads. Accordingly, the Project has sufficient ingress and egress.

b. The Project will enter into Road Use Agreements (RUAs) with Piatt County, applicable townships, and potentially the Village of DeLand, if municipal roads will be utilized. The RUAs will provide for necessary improvements to County and local roads for construction and operation of the Project, and to ensure that the County and local roads will be safe for travel by the general public during and after construction of the Project. The Applicant will construct, at its expense, any public road improvements required for the installation and maintenance of the Project. The draft RUA is included in Appendix D.

c. Once the Project is constructed, it will create minimal vehicular traffic for maintenance and operations, and accordingly, will not cause or contribute to traffic congestion in the public streets.

6. The Proposed WECS Project is not contrary to the objectives of the current comprehensive plan of the County (if any).

RESPONSE:

a. The Project will utilize only a small fraction of agricultural ground above-ground facilities – approximately 38 acres spread out over nearly 40 square miles. Accordingly, nearly all of the land within the Project Area will continue to be utilized for agricultural purposes, consistent with the current use. The Project will not have any negative impact upon the continued agricultural use properties in the vicinity of the Project.

b. The Project will protect and preserve the agricultural use and culture in the area by ensuring a diverse revenue stream to supplement the income of local farmers, who can reinvest that revenue into agricultural land use and the community. The revenue stream is a protection against sometimes uncertain agricultural commodities markets and the potential fluctuation in the cost of farming operations and supplies (e.g., gas and fertilizer prices). Outside of the small amount of land actually needed to site the wind farm, the remaining land of participating and neighboring farms is unaffected and can continue to farm without additional, more
intrusive developments that might not be consistent with the rural character of the community.

7. The WECS Project shall, in all other respects, conform to the applicable regulations of this Ordinance and the zoning district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of and approved by the County Board.

RESPONSE:

a. Piatt County has adopted a zoning ordinance that allows WECS Projects as a special use if they meet all of the requirements of the WECS Ordinance. This Application demonstrates the Project satisfies all of the standards of the WECS Ordinance, including setback requirements, sound regulations, shadow flicker regulations, design regulations and other standards.
14.0 AS-BUILT MAP AND PLANS

Prosperity Wind will deliver an as-built map, site plan, and engineering plans for the WECS Project that have been signed and stamped by a Professional Engineer and a licensed surveyor to the County Engineer within 60 calendar days of completing construction.
15.0 DECOMMISSIONING PLAN (CESSATION OF OPERATIONS): §XVI

Section XVI of the WECS Ordinance requires a decommissioning plan that complies “with the terms of the AIMA.” Section 21 of the AIMA then imposes specific decommissioning and financial assurance requirements. As discussed in more detail below, the Decommissioning Plan that is included in Appendix F meets, and in many cases exceeds, these requirements.

Prosperity Wind’s Decommissioning Plan.

Westwood Professional Services (Westwood) prepared a Decommissioning Plan for Prosperity Wind which both fulfills the decommissioning requirements of the WECS Ordinance and aligns with the decommissioning commitments contained within the Project’s AIMA. A copy of the draft Decommissioning Plan is included in Appendix E.

As discussed in more detail in the Decommissioning Plan, decommissioning of Prosperity Wind includes:

- Removal of all above-ground components (turbines, ADLS radar tower, Project substation, operation and maintenance building, transmission line).
- Removal of all turbine, tower, and building foundations to a depth of five feet.
- Removal of all underground collection systems and cables to a depth of five feet.
- Removal of access roads (unless the landowner requests the road to remain) and crane paths.
- Restoration of access roads, including decompaction.
- Reclamation, re-grading, and restoration of disturbed areas including topsoil reapplication and decompaction of soils.
- Sediment and erosion controls during and following decommissioning.
- Repair of public roads to pre-decommissioning condition.

Westwood determined the estimated decommissioning costs for all decommissioning activities based on the requirements in the WECS Ordinance as well as cost assumptions based on a variety of factors including the future land use after decommissioning, engineering and construction practices, road and turbine removal, salvage value of Project materials, and more. The estimated decommissioning cost in current dollars is expected to be around $130,196 per turbine after salvage value, including associated facilities.

Through these elements, Prosperity Wind’s Decommissioning Plan satisfies the requirements of the AIMA, and therefore, satisfies the requirements of the WECS Ordinance.

Prosperity Wind has Included Extra Protections to Further Protect Piatt County.

Prosperity Wind has specifically incorporated the following three terms into the decommissioning plan:

- Increased the decommissioning cost contingency amount from 10% to 15%;
• Increased the amount of payments to farmers in the event of crop damage during decommissioning; and

• Reduced the salvage value of scrap materials based on concerns that current scrap metal pricing is unusually high.

None of these are required by the WECS Ordinance or AIMA. Nonetheless, Prosperity Wind’s Decommissioning Plan includes each of these requests. To be a good partner to Piatt County and to be responsive to the above-described feedback, Prosperity Wind has voluntarily agreed to include these extra protections within its Decommissioning Plan.

*Prosperity Wind has Included a Performance Bond to Further Guarantee that Piatt County Will Not Have to Pay for Decommissioning.*

Prosperity Wind includes a draft performance bond in Appendix E for the Decommissioning Plan that complies with Section 21.D of the AIMA.

A bond is a legal agreement where a separate company (known as a surety) guarantees that Prosperity Wind performs its decommissioning obligations for the benefit of Piatt County. In exchange for this guarantee, Prosperity Wind pays the surety an annual premium.

**The Bond Provides a Second Source of Protection for Piatt County**

The entire purpose of such a decommissioning performance bond is to protect Piatt County. Thus, it is designed, along with the Decommissioning Plan, to ensure that if something unexpected or unfortunate should happen to Prosperity Wind, Piatt County can draw on the bond to ensure that decommissioning is completed without Piatt County paying for it.

With its WECS Building Permit submittal, Prosperity Wind will provide financial assurance in the form of a performance bond that names Piatt County the beneficiary.
16.0 WECS BUILDING PERMIT SUBMITTAL CHECKLIST

Prosperity Wind includes a checklist of items either required by the WECS Ordinance and/or committed to in this Application that will be included in the WECS Building Permit Submittal. This list is intended to supplement the information provided in this Application and demonstrate Prosperity Wind’s commitment to complying with the WECS Ordinance, any conditions required by the Special Use Permit, and other laws as noted. As discussed throughout this Application, many final reports, studies, plans, and agreements are dependent on the final turbine locations, engineering, field studies, and landowner input. Therefore, this checklist in Table 16.0-1 provides a summary of those forthcoming items and will be augmented with conditions imposed by the County Board and updated or additional information collected prior to this WECS Building Permit submittal.

<table>
<thead>
<tr>
<th>WECS Ordinance Reference</th>
<th>Checklist Item</th>
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<tbody>
<tr>
<td>V.B.5</td>
<td>Final Site Plan</td>
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<tr>
<td>V.B.6</td>
<td>Final Landscaping Plan</td>
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<tr>
<td>VII.A.1</td>
<td>Certificate of design compliance for the selected turbine model</td>
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<tr>
<td>VII.A.2</td>
<td>Certification by a structural engineer</td>
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<tr>
<td>VII.O and X.5</td>
<td>Use of Public Roads – Fully Executed Road Use Agreements including Financial Assurance</td>
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<tr>
<td>VII.P and VIII.D</td>
<td>911 Addressing - GIS shapefiles of turbine locations and associated access roads</td>
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<tr>
<td>VIII.B</td>
<td>Site Assessment – Geotechnical Report and Project substation grading plan</td>
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<tr>
<td>VIII.D</td>
<td>Coordination with Emergency Responders</td>
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<td>Submit Final Site plan to emergency responders and provide Piatt County Emergency Management Agency director approved emergency response plan</td>
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<tr>
<td>VIII.F</td>
<td>Shadow Flicker – Final Shadow Flicker Study</td>
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<tr>
<td>IX</td>
<td>Noise Levels – Final Sound Modeling Report</td>
</tr>
<tr>
<td>XIV</td>
<td>Liability Insurance and Indemnification – Insurance Policy</td>
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<td>X.</td>
<td>Decommissioning and Site Reclamation Plan</td>
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<td>Final Decommissioning and Site Reclamation Plan</td>
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<td>Piatt County Financial Assurance for Decommissioning</td>
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