



CHAMPAIGN COUNTY BOARD
ENVIRONMENT and LAND USE COMMITTEE AGENDA

County of Champaign, Urbana, Illinois

Thursday, October 9, 2025 - 6:30 p.m.

Shields-Carter Meeting Room

Bennett Administrative Center, 102 E. Main St., Urbana

Committee Members:

Eric Thorsland – Chair

Aaron Esry – Vice-Chair

John Farney

Jennifer Locke

Emily Rodriguez

Jilmala Rogers

Monique Settles

Agenda	Page #
I. Call to Order	
II. Roll Call	
III. Approval of Agenda/Addendum	
IV. Approval of Minutes	
A. September 4, 2025 – Regular Meeting	1 - 8
V. Public Input	
VI. Communications	
VII. <u>New Business: Items for Information Only</u>	
A. Ted Hartke email	9-10
VIII. <u>New Business: Items to be Approved by ELUC</u>	
A. Recreation & Entertainment License for All American Entertainment dba The Great Benjamins Circus at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana, IL to be held October 16 through October 19, 2025.	11 - 29
B. Zoning Case 178-AT-25. Amend the Champaign County Zoning Ordinance to extend for six months a temporary safety moratorium on Carbon Sequestration Activity as described in the legal advertisement.	30 - 31
IX. <u>New Business: Items to be recommended to the County Board</u>	
A. Zoning Case 130-AT-24 On Remand. Amend the Champaign County Zoning Ordinance to add “Battery Energy Storage System” as a new principal use under the category “Industrial Uses: Electric Power Generating Facilities” and indicate that a Battery Energy Storage System may be authorized by a Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts; add	32 - 96

All meetings are at the Bennett Administrative Center – 102 E Main Street in Urbana – unless otherwise noted. To enter Bennett after 4:30 p.m., enter at the south (main) entrance located off Main Street. Champaign County will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities. Please contact Administrative Services, 217-384-3776, as soon as possible but no later than 48 hours before the scheduled meeting.

requirements and fees for “Battery Energy Storage Systems”; add any required definitions, and make certain other revisions to the Ordinance as detailed in the full legal advertisement.

- B. **Notice of Intent (NOI)** for period from November 1, 2025, to October 31, 2030, 97 - 145
for the National Pollutant Discharge Elimination System (NPDES) Municipal
Separate Storm Sewer System (MS4) Storm Water Discharge Permit with the
Illinois Environmental Protection Agency (IEPA).

X. **Other Business**

A. **Monthly Reports** -None

XI. **Chair’s Report**

XII. **Designation of Items to be Placed on the Consent Agenda**

XIII. **Adjournment**



Champaign County Board
Environment and Land Use Committee (ELUC)
County of Champaign, Urbana, Illinois

MINUTES – Pending Approval

DATE: Thursday, September 4, 2025
TIME: 6:30 p.m.
PLACE: Shields-Carter Meeting Room
Bennett Administrative Center
102 E. Main St., Urbana, IL 61801

Committee Members

Present	Absent
Aaron Esry (Vice-Chair)	
John Farney	
Jennifer Locke	
Emily Rodriguez	
Jilmala Rogers	
Eric Thorsland (Chair)	

County Staff: John Hall (Zoning Administrator), Andrew Muller (Assistant State's Attorney) and Mary Ward (Recording Secretary)

Others Present: None

MINUTES

I. Call to Order

Committee Chair Thorsland called the meeting to order at 6:33 p.m.

II. Roll Call

Roll call was taken, and a quorum was declared present.

III. Approval of Agenda/Addendum

MOTION by Mr. Farney to approve the agenda; seconded by Mr. Esry. Upon voice vote, the **MOTION CARRIED** unanimously.

IV. Approval of Minutes

A. August 7, 2025 – Regular Meeting

MOTION by Ms. Locke to approve the August 7, 2025 minutes; seconded by Ms. Rogers. Upon voice vote the **MOTION CARRIED** unanimously.

32 **V. Public Input**

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Matt Corray, Mahomet, spoke on the proposed solar project. The land has been farm-ground forever. Within an acre of the property there are bald eagle nests and other wildlife. It is not a great idea to place a solar farm there in proximity to Spring Lake and over an aquifer.

Tyler Bozarth, Mahomet, is against the solar project. Removing about an acre of trees is the opposite of protecting the environment. It will also ruin the value of homes in the area.

Alexis Godbee, Mahomet, spoke against the solar project. She enjoys watching the wildlife in the area and tries to be a good environmental steward. Problems have been documented with solar farms. It is not being built or run to benefit the community. A petition has been started against the solar farm to date has 370 signatures.

Karen Hansen, Mahomet, stated this issue is too important to stand on the sidelines. We must protect the Mahomet Aquifer. How will the solar farm be affected by a high-water table? How will this affect Spring Lake and the Sangamon River? What happens if they damage the river or the aquifer.

Moira Cronin, Developer Mahomet Solar Farm 1, spoke in favor the project at Mahomet. They are a long-term owner and operator, and they are not going anywhere. She stated they are not removing an acre of trees. They are trying to contribute to the state goal of producing 100% clean energy by 2050. She went over the findings. They have done all the environmental studies. They are aware of drainage issues and will move drainage tiles as needed. It includes non-hazardous solar panels.

Diana Hanson, Mahomet, spoke in opposition to the solar project.

Linda Hambleton, Mahomet, strongly opposes the Mahomet solar project, the loss of prime farmland and the project being placed next to a residential neighborhood. It should not be converted for this project. Concerned about the degradation of land. The use of heavy equipment will compact the soil and worsen the drainage issues they already have. Solar farms in rural areas decrease the value of homes. There are bald eagles and other migratory birds that live there that will be disrupted.

Dave Sproul, Mahomet, opposes the solar farm. They've asked for the waiver regarding roads as they don't want to pay for repairs. The project name, Mahomet IL Solar 1, shows the intent for expansion.

Debbie Bunch, Mahomet, wants accurate information from the developers. The number of solar panels changed from meeting to meeting. She drove by their solar farm on Market Street, and it did not look like it had been mowed. She also questioned the noise testing equipment and calibration. She had questions about how the community subscriptions work. The DSRP states it will be restored to meadow condition – it's not meadow now.

Cheryl Sproul, Mahomet, there is no farmland to spare. This is not benefitting the immediate community. Need to consider the impact on environment, neighborhood, township, the county and state.

Mike Murphy, Mahomet. He is President of the Spring Lake HOA. An overwhelming majority of the HOA is opposed to the solar farm. Information was sent to the committee.

Diana Harmon, Mahomet, agrees with all the others who spoke against the solar farm project. Not against solar, she opposes this location.

Philip Carper, Seymour – via email. He would like the Committee to re-address the rooster regulation, type of fowl and quantity for all residential neighborhoods in Champaign County. They have several coops within a block and a half of their home. Some have roosters and other fowl that make shrill whistling noises at all times of the day and night.

VI. Communications

Mr. Esry reminded the Committee that harvest is right around the corner. The U of I has already started chopping silage. Farmers will be out on the road, and everyone needs to be aware and watchful for the farm equipment.

Mr. Thorsland thanked those in attendance for making their opinions known. He shared some facts about farmland and solar. The biggest loss of farm ground around Mahomet is the development of Mahomet. He then shared some solar farm facts. Only .01% of acreage is in solar. EMF is less than a toaster. Solar panels do not leach chemicals. The biggest risk from storms is to the developer. All the findings from the ZBA in the affirmative. This is not the final vote tonight. This goes to the full County Board for final approval.

VII. New Business: Items to be Approved by ELUC

A. Recreation & Entertainment License for Araceli Gutierrez for a Spanish Rodeo at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana, IL to be held on September 7, 2025.

B. Recreation & Entertainment License for Araceli Gutierrez for a Spanish Rodeo at the Champaign County Fairgrounds, 1302 North Coler Avenue, Urbana, IL to be held on October 5, 2025.

OMNIBUS MOTION to approve Recreation & Entertainment License for Araceli Gutierrez for a Spanish Rodeo at the Champaign County Fairgrounds on September 7 and October 5, 2025 made by Ms. Rodriguez; seconded by Ms. Locke. Upon voice vote, the **MOTION CARRIED** unanimously.

VIII. New Business: Items to be recommended to the County Board

A. Zoning Case 162-S-25. A request by Mahomet IL Solar 1, LLC, c/o Summit Ridge Energy LLC, via agent Moira Cronin, Senior Manager, Project Development, and participating landowners Paul Nurmi Trustee, and Greater Heritage Farms LLC to authorize a Community PV Solar Farm with a total nameplate capacity of 4.99 megawatts and totaling approximately 36 acres in the AG-2 Zoning District on the South side of US Highway 150, in the West Half of the Northeast Quarter and the East Half of the Northwest Quarter of Section 17 Township 20 North, Range 7 East of the Third Principal Meridian, in Mahomet Township, commonly known as farmland owned by Greater Heritage Farms LLC and Paul Nurmi Trustee with the following waivers of standard conditions:

Part A: A waiver for not entering into a Roadway Upgrade and Maintenance Agreement or waiver therefrom with the relevant local highway authority prior to consideration of the Special Use Permit by the Zoning Board of Appeals, per Section 6.1.5 G.(1).

Part B: A waiver for locating the PV Solar Farm less than one and one-half miles from an incorporated municipality per Section 6.1.5 B.(2)a.

Part C: A waiver for locating the PV Solar Farm 65 feet from a non-participating lot that is 10 acres or less in area in lieu of the minimum required separation of 240 feet between the solar farm fencing and the property line, per Section 6.1.5 D.(3)a.

Part D: A waiver for providing financial assurance for the Decommissioning and Site Reclamation Plan in the form of a surety bond, in-lieu of a letter of credit per Section 6.1.5 Q.

MOTION by Ms. Locke to recommend County Board approval of a resolution approving Zoning Case 162-S-25; seconded by Ms. Rodriguez.

Mr. Hall started the discussion by giving the recommendation from ZBA. ZBA gave affirmative findings for Waivers Part A, Part B and Part C; they recommended a denial of Part D. There was an abstention on the vote. There was a vote against, two members absent; it failed even though the findings were affirmative. They will need to provide a road agreement before they can get the permit. The state law was sent out with the notes and the project meets and exceeds the standards.

Ms. Rodriguez asked if we have allowed the Part D waiver before. Mr. Hall stated that we have not been able to amend the ordinance. Surety bonds also require a certain credit rating. Ms. Rodriguez questioned about community outreach and public meetings.

Mr. Thorsland said screening/fencing are required of the developer. All environmental impact studies have been done. The map we have shows about an acre of trees that need to be cleared. Need to clarify that with the developer as they said no trees would be cleared.

Ms. Rodriguez asked the developer about their community outreach efforts. They have been done in other areas. They chose not to do one here as it gives time for opposition to mobilize. They do plant a pollinator friendly seed mix and trees around the perimeter. Trees would grow to 10-12 feet in height. Ms. Rodriguez added that it is not a requirement for community outreach, but likes it when they do that. Not sure if that requirement could be put in the ordinance.

Mr. Thorsland asked about the trees that are being removed. They are being removed as to not to create a shadow over the solar panels, not for placement of the solar panels. It does not extend farther than the fence. They will be planting a significant number of trees. The are planted at 5 feet and will grow 10-15 feet tall. Mr. Thorsland also said regarding the Part D waiver regarding surety bonds, he is inclined to go with the ZBA findings and vote to not allow the Part D waiver.

164 The developer stated that AIMA (Agricultural Impact Mitigation Agreement) state law allows for
165 surety bonds. She read a statement from their application explaining AIMA and how a surety
166 bond is more secure than a letter of credit. They have never not been granted this waiver. This
167 would create a hardship for them. They would really prefer to do escrow instead of a letter of
168 credit. They have done this with other counties.

169
170 Mr. Hall stated that AIMA allows the county to determine the type of financial assurance. AIMA
171 doesn't state that it needs to be a surety bond. The State's Attorney provided information to ZBA
172 that says that a letter of credit is better for the County than a surety bond. Discussion regarding
173 the use of surety bonds needs to happen. We would have to change our ordinance. She tried to
174 argue that other counties have done it.

175
176 Ms. Rodriguez said that she is happy to follow the advice of the State's Attorney and just wait. If
177 we want to pause and review this policy, why not. Mr. Thorsland asked, if she wanted to wait on
178 the whole case? Yes. It would also be an opportunity to offer a town hall. Her vote tonight would
179 be a no. She has two process issues that she has issues with. This is just her suggestion.

180
181 Ms. Locke added that she trusts the legal advice from the State's Attorney's Office as to what is
182 best for the County. The developer would really prefer to do escrow. A short discussion on
183 escrow ensued. Only three local banks have the credit rating for the letter of credit. They would
184 like to pursue escrow as an option. Mr. Farney said when the ordinance was written, they said
185 this is what's needed, and the State's Attorney backs it up. We would need to check with the
186 State's Attorney about escrow. The County Board could vote on an escrow account rather than a
187 letter of credit.

188
189 Mr. Muller from the State's Attorney's Office was present. Ms. Locke asked if there has been any
190 study of escrow and solar farms. No, but we do have them with wind farms. It would be ok if the
191 question of escrow goes to the full County Board.

192
193 Mr. Farney asked if Summit Ridge, as the developer, receiving any federal funds? There are no
194 USDA grants available. They would be eligible for the IRS tax credit. There is also some for using
195 U.S. made components. He also asked if the labor would be local or from out of the area. This
196 is bid out. They have worked with local labor before. It's just too early at this time for that.

197
198 Mr. Farney said this goes to the full County Board regardless of tonight's vote. He is concerned
199 that they couldn't find somewhere besides next to a residential neighborhood to build. Also,
200 Springfield does not always know what is best for the counties. He will be a no on this tonight.

201
202 Mr. Esry echoed many of Mr. Farney's comments. He shares some of the same worries as the
203 people who have spoken tonight. One of the biggest reasons to vote no is that Springfield said you
204 can't say no. Zoning needs to be back in the hands of the County. He will be a no tonight.

205
206 Ms. Rogers added that she will also be a no tonight. The pictures that had been provided made
207 a difference.

Mr. Thorsland said there are a lot of places to site a solar farm. When you buy a property, you don't own the view. That owner also has property rights. The project not only meets state standards, but it also meets our as well. He will be voting yes on this to move to the full County Board for discussion. He encourages everyone to attend and voice their opinion.

Ms. Rodriguez said she had never heard a developer say outright, that they skirt public input.

Discussion was held to clarify what is being voted in and if there was a need to amend the motion. It was determined the original motion as made was to be voted on.

A roll call vote was called for. The **MOTION** to Recommend County Board Approval of a resolution approving Zoning Case 162-S-25 for Mahomet IL Solar 1 moves to the County Board as a **denial** with a vote of 2 yays and 4 nays.

- B. Decommissioning and Site Reclamation Plan for Zoning Case 162-S-25.** A request by Mahomet IL Solar 1, LLC, c/o Summit Ridge Energy LLC, via agent Moira Cronin, Senior Manager, Project Development, and participating landowners Paul Nurmi Trustee, and Greater Heritage Farms LLC to authorize a Decommissioning and Reclamation Plan for a Community PV Solar Farm with a total nameplate capacity of 4.99 megawatts and totaling approximately 36 acres in the AG-2 Zoning District on the South side of US Highway 150, in the West Half of the Northeast Quarter and the East Half of the Northwest Quarter of Section 17 Township 20 North, Range 7 East of the Third Principal Meridian, in Mahomet Township, commonly known as farmland owned by Greater Heritage Farms LLC and Paul Nurmi Trustee.

MOTION by Ms. Locke to recommend County Board approval of a resolution approving the Decommission and Site Reclamation Plan for Zoning Case 162-S-25; seconded by Ms. Rodriguez.

Mr. Hall stated that reviewing these are a challenge. This one was the most different one they've seen. It does fall within the range of prices like other DSRP's and staff sees no problems.

Ms. Rogers asked him to clarify what he meant by different. These can't be compared on a line-by-line basis. They compare on dollars per acre and dollars per kilowatt.

Upon voice vote, the **MOTION** to Recommend County Board Approval of a resolution approving the Decommission and Site Reclamation Plan for Zoning Case 162-S-25 for Mahomet IL Solar 1 moves to the County Board as a **denial**.

- C. Zoning Case 130-AT-24.** Amend the Champaign County Zoning Ordinance to add "Battery Energy Storage System" as a new principal use and indicate that a Battery Energy Storage System may be authorized by a County Board Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts; add requirements and fees for "Battery Energy Storage Systems"; add any required definitions, and make certain other revisions to the Ordinance as detailed in the full legal advertisement.

MOTION by Ms. Locke to recommend County Board approval of a resolution approving Zoning Case 130-AT-24 to amend the Champaign County Zoning Ordinance; seconded by Ms. Rogers.

Mr. Hall said this had changed a lot since it was approved to go to hearing. They recommend this as a County Board Special Use Permit. The fire safety requirements meet NFPA855. ZBA reviewed the study of a thermal runaway event. Air plume modeling showed particles could seep to nearby principal buildings up to a ¼ mile away. These also had three different BESS developers review the ordinance.

A part was accidentally omitted. The following should be added to proposed section 6.1.8C.:

- (5) The minimum SIDE and REAR YARD for TIER-2 BESS equipment other than fencing and electrical inverters is 100 feet.
- (6) Electrical inverters for TIER-2 BESS shall be located as far as possible from property lines, other than railroad property lines and electrical substation property lines, and consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall require specific approval and may require special sound deadening construction and noise analysis.
- (7) TIER-2 BESS fencing shall be no less than 26 feet from the property line of any adjacent lot other than lots for railroad property and electrical substation property.

There was some discussion whether to amend the ordinance with the addition and then vote on the amended ordinance or to send this back to the ZBA to go through the correct process.

Mr. Thorsland felt it should go back to ZBA as there are no pending applications for this. Mr. Esry said he had no problems with this going back to ZBA. Everyone felt we should follow the formal process.

Mr. Hall said this will add more protections in the ordinance.

MOTION by Mr. Esry to remand back to the ZBA to be considered at the earliest possible time; seconded by Mr. Farney. Upon voice vote, the **MOTION CARRIED** unanimously.

IX. Other Business

A. Monthly Reports -None

There were no monthly reports.

X. Chair's Report

There was no chair's report.

296 **XI. Designation of Items to be Placed on the Consent Agenda**

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298 There are no items for the Consent Agenda.

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300 **XII. Adjournment**

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302 Committee Chair Thorsland adjourned the meeting at 8:32 p.m.

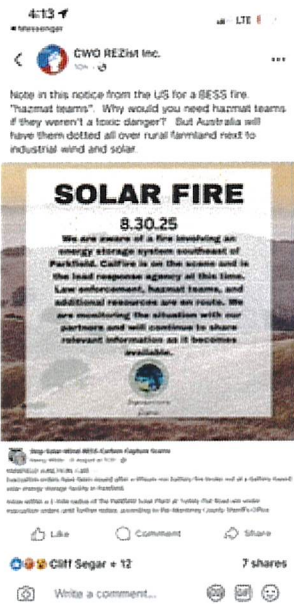
303

John Hall

From: Ted Hartke <tedhartke@hartke.pro>
Sent: Thursday, September 25, 2025 4:15 AM
To: John Hall
Subject: Two mile evacuation and HAZMAT response to solar farm battery fire

CAUTION: External email, be careful when opening.

Evacuation was 2 miles
HAZMAT response.
Share with ELUC committee please.



Sent from my iPhone

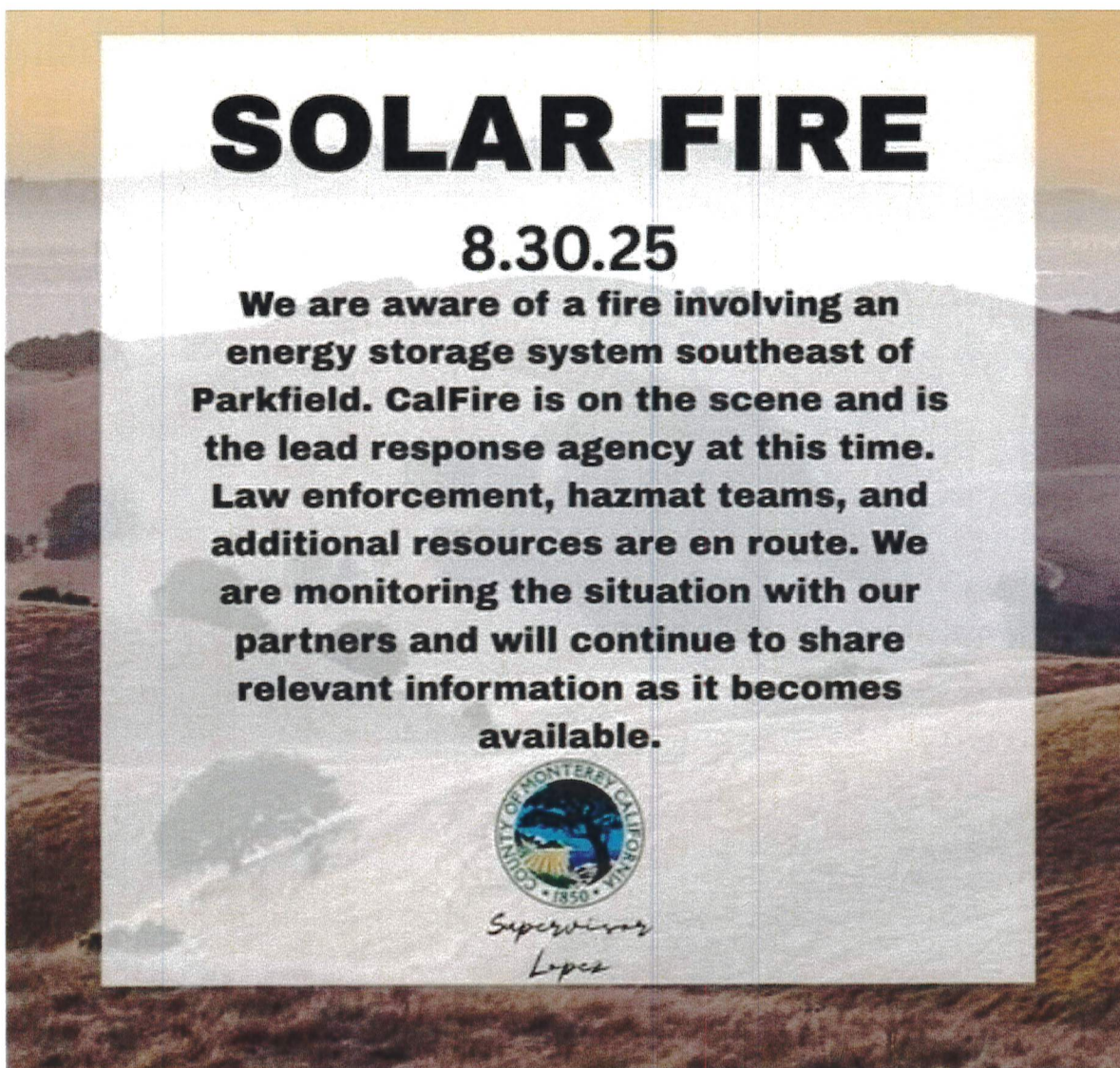


CWO REZist Inc.

14h · 🌐



Note in this notice from the US for a BESS fire. "hazmat teams". Why would you need hazmat teams if they weren't a toxic danger? But Australia will have them dotted all over rural farmland next to industrial wind and solar.



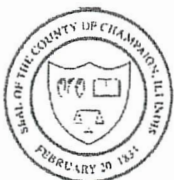
Stop Solar-Wind-BESS-Carbon Capture Scams

Nancy White · 31 August at 11:51 · 🌐

PARKFIELD JUNCTION, Calif. —

Evacuation orders have been issued after a lithium-ion battery fire broke out at a battery-based solar energy storage facility in Parkfield.

Areas within a 2-mile radius of the Parkfield Solar Plant at Turkey Flat Road are under evacuation orders until further notice, according to the Monterey County Sheriff's Office.



STATE OF ILLINOIS,
Champaign County
Application for:
Recreation & Entertainment License

Applications for License under County
Ordinance No. 55 Regulating Recreational &
Other Businesses within the County (for use
by businesses covered by this Ordinance other
than Massage Parlors and similar enterprises)

For Office Use Only

License No. _____
Date(s) of Event(s) Oct 16-19, 2025
Business Name: All American Entertainment
License Fee: \$ 40.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 44.00

Checker's Signature: _____

Filing Fee:

Per Year (or fraction thereof): \$ 100.00

Per Single-day Event: \$ 10.00

Clerk's Filing Fee: \$ 4.00

FILED

SEP 18 2025

Champaign County Clerk

Checks Must Be Made Payable To: Champaign County Clerk

The undersigned individual, partnership, or corporation hereby makes application for the issuance of a license to engage a business controlled under County Ordinance No. 55 and makes the following statements under oath:

- A. 1. Name of Business: All American Entertainment LLC DBA The Great Benjamins Circus
2. Location of Business for which application is made: 1302 N Coler Ave, Urbana, IL 61801
3. Business address of Business for which application is made: 14969 Beckett Rd, Seagoville, TX 75159
4. Zoning Classification of Property: _____
5. Date the Business covered by Ordinance No. 55 began at this location: Oct 16th/ Oct 19th
6. Nature of Business normally conducted at this location: Fairgrounds
7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Circus Event
8. Term for which License is sought (specifically beginning & ending dates): Oct 16th through Oct 19th, 2025
- CONTACT Name:** Shantal Dominguez **Phone:** 206 423 2264
9. Do you own the building or property for which this license is sought? No
10. If you have a lease or rent the property, state the name and address of the owner and when the lease or rental agreement expires: Terry Lemke, Board President
1302 N Coler Ave, Urbana IL 61801. Exp. Oct 20th, 2025
11. If any licensed activity will occur outdoors attach a Site Plan (with dimensions) to this application showing location of all buildings, outdoor areas to be used for various purposes and parking spaces. See page 3, Item 7.

**INCOMPLETE FORMS WILL NOT BE CONSIDERED FOR A LICENSE
AND WILL BE RETURNED TO APPLICANT**

Recreation & Entertainment License Application
Page Two

- B. If this business will be conducted by a person other than the applicant, give the following information about person employed by applicant as manager, agent or locally responsible party of the business in the designated location:

Name: John Davenport (Owner) Date of Birth: REDACTED
Place of Birth: Seagoville, TX Social Security No.: REDACTED
Residence Address: 14969 Beckett Rd, Seagoville, TX 75159
Citizenship: U.S. Citizen If naturalized, **place** and **date** of naturalization: _____
PHONE #: 945 238 6416 EMAIL: jdavenport@aaeshows.com

If, during the license period, a new manager or agent is hired to conduct this business, the applicant **MUST** furnish the County the above information for the new manager or agent within ten (10) days.

Information requested in the following questions must be supplied by the applicant, if an individual, or by all members who share in profits of a partnership, if the applicant is a partnership.

If the applicant is a corporation, all the information required under Section D must be supplied for the corporation and for each officer.

Additional forms containing the questions may be obtained from the County Clerk, if necessary, for attachment to this application form.

- C. 1. Name(s) of owner(s) or local manager(s) (include any aliases): John Darrel Davenport
Date of Birth: REDACTED Place of Birth: Seagoville, TX
Social Security Number: REDACTED Citizenship: US Citizen
If naturalized, state **place** and **date** of naturalization: _____
2. Residential Addresses for the past three (3) years:
14969 Beckett Rd, Seagoville, TX 75159
3. Business, occupation, or employment of applicant for four (4) years preceding date of application for this license: All American Entertainment LLC Owner (Other Performing Arts Companies)

EACH OFFICER MUST COMPLETE SECTION D. OBTAIN ADDITIONAL FORM PAGES IF NEEDED FROM THE COUNTY CLERK AND ATTACH TO THIS APPLICATION WHEN FILED.

- D. Answer **only** if applicant is a Corporation:

1. Name of Corporation exactly as shown in articles of incorporation and as registered:

2. Date of Incorporation: _____ State wherein incorporated: _____

Recreation & Entertainment License Application
Page Three

3. If foreign Corporation, give name and address of resident agent in Illinois:

Give first date qualified to do business in Illinois: _____

4. Business address of Corporation in Illinois as stated in Certificate of Incorporation:

5. Objects of Corporation, as set forth in charter: _____

6. Names of all Officers of the Corporation and other information as listed:

Name of Officer: _____ Title: _____

Date elected or appointed: _____ Social Security No.: _____

Date of Birth: _____ Place of Birth: _____

Citizenship: _____

If naturalized, place and date of naturalization: _____

PHONE # _____

EMAIL: _____

Residential Addresses for past three (3) years: _____

Business, occupation, or employment for four (4) years preceding date of application for this license: _____

7. A site plan (with dimensions) must accompany this application. It must show the location of all buildings, outdoor areas to be used for various purposes and parking spaces.

(NOTE: All annual licenses expire on December 31st of each year)

AFFIDAVIT

(Complete when applicant is an **Individual or Partnership**)

I/We swear that I/we have read the application and that all matters stated thereunder are true and correct, are made upon my/our personal knowledge and information and are made for the purpose of inducing the County of Champaign to issue the permit hereunder applied for.

I/We further swear that I/we will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of the business hereunder applied for.

Signature of Owner or of one of two members of Partnership

Signature of Owner or of one of two members of Partnership

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20__ _

Notary Public

AFFIDAVIT

(Complete when applicant is a **Corporation**)

We, the undersigned, president and secretary of the above named corporation, each first being duly sworn, say that each of us has read the foregoing application and that the matters stated therein are true and correct and are made upon our personal knowledge and information, and are made for the purpose of inducing the County of Champaign to issue the license herein applied for.

We further swear that the applicant will not violate any of the laws of the United States of America or of the State of Illinois or the Ordinances of the County of Champaign in the conduct of applicant's place of business.

We further swear that we are the duly constituted and elected officers of said applicant and as such are authorized and empowered to execute their application for and on behalf of said application.

Signature of President

Signature of Secretary

Signature of Manager or Agent

Subscribed and sworn to before me this _____ day of _____, 20__ _

Notary Public

This COMPLETED application along with the appropriate amount of cash, or certified check made payable to, CHAMPAIGN COUNTY CLERK, must be turned in to the Champaign County Clerk's Office, 1776 E. Washington St., Urbana, Illinois 61802. A \$4.00 Filing Fee should be included.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
9/16/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Hosket Ulen Insurance Solutions LLC 6640 Riverside Dr., Suite 400 Dublin, OH, 43017	CONTACT NAME: Cory Cox		
	PHONE (A/C, No, Ext): (614) 339-1771	FAX (A/C, No): (614) 339-1788	
	E-MAIL ADDRESS: service@hosketulen.com		
INSURED All American Entertainment Productions, LLC 5057 Bal Harbor Blvd. Sarasota, FL, 34276	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Cincinnati Specialty Underwriters Ins. Co.		13037
	INSURER B: Trisura Specialty Insurance Co		16188
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** 1758042941773 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY		CSU0249616	2/27/2025	2/27/2026	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR	DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000				
		MED EXP (Any one person) \$ Excluded				
		PERSONAL & ADV INJURY \$ 1,000,000				
	GEN'L AGGREGATE LIMIT APPLIES PER:					GENERAL AGGREGATE \$ 2,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC					PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:					\$
B	AUTOMOBILE LIABILITY		24974-25-1	5/22/2025	5/22/2026	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> OWNED AUTOS ONLY	<input checked="" type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY				PROPERTY DAMAGE (Per accident) \$
						\$
	UMBRELLA LIAB	<input type="checkbox"/> OCCUR				EACH OCCURRENCE \$
	EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$
	DED	RETENTION \$				\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY Y/N N/A					PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below					OTH-ER
						E.L. EACH ACCIDENT \$
						E.L. DISEASE - EA EMPLOYEE \$
						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Subject to signed written contract, policy terms, conditions, and exclusions.
Event Dates: October 14th - 20th

CERTIFICATE HOLDER

CANCELLATION

County of Champaign
102 E. Main Street
Urbana, IL, 61801-2744

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Emma D. Carter

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Facility Rental Agreement

This contract for the rental of a venue is made this day, August 15, 2025, by and between the Champaign County Fair Association, hereafter referred to as the Owner, and Great Benjamin Circus c/o Fernando Varela, hereafter referred to as the Renter.

Whereas, the Renter desires to temporarily rent, occupy, and make use of the Owner's venue, located at 1302 N. Coler Ave., Urbana, IL 61801, and known as the Champaign County Fairgrounds, and

Whereas, the Owner agrees to such rental, occupation, and use in consideration of certain payments and covenants herein enumerated;

Now, therefore, the parties agree to the following terms and conditions:

1. To reserve calendar dates, a non-refundable deposit in the amount of 50% of the total rental cost is required with this agreement no later than sixty (60) days prior to Event and will be applied to rental charges upon final settlement of accounts. A separate check in the amount of 100% of the total rental cost is also required for a damage/security deposit which will be held and returned to the Renter upon settlement, minus any charges for actual damages done to the venue by Renter or his/her associates. Assessment to be done by Fair Personnel at the close of the event.
2. The Renter shall have access to and use the grassy area South of the grandstands as well as the ag camping area, October 16-19, 2025, for the purpose of hosting the Renter's Event: Circus. All events held at the Champaign County Fairgrounds will fall under the County noise ordinance (Section 3) and must end by 10:30pm each night of the event.
3. Renter must obtain an R&E License from the Champaign County Clerk Office. Renter shall provide the Owner with a copy of the issued permit no later than thirty (30) days prior to the Event Date. Renter is also responsible for obtaining their own liquor license if adult beverages will be offered during any time of the event.
4. The full Rental Fee for the use of the venue described in (2) above shall be ~~REDACTED~~ US a restroom cleaning fee of \$150. The balance of the Rental Fee due, less the non-refundable deposit described in (1) above, shall be payable to the Owner within three days of the rental period's expiration described in (2) above. At that time, Renter shall also tender to Owner all keys and other access control devices in his/her possession.
5. ~~In addition to rent, Renter will pay Owner \$25 per 110 hookup and/or \$50 per 220 hookups for each electrical hookup utilized by a profit bearing vendor.~~ Otherwise, Renter will furnish all other equipment necessary for its Event unless otherwise agreed in writing with Owner. Aladdin Electric is the only authorized company or person allowed to perform electrical work of any kind at the expense of the Renter. This fee also applies to any vendor who requires hard wiring into electrical boxes. There is no charge for water and can only be used with a hose hookup at a spigot. Renter also agrees to furnish generators to power their circus. The only electricity utilized will be to power campers.
6. Renter shall remove all personal property, trash, and other items that were not present in the venue when Renter took control of it. Trash removal service can be provided by the Owner at the expense of the Renter.
7. Upon Renter's completion of his/her obligations under (4) and (6) above, the Owner shall return to Renter the security deposit minus any amounts deemed necessary to repair damages inflicted upon the venue by

Renter and/or Renter's associates, guests, invitees, contractors, and all other persons whatsoever who enter the venue during the rental period, whether or not such persons did so with Renter's knowledge or consent.

8. Renter shall not do anything which will in anyway impair the reasonable obligation of any policy of insurance upon the premises. Renter shall procure and maintain at Renter's cost and expense policies of insurance insuring the Promoter against public liability, covering the premises rented and use and operation thereof, with limits of not less than \$1 million combine single limit. Any insurance required to be procured and maintained by the Renter shall not be subject to cancellation except after ten (10) days prior written notice to the Owner and shall name Owner as an additional insured. Renter shall provide to the Owner a certificate evidencing the insurance of said insurance policy or policies.


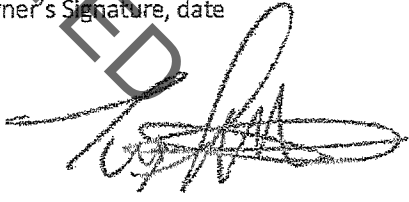
9. In the event that the Renter fails to pay the balance due within the time period agreed upon in this contract, interest shall accrue upon the unpaid balance at the rate of 10% per year until it is paid. Renter shall also be liable to owner for any legal fees, court costs, and other expenses associated with collection.

10. Renter will be liable for any physical damages, legal actions, and/or loss of reputation or business opportunities that Owner may incur as a consequence of the actions of Renter or any of Renter's guests while Renter is in control of the venue, and shall indemnify and hold harmless the Owner against any and all legal actions which may arise from Renter's use of the venue.

11. Renter may cancel the Event by notifying Owner by providing notice thirty (30) days or more before the Event Date. In such an event, Owner shall refund to Renter the full amount of the Rental Fee less the deposit. In the event if the Event is cancelled within thirty (30) days of the Event Date, Owner shall have the right to retain and/or collect the full Rental Fee.

12. Any disputes arising under this contract shall be adjudicated in the Owner's local jurisdiction.

In witness of their understanding of and agreement to the terms and conditions herein contained, the parties affix their signatures below.

Renter's Signature, date 	Owner's Signature, date  8/15/2025
Printed Name Fernando Varela	Printed Name Terry Lemke, Board President Champaign County Fair Association
Address 14969 Beckett Rd, Seagoville, TX 75159	Address 1302 N. Coler Ave. Urbana, IL 61801
Phone 580 760 0585	Phone (217) 367-8461

Champaign County Fairgrounds
1302 N Coler Ave, Urbana, IL 61801

1302 N Coler Ave
Recently viewed

Champaign County
Fair Association
Recently viewed

Fairgrounds
Recently viewed

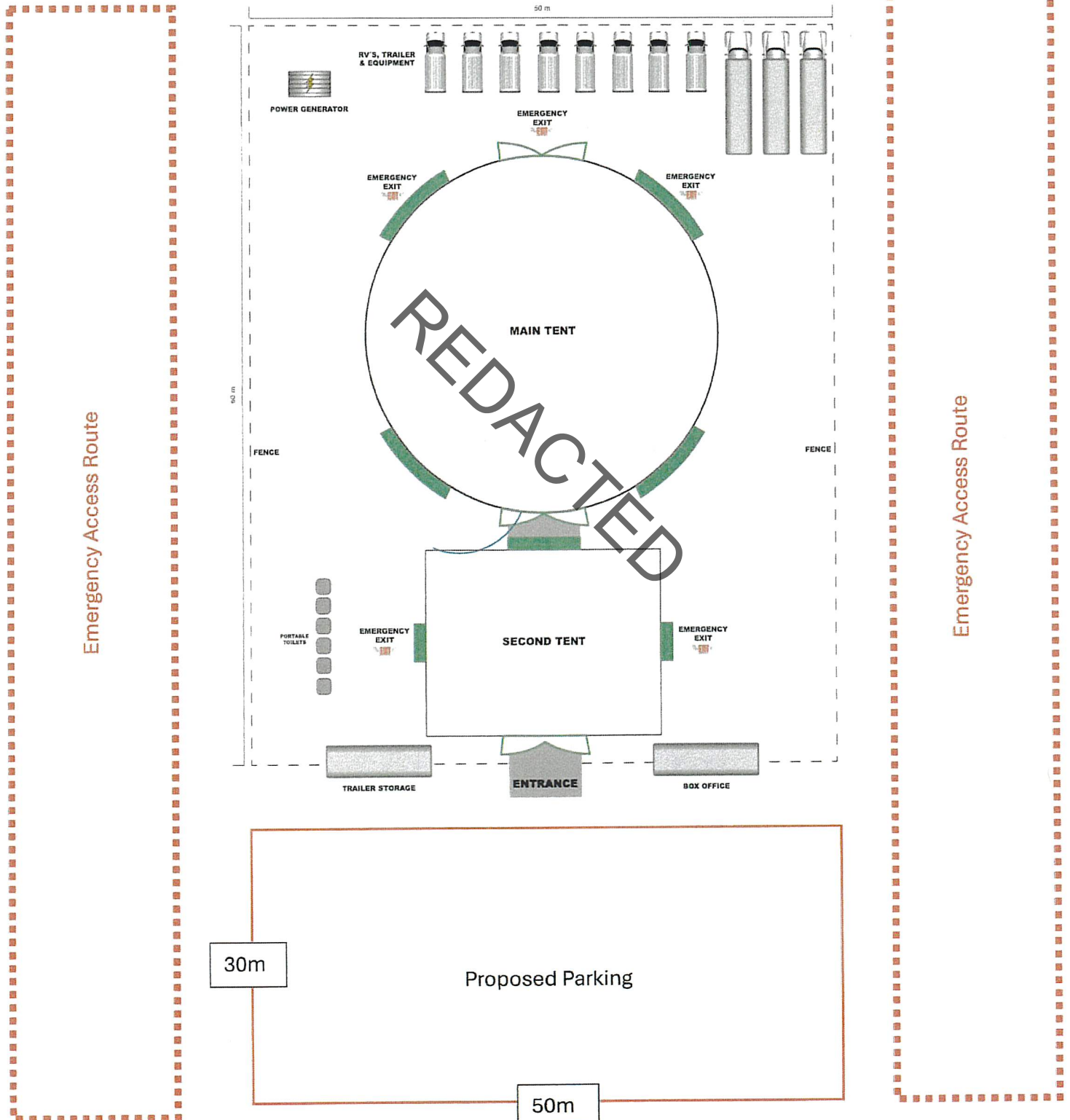
Free Parking at Carle
Foundation Hospital
Google Maps

THE GREAT BENJAMINS
CIRCUS

200 ft
50 m

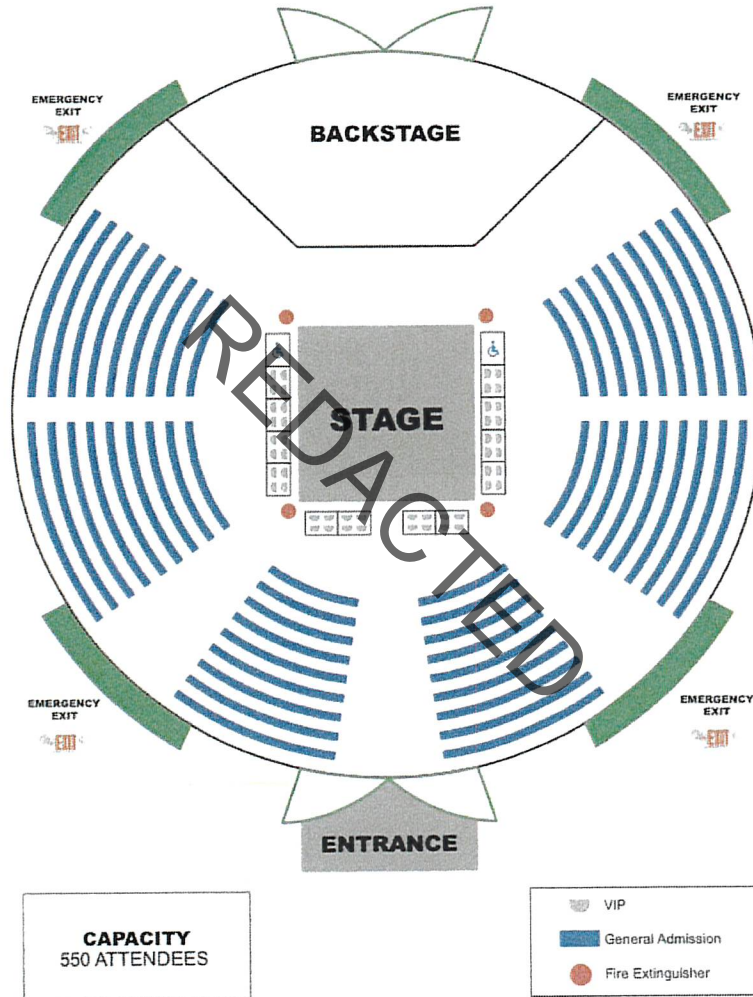
THE GREAT BENJAMINS CIRCUS

1302 N Coler Ave, Urbana, IL 61801



Main Tent/Interior Layout

All emergency exits are provided with exit signs and emergency lights

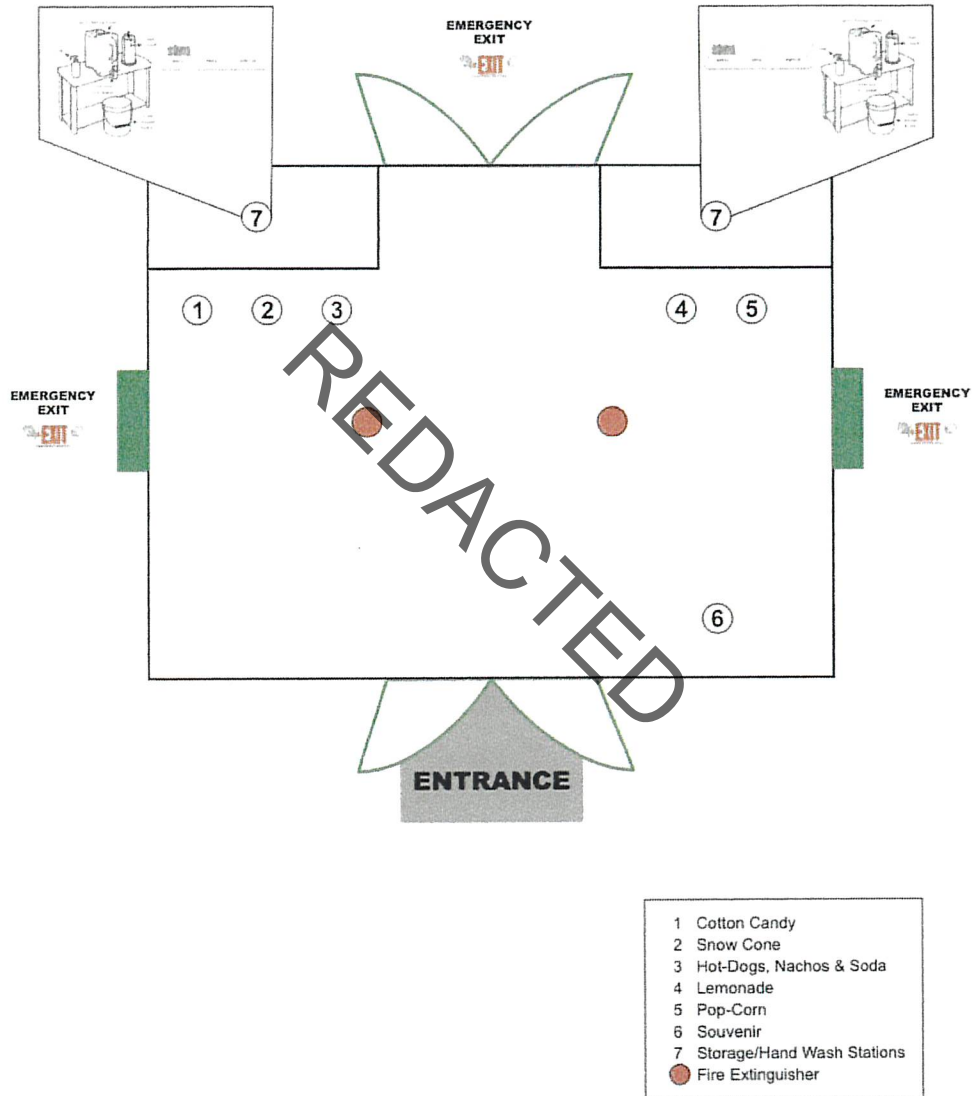


THE GREAT BENJAMIN'S
CIRCUS

This site plan is the property of Great Benjamin's Circus. It may not be used without written permission from Great Benjamin's Circus.

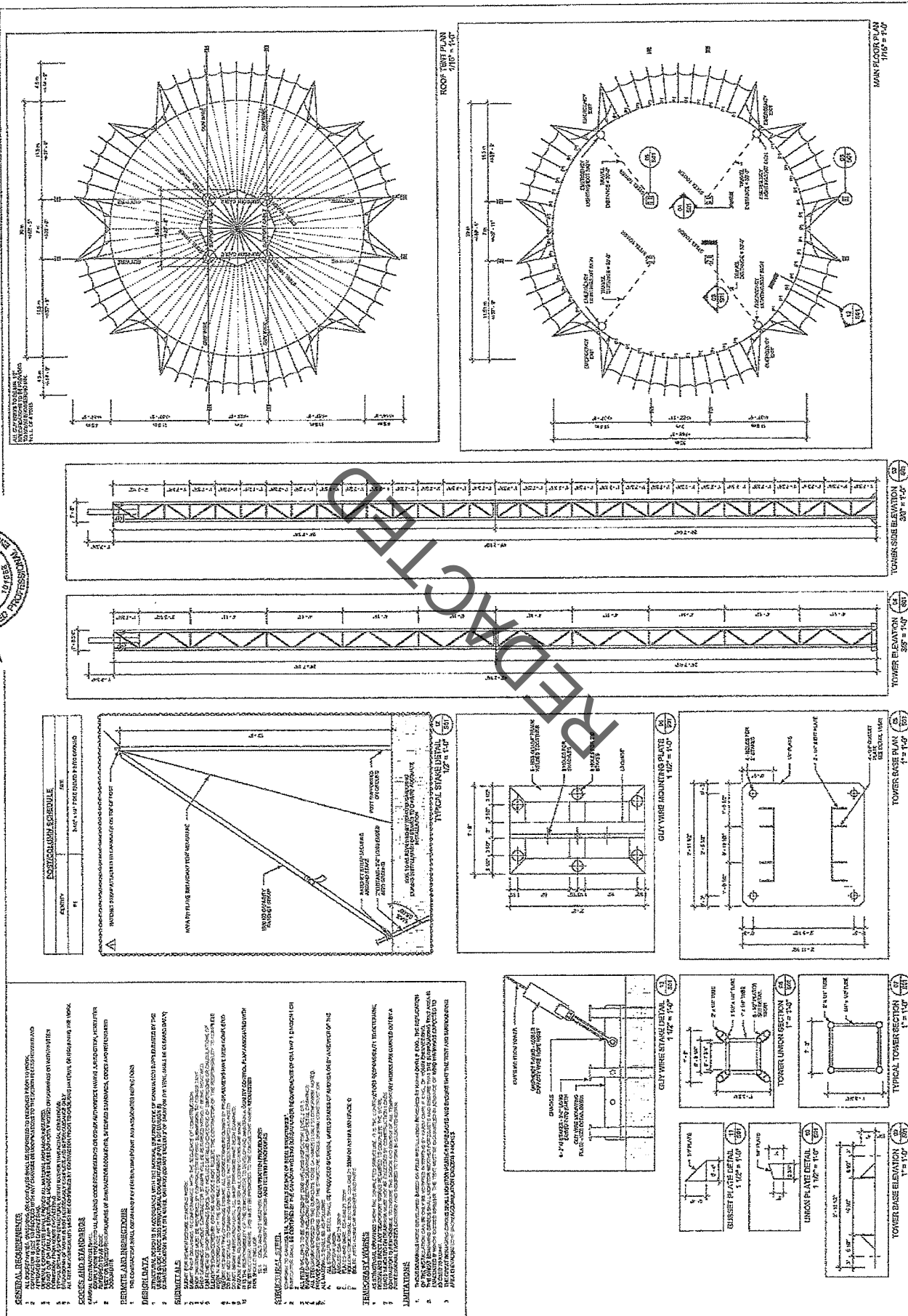
Second Tent/Interior Layout

All emergency exits are provided with exit signs and emergency lights

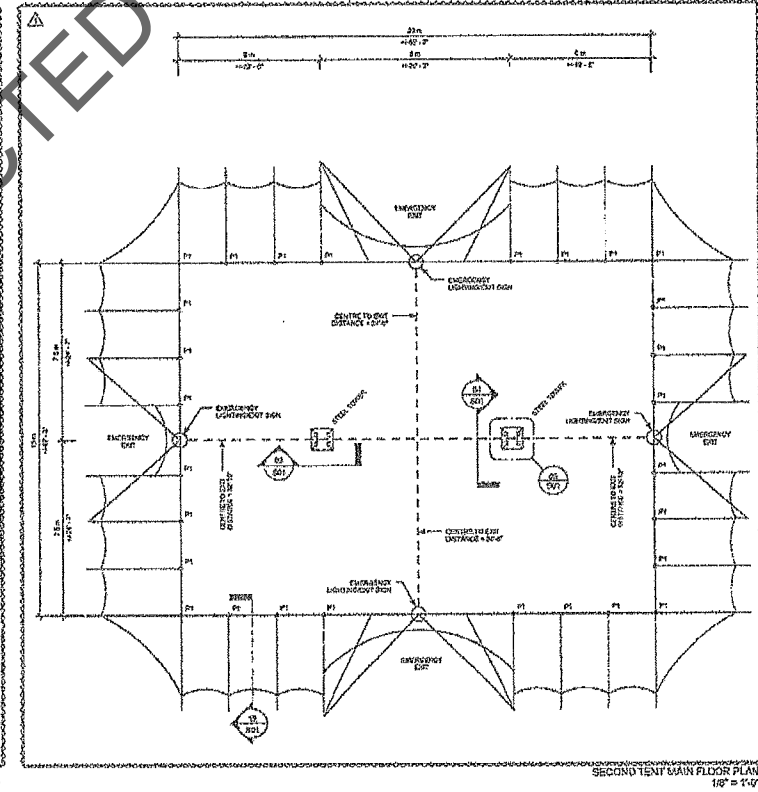
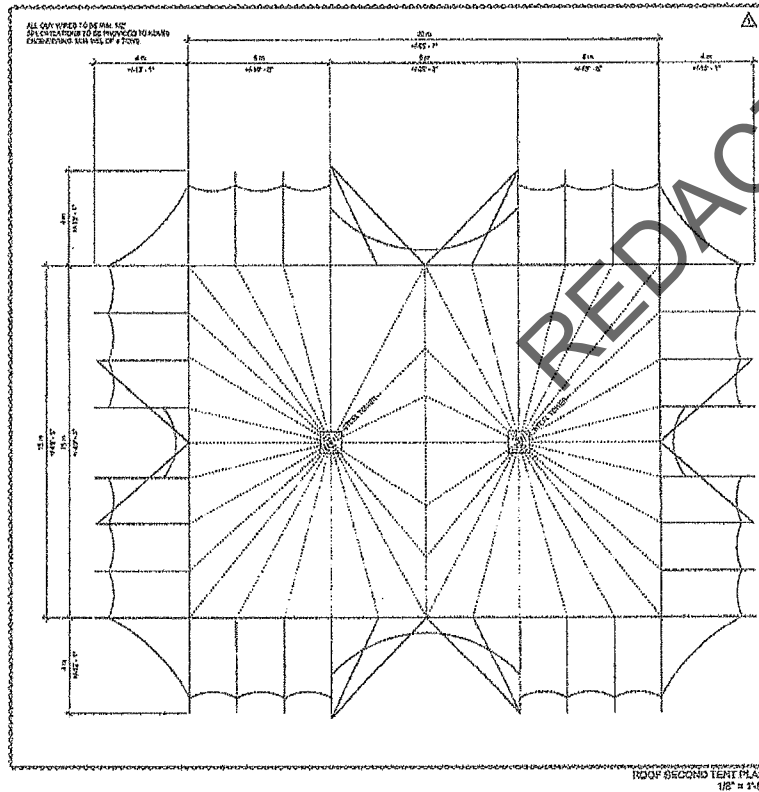
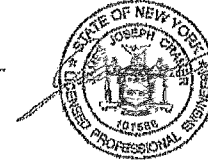


**THE GREAT BENJAMIN'S
CIRCUS**

This site plan is the property of Great Benjamin's Circus. It may not be used without written permission from Great Benjamin's Circus.



06/18/2025



NOTES:
1. ALL DIMENSIONS TO BE FROM 100' SPACING TO BE PROVIDED TO ADJUST EXISTING SILL OF 4' TO 0.
2. ALL DIMENSIONS TO BE FROM 100' SPACING TO BE PROVIDED TO ADJUST EXISTING SILL OF 4' TO 0.
3. ALL DIMENSIONS TO BE FROM 100' SPACING TO BE PROVIDED TO ADJUST EXISTING SILL OF 4' TO 0.

REVISIONS
1. ALL DIMENSIONS TO BE FROM 100' SPACING TO BE PROVIDED TO ADJUST EXISTING SILL OF 4' TO 0.
2. ALL DIMENSIONS TO BE FROM 100' SPACING TO BE PROVIDED TO ADJUST EXISTING SILL OF 4' TO 0.



KOMRI ENGINEERING
1100 DOWNTOWN STREET, SUITE 100, NEW YORK, NY 10038
TEL: (212) 691-1234 FAX: (212) 691-1235
WWW.KOMRIENGINEERING.COM

SECOND TENT PLANS
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1/8" = 1'-0"
DATE: 06/18/2025

S02

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL DIMENSIONS AND CONDITIONS AT THE JOB SITE AND TO CROSS-CHECK DETAILS AND DIMENSIONS ON THE STRUCTURAL DRAWINGS WITH RELATED REQUIREMENTS ON THE ARCHITECTURAL, MECHANICAL AND ELECTRICAL DRAWINGS. FLOOR AND WALL OPENINGS, SLEEVES AND OTHER ARCHITECTURAL, MECHANICAL AND ELECTRICAL REQUIREMENTS MUST BE COORDINATED BEFORE THE CONTRACTOR PROCEEDS WITH CONSTRUCTION.

2. ALL ENGINEERING DESIGN, CONSTRUCTION AND TESTING SHALL CONFORM TO THE REQUIREMENTS OF THE INTERNATIONAL BUILDING CODE UNLESS EXPLICIT (HEREIN REFERRED TO AS "THE CODE").
3. THESE DOCUMENTS DO NOT INCLUDE THE NECESSARY COMPONENTS FOR CONSTRUCTION SAFETY. SAFETY, CARE OF ADJACENT PROPERTIES AND THE PROTECTION OF THE PUBLIC ARE LOCAL REGULATIONS REGARDING SAFETY IS AND SHALL BE, THE CONTRACTOR'S RESPONSIBILITY.
4. REFER TO THE ARCHITECTURAL DRAWINGS FOR DIMENSIONS NOT SHOWN ON THE STRUCTURAL DRAWINGS.
5. ALL CHANGES OR COMMENTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND/OR SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER IMMEDIATELY. ANY CHANGES MUST BE RECORDED.

1. WHEN EXCAVATING FOR NEW FOUNDATIONS, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE PROPER SHORING CONFORMING TO ALL FEDERAL, STATE AND LOCAL CODES AND LAWS AS REQUIRED.

2. SUBMIT AN EXHAUSTIVE OR CONSTRUCTION AND PROGRESS SCHEDULE FOR THE PROJECT. THE SCHEDULE SHOULD PROVIDE INFORMATION NOT ONLY ON THE SEQUENCE OF WORK, BUT ALSO ON THE LOCATION OF UTILITY LINES SHOWN AS EXISTING.
3. COMPLETED PLS SHALL BE PLACED IN 8" DEEP LOGS LARGES FOR USING 10" OPERATED TAPERS, AND 8" HIGH LOGS LARGES FOR USING 10" OPERATED TAPERS. THE LOGS SHALL BE PLACED IN THE FIELD TO BE FILLED WITH THE ASPH. 4-800 GRAIN AT 2%.
4. COMPANY PLS SHALL BE 80% OF WORKMANSHIP. THE LOGS SHALL BE PLACED IN THE FIELD TO BE FILLED WITH THE ASPH. 4-800 GRAIN AT 2%.
5. PROVIDER MUST 4-800 GRAIN. THE EXCAVATION CONTRACTOR SHALL VERIFY LOCATION OF ALL UTILITIES PRIOR TO BEGINNING CONSTRUCTION WORK.
6. NON-DESIGNED CONTRACTOR SHALL PLS SHALL BE DEPOSITED IN DEPTHS OF 6" BELOW ALL EXISTING RATS, SLABS, AND PITS, AND 16" BELOW ALL CONCRETE WALLS, UNLESS NOTED OTHERWISE.
7. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING EXISTING BUILDING FOUNDATIONS AND EQUIPMENT FROM VIBRATION AND LATERAL MOVEMENT DURING THE CONSTRUCTION OF THE FOUNDATIONS. THE MEANS AND DESIGN OF FOUNDATION SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
8. INSTALLATION PLS SHALL BE FOR THE LATEST APPLICABLE LOCAL CODES AND LAWS.
9. FOR FOUNDATIONS WHERE THE OLD-ONE MEETS REQUIREMENTS, BUT DRAINAGE WATER IS PRESENT AND CANNOT BE CONTROLLED BY DRAINAGE OF THE OLD-ONE, THE CONTRACTOR SHALL PROVIDE A DRAINAGE SYSTEM THAT SHALL CONSIST OF 2000 PSI CONCRETE AND SHALL BE A MINIMUM OF 2" THICK.
10. ASSUMED ALLOWABLE SOIL BEARING MEASURE ON FOOTINGS IS 15,000 LBS PER SQ. FT. (PSF).
11. GENERAL CONTRACTOR SHALL INSTALL FOUNDATION ON VIBRO SOIL. IT IS RECOMMENDED THAT THE CONTRACTOR SHALL PROVIDE A DRAINAGE SYSTEM TO THE GEOTECHNICAL ENGINEER CONDUCT A SOIL TEST AND SUBMIT A WRITTEN REPORT NOT TO VIBRO SOIL.

1. ALL STRUCTURAL STEEL SHALL BE CONFORM TO THE LATEST EDITION "STEEL CONSTRUCTION MANUAL" OF THE AISC.

2. UNLESS OTHERWISE NOTED (AND), ALL ANCHORS SHALL BE IN ACCORDANCE WITH THE FOLLOWING ASTM SPECIFICATIONS:
- ASTM A 632, WIDE FLANGE
 - ASTM A 300, GRADE B, HOT ROLLING STRUCTURAL SHAPES
 - ASTM A 283, PLATES, BARS, RODS, AND ANGLES
 - ASTM A 501, PIPE
 - ASTM A 3125, OR A305 OR A308 FOR HIGH STRENGTH BOLTS
 - ASTM F 1554, GRADE ANCHOR BOLTS
 - ASTM A 307, GRADE A ANCHOR BOLTS
 - ASTM A 646, HEAVY HEX NUTS
 - ASTM A 449, WASHINGTON STATE WASHERS
 - ASTM A 312, B, threaded rods

3. ALL CONNECTIONS SHALL BE STEEL TYPE CONNECTIONS AND DESIGNED BY THE FABRICATOR FOR THE FACTORED STEEL FORCES INDICATED ON PLANS. IN ACCORDANCE TO FACTOR RATES, ALL STEEL BOLT CHAINS SHALL BE OF TYPE 3054. ALL BOLTS SHALL BE SUBC/HEATING TYPE BOLTS AND "SHEAR TIGHT".
4. ALL WELDING SHALL BE IN ACCORDANCE WITH AWS D1.1, STEEL EROD ELECTRODES AND. PROVIDE COMPATIBLE MINIMUM GRADE FILLER WELD PER AISC REQUIREMENTS. ALL WELD MATERIAL SHALL HAVE TENSILE YIELD STRENGTH OF 50 KSI.
5. WHERE "CONTINUOUS CHORD" ANGLES ARE DESIGNATED, PROVIDE A CONTINUOUS BUTT WELD OR FULL PENETRATION WELD AT THE JOINT POINT. THE GIRDERS FABRICATOR MAY PROVIDE AN ALTERNATE BOLTS CONNECTION DETAILS FOR APPROVAL.

6. ALL MOVEMENT CONDUITS ARE NESTED YARDS () ON PLAN SEE SPECIAL DETAILS.
7. WHERE STEEL JOISTS RISE ABOVE UNDOING CONDUITS, PROVIDE ALL STEEL JOIST COATS, PROVIDE A "SP" CONNECTION PER SPECIAL DETAIL.
8. JOISTS IN STEEL SHALL BE TYPICAL AS PROVIDED. ALL SLOTTED JOISTS SHALL BE PROVIDED WITH SMOOTH SPOON, BLANKING OF HOLES AND CORNER CUTTING AT THE SITE IS NOT PERMITTED.
9. UNLESS OTHERWISE NOTED, ALL STRUCTURAL STEEL PERMANENTLY EXPOSED TO VIEW SHALL BE SHOP PAINTED TO THE CODE OF SPEC 15-2, TYPE 1 (ONE COAT) PAINT.
10. THE STRUCTURAL STEEL EXTERIOR WALL PROVIDE ALL TYPICAL COATING AND FINISH.
11. UNLESS OTHERWISE NOTED, ALL STRUCTURAL STEEL PERMANENTLY EXPOSED TO THE WEATHER, INCLUDING ALL ROOF GYM FLOOR SHALL BE HOT-DIPPED GALVANIZED IN ACCORDANCE WITH ASTM A-153 OF A501.

SHIP FABRICATION DETAILS ARE TO BE MADE FROM
"ISSUED FOR CONSTRUCTION" DESIGN DRAWINGS ONLY.

1. FABRICATOR IS RESPONSIBLE FOR:
 - a. CHECKED SHOP DETAILS.
 - b. CONNECTIONS NOT SHOWN ON THE DESIGN DRAWINGS.
 - c. PROVIDING FUSED CLIPPING WELDING (GUTTER UNDER THE PIECE OR IN THE DR. OF MATERIAL).
 - d. FIELD JOINT LIFT FOR STRUCTURAL STEEL TO STRUCTURAL STEEL FIELD CONNECTIONS, INCLUDING JOINT STABILITY.
 - e. CHORDING BEAM JOINTS WITH DEEP CORN CUTS FOR EYE BAR, AND PROVIDING NECESSARY REINFORCEMENT, IF REQUIRED.
 - f. PAVING CONSISTENT WITH FABRICATION SPECIFICATION. FIELD PAINTING TO BE MINIMIZED WHILE NOT AFFECTING DESIGN OF BOLTED CONNECTIONS.
 - g. COORDINATING OF DETAILS WITH SUBCONTRACTORS' BACKLOGS/AVAILABILITY.

1. ALL ANCHOR BOLTS SHALL BE ASTM F1554 GRADE "A" WITH
ASTM A-363 GRADE "A" HEAVY HEX NUTS AND ASTM
A-308 UNFUSED WELD STUD WASHERS. ANCHOR BOLTS

- [illegible]



DATE: 08-28-20

COMPARATIVE ANALYSIS
OF THE TWO DOCUMENTS
2015

GRANDSTAND DRAWINGS FOR
GREAT BENJAMIN CIRCUS
NY 14845

THESE EXAMPLES ARE NOT
OF SINGLE ENDORSING, IT
WILL NOT BE ACCURATE, CO-
OPERATION, AND/OR DIRE-
CT MARKING WITH-SUB THE
CONCERN OF THE OFFICE E

1952	10-5-12	1958	12-5-12
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2059	10-5-12	2065	12-5-12
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GENERAL & STRUCTURAL NOTES

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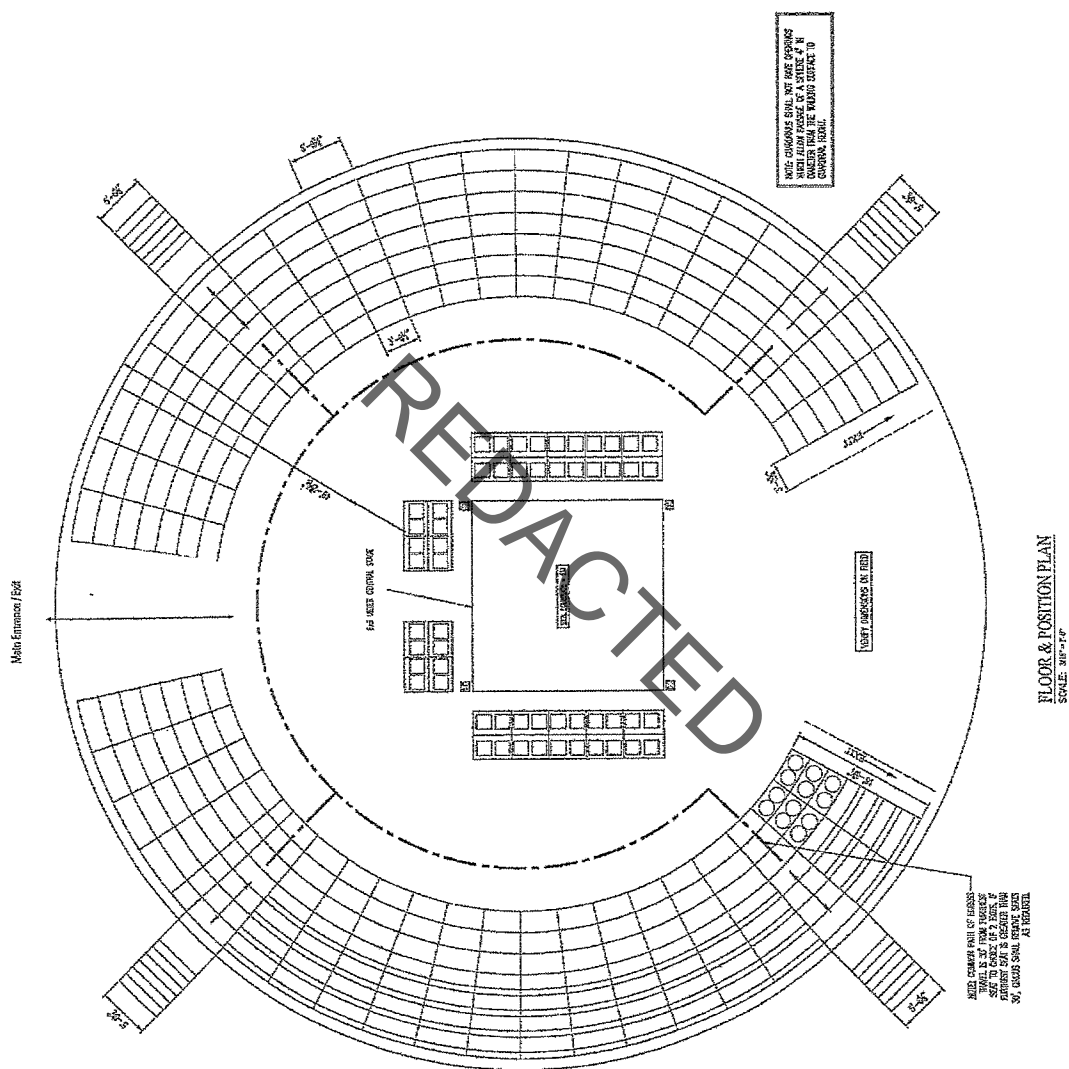
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GREAT BENJAMIN CIRCUS
NY 14845

DATE: 08-28-2025
CITY: CHAMPAIGN, IL
COUNTY: CHAMPAIGN



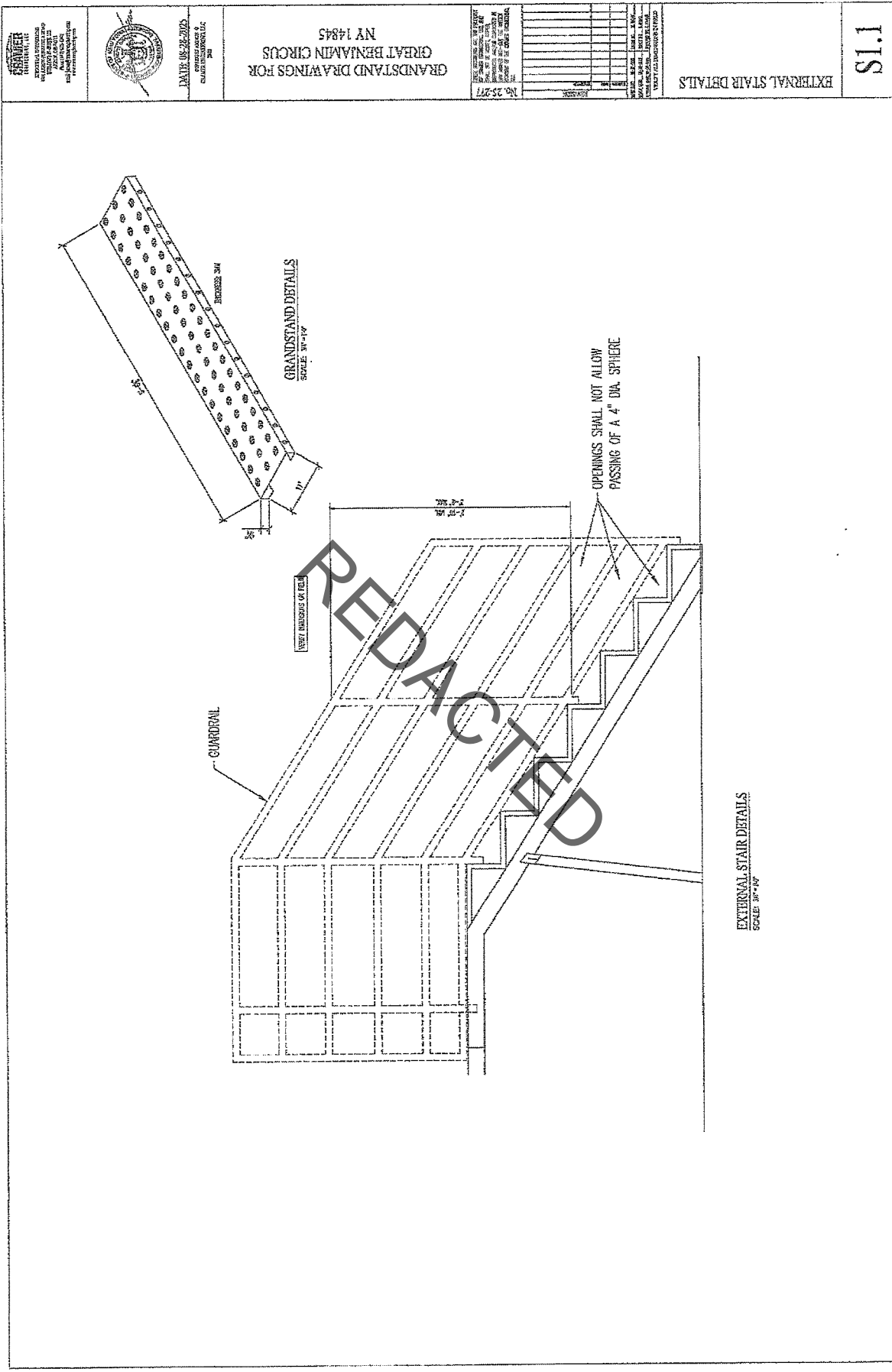
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 (212) 693-1111
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 THE WORLD'S GREATEST
 MOTOR RACING RECREATION
 COMPANY
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 RACING, INC.

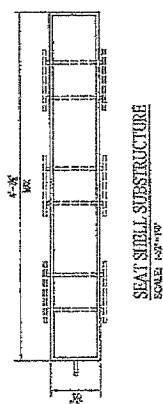
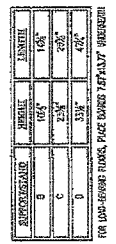
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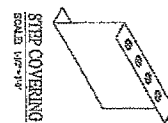
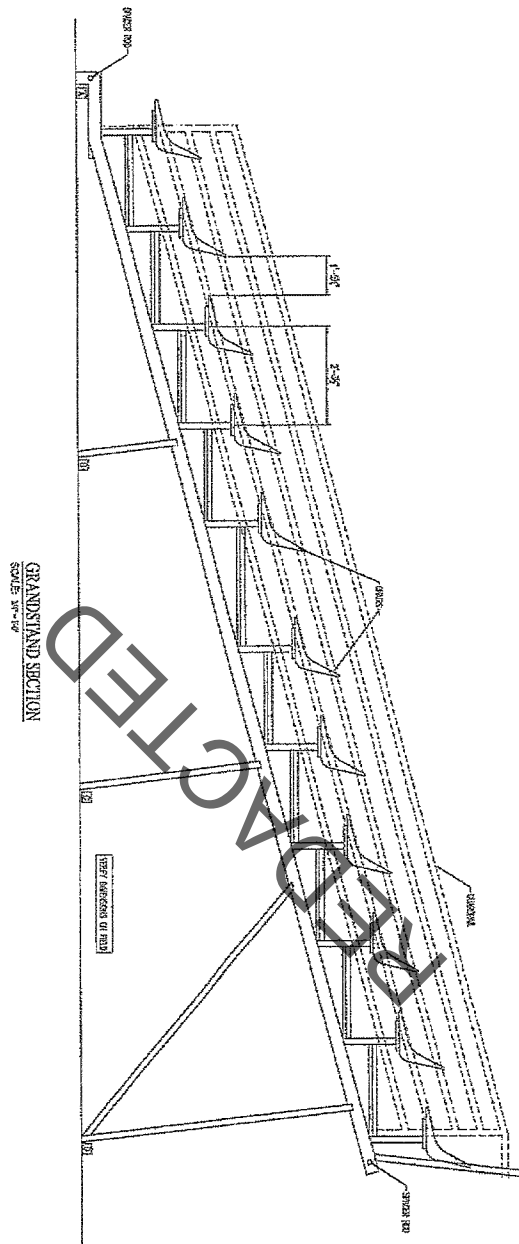


ANSWER:

1. ALL THIS TIME ELDERED UNDER ROCK UP SCOTTS HEAD!
2. MATHAL, DOES HAVE BLACK SNOW
3. WHO WANTS THE ANTIPOD, EMERGENCY SMITH GROUP, BEING FOR TUBES.
4. ALL DOES WAS THE EMPLOYEES.
5. CONSIDER THAT IS REACHED UNDER ROCK STAYS CLOSED TO ONE TO HAVE ANOTHER ACTIVE BRIDGE FOR EXPRESS AT 6 P.





[illegible]

Champaign County
Department of

**PLANNING &
ZONING**

Brookens Administrative
Center
1776 E. Washington Street
Urbana, Illinois 61802

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

TO: **Environment and Land Use Committee**

FROM: **John Hall, Zoning Administrator**

DATE: **September 26, 2025**

RE: **Authorization for a public hearing for a proposed Zoning Ordinance text amendment to extend the existing safety moratorium on carbon sequestration activity in Champaign County for an additional six months**

BACKGROUND

The County Board approved a 12-month temporary safety moratorium on carbon sequestration activities in Champaign County on 1/23/2025.

A Carbon Sequestration Activities Task Force was appointed on 3/20/2025.

The Task Force has made good progress on a draft carbon sequestration amendment but review of the draft is ongoing and it is clear that a final carbon sequestration amendment cannot be adopted before the temporary moratorium expires on 1/23/2026.

A six month extension is proposed.

TEXT AMENDMENT PUBLIC HEARING TIMELINE

The public hearing requires a legal advertisement in the newspaper (the advertisement will appear in the October 1, 2025, News-Gazette) and notice provided to all relevant municipalities. If the public hearing is authorized by ELUC on October 7, 2025, the anticipated timeline (*earliest possible dates) is as follows:

- | | |
|--|-------------------------------------|
| 1. Public Hearing opens at the Champaign County Zoning Board of Appeals (CCZBA) | Thursday, October 16, 2025 |
| 2. Public Hearing closes at CCZBA and the CCZBA makes recommendations to the Champaign County Board | *Thursday, October 16, 2025 |
| 3. Environment and Land Use Committee of the Champaign County Board (ELUC) affirms or amends CCZBA's recommendation | *Thursday, November 6, 2025 |
| 4. Environment and Land Use Committee of the Champaign County Board makes a recommendation to the Champaign County Board | *Thursday, December 6, 2024 |
| 5. Champaign County Board makes a final determination | *Thursday, December 18, 2025 |

* earliest anticipated dates of action

ATTACHMENTS

A Proposed text amendment

Attachment A. Proposed text amendment
SEPTEMBER 26, 2025

ATTACHMENT A: PROPOSED TEXT AMENDMENT

1. Amend Section 5.5 as follows:

5.5.2 Duration of this Moratorium

This Safety Moratorium on CARBON SEQUESTRATION ACTIVITY will expire 42 six months, or ~~365~~ 180 days, after its effective date.

5.5.3 Activities Impacted by this Moratorium

- A. Any CARBON SEQUESTRATION ACTIVITY, as defined in this moratorium, that is proposed after the effective date of this moratorium will not be approved by Champaign County until the expiration or revocation of this temporary moratorium.
- B. Any CARBON SEQUESTRATION ACTIVITY that is pending, as of the effective date of this moratorium, will be held in abeyance until the ~~42~~ six month-long moratorium has expired or been revoked.

Commented [EML1]: Some of this language is taken from the state of IL safety moratorium on carbon pipelines.

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www.co.champaign.il.us/zoning

To: **Champaign County Environment & Land Use Committee**

From: **John Hall, Zoning Administrator**
Charlie Campo, Senior Planner

Date: **September 30, 2025**

RE: **Zoning Ordinance Text Amendment Case 130-AT-24**

Petitioner: **Zoning Administrator**

Request: **Amend the Champaign County Zoning Ordinance to add “Battery Energy Storage System” as a new principal use and indicate that a Battery Energy Storage System may be authorized by a County Board Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts; add requirements and fees for “Battery Energy Storage Systems”; add any required definitions, and make certain other revisions to the Ordinance as detailed in the full legal description in Attachment I.**

STATUS

At the September 11, 2025, public hearing the Zoning Board of Appeals voted 5-0 with one member absent to forward the case with a RECOMMENDATION FOR APPROVAL.

BACKGROUND

The Champaign County Environment and Land Use Committee discussed this proposed amendment at the January 4, 2024, meeting and approved opening a ZBA public hearing for the amendment at the February 8, 2024, meeting. Public hearings for the case were held before the ZBA on March 28, 2024, July 11, 2024, December 12, 2024, March 13, 2025, May 15, 2025, July 17, 2025, and July 31, 2025 and the case was forwarded to ELUC with a recommendation for approval.

While preparing the ELUC memorandum for Case 130-AT-24, staff noticed that basic side and rear yards were missing from the proposed amendment. At the September 4, 2025, ELUC Meeting staff proposed adding the following to the amendment:

- Adding Subsection 6.1.8C. (5) that would require TIER-2 BESS equipment to have a basic 100 feet side and rear yard based on the NFPA 855 “remote location” provision but excepting fencing and inverters from this requirement; and
- Adding Subsection 6.1.8C. (6) that would require TIER-2 BESS inverters to be a minimum of 275 feet from the perimeter fence which is the same as for PV solar farms but exempting property lines along railroads and electrical substations.
- Adding Subsection 6.1.8C. (7) to require perimeter fencing to be no less than 26 feet from the property line which is the same as for PV solar farms.

ELUC members seemed supportive of the changes but voted to remand the amendment back to ZBA to let the ZBA make a recommendation.

Subsequent to the 9/04/2025 meeting staff made some changes to proposed Subsection 6.1.8C.(6) to include a specific allowance for a separation of less than 275 feet based on the results of the noise analysis.

CHANGES TO DRAFT AMENDMENT

The revised text is as follows in Section 6.1.8 C.:

- (5) The minimum SIDE and REAR YARD for TIER-2 BESS equipment other than fencing and electrical inverters is 100 feet.**
- (6) Electrical inverters for TIER-2 BESS shall be located as far as possible from property lines, other than railroad property lines and electrical substation property lines, and consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall be allowed provided that a noise analysis as required by Sec.6.1.8H. finds that the anticipated noise levels at the TIER-2 BESS property lines are within the Illinois Pollution Control Board limits for noise.**
- (7) TIER-2 BESS fencing shall be no less than 26 feet from the property line of any adjacent lot other than lots for railroad property and electrical substation property..**

NEXT STEPS

Standard protocol is for the Committee to make a preliminary recommendation on a proposed text amendment at the first Committee meeting following a ZBA recommendation, and then make a final recommendation to the County Board at the next regularly scheduled Committee meeting (November 6, 2025, in this instance). The delay in a final recommendation is intended to give municipalities and townships with plan commissions time to provide comments or protests.

ATTACHMENTS

- A Legal advertisement dated March 13, 2024
- B Finding of Fact for Goal 6 of the Champaign County Land Resource Management Plan
- C Approved Summary Finding of Fact for Case 130-AT-24 dated September 11, 2025
- D Proposed Amendment dated September 11, 2025

**NOTICE OF PUBLIC HEARING IN REGARD TO AN AMENDMENT TO THE TEXT OF
THE CHAMPAIGN COUNTY ZONING ORDINANCE**

CASE 130-AT-24

The Champaign County Zoning Administrator, 1776 East Washington Street, Urbana, has filed a petition to amend the text of the Champaign County Zoning Ordinance. The petition is on file in the office of the Champaign County Department of Planning and Zoning, 1776 East Washington Street, Urbana, IL.

A public hearing will be held **Thursday, March 28, 2024 at 6:30 p.m.** prevailing time in the Shields-Carter Meeting Room, Brookens Administrative Center, 1776 East Washington Street, Urbana, IL, at which time and place the Champaign County Zoning Board of Appeals will consider a petition for the following:

Amend the Champaign County Zoning Ordinance as follows regarding Battery Energy Storage Systems (BESS):

1. Add the following definitions to Section 3.0 Definitions: BATTERY ENERGY STORAGE MANAGEMENT SYSTEM (BESMS), BATTERY ENERGY STORAGE SYSTEM (BESS), TIER-1 BATTERY ENERGY STORAGE SYSTEMS, TIER-2 BATTERY ENERGY STORAGE SYSTEMS.
2. Add new paragraph 4.2.1 C.8. to provide that a BATTERY ENERGY STORAGE SYSTEM may be authorized as a SPECIAL USE Permit in the AG-1 and AG-2 Agriculture Districts as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.
3. Amend Section 5.2 as follows:
 - a. Add “BATTERY ENERGY STORAGE SYSTEM” to be allowed by Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts.
 - b. Add Footnotes 32 and 33 regarding TIER-1 and TIER-2 requirements.
4. Add new Section 6.1.8 TIER-2 BATTERY ENERGY STORAGE SYSTEMS to establish regulations including but not limited to:
 - a. General standard conditions
 - b. Minimum lot standards
 - c. Minimum separations
 - d. Standard conditions for design and installation
 - e. Standard conditions to mitigate damage to farmland
 - f. Standard conditions for use of public streets
 - g. Standard conditions for coordination with local fire protection district
 - h. Standard conditions for allowable noise level
 - i. Standard conditions for endangered species consultation
 - j. Standard conditions for historic and archaeological resources review
 - k. Standard conditions for acceptable wildlife impacts
 - l. Screening and fencing
 - m. Standard condition for liability insurance

- n. Operational standard conditions
 - o. Standard conditions for Decommissioning and Site Reclamation Plan
 - p. Complaint hotline
 - q. Standard conditions for expiration of Special Use Permit
 - r. Application requirements
5. Regarding BATTERY ENERGY STORAGE SYSTEMS fees, revise Section 9 as follows:
- a. Add new paragraph 9.3.1 K. to add application fees for a BATTERY ENERGY STORAGE SYSTEMS Zoning Use Permit.
 - b. Add new subparagraph 9.3.3 B.(9) to add application fees for a BATTERY ENERGY STORAGE SYSTEMS SPECIAL USE permit.

All persons interested are invited to attend said hearing and be heard. The hearing may be continued and reconvened at a later time. Meeting materials can be found online about one week before the meeting at: http://www.co.champaign.il.us/CountyBoard/meetings_ZBA.php. If you would like to submit comments or questions before the meeting, please call the P&Z Department at 217-384-3708 or email zoningdept@co.champaign.il.us no later than 4:30 pm the day of the meeting.

Ryan Elwell, Chair
Champaign County Zoning Board of Appeals

TO BE PUBLISHED: WEDNESDAY, MARCH 13, 2024, ONLY

Send bill and one copy to: Champaign County Planning and Zoning Dept.
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802
Phone: 384-3708

Our News Gazette account number is 99225860.

LRMP Goal 6 is entitled “Public Health and Safety” and states as follows:

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Goal 6 has 4 objectives and 7 policies. Objectives 6.2, 6.3, and 6.4 are not relevant to the proposed amendment. The proposed amendment will *HELP ACHIEVE* Goal 6 for the following reasons:

A. Objective 6.1 states, “**Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.**”

Objective 6.1 has four subsidiary policies but none are directly relevant to BATTERY ENERGY STORAGE SYSTEMS however the proposed amendment will *HELP ACHIEVE* Goal Objective 6.1 for the following reasons:

- (1) Supplemental Memorandum #2 dated 12/12/24 included many revisions intended to provide for public safety. The principal changes for safety were the following:
 - a. The National Fire Protection Association 855 Standard for Installation of Stationary Energy Storage Systems requirement for a “Hazard Mitigation Analysis” was added. The Hazard Mitigation Analysis must be approved by the relevant fire protection district. The Zoning Administrator is to receive a copy of the approved Hazard Mitigation Analysis with the Zoning Use Permit Application.
 - b. The NFPA 855 requirement for a “Commissioning Report” prior to the BESS going into operation were added. Both the relevant fire protection district and the Zoning Administrator are to receive copies of the Commissioning Report.
 - c. Access drive requirements were added. Any part of the TIER-2 BESS must be within 100 feet from an access drive.
 - d. NFPA 855 requirements for smoke and fire detection systems were added. Smoke and fire detection systems are not required for outdoor locations.
 - e. NFPA 855 requirements for fire control and suppression (including water availability) were added. Fire control and suppression (including water availability) are not required for outdoor locations more than 100 feet from other buildings and property lines unless recommended by the relevant fire protection district or otherwise required by the Board.

- f. NFPA 855 requirements for explosion control were added. NFPA 855 requires explosion control for nearly all BESS.
 - g. General NFPA 855 requirements were added for TIER-2 BESS proposed to be in or on a building.
 - h. NFPA 855 requirements for “Remediation Measures” were added. NFPA 855 requires the BESS owner to provide authorized service personnel to assist emergency responders and allows for the “authority having jurisdiction” to also require the owner to provide “hazard support personnel” to monitor the BESS for possible ignition or reignition
 - i. Because of the safety concerns, the Special Use Permit requirement was also changed to a County Board Special Use Permit.
- (2) NFPA 855 is due to be updated in 2026 and it would behoove Champaign County to review the BESS requirements for any necessary changes based on the 2026 NFPA 855.
 - (3) Supplemental Memorandum #3 dated 3/13/25 reviewed best practice recommendations for minimum separations of BESS facilities including the use of “air plume simulation modeling” to study the down-wind impacts of a BESS failure. The authors of one paper recommended “...to complete a plume dispersion study of the BESS and surrounding area, especially if there are occupied buildings within .25 mile.” The authors also recommended that in the absence of a site-specific plume dispersion study, that evacuation or shelter-in-place be implemented within a quarter mile of a BESS site with a BESS fire or battery failure.
 - (4) Supplemental Memorandum #4 dated 3/13/25 reviewed an air plume simulation modeling exercise that analyzed two hypothetical situations, one involving a simulated thermal runaway of a .25 MWh BESS battery over a one-hour period and a second involving a simulated combustion of a .25 MWh BESS battery over one hour and eight hours. All simulations assumed a low wind speed of 6 m/s (4.9 mph). The thermal runaway simulation included two different assumptions about state of charge of the battery (high charge and low charge) and two different assumptions about the volume of gas released from the thermal runaway (low volume and high volume). **The thermal runaway simulation resulted in levels of hydrogen fluoride that were “well above” the USEPA Acute Exposure Guideline Levels for a distance of 300 meters (975 feet) downwind. This exposure would be a significant concern for firefighters and surrounding populations.** The combustion simulation included various assumptions about the amount of heat released (low and high) and the

burn time (1 hour and 8 hours) and whether individual battery racks burn in series or the entire battery container all at once. The combustion simulation results did not exceed the USEPA Acute Exposure Guideline Levels because the heat from combustion in all simulations made the plume rise high enough that concentrations at the ground surface were not a problem.

- (5) After reviewing Supplemental Memorandums #3 and #4 at the 3/13/25 public hearing, the ZBA was interested in revising the proposed amendment to require a ¼ mile separation from a proposed TIER-2 BESS to the nearest principal building.
- (6) Supplemental Memorandum #5 dated 5/08/25 reviewed two alternative separations with one being a one-quarter mile separation to property lines and the other being a hybrid approach with a ¼ mile separation to the nearest principal building and a minimum separation of 825 feet to non-participating property lines. Testimony was offered at the 5/15/25 public hearing from a prospective BESS developer about the anticipated difficulty of meeting either the 825 feet or the 1/4 mile separation to non-participating property lines.
- (7) Supplemental Memorandum #7 dated 7/17/25 proposed adding the ¼ mile separation from a TIER-2 BESS to the nearest principal building.

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **March 28, 2024; July 16, 2024; December 12, 2024; March 13, 2025; May 15, 2025; July 17, 2025; July 31, 2025, and September 11, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment ***IS NECESSARY TO ACHIEVE*** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment will ***HELP ACHIEVE*** LRMP Goals 3, 4 and 6.
 - B. The proposed Zoning Ordinance text amendment ***WILL NOT IMPEDE*** the achievement of LRMP Goals 1, 2 and 9.
 - C. The proposed Zoning Ordinance text amendment is ***NOT RELEVANT*** to LRMP Goals 5, 7, 8 and 10.
2. The proposed text amendment ***WILL*** improve the Zoning Ordinance because it will:
 - A. ***HELP ACHIEVE*** the purpose of the Zoning Ordinance (see Item 16).
 - B. ***IMPROVE*** the text of the Zoning Ordinance (see Item 17).

AS APPROVED ON REMAND
130-AT-24
FINDING OF FACT
AND FINAL DETERMINATION
of
Champaign County Zoning Board of Appeals

Final Determination: **RECOMMEND ENACTMENT**

Date: **September 11, 2025**

Petitioner: **Zoning Administrator**

Request: **Amend the Champaign County Zoning Ordinance as follows regarding Battery Energy Storage Systems (BESS):**

- 1. Add the following definitions to Section 3.0 Definitions: BATTERY ENERGY STORAGE MANAGEMENT SYSTEM (BESMS), BATTERY ENERGY STORAGE SYSTEM (BESS), TIER-1 BATTERY ENERGY STORAGE SYSTEMS, TIER-2 BATTERY ENERGY STORAGE SYSTEMS.**
- 2. Add new paragraph 4.2.1 C.8. to provide that a BATTERY ENERGY STORAGE SYSTEM may be authorized as a SPECIAL USE Permit in the AG-1 and AG-2 Agriculture Districts as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.**
- 3. Amend Section 5.2 as follows:**
 - a. Add “BATTERY ENERGY STORAGE SYSTEM” to be allowed by Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts.**
 - b. Add Footnotes 32 and 33 regarding TIER-1 and TIER-2 requirements.**
- 4. Add new paragraph 5.4.3 G. to prohibit any dwelling a Rural Residential Overlay Zoning District from being established within one-quarter mile of a TIER-2 BATTERY ENERGY STORAGE SYSTEM.**
- 5. Add new Section 6.1.8 TIER-2 BATTERY ENERGY STORAGE SYSTEMS to establish regulations including but not limited to:**
 - a. General standard conditions**
 - b. Minimum lot standards**
 - c. Minimum separations**
 - d. Standard conditions for design and installation**
 - e. Standard conditions to mitigate damage to farmland**
 - f. Standard conditions for use of public streets**
 - g. Standard conditions for coordination with local fire protection district**

- h. Standard conditions for allowable noise level
 - i. Standard conditions for endangered species consultation
 - j. Standard conditions for historic and archaeological resources review
 - k. Standard conditions for acceptable wildlife impacts
 - l. Screening and fencing
 - m. Standard condition for liability insurance
 - n. Operational standard conditions
 - o. Standard conditions for Decommissioning and Site Reclamation Plan
 - p. Complaint hotline
 - q. Standard conditions for expiration of Special Use Permit
 - r. Application requirements
6. Regarding BATTERY ENERGY STORAGE SYSTEMS fees, revise Section 9 as follows:
- a. Add new paragraph 9.3.1 K. to add application fees for a BATTERY ENERGY STORAGE SYSTEMS Zoning Use Permit.
 - b. Add new subparagraph 9.3.3 B.(9) to add application fees for a BATTERY ENERGY STORAGE SYSTEMS SPECIAL USE permit.

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FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **March 28, 2024; July 16, 2024; December 12, 2024; March 13, 2025; May 15, 2025; July 17, 2025; July 31, 2025, and September 11, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. The petitioner is the Zoning Administrator.
2. The proposed amendment is intended to introduce requirements for BATTERY ENERGY STORAGE SYSTEMS in the Zoning Ordinance.
3. Municipalities with zoning and townships with planning commissions have protest rights on all text amendments and they are notified of such cases.

SUMMARY OF THE PROPOSED AMENDMENT

4. The proposed amendment is attached to this Finding of Fact as it will appear in the Zoning Ordinance.

GENERALLY REGARDING THE LRMP GOALS, OBJECTIVES, AND POLICIES

5. The *Champaign County Land Resource Management Plan* (LRMP) was adopted by the County Board on April 22, 2010. The LRMP Goals, Objectives, and Policies were drafted through an inclusive and public process that produced a set of ten goals, 42 objectives, and 100 policies, which are currently the only guidance for amendments to the *Champaign County Zoning Ordinance*, as follows:
 - A. The Purpose Statement of the LRMP Goals, Objectives, and Policies is as follows:

“It is the purpose of this plan to encourage municipalities and the County to protect the land, air, water, natural resources and environment of the County and to encourage the use of such resources in a manner which is socially and economically desirable. The Goals, Objectives and Policies necessary to achieve this purpose are as follows:...”
 - B. The LRMP defines Goals, Objectives, and Policies as follows:
 - (1) Goal: an ideal future condition to which the community aspires
 - (2) Objective: a tangible, measurable outcome leading to the achievement of a goal
 - (3) Policy: a statement of actions or requirements judged to be necessary to achieve goals and objectives
 - C. The Background given with the LRMP Goals, Objectives, and Policies further states, “Three documents, the *County Land Use Goals and Policies* adopted in 1977, and two sets of *Land Use Regulatory Policies*, dated 2001 and 2005, were built upon, updated, and consolidated into the LRMP Goals, Objectives and Policies.

REGARDING LRMP GOALS

6. LRMP Goal 1 is entitled “Planning and Public Involvement” and states that as follows:

Champaign County will attain a system of land resource management planning built on broad public involvement that supports effective decision making by the County.

Goal 1 has 4 objectives and 4 policies. The proposed amendment **WILL NOT IMPEDE** the achievement of Goal 1.

7. LRMP Goal 2 is entitled “Governmental Coordination” and states as follows:

Champaign County will collaboratively formulate land resource and development policy with other units of government in areas of overlapping land use planning jurisdiction.

Goal 2 has two objectives and three policies. The proposed amendment **WILL NOT IMPEDE** the achievement of Goal 2.

8. LRMP Goal 3 is entitled “Prosperity” and states as follows:

Champaign County will encourage economic growth and development to ensure prosperity for its residents and the region.

Goal 3 has three objectives and no policies. Objective 3.1 is most relevant to the proposed text amendment. The proposed amendment will **HELP ACHIEVE** Goal 3 as follows:

- A. Objective 3.1 states, “Champaign County will seek to ensure that it maintains comparable tax rates and fees, and a favorable business climate relative to similar counties.”

The proposed amendment will **HELP ACHIEVE** Objective 3.1 as follows:

- (1) The proposed text amendment will allow further development of renewable energy, which will allow newer technologies to improve Champaign County’s business climate.

9. LRMP Goal 4 is entitled “Agriculture” and states as follows:

Champaign County will protect the long-term viability of agriculture in Champaign County and its land resource base.

Goal 4 has 9 objectives and 22 policies. Objectives 4.4, 4.5, 4.7, 4.8 and their policies do not appear to be relevant to the proposed text amendment. The proposed amendment will **HELP ACHIEVE** Goal 4 for the following reasons:

- A. Objective 4.1 states as follows: “**Champaign County will strive to minimize the fragmentation of the County’s agricultural land base and conserve farmland, generally applying more stringent development standards on *best prime farmland*.**”

The proposed amendment will **HELP ACHIEVE** Objective 4.1 for the following reasons:

- (1) The proposed amendment **WILL NOT IMPEDE** the achievement of Policies 4.1.2, 4.1.3, 4.1.4, 4.1.5, 4.1.7, 4.1.8, and 4.1.9.
- (2) Policy 4.1.1 states: “**Commercial agriculture is the highest and best use of land in the areas of Champaign County that are by virtue of topography, soil and drainage, suited to its pursuit. The County will not accommodate other land uses except under very restricted conditions or in areas of less productive soils.**”

The proposed amendment will **HELP ACHIEVE** Policy 4.1.1 for the following reasons:

- a. The standard conditions for BATTERY ENERGY STORAGE SYSTEMS will ensure the following:
 - (a) The proposed amendment requires minimum separations between any BATTERY ENERGY STORAGE SYSTEM and existing adjacent use to minimize issues of land use compatibility.
 - (b) No BATTERY ENERGY STORAGE SYSTEM shall interfere with agricultural operations (see Objective 4.2).
 - (c) No BATTERY ENERGY STORAGE SYSTEM shall be located at any location that is not well-suited for that BATTERY ENERGY STORAGE SYSTEM (see Objective 4.3).
 - (d) The proposed amendment establishes standard conditions to ensure that the allowable noise level created by a BATTERY ENERGY STORAGE SYSTEM is consistent with the Illinois Pollution Control Board regulations that are the same for all rural land uses.
 - (e) The proposed amendment requires BATTERY ENERGY STORAGE SYSTEMS to have an approved Decommissioning and Site Reclamation Plan to ensure that funds will be available to remove a BATTERY ENERGY STORAGE SYSTEM should it ever become non-functional.
- (3) Policy 4.1.6 states: **“Provided that the use, design, site and location are consistent with County policies regarding:**
 - i. Suitability of the site for the proposed use;**
 - ii. Adequacy of infrastructure and public services for the proposed use;**
 - iii. Minimizing conflict with agriculture;**
 - iv. Minimizing the conversion of farmland; and**
 - v. Minimizing the disturbance of natural areas; then**
 - a) **On best prime farmland, the County may authorize discretionary residential development subject to a limit on total acres converted which is generally proportionate to tract size and is based on the January 1, 1998 configuration of tracts, with the total amount of acreage converted to residential use (inclusive of by-right development) not to exceed three acres plus three acres per each 40 acres (including any existing right-of-way), but not to exceed 12 acres in total; or**
 - b) **On best prime farmland, the County may authorize non-residential discretionary development; or**
 - c) **The County may authorize discretionary review development on tracts consisting of other than best prime farmland.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.1.6 for the following reasons:

- a. The ZBA has recommended that the proposed amendment will **HELP ACHIEVE** Objective 4.3 regarding location at a suitable site and adequacy of infrastructure and public services.
 - b. The ZBA has recommended that the proposed amendment will **HELP ACHIEVE** Objective 4.2 regarding no interference with agricultural operations.
 - c. The proposed amendment will **HELP ACHIEVE** the County's policies regarding minimizing the conversion of best prime farmland as follows:
 - (a) The only policy regarding conversion of best prime farmland by non-residential discretionary development is Policy 4.1.6b., which states, "On best prime farmland the County may authorize non-residential development." Policy 4.1.6.b. has no limit on the conversion of best prime farmland for non-residential discretionary development and is merely a statement of fact and therefore, the proposed amendment does help achieve Policy 4.1.6b.
- B. Objective 4.2 is entitled "Development Conflicts with Agricultural Operations" and states, "Champaign County will require that each *discretionary review* development will not interfere with agricultural operations."

The proposed amendment will **HELP ACHIEVE** Objective 4.2 because of the following:

- (1) **Policy 4.2.1 states, "The County may authorize a proposed business or other non-residential *discretionary review* development in a rural area if the proposed development supports agriculture or involves a product or service that is better provided in a *rural* area than in an urban area."**

The proposed amendment will **HELP ACHIEVE** Policy 4.2.1 for the following reasons:

- a. The Land Resource Management Plan (LRMP) provides no guidance regarding what products or services are better provided in a rural area and therefore that determination must be made in each zoning case.
 - b. BATTERY ENERGY STORAGE SYSTEMS **ARE** services better provided in a rural area as evidenced by the following:
 - (a) BATTERY ENERGY STORAGE SYSTEMS do not require access to most utilities.
 - (b) BATTERY ENERGY STORAGE SYSTEMS are not compatible with principal structures within the minimum separation distance established by the Zoning Ordinance.
- (2) **Policy 4.2.2 states, "The County may authorize *discretionary review* development in a rural area if the proposed development:**
 - a) **is a type that does not negatively affect agricultural activities; or**
 - b) **is located and designed to minimize exposure to any negative affect caused by agricultural activities; and**

- c) **will not interfere with agricultural activities or damage or negatively affect the operation of agricultural drainage systems, *rural* roads, or other agriculture-related infrastructure.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.2.2 for the following reasons:

- a. The proposed Special Use Permit requirements for BATTERY ENERGY STORAGE SYSTEMS include minimum separations, standard conditions to mitigate damage to farmland, a signed Roadway Upgrade and Maintenance agreement, and a Decommissioning and Site Reclamation Plan.

- (3) Policy 4.2.3 states, **“The County will require that each proposed discretionary development explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.2.3 for the following reason:

- a. The proposed Special Use Permit requirements for BATTERY ENERGY STORAGE SYSTEMS include minimum separations, standard conditions to mitigate damage to farmland

- (4) Policy 4.2.4 states, **“To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, the County will require that all discretionary review consider whether a buffer between existing agricultural operations and the proposed development is necessary.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.2.4 for the following reason:

- a. The proposed amendment requires minimum separations from adjacent uses and structures as a standard condition.

- C. Objective 4.3 is entitled “Site Suitability for Discretionary Review Development” and states: “Champaign County will require that each discretionary review development is located on a suitable site.”

The proposed amendment will **HELP ACHIEVE** Objective 4.3 because of the following:

- (1) **Policy 4.3.1 states “On other than best prime farmland, the County may authorize a discretionary review development provided that the site with proposed improvements is suited overall for the proposed land use.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.1 for the following reasons:

- a. See the discussion under Policy 4.3.2 regarding achievement of Policy 4.3.2. If the proposed amendment achieves Policy 4.3.2, it will also achieve Policy 4.3.1.

- (2) **Policy 4.3.2 states, “On best prime farmland, the County may authorize a discretionary review development provided the site with proposed improvements is well-suited overall for the proposed land use.**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.2 for the following reasons:

- a. Because so much of Champaign County consists of best prime farmland soils, any development of a BATTERY ENERGY STORAGE SYSTEM is likely to be on best prime farmland.
- b. Standard conditions for BATTERY ENERGY STORAGE SYSTEMS will ensure that they shall not be approved on any location that is not well-suited as follows:
 - (a) The proposed amendment identifies areas where BATTERY ENERGY STORAGE SYSTEMS should not be located.
 - (b) The proposed amendment requires and Endangered Species Consultation with the IDNR and IDNR recommendations will be included in the Agency Action Report submitted with the Special Use Permit Application.
 - (c) The proposed amendment requires consultation with the State Historic Preservation Officer of IDNR and IDNR recommendations will be included in the Agency Action Report submitted with the Special Use Permit Application.

- (3) **Policy 4.3.3 states, “The County may authorize a discretionary review development provided that existing public services are adequate to support to the proposed development effectively and safely without undue public expense.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.3. for the following reason:

- a. A BESS will only be allowed as a Special Use Permit and it is assumed that a Special Use Permit will not be allowed if there is any undue public expense.

- (4) **Policy 4.3.4 states, “The County may authorize a discretionary review development provided that existing public infrastructure, together with proposed improvements, is adequate to support the proposed development effectively and safely without undue public expense.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.4 for the following reasons:

- a. The proposed amendment requires a Roadway Upgrade and Maintenance Agreement with the relevant highway authority.

- (5) **Policy 4.3.5 states, “On best prime farmland, the County will authorize a business or other non-residential use only if:**

- a. **It also serves surrounding agricultural uses or an important public need; and cannot be located in an urban area or on a less productive site; or**
- b. **the use is otherwise appropriate in a rural area and the site is very well suited to it.”**

The proposed amendment will **HELP ACHIEVE** Policy 4.3.5 for the following reasons:

- a. As reviewed for Policy 4.2.1 in this Finding of Fact:
 - (a) **BATTERY ENERGY STORAGE SYSTEMS ARE** services better provided and therefore **ARE** appropriate in a rural area.
- b. Regarding location of a BATTERY ENERGY STORAGE SYSTEM on a less productive site, the following is reviewed under Policy 4.3.2 in this Finding of Fact:
 - (a) It is unlikely that a BATTERY ENERGY STORAGE SYSTEM in Champaign County will be located on less than best prime farmland.

10. LRMP Goal 5 is entitled “Urban Land Use” and states as follows:

Champaign County will encourage urban development that is compact and contiguous to existing cities, villages, and existing unincorporated settlements.

Goal 5 has 3 objectives and 15 policies. The proposed amendment is **NOT RELEVANT** to Goal 5 in general.

11. LRMP Goal 6 is entitled “Public Health and Safety” and states as follows:

Champaign County will ensure protection of the public health and public safety in land resource management decisions.

Goal 6 has 4 objectives and 7 policies. Objectives 6.2, 6.3, and 6.4 are not relevant to the proposed amendment. The proposed amendment will **HELP ACHIEVE** Goal 6 for the following reasons:

- A. Objective 6.1 states, “**Champaign County will seek to ensure that development in unincorporated areas of the County does not endanger public health or safety.**”

Objective 6.1 has four subsidiary policies but none are directly relevant to BATTERY ENERGY STORAGE SYSTEMS however the proposed amendment will **HELP ACHIEVE** Goal Objective 6.1 for the following reasons:

- (1) Supplemental Memorandum #2 dated 12/12/24 included many revisions intended to provide for public safety. The principal changes for safety were the following:
 - a. The National Fire Protection Association 855 Standard for Installation of Stationary Energy Storage Systems requirement for a “Hazard Mitigation Analysis” was added. The Hazard Mitigation Analysis must be approved by the relevant fire protection district. The Zoning Administrator is to receive a copy of the approved Hazard Mitigation Analysis with the Zoning Use Permit Application.

- b. The NFPA 855 requirement for a “Commissioning Report” prior to the BESS going into operation were added. Both the relevant fire protection district and the Zoning Administrator are to receive copies of the Commissioning Report.
 - c. Access drive requirements were added. Any part of the TIER-2 BESS must be within 100 feet from an access drive.
 - d. NFPA 855 requirements for smoke and fire detection systems were added. Smoke and fire detection systems are not required for outdoor locations.
 - e. NFPA 855 requirements for fire control and suppression (including water availability) were added. Fire control and suppression (including water availability) are not required for outdoor locations more than 100 feet from other buildings and property lines unless recommended by the relevant fire protection district or otherwise required by the Board.
 - f. NFPA 855 requirements for explosion control were added. NFPA 855 requires explosion control for nearly all BESS.
 - g. General NFPA 855 requirements were added for TIER-2 BESS proposed to be in or on a building.
 - h. NFPA 855 requirements for “Remediation Measures” were added. NFPA 855 requires the BESS owner to provide authorized service personnel to assist emergency responders and allows for the “authority having jurisdiction” to also require the owner to provide “hazard support personnel” to monitor the BESS for possible ignition or reignition
 - i. Because of the safety concerns, the Special Use Permit requirement was also changed to a County Board Special Use Permit.
- (2) NFPA 855 is due to be updated in 2026 and it would behoove Champaign County to review the BESS requirements for any necessary changes based on the 2026 NFPA 855.
- (3) Supplemental Memorandum #3 dated 3/13/25 reviewed best practice recommendations for minimum separations of BESS facilities including the use of “air plume simulation modeling” to study the down-wind impacts of a BESS failure. The authors of one paper recommended “...to complete a plume dispersion study of the BESS and surrounding area, especially if there are occupied buildings within .25 mile.” The authors also recommended that in the absence of a site-specific plume dispersion study, that evacuation or shelter-in-place be implemented within a quarter mile of a BESS site with a BESS fire or battery failure.
- (4) Supplemental Memorandum #4 dated 3/13/25 reviewed an air plume simulation modeling exercise that analyzed two hypothetical situations, one involving a simulated thermal runaway of a .25 MWh BESS battery over a one-hour period and a second involving a simulated combustion of a .25 MWh BESS battery over one

hour and eight hours. All simulations assumed a low wind speed of 6 m/s (4.9 mph). The thermal runaway simulation included two different assumptions about state of charge of the battery (high charge and low charge) and two different assumptions about the volume of gas released from the thermal runaway (low volume and high volume). **The thermal runaway simulation resulted in levels of hydrogen fluoride that were “well above” the USEPA Acute Exposure Guideline Levels for a distance of 300 meters (975 feet) downwind. This exposure would be a significant concern for firefighters and surrounding populations.** The combustion simulation included various assumptions about the amount of heat released (low and high) and the burn time (1 hour and 8 hours) and whether individual battery racks burn in series or the entire battery container all at once. The combustion simulation results did not exceed the USEPA Acute Exposure Guideline Levels because the heat from combustion in all simulations made the plume rise high enough that concentrations at the ground surface were not a problem.

- (5) After reviewing Supplemental Memorandums #3 and #4 at the 3/13/25 public hearing, the ZBA was interested in revising the proposed amendment to require a ¼ mile separation from a proposed TIER-2 BESS to the nearest principal building.
- (6) Supplemental Memorandum #5 dated 5/08/25 reviewed two alternative separations with one being a one-quarter mile separation to property lines and the other being a hybrid approach with a ¼ mile separation to the nearest principal building and a minimum separation of 825 feet to non-participating property lines. Testimony was offered at the 5/15/25 public hearing from a prospective BESS developer about the anticipated difficulty of meeting either the 825 feet or the 1/4 mile separation to non-participating property lines. Supplemental Memorandum #6 included the written testimony from the prospective BESS developer Engie North America.
- (7) Supplemental Memorandum #7 dated 7/17/25 proposed adding the ¼ mile separation from a TIER-2 BESS to the nearest principal building.
- (8) Supplemental Memorandum #8 dated September 11, 2025, included separations to property lines for BESS fencing, equipment and inverters.

12. LRMP Goal 7 is entitled “Transportation” and states as follows:

Champaign County will coordinate land use decisions in the unincorporated area with the existing and planned transportation infrastructure and services.

Goal 7 has 2 objectives and 7 policies. The proposed amendment is **NOT RELEVANT** to Goal 7 in general.

13. LRMP Goal 8 is entitled “Natural Resources” and states as follows:

Champaign County will strive to conserve and enhance the County’s landscape and natural resources and ensure their sustainable use.

Goal 8 has 9 objectives and 36 policies. Objectives 8.1, 8.3, 8.5, 8.6, 8.7, 8.8, and 8.9 and their policies do not appear to be relevant to the proposed text amendment. The proposed amendment will **HELP ACHIEVE** Goal 8 for the following reasons:

- A. Objective 8.2 is entitled “Soil” and states, “Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.”

The proposed amendment will **HELP ACHIEVE** Objective 8.2 because of the following:

- (1) **Policy 8.2.1 states, “The County will strive to minimize the destruction of its soil resources by non-agricultural development and will give special consideration to the protection of best prime farmland. Best prime farmland is that comprised of soils that have a Relative Value of at least 91 and includes land parcels with mixed soils that have a Land Evaluation score of 91 or greater as defined in the LESA.”**

The proposed amendment will **HELP ACHIEVE** Policy 8.2.1 for the following reason:

- a. The Board considers soil resources for any Special Use Permit.

- B. Object 8.4 is entitled “Surface Water Protection” and states, “Champaign County will work to ensure that new development and ongoing land management practices maintain and improve surface water quality, contribute to stream channel stability, and minimize erosion and sedimentation.”

The proposed amendment will **HELP ACHIEVE** Objective 8.4 because of the following:

- (1) **Policy 8.4.2 states, “The County will require stormwater management designs and practices that provide effective site drainage, protect downstream drainage patterns, minimize impacts on adjacent properties and provide for stream flows that support healthy aquatic ecosystems.”**

The proposed amendment will **HELP ACHIEVE** Policy 8.4.2 for the following reason:

- a. The Board considers surface water protection for any Special Use Permit.

14. LRMP Goal 9 is entitled “Energy Conservation” and states as follows:

Champaign County will encourage energy conservation, efficiency, and the use of renewable energy sources.

Goal 9 has 5 objectives and 5 policies. Objectives 9.1, 9.2, 9.3, and 9.4 and their policies do not appear to be relevant to the proposed text amendment. The proposed amendment will **HELP ACHIEVE** the achievement of Goal 9 for the following reason:

- A. Objective 9.5, which has no subsidiary policies, states, “Champaign County will encourage the development and use of renewable energy sources where appropriate and compatible with existing land uses.”

The proposed amendment will **HELP ACHIEVE** Objective 9.5 as follows:

- (1) BESS integrated within PV SOLAR FARMS can optimize use of renewable energy while achieving the desired setbacks that PV SOLAR FARMS already provide through the Zoning Ordinance.

15. LRMP Goal 10 is entitled “Cultural Amenities” and states as follows:

Champaign County will promote the development and preservation of cultural amenities that contribute to a high quality of life for its citizens.

Goal 10 has 1 objective and 1 policy. The proposed amendment is **NOT RELEVANT** to Goal 10 in general.

REGARDING THE PURPOSE OF THE ZONING ORDINANCE

16. The proposed amendment will **HELP ACHIEVE** the purpose of the Zoning Ordinance as established in Section 2 of the Ordinance for the following reasons:

- A. Paragraph 2.0 (a) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to secure adequate light, pure air, and safety from fire and other dangers.

The proposed amendment is consistent with this purpose. See the discussion under LRMP Goal 6.

- B. Paragraph 2.0 (b) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to conserve the value of land, BUILDINGS, and STRUCTURES throughout the COUNTY.

The proposed amendment is consistent with this purpose.

- C. Paragraph 2.0 (c) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid congestion in the public STREETS.

The proposed amendment is not directly related to this purpose.

- D. Paragraph 2.0 (d) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to lessen and avoid hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters.

The proposed amendment is not directly related to this purpose.

- E. Paragraph 2.0 (e) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to promote the public health, safety, comfort, morals, and general welfare.

The proposed amendment is consistent with this purpose. See the discussion under LRMP Goal 6.

- F. Paragraph 2.0 (f) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the height and bulk of BUILDINGS and STRUCTURES hereafter to be erected.

The proposed amendment is consistent with this purpose.

- G. Paragraph 2.0 (g) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to establish, regulate, and limit the building or setback lines on or along any street, trafficway, drive or parkway.

The proposed amendment is consistent with this purpose.

- H. Paragraph 2.0 (h) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to regulate and limit the intensity of the use of LOT areas, and regulating and determining the area of open spaces within and surrounding BUILDINGS and STRUCTURES.

The proposed amendment is consistent with this purpose.

- I. Paragraph 2.0 (i) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to classify, regulate, and restrict the location of trades and industries and the location of BUILDINGS, STRUCTURES, and land designed for specified industrial, residential, and other land USES.

The proposed amendment is consistent with this purpose.

- J. Paragraph 2.0 (j) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to divide the entire County into DISTRICTS of such number, shape, area, and such different classes according to the USE of land, BUILDINGS, and STRUCTURES, intensity of the USE of LOT area, area of open spaces, and other classification as may be deemed best suited to carry out the purpose of the ordinance.

The proposed amendment is not directly related to this purpose.

- K. Paragraph 2.0 (k) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to fix regulations and standards to which BUILDINGS, STRUCTURES, or USES therein shall conform.

The proposed amendment is consistent with this purpose.

- L. Paragraph 2.0 (l) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prohibit USES, BUILDINGS, or STRUCTURES incompatible with the character of such DISTRICTS.

The proposed amendment is consistent with this purpose.

- M. Paragraph 2.0 (m) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to prevent additions to and alteration or

remodeling of existing BUILDINGS, STRUCTURES, or USES in such a way as to avoid the restrictions and limitations lawfully imposed under this ordinance.

The proposed amendment is not directly related to this purpose.

- N. Paragraph 2.0 (n) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect the most productive agricultural lands from haphazard and unplanned intrusions of urban USES.

The proposed amendment is consistent with this purpose.

- O. Paragraph 2.0 (o) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to protect natural features such as forested areas and watercourses.

The proposed amendment is consistent with this purpose.

- P. Paragraph 2.0 (p) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the compact development of urban areas to minimize the cost of development of public utilities and public transportation facilities.

The proposed amendment is not directly related to this purpose.

- Q. Paragraph 2.0 (q) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to encourage the preservation of agricultural belts surrounding urban areas, to retain the agricultural nature of the County, and the individual character of existing communities.

The proposed amendment is consistent with this purpose.

- R. Paragraph 2.0 (r) of the Ordinance states that one purpose of the zoning regulations and standards that have been adopted and established is to provide for the safe and efficient development of renewable energy sources in those parts of the COUNTY that are most suited to their development.

The proposed amendment is consistent with this purpose.

17. The proposed text amendment **WILL** improve the text of the Zoning Ordinance because it **WILL** provide:
- A. A classification which allows BATTERY ENERGY STORAGE SYSTEMS to be developed while establishing minimum requirements that ensure the purposes of the Zoning Ordinance will be met.
 - B. A means to regulate an activity for which there is demonstrated demand.

SUMMARY FINDING OF FACT

From the documents of record and the testimony and exhibits received at the public hearing conducted on **March 28, 2024; July 16, 2024; December 12, 2024; March 13, 2025; May 15, 2025; July 17, 2025; July 31, 2025, and September 11, 2025**, the Zoning Board of Appeals of Champaign County finds that:

1. The proposed Zoning Ordinance text amendment **IS NECESSARY TO ACHIEVE** the Land Resource Management Plan because:
 - A. The proposed Zoning Ordinance text amendment will **HELP ACHIEVE** LRMP Goals 3, 4 and 6.
 - B. The proposed Zoning Ordinance text amendment **WILL NOT IMPEDE** the achievement of LRMP Goals 1, 2 and 9.
 - C. The proposed Zoning Ordinance text amendment is **NOT RELEVANT** to LRMP Goals 5, 7, 8 and 10.
2. The proposed text amendment **WILL** improve the Zoning Ordinance because it will:
 - A. **HELP ACHIEVE** the purpose of the Zoning Ordinance (see Item 16).
 - B. **IMPROVE** the text of the Zoning Ordinance (see Item 17).

DOCUMENTS OF RECORD

1. Legal advertisement for Case 130-AT-24
2. Preliminary Memorandum for Case 130-AT-24 dated March 20, 2024, with attachments:
 - A Legal advertisement
 - B ELUC Memorandum dated December 22, 2024, with attachment:
 - Draft BESS Text Amendment to the Champaign County Zoning Ordinance
 - C National Fire Protection Association (NFPA). (June 2020) *Energy Storage Systems Safety Fact Sheet*. <https://www.nfpa.org>.
 - D The American Clean Power Association. (July 2023) *First Responder's Guide to Lithium-Ion Battery Energy Storage System Incidents*. <https://cleanpower.org/resources/first-responders-guide-to-bess-incidents/>
 - E National Renewable Energy Laboratory (NREL). (September 2019). *Grid Scale Battery Storage Frequently Asked Questions*. <https://www.nrel.gov>
 - F New York State Energy Research and Development Authority (NYSERDA). (May 2021) *Battery Energy Storage Systems 101* presentation. <https://www.nyserda.ny.gov> (on ZBA meetings website)
 - G New York State Energy Research and Development Authority (NYSERDA). (October 2020) *New York Battery Energy Storage System Guidebook for Local Governments*. <https://www.nyserda.ny.gov> (on ZBA meetings website)
 - H DeKalb County. (March 15, 2023) Ordinance O2023-009: An ordinance amending Section 52-E-12, "Sustainable Energy Systems," of the Dekalb County Code to add a new subsection C, "Battery Energy Storage Systems." <https://dekalbcounty.org/>
 - I Exeter Associates. (February 2022) *Siting and Safety Best Practices for Battery Energy Storage Systems*.
 - J Velocity EHS. (July 2021) *Morris Lithium Battery Fire Highlights Emergency Planning, Hazardous Chemical Management*. <https://www.ehs.com> (on ZBA meetings website)
 - K Michael Urbanec. (July 2021) *No evacuation for battery fire at energy storage facility east of Grand Ridge*. <https://www.shawlocal.com>. (on ZBA meetings website)
 - L Julian Spector. (August 2020) *What Sparked the Arizona Battery Fire? LG Chem has a different version*. <https://www.greentechmedia.com> (on ZBA meetings website)
 - M Andy Colthorpe. (February 2022) *World's biggest lithium battery storage now completely offline*. <https://www.energy-storage.news> (on ZBA meetings website)
 - N Pacific Northwest National Laboratory. (October 2023) *Energy Storage in Local Zoning Ordinances*. <https://www.pnnl.gov/publications/energy-storage-local-zoning-ordinances>

- O Comments received regarding the proposed text amendment as of March 20, 2024
- P Preliminary Finding of Fact, Summary Finding of Fact, and Final Determination for Case 130-AT-24 dated March 28, 2024, with attachment:
 - Exhibit A: Proposed Amendment dated March 28, 2024
- 3. Supplemental Memorandum #1 for Case 130-AT-24 dated July 3, 2024
- 4. Supplemental Memorandum #2 for Case 130-AT-24 dated December 12, 2024, with attachments:
 - A Legal Advertisement
 - B Revised Draft Amendment
 - C Excerpt of NFPA 855 pages 1 -42
 - D Cordelio Power BESS 101 presentation to Illinois Renewable Energy Conference October 2024
- 5. Supplemental Memorandum #3 for Case 130-AT-24 dated March 13, 2025, with attachments:
 - A Changes to Case 130-AT-24 Version 12/12/2024 based on Tenaska Comments
 - B Lessons Learned from Air Plume Modeling of Battery Energy Storage System Failure Incidents. EPRI, Palo Alto, CA. 2024
 - C Hazards of lithium-ion battery energy storage systems (BESS), mitigation strategies, minimum requirements, and best practices. Mylenbusch, Ian S., Kieran Claffey, and Benjamin Chu. Process Safety Progress 2023; 42:664-673
 - D Air Quality Report SDG& E Battery Fire, 571 Enterprise Street, Escondido CA. 2024
 - E Water Quality Report SDG& E Battery Fire, 571 Enterprise Street, Escondido CA. 2024
 - F Battery Storage Fire in California Sparks Widespread Safety Concerns. The Energy Mix. June 7, 2024
 - G Incidents similar to Moss Landing battery fire are unlikely but stricter regulations proposed. pv-magazine.com. January 28, 2025
 - H Moss Landing fire leads to emergency regulations. pv-magazine.com. February 7, 2025
 - I Legal advertisement
- 6. Supplemental Memorandum #4 for Case 130-AT-24 dated March 13, 2025, with attachment:
 - A *Air Modeling Simulations of Battery Energy Storage System Fires*. EPRI, Palo Alto CA. 2022
- 7. Supplemental Memorandum #5 for Case 130-AT-24 dated May 8, 2025, with attachments:
 - A Legal Advertisement
 - B Revised Draft Amendment dated 05/08/2025
 - C
 1. Diagram of ¼ Mile Separation to Principal Building
 2. Proposed text for ¼ Mile Separation to Principal Building

- D
 - 1. Diagram of ¼ Mile Separation to Non-Participating Property Lines
 - 2. Map Exhibit of ¼ Mile Separation to Non-Participating Property Lines
 - 3. Proposed text for ¼ Mile Separation to Non-Participating Property Lines
 - E
 - 1. Diagram of Hybrid Separation
 - 2. Map Exhibit of Hybrid Separation
 - 3. Proposed text for Hybrid Separation
- 8. Supplemental Memorandum #6 for Case 130-AT-24 dated May 15, 2025, with attachment:
 - A Engie North America Testimony on Case 130-AT-24 received May 13, 2025
- 9. Supplemental Memorandum #7 for Case 130-AT-24 dated July 17, 2025, with attachments:
 - A Legal Advertisement
 - B Revised Sections 5.4.3 G., 6.1.8A.(2) and 6.1.8C.(3)
- 10. Supplemental Memorandum #8 for Case 130-AT-24 dated September 11, 2025, with additional setback language

FINAL DETERMINATION

Pursuant to the authority granted by Section 9.2 of the Champaign County Zoning Ordinance, the Zoning Board of Appeals of Champaign County recommends that:

The Zoning Ordinance Amendment requested in **Case 130-AT-24** should **BE ENACTED** by the County Board in the form attached hereto.

The foregoing is an accurate and complete record of the Findings and Determination of the Zoning Board of Appeals of Champaign County.

SIGNED:

Cynthia Cunningham, Interim Chair
Champaign County Zoning Board of Appeals

ATTEST:

Secretary to the Zoning Board of Appeals

Date

EXHIBIT A. PROPOSED AMENDMENT AS OF 9/11/2025

1. Add the following to Section 3. Definitions:

BATTERY ENERGY STORAGE MANAGEMENT SYSTEM (BESMS): An electronic system that protects battery energy storage systems from operating outside of their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected.

BATTERY ENERGY STORAGE SYSTEM (BESS): an electrochemical energy storage system that collects energy from the electrical grid or other electrical resource and then discharges that energy at a later time to provide electricity when needed.

- A. TIER-1 BATTERY ENERGY STORAGE SYSTEMS have an aggregate energy capacity less than or equal to 600kWh and, if in a room or enclosed area, consist of only a single energy storage system technology.
- B. TIER-2 BATTERY ENERGY STORAGE SYSTEMS have an aggregate energy capacity greater than 600kWh or are comprised of more than one storage battery unit in a room or enclosed area.

2. Add new paragraph 4.2.1 C.8. as follows:

4.2.1 CONSTRUCTION and USE

- C. It shall be unlawful to erect or establish more than one MAIN or PRINCIPAL STRUCTURE or BUILDING per LOT or more than one PRINCIPAL USE per LOT in the AG-1, Agriculture, AG-2, Agriculture, CR, Conservation-Recreation, R-1, Single Family Residence, R-2, Single Family Residence, and R-3, Two Family Residence DISTRICTS other than in PLANNED UNIT DEVELOPMENTS except as follows:
 - 8. A BATTERY ENERGY STORAGE SYSTEM may be authorized as a County Board SPECIAL USE Permit in the AG-1 Agriculture and AG-2 Agriculture Zoning Districts as a second PRINCIPAL USE on a LOT with another PRINCIPAL USE.

3. Amend Section 5.2 as follows:

SECTION 5.2 TABLE OF AUTHORIZED PRINCIPAL USES

- BATTERY ENERGY STORAGE SYSTEM would be a new land use allowed by County Board Special Use Permit in the AG-1 Agriculture, AG-2 Agriculture, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry and I-2 Heavy Industry Zoning Districts, as shown in the table below.

Principal USES	Zoning DISTRICTS															
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2	
BATTERY ENERGY STORAGE SYSTEM, TIER-1 ³²																

Principal USES	Zoning DISTRICTS														
	CR	AG-1	AG-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	B-3	B-4	B-5	I-1	I-2
BATTERY ENERGY STORAGE SYSTEM, TIER-2 ³³		B	B						B			B		B	B



= Permitted on individual LOTS as a Special Use Permit



= County Board Special Use Permit



= Permitted by right

4. Add new Footnotes 31 and 32 under Section 5.2 as follows:

31. A TIER-1 BATTERY ENERGY STORAGE SYSTEM is permitted by-right in all zoning districts, subject to the setback and yard requirements in Section 5.3 of the Zoning Ordinance. No Zoning Use Permit shall be required if the area occupied by the TIER-1 BESS is less than 150 square feet.
32. A TIER-2 BATTERY ENERGY STORAGE SYSTEM is subject to the requirements of Section 6.1.8 of the Zoning Ordinance.

5. Add new paragraph 5.4.3 G. as follows:

- G. Any DWELLING in a Rural Residential Overlay Zoning District is prohibited from being established within one-quarter mile of a TIER-2 BATTERY ENERGY STORAGE SYSTEM.

6. Add new Section 6.1.8 as follows:

6.1.8 TIER-2 BATTERY ENERGY STORAGE SYSTEMS

A TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit may only be authorized in the AG-1 Agriculture Zoning DISTRICT, the AG-2 Agriculture Zoning DISTRICT, B-1 Rural Trade Center, B-4 General Business, I-1 Light Industry Zoning District, or the I-2 Heavy Industry Zoning District subject to the following standard conditions.

A. General Standard Conditions

(1) Right to farm

- a. The owners of the subject property and the Applicant, its successors in interest, and all parties to the decommissioning plan and site reclamation plan hereby recognize and provide for the right of agricultural activities to continue on adjacent land consistent with the Right to Farm Resolution 3425.

(2) The TIER-2 BATTERY ENERGY STORAGE SYSTEM (TIER-2 BESS) County BOARD SPECIAL USE Permit shall not be located in the following areas:

- a. Less than one and three-quarter miles from an incorporated municipality that has a zoning ordinance except for any power lines of 34.5 kVA or less and any related proposed connection to an

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existing substation. Any request for a waiver of this minimum separation shall include the following:

- (a) No part of a TIER-2 BESS shall be located within one-quarter mile of a contiguous urban growth area (CUGA) as indicated in the most recent update of the CUGA in the Champaign County Land Resource Management Plan, and there shall be a separation of one-half mile from a proposed TIER-2 BESS to a municipal boundary at the time of application for the SPECIAL USE Permit.
- (b) The ZONING ADMINISTRATOR shall notify in writing any municipality that is located within one and three-quarter miles from any proposed TIER-2 BESS upon the receipt of any substantial TIER-2 BESS SPECIAL USE permit application in addition to any notice otherwise required.
- (c) The TIER-2 BESS SPECIAL USE Permit application shall include documentation that the applicant has provided a complete copy of the SPECIAL USE Permit application to any municipality within one and three-quarter miles of the proposed TIER-2 BESS .
- (d) Municipal subdivision approval for any TIER-2 BESS land lease exceeding five years may be required by any relevant municipal authority that has an adopted comprehensive plan and when required said subdivision approval shall be necessary for compliance with Section 13.2.1.
- (e) The public hearing for any proposed TIER-2 BESS that is located within one and three-quarter miles of a municipality that has a zoning ordinance shall occur at a minimum of two Board meetings that are not less than 28 days apart to provide time for municipal comments during the public hearing, unless the 28-day comment period is waived in writing by any relevant municipality.
- (f) For any proposed TIER-2 BESS that is located within one and three-quarter miles of a municipality that has a zoning ordinance, the ZONING ADMINISTRATOR shall notify said municipality of the recommendation by the BOARD after the close of the public hearing.
- (g) After the initial review of the BOARD recommendation for the TIER-2 BESS SPECIAL USE Permit by the Environment and Land Use Committee of the COUNTY BOARD, if the Environment and Land Use Committee makes a preliminary determination to accept the BOARD recommendation, the TIER-2 BESS SPECIAL USE Permit

shall remain at the Environment and Land Use Committee for a maximum 30-day comment period, or until the next regularly scheduled meeting, to allow comments regarding the TIER-2 BESS SPECIAL USE Permit to be received from any relevant municipal authority prior to the Environment and Land Use Committee recommendation to the COUNTY BOARD, unless the municipal comment period is waived in writing by any relevant municipality. If a TIER-2 BESS is not located within one and three-quarter miles of a municipality the Environment and Land Use Committee recommendation can be referred to the COUNTY BOARD without a comment period.

- (h) If no municipal resolution regarding the TIER-2 BESS is received from any municipality located within one and three-quarter miles of the TIER-2 BESS prior to the consideration of the TIER-2 BESS SPECIAL USE Permit by the Champaign COUNTY BOARD, the ZONING ADMINISTRATOR shall provide documentation to the COUNTY BOARD that any municipality within one and three-quarter miles of the TIER-2 BESS was provided notice of the meeting dates for consideration of the proposed TIER-2 BESS SPECIAL USE Permit for both the Environment and Land Use Committee and the COUNTY BOARD.

B. Minimum LOT Standards

- (1) There are no minimum LOT AREA, AVERAGE LOT WIDTH, or maximum LOT COVERAGE requirements for a TIER-2 BATTERY ENERGY STORAGE SYSTEM.
- (2) There is no maximum LOT AREA requirement on BEST PRIME FARMLAND.

C. Minimum Standard Conditions for Separations for a TIER-2 BATTERY ENERGY STORAGE SYSTEM from adjacent USES and STRUCTURES

The location of each TIER-2 BATTERY ENERGY STORAGE SYSTEM shall provide the following required separations as measured from the BATTERY ENERGY STORAGE SYSTEM fencing:

- (1) The perimeter fencing shall be set back from the street centerline a minimum of 40 feet from a MINOR STREET and a minimum of 55 feet from a COLLECTOR STREET and a minimum of 60 feet from a MAJOR STREET unless a greater separation is required for screening pursuant to Section 6.1.8L.(2) but in no case shall the perimeter fencing be less than 10 feet from the RIGHT OF WAY of any STREET nor shall the TIER-2 BESS equipment be less than 55 feet from the centerline of a MINOR STREET and a minimum of 75 feet from the centerline of a COLLECTOR STREET

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and a minimum of 85 feet from the centerline of a MAJOR STREET. The location of perimeter fencing relative to a STREET can also be affected by the presence of a DWELLING or PRINCIPAL BUILDING per 6.1.8C.(2).

- (2) For properties participating in the TIER-2 BESS: More than 100 feet required separation from any existing DWELLING or existing PRINCIPAL BUILDING unless fire control and suppression are provided for the TIER-2 BESS per Section 6.1.8D.h. in which case the minimum required separation is 10 feet and otherwise, except as required to ensure that a minimum zoning LOT is provided for the existing DWELLING or PRINCIPAL BUILDING.
- (3) For properties not participating in the TIER-2 BESS, the minimum separation to the nearest NONPARTICIPATING PRINCIPAL BUILDING shall be 1,320 feet measured from the nearest BESS equipment to the PRINCIPAL BUILDING. This separation may be reduced by a PRIVATE WAIVER signed by the owner of the PRINCIPAL BUILDING. No minimum separation shall be required to a building on an electrical substation property or to a building on a PARTICIPATING PV SOLAR FARM or a PARTICIPATING WIND FARM.
- (4) When a TIER-2 BATTERY ENERGY STORAGE SYSTEM is included in a PV SOLAR FARM or a SOLAR ARRAY or a WIND FARM, the separations required in Sections 6.1.8C.(2) and (3) shall only apply to the TIER-2 BATTERY ENERGY STORAGE SYSTEM, except for the interconnection point and driveway for the TIER-2 BATTERY ENERGY STORAGE SYSTEM, and shall not apply to any part of the PV SOLAR FARM or a SOLAR ARRAY or a WIND FARM.
- (5) The minimum SIDE and REAR YARD for TIER-2 BESS equipment other than fencing and electrical inverters is 100 feet.
- (6) Electrical inverters for TIER-2 BESS shall be located as far as possible from property lines, other than railroad property lines and electrical substation property lines, and consistent with good engineering practice. Inverter locations that are less than 275 feet from the perimeter fence shall be allowed provided that a noise analysis as required by Sec.6.1.8H. finds that the anticipated noise levels at the TIER-2 BESS property lines are within the Illinois Pollution Control Board limits for noise.
- (7) TIER-2 BESS fencing shall be no less than 26 feet from the property line of any adjacent lot other than lots for railroad property and electrical substation property.

D. Standard Conditions for Design and Installation of any TIER-2 BATTERY ENERGY STORAGE SYSTEM.

- (1) Any building that is part of a TIER-2 BATTERY ENERGY STORAGE SYSTEM shall include as a requirement for a Zoning Compliance

Certificate, a certification by an Illinois Professional Engineer or Illinois Licensed Structural Engineer or other qualified professional that the constructed building conforms to Public Act 101-369 regarding building code compliance and conforms to the Illinois Accessibility Code.

- (2) Electrical Components
 - a. All electrical components of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall conform to the National Electrical Code as amended.
 - b. All on-site utility lines shall be placed underground to the extent feasible and as permitted by the serving utility, with the exception of the main service connection at the utility company right-of-way and any new interconnection equipment, including without limitation any poles, with new easements and right-of-way.
- (3) Maximum Height. The height limitation established in Section 5.3 shall not apply to a TIER-2 BATTERY ENERGY STORAGE SYSTEM. The maximum height of all above ground STRUCTURES shall be identified in the application and as approved in the SPECIAL USE Permit.
- (4) Warnings
 - a. A reasonably visible warning sign shall be installed and shall include the type of technology associated with the BATTERY ENERGY STORAGE SYSTEM, any special hazards associated, the type of suppression system installed in the area of BATTERY ENERGY STORAGE SYSTEMS, and 24-hour emergency contact information, including reach-back phone number.
 - b. As required by the National Electric Code (NEC), disconnect and other emergency shutoff information shall be clearly displayed on a light reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations.
- (5) No construction may intrude on any easement or right-of-way for a GAS PIPELINE or HAZARDOUS LIQUID PIPELINE, an underground water main or sanitary sewer, a drainage district ditch or tile, or any other public utility facility unless specifically authorized by a crossing agreement that has been entered into with the relevant party.
- (6) Safety
 - a. Standards. BATTERY ENERGY STORAGE SYSTEMS and equipment shall be listed by a Nationally Recognized Testing Laboratory to UL 9540 (Standard for battery energy storage systems and Equipment) and UL 9540A (Standard for Testing Methods for

Evaluating Thermal Runaway Fire Propagation in Battery Energy Storage Systems) with subcomponents meeting each of the following standards as applicable:

- (a) IEEE 1578 (Institute of Electrical and Electronics Engineers; Recommended Practice for Stationary Battery Electrolyte Spill Containment and Management; only required for installations using lead-acid batteries);
 - (b) NFPA 13 (Standard for Installation of Sprinkler Systems);
 - (c) NFPA 68 (Standard on Explosion Prevention by Deflagration Venting);
 - (d) NFPA 69 (Standard on Explosion Prevention Systems);
 - (e) NFPA 855 (Standard for the Installation of Stationary Energy Storage Systems)
 - (f) NFPA 1142 (Standard on Water Supplies for Suburban and Rural Firefighting);
 - (g) NFPA 2010 (Standard for Fixed Aerosol Fire Extinguishing Systems);
 - (h) UL 1973 (Standard for Batteries for Use in Stationary, Vehicle Auxiliary Power and Light Electric Rail Applications);
 - (i) UL 1642 (Standard for Lithium Batteries);
 - (j) UL 1741 or UL 62109 (Inverters and Power Converters);
 - (j) Alternatively, field evaluation by an approved testing laboratory for compliance with UL 9540 and applicable codes, regulations and safety standards may be used to meet system certification requirements.
- b. Hazard Mitigation Analysis
- (a) The Special Use Permit Application shall include a commitment to the provision of a Hazard Mitigation Analysis that will comply with the requirements of NFPA 855 and an approved Special Use Permit shall include a special condition of approval requiring compliance with NFPA 855 requirements for a Hazard Mitigation Analysis.
 - (b) Prior to application for a Zoning Use Permit, the TIER-2 BESS Owner shall provide to the relevant fire protection

district or department a Hazard Mitigation Analysis of the proposed BESS that meets the requirements of NFPA 855.

- (c) The relevant fire protection district or department shall document their approval of the Hazard Mitigation Analysis in writing if the Hazard Mitigation Analysis meets the requirements for approval in Section 4.4.3 of NFPA 855.
 - (d) The Zoning Use Permit Application for the proposed TIER-2 BESS shall include documentation that the relevant fire protection district or department has approved the Hazard Mitigation Analysis and a copy of the approved Hazard Mitigation Analysis shall be submitted with the Zoning Use Permit Application.
- c. Commissioning Report
 - (a) Prior to requesting a Zoning Compliance Certificate to authorize operation of the TIER-2 BESS, the TIER-2 BESS Owner shall provide to the relevant fire protection district or department a Commissioning Report that meets the requirements of NFPA 855.
 - (b) A Zoning Compliance Certificate for a TIER-2 BESS shall not be issued unless the Zoning Administrator receives written documentation that the relevant fire protection district or department has received the Commissioning Report and a copy of the Commissioning Report shall be submitted to the Zoning Administrator.
- d. Vegetation control.
 - (a) Areas within 10 feet on each side of outdoor TIER-2 BESS equipment shall be cleared of combustible vegetation except that grass may be used as a ground cover provided it is maintained such that it does not form a means of readily transmitting fire.
- e. Access drives.
 - (a) For TIER-2 BESS that are located outdoors, no part of the TIER-2 BESS shall be located more than 100 feet from an access drive that is a minimum of 20 feet wide and made of eight inches of compacted aggregate and with corner radii that meets the requirements of the relevant fire protection district or department.
- f. BATTERY ENERGY STORAGE MANAGEMENT SYSTEM

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- (a) When thermal runaway protection is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the TIER-2 BESS shall include a BATTERY ENERGY STORAGE MANAGEMENT SYSTEM to protect the energy storage systems from operating outside of the safe operating parameters and that will disconnect electrical power to the energy storage system or place it in a safe condition if potentially hazardous temperatures or other conditions are detected and prevent thermal runaway.
 - (b) Both the Special Use Permit Application and the Zoning Use Permit Application shall include a basic description of the proposed BATTERY ENERGY STORAGE MANAGEMENT SYSTEM.
- g. Smoke and fire detection systems.
 - (a) Smoke and fire detection systems shall not be required for TIER-2 BESS that are installed outdoors (not on or inside a building or in a walk-in unit no larger than 53 feet by 8.5 feet by 9.5 feet) unless smoke and fire detection systems are recommended to the BOARD in writing by the relevant fire protection district or department or unless the BOARD requires smoke and fire detection systems as a special condition of approval.
 - (b) Smoke and fire detection systems shall be required for TIER-2 BESS that are installed on or inside a building or in a walk-in unit larger than 53 feet by 8.5 feet by 9.5 feet.
 - (c) When smoke and fire detection systems are required by NFPA 855 for the type of TIER-2 BESS that is proposed, the following descriptions shall be provided at relevant times in the zoning approval process:
 - i. The Special Use Permit Application shall include a basic description of the proposed smoke and fire detection systems.
 - ii. The Zoning Use Permit Application shall include a description of the proposed smoke and fire detection systems by an Illinois Licensed Professional Engineer including both text and drawings.
- h. Fire control and suppression
 - (a) Fire control and suppression systems and water supply for fire fighting shall not be required for TIER-2 BESS that are installed outdoors (not on or inside a building or in a walk-in unit no larger than 53 feet by 8.5 feet by 9.5 feet) and located

more than 100 feet from other buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock, and other exposure hazards not associated with electrical grid infrastructure unless fire suppression systems and water supply are recommended to the BOARD in writing by the relevant fire protection district or department or unless the BOARD requires fire suppression systems and/ or water supply as a special condition of approval.

- (b) Fire control and suppression systems and water supply for fire fighting shall be required for TIER-2 BESS that are installed outdoors (not located on or inside a building or in a walk-in unit larger than 53 feet by 8.5 feet by 9.5 feet) and located less than 100 feet from other buildings, lot lines, public ways, stored combustible materials, hazardous materials, high-piled stock, and other exposure hazards not associated with electrical grid infrastructure or located on or inside a building or a walk-in unit that is larger than 53 feet by 8.5 feet by 9.5 feet).
- (c) When fire control and suppression systems and water supply for fire fighting are required by NFPA 855 for the type of TIER-2 BESS that is proposed, the following descriptions shall be provided at relevant times in the zoning approval process:
 - i. The Special Use Permit Application shall include a basic description of the proposed fire control and suppression systems and water supply.
 - ii. The Zoning Use Permit Application shall include a description of the proposed fire control and suppression systems and water supply, by an Illinois Licensed Professional Engineer including both text and drawings.
- (d) The relevant fire protection district or department shall be the authority having jurisdiction per NFPA 855 for approving TIER-2 BESS to be installed in open parking garages and/or dedicated-use BESS buildings and/or outdoor walk-in enclosures without the protection of automatic fire control and suppression systems where authorized by NFPA 855 and such approvals shall be documented in writing and a copy of the approval shall be submitted with the Zoning Use Permit Application.
 - i. Explosion control.

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- (a) Explosion prevention or deflagration venting shall be provided that will comply with the requirements of NFPA 855 for the type of TIER-2 BESS that is proposed.
 - (b) The Special Use Permit Application shall include a commitment to the provision of explosion prevention and/ or deflagration venting that will comply with the requirements of NFPA 855 and an approved Special Use Permit shall include a special condition of approval requiring compliance with NFPA 855 requirements for explosion prevention and/ or deflagration venting.
 - (c) The actual description of the explosion prevention or deflagration venting to be provided shall be part of the Hazard Mitigation Analysis required by Sec. 6.1.8D.(6)b.
- j. Ground-fault protection
 - (a) Three-phase installations shall have adequate ground-fault protection.
 - (b) Systems with little or no impedance shall be designed to trip off-line automatically.
 - (c) In systems that have high levels of impedance the overvoltage shall be controlled with grounding banks, other forms of impedance grounding, or surge arresters. The electrical components at risk of overvoltage shall also have phase-to-phase level insulation.
 - (d) The Zoning Use Permit Application shall include a description of the ground-fault protection by an Illinois Licensed Professional Engineer.
- k. Control of electrolyte spill.
 - (a) When spill control is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the Special Use Permit Application shall include a general description and written discussion for the proposed control of electrolyte spill that will meet NFPA 855 requirements.
 - (b) The Zoning Use Permit Application shall include a description of the proposed spill control by an Illinois Licensed Professional Engineer .
- l. Neutralization of spills from free-flowing electrolyte.

- (a) When neutralization of free-flowing electrolyte is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the Special Use Permit Application shall include a written discussion of the proposed neutralization that meets the requirements of NFPA 855.
 - (b) The Zoning Use Permit Application shall include a written discussion of the proposed neutralization by an Illinois Licensed Professional Engineer that meets the requirements of NFPA 855.
- m. Safety caps. When safety caps are required by NFPA 855 for the type of TIER-2 BESS that is proposed, both the Special Use Permit Application and the Zoning Use Permit Application shall include a description of the proposed safety caps that meets the requirements of NFPA 855.
- n. Exhaust ventilation.
 - (a) When exhaust ventilation is required by NFPA 855 for the type of TIER-2 BESS that is proposed, the following descriptions shall be provided at relevant milestones:
 - i. The Special Use Permit Application shall include a basic description of the proposed exhaust ventilation.
 - ii. The Zoning Use Permit Application shall include a description of the proposed exhaust ventilation by an Illinois Licensed Professional Engineer including both text and drawings.
- o. TIER-2 BESS in or on buildings.
 - (a) When a TIER-2 BESS is proposed to be located in or on a building or in a walk-in unit larger than 53 feet by 8.5 feet by 9.5 feet, compliance with all relevant NFPA 855 requirements shall be explained in general in the Special Use Permit Application with more detailed description submitted at the time of Zoning Use Permit Application including text and drawings by an Illinois Licensed Architect and/or an Illinois Licensed Professional Engineer.
- p. Remediation measures.
 - (a) As required by NFPA 855, in the event that a fire or other event has damaged the TIER-2 BESS and ignition or reignition of the TIER-2 BESS is possible, the owner of the TIER-2 BESS shall provide authorized service personnel to be dispatched to assist emergency first responders to mitigate the hazard or remove damaged equipment from the premises within a response time approved by the relevant fire

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protection district or department in the approved emergency response plan.

- (b) When required by the relevant fire protection district or department, the owner of the TIER-2 BESS shall provide hazard support personnel at the expense of the owner of the TIER-2 BESS to respond to possible ignition or re-ignition of the damaged TIER-2 BESS within a response time approved by the relevant fire protection district or department in the approved emergency response plan, as required by NFPA 855.
 - (c) The trained hazard support personnel shall be approved by the relevant fire protection district or department.
 - (d) The authorized service personnel shall be permitted to perform the duties of the hazard support personnel.
 - (e) Required hazard support personnel shall monitor the TIER-2 BESS continuously in a method approved by the relevant fire protection district or department until the hazard is mitigated and the relevant fire protection district or department gives authorization to the owner or authorized agent that onsite hazard support personnel are no longer required.
 - (f) On-duty hazard support personnel shall have the responsibilities listed in NFPA 855.
 - (g) The Special Use Permit application shall include a commitment to the provision of authorized service personnel and/or hazard support personnel that will comply with the requirements of NFPA 855 and an approved Special Use Permit shall include a special condition of approval requiring compliance with NFPA 855 requirements for the provision of authorized service personnel and/or hazard support personnel.
- (7) Cooling of a TIER-2 BESS shall not use groundwater other than for closed-loop geothermal cooling. The application shall include a description of the proposed cooling system of the TIER-2 BESS.

E. Standard Conditions to Mitigate Damage to Farmland

- (1) All underground wiring or cabling for the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be at a minimum depth of 5 feet below grade or deeper if required to maintain a minimum one foot of clearance between the wire or cable and any agricultural drainage tile.
- (2) Protection of agricultural drainage tile

- a. The applicant shall endeavor to locate all existing agricultural drainage tile prior to establishing any construction staging areas, construction of any necessary TIER-2 BATTERY ENERGY STORAGE SYSTEM access lanes or driveways, construction of any TIER-2 BATTERY ENERGY STORAGE SYSTEM STRUCTURES, any equipment, underground wiring, or cabling. The applicant shall contact affected landowners and tenants and the Champaign County Soil and Water Conservation District and any relevant drainage district for their knowledge of tile line locations prior to the proposed construction. Drainage districts shall be notified at least two weeks prior to disruption of tile.
- b. The location of drainage district tile lines shall be identified prior to any construction and drainage district tile lines shall be protected from disturbance as follows:
 - (a) All identified drainage district tile lines and any known existing drainage district tile easement shall be staked or flagged prior to construction to alert construction crews of the presence of drainage district tile and the related easement.
 - (b) Any drainage district tile for which there is no existing easement shall be protected from disturbance by a 30 feet wide no-construction buffer on either side of the drainage district tile. The no-construction buffer shall be staked or flagged prior to the start of construction and shall remain valid for the lifetime of the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit and during any deconstruction activities that may occur pursuant to the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.
 - (c) Construction shall be prohibited within any existing drainage district easement and also prohibited within any 30 feet wide no-construction buffer on either side of drainage district tile that does not have an existing easement unless specific construction is authorized in writing by all commissioners of the relevant drainage district. A copy of the written authorization shall be provided to the Zoning Administrator prior to the commencement of construction.
- c. Any agricultural drainage tile located underneath construction staging areas, access lanes, and driveways shall be replaced as required in Section 6.3 of the Champaign County Storm Water Management and Erosion Control Ordinance.
- d. Any agricultural drainage tile that must be relocated shall be relocated as required in the *Champaign County Storm Water Management and Erosion Control Ordinance*.

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- e. Conformance of any relocation of drainage district tile with the *Champaign County Storm Water Management and Erosion Control Ordinance* shall be certified by an Illinois Professional Engineer. Written approval by the drainage district shall be received prior to any backfilling of the relocated drain tile and a copy of the approval shall be submitted to the Zoning Administrator. As-built drawings shall be provided to both the relevant drainage district and the Zoning Administrator of any relocated drainage district tile.
 - f. All tile lines that are damaged, cut, or removed shall be staked or flagged in such manner that they will remain visible until the permanent repairs are completed.
 - g. All exposed tile lines shall be screened or otherwise protected to prevent the entry into the tile of foreign materials, loose soil, small mammals, etc.
 - h. Permanent tile repairs shall be made within 14 days of the tile damage provided that weather and soil conditions are suitable or a temporary tile repair shall be made. Immediate temporary repair shall also be required if water is flowing through any damaged tile line. Temporary repairs are not needed if the tile lines are dry and water is not flowing in the tile provided the permanent repairs can be made within 14 days of the damage.
 - i. All damaged tile shall be repaired so as to operate as well after construction as before the construction began.
 - j. Following completion of the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, the Applicant shall be responsible for correcting all tile line repairs that fail, provided that the failed repair was made by the Applicant.
- (3) All soil conservation practices (such as terraces, grassed waterways, etc.) that are damaged by TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, maintenance, and/or decommissioning shall be restored by the applicant to the pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction condition.
- (4) Topsoil replacement

For any open trenching required pursuant to TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, the topsoil shall be stripped and replaced as follows:

- a. The top 12 inches of topsoil shall first be stripped from the area to be trenched and from an adjacent area to be used for subsoil storage.

The topsoil shall be stored in a windrow parallel to the trench in such a manner that it will not become intermixed with subsoil materials.

- b. All subsoil material that is removed from the trench shall be placed in the second adjacent stripped windrow parallel to the trench but separate from the topsoil windrow.
 - c. In backfilling the trench, the stockpiled subsoil material shall be placed back into the trench before replacing the topsoil.
 - d. The topsoil must be replaced such that after settling occurs, the topsoil's original depth and contour (with an allowance for settling) will be restored.
- (5) Mitigation of soil compacting and rutting
- a. The Applicant shall not be responsible for mitigation of soil compaction and rutting if exempted by the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease.
 - b. Unless specifically provided for otherwise in the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease, the Applicant shall mitigate soil compaction and rutting for all areas of farmland that were traversed with vehicles and construction equipment or where topsoil is replaced in open trenches.
- (6) Land leveling
- a. The Applicant shall not be responsible for leveling of disturbed land if exempted by the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease.
 - b. Unless specifically provided for otherwise in the TIER-2 BATTERY ENERGY STORAGE SYSTEM lease, the Applicant shall level all disturbed land as follows:
 - (a) Following the completion of any open trenching, the applicant shall restore all land to its original pre-construction elevation and contour.
 - (b) Should uneven settling occur or surface drainage problems develop as a result of the trenching within the first year after completion, the applicant shall again restore the land to its original pre-construction elevation and contour.
- (7) Permanent Erosion and Sedimentation Control Plan

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- a. Prior to the approval of any Zoning Use Permit, the Applicant shall provide a permanent soil erosion and sedimentation plan for the TIER-2 BATTERY ENERGY STORAGE SYSTEM including any access road that conforms to the relevant Natural Resources Conservation Service guidelines and that is prepared by an Illinois Licensed Professional Engineer.
- b. As-built documentation of all permanent soil erosion and sedimentation improvements for the TIER-2 BATTERY ENERGY STORAGE SYSTEM including any access road prepared by an Illinois Licensed Professional Engineer shall be submitted and accepted by the Zoning Administrator prior to approval of any Zoning Compliance Certificate.

(8) Retention of all topsoil

No topsoil may be removed, stripped, or sold from the proposed SPECIAL USE Permit site pursuant to or as part of the construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM.

(9) Minimize disturbance to BEST PRIME FARMLAND

- a. Any TIER-2 BATTERY ENERGY STORAGE SYSTEM to be located on BEST PRIME FARMLAND shall minimize the disturbance to BEST PRIME FARMLAND as follows:
 - (a) The disturbance to BEST PRIME FARMLAND caused by construction and operation of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be minimized at all times consistent with good engineering practice.

F. Standard Conditions for Use of Public Streets

Any TIER-2 BATTERY ENERGY STORAGE SYSTEM applicant proposing to use any County Highway or a township or municipal STREET for the purpose of transporting TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment for construction, operation, or maintenance of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall identify all such public STREETS and pay the costs of any necessary permits and the costs to repair any damage to the STREETS caused by the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction, as follows:

- (1) Prior to the close of the public hearing before the BOARD, the Applicant shall enter into a Roadway Upgrade and Maintenance agreement approved by the County Engineer and State's Attorney; or Township Highway Commissioner; or municipality where relevant, except for any TIER-2 BATTERY ENERGY STORAGE SYSTEM for which the relevant highway authority has agreed in writing to waive the requirements of subparagraphs 6.1.8 F.1, 6.1.8 F.2, and 6.1.8 F.3, and the signed and

executed Roadway Upgrade and Maintenance agreements must provide for the following minimum conditions:

- a. The applicant shall agree to conduct a pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction baseline survey to determine existing STREET conditions for assessing potential future damage including the following:
 - (a) A videotape of the affected length of each subject STREET supplemented by photographs if necessary.
 - (b) Pay for costs of the County to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.
 - (c) Pay for any strengthening of STREET structures that may be necessary to accommodate the proposed traffic loads caused by the BATTERY ENERGY STORAGE SYSTEM construction.
- b. The Applicant shall agree to pay for costs of the County Engineer to hire a consultant to make a study of any structure on the proposed route that the County Engineer feels may not carry the loads likely during the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction and pay for any strengthening of structures that may be necessary to accommodate the proposed traffic loads caused by the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.
- c. The Applicant shall agree upon an estimate of costs for any other necessary roadway improvements prior to construction.
- d. The Applicant shall obtain any necessary approvals for the STREET improvements from the relevant STREET maintenance authority.
- e. The Applicant shall obtain any necessary Access Permits including any required plans.
- f. The Applicant shall erect permanent markers indicating the presence of underground cables.
- g. The Applicant shall install marker tape in any cable trench.
- h. The Applicant shall become a member of the Illinois statewide One-Call Notice System (otherwise known as the Joint Utility Locating Information for Excavators or "JULIE") and provide JULIE with all of the information necessary to update its record with respect to the TIER-2 BATTERY ENERGY STORAGE SYSTEM.

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- i. The Applicant shall use directional boring equipment to make all crossings of County Highways for the cable collection system.
- j. The Applicant shall notify the STREET maintenance authority in advance of all oversize moves and crane crossings.
- k. The Applicant shall provide the County Engineer with a copy of each overweight and oversize permit issued by the Illinois Department of Transportation for the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.
- l. The Applicant shall transport the TIER-2 BATTERY ENERGY STORAGE SYSTEM loads so as to minimize adverse impact on the local traffic including farm traffic.
- m. The Applicant shall schedule TIER-2 BATTERY ENERGY STORAGE SYSTEM construction traffic in a way to minimize adverse impacts on emergency response vehicles, rural mail delivery, school bus traffic, and local agricultural traffic.
- n. The Applicant shall provide as much advance notice as in commercially reasonable to obtain approval of the STREET maintenance authority when it is necessary for a STREET to be closed due to a crane crossing or for any other reason. Notwithstanding the generality of the aforementioned, the Applicant will provide 48 hours' notice to the extent reasonably practicable.
- o. The Applicant shall provide signs indicating all highway and STREET closures and work zones in accordance with the Illinois Department of Transportation Manual on Uniform Traffic Control Devices.
- p. The Applicant shall establish a single escrow account and a single Irrevocable Letter of Credit for the cost of all STREET upgrades and repairs pursuant to the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction.
- q. The Applicant shall notify all relevant parties of any temporary STREET closures.
- r. The Applicant shall obtain easements and other land rights needed to fulfill the Applicant's obligations under this Agreement.
- s. The Applicant shall agree that the County shall design all STREET upgrades in accordance with the most recent edition of the IDOT Bureau of Local Roads and Streets Manual.

- t. The Applicant shall provide written Notice to Proceed to the relevant STREET maintenance authority by December 31 of each year that identifies the STREETS to be upgraded during the following year.
 - u. The Applicant shall provide dust control and grading work to the reasonable satisfaction of the County Engineer on STREETS that become aggregate surface STREETS.
 - v. The Applicant shall conduct a post- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction baseline survey similar to the pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction baseline survey to identify the extent of repairs necessary to return the STREETS to the pre- TIER-2 BATTERY ENERGY STORAGE SYSTEM construction condition.
 - w. The Applicant shall pay for the cost of all repairs to all STREETS that are damaged by the Applicant during the construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM and restore such STREETS to the condition they were in at the time of the pre-TIER-2 BATTERY ENERGY STORAGE SYSTEM construction inventory.
 - x. All TIER-2 BATTERY ENERGY STORAGE SYSTEM construction traffic shall exclusively use routes designated in the approved Transportation Impact Analysis.
 - y. The Applicant shall provide liability insurance in an acceptable amount to cover the required STREET construction activities.
 - z. The Applicant shall pay for the present worth costs of life consumed by the construction traffic as determined by the pavement management surveys and reports on the roads which do not show significant enough deterioration to warrant immediate restoration.
 - aa. Provisions for expiration date on the agreement.
 - bb. Other conditions that may be required.
- (2) A condition of the County Board SPECIAL USE Permit approval shall be that the Zoning Administrator shall not authorize a Zoning Use Permit for the TIER-2 BATTERY ENERGY STORAGE SYSTEM until the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality where relevant, has approved a Transportation Impact Analysis provided by the Applicant and prepared by an independent engineer that is mutually acceptable to the Applicant and the County Engineer and State's Attorney, or Township Highway Commissioner, or municipality where relevant, that includes the following:

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- a. Identify all such public STREETS or portions thereof that are intended to be used by the Applicant during construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM as well as the number of loads, per axle weight of each load, and type of equipment that will be used to transport each load.
 - b. A schedule of the across road culverts and bridges affected by the project and the recommendations as to actions, if any, required with respect to such culverts and bridges and estimates of the cost to replace such culverts and bridges.
 - c. A schedule of the anticipated STREET repair costs to be made in advance of the TIER-2 BATTERY ENERGY STORAGE SYSTEM construction and following construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM.
 - d. The Applicant shall reimburse the County Engineer, or Township Highway Commissioner, or municipality where relevant, for all reasonable engineering fees including the cost of a third-party consultant, incurred in connection with the review and approval of the Transportation Impact Analysis.
- (3) At such time as decommissioning takes place, the Applicant or its successors in interest shall enter into a Roadway Use and Repair Agreement with the appropriate highway authority.
- G. Standard Conditions for Coordination with Local Fire Protection District
- (1) The Applicant shall submit to the local fire protection district a copy of the site plan.
 - (2) The Owner or Operator shall cooperate with the local fire protection district to develop the fire protection district's emergency response plan. The emergency response plan shall include the following information:
 - a. Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, and personal injuries, and for safe start-up following cessation of emergency conditions.
 - b. Procedures for inspection and testing of associated alarms, interlocks, and controls.
 - c. Procedures to be followed in response to notifications from the TIER-2 BATTERY ENERGY STORAGE MANAGEMENT SYSTEM, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to fire

department personnel for potentially hazardous conditions in the event of a system failure.

- d. Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the fire department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
 - e. Response considerations similar to a safety data sheet (SDS) that will address response safety concerns and extinguishment when an SDS is not required.
 - f. Procedures for dealing with TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment damaged in a fire or other emergency event, including maintaining contact information for personnel qualified to safely remove damaged TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment from the facility.
 - g. Other procedures as determined necessary by the relevant Fire Protection District to provide for the safety of occupants, neighboring properties, and emergency responders.
 - h. Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.
 - i. An explanation of the arrangements for the TIER-2 BESS owner to provide authorized service personnel and/ or hazard support personnel to assist first responders to mitigate the hazard or remove damaged equipment from the premises within an acceptable response time.
- (3) Documentation that the relevant fire protection district or department has accepted the emergency response plan shall be submitted with the Zoning Use Permit Application.
 - (4) Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

H. Standard Conditions for Allowable Noise Level

- (1) Noise levels from any TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be in compliance with the applicable Illinois Pollution Control Board (IPCB) regulations (35 *Illinois Administrative Code*, Subtitle H: Noise, Parts 900, 901, 910).

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- (2) The Applicant shall submit manufacturer's sound power level characteristics and other relevant data regarding noise characteristics of proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment necessary for a competent noise analysis.
- (3) The Applicant, through the use of a qualified professional, as part of the siting approval application process, shall appropriately demonstrate compliance with the above noise requirements as follows:
 - a. The SPECIAL USE Permit application for a TIER-2 BATTERY ENERGY STORAGE SYSTEM shall include a noise analysis that includes the following:
 - (a) The pre-development 24-hour ambient background sound level shall be identified at representative locations near the site of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM.
 - (b) Computer modeling shall be used to generate the anticipated sound level resulting from the operation of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM within 1,500 feet of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM.
 - (c) Results of the ambient background sound level monitoring and the modeling of anticipated sound levels shall be clearly stated in the application and the application shall include a map of the modeled noise contours within 1,500 feet of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM.
 - (d) The application shall also clearly state the assumptions of the computer model's construction and algorithms so that a competent and objective third party can as simply as possible verify the anticipated sound data and sound levels.
- (4) The Zoning Use Permit Application shall include an updated noise analysis if there are any changes in BESS equipment or any changes in BESS equipment locations from the approved Special Use Permit.
- (5) After construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM, the Zoning Administrator shall take appropriate enforcement action as necessary to investigate noise complaints in order to determine the validity of the complaints and take any additional enforcement action as proves warranted to stop any violation that is occurring, including but not limited to the following:
 - a. The Zoning Administrator shall make the Environment and Land Use Committee aware of complaints about noise.

- b. If the Environment and Land Use Committee determines that the noise is excessive, the Environment and Land Use Committee shall require the Owner or Operator to take responsible steps to mitigate the excessive noise.

I. Standard Conditions for Endangered Species Consultation

The Applicant shall apply for consultation with the Endangered Species Program of the Illinois Department of Natural Resources. The Application shall include a copy of the Agency Action Report from the Endangered Species Program of the Illinois Department of Natural Resources or, if applicable, a copy of the Detailed Action Plan Report submitted to the Endangered Species Program of the Illinois Department of Natural Resources and a copy of the response from the Illinois Department of Natural Resources.

J. Standard Conditions for Historic and Archaeological Resources Review

The Applicant shall apply for consultation with the State Historic Preservation Officer of the Illinois Department of Natural Resources. The Application shall include a copy of the Agency Action Report for the State Historic Preservation Officer of the Illinois Department of Natural Resources.

K. Standard Conditions for Acceptable Wildlife Impacts

The TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be located, designed, constructed, and operated so as to avoid and if necessary mitigate the impacts to wildlife to a sustainable level of mortality.

L. Screening and Fencing

(1) Perimeter fencing

- a. TIER-2 BATTERY ENERGY STORAGE SYSTEM equipment and structures shall be fully enclosed and secured by a fence with a minimum height of 7 feet.
- b. Knox boxes and keys shall be provided at locked entrances for emergency personnel access.
- c. Vegetation between the fencing and the LOT LINE shall be maintained such that NOXIOUS WEEDS are controlled or eradicated consistent with the Illinois Noxious Weed Law (505 ILCS 100/1 *et. seq.*). Management of the vegetation shall be explained in the SPECIAL USE Permit Application.

(2) Screening

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- a. Areas within 10 feet on each side of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be cleared of combustible vegetation and other combustible growth.
- b. A visual screen shall be provided around the perimeter of the TIER-2 BATTERY ENERGY STORAGE SYSTEM as follows:
 - (a) The visual screen shall be provided for any part of the TIER-2 BATTERY ENERGY STORAGE SYSTEM that is visible to and located within 1,000 feet of an existing DWELLING or residential DISTRICT except that the visual screen may not be required within the full 1,000 feet of an existing DWELLING or residential DISTRICT provided the Applicant submits a landscape plan prepared by an Illinois Registered Landscape Architect and the BOARD finds that the visual screen in the landscape plan provides adequate screening. However, the visual screen shall not be required if the TIER-2 BATTERY ENERGY STORAGE SYSTEM is not visible to a DWELLING or residential DISTRICT by virtue of the existing topography.
 - (b) The visual screen shall be waived if the owner(s) of a relevant DWELLING(S) have agreed in writing to waive the screening requirement and a copy of the written waiver is submitted to the BOARD or GOVERNING BODY.
 - (c) The visual screen shall be a vegetated buffer as follows:
 - i. A vegetated visual screen buffer that shall include a continuous line of native evergreen foliage and/or native shrubs and/or native trees and/or any existing wooded area and/or plantings of tall native greases and other native flowering plants and/or an area of agricultural crop production that will conceal the TIER-2 BATTERY ENERGY STORAGE SYSTEM from view from adjacent abutting property may be authorized as an alternative visual screen subject to specific conditions.
 - ii. Any vegetation that is part of the approved visual screen buffer shall be maintained in perpetuity of the TIER-2 BATTERY ENERGY STORAGE SYSTEM. If the evergreen foliage below a height of 7 feet disappears over time, the screening shall be replaced.
 - iii. The continuous line of native evergreen foliage and/or native shrubs and/or native trees shall be planted at a minimum height of 5 feet tall and shall be planted in multiple rows as required to provide a

50% screen within 2 years of planting. The planting shall otherwise conform to Natural Resources Conservation Service Practice Standard 380 Windbreak/Shelterbreak Establishment except that the planting shall be located as close as possible to the BATTERY ENERGY STORAGE SYSTEM fence while still providing adequate clearance for maintenance.

- iv. A planting of tall native grasses and other native flowing plants may be used as a visual screen buffer provided that the width of planting shall be authorized by the BOARD and the planting shall otherwise be planted and maintained per the recommendations of the Natural Resources Conservation Service Practice Standard 327 Conservation Cover and further provided that the BATTERY ENERGY STORAGE SYSTEM perimeter fence is opaque.
- v. An area of agricultural crop production may also be authorized by the BOARD as an alternative visual screen buffer with a width of planting as authorized by the BOARD provided that the TIER-2 BATTERY ENERGY STORAGE SYSTEM perimeter fence is opaque. Any area of crop production that is used as a vegetated visual screen shall be planted annually and shall be replanted as necessary to ensure a crop every year regardless of weather or market conditions.
- vi. Any vegetated screen buffer shall be detailed in a landscape plan drawing that shall be included with the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit application.

M. Standard Condition for Liability Insurance

- (1) The Owner or Operator of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall maintain a current general liability policy covering bodily injury and property damage with minimum limits of at least \$5 million per occurrence and \$5 million in the aggregate.
- (2) The general liability policy shall identify landowners in the SPECIAL USE Permit as additional insured.

N. Operational Standard Conditions

- (1) Maintenance

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- a. Any physical modification to the TIER-2 BATTERY ENERGY STORAGE SYSTEM that increases the number of batteries or structures and/or the land area occupied by the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall require a new SPECIAL USE Permit. Like-kind replacements shall not require recertification nor will replacement of equipment provided replacement is done in fashion similar to the original installation.
- (2) Materials Handling, Storage and Disposal
 - a. All solid wastes related to the construction, operation and maintenance of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be removed from the site promptly and disposed of in accordance with all Federal, State and local laws.
 - b. All hazardous materials related to the construction, operation, maintenance, and decommissioning of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be handled, stored, transported and disposed of in accordance with all applicable local, State and Federal laws.
- (3) Vegetation management
 - a. The TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit application shall include a weed control plan for the total area of the SPECIAL USE Permit including areas both inside of and outside of the perimeter fencing.
 - b. The weed control plan shall ensure the control and/or eradication of NOXIOUS WEEDS consistent with the Illinois Noxious Weed Law (55 ILCS 100/1 *et. seq.*).
 - c. The weed control plan shall be explained in the application.
- O. Standard Conditions for Decommissioning and Site Reclamation Plan
 - (1) The Applicant shall submit a signed decommissioning and site reclamation plan conforming to the requirements of paragraph 6.1.1A.
 - (2) In addition to the purposes listed in subparagraph 6.1.1A.4., the decommissioning and site reclamation plan shall also include provisions for anticipated repairs to any public STREET used for the purpose of reclamation of the TIER-2 BATTERY ENERGY STORAGE SYSTEM and all costs related to removal of access driveways.
 - (3) The decommissioning and site reclamation plan required in paragraph 6.1.1A. shall also include the following:

- a. A stipulation that the applicant or successor shall notify the GOVERNING BODY by certified mail of the commencement of voluntary or involuntary bankruptcy proceeding, naming the applicant as debtor, within ten days of commencement of proceeding.
- b. A stipulation that the applicant shall agree that the sale, assignment in fact or law, or such other transfer of applicant's financial interest in the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall in no way affect or change the applicant's obligation to continue to comply with the terms of this plan. Any successor in interest, assignee, and all parties to the decommissioning and site reclamation plan shall assume the terms, covenants, and obligations of this plan and agrees to assume all reclamation liability and responsibility for the TIER-2 BATTERY ENERGY STORAGE SYSTEM.
- c. Authorization for the GOVERNING BODY and its authorized representatives for right of entry onto the TIER-2 BATTERY ENERGY STORAGE SYSTEM premises for the purpose of inspecting the methods of reclamation or for performing actual reclamation if necessary.
- d. A stipulation that at such time as decommissioning takes place the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan are required to enter into a Roadway Use and Repair Agreement with the relevant highway authority.
- e. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide evidence of any new, additional, or substitute financing or security agreement to the Zoning Administrator throughout the operating lifetime of the project.
- f. A stipulation that the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall be obliged to perform the work in the decommissioning and site reclamation plan before abandoning the TIER-2 BATTERY ENERGY STORAGE SYSTEM or prior to ceasing operations of the TIER-2 BATTERY ENERGY STORAGE SYSTEM, after it has begun, other than in the ordinary course of business. This obligation shall be independent of the obligation to pay financial assurance and shall not be limited by the amount of financial assurance. The obligation to perform the reclamation work shall constitute a covenant running with the land.
- g. The decommissioning and site reclamation plan shall provide for payment of any associated costs that Champaign COUNTY may

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incur in the event that decommissioning is actually required. Associated costs include all administrative and ancillary costs associated with drawing upon the financial assurance and performing the reclamation work and shall include but not be limited to: attorney's fees; construction management and other professional fees; and, the costs of preparing requests for proposals and bidding documents required to comply with State law or Champaign COUNTY purchasing policies.

- h. Provisions for the removal of structures, debris, cabling, and associated equipment on the surface and to a level of not less than five feet below the surface, and the sequence in which removal is expected to occur.
- i. A stipulation that should the decommissioning and site reclamation plan be deemed invalid by a court of competent jurisdiction the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit shall be deemed void.
- j. A stipulation that the Applicant's obligation to complete the decommissioning and site reclamation plan and to pay all associated costs shall be independent of the Applicant's obligation to provide financial assurance.
- k. A stipulation that the liability of the Applicant's failure to complete the decommissioning and site reclamation plan or any breach of the decommissioning and site reclamation plan requirement shall not be capped by the amount of financial assurance.
- l. If the Applicant desires to remove equipment or property credited to the estimated salvage value without the concurrent replacement of the property with property of equal or greater salvage value, or if the Applicant installs equipment or property increasing the cost of decommissioning after the TIER-2 BATTERY ENERGY STORAGE SYSTEM begins operations, at any point, the Applicant shall first obtain the consent of the Zoning Administrator. If the Applicant's lien holders remove equipment or property credited to the salvage value, the Applicant shall promptly notify the Zoning Administrator. In either of these events, the total financial assurance shall be adjusted to reflect any change in total salvage value and total decommissioning costs resulting from any such removal or installation.
- m. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

- n. The Decommissioning and Site Reclamation Plan shall comply with the requirements of NFPA 855.
- (4) To comply with paragraph 6.1.1A.5., the Applicant shall provide financial assurance in the form of an irrevocable letter of credit as follows:
- a. At the time of SPECIAL USE Permit approval, the amount of financial assurance to be provided for the decommissioning and site reclamation plan shall be 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Section 6.1.1A.4.a. and 6.1.1A.4.b., and 6.1.1A.4.c. and shall otherwise be compliant with Section 6.1.1A.5. except that if the TIER-2 BATTERY ENERGY STORAGE SYSTEM has a limited power warranty to provide not less than 80% nominal power output up to 25 years and proof of that warranty is provided at the time of Zoning Use Permit approval, financial assurance may be provided for the decommissioning and site reclamation plan as follows:
 - (a) No Zoning Use Permit to authorize construction of the TIER-2 BATTERY ENERGY STORAGE SYSTEM shall be authorized by the Zoning Administrator until the TIER-2 BATTERY ENERGY STORAGE SYSTEM owner shall provide the COUNTY with financial assurance to cover 12.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.
 - (b) On or before the sixth anniversary of the Commercial Operation Date, the TIER-2 BATTERY ENERGY STORAGE SYSTEM Owner shall provide the COUNTY with Financial Assurance to cover 62.5% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.
 - (c) On or before the eleventh anniversary of the Commercial Operation Date, the TIER-2 BATTERY ENERGY STORAGE SYSTEM Owner shall provide the COUNTY with Financial Assurance to cover 125% of the decommissioning cost as determined in the independent engineer's cost estimate to complete the decommissioning work described in Sections 6.1.1A.4.a. and 6.1.1A.4.b. and 6.1.1A.4.c. and otherwise compliant with Section 6.1.1A.5.

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- b. Net salvage value may be deducted for decommissioning costs as follows:
 - (a) One of the following standards shall be met:
 - i. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall maintain the TIER-2 BATTERY ENERGY STORAGE SYSTEM free and clear of liens and encumbrances, including financing liens and shall provide proof of the same prior to issuance of the SPECIAL USE Permit; or
 - ii. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall deduct from the salvage value credit the amount of any lien or encumbrance on the TIER-2 BATTERY ENERGY STORAGE SYSTEM; or
 - iii. Any and all financing and/or financial security agreements entered into by the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall expressly provide that the agreements are subject to the covenant required by Section 6.1.1A.2 that the reclamation work be done.
 - (b) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide proof of compliance with paragraph 6.1.8 O.(4).b.(a) prior to the issuance of any Zoning Use Permit and upon every renewal of the financial assurance and at any other time upon the request of the Zoning Administrator.
 - (c) The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall provide in the decommissioning and site reclamation plan for legal transfer of the STRUCTURE to the demolisher to pay the costs of reclamation work, should the reclamation work be performed.
 - (d) The net estimated salvage value that is deducted from the estimated decommissioning costs shall be the salvage value that results after all related costs for demolition and any required preparation for transportation for reuse or recycling or for simple disposal and other similar costs including but not limited to the decommissioning of the TIER-2 BATTERY ENERGY STORAGE SYSTEM STRUCTURES, equipment, and access roads.

- (e) Estimated salvage value shall be based on the average salvage price of the past five years as published in a reputable source for salvage values and shall reflect sound engineering judgement as to anticipated changes in salvage prices prior to the next update of estimated net salvage value.
 - (f) The total financial assurance after deduction of the net estimated salvage value shall not be less than \$1,000 per acre.
 - (g) The credit for net estimated salvage value attributable to any TIER-2 BATTERY ENERGY STORAGE SYSTEM may not exceed the estimated cost of removal of the above-ground portion of that TIER-2 BATTERY ENERGY STORAGE SYSTEM on the subject site.
- c. The GOVERNING BODY has the right to require multiple letters of credit based on the regulations governing federal insurance for deposits.
- d. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall adjust the amount of the financial assurance to ensure that it reflects current and accurate information as follows:
 - (a) On the tenth anniversary of the financial assurance and at least once every five years thereafter, the Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall use an independent Illinois Licensed Professional Engineer to provide updated estimates of decommissioning costs and salvage value, by including any changes due to inflation and/or change in salvage price. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan shall, upon receipt, provide a copy of the adjusted Professional Engineer's report to the Zoning Administrator.
 - (b) At all times, the value of the irrevocable letter of credit shall equal or exceed the amount of the independent engineer's cost estimate as increased by known and documented rates of inflation based on the Consumer Price Index since the TIER-2 BATTERY ENERGY STORAGE SYSTEM was approved.
- e. The long term corporate debt (credit) rating of the letter of credit issuing financial institution by both Standard & Poor's Financial Services LLC (S&P) and Moody's Investors Service (Moody's)

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shall be equal to or greater than the minimum acceptable long term corporate debt (credit) rating, as follows:

- (a) The Zoning Administrator shall verify the long term corporate debt (credit) rating of the proposed financial institution by Standard and Poor's Financial Services LLC (S&P) and/or Moody's Investors Service (Moody's) and/or the Kroll Bond Rating Agency.
 - (b) The minimum acceptable long term corporate debt (credit) rating of the proposed financial institution shall be a rating of "A-" by S&P or a rating of "A3" by Moody's, or a rating of "A-" by Kroll Bond Rating Agency.
 - (c) Whenever the most current long term corporate debt (credit) rating of the proposed financial institution by either S&P, Moody's, or Kroll Bond Rating Agency is lower than the minimum acceptable long term corporate debt (credit) rating, the letter of credit shall be replaced with a new irrevocable letter of credit from an issuing financial institution whose most current long term corporate debt (credit) rating by either S&P, Moody's, or Kroll Bond Rating Agency meets or exceeds the minimum acceptable long term corporate debt (credit) rating.
- f. Should the salvage value of components be adjusted downward or the decommissioning costs adjusted upward pursuant to paragraph 6.1.8 O.(4)d., the amount of the irrevocable letter of credit pursuant to this paragraph 6.1.8 O.(4) shall be increased to reflect the adjustment, as if the adjusted estimate were the initial estimate.
- g. Unless the Governing Body approves otherwise, the Champaign County State's Attorney's Office shall review and approve every Letter of Credit prior to acceptance by the Zoning Administrator.
- (5) In addition to the conditions listed in subparagraph 6.1.1A.9. the Zoning Administrator may also draw on the funds for the following reasons:
- a. In the event that any TIER-2 BATTERY ENERGY STORAGE SYSTEM or component thereof ceases to be functional for more than six consecutive months after the Zoning Compliance Certificate is issued and the Owner is not diligently repairing such TIER-2 BATTERY ENERGY STORAGE SYSTEM or component.
 - b. In the event that the Owner declares the TIER-2 BATTERY ENERGY STORAGE SYSTEM or any TIER-2 BATTERY ENERGY STORAGE SYSTEM component to be functionally obsolete for tax purposes.

- c. There is a delay in the construction of any TIER-2 BATTERY ENERGY STORAGE SYSTEM of more than 6 months after construction on that TIER-2 BATTERY ENERGY STORAGE SYSTEM begins.
 - d. Any TIER-2 BATTERY ENERGY STORAGE SYSTEM or component thereof that appears in a state of disrepair or imminent collapse and/or creates an imminent threat to the health or safety of the public or any person.
 - e. Any TIER-2 BATTERY ENERGY STORAGE SYSTEM or component thereof that is otherwise derelict for a period of 6 months.
 - f. The TIER-2 BATTERY ENERGY STORAGE SYSTEM is in violation of the terms of the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit for a period exceeding ninety (90) days.
 - g. The Applicant, its successors in interest, and all parties to the decommissioning and site reclamation plan has failed to maintain financial assurance in the form and amount required by the SPECIAL USE Permit or compromised the COUNTY's interest in the decommissioning and site reclamation plan.
 - h. The COUNTY discovers any material misstatement of fact of misleading omission of fact made by the Applicant in the course of the SPECIAL USE Permit Zoning Case.
- (6) The Zoning Administrator may, but is not required to, deem the TIER-2 BATTERY ENERGY STORAGE SYSTEM abandoned, or the standards set forth in Section 6.1.8 O.(5) met, with respect to some, but not all, of the TIER-2 BATTERY ENERGY STORAGE SYSTEM. In that event, the Zoning Administrator may draw upon the financial assurance to perform the reclamation work as to that portion of the TIER-2 BATTERY ENERGY STORAGE SYSTEM only. Upon completion of that reclamation work, the salvage value and reclamation costs shall be recalculated as to the remaining TIER-2 BATTERY ENERGY STORAGE SYSTEM.
- (7) The decommissioning and site reclamation plan shall be included as a condition of approval by the Board and the signed and executed irrevocable letter of credit and evidence of the escrow account must be submitted to the Zoning Administrator prior to any Zoning Use Permit approval.

P. Complaint Hotline

- (1) Prior to the commencement of construction on the TIER-2 BATTERY ENERGY STORAGE SYSTEM and during the entire term of the COUNTY Board SPECIAL USE Permit and any extension, the Applicant

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and Owner shall establish a telephone number hotline for the general public to call with any complaints or questions.

- (2) The telephone number hotline shall be publicized and posted at the operations and maintenance center and the construction marshalling yard.
- (3) The telephone number hotline shall be manned during usual business hours and shall be an answering recording service during other hours.
- (4) Each complaint call to the telephone number hotline shall be logged and identify the name and address of the caller and the reason for the call.
- (5) All calls shall be recorded, and the recordings shall be saved for transcription for a minimum of two years.
- (6) A copy of the telephone number hotline log shall be provided to the Zoning Administrator on a monthly basis.
- (7) The Applicant and Owner shall take necessary actions to resolve all legitimate complaints.

Q. Standard Conditions for Expiration of TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit

A TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit designation shall expire in 10 years if no Zoning Use Permit is granted.

R. Application Requirements

- (1) In addition to all other information required on the SPECIAL USE Permit application and required by Section 9.1.11A.3., the application shall contain or be accompanied by the following information:
 - a. A TIER-2 BATTERY ENERGY STORAGE SYSTEM Project Summary, including, to the extent available:
 - (a) A general description of the project, the proposed BESS technology (type of BESS); the proposed BESS capacity at the point of interconnection; the maximum number and type of battery devices; the maximum area occupied by the BESS development; the expected lifetime of the battery devices; any planned capacity maintenance (augmentation); the proposed project features to respond to any BESS technology specific requirements of NFPA 855; and the potential equipment manufacturer(s). The maximum number and type of battery devices may be different at the time of application for a Zoning Use Permit based on the actual equipment manufacturer but the BESS technology and the proposed BESS capacity at the point of interconnection and

the maximum area occupied by the BESS development should not exceed that approved in the SPECIAL USE Permit.

- (b) The specific proposed location of the TIER-2 BATTERY ENERGY STORAGE SYSTEM including all tax parcels on which the BATTERY ENERGY STORAGE SYSTEM will be constructed.
 - (c) A description of the Applicant, Owner and Operator, including their respective business structures.
- b. The name(s), address(es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) for the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.
- c. A site plan for the TIER-2 BATTERY ENERGY STORAGE SYSTEM indicating the following:
 - (a) The approximate planned location of all TIER-2 BATTERY ENERGY STORAGE SYSTEMS, property lines (including identification of adjoining properties), required separations, public access roads and turnout locations, access driveways, battery devices, electrical inverter(s), electrical transformer(s), electrical cabling, ancillary equipment, screening and fencing, third party transmission lines, maintenance and management facilities, and layout of all structures within the geographical boundaries of any applicable setback.
 - (b) The site plan shall clearly indicate the area of the proposed TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.
 - (c) The general location of below-ground wiring.
 - (d) The location, height, and appearance of all above-ground wiring and wiring structures.
 - (e) The separation of all TIER-2 BATTERY ENERGY STORAGE SYSTEM structures from adjacent DWELLINGS and/or PRINCIPAL BUILDINGS or uses shall be dimensioned on the approved site plan and that dimension shall establish the effective minimum separation that shall be required for any Zoning Use Permit. Greater separation and somewhat different locations may be provided in the approved site plan for the Zoning Use Permit provided that the greater separation does not increase the

AS APPROVED ON REMAND

noise impacts that were approved in the TIER-2 BATTERY ENERGY STORAGE SYSTEM SPECIAL USE Permit.

- d. All other required studies, reports, certifications, and approvals demonstrating compliance with the provisions of this Ordinance.
- (2) The Applicant shall notify the COUNTY of any changes to the information provided above that occurs while the SPECIAL USE Permit application is pending.
- (3) The Zoning Use Permit Application shall include the following:
 - a. Any updates or changes to the information that was submitted for the SPECIAL USE Permit but any changes must be consistent with the approved SPECIAL USE Permit.
 - b. Any information specifically required in Section 6.1.8 for a Zoning Use Permit Application.
 - c. Any other information necessary to document the authorized construction including an electrical diagram detailing the TIER-2 BATTERY ENERGY STORAGE SYSTEM layout, associated components, and electrical interconnection methods with all National Electrical Code compliant disconnects and overcurrent devices.

7. Add new paragraph 9.3.1 K. as follows:

K. TIER-1 BATTERY ENERGY STORAGE SYSTEM.....no fee
TIER-2 BATTERY ENERGY STORAGE SYSTEM.....\$1800 per megawatt

8. Add new subparagraph 9.3.3 B.(9) as follows:

(9) TIER-1 BATTERY ENERGY STORAGE SYSTEM.....no fee
TIER-2 BATTERY ENERGY STORAGE SYSTEM.....\$1,320 per megawatt

Champaign County
Department of

**PLANNING &
ZONING**

Bennett Administrative Center
102 East Main Street
Urbana, Illinois 61801

(217) 384-3708
zoningdept@co.champaign.il.us
www.co.champaign.il.us/zoning

TO: **Environment and Land Use Committee**

FROM: **John Hall, MS4 Coordinator (unincorporated)**
Trevor Partin, Associate Planner

DATE: **September 30, 2025**

RE: **Renewal of Notice of Intent (NOI) for period from November 1, 2025,
to October 31, 2030, for the National Pollutant Discharge Elimination
System (NPDES) Municipal Separate Storm Sewer System (MS4)
Storm Water Discharge Permit with the Illinois Environmental
Protection Agency (IEPA)**

BACKGROUND

Champaign County was identified as a small Municipal Separate Storm Sewer System (MS4) in March 2003 as part of the expanded Phase II of the National Pollutant Discharge Elimination System (NPDES) Storm Water Program. As such, Champaign County must maintain compliance with the MS4 requirements of the NPDES Storm Water Program.

One requirement is to maintain compliance with a Notice of Intent (NOI) that establishes the specific best management practices (BMPs) that the County proposes to implement in six required minimum control measures. The minimum MS4 requirements are established in a State level NOI that is titled the ILR40. A new ILR40 is typically released every five years at which time each MS4 must submit a Renewal NOI.

Champaign County recently submitted a renewal NOI to maintain compliance with the NPDES program. At that time it was noted the IEPA was overdue on issuing a new ILR40 and a new renewal NOI would be necessary after the new ILR40 was received.

The new ILR40 (see attached) was received on July 11, 2025, with an effective date of August 1, 2025. Champaign County has until November 1, 2025, to submit a renewal NOI.

CHANGES TO CHAMPAIGN COUNTY'S NOTICE OF INTENT

The new ILR40 clarifies some existing requirements and adds many new requirements. A new Champaign County Notice of Intent (NOI) is attached (see Attachment B) and must be received by IEPA no later than 11/01/2025.

The following is a summary of the changes proposed to Champaign County's NOI:

1. The new ILR40 requires targeted public outreach with annual assessment of any resulting change in public awareness of storm water issues and changes in behavior (Sec. IV.B.1.a.). See BMPs A.6.1 and A.6.2.
2. The new ILR40 requires annual inspections of major/ high priority outfalls for any dry weather flows (Sec. IV.B.3.a.iii.). See BMPs C.1.2, C.7.1.
3. The new ILR40 requires a much more robust Illicit Discharge Detection and Elimination program (Sec. IV.3.a.iii.-xi.). See BMP C.10.1.
4. The new ILR40 requires the County to have an inventory of all active public and private construction sites that result in an acre or more of land disturbance or less than one acre if part of a larger common plan of development or sale and to include the inventory in the Annual Report and report annually on measurable goals related to Construction Site Storm Water Runoff Controls (Sec. IV.4.c. and h.). See BMP D.7.1.
5. Since 2016 the ILR40 has required a permittee to develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 including an

ordinance or other regulatory mechanism to address post-construction runoff from existing developed property to the extent allowable under state law and report annually on measurable goals related to Post-Construction Storm Water Management in New Development and Redevelopment (Sec. IV.5a.-g.). A new BMP is being added to address this requirement although it is not yet clear what Champaign County can do in regard to existing privately owned property. See BMP E.7.1.

6. The new ILR40 requires a permittee to develop a Municipal Facility and Storm Water Control Inventory and map all facilities (Sec.IV.6.f.) and to conduct quarterly dry weather inspections of county owned facilities (Sec. IV.6.i.i.), and conduct quarterly inspections of wet weather storm water discharges from county owned facilities (Sec. IV.6.i.ii.) See BMPs F.2.1 and F.2.2.
7. The new ILR40 requires a permittee to develop a catch basin cleaning schedule (Sec. IV.6.j.). See BMP F.6.1.
8. At the end of the ILR40 NOI form are four sections regarding monitoring. The section titled "Other Monitoring" seems to be based on Sec. V.A. of the ILR40. The Draft Champaign County NOI indicates the following proposed monitoring:

Champaign County will conduct annual visual observation of storm water discharges from outfalls within its MS4 Jurisdiction but will conduct additional inspections and investigative follow-up on any discharges that appear to be contributing to water quality problems.

ATTACHMENTS

- A General NPDES Permit No. ILR40 Effective 8/01/2025**
- B Proposed Renewal NOI for Champaign County MS4 Storm Water Permit**

General NPDES Permit No. ILR40

Illinois Environmental Protection Agency

Division of Water Pollution Control
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM
General NPDES Permit
For
Discharges from Small Municipal Separate Storm Sewer Systems**

Expiration Date: July 31, 2030

Issue Date: July 8, 2025

Effective Date: August 1, 2025

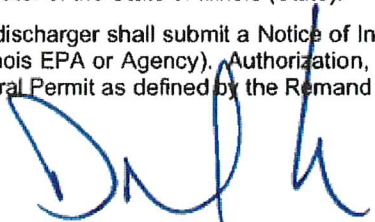
In compliance with the provisions of the Illinois Environmental Protection Act, the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act, the following discharges may be authorized by this Permit in accordance with the conditions herein:

Discharges of only storm water from small municipal separate storm sewer systems (MS4s), as defined and limited herein. Storm water means storm water runoff, snow melt runoff, and surface runoff and drainage.

Receiving waters: Discharges may be authorized to any surface water of the State of Illinois (State).

To receive authorization to discharge under this General Permit, a discharger shall submit a Notice of Intent (NOI) as described in Part II of this Permit to the Illinois Environmental Protection Agency (Illinois EPA or Agency). Authorization, if granted, will be by letter and include a copy of this Permit. This Permit is a Comprehensive General Permit as defined by the Remand Rule.

BDF:CWB:20081701


Darin E. LeCrone, P.E.
Manager, Permit Section
Division of Water Pollution Control

Summary of general permit changes:

1. Terms 'MS4' and 'you' replaced with 'permittee'.
2. website links have been updated.
3. Term 'maximum extent practicable' has been removed and replaced with 'Measureable Goals'.
4. Term 'must' has been replaced with 'shall'.
5. Code of Federal Regulation references have been added to the start of each Minimum Control Measure.
6. Phrase, 'The stormwater management program shall, at a minimum include:' has been added to the beginning of each Minimum Control Measure.

Changes shown in yellow are either revisions or additions to the permit.

A summary of response to comments is available at:

<https://epa.illinois.gov/content/dam/soi/en/web/epa/topics/forms/water-permits/storm-water/documents/ILR40-response-to-comments.pdf>

This summary prepared by Tim Sumner of Crawford, Murphy & Tilly, Inc. 8/4/25

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PART I. COVERAGE UNDER GENERAL PERMIT ILR40**A. Permit Area**

This Permit covers all areas of the State of Illinois.

B. Eligibility

1. This Comprehensive General Permit authorizes discharges of storm water from MS4s as defined in 40 CFR 122.26 (b)(16) as designated for Permit authorizations pursuant to 40 CFR 122.32.
2. This Permit authorizes the following non-storm water discharges provided the discharge is not a substantial contributor of pollutants to the small MS4 applying for coverage under this Permit:
 - Water line and fire hydrant flushing,
 - Landscape irrigation water,
 - Diverted stream flows,
 - Rising ground waters,
 - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(b)(20),
 - Uncontaminated pumped ground water,
 - Discharges from potable water sources, (excluding wastewater discharges from water supply treatment plants)
 - Foundation drains,
 - Air conditioning condensate,
 - Irrigation water, (except for wastewater irrigation),
 - Springs,
 - Water from crawl space pumps,
 - Footing drains,
 - Storm sewer cleaning water,
 - Water from individual residential car washing,
 - Routine external building washdown which does not use detergents,
 - Flows from riparian habitats and wetlands,
 - Dechlorinated pH neutral swimming pool discharges,
 - Residual street wash water,
 - Discharges or flows from firefighting activities,
 - Dechlorinated water reservoir discharges, and
 - Pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed).
3. Any municipality covered by this general permit is also granted automatic coverage under Permit No. ILR10 for the discharge of storm water associated with construction site activities for municipal construction projects disturbing one acre or more. The permittee is granted automatic coverage 30 days after Agency receipt of a Notice of Intent to Discharge Storm Water from Construction Site Activities from the permittee. The Agency will provide public notification of the construction site activity and assign a unique permit number for each project during this period. The permittee shall comply with all the requirements of Permit ILR10 for all such construction projects.

C. Limitations on Coverage

The following discharges are not authorized by this Permit:

1. Storm water discharges that are mixed with non-storm water or storm water associated with industrial activity unless such discharges are:
 - a. In compliance with a separate NPDES Permit (other than General NPDES Permit No. ILR40); or
 - b. Identified by and in compliance with Part I.B.2 of this Permit.
2. Storm water discharges that the Agency determines are not covered by this General Permit. This determination may include

General NPDES Permit No. ILR40

discharges identified in Part 1.B.2 or that introduce new or increased pollutant loading that may be a substantial contributor of pollutants to the receiving waters.

3. Storm water discharges to any receiving water specified under 35 Ill. Adm. Code 302.105(d)(6).
4. The following non-storm water discharges are prohibited by this Permit: concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound; wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials; fuels; oils; or other pollutants used in vehicle and equipment operation and maintenance; soaps, solvents or detergents; toxic or hazardous substances from a spill or other release; or any other pollutant that could cause or tend to cause water pollution.
5. Discharges from dewatering activities (including discharges from dewatering of trenches and excavations) are allowable if managed by appropriate controls as specified in a project's Storm Water Pollution Prevention Plan ("SWPPP"), erosion and sediment control plan, or Storm Water Management Program (SWMP).

D. Obtaining Authorization

In order for storm water discharges from small MS4s to be authorized to discharge under this General Permit, a permittee shall:

1. Submit a Notice of Intent to apply for coverage under the General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (NOI) in accordance with the requirements of Part II of this permit. More information is provided at the following webpage: <https://epa.illinois.gov/topics/forms/water-permits/storm-water/ms4.html>
2. Submit a new NOI in accordance with Part II within 30 days of a change in the operator or the addition of a new operator.
3. Unless notified by the Agency to the contrary, a permittee submitting a complete NOI in accordance with the requirements of this Permit will be authorized to discharge storm water from their small MS4 under the terms and conditions of this Permit **after the NOI is received and posted to Illinois EPA website for public notification**. Authorization will be by letter and include a copy of this Permit. The Agency may deny coverage under this Permit and require submittal of an application for an individual NPDES Permit based on a review of the NOI or other information.

PART II. NOTICE OF INTENT (NOI) REQUIREMENTS

A. Deadlines for Notification

1. If a permittee has coverage under the previous General Permit No. ILR40, the permittee shall renew Permit coverage under this Part. Unless an NOI has already been submitted, the permittee shall submit a NOI within 90 days of the effective date of this reissued General Permit for storm water discharges from small MS4s to renew NPDES Permit coverage. **The permittee shall comply with any new provisions of this General Permit 12 months from the coverage letter and include those new provisions in the next Annual Report following this date.**
2. If an MS4 is designated in writing by Illinois EPA under 40 CFR 122.32(a)(2) during the term of this General Permit, **the designated MS4 shall submit** an NOI within 180 days of such notice.
3. MS4s are not prohibited from submitting an NOI after established deadlines for NOI submittals. If a late NOI is submitted, the permittees authorization is only for discharges that occur after Permit coverage is granted. Illinois EPA reserves the right to take appropriate enforcement actions against MS4s that have not submitted a timely NOI.

B. Contents of NOI

Permittees seeking coverage under this Permit shall submit the Illinois MS4 NOI form. The NOI shall be signed in accordance with Standard Condition 11 of this Permit and shall include all of the following information:

1. The street address, county, and the latitude and longitude of the municipal office for which the notification is submitted;
2. The name, address, and telephone number of the operator(s) filing the NOI for Permit coverage and the name, address, telephone number, and email address of the person(s) responsible for implementation and compliance with the MS4 Permit; and
3. The name and segment identification of the receiving water(s), whether any segments(s) is or are listed as impaired on the most recently approved list pursuant to Section 303(d) of the Clean Water Act or any currently applicable Total Maximum Daily Load (TMDL) or alternate water quality study, and the pollutants for which the segment(s) is or are impaired. The most recent 303(d) list may be found at the following webpage: <https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls/303d-list.html> Information regarding TMDLs may be found at the following webpage: <https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls.html>
4. The following shall be provided as an attachment to the NOI:
 - a. A description of the Best Management Practices (BMPs) to be implemented and the measurable goals for each of the storm water minimum control measures in paragraph IV.B. of this Permit designed to reduce the discharge of pollutants;
 - b. The month and year in which the permittee implemented any BMPs of the six minimum control measures, and the month and year in which the permittee will start and fully implement any new minimum control measures or indicate the frequency of the action;

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- c. For existing permittees, provide adequate information or justification on any BMPs from previous NOIs that could not be implemented; and
 - d. Identification of a local qualifying program, or any partners of the program if any.
 - e. For existing permittees, certification that states the permittee has implemented necessary BMPs of the six minimum control measures.
- C. All required information for the NOI shall be submitted electronically to epa.ms4noipermitt@illinois.gov with the permit number in the subject line of the email for existing permittees or the City or Village name for new permittees or in writing to the following address:

Illinois Environmental Protection Agency
 Division of Water Pollution Control
 Permit Section, Mail Code #15
 Post Office Box 19276
 Springfield, Illinois 62794-9276

USEPA published the National Pollutant Discharge Elimination System (NPDES) Electronic Reporting Rule on October 22, 2015. Among the multiphase requirements of this rule, is the transition to online/electronic processes for filing a Notice of Intent, Notice of Termination, and all types of reporting for general NPDES permits.

Beginning December 21, 2025, or later if waived by USEPA in which case you will be notified of the new date, all NOIs shall be received electronically through the Central Data Exchange (CDX) platform, which is available at the following webpage: <https://cdx.epa.gov/>

D. Shared Responsibilities

ILR40 Permit permittees may partner with other ILR40 Permit permittees to develop and implement a SWMP. Each ILR40 Permit permittee shall fill out an NOI form. ILR40 Permit permittees may also submit an individual NOI in coordination with one or more other ILR40 Permit permittees. The description of the SWMP shall clearly describe which permittees are responsible for implementing each of the control measures. Each permittee shall be responsible for implementation of BMPs for the SWMP within its jurisdiction.

PART III. SPECIAL CONDITIONS

- A. The Permittee's discharges, alone or in combination with other sources, shall not cause or contribute to a violation of any applicable water quality standard outlined in 35 Ill. Adm. Code 302.
- B. If there is evidence indicating that the storm water discharges authorized by this Permit cause or have the reasonable potential to cause or contribute to a violation of water quality standards, the permittee may be required to obtain an individual Permit or an alternative general Permit, or the Permit may be modified to include different limitations and/or requirements.
- C. If a TMDL allocation or watershed management plan is approved for any water body into which the permittee discharge, the permittee shall review the permittees SWMP to determine whether the TMDL or watershed management plan includes requirements for control of storm water discharges. If the permittee is not meeting the TMDL allocations, the permittee shall modify the permittees SWMP to implement the TMDL or watershed management plan within 12 (twelve) months of notification by the Agency of the TMDL or watershed management plan approval. Where a TMDL or watershed management plan is approved, the permittee shall:
 1. Determine whether the approved TMDL is for a pollutant likely to be found in storm water discharges from the permittee's MS4 system.
 2. Determine whether the TMDL includes a pollutant waste load allocation (WLA) or other performance requirements specifically for storm water discharge from the permittees MS4.
 3. Determine whether the TMDL addresses a flow regime likely to occur during periods of storm water discharge.
 4. After the determinations above have been made and if it is found that the permittee's MS4 system shall implement specific WLA provisions of the TMDL, assess whether the WLAs are being met through implementation of existing storm water control measures or if additional control measures are necessary.
 5. Document all control measures currently being implemented or planned to be implemented to comply with TMDL waste load allocation(s). Also include a schedule of implementation for all planned controls. Document the calculations or other evidence that shows that the WLA will be met.
 6. Describe and implement a monitoring program to determine whether the storm water controls are adequate to meet the WLA.
 7. If the evaluation shows that additional or modified controls are necessary, describe the type and schedule for the control additions/revisions.
 8. Continue requirements 4 through 7 above until monitoring from two continuous NPDES Permit cycles demonstrate that the WLAs or water quality standards are being met.
 9. If an additional individual Permit or alternative general Permit includes implementation of work pursuant to an approved TMDL

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or alternate water quality management plan, the provisions of the individual or alternative general Permit shall supersede the conditions of Part III.C. TMDL information may be found at the following webpage: <https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls.html>

- D. If the permittee performs any deicing activities that can cause or contribute to a violation of an applicable State chloride water quality standard, the permittee shall participate in a watershed group(s), where feasible, organized to implement control measures which will reduce the chloride concentration in any receiving stream in the watershed.
- E. **Authorization:** Owners or operators shall submit either an NOI in accordance with the requirements of this Permit or an application for an individual NPDES Permit to be authorized to discharge under this General Permit. Authorization, if granted will be by letter and include a copy of this Permit. Upon review of an NOI, the Illinois EPA may deny coverage under this Permit and require submittal of an application for an individual NPDES Permit.
1. **Automatic Continuation of Expired General Permit:** Except as provided in III.E.2 below, when this General Permit expires the conditions of this Permit shall be administratively continued until the earliest of the following:
 - a. 150 days after the new General Permit is reissued;
 - b. The Permittee submits a Notice of Termination (NOT) and that notice is approved by Illinois EPA;
 - c. The Permittee is authorized for coverage under an individual Permit or the renewed or reissued General Permit;
 - d. The Permittee's application for an individual Permit for a discharge or NOI for coverage under the renewed or reissued General Permit is denied by the Illinois EPA; or
 - e. Illinois EPA issues a formal Permit decision not to renew or reissue this General Permit. This General Permit shall be automatically administratively continued after such formal Permit decision.
 2. **Duty to Reapply:**
 - a. If the permittee wishes to continue an activity regulated by this General Permit, the permittee shall apply for Permit coverage before the expiration of the administratively continued period specified in III.E.1 above.
 - b. If the permittee reapplies in accordance with the provisions of III.E.2.a above, the conditions of this General Permit shall continue in full force and effect under the provisions of 5 ILCS 100/10-65 until the Illinois EPA makes a final determination on the application or NOI.
 - c. Standard Condition 2 is not applicable to this General Permit.

3. Waiver from Electronic Reporting

The permittee may seek a waiver from electronic reporting to continue submitting reports on paper. To obtain an electronic reporting waiver, a permittee must first submit an electronic reporting waiver request to Illinois EPA at the address below:

Illinois Environmental Protection Agency
 Division of Water Pollution Control
 Compliance Assurance Section, Mail Code #19
 Municipal Annual Inspection Report
 2520 West Iles Avenue
 P.O. Box 19276
 Springfield, Illinois 62794-9276

The waiver request should contain the following details:

- a. Facility name;
- b. NPDES permit number (if applicable);
- c. Facility address;
- d. Name, address and contact information for the owner, operator, or duly authorized facility representative;
- e. Brief written statement regarding the basis for claiming a waiver; and

Illinois EPA will either approve or deny this electronic reporting waiver request within 120 days. Permanent waivers from electronic reporting are only available to facilities owned or operated by members of religious communities that choose not to use certain technologies. The duration of a temporary waiver may not exceed 5 years, which is the normal period for an NPDES permit term. If a permittee wishes to continue coverage under a waiver from electronic reporting, they must re-apply for a new temporary waiver before the expiration of their existing waiver, even if this NPDES permit is administratively continued. Approved electronic reporting waivers are not transferrable, whether permanent or temporary, are not transferrable and the facility will need to re-apply for a waiver upon any change in facility ownership.

Permittees with an approved and effective electronic reporting waiver must use the forms or formats provided by Illinois EPA and must be postmarked by the 15th day of the month following the completed reporting period. The permittee must sign and certify all submissions in accordance with the requirements of Standard Condition 11 of this permit ("Signatory Requirements"). The permittee must submit the legible originals of these documents to the following address:

Illinois Environmental Protection Agency

Division of Water Pollution Control
 Permit Section, Mail Code #15
 Post Office Box 19276
 Springfield, Illinois 62794-9276

- F. The Agency may require any person authorized to discharge by this Permit to apply for and obtain either an individual NPDES Permit or an alternative NPDES general Permit. Any interested person may petition the Agency to take action under this paragraph. The Agency may require any owner or operator authorized to discharge under this Permit to apply for an individual or alternative general NPDES Permit only if the owner or operator has been notified in writing that a Permit application is required. This notice shall include a brief statement of the reasons for this decision, an application form, a statement setting a deadline for the owner or operator to file the application, and a statement that on the effective date of the individual NPDES Permit or the alternative general Permit as it applies to the individual permittee, coverage under this general Permit shall automatically terminate. The Agency may grant additional time to submit the application upon request of the permittee. If an owner or operator fails to submit in a timely manner an individual or alternative general NPDES Permit application required by the Agency under this paragraph, then the applicability of this Permit to the individual or alternative general NPDES permittee is automatically terminated by the date specified for application submittal.
- G. Any owner or operator authorized by this Permit may request to be excluded from the coverage of this Permit by applying for an individual Permit. The owner or operator shall submit an individual application with reasons supporting the request, in accordance with the requirements of 40 CFR 122.28, to the Agency. The request will be granted by issuing an individual Permit or an alternative general Permit if the reasons cited by the owner are adequate to support the request.
- H. When an individual NPDES Permit is issued to an owner or operator otherwise subject to this Permit, or the owner or operator is approved for coverage under an alternative NPDES general Permit, the applicability of this Permit to the individual NPDES permittee is automatically terminated on the issue date of the individual Permit or the date of approval for coverage under the alternative general Permit, whichever the case may be.

PART IV. STORM WATER MANAGEMENT PROGRAMS

A. Requirements

The permittee shall develop, implement, and enforce a storm water management program designed to reduce the discharge of pollutants from their MS4, to protect water quality, and to satisfy the appropriate water quality requirements of the Illinois Pollution Control Board Rules and Regulations (35 Ill. Adm. Code, Subtitle C, Chapter 1) and the Clean Water Act. The SWMP shall include the minimum control measures described in section B of this Part. For new permittees, the permittee shall develop and implement specific program requirements by the date specified in the Agency's coverage letter. The U.S. Environmental Protection Agency's National Menu of Storm Water Best Management Practices, which can be found on the following webpage <https://www.epa.gov/npdes/national-menu-best-management-practices-bmps-stormwater> and the most recent version of the Illinois Urban Manual, which can be found on the following webpage <https://illinoisurbanmanual.org/> should be consulted regarding the selection of appropriate BMPs.

B. Minimum Control Measures

The 6 minimum control measures to be included in the permittee's storm water management program are:

1. Public Education and Outreach on Storm Water Impacts (40 CFR 122.34(b)(1))

New permittees shall develop and implement elements of the storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this Permit shall maintain the current program and revise if necessary addressing this Minimum Control Measure, updating and enhancing the storm water management programs as necessary to comply with the terms of this Section. The educational materials shall include information on the potential impacts and effects on storm water discharge due to climate change. Information on climate change can be found at the following webpage: <http://epa.gov/climatechange/>. The storm water management program shall, pertaining to Public Education and Outreach, at a minimum include:

a. Public Education and Outreach shall include the following:

- i. Identify appropriate BMP's for this minimum control measure and measurable goals for each BMP, which shall ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges;
- ii. Identify and analyze the target audience(s);
- iii. Create an appropriate message(s) based on at least three targeted residential issues and three targeted industrial/commercial issues including items from viii below;
- iv. Develop/distribute appropriate educational materials. The materials can utilize various media such as digital/social media, printed materials, billboard and mass transit advertisements, signage at select locations, radio advertisements, television advertisements, websites, presentations to homeowners associations, educational groups and professional/commercial associates, etc;
- v. Determine methods and process of distribution;
- vi. Inform the public on effective pollution prevention measures to minimize the discharge of pollutants from private

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property and activities into the storm sewer system, on the following topics, but not limited to:

- A. Storage and disposal of fuels, oils, and similar materials used in the operation of or leaking from, vehicles and other equipment;
- B. Use of soaps, solvents, or detergents used in the outdoor washing of vehicles, furniture, and other property;
- C. Paint and related décor;
- D. Lawn and garden care; and
- E. Winter de-icing material storage and use.

vii. Inform the public about green infrastructure strategies such as green roofs, rain gardens, rain barrels, bioswales, permeable piping, dry wells, and permeable pavement that mimic natural processes and direct storm water to areas where it can be infiltrated, evaporated, or reused; and

viii. Educational materials should include information on the benefits and cost savings of such strategies and provide guidance on how to implement strategies.

- b. During the term of the Permit, the permittee shall distribute the educational materials, using whichever methods and procedures determined appropriate by the permittee, in such a way that is designed to convey the program's message to the target audience each year
- c. The permittee shall annually assess changes in public awareness and behavior resulting from the implementation of the SWMP and modify the education/outreach program accordingly. The permittee shall report on this assessment and any modifications made in the Annual Report pursuant to Part V.C.
- d. The permittee shall assess its storm water education/outreach program annually and report on this evaluation in the Annual Report pursuant to Part V.C. The permittee shall adjust the educational materials and the delivery of such materials to address any shortcomings found as a result of this assessment. The assessment shall include a summary of the following measurable actions, if applicable:
 - i. Number of educational pamphlets, brochures, or other materials produced and an estimation of the percent of the MS4 population reached;
 - ii. Number of educational posters/placards posted to public areas;
 - iii. Number of presentations, including but not limited to homeowners' associations, education groups, and professional/commercial associates and other public groups, etc.; and
 - iv. Other actions deemed appropriate by the permittee.

2. Public Involvement/Participation (40 CFR 122.34(b)(2))

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs and revise, if necessary, within one year of Permit coverage addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section. The storm water management program shall, at a minimum include:

- a. At a minimum, comply with State and local public notice requirements when implementing a public involvement/participation program;
- b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP, which shall ensure the reduction of all of the pollutants of concern in the permittee's storm water discharges;
- c. Provide a minimum of one public meeting or public outreach event annually for the public to provide input as to the adequacy of the permittee's MS4 program. Utilize public input (e.g., the opportunity for public comment, public meetings, etc.) in the development of the Storm Water Management Program. This requirement may be met in conjunction with or as part of a regular council or board meeting;
- d. The permittee shall identify any watershed work groups within its jurisdiction. The permittee should participate with watershed workgroups and other stakeholders, when feasible, in the watershed to enhance the storm water management program through the watershed group(s) or as an independent MS4.
- e. The permittee shall identify environmental justice areas within its jurisdiction and include appropriate public involvement/participation. Information on environmental justice concerns may be found at the following webpage: <https://epa.illinois.gov/topics/environmental-justice/ej-policy.html>. This requirement may be met in conjunction with or as part of a regular council or board meeting; and
- f. Provide an annual evaluation of public involvement/participation BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C. The assessment shall include a summary of the following measurable actions, if applicable:

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- i. Number of public forums to notify and solicit public comment on Storm Water Management Programs;
- ii. Number of park or stream cleanup events;
- iii. Number of training activities to educate volunteers on recognizing illicit discharges as defined in Part VI, Definitions and Acronyms below; and
- iv. Any other measurable actions deemed appropriate by the permittee.

3. Illicit Discharge Detection and Elimination (IDDE) (40 CFR 122.34(b)(3))

New permittees shall develop and implement a program to detect, investigate, and eliminate non-storm water discharges, including illegal dumping, into its system. Existing permittees renewing coverage under this Permit shall maintain their current programs and revise, if necessary, within one year of Permit coverage addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this Section. The storm water management program shall, at a minimum include:

- a. The IDDE program shall include the following measurable goals:
 - i. To the extent allowable under state or local law, a prohibition, through ordinance, or other regulatory mechanism, of non-storm water discharges into the permittee's storm sewer system and implement appropriate enforcement procedures and actions, including enforceable requirements for the prompt reporting to the MS4 of all releases, spills, and other unpermitted discharges to the separate storm sewer system, and a program to respond to such reports within 30 days;
 - ii. If identified as a significant contributor of pollutants to the permittees MS4, procedures to address the categories of non-storm water discharges listed in Section I.B.2 (discharges or flows from firefighting activities are excluded from the effective prohibition against non-storm water and need only be addressed where they are identified as significant sources of pollutants to waters of the United States); and
 - iii. Periodic inspections of the storm sewer outfalls in dry weather conditions for detection of non-storm water discharges and illegal dumping. The permittee may establish a prioritization plan for inspection of outfalls, placing priority on outfalls with the greatest potential for non-storm water discharges. Major/high priority outfalls shall be inspected at least annually.
 - iv. Develop, implement, and enforce a program to detect and eliminate illicit connections or discharges into the permittee's MS4;
 - v. Review and update within 12 months from the coverage letter and include in the next Annual Report following this date the storm sewer system map showing the location of all outfalls and the names and location of all waters that receive discharges from those outfalls, if necessary. Existing permittees renewing coverage under this Permit shall update their storm sewer system map to include any modifications to the sewer system;
 - vi. Procedures for identifying priority areas within the MS4 likely to have illicit discharges and a list of all such areas;
 - vii. Field screening to detect illicit discharges;
 - viii. Procedures for tracing the source of the illicit discharge;
 - ix. Procedures for removing the source of the discharge;
 - x. Procedures for program evaluation and assessment;
 - xi. Procedures to identify any surface discharging private sewage disposal system that discharges into the MS4;
 - xii. Procedures and educational presentations to inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste and the requirements and mechanisms for reporting such discharges;
- b. When implementing the IDDE program, the permittee may conduct investigations, contract for investigations, coordinate with storm drain investigation activities of others, or use any combination of these approaches.
- c. If illicit connections or illicit discharges are observed related to another operator's municipal storm sewer system then the permittee shall notify the other operator within 7 calendar days of discovery. If another MS4 operator notifies the permittee of an illicit discharge, a nonstormwater discharge or discharge not listed in Part I.B.2 to the MS4, then the permittee shall remove the discharge within 7 calendar days of discovery.
- d. Written procedures for implementing the IDDE program shall be incorporated into the SWMP document.
- e. Provide an annual evaluation of, IDDE BMPs and measurable goals. Report on this evaluation in the Annual Report pursuant to Part V.C. The assessment shall include a summary of the following measurable actions, if applicable:
 - i. Number of dry weather inspections conducted;
 - ii. Number of illicit discharges eliminated;

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- iii. Number of educational presentations or educational information provided to commercial/industrial groups regarding recognition and correction of illicit discharges; and
- iv. Any other actions deemed appropriate by the permittee.

4. Construction Site Storm Water Runoff Control (40 CFR 122.34(b)(4))

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this Section. The storm water management program shall, at a minimum include:

- a. Develop, implement, and enforce a program to reduce pollutants in any storm water runoff to the permittee's small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Control of storm water discharges from construction activity disturbing less than one acre shall be included in the permittees program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more or has been designated by the permitting authority.

At a minimum, the permittee shall develop and implement the following:

- i. An ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, to the extent allowable under State, tribal, or local law;
- ii. Erosion and Sediment Controls - The permittee shall ensure that construction activities regulated by the storm water program require the construction site owner/operator to design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls shall be designed, installed, and maintained to:
 - A. Control storm water velocity within the site to minimize soil erosion;
 - B. Control storm water discharges to minimize erosion at outlets and to minimize downstream channel and stream bank erosion;
 - C. Minimize the amount of soil exposed during construction activity;
 - D. Minimize the disturbance of steep slopes;
 - E. Minimize sediment discharges from the site. The design, installation and maintenance of erosion and sediment controls shall address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting storm water runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
 - F. Provide and maintain natural buffers around surface waters, direct storm water to vegetated areas to increase sediment removal, and maximize storm water infiltration; and
 - G. Minimize soil compaction and preserve topsoil.
- iii. Requirements for construction site operators to control or prohibit non-storm water discharges that would include concrete and wastewater from washout of concrete (unless managed by an appropriate control), drywall compound, wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds and other construction materials, fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance, soaps, solvents, or detergents, toxic or hazardous substances from a spill or other release, or any other pollutant that could cause or tend to cause water pollution;
- iv. Require all regulated construction sites to have a SWPPP that meets the requirements of Part IV of NPDES Permit No. ILR10, including management practices, controls, and other provisions at least as protective as the requirements contained in the current version of the Illinois Urban Manual, or as amended including green infrastructure techniques where appropriate and practicable;
- v. Procedures for site plan reviews which incorporate consideration of potential water quality impacts and site plan review of individual pre-construction site plans by the permittee to ensure consistency with local sediment and erosion control requirements;
- vi. Procedures for receipt and consideration of information submitted by the public; and
- vii. Site inspections and enforcement of ordinance provisions.
- b. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable goals shall ensure the reduction of all of the pollutants of concern in the permittees storm water discharges.
- c. The permittee shall continue to maintain an inventory of all active public and private construction sites that result in a total land disturbance of one or more acres or that result in a total land disturbance of less than one acre if part of a larger common plan or development or sale. The inventory shall be continuously updated as new projects are permitted and projects are completed. The inventory shall contain relevant contact information for each project (e.g., name, address,

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phone, etc.) and the ILR10 number or the area of disturbance in acres. The permittee shall include the inventory or identify the entity responsible for maintaining the inventory in the Annual Report.

- d. The permittee shall adequately inspect the following phases of construction at least once:
 - i. Prior to Land Disturbance: The permittee shall ensure all necessary erosion and sediment controls are in place.
 - ii. During Construction: During construction, the permittee is required to conduct inspections.
- e. The permittee shall track the number of inspections for the inventoried construction sites throughout the reporting period to verify that the sites are inspected at least once prior to land disturbance and once during construction. Inspection findings shall be documented and maintained for review by the Illinois EPA upon request.
- f. Based on construction site inspections, the permittee shall take all necessary follow-up actions (i.e., re-inspection, enforcement) to ensure compliance with Part IV.B.4.d.
 - i. The permittee shall ensure that all staff and third-party inspectors whose job duties include implementing the construction storm water program, including permitting, plan review, construction site inspections, and enforcement, are qualified and trained to conduct these activities. Qualified personnel means a person knowledgeable in the principles and practices of erosion and sediment controls measures, such as a licensed Professional Engineer (P.E.), a Certified Professional in Erosion and Sediment Control (CPESC), a Certified Erosion Sediment and Storm Water Inspector (CESSWI), a Certified Storm water Inspector (CSI) or other knowledgeable person who possesses the skills to assess conditions at the construction site that could impact storm water quality and to assess the effectiveness of any sediment and erosion control measures selected to control the quality of storm water discharges.
- g. Construction Operator Education.

The permittee shall develop or utilize existing outreach tools (i.e., brochures, posters, website, plan notes, manuals, etc.) aimed at educating construction operators on appropriate selection, installation, implementation, and maintenance of storm water controls, as well as overall program compliance.
- h. Provide an annual evaluation of construction site storm water control BMPs and measurable goals in the Annual Report pursuant to Part V.C. The assessment shall include a summary of the following measurable actions, if applicable:
 - i. Number of pre-construction meetings/reviews conducted by the permittee
 - ii. Number of site inspections conducted by the permittee
 - iii. Number of violations found during site inspections
 - iv. Number of enforcement/corrective actions taken by the permittee
 - v. Number of attendees training classes for contractors, developers, or others involved with the construction process.

5. Post-Construction Storm Water Management in New Development and Redevelopment (40 CFR 122.34(b)(5))

New permittees shall develop and implement elements of their storm water management program addressing the provisions listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs, as necessary, to comply with the terms of this Section. The storm water management program shall, at a minimum include:

- a. Develop, implement, and enforce a post-construction program for new development and redevelopment to address and minimize the volume and pollutant load of storm water runoff from projects that disturb greater than or equal to one acre, projects less than one acre that are part of a larger common plan of development or sale or that have been designated to protect water quality, that discharge into the permittee's small MS4 within the MS4's jurisdictional control. The permittee's program shall ensure that appropriate controls are in place that would protect water quality and reduce the discharge of pollutants. In addition, each permittee shall adopt strategies that incorporate the infiltration, reuse, and evapotranspiration of storm water into the project. The permittee shall also develop and implement procedures for receipt and consideration of information submitted by the public.
- b. Develop and implement strategies which include a combination of structural and/or non-structural BMPs appropriate for all projects within the permittee's jurisdiction for all new development and redevelopment that disturb greater than or equal to one acre (at a minimum) that will reduce the discharge of pollutants and the volume and velocity of storm water flow. These strategies shall include effective water quality and watershed protection elements and shall be amenable to modification due to climate change. Information on climate change may be found at the following webpage, <https://www.epa.gov/climate-change-water-sector>. When selecting BMPs to comply with requirements contained in this Part, the permittee shall adopt one or more of the following general strategies, listed in order of preference below. The proposal of a strategy shall include a rationale for not selecting an approach from among those with a higher preference.
 - i. Preservation of the natural features of development sites, including natural storage and infiltration characteristics;
 - ii. Preservation of existing natural streams, channels, and drainage ways;
 - iii. Minimization of new impervious surfaces;

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- iv. Conveyance of storm water in open vegetated channels;
 - v. Construction of structures that provide both quantity and quality control, with structures serving multiple sites being preferable to those serving individual sites; and
 - vi. Construction of structures that provide only quantity control, with structures serving multiple sites being preferable to those serving individual sites.
- c. If a permittee requires new or additional approval of any development, redevelopment, linear project construction, replacement or repair on existing developed sites, or other land disturbing activity covered under this Part, the permittee shall require the person responsible for that activity to develop a long term operation and maintenance plan including the adoption of one or more of the strategies identified in Part IV.B.5.b. of this Permit.
- d. Develop and implement a program to minimize the volume of storm water runoff and pollutants from public highways, streets, roads, parking lots, and sidewalks (public surfaces) through the use of BMPs that alone or in combination result in physical, chemical, or biological pollutant load reduction, increased infiltration, evapotranspiration, and reuse of storm water. The program shall include, but not be limited to the following elements:
- i. Annual Training for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public surfaces in current green infrastructure or low impact design techniques applicable to such projects; and
- e. Develop and implement a program to minimize the volume of storm water runoff and pollutants from existing privately owned developed property that contributes storm water to the MS4 within the MS4 jurisdictional control. Such program shall be documented and may contain the following elements:
- i. Source Identification – Establish an inventory of storm water and pollutants discharged to the MS4;
 - ii. Implementation of appropriate BMPs to accomplish the following:
 - A. Education on green infrastructure BMPs;
 - B. Evaluation of existing flood control techniques to determine the feasibility of pollution control retrofits;
 - C. Evaluation of existing flood control techniques to determine potential impacts and effects due to climate change;
 - D. Implementation of additional controls for special events expected to generate significant pollution (fairs, parades, performances);
 - E. Implementation of appropriate maintenance programs, (including maintenance agreements, for structural pollution control devices or systems);
 - F. Management of pesticides and fertilizers; and
 - G. Street cleaning in targeted areas.
- f. Infiltration practices should not be implemented in any of the following circumstances:
- i. Areas/sites where vehicle fueling and/or maintenance occur;
 - ii. Areas/sites with shallow bedrock which allow movement of pollutants into the groundwater;
 - iii. Areas/sites near Karst features;
 - iv. Areas/sites where contaminants in soil or groundwater could be mobilized by infiltration of storm water;
 - v. Areas/sites within a delineated source water protection area for a public drinking water supply where the potential for an introduction of pollutants into the groundwater exists. Information on groundwater protection may be found at the following webpage: <https://epa.illinois.gov/topics/water-quality/groundwater.html>
 - vi. Areas/sites within 400 feet of a community water supply well if there is not a wellhead protection delineation area or within 200 feet of a private water supply well. Information on wellhead protection may be found at the following webpage: <https://epa.illinois.gov/topics/water-quality/groundwater/wellhead-protection.html>
- g. Develop and implement an ordinance or other regulatory mechanism to address post-construction runoff from new development and redevelopment projects, public surfaces, and existing developed property as set forth above to the extent allowable under state or local law.
- h. Require all regulated construction sites to have post-construction management plans that meet or exceed the requirements of Part IV.D.2.h of NPDES Permit No. ILR10 including management practices, controls, and other provisions at least as protective as the requirements contained in the current version of the Illinois Urban Manual.
- i. Ensure adequate long-term operation and maintenance of BMPs.
- j. Define appropriate BMPs for this minimum control measure and measurable goals for each BMP. These measurable

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goals shall ensure the reduction of all of the pollutants of concern in the permittees storm water discharges.

- k. Provide an annual evaluation of post-construction storm water management BMPs and measurable goals in the Annual Report pursuant to Part V.C. The evaluation shall include the total number of the following measurable actions, if applicable:
 - i. Annual training conducted.
 - ii. BMPs implemented and the estimated percent reduction in storm water runoff and pollutants.
- l. New permittees shall, within 3 years of obtaining Permit coverage, develop and implement a process to assess the water quality impacts in the design of all new and existing flood management projects that are associated with the permittee or that discharge to the MS4. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this section. This process shall include consideration of controls that can be used to minimize the impacts to site water quality and hydrology while still meeting the project objectives. This will also include assessment of any potential impacts and effects on flood management projects due to climate change.

6. Pollution Prevention/Good Housekeeping for Municipal Operations (40 CFR 122.34(b)(6))

New permittees shall develop and implement elements of their storm water management program addressing the requirements listed below. Existing permittees renewing coverage under this Permit shall maintain their current programs addressing this Minimum Control Measure, updating and enhancing their storm water management programs as necessary to comply with the terms of this Section. The storm water management program shall, at a minimum include:

- a. Develop and implement an operation and maintenance program that includes an annual training component for municipal staff and contractors and is designed to prevent and reduce the discharge of pollutants.
- b. Pollution Prevention- The permittee shall design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants from municipal properties, infrastructure, and operations. At a minimum, such measures shall be designed, installed, implemented, and maintained to:
 - i. Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters shall be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
 - ii. Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, chemical storage tanks, deicing material storage facilities and temporary stockpiles, detergents, sanitary waste, and other materials present on the site to precipitation and to storm water;
 - iii. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures; and
 - iv. Provide regular inspection of municipal storm water management BMPs. Based on inspection findings, the permittee shall determine if repair, replacement, or maintenance measures are necessary in order to ensure the structural integrity, proper function, and treatment effectiveness of structural storm water BMPs. Necessary maintenance shall be completed as soon as conditions allow to prevent or reduce the discharge of pollutants to storm water.
- c. Deicing material shall be stored in a permanent or temporary storage structure or seasonal tarping shall be utilized. If no permanent structures are owned or operated by the Permittee, new permanent deicing material storage structures shall be constructed within two years of obtaining Permit coverage. Storage structures or stockpiles shall be located and managed to minimize storm water pollutant runoff from the stockpiles or loading/unloading areas of the stockpiles. Stockpiles and loading/unloading areas should be located as far as practicable from any area storm sewer drains. Fertilizer, pesticides, or other chemicals shall be stored indoors to prevent any discharge of such chemicals within the storm water runoff.
- d. Using training materials that are available from USEPA, the State of Illinois, or other organizations, the permittee's program shall include annual employee training to prevent and reduce storm water pollution from activities such as park and open space maintenance, fleet and building maintenance, operation of storage yards, snow disposal, deicing material storage handling and use on roadways, new construction and land disturbances, and storm water system maintenance procedures for proper disposal of street cleaning debris and catch basin material. In addition, training should include how flood management projects impact water quality, non-point source pollution control, green infrastructure controls, and aquatic habitat.
- e. Define appropriate BMPs for this Minimum Control Measure and measurable goals for each BMP. These measurable goals shall ensure the reduction of all of the pollutants of concern in the permittees storm water discharges.
- f. Development of a Municipal Facility and Storm water Control Inventory. The permittee shall develop and maintain an inventory of municipally-owned or operated facilities and storm water controls, including but not limited to the following:
 - i. Composting facilities
 - ii. Equipment storage and maintenance facilities

- iii. Fuel farms
- iv. Hazardous waste disposal facilities
- v. Hazardous waste handling and transfer facilities
- vi. Incinerators
- vii. Landfills
- viii. Landscape maintenance on municipal property
- ix. Materials storage yards
- x. Pesticide storage facilities
- xi. Public buildings, including schools, libraries, police stations, fire stations, municipal buildings, and similar buildings
- xii. Public parking lots
- xiii. Public golf courses
- xiv. Public swimming pools
- xv. Public works yards
- xvi. Recycling facilities
- xvii. Salt storage facilities
- xviii. Solid waste handling facilities and solid waste transfer facilities
- xix. Street repair and maintenance sites
- xx. Vehicle storage and maintenance yards
- xxi. Municipally-owned and/or maintained structural storm water controls
- g. Documentation. The list of municipally-owned or operated facilities, contact information and storm water controls shall be maintained and available for review by the Illinois EPA.
- h. Mapping. On a map of the area covered by the MS4 Permit, the permittee shall identify where the municipally-owned or operated facilities and storm water controls are located. The map shall identify the storm water outfalls corresponding to each of the facilities as well as the receiving waters to which these facilities discharge. The map shall be maintained and updated and be available for review by the Illinois EPA upon request.
- i. Inspections and Visual Monitoring:
 - i. Quarterly visual inspections. The permittee shall perform quarterly visual inspections of the facilities identified in item f above to ensure materials and equipment is clean and orderly, and to minimize the potential for pollutant discharge. The permittee shall look for evidence of spills. If found, Corrective Action shall be taken immediately to prevent contact with precipitation or runoff. The quarterly inspections shall be tracked in a log for every facility, and records kept with the SWMP documents. The inspection report shall also include any identified deficiencies and the corrective actions taken to fix the deficiencies.
 - ii. Quarterly visual observation of storm water discharges from the facilities identified in item f above. At least once per quarter, the permittee shall visually observe the storm water discharges from the facilities unless climate conditions preclude doing so, (in which case the permittee shall evaluate the discharges four times during the wet season). Any observed problems (e.g., color, foam, sheen, turbidity) that can be associated with pollutant sources or controls shall be remedied within 7 days. Visual observations shall be documented. The inspection report shall also include any identified deficiencies and the corrective actions taken to fix the deficiencies.
 - iii. For sites i and ii above, that have had no corrective actions necessary over the past 12 months, may be inspected on a semi-annual basis.
- j. MS4 catch basin maintenance:
 - Assessment/prioritization of catch basins. The permittee shall develop a catch basin cleaning schedule.
- k. Street Sweeping and Cleaning:
 - The permittee shall evaluate and rate all municipally-owned streets, roads, and public parking lots within their jurisdiction. The permittee shall include in the evaluation the sweeping frequency, timing, and efficiency of existing street sweeping programs. The street sweeping frequency shall be based on land use, trash, and storm water pollutant levels generated.
- l. Landscape maintenance:
 - The permittee shall evaluate the materials used and activities performed on public spaces such as parks, schools, golf

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courses, easements, public rights of way, and other open spaces for pollution prevention opportunities. Maintenance activities for the turf landscaped portions may include mowing, fertilization, pesticide application, irrigation, etc. Typical pollutants include sediment, nutrients, hydrocarbons, pesticides, herbicides, organic debris, among others. The permittee shall implement measures to minimize landscaping-related pollutants.

- m. Provide an annual evaluation of pollution prevention/good housekeeping for municipal operations and measurable goals in the Annual Report pursuant to Part V.C. The assessment shall include a summary of the following measurable actions, if applicable:
 - i. Annual training conducted
 - ii. Number of pollution prevention inspections of the permittee's facilities
 - iii. Street sweeping activities
 - iv. Catch basin cleaning activities
 - v. Landscape material reduction activities and material disposed of.

C. Qualifying State, County, or Local Program.

If an existing qualifying local program requires a permittee to implement one or more of the minimum control measures of Part IV. B. above, the permittee may follow that qualifying program's requirements rather than the requirements of Part IV.B. above. A qualifying local program is a local, county, or state municipal storm water management program that imposes, at a minimum, the relevant requirements of Part IV. B. Any qualifying local programs that permittees intend to follow shall be specified in their storm water management program.

D. Sharing Responsibility

1. Implementation of one or more of the minimum control measures may be shared with another entity, or the entity may fully take over the control measure. A permittee may rely on another entity only if:
 - a. The other entity implements the control measure;
 - b. The particular control measure, or component of that measure is at least as stringent as the corresponding Permit requirement;
 - c. The other entity agrees to implement any minimum control measure on the permittee's behalf. A written agreement of this obligation is required. This obligation shall be maintained as part of the description of the permittee's Storm Water Management Program. If the other entity agrees to report on the minimum control measure, the permittee shall supply the other entity with the reporting requirements contained in Part V.C of this Permit. If the other entity fails to implement the minimum control measure on the permittee's behalf, then the permittee remains liable for any discharges due to that failure to implement the minimum control measure.

E. Reviewing and Updating Storm Water Management Programs

1. Storm Water Management Program Review- The permittee shall perform an annual review of its Storm Water Management Program in conjunction with preparation of the annual report required under Part V.C. The permittee shall include in its annual report a plan for complying with any changes or new provisions in this Permit, or in any State or federal regulations. The permittee shall also include in its annual report a plan for complying with all applicable TMDL Report(s) or watershed management plan(s). Information on TMDLs may be found at the following webpage: <https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls.html>
2. Storm Water Management Program Update - The permittee may modify its Storm Water Management Program during the life of the Permit in accordance with the following procedures:
 - a. Modifications adding (but not subtracting or replacing) components, controls, or requirements to the Storm Water Management Program may be made at any time upon written notification to the Agency;
 - b. Modifications replacing an ineffective or infeasible BMP specifically identified in the Storm Water Management Program with an alternate BMP may be requested at any time. Unless denied by the Agency, modifications proposed in accordance with the criteria below shall be deemed approved and may be implemented 60 days from submittal of the request. If the request is denied, the Agency will send the permittee a written response giving a reason for the decision. The permittee's modification requests shall include the following:
 - (1) An analysis of why the BMP is ineffective or infeasible (including cost prohibitive);
 - (2) Expectations on the effectiveness of the replacement BMP; and
 - (3) An analysis of why the replacement BMP is expected to achieve the goals of the BMP to be replaced.
 - c. Modification of any ordinances relative to the storm water management program, provided the updated ordinance is at least as stringent as the provisions stipulated in this Permit; and
 - d. Modification requests or notifications shall be made in writing and signed in accordance with Standard Condition 2.

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3. Storm Water Management Program Updates Required by the Agency. Modifications requested by the Agency shall be made in writing, set forth the time schedule for permittees to develop the modifications, and offer permittees the opportunity to propose alternative program modifications to meet the objective of the requested modification. All modifications required by the Permitting Authority will be made in accordance with 40 CFR 124.5, 40 CFR 122.62, or as appropriate 40 CFR 122.63. The Agency may require modifications to the Storm Water Management Program as needed to:
 - a. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;
 - b. Include more stringent requirements necessary to comply with new federal or State statutory or regulatory requirements; or
 - c. Include such other conditions deemed necessary by the Agency to comply with the goals and requirements of the Clean Water Act.

PART V. MONITORING, RECORDKEEPING, AND REPORTING**A. Monitoring**

The permittee shall develop and implement a monitoring and assessment program to evaluate the effectiveness of the BMPs being implemented to reduce pollutant loadings and water quality impacts within 180 days of the effective date of this Permit. The program should be tailored to the size and characteristics of the MS4 and the watershed. The permittee shall provide a justification of its monitoring and assessment program in the Annual Report. By not later than 180 days after the effective date of this Permit, the permittee shall initiate an evaluation of its storm water program. The plan for monitoring/evaluation shall be described in the Annual Report. Evaluation and/or monitoring results shall be provided in the Annual Report. The monitoring and assessment program may include evaluation of BMPs and/or direct water quality monitoring as follows:

1. An evaluation of BMPs based on estimated effectiveness from published research accompanied by an inventory of the number and location of BMPs implemented as part of the permittee's program and an estimate of pollutant reduction resulting from the BMPs, or
2. Monitoring the effectiveness of storm water control measures and progress towards the MS4's goals using one or more of the following:
 - a. MS4 permittees serving a population of less than 25,000 may conduct visual observations of the storm water discharge documenting color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen, or other obvious indicators of storm water pollution; or
 - b. MS4 permittees may evaluate storm water quality and impacts using one or more of the following methods:
 - i. Instream monitoring in the highest level hydrological unit code segment in the MS4 area. Monitoring shall include, at a minimum, quarterly monitoring of receiving waters upstream and downstream of the MS4 discharges in the designated stream(s).
 - ii. Measuring pollutant concentrations over time.
 - iii. Sediment monitoring.
 - iv. Short-term extensive network monitoring. Short-term sampling at the outlets of numerous drainage areas to identify water quality issues and potential storm water impacts and may help in ranking areas for implementation priority. Data collected simultaneously across the MS4 to help characterize the geographical distribution of pollutant sources.
 - v. Site-specific monitoring. High-value resources such as swimming beaches, shellfish beds, or high-priority habitats could warrant specific monitoring to assess the status of use support. Similarly, known high-priority pollutant sources or impaired water bodies with contaminated aquatic sediments, an eroding stream channel threatening property, or a stream reach with a degraded fish population could be monitored to assess impacts of storm water discharges and/or to identify improvements that result from the implementation of BMPs.
 - vi. Assessing physical/habitat characteristics such as stream bank erosion caused by storm water discharges.
 - vii. Outfall/Discharge monitoring.
 - viii. Sewershed-focused monitoring. Monitor for pollutants in storm water produced in different areas of the MS4. For example, identify which pollutants are present in storm water from industrial areas, commercial areas, and residential areas.
 - ix. BMP performance monitoring. Monitoring of individual BMP performance to provide a direct measure of the pollutant reduction efficiency of these key components of a MS4 program.
 - x. Collaborative watershed-scale monitoring. The permittee may choose to work independently or work collaboratively with other permittees and/or watershed group(s), within its jurisdiction, to design and implement a watershed or sub-watershed-scale monitoring program that assesses the water quality of the water bodies and the sources of pollutants. Such programs shall include elements which assess the impacts of the permittee's storm water discharges and/or the effectiveness of the BMPs being implemented.

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- c. If ambient water quality monitoring under 2b above is performed, the monitoring of storm water discharges and ambient monitoring intended to gauge storm water impacts shall be performed within 48 hours of a precipitation event greater than or equal to one quarter inch in a 24-hour period. At a minimum, analysis of storm water discharges or ambient water quality shall include the following parameters: total suspended solids, total nitrogen, total phosphorous, fecal coliform, chlorides, and oil and grease. In addition, monitoring shall be performed for any other pollutants associated with storm water runoff for which the receiving water is considered impaired pursuant to the most recently approved list under Section 303(d) of the Clean Water Act.

B. Recordkeeping

The permittee shall keep records required by this Permit for 5 years after the expiration of this Permit. Records to be kept under this Part include the permittee's NOI, Storm Water Management Program, annual reports, and monitoring data. All records shall be kept onsite or locally available and shall be made accessible to the Agency for review at the time of an on-site inspection. Except as otherwise provided in this Permit, permittees shall submit records to the Agency only when specifically requested to do so. Permittees shall post their NOI, storm water management program, and annual reports on the permittee's website. The permittee shall make its records available to the public at reasonable times during regular business hours. The permittee may require a member of the public to provide advance notice, in accordance with the applicable Freedom of Information Act requirements. Storm sewer maps may be withheld for security reasons.

C. Reporting

The permittee shall submit Annual Reports to the Agency by the first day of June for each year that this Permit is in effect. If the permittee maintains a website, a copy of the Annual Report shall be posted on the website by the first day of June of each year. Each Report shall cover the period from March 31st of the previous year through March 31st of the current year. Annual Reports shall be maintained on the permittees' website for a period of 5 years. The Report shall include:

1. An assessment of the appropriateness and effectiveness of the permittee's identified BMPs and progress towards achieving the statutory goal of reducing the discharge of pollutants, and the permittee's identified measurable goals for each of the 6 (six) control measures;
2. The status of compliance with Permit conditions, including a description of each incidence of non-compliance with the Permit, and the permittee's plan for achieving compliance with a timeline of actions taken or to be taken;
3. Results of information collected and analyzed, including monitoring data, if any, during the reporting period;
4. A summary of the storm water activities the permittee plans to undertake during the next reporting cycle, including an implementation schedule;
5. A change in any identified BMPs or measurable goals that apply to the program elements;
6. Notice that the permittee is relying on another government entity to satisfy some of the Permit obligations (if applicable);
7. Provide an updated summary of any BMP or adaptive management strategy constructed or implemented pursuant to any approved TMDL or alternate water quality management study. Use the results of the permittees monitoring program to assess whether the WLA or other performance requirements for storm water discharges from the permittees MS4 are being met; and
8. If a qualifying local program or programs with shared responsibilities is implementing all minimum control measures on behalf of one or more entities, then the local qualifying program or programs with shared responsibilities may submit a report on behalf of itself and any entities for which it is implementing all of the minimum control measures.

The Annual Reports shall be submitted electronically to epa.ms4annualinsp@illinois.gov with the permit number in the subject line of the email or a hard copy may be submitted to the following mailing address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Compliance Assurance Section, Mail Code #19
Municipal Annual Inspection Report
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276

Beginning December 21, 2025 or later if waived by USEPA in which case you will be notified of the new date, all Annual Reports shall be received electronically through the Central Data Exchange (CDX) platform, which is available at the following webpage: <https://cdx.epa.gov/>

PART VI. DEFINITIONS AND ACRONYMS

All definitions contained in Section 502 of the Clean Water Act, 40 CFR 122, and 35 Ill. Adm. Code 309 shall apply to this Permit and are incorporated herein by reference. For convenience, simplified explanations of some regulatory/statutory definitions have been provided. In the event of a conflict, the definition found in the statute or regulation takes precedence.

Best Management Practices (BMPs) means structural or nonstructural controls, schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include

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treatment requirements, operating procedures, and practices to control runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

BMP is an acronym for "Best Management Practices."

CFR is an acronym for "Code of Federal Regulations."

Control Measure as used in this Permit refers to any Best Management Practice or other method used to prevent or reduce storm water runoff or the discharge of pollutants to waters of the State.

CWA or The Act means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub. L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, and Pub. L. 97-117, 33 U.S.C. 1251 ET. seq.

Discharge when used without a qualifier, refers to discharge of a pollutant as defined at 40 CFR 122.2.

Diverted Stream Flows means changes in flow or discharge regime and flow-related structural habitat characteristics such as water velocity and water depth.

Environmental Justice (EJ) means the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Environmental Justice Area means a community with a low-income and/or minority population greater than twice the statewide average. In addition, a community may be considered a potential EJ community if the low-income and/or minority population is less than twice the state-wide average but greater than the statewide average and it has identified itself as an EJ community. If the low-income and/or minority population percentage is equal to or less than the statewide average, the community should not be considered a potential EJ community.

Flood management project means any project which is intended to control, reduce or minimize high stream flows and associated damage. This may also include projects designed to mimic or improve natural conditions in the waterway.

Green Infrastructure means wet weather management approaches and technologies that utilize, enhance or mimic the natural hydrologic cycle processes of infiltration, evapotranspiration and reuse. Green infrastructure approaches currently in use include green roofs, trees and tree boxes, rain gardens, vegetated swales, pocket wetlands, infiltration planters, porous and permeable pavements, porous piping systems, dry wells, vegetated median strips, reforestation/revegetation, rain barrels, cisterns, and protection and enhancement of riparian buffers and floodplains.

Illicit Connection means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

Illicit Discharge is defined at 40 CFR 122.26(b)(2) and refers to any discharge to a municipal separate storm sewer that is not composed entirely of storm water, except discharges authorized under an NPDES Permit (other than the NPDES Permit for discharges from the MS4) and discharges resulting from firefighting activities.

Illicit Discharge Detection and Elimination (IDDE) is a program to find, fix and prevent illicit discharges along with techniques to meet these objectives.

MS4 is an acronym for "Municipal Separate Storm Sewer System" and is used to refer to a Large, Medium, or Small Municipal Separate Storm Sewer System (e.g., "the Dallas MS4"). The term is used to refer to either the system operated by a single entity or a group of systems within an area that are operated by multiple entities (e.g., the Houston MS4 includes MS4s operated by the city of Houston, the Texas Department of Transportation, the Harris County Flood Control District, Harris County, and others).

Municipal Separate Storm Sewer is defined at 40 CFR 122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

NOI is an acronym for "Notice of Intent" to be covered by this Permit and is the mechanism used to "register" for coverage under a general Permit.

NPDES is an acronym for "National Pollutant Discharge Elimination System."

Outfall is defined at 40 CFR 122.26(b)(9) and means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States and does not include open conveyances connecting two municipal storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the United States and are used to convey waters of the United States.

Owner or Operator is defined at 40 CFR 122.2 and means the owner or operator of any "facility or activity" subject to regulation under the NPDES program.

Permitting Authority means the Illinois EPA.

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Point Source is defined at 40 CFR 122.2 and means any discernable, confined and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural storm water runoff.

Pollutants of Concern means pollutants identified in a TMDL waste load allocation (WLA) or on the Section 303(d) list for the receiving water, and any of the pollutants for which water monitoring is required in Part V.A. of this Permit.

Public Meetings are any assemblies or gatherings (such as conferences, informational sessions, seminars, workshops, or other activities) which the responsible agency intends to open to anyone wishing to attend.

Qualifying Local Program is defined at 40 CFR 122.34(c) and means a local, state, or Tribal municipal storm water management program that imposes, at a minimum, the relevant requirements of paragraph (b) of Section 122.34.

Small Municipal Separate Storm Sewer System is defined at 40 CFR 122.26(b)(16) and refers to all separate storm sewers that are owned or operated by the United States, a State [sic], city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State [sic] law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under Section 208 of the CWA that discharges to waters of the United States, but is not defined as "large" or "medium" municipal separate storm sewer system. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

Storm Water is defined at 40 CFR 122.26(b)(13) and means storm water runoff, snowmelt runoff, and surface runoff and drainage.

Storm Water Management Program (SWMP) refers to a comprehensive program to manage the quality of storm water discharged from the municipal separate storm sewer system.

Storm Water Pollution Prevention Plan (SWPPP) is a site-specific, written document that identifies potential sources of stormwater pollution due to construction activity, describes practices to reduce pollutants in stormwater discharges from the construction site and identifies procedures the operator will implement to comply with the terms and conditions of a construction general permit.

SWMP is an acronym for "Storm Water Management Program."

TMDL is an acronym for "Total Maximum Daily Load."

Waste Load Allocation (WLA) is the portion of a receiving waterbody's loading capacity attributed to an existing or future point source of pollution.

Waters (also referred to as waters of the state or receiving water) is defined at Section 301.440 of Title 35: Subtitle C: Chapter I of the Illinois Pollution Control Board Regulations and means all accumulations of water, surface and underground, natural, and artificial, public and private, or parts thereof, which are wholly or partially within, flow through, or border upon the State of Illinois, except that sewers and treatment works are not included except as specially mentioned; provided, that nothing herein contained shall authorize the use of natural or otherwise protected waters as sewers or treatment works except that in-stream aeration under Agency Permit is allowable.

"You" and "Your" as used in this Permit is intended to refer to the permittee, the operator, or the discharger as the context indicates and that party's responsibilities (e.g., the city, the country, the flood control district, the U.S. Air Force, etc.).

PART VII. STANDARD CONDITIONS**Definitions**

Act means the Illinois Environmental Protection Act, 415 ILCS 5 as Amended.

Agency means the Illinois Environmental Protection Agency.

Board means the Illinois Pollution Control Board.

Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) means Public Law 92-500, as amended. 33 U.S.C. 1251 et seq.

NPDES (National Pollutant Discharge Elimination System) means the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 402, 318 and 405 of the Clean Water Act.

USEPA means the United States Environmental Protection Agency.

Daily Discharge means the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. For pollutants with limitations expressed in units of mass, the "daily discharge" is calculated as the total mass of the pollutant discharged over the day. For pollutants with limitations expressed in other units of measurements, the "daily discharge" is calculated as the average measurement of the pollutant over the day.

Maximum Daily Discharge Limitation (daily maximum) means the highest allowable daily discharge.

Average Monthly Discharge Limitation (30 day average) means the highest allowable average of daily discharges over a calendar month, calculated as the sum of all daily discharges measured during a calendar month divided by the number of daily discharges measured during that month.

Average Weekly Discharge Limitation (7 day average) means the highest allowable average of daily discharges over a calendar week, calculated as the sum of all daily discharges measured during a calendar week divided by the number of daily discharges measured during that week.

Best Management Practices (BMPs) means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the State. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Allquot means a sample of specified volume used to make up a total composite sample.

Grab Sample means an individual sample of at least 100 milliliters collected at a randomly-selected time over a period not exceeding 15 minutes.

24-Hour Composite Sample means a combination of at least 8 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over a 24-hour period.

8-Hour Composite Sample means a combination of at least 3 sample aliquots of at least 100 milliliters, collected at periodic intervals during the operating hours of a facility over an 8-hour period.

Flow Proportional Composite Sample means a combination of sample aliquots of at least 100 milliliters collected at periodic intervals such that either the time interval between each aliquot or the volume of each aliquot is proportional to either the stream flow

at the time of sampling or the total stream flow since the collection of the previous aliquot.

- (1) **Duty to comply.** The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action, permit termination, revocation and reissuance, modification, or for denial of a permit renewal application. The permittee shall comply with effluent standards or prohibitions established under Section 307(a) of the Clean Water Act for toxic pollutants within the time provided in the regulations that establish these standards or prohibitions, even if the permit has not yet been modified to incorporate the requirements.
- (2) **Duty to reapply.** If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. If the permittee submits a proper application as required by the Agency no later than 180 days prior to the expiration date, this permit shall continue in full force and effect until the final Agency decision on the application has been made.
- (3) **Need to halt or reduce activity not a defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- (4) **Duty to mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- (5) **Proper operation and maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up, or auxiliary facilities, or similar systems only when necessary to achieve compliance with the conditions of the permit.
- (6) **Permit actions.** This permit may be modified, revoked and reissued, or terminated for cause by the Agency pursuant to 40 CFR 122.62 and 40 CFR 122.63. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- (7) **Property rights.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- (8) **Duty to provide information.** The permittee shall furnish to the Agency within a reasonable time, any information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also furnish to the Agency upon request, copies of records required to be kept by this permit.
- (9) **Inspection and entry.** The permittee shall allow an authorized representative of the Agency or USEPA (including an authorized contractor acting as a representative of the Agency or USEPA), upon the presentation of credentials and other documents as may be required by law, to:

PART VII. STANDARD CONDITIONS

- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - (b) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - (d) Sample or monitor at reasonable times, for the purpose of assuring permit compliance, or as otherwise authorized by the Act, any substances or parameters at any location.
- (10) Monitoring and records.**
- (a) Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
 - (b) The permittee shall retain records of all monitoring information, including all calibration and maintenance records, and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of this permit, measurement, report or application. Records related to the permittee's sewage sludge use and disposal activities shall be retained for a period of at least five years (or longer as required by 40 CFR Part 503). This period may be extended by request of the Agency or USEPA at any time.
 - (c) Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The individual(s) who performed the sampling or measurements;
 - (3) The date(s) analyses were performed;
 - (4) The individual(s) who performed the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
 - (d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit. Where no test procedure under 40 CFR Part 136 has been approved, the permittee must submit to the Agency a test method for approval. The permittee shall calibrate and perform maintenance procedures on all monitoring and analytical instrumentation at intervals to ensure accuracy of measurements.
- (11) Signatory requirement.** All applications, reports or information submitted to the Agency shall be signed and certified.
- (a) **Application.** All permit applications shall be signed as follows:
 - (1) For a corporation: by a principal executive officer of at least the level of vice president or a person or position having overall responsibility for environmental matters for the corporation;
 - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
 - (b) **Reports.** All reports required by permits, or other information requested by the Agency shall be signed by a person described in paragraph (a) or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - (1) The authorization is made in writing by a person described in paragraph (a); and
 - (2) The authorization specifies either an individual or a position responsible for the overall operation of the facility, from which the discharge originates, such as a plant manager, superintendent or person of equivalent responsibility; and
 - (3) The written authorization is submitted to the Agency.
 - (c) **Changes of Authorization.** If an authorization under (b) is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of (b) must be submitted to the Agency prior to or together with any reports, information, or applications to be signed by an authorized representative.
 - (d) **Certification.** Any person signing a document under paragraph (a) or (b) of this section shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.
- (12) Reporting requirements.**
- (a) **Planned changes.** The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when:
 - (1) The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source pursuant to 40 CFR 122.29(b); or
 - (2) The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements pursuant to 40 CFR 122.42(a)(1).
 - (3) The alteration or addition results in a significant change in the permittee's sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit, including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan.
 - (b) **Anticipated noncompliance.** The permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
 - (c) **Transfers.** This permit is not transferable to any person except after notice to the Agency.
 - (d) **Compliance schedules.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
 - (e) **Monitoring reports.** Monitoring results shall be reported at the intervals specified elsewhere in this permit.
 - (1) Monitoring results must be reported on a Discharge Monitoring Report (DMR).

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(2) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.

(3) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Agency in the permit.

(f) **Twenty-four hour reporting.** The permittee shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24-hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and time; and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The following shall be included as information which must be reported within 24-hours:

- (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
- (2) Any upset which exceeds any effluent limitation in the permit.
- (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Agency in the permit or any pollutant which may endanger health or the environment.

The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24-hours.

(g) **Other noncompliance.** The permittee shall report all instances of noncompliance not reported under paragraphs (12)(d), (e), or (f), at the time monitoring reports are submitted. The reports shall contain the information listed in paragraph (12)(f).

(h) **Other information.** Where the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application, or in any report to the Agency, it shall promptly submit such facts or information.

(13) Bypass.

(a) Definitions.

(1) Bypass means the intentional diversion of waste streams from any portion of a treatment facility.

(2) Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(b) Bypass not exceeding limitations. The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of paragraphs (13)(c) and (13)(d).

(c) Notice.

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior

notice, if possible at least ten days before the date of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in paragraph (12)(f) (24-hour notice).

(d) Prohibition of bypass.

(1) Bypass is prohibited, and the Agency may take enforcement action against a permittee for bypass, unless:

(i) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(ii) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(iii) The permittee submitted notices as required under paragraph (13)(c).

(2) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions listed above in paragraph (13)(d)(1).

(14) Upset.

(a) Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

(b) Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of paragraph (14)(c) are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.

(c) Conditions necessary for a demonstration of upset. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An upset occurred and that the permittee can identify the cause(s) of the upset;

(2) The permitted facility was at the time being properly operated; and

(3) The permittee submitted notice of the upset as required in paragraph (12)(f)(2) (24-hour notice).

(4) The permittee complied with any remedial measures required under paragraph (4).

(d) Burden of proof. In any enforcement proceeding the permittee seeking to establish the occurrence of an upset has the burden of proof.

(15) Transfer of permits. Permits may be transferred by modification or automatic transfer as described below:

(a) Transfers by modification. Except as provided in paragraph (b), a permit may be transferred by the permittee to a new owner or operator only if the permit has

PART VII. STANDARD CONDITIONS

- been modified or revoked and reissued pursuant to 40 CFR 122.62(b)(2), or a minor modification made pursuant to 40 CFR 122.63(d), to identify the new permittee and incorporate such other requirements as may be necessary under the Clean Water Act.
- (b) Automatic transfers. As an alternative to transfers under paragraph (a), any NPDES permit may be automatically transferred to a new permittee if:
- (1) The current permittee notifies the Agency at least 30 days in advance of the proposed transfer date;
 - (2) The notice includes a written agreement between the existing and new permittees containing a specified date for transfer of permit responsibility, coverage and liability between the existing and new permittees; and
 - (3) The Agency does not notify the existing permittee and the proposed new permittee of its intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement.
- (16) All manufacturing, commercial, mining, and silvicultural dischargers must notify the Agency as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge of any toxic pollutant identified under Section 307 of the Clean Water Act which is not limited in the permit, if that discharge will exceed the highest of the following notification levels:
 - (1) One hundred micrograms per liter (100 µg/l);
 - (2) Two hundred micrograms per liter (200 µg/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 µg/l) for 2,4-dinitrophenol and for 2-methyl-4,6 dinitrophenol; and one milligram per liter (1 mg/L) for antimony.
 - (3) Five (5) times the maximum concentration value reported for that pollutant in the NPDES permit application; or
 - (4) The level established by the Agency in this permit.
 - (b) That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the NPDES permit application.
- (17) All Publicly Owned Treatment Works (POTWs) must provide adequate notice to the Agency of the following:
- (a) Any new introduction of pollutants into that POTW from an indirect discharge which would be subject to Sections 301 or 306 of the Clean Water Act if it were directly discharging those pollutants; and
 - (b) Any substantial change in the volume or character of pollutants being introduced into that POTW by a source introducing pollutants into the POTW at the time of issuance of the permit.
 - (c) For purposes of this paragraph, adequate notice shall include information on (i) the quality and quantity of effluent introduced into the POTW, and (ii) any anticipated impact of the change on the quantity or quality of effluent to be discharged from the POTW.
- (18) If the permit is issued to a publicly owned or publicly regulated treatment works, the permittee shall require any industrial user of such treatment works to comply with federal requirements concerning:
- (a) User charges pursuant to Section 204(b) of the Clean Water Act, and applicable regulations appearing in 40 CFR 35;
 - (b) Toxic pollutant effluent standards and pretreatment standards pursuant to Section 307 of the Clean Water Act; and
 - (c) Inspection, monitoring and entry pursuant to Section 308 of the Clean Water Act.
- (19) If an applicable standard or limitation is promulgated under Section 301(b)(2)(C) and (D), 304(b)(2), or 307(a)(2) and that effluent standard or limitation is more stringent than any effluent limitation in the permit, or controls a pollutant not limited in the permit, the permit shall be promptly modified or revoked, and reissued to conform to that effluent standard or limitation.
- (20) Any authorization to construct issued to the permittee pursuant to 35 Ill. Adm. Code 309.154 is hereby incorporated by reference as a condition of this permit.
- (21) The permittee shall not make any false statement, representation or certification in any application, record, report, plan or other document submitted to the Agency or the USEPA, or required to be maintained under this permit.
- (22) The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of such violation. Any person who willfully or negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318 or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day of violation, or by imprisonment for not more than one year, or both.
- Additional penalties for violating these sections of the Clean Water Act are identified in 40 CFR 122.41(a)(2) and (3).
- (23) The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, or by imprisonment for not more than 2 years, or both. If a conviction of a person is for a violation committed after a first conviction of such person under this paragraph, punishment is a fine of not more than \$20,000 per day of violation, or by imprisonment of not more than 4 years, or both.
- (24) The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than 6 months per violation, or by both.
- (25) Collected screening, slurries, sludges, and other solids shall be disposed of in such a manner as to prevent entry of those wastes (or runoff from the wastes) into waters of the United States. The proper authorization for such disposal shall be obtained from the Agency and is incorporated as part hereof by reference.
- (26) In case of conflict between these standard conditions and any other condition(s) included in this permit, the other condition(s) shall govern.
- (27) The permittee shall comply with, in addition to the requirements of the permit, all applicable provisions of 35 Ill. Adm. Code, Subtitle C, Subtitle D, Subtitle E, and all applicable orders of the Board or any court with jurisdiction.
- (28) The provisions of this permit are severable, and if any provision of this permit is held invalid, the remaining provisions of this permit shall continue in full force and effect.



Illinois Environmental Protection Agency

2520 West Iles Avenue • P.O. Box 19276 • Springfield • Illinois • 62794-9276 • (217) 782-3397

Notice of Intent for New or Renewal of General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's)

Part I. Municipal (MS4) Contact Information

1. Name of Municipality: Champaign County MS4 #: ILR40 00256
Population (based on 2020 census): 205,865
2. MS4 Mailing Address: 102 E Main St City: Urbana, IL Zip: 61801
3. Primary MS4 Contact Person (Authorized Representative for MS4 Permit)
Name: John Hall Title: Director of Planning & Zoning
Phone: 217-384-3708 Email Address: jhall@champaigncountyil.gov

General Information

4. Latitude and Longitude at approximate geographical center of MS4 for which you are requesting authorization to discharge:
Latitude: 40 05 22 Longitude: 88 15 01
Degrees Minutes Seconds Degrees Minutes Seconds
5. Community Type: Town Other: _____
6. Name(s) of governmental entity(ies) in which MS4 is located:
- | City/Village | Township | County |
|--------------|-----------|-----------|
| N/A | Champaign | Champaign |
| N/A | Hensley | Champaign |
| N/A | Urbana | Champaign |
| N/A | Somer | Champaign |
| N/A | Scott | Champaign |
| N/A | Tolono | Champaign |
7. Area of land within your MS4 in square miles: 7.55
8. Percent of MS4 served by combined sewer: _____ Percent of MS4 served by separate sewer: ≈90

Impaired Waters

The most recent 303(d) list may be found at <https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls/303d-list.html>.
Information regarding TMDLs may be found at <https://epa.illinois.gov/topics/water-quality/watershed-management/tmdls.html>.

- 9.
- | Name(s) of known receiving waters (in and within 3 miles of MS4 area) | Impairment listed on 303d List or TMDL? |
|---|---|
| Copper Slough | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Boneyard Creek | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Saline Branch | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Embaras River | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Phinney Branch | <input type="radio"/> Yes <input checked="" type="radio"/> No |
| Crystal Lake | <input checked="" type="radio"/> Yes <input type="radio"/> No |
| Kaskaskia River | <input checked="" type="radio"/> Yes <input type="radio"/> No |

Name(s) of known receiving waters (in and within 3 miles of MS4 area)	Impairment listed on 303d List or TMDL?
East Lake Fork	<input type="radio"/> Yes <input checked="" type="radio"/> No
Two-mile Slough	<input type="radio"/> Yes <input checked="" type="radio"/> No
Union Drainage Ditch #1	<input type="radio"/> Yes <input checked="" type="radio"/> No
Rush Branch	<input type="radio"/> Yes <input checked="" type="radio"/> No
Lake Fork	<input checked="" type="radio"/> Yes <input type="radio"/> No
South Fork	<input type="radio"/> Yes <input checked="" type="radio"/> No
Camp Creek	<input type="radio"/> Yes <input checked="" type="radio"/> No

9a. If impaired, which potential causes and source?

Causes: PCB, D.O, Phosph., Insecticides, Copper, Merc.

Source: Vehicles, Ag Runoff, Pipe Discharge., Sewage

9b. Are the receiving waterbodies included in an approved TMDL or alternate water quality management plan? ☐ Yes ☒ No

9c. Is the MS4 community included in the chloride variance? ☐ Yes ☒ No

Program Responsibility

10. Shared Responsibility

Is your MS4 responsible for any permit requirements of another MS4 community? ☐ Yes ☒ No

Does your MS4 Community rely on another MS4 to satisfy any of the permit requirements? ☐ Yes ☒ No

11. Co-Permittee

Is your MS4 Community a Co-Permittee with another MS4 Community? ☐ Yes ☒ No

12. Other contacts responsible for implementation or coordination of Stormwater Management Program

Name: Jeff Blue Title: County Engineer

Phone: 217-384-3800 Email: jblue@champaigncountyil.gov

Area of Responsibility: County Highway Department Head

Name: Michelle Jett Title: Director of Administration

Phone: 217-387-3776 Email: mjett@champaigncountyil.gov

Area of Responsibility: Champaign County Administration & Facilities Director

Part II. Best Management Practices (include shared responsibilities) which have been implemented or are proposed to be implemented in the MS4 area

A. Public Education and Outreach

Approximate date first implemented: May: 2003, 2006, 2017 Frequency of each BMP program: Biennial, Monthly, Quarter

Qualifying Local Programs

Illinois Green Infrastructure & Erosion Control Conference.

Measurable Goals (include shared responsibilities)

☒ A.1 Distributed Paper Material

Brief Description of BMP

A.1.1 Prepare handouts containing storm water quality information and present them at permit counter.

Measurable Goals, including frequencies

Develop and distribute educational material handouts.

Milestones

Year 1: Distribute and maintain handouts.

Year 2: Distribute and maintain handouts.

Year 3: Distribute and maintain handouts.

Year 4: Distribute and maintain handouts.

Year 5: Distribute and maintain handouts.

Additional Info

BMP Number: _____

☒ A.2 Speaking Engagement

Brief Description of BMP

A.2.1 Inform business groups about MS4, NPDES and BMPs.

Measurable Goals, including frequencies

Conduct one presentation upon request.

Milestones

Year 1: Conduct one presentation upon request.

Year 2: Conduct one presentation upon request.

Year 3: Conduct one presentation upon request.

Year 4: Conduct one presentation upon request.

Year 5: Conduct one presentation upon request.

Additional Info

BMP Number: A.2.2

Brief Description of BMP: Inform developers, contractors, engineering and architecture groups about MS4 NPDES and BMPs.

Measurable Goal(s), including frequencies:

Milestones: Year 1: Conduct one presentation upon request.
Year 2: Conduct one presentation upon request.
Year 3: Conduct one presentation upon request.
Year 4: Conduct one presentation upon request.
Year 5: Conduct one presentation upon request.

BMP Number: A.2.3

Brief Description of BMP: Inform environmental groups about MS4, NPDES and BMPs.

Measurable Goal(s), including frequencies:

Milestones: Year 1: Conduct one presentation upon request.
Year 2: Conduct one presentation upon request.
Year 3: Conduct one presentation upon request.
Year 4: Conduct one presentation upon request.
Year 5: Conduct one presentation upon request.

- ☐ A.3 Public Service Announcement
☐ A.4 Community Event
☐ A.5 Classroom Education Material
☒ A.6 Other Public Education

Brief Description of BMP

A.6.1 Educational and informational material on County web page.

Measurable Goals, including frequencies

Update web page with annual reports, and informational and educational materials on pollution reduction for targeted residential and commercial uses.

Milestones

Year 1: Update and maintain web page.

Year 2: Update and maintain web page.

Year 3: Update and maintain web page.

Year 4: Update and maintain web page.

Year 5: Update and maintain web page.

Additional Info

BMP Number: A.6.2

Brief Description of BMP: Annually assess Champaign County education and outreach program for changes in behavior and public awareness.

Measurable Goal(s) including frequencies: Annually assess education and outreach programs for modifications when needed.

Milestones: Year 1: Assess education and outreach program.
Year 2: Assess education and outreach program.
Year 3: Assess education and outreach program.
Year 4: Assess education and outreach program.
Year 5: Assess education and outreach program.

B. Public Participation/Involvement

Approximate date first implemented: May: 2003, 2006, 2016 Frequency of each BMP program: Monthly, Annual, Biennial

Qualifying Local Programs

Champaign County Stormwater Partnership.

Measurable Goals (include shared responsibilities)

☐ B.2 Educational Volunteer

☒ B.3 Stakeholder Meeting

Brief Description of BMP

B.3.1 Attend Salt Fork Watershed quarterly meetings.

Measurable Goals, including frequencies

Champaign County staff will attend quarterly watershed group meetings.

Milestones

Year 1: Attend quarterly meetings.

Year 2: Attend quarterly meetings.

Year 3: Attend quarterly meetings.

Year 4: Attend quarterly meetings.

Year 5: Attend quarterly meetings.

Additional Info

BMP Number: _____

☒ B.4 Public Hearing

Brief Description of BMP

B.4.1 Comply with applicable State and local public notice requirements.

Measurable Goals, including frequencies

Annual number of meetings with MS4 related topics. Maintain electronic records of notices, agendas and public participation.

Milestones

Year 1: Provide notice of MS4 related meetings and provide opportunity for public input.

Year 2: Provide notice of MS4 related meetings and provide opportunity for public input.

Year 3: Provide notice of MS4 related meetings and provide opportunity for public input.

Year 4: Provide notice of MS4 related meetings and provide opportunity for public input.

Year 5: Provide notice of MS4 related meetings and provide opportunity for public input.

Additional Info

BMP Number: _____

☐ B.5 Volunteer Monitoring

☒ B.6. Program Involvement

Brief Description of BMP

B.6.1 Intergovernmental Storm Water Management Group Meetings (coordination meeting for all Champaign County MS4 jurisdictions).

Measurable Goals, including frequencies

Hold at least 4 coordination meetings each year.

Milestones

Year 1: Attend meetings.

Year 2: Attend meetings.

Year 3: Attend meetings.

Year 4: Attend meetings.

Year 5: Attend meetings.

Additional Info

BMP Number: B.6.2

Brief Description of BMP: Prepare a storm water survey that can be used annually to capture public comment on the MS4 Storm Water Program.

Measurable Goal(s) including frequencies: Conduct the annual MS4 Storm Water Survey on the County Website.

Milestones: Year 1: Make the MS4 Storm Water Survey available on the County website.

Year 2: Make the MS4 Storm Water Survey available on the County website.

Year 3: Make the MS4 Storm Water Survey available on the County website.

Year 4: Make the MS4 Storm Water Survey available on the County website.

Year 5: Make the MS4 Storm Water Survey available on the County website.

Brief Description of BMP: Hold Annual Public Storm Water Meeting at the Champaign County Board Environment and Land Use Committee (ELUC) to receive public comments regarding the Champaign County Unincorporated MS4 Area Storm Water Program.

Measurable Goal(s) including frequencies: Have the Champaign County Unincorporated MS4 Area Storm Water Program as an Agenda item at one ELUC Meeting each year.

Milestones: Year 1: Have the Champaign County Unincorporated MS4 Area Storm Water Program as an Agenda item at the May ELUC Meeting.

Year 2: Have the Champaign County Unincorporated MS4 Area Storm Water Program as an Agenda item at the May ELUC Meeting.

Year 3: Have the Champaign County Unincorporated MS4 Area Storm Water Program as an Agenda item at the May ELUC Meeting.

Year 4: Have the Champaign County Unincorporated MS4 Area Storm Water Program as an Agenda item at the May ELUC Meeting.

Year 5: Have the Champaign County Unincorporated MS4 Area Storm Water Program as an Agenda item at the May ELUC Meeting.

Brief Description of BMP: Identify Environmental Justice Areas within the unincorporated Champaign County MS4 Areas and provide appropriate public participation.

Measurable Goal(s) including frequencies: Identify Environmental Justice Areas within the unincorporated Champaign County MS4 Area based on the most current State economic data and randomly sample the EJ area population for storm water concerns via postal mail with prepaid reply envelopes. Review survey results at the Annual Public Storm Water Meeting at the Champaign County Board Environment and Land Use Committee (ELUC)

Milestones Year 1: Identify Environmental Justice Areas within the unincorporated Champaign County MS4 Area based on the most current State economic data and randomly sample the EJ area population for storm water concerns via postal mail with prepaid reply envelopes and review survey results at the Annual Public Storm Water Meeting at the Champaign County Board Environment and Land Use Committee (ELUC).

Year 2: Identify Environmental Justice Areas within the unincorporated Champaign County MS4 Area based on the most current State economic data and randomly sample the EJ area population for storm water concerns via postal mail with prepaid reply envelopes and review survey results at the Annual Public Storm Water Meeting at the Champaign County Board Environment and Land Use Committee (ELUC).

Year 3: Identify Environmental Justice Areas within the unincorporated Champaign County MS4 Area based on the most current State economic data and randomly sample the EJ area population for storm water concerns via postal mail with prepaid reply envelopes and review survey results at the Annual Public Storm Water Meeting at the Champaign County Board Environment and Land Use Committee (ELUC).

Year 4: Identify Environmental Justice Areas within the unincorporated Champaign County MS4 Area based on the most current State economic data and randomly sample the EJ area population for storm water concerns via postal mail with prepaid reply envelopes and review survey results at the Annual Public Storm Water Meeting at the Champaign County Board Environment and Land Use Committee (ELUC).

Year 5: Identify Environmental Justice Areas within the unincorporated Champaign County MS4 Area based on the most current State economic data and randomly sample the EJ area population for storm water concerns via postal mail with prepaid reply envelopes and review survey results at the Annual Public Storm Water Meeting at the Champaign County Board Environment and Land Use Committee (ELUC).

☒ B.7 Other Public Involvement

Brief Description of BMP

B.7.1 Fund aspects of NPDES MS4 implementation in the County's Land Resource Management Plan implementation budget including public involvement when appropriate.

Measurable Goals, including frequencies

Include NPDES MS4 requirements in the County's Land Resource Management Plan and include in annual long range work plan as required.

Milestones

Year 1:	Include MS4 in work plan in FY25.
Year 2:	Include MS4 in work plan in FY26.
Year 3:	Include MS4 in work plan in FY27.
Year 4:	Include MS4 in work plan in FY28.
Year 5:	Include MS4 in work plan in FY29.

Additional Info

BMP Number: _____

C. Illicit Discharge Detection and Elimination

Approximate date first implemented: May: 2003, 2017, 2025 Frequency of each BMP program: Erratic, Annual

Qualifying Local Programs

Champaign County Nuisance Ordinance.

Measurable Goals (include shared responsibilities)

☒ C.1 Sewer Map Preparation

Brief Description of BMP

C.1.1 Map drainage system outfalls into streams and rivers.

Measurable Goals, including frequencies

Complete a system wide update annually.

Milestones

Year 1:	Update Champaign County Unincorporated MS4 Area storm sewer system map as new information arises.
Year 2:	Update Champaign County Unincorporated MS4 Area storm sewer system map as new information arises.
Year 3:	Update Champaign County Unincorporated MS4 Area storm sewer system map as new information arises.
Year 4:	Update Champaign County Unincorporated MS4 Area storm sewer system map as new information arises.
Year 5:	Update Champaign County Unincorporated MS4 Area storm sewer system map as new information arises.

Additional Info

BMP Number: C.1.2

Brief Description of BMP: Map priority areas in Champaign County MS4 jurisdiction likely to have illicit discharges.

Measurable Goal(s) including frequencies:

Milestones: Year 1: Update priority areas annually.
 Year 2: Update priority areas annually.
 Year 3: Update priority areas annually.
 Year 4: Update priority areas annually.
 Year 5: Update priority areas annually.

☒ C.2 Regulatory Control Program

Brief Description of BMP

C.2.1 Prohibit illegal dumping and illicit discharge into drainage system through Nuisance Ordinance.

Measurable Goals, including frequencies

Review existing Nuisance Ordinance and revise to include illegal dumping and illicit discharge into drainage system.

Milestones

Year 1: Enforce amended Ordinance.

Year 2: Enforce amended Ordinance.

Year 3: Enforce amended Ordinance.

Year 4: Enforce amended Ordinance.

Year 5: Enforce amended Ordinance.

Additional Info

BMP Number: _____

☒ C.3 Detection/Elimination Prioritization Plan

Brief Description of BMP

C.3.1 Maintain citizen complaint phone line for illegal dumping and illicit discharge into drainage systems.

Measurable Goals, including frequencies

Maintain phone line.

Milestones

Year 1: Maintain complaint phone line and record of complaints.

Year 2: Maintain complaint phone line and record of complaints.

Year 3: Maintain complaint phone line and record of complaints.

Year 4: Maintain complaint phone line and record of complaints.

Year 5: Maintain complaint phone line and record of complaints.

Additional Info

BMP Number: C.3.2

Brief Description of BMP: Establish citizen complaint phone line for non-complying and/or non-functioning private sewage treatment systems.

Measurable Goal(s) including frequencies: Develop and maintain phone line.

Milestones: Year 1: Maintain complaint phone line and record of complaints.
Year 2: Maintain complaint phone line and record of complaints.
Year 3: Maintain complaint phone line and record of complaints.
Year 4: Maintain complaint phone line and record of complaints.
Year 5: Maintain complaint phone line and record of complaints.

BMP Number: C.3.3

Brief Description of BMP: Create a database of existing private sewage treatment systems and develop a management plan to bring non-compliant systems into compliance.

Measurable Goal(s), including frequencies: Create a database and develop, adopt, and implement management plans.

Milestones: Year 1: Create database and develop management plan.
Year 2: Create database and develop management plan.
Year 3: Create database and develop management plan.
Year 4: Create database and develop management plan.
Year 5: Create database and develop management plan.

☐ C.4 Illicit Discharge Tracing Procedures

☐ C.5 Illicit Source Removal Procedures

☒ C.6 Program Evaluation and Assessment

Brief Description of BMP

C.6.1 Annual report to Environment and Land Use Committee (ELUC) of the Champaign County Board.

Measurable Goals, including frequencies

Present annual report and place on file.

Milestones

Year 1: Complete annual report and place on file.

Year 2: Complete annual report and place on file.

Year 3: Complete annual report and place on file.

Year 4: Complete annual report and place on file.

Year 5: Complete annual report and place on file.

Additional Info

BMP Number: _____

☒ C.7 Visual Dry Weather Screening

Brief Description of BMP

C.7.1 Annual inspections of storm sewer outfalls in dry weather.

Measurable Goals, including frequencies

Inspect storm sewer outfalls for non-storm water discharges and illegal dumping.

Milestones

Year 1: Complete annual dry weather inspection.

Year 2: Complete annual dry weather inspection.

Year 3: Complete annual dry weather inspection.

Year 4: Complete annual dry weather inspection.

Year 5: Complete annual dry weather inspection.

Additional Info

BMP Number: _____

☐ C.8 Pollutant Field Testing

☐ C.9 Public Notification

☒ C.10 Other Illicit Discharge Controls

Brief Description of BMP

C.10.1 Develop and implement procedures to detect, trace and remove illicit discharge.

Measurable Goals, including frequencies

Implement illicit discharge detection and elimination program.

Milestones

Year 1: Develop illicit discharge detection and elimination procedures.

Year 2: Develop and implement illicit discharge detection and elimination procedures.

Year 3: Develop and implement illicit discharge detection and elimination procedures.

Year 4: Develop and implement illicit discharge detection and elimination procedures.

Year 5: Develop and implement illicit discharge detection and elimination procedures.

Additional Info

BMP Number: _____

D. Construction Site Runoff Control

Approximate date first implemented: May: 2003, 2015

Frequency of each BMP program: Erratic, Annual

Qualifying Local Programs

Storm Water Management & Erosion Control Ordinance.

Measurable Goals (include shared responsibilities)

☒ D.1 Regulatory Control Program

Brief Description of BMP

D.1.1 Soil Erosion and Sediment Control regulations.

Measurable Goals, including frequencies

Review existing erosion and sediment control regulations. Enforce adopted regulations.

Milestones

Year 1: Enforce Storm Water Management and Erosion Control Ordinance.

Year 2: Enforce Storm Water Management and Erosion Control Ordinance.

Year 3: Enforce Storm Water Management and Erosion Control Ordinance.

Year 4: Enforce Storm Water Management and Erosion Control Ordinance.

Year 5: Enforce Storm Water Management and Erosion Control Ordinance.

Additional Info

BMP Number: _____

☒ D.2 Erosion and Sediment Control BMPs

Brief Description of BMP

D.2.1 Erosion and Sediment Control BMPs.

Measurable Goals, including frequencies

Review and evaluate existing Best Management Practices (BMPs) to determine which should be included in the erosion and sediment ordinance. Review existing regulations and develop new regulations for the ordinance.

Milestones

Year 1: Review plans and development for appropriate use of BMPs as required by adopted ordinance (Storm Water Management and Erosion Control Ordinance).

Year 2: Review plans and development for appropriate use of BMPs as required by adopted ordinance (Storm Water Management and Erosion Control Ordinance).

Year 3: Review plans and development for appropriate use of BMPs as required by adopted ordinance (Storm Water Management and Erosion Control Ordinance).

Year 4: Review plans and development for appropriate use of BMPs as required by adopted ordinance (Storm Water Management and Erosion Control Ordinance).

Year 5: Review plans and development for appropriate use of BMPs as required by adopted ordinance (Storm Water Management and Erosion Control Ordinance).

Additional Info

BMP Number: _____

☒ D.3 Other Waste Control Program

Brief Description of BMP

D.3.1 Prohibit illegal dumping and illicit discharges into storm drainage system from construction activities.

Measurable Goals, including frequencies

Enforce Storm Water Management and Erosion Control (SWMEC) Ordinance prohibition on illegal dumping and illicit discharges into drainage systems from construction activities. Review existing Nuisance Ordinance and, if needed, revise to prohibit illegal dumping and illicit discharges into drainage systems from construction activities, same as SWMEC Ordinance.

Milestones

Year 1: Enforce SWMEC Ordinance prohibition on illegal dumping and illicit discharges into drainage systems from construction activities.

Year 2: Enforce SWMEC Ordinance prohibition on illegal dumping and illicit discharges into drainage systems from construction activities.

Year 3: Enforce SWMEC Ordinance prohibition on illegal dumping and illicit discharges into drainage systems from construction activities.

Year 4: Enforce SWMEC Ordinance prohibition on illegal dumping and illicit discharges into drainage systems from construction activities.

Year 5: Enforce SWMEC Ordinance prohibition on illegal dumping and illicit discharges into drainage systems from construction activities.

Additional Info

BMP Number: _____

☒ D.4 Site Plan Review Procedures

Brief Description of BMP

D.4.1 Develop procedures and processes to evaluate proposed construction site runoff mechanisms.

Measurable Goals, including frequencies

Develop procedures and processes to evaluate proposed construction site runoff mechanisms.

Milestones

Year 1: Develop, implement and refine review procedures to evaluate proposed construction site runoff mechanisms.

Year 2: Develop, implement and refine review procedures to evaluate proposed construction site runoff mechanisms.

Year 3: Develop, implement and refine review procedures to evaluate proposed construction site runoff mechanisms.

Year 4: Develop, implement and refine review procedures to evaluate proposed construction site runoff mechanisms.

Year 5: Develop, implement and refine review procedures to evaluate proposed construction site runoff mechanisms.

Additional Info

BMP Number: D.4.2

Brief Description of BMP: Training class/workshop for evaluating and inspecting construction site runoff control mechanism.

Measurable Goal(s) including frequencies: Director's designee attendance at training class or workshop for evaluating and inspecting construction site runoff control mechanisms.

Milestones: Year 1: Director's designee attends training.
Year 2: Director's designee attends training.
Year 3: Director's designee attends training.
Year 4: Director's designee attends training.
Year 5: Director's designee attends training.

☐ D.5 Public Information Handling Procedures

☒ D.6 Site Inspection/Enforcement Procedures

Brief Description of BMP

D.6.1 Develop procedures and processes to inspect construction sites for compliance with construction site runoff mechanisms.

Measurable Goals, including frequencies

Develop procedures and processes to inspect construction sites for compliance with construction site runoff mechanisms.

Milestones

Year 1: Develop and implement procedures and processes to inspect construction sites for compliance with construction site runoff mechanisms.

Year 2: Develop and implement procedures and processes to inspect construction sites for compliance with construction site runoff mechanisms.

Year 3: Develop and implement procedures and processes to inspect construction sites for compliance with construction site runoff mechanisms.

Year 4: Develop and implement procedures and processes to inspect construction sites for compliance with construction site runoff mechanisms.

Year 5: Develop and implement procedures and processes to inspect construction sites for compliance with construction site runoff mechanisms.

Additional Info

BMP Number: _____

☒ D.7 Other Construction Site Runoff Controls

Brief Description of BMP

D.7.1 Land Disturbance and Erosion Control (LDEC) permit inventory.

Measurable Goals, including frequencies

Update inventory of all active LDEC permits disturbing an acre or greater of land within Champaign County MS4

jurisdiction.

Milestones

Year 1: Update LDEC permit database.

Year 2: Update LDEC permit database.

Year 3: Update LDEC permit database.

Year 4: Update LDEC permit database.

Year 5: Update LDEC permit database.

Additional Info

BMP Number: _____

E. Post-Construction Runoff Control

Approximate date first implemented: May: 2003, 2006, 2025 Frequency of each BMP program: Erratic, Annual

Qualifying Local Programs

☒ E.1 Community Control Strategy

Brief Description of BMP

E.1.1 Implement a public education program about the benefits of green infrastructure and green housekeeping in minimizing the volume of storm water runoff and pollutants from privately owned developed property.

Measurable Goals, including frequencies

Add a Green Infrastructure page to the Champaign County website to educate landowners about the benefits of green infrastructure and green housekeeping and minimizing the volume of storm water runoff and pollutants from privately owned developed property.

Milestones

Year 1: Develop, implement, and maintain a Champaign County Green Infrastructure & Green Housekeeping web page.

Year 2: Maintain the Champaign County Green Infrastructure & Green Housekeeping web page.

Year 3: Maintain the Champaign County Green Infrastructure & Green Housekeeping web page.

Year 4: Maintain the Champaign County Green Infrastructure & Green Housekeeping web page.

Year 5: Maintain the Champaign County Green Infrastructure & Green Housekeeping web page.

Additional Info

Measurable Goals (include shared responsibilities)

BMP Number: E.1.2

Brief Description of BMP: Implement a public education program about the water quality impacts of overuse of fertilizers and pesticides in non-agricultural uses.

Measurable Goal(s) including frequencies: Add a Sustainable Lawn Care page to the Champaign County website to educate landowners about the water quality impacts of overuse of fertilizers and pesticides in non-agricultural uses.

Milestones: Year 1: Develop, implement and maintain a Champaign County Sustainable Lawn Care web page
Year 2: Maintain the Champaign County Sustainable Lawn Care web page.
Year 3: Maintain the Champaign County Sustainable Lawn Care web page.
Year 4: Maintain the Champaign County Sustainable Lawn Care web page.
Year 5: Maintain the Champaign County Sustainable Lawn Care web page.

☒ E.2 Regulatory Control Program

Brief Description of BMP

E.2.1 Require annual inspections of publicly owned storm water management facilities (post-construction).

Measurable Goals, including frequencies

Establish procedures for maintenance of publicly owned storm water management facilities (post-construction)

Milestones

Year 1: Develop and implement procedures for maintenance of publicly owned storm water management facilities (post-construction)

Year 2: Develop and implement procedures for maintenance of publicly owned storm water management facilities (post-construction)

Year 3: Develop and implement procedures for maintenance of publicly owned storm water management facilities (post-construction)

Year 4: Develop and implement procedures for maintenance of publicly owned storm water management facilities (post-construction)

Year 5: Develop and implement procedures for maintenance of publicly owned storm water management facilities (post-construction)

Additional Info

BMP Number: _____

☒ E.3 Long Term O & M Procedures

Brief Description of BMP

E.3.1 Develop procedures to ensure that storm water facilities are maintained to function as designed (post-construction).

Measurable Goals, including frequencies

Develop and implement procedures to ensure that storm water facilities are maintained to function as designed (post-construction).

Milestones

Year 1: Develop and implement procedures to ensure that storm water facilities are maintained to function as designed.

Year 2:	Implement procedures to ensure that storm water facilities are maintained to function as designed.
Year 3:	Implement procedures to ensure that storm water facilities are maintained to function as designed.
Year 4:	Implement procedures to ensure that storm water facilities are maintained to function as designed.
Year 5:	Implement procedures to ensure that storm water facilities are maintained to function as designed.

Additional Info

BMP Number: E.3.2

Brief Description of BMP: Provide annual training in green infrastructure and/or low impact design techniques for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public exterior surfaces. Require that contractors who are retained to manage or carry out the kinds of maintenance and relevant contractor employees also have annual training.

Measurable Goal(s) including frequencies: Provide annual training in green infrastructure and/or low impact design techniques for all MS4 employees who manage or are directly involved in (or who retain others who manage or are directly involved in) the routine maintenance, repair, or replacement of public exterior surfaces. Require that contractors who are retained to manage or carry out the kinds of maintenance and relevant contractor employees also have annual training.

Milestones: Year 1: Provide annual training in green infrastructure and/or low impact design techniques for all relevant managers, employees, and/or contractors and contractor employees.

Year 2: Provide annual training in green infrastructure and/or low impact design techniques for all relevant managers, employees, and/or contractors and contractor employees.

Year 3: Provide annual training in green infrastructure and/or low impact design techniques for all relevant managers, employees, and/or contractors and contractor employees.

Year 4: Provide annual training in green infrastructure and/or low impact design techniques for all relevant managers, employees, and/or contractors and contractor employees.

Year 5: Provide annual training in green infrastructure and/or low impact design techniques for all relevant managers, employees, and/or contractors and contractor employees.

☒ E.4 Pre-Construction Review of BMP Designs

Brief Description of BMP

E.4.1 Training class or workshop for evaluating and inspecting construction site runoff control mechanisms.

Measurable Goals, including frequencies

Director's designee attendance at training class or workshop for evaluating and inspecting construction site runoff control mechanisms.

Milestones

Year 1:	Director's designee attends training.
Year 2:	Director's designee attends training.
Year 3:	Director's designee attends training.
Year 4:	Director's designee attends training.
Year 5:	Director's designee attends training.

Additional Info

BMP Number: _____

☒ E.5 Site Inspections During Construction

Brief Description of BMP

E.5.1 Develop procedures and processes to inspect construction sites for compliance with ongoing construction runoff control mechanisms.

Measurable Goals, including frequencies

Implement procedures to inspect construction sites for compliance with approved runoff control mechanisms during and after construction.

Milestones

Year 1: Develop and implement procedures to inspect construction sites for compliance with approved runoff control mechanisms during and after construction.

Year 2: Develop and implement procedures to inspect construction sites for compliance with approved runoff control mechanisms during and after construction.

Year 3: Develop and implement procedures to inspect construction sites for compliance with approved runoff control mechanisms during and after construction.

Year 4: Develop and implement procedures to inspect construction sites for compliance with approved runoff control mechanisms during and after construction.

Year 5: Develop and implement procedures to inspect construction sites for compliance with approved runoff control mechanisms during and after construction.

Additional Info

BMP Number: _____

☐ E.6 Post-Construction Inspections

☒ E.7 Other Post-Construction Runoff Controls

Brief Description of BMP

E.7.1 Develop a program to minimize storm water runoff and pollutants from privately owned developed property within the Champaign County MS4 jurisdiction.

Measurable Goals, including frequencies

Implement a program to minimize storm water runoff and pollutants from privately owned property under the extent allowable under state law.

Milestones

Year 1: Develop storm water runoff and pollutant mitigation program from privately owned developed property.

Year 2: Implement storm water runoff and pollutant mitigation program from privately owned developed property.

Year 3: Implement storm water runoff and pollutant mitigation program from privately owned developed property.

Year 4: Implement storm water runoff and pollutant mitigation program from privately owned developed property.

Year 5: Implement storm water runoff and pollutant mitigation program from privately owned developed property.

Additional Info

BMP Number: _____

F. Pollution Prevention/Good Housekeeping

Approximate date first implemented: May: 2003, 2015, 2025 Frequency of each BMP program: Erratic, Monthly, Annual

Qualifying Local Programs

Local Emergency Planning Committee.

☒ **F.1 Employee Training Program**

Brief Description of BMP

F.1.1 Spill prevention protocol.

Measurable Goals, including frequencies

Conduct annual spill prevention training with appropriate County staff. Track meeting agenda, materials and attendee sign-in sheet.

Milestones

Year 1: Complete annual spill prevention training with appropriate County staff.

Year 2: Complete annual spill prevention training with appropriate County staff.

Year 3: Complete annual spill prevention training with appropriate County staff.

Year 4: Complete annual spill prevention training with appropriate County staff.

Year 5: Complete annual spill prevention training with appropriate County staff.

Additional Info

BMP Number: F.1.2

Brief Description of BMP: Spill response protocol.

Measurable Goal(s), including frequencies: Conduct annual spill response training with appropriate County staff. Track meeting agenda, materials and attendee sign-in sheet.

Milestones: Year 1: Complete annual spill response training with appropriate County staff.
Year 2: Complete annual spill response training with appropriate County staff.
Year 3: Complete annual spill response training with appropriate County staff.
Year 4: Complete annual spill response training with appropriate County staff.
Year 5: Complete annual spill response training with appropriate County staff.

Measurable Goals (include shared responsibilities)

BMP Number: F.1.3

Brief Description of BMP: Hazardous material and storage management training.

Measurable Goal(s) including frequencies: Conduct annual hazardous material and storage management training with appropriate County staff. Track meeting agenda, materials and attendee sign-in sheet.

Milestones: Year 1: Complete annual hazardous material and storage management training with appropriate staff.
Year 2: Complete annual hazardous material and storage management training with appropriate staff.
Year 3: Complete annual hazardous material and storage management training with appropriate staff.
Year 4: Complete annual hazardous material and storage management training with appropriate staff.
Year 5: Complete annual hazardous material and storage management training with appropriate staff.

☒ F.2 Inspection and Maintenance Program

Brief Description of BMP

F.2.1 Inspections of County owned facilities. Track and log inspections and corrective actions if necessary.

Measurable Goals, including frequencies

Quarterly inspections of County owned facilities during wet and dry periods.

Milestones

Year 1: Quarterly inspections and observations of County owned facilities.

Year 2: Quarterly inspections and observations of County owned facilities.

Year 3: Quarterly inspections and observations of County owned facilities.

Year 4: Quarterly inspections and observations of County owned facilities.

Year 5: Quarterly inspections and observations of County owned facilities.

Additional Info

BMP Number: F.2.2

Brief Description of BMP: Municipal Facility and Stormwater Control Inventory.

Measurable Goal(s) including frequencies: Develop and maintain inventory of municipally-owned or operated facilities and storm water controls.

Milestones: Year 1: Develop and maintain inventory.
Year 2: Maintain inventory.
Year 3: Maintain inventory.
Year 4: Maintain inventory.
Year 5: Maintain inventory.

☐ F.3 Municipal Operations Storm Water Control

☐ F.4 Municipal Operations Waste Disposal

☐ F.5 Flood Management/Assess Guidelines

☒ F.6 Other Municipal Operations Controls

Brief Description of BMP

F.6.1 Catch basin monitoring and cleaning schedule.

Measurable Goals, including frequencies

Develop a schedule to inspect municipally owned catch basins and schedule cleanings when appropriate.

Milestones

Year 1: Develop catch basin inspection and cleaning schedule.

Year 2: Implement catch basin inspection and cleaning schedule.

Year 3: Implement catch basin inspection and cleaning schedule.

Year 4: Implement catch basin inspection and cleaning schedule.

Year 5: Implement catch basin inspection and cleaning schedule.

Additional Info

BMP Number: _____

BMP Number	Location
A.1.1	Champaign County Department of Planning & Zoning
A.2.1	Champaign County Department of Planning & Zoning
A.2.2	Champaign County Department of Planning & Zoning
A.2.3	Champaign County Department of Planning & Zoning
A.6.1/A.6.2	Champaign County Department of Planning & Zoning
B.3.1	Salt Fork Watershed Group
B.4.1	Champaign County Department of Planning & Zoning
B.6.1	Champaign County Stormwater Partnership
B.6.2	Champaign County Department of Planning & Zoning
B.6.3	Bennett Administrative Center
B.6.4	Bennett Administrative Center
B.7.1	Bennett Administrative Center
C.1.1	Champaign County Department of Planning & Zoning
C.1.2	Champaign County Department of Planning & Zoning
C.2.1	Champaign County Department of Planning & Zoning
C.3.1	Champaign County Department of Planning & Zoning
C.3.2	Champaign County Department of Planning & Zoning
C.3.3	Champaign County Department of Planning & Zoning
C.6.1	Bennett Administrative Center
C.7.1	Various Locations
C.10.1	Champaign County Department of Planning & Zoning
D.1.1	Champaign County Department of Planning & Zoning
D.2.1	Champaign County Department of Planning & Zoning
D.3.1	Champaign County Department of Planning & Zoning

BMPs Currently Implemented and Proposed

BMP Number	Location
D.4.1	Champaign County Department of Planning & Zoning
D.4.2	Various Locations
D.6.1	Champaign County Department of Planning & Zoning
D.7.1	Champaign County Department of Planning & Zoning
E.1.1	Champaign County Department of Planning & Zoning
E.1.2	Champaign County Department of Planning & Zoning
E.2.1	Champaign County Facilities
E.3.1	Champaign County Facilities
E.3.2	Various Locations
E.4.1	Various Locations
E.5.1	Champaign County Department of Planning & Zoning
E.7.1	Champaign County Department of Planning & Zoning
F.1.1	Various Locations
F.1.2	Various Locations
F.1.3	Various Locations
F.2.1	Champaign County Department of Planning & Zoning
F.2.2	Champaign County Department of Planning & Zoning
F.6.1	Various Locations

Approximate Pollutant Reduction Resulting from each BMP

BMP Number	Pollutant	Reduction
A.1.1	Miscellaneous	Unknown
A.2.1	Miscellaneous	Unknown
A.2.2	Miscellaneous	Unknown
A.2.3	Miscellaneous	Unknown
A.6.1/A.6.2	Miscellaneous	Unknown
B.3.1	Miscellaneous	Unknown
B.4.1	Miscellaneous	Unknown
B.6.1	Miscellaneous	Unknown
B.6.2	Miscellaneous	Unknown
B.6.3	Miscellaneous	Unknown
B.6.4	Miscellaneous	Unknown
B.7.1	Miscellaneous	Unknown
C.1.1	Miscellaneous	Unknown
C.1.2	Miscellaneous	Unknown
C.2.1	Miscellaneous	Unknown
C.3.1	Miscellaneous	Unknown
C.3.2	Miscellaneous	Unknown
C.3.3	Miscellaneous	Unknown
C.6.1	Miscellaneous	Unknown
C.7.1	Miscellaneous	Unknown
C.10.1	Miscellaneous	Unknown
D.1.1	Miscellaneous	Unknown
D.2.1	Miscellaneous	Unknown
D.3.1	Miscellaneous	Unknown
D.4.1	Miscellaneous	Unknown
D.4.2	Miscellaneous	Unknown
D.6.1	Miscellaneous	Unknown
D.7.1	Miscellaneous	Unknown
E.1.1	Miscellaneous	Unknown
E.1.2	Miscellaneous	Unknown
E.2.1	Miscellaneous	Unknown
E.3.1	Miscellaneous	Unknown
E.3.2	Miscellaneous	Unknown
E.4.1	Miscellaneous	Unknown
E.5.1	Miscellaneous	Unknown
E.7.1	Miscellaneous	Unknown
F.1.1/F.1.2/F.1.3	Miscellaneous	Unknown
F.2.1/F.2.2	Miscellaneous	Unknown
F.6.1	Miscellaneous	Unknown

Instream Monitoring Program

Is there an instream monitoring program currently in place? ☐ Yes ☒ No

Is an instream monitoring program currently being proposed? ☐ Yes ☒ No

Sediment Monitoring

Is sediment monitoring currently taking place? ☐ Yes ☒ No

Sample Monitoring of Outfalls

Is sample monitoring of outfalls currently taking place? ☐ Yes ☒ No

Other Monitoring

Describe other types of monitoring implemented or proposed to evaluate the BMP effectiveness or water quality impact of stormwater.

Champaign County will conduct annual visual observation of storm water discharges from outfalls within it's MS4 jurisdiction but will conduct additional inspections and investigative follow-up on any discharges that appear to be contributing to water quality problems.

Part III. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false information, including the possibility of fines and imprisonment.

Any person who knowingly makes a false, fictitious, or fraudulent material statement, orally or in writing, to the Illinois EPA commits a Class 4 felony. A second or subsequent offense after conviction is a Class 3 felony (415 ILCS 5/44 (h)).

Steve Summers	County Executive
Authorized Representative Name	Title
Authorized Representative Signature	Date

You may complete this form online and save a copy locally before printing and signing the form. It should then be sent to:

Illinois Environmental Protection Agency
Bureau of Water
Division of Water Pollution Control
Attn: Permit Section
P.O. Box 19276
1021 North Grand Avenue East
Springfield, IL 62794-9276

Information required by this form must be provided to comply with 415 ILCS 5/39 (2000). Failure to do so may prevent this form from being processed and could result in your application being denied.