

October 2, 2018

Patrick Brown
Director of Development
BayWa r.e. Renewable Energy
17901 Von Karmen Avenue, Suite 1050
Irvine, CA 92614

RE: Agency Consultation with USFWS and ILDNR for the Proposed Prairie 1 Solar Farm

Dear Mr. Brown,

Jackson Group biologist completed a desktop review and agency coordination to address threatened and endangered species with potential to occur at the Proposed Prairie 1 Solar Farm in Champaign County, Illinois. Communications with the U.S. Fish and Wildlife Service - Marion Illinois Field Office (USFWS) and a review of the USFWS's Information for Planning and Consultation (IPaC) tool for the proposed project yielded four federally protected species covered under the Endangered Species Act (ESA) with potential to occur within the most current project boundary. No critical habitat for these species was identified within the project boundary. The four species identified by IPaC are listed below:

1. Indiana bat (*Myotis sodalis*) – Endangered
2. Northern long-eared bat (*Myotis septentrionalis*) – Threatened
3. Eastern prairie fringed orchid (*Platanthera leucophaea*) – Threatened
4. Prairie bush clover (*Lespedeza leptostachya*) – Threatened

Desktop review of aerial imagery for the project area was completed to determine if potential habitat for any of the above listed species may be present within the project boundary. No forested habitat (i.e. potential summer roosting habitat) for the Indiana bat and/or the northern long-eared bat was identified within the project boundary. Only a few scattered trees were found to exist within the project boundary. These trees occur along the proposed southwestern project boundary line in association with a short forested fence row and a perennial stream that flows south to north through the proposed project area. It is the Jackson Groups professional opinion that the project area is extremely poor habitat for the Indiana and northern long-eared bats because of the lack of forested habitat and the project area is dominated by agricultural fields. Additionally, because the project area is dominated by agricultural fields only a few areas exist with potential for the Eastern prairie fringed orchid or Prairie bush clover to occur. These areas are located along the narrow stream riparian zones which are found flowing north to south along the far southwestern and eastern boundaries of the proposed project area. It is the Jackson Groups professional opinion that the project area is extremely poor habitat for either the Eastern prairie fringed orchid or Prairie bush clover. This determination is based on the knowledge of habitat requirement for both species and the project area being dominated by agricultural fields with only two narrow stream riparian zones that have been heavily impacted by agricultural practices and most likely dominated by weedy invasive and or exotic species.

However, we (Jackson Group) recommend conducting onsite habitat assessments to document the lack of threatened and/or endangered species presence or their habitat within the project boundary. This information will be necessary for project proponents during Clean Water Act permitting and section 7 consultation under the ESA.

Jackson Group biologist also coordinated with the Illinois Department of Natural Resources (ILDNR) and utilized EcoCat ILDNR's ecological compliance assessment tool to evaluate the proposed project area for state listed threatened and endangered species covered under the Illinois Endangered Species Protection Act. Only one species the Bigeye Chub (*Hybopsis amblops*) within the minnow family (Cyprinidae) was identified by EcoCat with potential to occur. It is the Jackson Groups professional opinion based on knowledge of the species habitat requirements that the project area is extremely poor habitat for the bigeye chub as streams within the proposed project boundary have been heavily impacted by agricultural practices. Additionally, this species is exceptionally intolerant of siltation which is a common in stream whose watersheds are dominated by agricultural.

Here again, we (Jackson Group) recommend conducting an onsite assessments for the Bigeye Chub to document the lack of the species presence or its habitat within the project boundary.

Sincerely,



Jeremy L. Jackson
President, Jackson Group



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Southern Illinois Sub-Office

Marion Illinois Sub-office

8588 Route 148

Marion, IL 62959-5822

Phone: (618) 997-3344 Fax: (618) 997-8961

<http://www.fws.gov/midwest/Endangered/section7/s7process/step1.html>

In Reply Refer To:

September 28, 2018

Consultation Code: 03E18100-2018-SLI-0747

Event Code: 03E18100-2018-E-01844

Project Name: Prairie Solar

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The attached species list identifies any federally threatened, endangered, proposed and candidate species that may occur within the boundary of your proposed project or may be affected by your proposed project. The list also includes designated critical habitat if present within your proposed project area or affected by your project. This list is provided to you as the initial step of the consultation process required under section 7(c) of the Endangered Species Act, also referred to as Section 7 Consultation.

Section 7 of the Endangered Species Act of 1973 requires that actions authorized, funded, or carried out by Federal agencies not jeopardize federally threatened or endangered species or adversely modify designated critical habitat. To fulfill this mandate, Federal agencies (or their designated non-federal representative) must consult with the Service if they determine their project "may affect" listed species or critical habitat. Under the ESA, it is the responsibility of the Federal action agency or its designated representative to determine if a proposed action "may affect" endangered, threatened, or proposed species, or designated critical habitat, and if so, to consult with the Service further. Similarly, it is the responsibility of the Federal action agency or project proponent, not the Service to make "no effect" determinations. If you determine that your proposed action will have "no effect" on threatened or endangered species or their respective critical habitat, you do not need to seek concurrence with the Service. Nevertheless, it is a violation of Federal law to harm or harass any federally-listed threatened or endangered fish or wildlife species without the appropriate permit.

Under 50 CFR 402.12(e) (the regulations that implement Section 7 of the Endangered Species Act) the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally. You may verify the list by visiting the ECOS-IPaC website

<http://ecos.fws.gov/ipac/> at regular intervals during project planning and implementation and completing the same process you used to receive the attached list. As an alternative, you may contact this Ecological Services Field Office for updates.

Please use the species list provided and visit the U.S. Fish and Wildlife Service's Region 3 Section 7 Technical Assistance website <http://www.fws.gov/midwest/endangered/section7/s7process/index.html>. This website contains step-by-step instructions which will help you determine if your project will have an adverse effect on listed species and will help lead you through the Section 7 process.

For all wind energy projects and projects that include installing towers that use guy wires or are over 200 feet in height, please contact this field office directly for assistance, even if no federally listed plants, animals or critical habitat are present within your proposed project or may be affected by your proposed project.

Although no longer protected under the Endangered Species Act, be aware that bald eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*) and Migratory Bird Treaty Act (16 U.S.C. 703 *et seq.*), as are golden eagles. Projects affecting these species may require measures to avoid harming eagles or may require a permit. If your project is near an eagle nest or winter roost area, see our Eagle Permits website <http://www.fws.gov/midwest/midwestbird/EaglePermits/index.html> to help you determine if you can avoid impacting eagles or if a permit may be necessary.

We appreciate your concern for threatened and endangered species. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Southern Illinois Sub-Office

Marion Illinois Sub-office
8588 Route 148
Marion, IL 62959-5822
(618) 997-3344

This project's location is within the jurisdiction of multiple offices. Expect additional species list documents from the following office, and expect that the species and critical habitats in each document reflect only those that fall in the office's jurisdiction:

Illinois-Iowa Ecological Services Field Office

Illinois & Iowa Ecological Services Field Office
1511 47th Ave
Moline, IL 61265-7022
(309) 757-5800

Project Summary

Consultation Code: 03E18100-2018-SLI-0747

Event Code: 03E18100-2018-E-01844

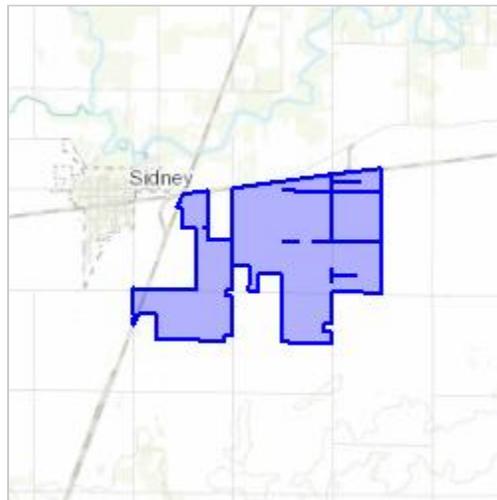
Project Name: Prairie Solar

Project Type: ** OTHER **

Project Description: Proposed Solar Farm

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/40.015648237500045N88.03353401865482W>



Counties: Champaign, IL

Endangered Species Act Species

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

-
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Indiana Bat <i>Myotis sodalis</i> There is final critical habitat for this species. Your location is outside the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5949	Endangered
Northern Long-eared Bat <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Flowering Plants

NAME	STATUS
Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/601	Threatened
Prairie Bush-clover <i>Lespedeza leptostachya</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/4458	Threatened

Critical habitats

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

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Applicant: BayWa r.e. Renewable Energy
Contact: Jeremy Jackson
Address: 17901 Von Karman Avenue
Suite 1050
Irvine, CA 92614

IDNR Project Number: 1903559
Date: 10/01/2018

Project: Prairie 1 Solar Farm
Address: County Road 900 N, Sidney

Description: Solar Farm

Natural Resource Review Results

This project was submitted for information only. It is not a consultation under Part 1075.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Bigeye Chub (*Hybopsis amblops*)

Location

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



County: Champaign

Township, Range, Section:

- 18N, 10E, 10
- 18N, 10E, 11
- 18N, 10E, 12
- 18N, 10E, 13
- 18N, 10E, 14
- 18N, 10E, 15
- 18N, 10E, 22
- 18N, 10E, 23
- 18N, 10E, 24

IL Department of Natural Resources

Contact

Impact Assessment Section
217-785-5500
Division of Ecosystems & Environment

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

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EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.



EcoCAT Receipt	Project Code 1903559
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APPLICANT	DATE
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BayWa r.e. Renewable Energy Robert Oney 4044 Pine Grove Road Suite 1050 Versailles, KY 40383	10/1/2018
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DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
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EcoCAT Consultation	\$ 25.00	\$ 1.00	\$ 26.00
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TOTAL PAID \$ 26.00

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov



BAT HABITAT ASSESSMENT REPORT

PROPOSED PRAIRIE 1 SOLAR FARM
CHAMPAIGN COUNTY, ILLINOIS

Prepared by:

Jackson Group
3945 Simpson Lane
Richmond, KY 40475
www.jacksonsgroupco.com

Prepared for:



October 2018

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1.0 INTRODUCTION

On behalf of BayWa r.e. Renewable Energy (BayWa), Jackson Group has prepared the following document to assess potential habitat for threatened and endangered bat species, the Indiana bat (*Myotis sodalis*) and northern long-eared bat (*Myotis septentrionalis*) for the proposed Prairie 1 Solar Farm in Champaign County, Illinois. The methods used to develop this document were derived from the current Range-Wide Indiana Bat Summer Survey Guidelines (dated April 2018).

1.1 Project Description

The Project site is located in Sidney Township, in northeastern Champaign County (County) Illinois. The Project site is approximately 9 miles southeast of the City of Champaign and .50 mile southeast of the city of Sidney, and intersects the unincorporated community of Rutherford. The Project site is located east of S. Bryant Road. County Road 900 traverses the site from east to west, and County Road 2200 E. and County Road 2300 E traverse the site from north to south. The Project site is located adjacent to the city of Sidney to the northwest, and agricultural operations to the north, east, south and west. A gen-tie line would extend west approximately 1,500 feet from the Project site to the existing Ameren Illinois substation located to the northwest of the project site.

The location of the Project was selected because of its proximity to the existing Ameren Illinois transmission corridor, the site’s nearby access to existing roads, and the site’s excellent solar irradiance. Locally, site access to the Project would be located at five different locations along County Road 900 N, three different locations along County Road 2300 E, and one location along County Road 2200E.

The Project site and surrounding properties are mostly composed of agricultural operations. An existing Ameren Illinois transmission line corridor exists along the northern edge of the project site, a second transmission corridor runs north to south along County Road 2200E, and two additional transmission corridors run east to west across the project site. The proposed project can be located at approximate coordinates 40.018288°N, -88.038333°W. The project area and location are depicted on mapping provided in Appendix A.

2.0 HABITAT ASSESSMENT AND FIELD SURVEYS

Jackson Group utilized the 2011 National Land Cover Database to calculate the amount of forested habitat within the project area. Forested and non-forested acreages within the habitat evaluation area were calculated for pre-construction and post construction scenarios (Table 1). A total of approximately 0.77 acres of forested habitat will be impacted within the project area, representing an approximately less than 1% reduction in forested habitat within the total habitat evaluation area. Impacts to 0.77 acres will be permanent, representing a very minor permanent reduction in forested habitat.

Table 1. Forested Impacts within Project area.

Phase	Project	Total Acres	Non-Forested Acres	Forest Impacts	Forested Acres
Pre-Tree Clearing	Prairie 1 Solar	1,275 ¹	1,274.23 ¹	0.0	0.77 ¹
Post-Tree Clearing	Prairie 1 Solar	1,275 ¹	1,274.23 ¹	0.77 ¹	0.77 ¹
Resulting Loss of Forested Habitat					0.77 ¹

¹ Approximate acreages.

2.1 Field Survey

The proposed Project was systematically surveyed by qualified biologists on October 5, 2018 to enumerate the number of potential roost trees (PRTs) and to assess the quality and quantity of potentially suitable roosting habitat within the Project area. For the purposes of the field surveys, trees were considered potentially suitable roost trees if they possessed the following characteristics (USFWS, 2018):

- diameter at breast height (dbh) \geq 5 inches dbh (Indiana bat), or
- diameter at breast height (dbh) \geq 3 inches dbh (northern long-eared bat),
- and have exfoliating bark, cracks, crevices, and/or hollows

Data was collected on all PRT’s for the proposed tree clearing areas within the 1,275 acre project area. All trees that exhibited suitable roosting characteristics, as described above, were geo-referenced and recorded. Characteristics such as tree species and diameter at breast height were recorded as well.

During the course of the habitat assessment, qualified biologists also recorded current forest conditions so that the quality and quantity of Indiana bat and northern long-eared bat travel and foraging habitat could be assessed. Forest conditions were evaluated as to canopy and understory characteristics, average dbh, tree species, presence of known jurisdictional water resources, and suitability for Indiana and northern long-eared bat habitat. Forest conditions were evaluated by the type of habitat use supported (i.e. roosting, foraging, commuting).

2.1.1 Summer Habitat

2.1.1.1 Potential Roost Trees

No trees that exhibited suitable summer roosting characteristics were identified within the approximate 1,275 acre project area.

2.1.1.2 Forested Habitat

Within the project area, 0.77 acres are proposed to be affected by tree clearing. On-site conditions were recorded by qualified surveyors. Area streams and cropland forested fence rows serve as sources of potential foraging habitat. Complete survey information, including tree a clearing area description, tree species, and habitat type are provided in Table 2. Photographs can be found in Appendix B.

Table 2. Habitat assessment within tree clearing areas.

Area	Plot Description	Tree Species	Habitat Type ¹
1	Tree clearing Area 1 is comprised of a wooded fence row.	<i>Celtis occidentalis</i> , <i>Maclura pomifera</i> , <i>Prunus serotina</i> , <i>Morus rubra</i>	Non-roosting

¹MYSO and MYSE Habitat:

Maternity Roosting – plot contains one or more trees >9 inches dbh, exhibiting roosting characteristics, and >25 % solar exposure.

Non-Maternity Roosting – plot contains one or more trees > 5 inches dbh, exhibiting roosting characteristics

Foraging – plot does not contain trees with suitable roosting characteristics, but provides habitat suitable for use by foraging and/or commuting bats.

¹Non-roosting:

Forested habitat comprised of trees that do not exhibit any roosting characteristics.

2.1.2 Winter Habitat

The proposed project area was systematically surveyed by qualified biologists to identify cave and/or portal openings that may provide suitable winter habitat for the Indiana bat. No winter habitat was observed during the field survey efforts. No impacts to Indiana bat or northern long-eared bat spring or fall swarming habitat are expected as a result of the proposed Project.

3.0 Summary

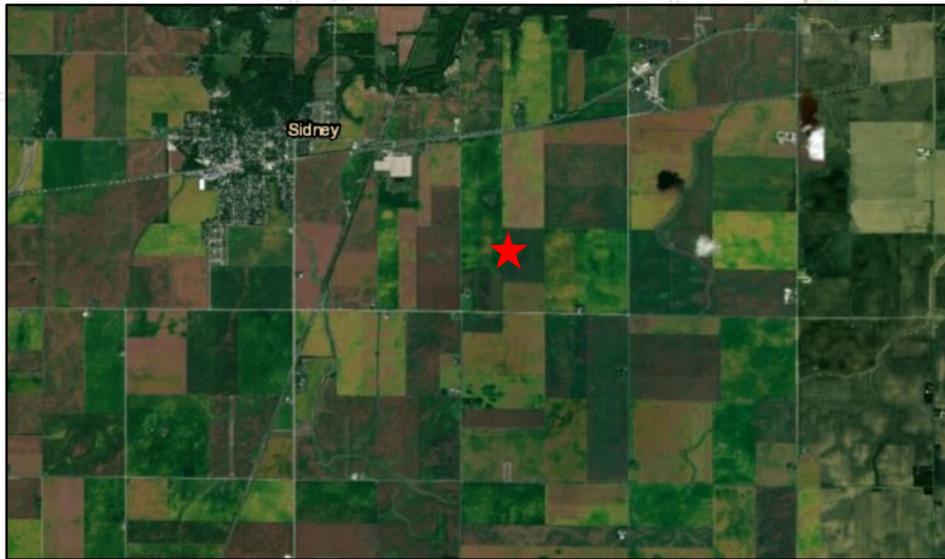
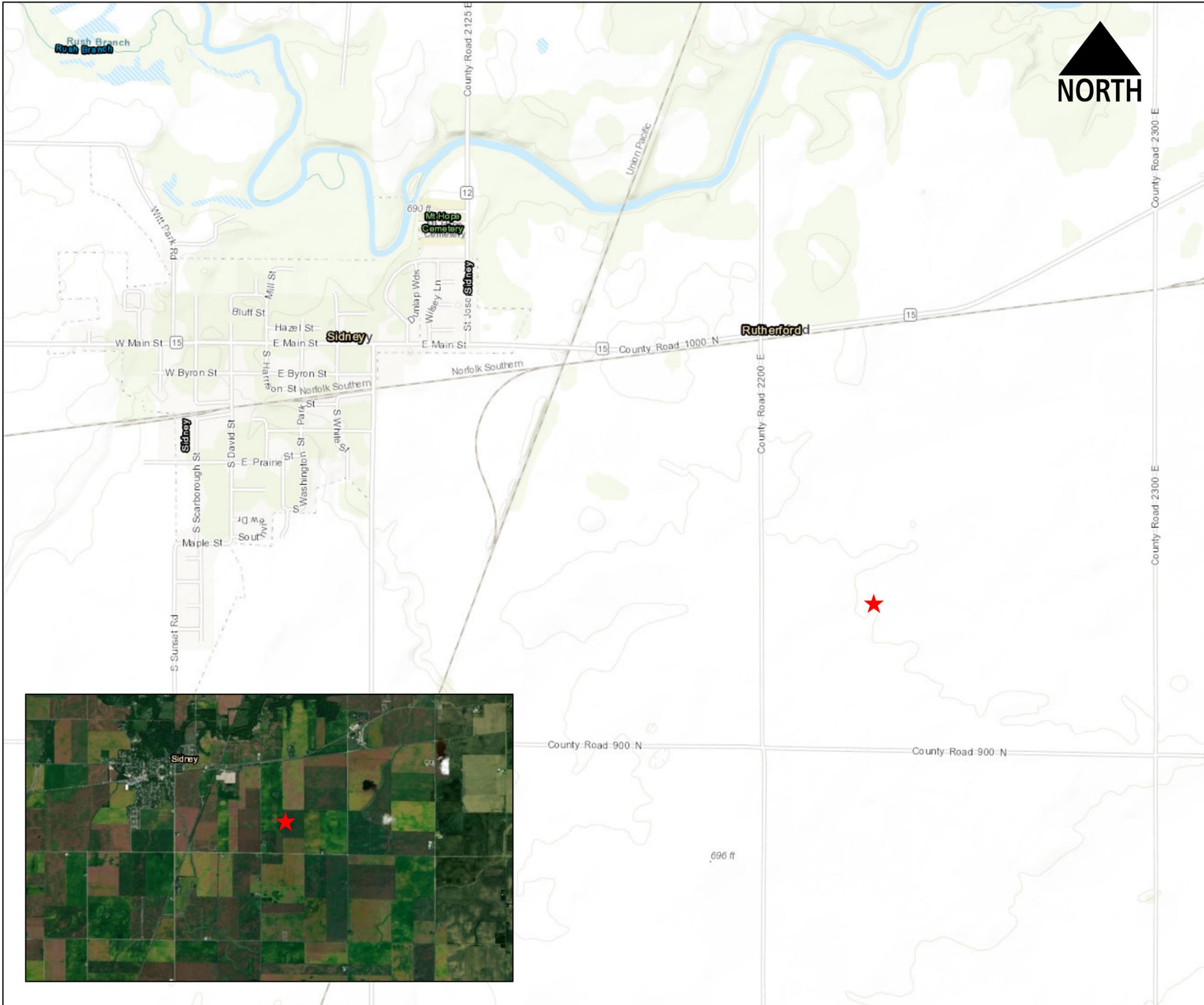
Agricultural croplands (row crops), residential/commercial properties, and deciduous forest are the dominant land covers types adjacent to the proposed project area. The project area however is dominated by agricultural lands with little to no forested habitat present. The forested habitat that is present with the project area occurs along the southwestern boundary in the form of a wooded agricultural fence row. This area was assessed by qualified biologist for potential summer roosting habitat for the Indiana and Northern long-eared bats. No trees that exhibited suitable roosting characteristics were identified within the wooded fence row.

A total of approximately 0.77 acres of forested habitat will be impacted within the project area, representing approximately less than 1% reduction in forested habitat within the total habitat evaluation area. Impacts to 0.77 acres will be permanent, representing a very minor permanent reduction in forested habitat.

No winter habitat was observed during the field survey efforts therefore no impacts to any Indiana bat or northern long-eared bat spring or fall swarming habitat are expected as a result of the proposed Project.

No impacts to Indiana bat or northern long-eared bat summer roosting habitat are expected as a result of the proposed Project.

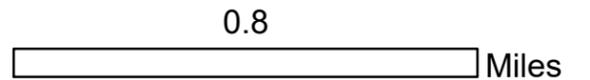
Appendix A: Project Mapping



PRAIRIE SOLAR 1
 SIDNEY, CHAMPAIGN COUNTY, IL
 Project Vicinity Map

Legend

★ Project Vicinity





PRAIRIE SOLAR 1
SIDNEY, CHAMPAIGN COUNTY, IL

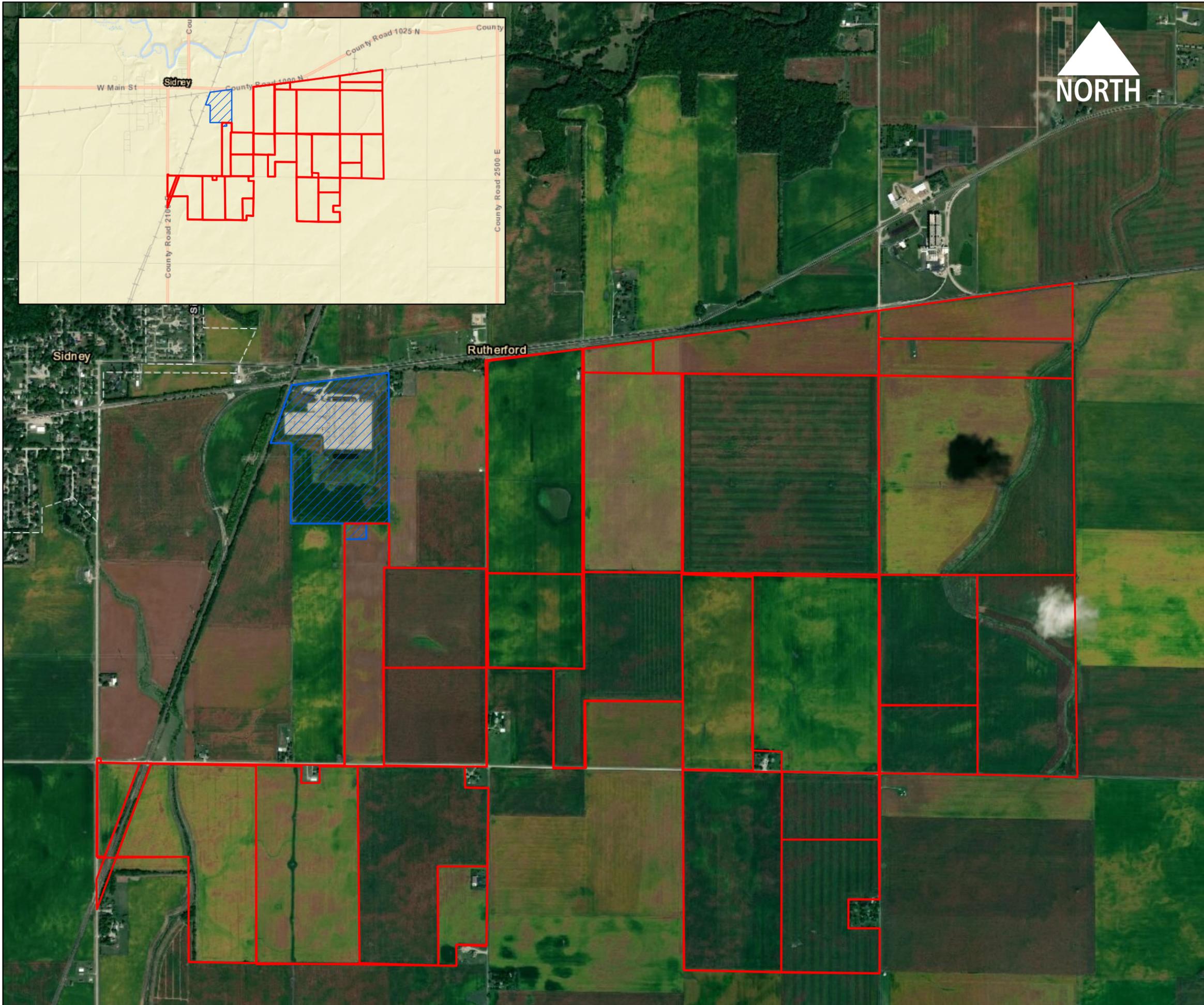
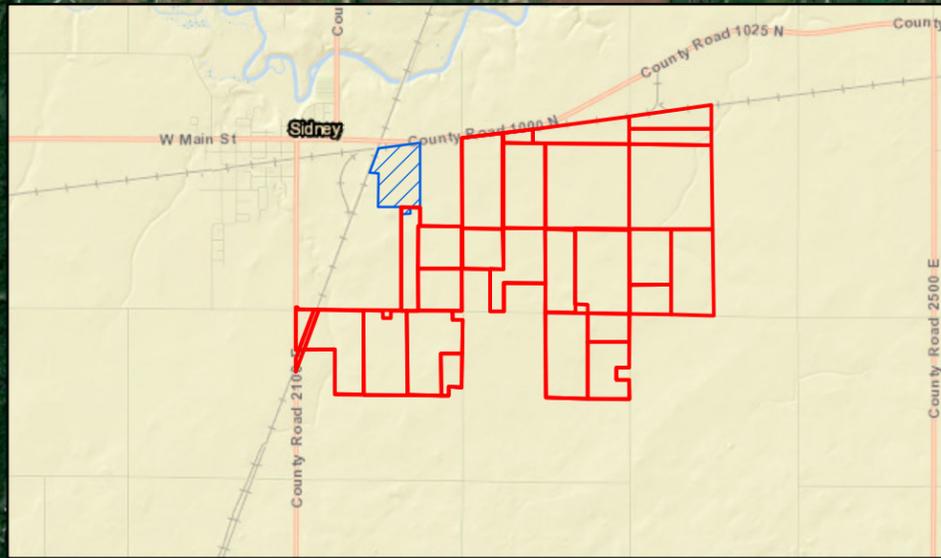
Project Vicinity Map



Legend

-  Proposed Project Area
-  Sidney Substation

4,500 Feet

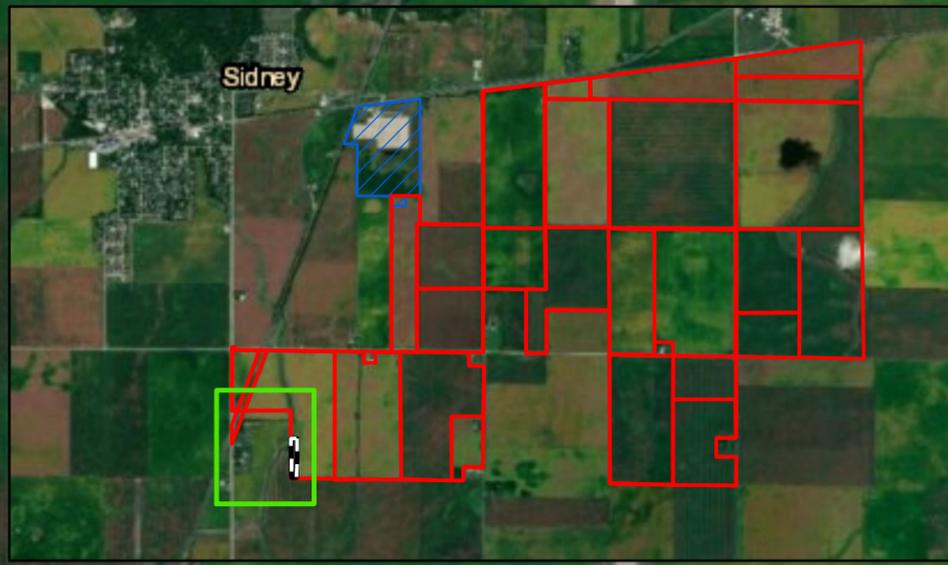
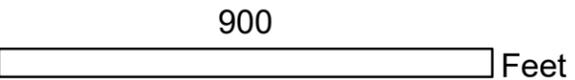




PRAIRIE SOLAR 1
SIDNEY, CHAMPAIGN COUNTY, IL
Project Vicinity Map

Legend

-  Proposed Project Area
-  Sidney Substation
-  Habitat Evaluation Area



Appendix B: Photographs



View of wooded fence row facing south.



View of wooded fence row facing north.



Representative photograph of understory/shrub layer at wooded fence row.



Representative photograph of stream channels within the project area.