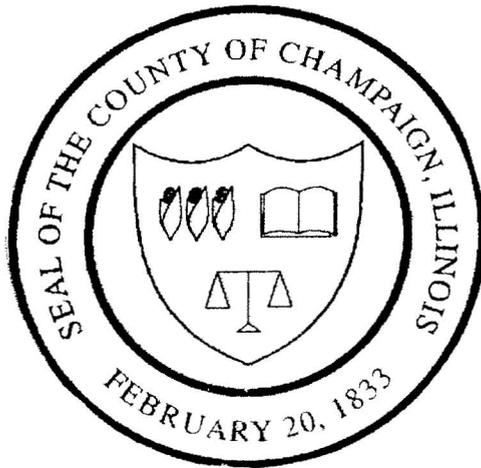


*Environment
& Land Use Committee
Agenda*

June 08, 2009



7:00 p.m.

*Lyle Shields Meeting Room
(Meeting Room 1)
Brookens Administrative Center
1776 East Washington, Urbana, IL 61802
(217) 384-3708*

AGENDA

Champaign County Environment & Land Use Committee

Members:

*Carol Ammons, Jan Anderson, Chris Doenitz
Brad Jones, Alan Kurtz (VC), Ralph Langenheim,
Steve Moser, Jon Schroeder, Barbara Wysocki (C)*

Date: *June 8, 2009*

Time: *7:00 p.m.*

Place: *Lyle Shields Meeting Room
Brookens Administrative Center
1776 E. Washington St.
Urbana, Illinois*

Phone: *(217) 384-3708*

AGENDA

Old Business shown in Italics

1. **Call to Order**
2. **Approval of Agenda**
3. **Approval of Minutes (May 11, 2009)** **1 thru 22**
4. **Correspondence**
 - A. **Letter from Sodemann & Associates, Inc. dated May 26, 2009** **23 thru 24**
5. **Chair's Report**
 - A. **Cancellation of July Committee Meeting**
6. **Public Participation**
7. **Recreation and Entertainment License: Champaign County Fair Association** **25 thru 31**
902 N. Coler Ave, Urbana. County Fair and Carnival July 24 thru August 1, 2009
8. **Updates:**
 - A. ***Champaign County Hazard Mitigation Plan***
 - B. ***House Bill 466 (regarding Chatham decision)*** **32 thru 34**
 - C. ***2009 Countywide Computer and Electronics Recycling Collection Report*** **35 thru 36**
9. **Preliminary Overview of Draft Goals and Policies for the Land Resource Management Plan** **37 thru 54**
10. **Recommendations of the East-Central Illinois Regional Water Planning Committee** **55 thru 64**
11. **Hiring Professional Consultants for Review of Certain Technical Studies for Wind Farm County Board Special Use Permits** **65 thru 66**

*CHAMPAIGN COUNTY
ENVIRONMENT AND LAND USE COMMITTEE AGENDA
JUNE 08, 2009
PAGE 2*

12. Monthly Reports (October-December 2008 and January-May 2009)
(to be distributed at meeting)

13. Other Business

14. Determination of Items to be placed on the County Board Consent Agenda

15. Adjournment

MINUTES OF REGULAR MEETING

**Champaign County Environment
& Land Use Committee
Champaign County Brookens
Administrative Center
Urbana, IL 61802**

**DATE: May 11, 2009
TIME: 7:00 p.m.
PLACE: Lyle Shields Meeting Room
Brookens Administrative Center
1776 E. Washington Street
Urbana, IL 61802**

MEMBERS PRESENT: Carol Ammons, Jan Anderson, Chris Doenitz, Brad Jones, Steve Moser, Alan Kurtz (VP), Jon Schroeder, Barbara Wysocki (C)

**OTHER COUNTY
BOARD MEMBERS
PRESENT:**

Pius Weibel (County Board Chair), Alan Nudo

MEMBERS ABSENT: Ralph Langenheim

STAFF PRESENT: John Hall, Leroy Holliday, J.R. Knight, Susan Monte (Regional Planning Commission), Susan Chavarria (Regional Planning Commission), Deb Busey

OTHERS PRESENT: Eric Thorsland, Russ Taylor, Sherry Schildt, Brad Uken, Tim Poltz, Sherry Schildt, Trish Gale

1. Call to Order, Roll Call

The meeting was called to order at 7:02 p.m. The roll was called and a quorum declared present.

2. Approval of Agenda

Mr. Jones moved, seconded by Mr. Kurtz to approve the agenda as submitted. The motion carried by voice vote.

Mr. Schroeder arrived at 7:03pm.

3. Approval of Minutes (April 13, 2009)

Ms. Ammons moved, seconded by Ms. Anderson to approve the April 13, 2009, minutes as submitted. The motion carried by voice vote.

4. Correspondence

A. Letter from the Champaign County Farm Bureau received May 5, 2009.

1 Ms. Wysocki said that there was a letter each County Board Member received dated May 5, 2009, from the
2 Champaign County Farm Bureau. She said that it was there for information only.

3

4 **5. Chair’s Report**

5

6 None

7

8 **6. Public Participation**

9

10 Brad Uken, said that he was the Chairman of the East Central Illinois Regional Water Supply Planning
11 Committee. He said that about two and a half years ago a committee was formed to study the Mahomet
12 Aquifer to look at the supply and demand and develop a management plan out to the year 2050. He said
13 there were 12 individuals appointed to this committee that was created under an executive order by the
14 former Governor Blagojevich. He said that in the letter that was distributed you will see that there were 12
15 individuals representing various interest groups. He said that they started off by looking at the demand side
16 and how much was going to be needed in the aquifer to the year 2050. He said that they hired a company
17 from Bloomington, Indiana. and that portion of the study was done. He said that Illinois State Water Survey
18 was a part of the University of Illinois is working on that side of the equation using the demand information.
19 He said that the third part is to create a management plan to the year 2050 so that’s where the challenge
20 comes up and how did they come up with the year 2050. He said that was directed to us by the Governor and
21 the best reasoning behind that was that it was multiple generations over a span of time to plan for.

22

23 Mr. Uken said that on May 15 they will release a draft report with information on the demand and supply of
24 the Mahomet Aquifer and also a recommendation on how to manage the aquifer out to the year 2050. He
25 said that there was a variety of things that were included but he liked for the Board to review the handout
26 that was distributed but one of the interesting things was the Champaign-Urbana area. He said that the Water
27 Survey has information that the aquifer generally flows from the Paxton and Gilman area down to
28 Champaign-Urbana then heads down to the Monticello area and then northwest and ends up at the Illinois
29 River at Havana. He said that in Champaign-Urbana we are actually pulling water backwards from the flow
30 of the aquifer. He said that the aquifer moves approximately inches or feet per year and it is not a fast
31 moving river like some people believe and it does not come from Pennsylvania but our water comes from
32 here.

33

34 Mr. Uken said that there is a reason for concern and management because we are using a lot of water and
35 pulling the water backwards from its natural flow. He said that the aquifer is a totally different animal when
36 you get to the far west side and you could practically take a spade and dig down to the aquifer but here
37 recharge would take a lot longer. He said that another concern is that Springfield, Decatur and Bloomington
38 may try to locate wells in the aquifer. He said that currently they are using mostly surface water but if they
39 look into things and they get into drought conditions they would look stronger at tapping into the aquifer for
40 their water supply and that will have impacts on us as well as anyone that uses it. He said the Mahomet
41 Aquifer is a limited natural resource and that is why it is critical that we develop the management plan and
42 start to look at it.

1
 2 Mr. Uken said that a draft of this plan will be available to the public to take a look at on May 15 with a final
 3 document by the end of June and at that point they would have everything approved by their committee so
 4 that we along with others will start to implement some of the actions that we should be undertaking.

5
 6 Mr. Uken said that this must be locally managed and not allow a statewide group or organization to try to
 7 give us direction on how to manage our aquifer.

8
 9 Russ Taylor, representative of the Mahomet Township Plan Commission said that they had not filed a formal
 10 protest but they met and although they did not get the protest submitted properly they voted unanimously to
 11 oppose the dropping of the Map Amendment. He said that he wanted that to be on the record.

12
 13 **Mr. Schroeder move, seconded by Mr. Kurtz to suspend the rules. The motion carried by voice vote.**

14
 15 Mr. Schroeder asked Mr. Taylor if the vote was unanimous.

16
 17 Mr. Taylor said yes.

18
 19 Mr. Schroeder asked Mr. Taylor if the Mahomet Township Plan Commission has drawn up a
 20 Comprehensive plan or does Mahomet Township have any planning.

21
 22 Mr. Taylor said that a lot of the township is covered by the Village of Mahomet plan but they do not have a
 23 separate plan for the township.

24
 25 Mr. Moser arrived at 7:08pm.

26
 27 Ms. Sherry Schildt distributed a news article from a website. Sherry Schildt said that she lives at 398 CR
 28 2500N in Mahomet. She said her husband wanted to be here tonight but he had a conflict in scheduling with
 29 a township meeting. Ms. Schildt said that she had found a newspaper article today that was published May 9.
 30 She said that this newspaper was from New York and the article pertains to setbacks, noise and property
 31 values.

32
 33 Ms. Schildt read from the article she submitted.

34
 35 After reading her prepared statement Ms. Schildt said that she looked at the zoning code for the state and she
 36 could not find anything that specifically addresses what happens after a public hearing of the Zoning Board
 37 of Appeals. She said that for a Special Use Permit it says the County Board may by ordinance or without
 38 further public hearing adopt any proposed Special Use upon receiving the report from the ZBA or it may
 39 refer the proposal back to the Board of Appeals for further consideration. Ms. Schildt said that this seems to
 40 be the principal in state law and if ELUC changes the proposed ordinance after the public hearing is closed
 41 that would violate this principal. She said that she could not find anything in state law that talks about what
 42 happens after a ZBA public hearing on a text amendment but she was just holding that out as a question and

1 she did not know if there was an answer.

2
3 Mr. Hall said that a Special Use Permit could be sent back to the ZBA to make changes.

4
5 Ms. Schildt asked Mr. Hall if a change could be made even after the public hearing is closed.

6
7 Mr. Hall said yes particularly in this case with a text amendment. He said that you yourself said that it may
8 get sent back to ZBA.

9
10 Tim Poltz of Midwest Wind Energy addressed the Board regarding shadow flicker. Mr. Poltz said that his
11 comment has to do with the revised Ordinance in particularly in Section M on page 74 of the Ordinance. He
12 said that his understanding and in talking to the Zoning Administrator regarding the revised language is that
13 it keeps the standards the same as they were in the previous draft while simply allowing a private waiver for
14 any shadow flicker without putting a number on the maximum number of hours of what the County would
15 deem acceptable with shadow flicker. He said that shadow flicker could be a very suggestive thing. He said
16 that they could submit a shadow flicker study and a map which shows the average number of minutes or
17 hours per year of possible shadow flicker and it is difficult to have a zero tolerance rule in the Ordinance and
18 from their perspective it would make the Ordinance very difficult for them to work with because there would
19 be no room for error. He said that if they were to come and build a turbine where they would expect to have
20 very minimal impact on any surrounding dwellings and if there is a small amount of shadow flicker this
21 Ordinance would hold them in violation of the Ordinance and the consequences would be to comply with the
22 Ordinance or remove the turbine altogether and that was not a risk they would be willing to take nor would
23 anyone that would be financing the turbines. He said that his suggestion would be that the Ordinance be
24 amended to allow some maximum number of shadow flicker or at least allow for mitigation measures.

25
26 Ms. Wysocki asked if there was anyone else to speak.

27 Ms. Wysocki declared public participation closed.

28
29 **7. Recreation and Entertainment License: Eastern Illinois A.B.A.T.E., Inc, for live bands,**
30 **camping bike rodeo. June 5 and 6, 2009.**

31
32 **Mr. Schroeder moved, seconded by Mr. Kurtz to approve the Recreation and Entertainment License**
33 **for Eastern Illinois A.B.A.T.E., Inc. The motion carried by voice vote**

- 34
35
36 **8. Updates:**
37 **A. Champaign County Land Resource Management Plan**
38 **B. Champaign County Hazard Mitigation Plan**
39 **C. House Bill 2518 (regarding Chatham decision)**

40
41 **A. Champaign County Land Use Resource Management Plan**
42 Susan Chavarria, Regional Planning Manager with the Regional Planning Commission distributed a packet

1 for the Committee to review and spoke regarding the Land Resource Management Plan. She said that they
 2 are the consultants for the Land Resource Management Plan that Champaign County had decided to
 3 undertake. She said that they started in September 2007 with this planning process and is now in Stage Two
 4 which is the goals, objectives and policies. She said that this is one of the most controversial parts of the
 5 whole plan because it's detailing how our land resources could be used in the next 20 to 50 years. Ms.
 6 Chavarria said that she wanted to get the Committee started thinking about the approval of the goals,
 7 objectives and polices and they will be coming in August seeking signoff on Stage Two so she wanted to
 8 make sure that the Committee had the resources they needed to have a good conversation about it among
 9 themselves and then fully take into consideration what all these goals, objectives and policies mean.

10
 11 Ms. Chavarria said that in the packet there are three items and the first one is a summary of some of the
 12 information we had gone through in the past, where they are with the current status and next steps.

13 Ms. Chavarria said that the number of meetings they originally anticipated for this Stage Two process was
 14 six. She said that the number that they have for this stage to this date is nineteen. She said that the number of
 15 months they had originally anticipated for this date was seven but they have spent twelve so far trying to put
 16 the goal, objectives and policies together as a committee. She said that the committee members spent forty
 17 five hours just in meetings not counting the review time. She said that there were one hundred forty six
 18 goals, objectives and policies that had been written, revised and revised again during the course of a year or
 19 so.

20
 21 Ms. Chavarria said that as far as the current status they had reached a milestone last week making it through
 22 the entire document for the first time. She said that they have one objective and seven policies that they need
 23 to go back and look at again so staff will be rewording and bringing it back to the Committee again in June
 24 and the Committee was also requesting additional objectives and policies in there and she hoped to have that
 25 done by the June 11th meeting. Ms. Chavarria said that they anticipate coming to ELUC in August and by the
 26 Committee signing off on this document they are signing off on stage two.

27
 28 Ms. Chavarria said that Stage Three is the Future Land Use Map and Stage Four is the Implementation Plan
 29 and staff had already started on both of those so they hope to bring that to the Committee quickly so she
 30 hopes to have a completed draft document by November 2009 and if it goes to the County Board then it
 31 would be approximately six months which includes a review process, public hearings and a couple of visits
 32 to ELUC and the County Board so the final document would be done by May 2010.

33
 34 Mr. Kurtz said that he would like to congratulate the Chair, Committee and staff for the excellent work and
 35 persistence in the years and hours they put into this. He said that he sat in on a number of these meetings and
 36 it was a job well done.

37
 38 **B. Hazard Mitigation Plan**

39
 40 Ms. Chavarria said that they have the Planning Team, staff and Regional Planning Commission Technical
 41 Committee reviewing what is the Draft Hazard Mitigation Plan Document and FEMA is also reviewing it at
 42 this time. She said that there is a public hearing set for June 8 at 6:30pm before the next ELUC meeting and

1 that meeting will be an opportunity for the public comment on the draft document and for ELUC members to
2 attend and provide comments before the regular meeting. She said that they will provide an overview of the
3 plan and Susan Monte will be facilitating that.
4

5
6 **C. House Bill 2518 (Regarding Chatham Decision)**
7

8 Mr. Hall said that he had not had a chance to check the General Assembly website to see if there had been a
9 vote on this since the last meeting so he did not have any new information.
10

11 **9. Case 634-AT-08 Petitioner: Zoning Administrator Request: Amend the Champaign County**
12 **Zoning Ordinance as follows: A. Authorize the County Board to approve Special Use Permits**
13 **(SUP) and to change the requirements for development of wind turbine developments (wind**
14 **farms) to a County Board Special Use Permit (CBSUP) and a rezoning to the new Wind Farm**
15 **Overlay Zoning District (WFO).**
16

17 **Mr. Kurtz moved, seconded by Mr. Doenitz to amend the Champaign County Zoning Ordinance to**
18 **authorize the County Board to approve Special Use Permits and change the requirements for**
19 **development of wind turbine developments for a County Board Special Use Permit.**
20

21 Mr. Kurtz said that there had been a lot of discussion over a number of months concerning what many
22 people felt are problems with wind farms. He said that the concerns regarding noise, shadow flicker and fire
23 and the other information that they had been getting were completely exaggerated and when you talk about
24 noise he thought that the Illinois Pollution Control Board which has tremendously good standards not only
25 during the day but even more strict in the evening and at night that the wind farm developers must adhere to.
26 He said that it would mitigate any of the noise problems even at the separations in place right now. He said
27 that they had handled the noise concerns in a matter necessary to negate any problems for a period of time.
28

29 Mr. Kurtz said secondly there was talk of fire hazard. He said that he had researched that area and it was
30 such a rare occasion that it would hardly be worth noting. He said that he talked to Chief Jay of the Corn Belt
31 Fire Protection District and discussed how they would fight a fire 400 feet in the air and his answer was that
32 they would not fight a fire 400 feet in the air much less fight an electrical fire 400 feet in the air. He said that
33 we are talking about a turbine in the middle of a farm field with pretty much no dwellings around it. He said
34 that Chief Jay said that they would watch the fire from the ground. He said that fire would burn out and any
35 debris that would fall would be doused so the fire hazard has been mitigated as well.
36

37 Mr. Kurtz said that thirdly, Ms. Ammons and Ms. Anderson were concerned at the last meeting about
38 shadow flicker. He said that he felt that he needed more information so he studied a report on impacts on
39 wind energy development on humans by the National Academy of Science and they talked about shadow
40 flicker. Mr. Kurtz said according to the impact project he said that shadow flicker caused by wind turbines
41 can be an annoyance and its effect needs to be considered during the design of a wind energy project. He said
42 that according to the study in the United States shadow flicker has not been identified as even a mild
43 annoyance. He said that he would like to remove M2 from the existing Ordinance and have M1 stand alone.

1 Mr. Kurtz moved, seconded by Mr. Schroeder to remove M2 from the existing Ordinance and have
2 M1 stand alone and the wind turbine developers need to have a shadow flicker study and identify
3 locations of both summer and winter shadow flicker.
4

5 Ms. Wysocki said that the motion had been made and seconded to remove M2 from the Ordinance.
6

7 Mr. Jones said what would be the point in the wind companies going through the expense of a study if we
8 are not going to use the study.
9

10 Mr. Kurtz said that last month when he asked that the whole section be removed it did not have enough votes
11 to do that so he felt we should just handle the exact problem which would be to remove Section Two.
12

13 Mr. Jones said that if we are going to remove Section Two then just remove the whole section.
14

15 Mr. Kurtz said that he would agree to remove the entire Section M.
16

17 Ms. Wysocki asked Mr. Jones if that was a friendly amendment.
18

19 Mr. Jones said yes.
20

21 Ms. Wysocki asked Mr. Schroeder since he seconded the motion if he was in agreement to the friendly
22 amendment.
23

24 Mr. Schroeder said yes.
25

26 Ms. Wysocki said that the motion now is to eliminate all of Section M.
27

28 Ms. Ammons asked if we eliminate it from the Ordinance totally and towers are put in place and there is a
29 concern with shadow flicker what would be the recourse if there would be a problem.
30

31 Mr. Hall said with what was being proposed there is no recourse because that's what the Board approved. He
32 said that in Bureau County he has seen a condition used although they do not have anything on shadow flicker
33 in their Ordinance but they added a condition of approval that says they will mitigate any shadow flicker that
34 may occur after construction. He said that Bureau County is concerned about any shadow flicker that occurs
35 after construction. He said that this may be a legal question but he thinks they could apply a condition like
36 that on the wind farm developer even though you don't ask for anything upfront.
37

38 Mr. Hall said that the alternative on page 74 did provide for a private waiver which was a big improvement
39 from what was in the version the Board saw last month.

40 Ms. Anderson said when the Zoning Board of Appeals went through this and recommended it to ELUC
41 someone had informed her that in their consideration of the overlay why they did not offer that based on the
42 1500 feet which was reduced to 1200 feet. She said that she thinks the concerns from some of the people

1 who wanted to have input by having the overlay was, among other things, shadow flicker.

2
3 Ms. Anderson asked Mr. Hall if he could speak on the difference of the separation and what the ZBA said
4 about that.

5
6 Mr. Hall said that his impression was that the Committee was aware that the ZBA had sent a system of
7 standards which the overlay was rejected but they increased the separation for non-participating dwellings to
8 1500 feet. He said that when you go in and take out parts of it you should be sensitive to the fact that they
9 had considered these trade offs so you should also consider those trade offs. He said that there was nothing
10 in writing where the ZBA said that this was a carefully balanced system and if you disturb any of it you are
11 completely destroying it and if you go through the minutes of those meetings they were having a discussion
12 like that and the tendency was to increase the separations and get rid of the map amendment and the effect of
13 the last ELUC meeting was to lower the separations to what they were when they were considering the map
14 amendment.

15
16 Ms. Anderson said Germany has a lot of wind farms but they don't have houses in the country so much
17 because they live in the villages and they go in the country to farm so there are not as many dwellings to
18 consider.

19
20 Mr. Kurtz said that in his mind when it says any dwelling, if it's touched at any time by a shadow because
21 that's exactly what it says, existing dwellings shall not be subject to shadow flicker there is not any if, and or
22 buts here. He said that existing dwellings, as Mr. Hall stated last week, could be any kind of dwelling and it
23 does not even have to be occupied. He said so we are talking about shadow flicker which could be
24 momentary which is probably true because the National Academy of Sciences don't even see that as a
25 problem in the United States at all and most of the studies we had been seeing are from Northern Europe
26 which does have a problem with shadow flicker. He said that it would be a problem putting up a turbine
27 anywhere because somewhere shadow flicker will happen and moving a turbine or taking down a turbine
28 would be impossible.

29
30 Ms. Ammons said that she guesses the last point was the point of the discussion because you do not want to
31 put up anything that large just for someone else to say that it's flickering on my widow every twenty minutes
32 or an hour and have a big problem to deal with. She said that she did not know if she was opposed but at that
33 point she was not convinced that removing any regulatory standard was wise.

34
35 Mr. Kurtz asked Mr. Hall if this was removed would Ms. Ammons have the right to add a new shadow
36 flicker section here if she could replace it with a substitute that would be okay to the Committee.

37
38 Mr. Hall said yes if it passes.

39 Mr. Jones said that he believed that the Committee could have some type of provision in here to study and
40 possibly mitigate shadow flicker but on page 65 (M) he agreed with Mr. Kurtz but if you go to the revision
41 on page 74 he was concerned with that because it talked about non-participating dwellings having to sign a
42 waiver if there was any shadow flicker and to him the project just would not happen because they won't sign

1 a waiver.
2
3 Mr. Hall said that the idea of a private wavier was that they will get the buy-in of the non-participating land
4 owner by whatever means that was necessary. He said that he was talking to Dwight Farber and who by the
5 way had a previous meeting and he was saying one of the mitigation measures they used was to simply put
6 awnings on the dwellings that had the shadow flicker so Mr. Farber's mind as long as there was a way to
7 mitigate the shadow flicker he was not too concerned about this. Mr. Hall said that he did not mention
8 awnings on page 74 in paragraph M-3 and in fact if the Committee wished to go with alternative B on page
9 74 and was willing to consider awnings as a part of mitigation it should be in there because with awnings
10 you are still getting shadow on the house but if that is as little as it takes for the land owner to be happy then
11 that was certainly a modest requirement and according to Dwight Farber of Horizon Energy it's one that they
12 do.
13
14 Mr. Jones said that he was concerned that the non-participating land owner might not sign a waiver and that
15 could throw the whole project out.
16
17 Mr. Hall said how about a non-participating land owner who is getting 60 hours of shadow flicker per year
18 should that person sign off on 60 hours or 200 hours of shadow flicker? He said that he understands the point
19 Mr. Poltz made that taken to the extreme you are talking about a very small amount of shadow flicker being
20 an issue and maybe they could identify a threshold below which they are not interested such as Sangamon
21 County's threshold of an hour or North Carolina's State Ordinance which identifies 10 hours so between
22 having no shadow flicker requirements and just requiring a study there was a whole spectrum of where you
23 could cut it off. He said that he wished he could show a diagram of shadow flicker and what it means to have
24 it 10 hours in a year but those are the things he would like the Committee to consider.
25
26 Mr. Weibel asked Mr. Kurtz what was the date of that study.
27
28 Mr. Kurtz said that there was no date and it was given to him by Mr. Hall.
29
30 Mr. Weibel said that it could be 10 years old and there weren't hardly any wind farms in this country. He
31 said that Europe has had wind farms much longer than we have so they will have more studies on shadow
32 flicker. He said that we don't have that history here that's why it is important to know the date of the study.
33
34 Mr. Hall said that he thinks that study was done in 2004 and as Mr. Kurtz read, that study had recommended
35 reviewing shadow flicker even though it said that it had never been a big issue in the United States.
36
37 Mr. Weibel said that Europe had a lot of history in studying problems like this so we must address shadow
38 flicker in this Ordinance and he would not vote for it unless we do. He said that he thinks that the alternative
39 that Mr. Hall presented on page 74 was a step in the right direction and he agreed that it should have a
40 threshold but the question was what should that threshold be.
41
42 Mr. Poltz said that Mr. Hall was correct when he spoke with Dwight Farber and even Midwest Wind Energy

1 had implemented mitigation standards in measures when there had been any issue with shadow flicker. He
2 said that his concern and the concern of the entire industry was the standard that is in there right now can be
3 read if there is shadow flicker whatsoever to require compliance with the Ordinance of removal of the
4 turbine. He said that if the developer would be allowed to mitigate any affects of shadow flicker by
5 mitigation strategies like installing awnings or planting trees there would be much less issue. He said that the
6 issue right now was that it does not have that language in the standard.

7
8 Mr. Moser said that if the Board adopts the two and a half mile setback around all these towns there will not
9 be any place for any wind turbines in here anyway.

10
11 Ms. Wysocki said that's another issue.

12
13 Mr. Moser said that it may eliminate the need for discussing this.

14
15 Ms. Anderson said that she would have difficulty voting for this also if it's taken out completely. She said
16 that if it had some of the suggestions that Mr. Hall and Mr. Poltz made about the awnings that seems to be a
17 reasonable thing. She said that she would like to see wind farms but the Committee has to be careful if we
18 don't we may end up with a lot of public participation and complaints after the fact.

19
20 Mr. Schroeder said that since 20 minutes until eight he had watched a shade on that wall over there. He said
21 that the sun is at a particular angle with the earth right now where he could see the sun coming through some
22 of the port holes of the blinds. He said that blind is there for a reason and he could assume the sun set there
23 pretty similar because of the open field out there. He said that there was sunlight all the way down to where
24 the sun was setting at dusk. He said that if we remove that blind the sun would be obnoxious let alone
25 without seeing any blades moving in front of it and that's why we installed shades in here because at this
26 particular time of the year at this particular hour and he had timed it at ten minute intervals from about
27 twenty minutes till eight and at about ten till eight you could see sun shining through the holes there but if
28 we removed that blind it would be obnoxious. He said that the point was that's why we have that blind there.
29 He said that sun is there, it's beaming through and there is nothing we could do about that be it a blade
30 rotating through it or not. He said like a lot of homes in the urban areas that's why we have them there but
31 his point was that there isn't enough study in this country and we do not have enough experience in this
32 country with shadow flicker so we are left with studies from Europe and as Mr. Kurtz stated the latitude and
33 winds are different than what we have here so he is not opposed to removing this or if this is going to be a
34 big deal and if you want a study then require mitigation only and don't include the waiver because this thing
35 can get personal.

36
37 Ms. Wysocki asked the Committee if there was any other discussion.

38
39 Mr. Moser asked Mr. Weibel what he would propose for a substitute.

40
41 Mr. Weibel said that he would agree to what's on page 74 but have a threshold added to that so it would be
42 an amended version of page 74 but Mr. Hall would have to do research to get a threshold.

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Mr. Hall said that he read off all the standards that he seen has which was 1 hour, 10 hours, 20 hours, 30 hours and he could not give the Committee any advice on how to evaluate those.

Mr. Weibel asked Mr. Hall where they were from.

Mr. Hall said that 1 hour was from Sangamon County, 30 hours was the standard that comes from Europe, Denmark used 20 hours and that he was not sure where 10 hours came from but the point was that the Committee could adopt 15 or 25 but the only thing he could say was in general shadow flicker should not effect the structure more than 15 minutes a day on any given day but it's just a matter of how many days you get that.

Mr. Weibel said that it also depends on how many days of clouds you have.

Mr. Hall said that sunny days and wind direction are the two data elements used in shadow flicker and as far as he knew that was not available for Champaign but it was available for Springfield.

Mr. Poltz said that most ordinance that he had seen in the Midwest did not address shadow flicker but there were some that did and the ones that did put a maximum number of allowable hours and they also allowed for mitigation like installing awnings or planting trees they did not require shutting down of a turbine or removing of turbines.

Ms. Ammons said that the energy here is to appease the builder and not the resident that may be affected by the 15 minutes of annoyance. She said that just with that as the basic standard they should have something in there to remediate so if it's planting tress or something else we would want to add to this but taking it out totally and all the regulations previously on this same ordinance would be a concern for her. She said that she thinks just possibly put some language in that the Committee could support to address shadow flicker and not let it go without that.

Mr. Kurtz said that he would be amenable to working out a substitute, if they put in shades, awnings or trees but he could not see moving turbines. He said that he would like to propose adding a new section, removing (M) which is now on the table and he would like to call the question on that, and we will re-work this section to satisfy their concerns.

Ms. Ammons asked Mr. Kurtz if he wanted to do that after the vote.

Mr. Kurtz said that this could not stand as it is, there are no exceptions here.

Ms. Ammons said except the alternative she was discussing was on page 74 which should be replacing page 65 unless she has it wrong.

Mr. Kurtz asked Ms. Ammons if she was talking about the Whole (M) or just Section 3.

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Ms. Ammons said Section 1 or 2.

Mr. Kurtz said that Section 1 was the same thing as Section 2, they are talking about a private waiver but if the land owner does not accept the private waiver we are back to the same exact ordinance again so what we need to do is re-work M with mitigation for shadow flicker of awnings and trees and things to help mitigate shadow flicker. He said that we have blown this thing out of proportion, when we talk about 15 minutes even if its' everyday we could find a way to mitigate that concern with shades, trees or awnings but to kill this entire project was absolutely ridiculous we are talking about millions of dollars, we are talking about roads and bridges, we are talking about education and schools, we are talking about fire and police protection, we are talking about hundreds of jobs and preventing teachers from being laid-off and fire and policemen being laid off because we have no money. He said that this is an opportunity for a financial wind fall and we have one of the most significant ordinances ever produced, this is one of the widest ranging ordinances that he had read concerning wind farms. He said that this has more restrictions in it than any other wind farm ordinance that he had seen and you could go to Kankakee County and see four pages of a wind farm ordinance and they are reaping millions of dollars. He said that he talked to the administrator there and it's been a phenomenal wind fall for them and they are positive. Mr. Kurtz said that he talked to people in McLean County, he talked to people in Wisconsin he had studied this for months now and he finds that they are talking about something and blowing it so far out of proportion that we are willing to scrap this entire project for that.

Mr. Schroeder asked Mr. Poltz if the wind turbines only produce 35% of the time.

Mr. Poltz said that in the industry they talk about what's called a capacity factor and that the amount of time a turbine is operating at its fullest capacity so a turbine is only operating at its capacity only a certain percentage of the time and it is the nature of all renewable energy.

Mr. Schroeder said that if Mr. Kurtz would withdraw his motion and friendly amendment he would withdraw his second that he would suggest to include in Section M1 on the last line delete duration and insert 30 hours of shadow flicker at these locations. He said that we could drop Section M (2) and renumber (3) so that it becomes (2).

Ms. Anderson said that nobody wants to do away with wind farms but she thinks some of the counties that we are referring to limit the number of subdivisions that pop up so they don't have as many dwellings scattered around to deal with. She said when they talk about citing locations they are talking about before a windmill is built so it's talking about taking this into consideration and the study would figure that out and move it slightly so it would not be near that dwelling.

Mr. Weibel asked Mr. Schroeder if his last statement was the motion that was on the floor.

Mr. Schroeder said no.

Mr. Weibel asked if Mr. Schroeder if his question had been answered.

1 Mr. Schroeder said yes and the answer was it would stop a windmill from running at certain times because
2 that would be part of mitigation.

3
4 Mr. Weibel asked Mr. Hall if he would clarify if that was true or not based on what was said.

5
6 Mr. Hall said that it depends on how it was designed if it was not designed properly in the first place you
7 could have turbines that exceed that standard and he thinks that there are some areas where they do turn
8 turbines off since they have that ability to stop the flicker during certain hours. He said that the question he
9 had was if the Committee was concerned about shadow flicker 30 hours or more so up to 30 hours they did
10 not need mitigation at all but more than 30 hours they would have to mitigate. He said that again, he was not
11 familiar with the intensity of shadow flicker and that may not prohibit a wind farm developer from proposing
12 hundreds of hours of shadow flicker on a dwelling and all they may have to do is put up awnings.

13
14 Ms. Wysocki said that and plant trees.

15
16 Mr. Weibel asked Ms. Wysocki what was the motion on the floor.

17
18 Ms. Wysocki said that the motion was to remove references to shadow flicker.

19
20 Mr. Weibel said that he prefers that it be replaced by the alternative under number 3 and include any means.
21 He said that the other thing he wanted to point out was that shadow flicker normally occurs at sundown and
22 sunset and normally people go out and look at the sun between sundown and sunset and that's when shadow
23 flicker commonly occurs. He said that maybe it's only 15 minutes but it is an important 15 minutes for those
24 people who live in the country.

25
26 Mr. Nudo said that if you eliminate Section 2 on page 74 there was nothing on page 65 that says dwelling so
27 we should really identify what we are trying to achieve here. He said that secondly he drove down an east
28 and west street that was tree lined and we are talking about remediation with trees and the sun setting in the
29 west and there would be flicker in your eyes and even blinded at times so a tree could create shadow flicker.
30 So if you put a tree up to hide shadow flicker you would get the same thing.

31 Mr. Nudo asked the Committee if habitable dwelling assumed that a human being is living there if that is the
32 definition of a dwelling.

33
34 Mr. Kurtz said no.

35
36 Mr. Nudo said that he would add dwelling habited by a human being because if you have a barn and there is
37 flicker on that barn you may have to enforce something here.

38 Mr. Hall said that a dwelling is not a barn a dwelling is something with a kitchen and a bath. He said that
39 there are barns with kitchens and baths but that is not the intent.

40
41 Mr. Nudo said that dwelling was not mentioned in either section.

1 Mr. Schroeder said that was mentioned in both.

3 Mr. Nudo said that if you eliminate number 2 there would not be anything there.

5 Mr. Hall said that if you eliminate number 2 then you destroyed the whole idea.

7 Mr. Nudo said that he thought that the motion was to eliminate number 2.

9 Mr. Schroeder said that the motion was to delete the whole thing.

11 Ms. Ammons said the main motion was to remove all reference to shadow flicker

13 Ms. Wysocki said all of (M) on page 65.

15 Ms. Ammons said that regardless of who makes the money she was concerned that if we remove this we have not put any regulations in there and she would not vote for it so we have to come to terms with either some amendment that was recommended like putting a threshold of time which she was in agreement with because there are other ordinances that do have some threshold and we can't ignore it because others did not so there should be something put in to make sure that there is something to address this issue.

21 Ms. Ammons said that we can call the question but she would not support eliminating it totally.

23 Ms. Wysocki said that the question had been called.

25 Ms. Wysocki said that the vote again is to eliminate on page 65 Section M Items 1 and 2.

27 The roll was called.

29	Ms. Anderson – No	Mr. Doenitz – No	Ms. Ammons – No
30	Mr. Jones – No	Mr. Langeheim – Absent	Mr. Kurtz – Yes
31	Mr. Moser – Yes	Mr. Schroeder – Yes	Ms. Wysocki – No

33 Ms. Wysocki said that the motion failed by the vote of 5-3.

35 Mr. Moser said that he moved to accept Mr. Schroeder's amendment the way he stated it in the question.

37 Mr. Schroeder said that he would restate the amendment.

38 **Mr. Schroeder moved, seconded by Mr. Kurtz with the correction or addition of Section M1 on the last line to include caused by project by expected duration of 30 hours of shadow flicker and remove (2) and re-number (3) with the amendment of shadow flicker that exceeds the above standards shall be mitigated by landscaping, awnings or fencing.**

1 Mr. Jones said that it should include non-participating dwellings.

2
3 Mr. Schroeder said that he would accept that as a friendly amendment.

4
5 Mr. Weibel said that by any means could be added because so long as it is mitigated it's mitigated. If the
6 wind farm developer was willing to move the tower before it's built its fine and dandy why restrict the way
7 that it is mitigated.

8
9 Ms. Anderson said that she would like to amend the motion to include or by any other means necessary.

10
11 Ms. Wysocki asked Schroeder and Mr. Kurtz if they were okay with that.

12
13 Mr. Kurtz and Mr. Schroeder said yes.

14
15 The roll was called.

16			
17	Ms. Anderson – Yes	Mr. Doenitz – Yes	Ms. Ammons – Yes
18	Mr. Jones – Yes	Mr. Kurtz – Yes	Mr. Moser – No
19	Mr. Schroeder – Yes	Mr. Langenheim – Absent	Ms. Wysocki – Yes

20
21 Ms. Wysocki said that the motion carried 7-1.

22
23 Mr. Kurtz said that he had received a call from Compromise Township opposing the map amendment being
24 placed back into the Ordinance and was fully in support of wind farm development in their township. He
25 said that they could not make the meeting this evening because they had a township meeting but they had
26 sent a letter to the Committee for the County Board. He said that they were talking about how important they
27 felt it was because it would be the only way to be able to repair their roads, bridges and help education for
28 the children.

29
30 Mr. Moser asked why didn't they come to the meeting to tell us themselves.

31
32 Mr. Moser said that they had a meeting and they were not able to attend.

33
34 Ms. Wysocki asked the Committee if there was anything else.

35
36 Mr. Moser asked Ms. Wysocki about the extra mile to be added to the mile and a half.

37 Ms. Wysocki said that's what's next on her list.

38 Ms Wysocki said that she had a request from the City of Champaign asking for an extension of the ETJ to
39 include an additional mile.

40 Ms. Wysocki said that the Committee has received a handout showing what Champaign County might look
41 like with the additional mile attached.

42

1 Mr. Schroeder moved, seconded by Mr. Moser not to support the request from the City of Champaign
2 for extension of the ETJ to include an extra mile.

3
4 Mr. Weibel distributed a map for the Committee to review. He said that the extra mile doughnut was
5 relevant north of Champaign and southwest of Champaign because to the northwest there is Mahomet and to
6 the east there is Urbana. He said that to the southwest is Savoy and Bondville. He said that current mile and
7 a half doughnut was 49 square miles and the extra mile was about 15 square miles because of county rules
8 and restrictions.

9
10 Mr. Schroeder said he still had a problem with what the City of Champaign staff did in Scott Township with
11 the water plant. He said that he and Mr. Moser went to that public hearing and they asked the City Council
12 not to pull a Chatham and they did and you can go out there and look at those roads right now and they are
13 beat to tar and they had not started moving those 80 thousand pound trucks with limestone through there yet.
14 He said that they leap frogged a mile and a half and they will do it again because staff doesn't have a
15 problem with going all the way to Piatt County if they want to and they will and on top of that you have
16 Savoy that's leaping around the mile and a half and they are building up all over the place and if you are
17 driving on any of those oil and chip roads they are a disaster and they are not going to get any better because
18 there is not any money to do those streets, gutters and four lane streets like they should be and to hand them
19 over another mile where you don't have any representation out there to a city counsel or village makes him
20 angry. He said that he appreciated the mayor and City Council allowing he and Mr. Moser to speak and those
21 residents have no recourse in the City Council so they're neighbors to the City of Champaign without any
22 recourse on what the City of Champaign does and that's one of the reasons we have county government for
23 representation but here we won't have it. He said that they want to build these two and a half mile doughnuts
24 out there and if you look at Rantoul and see what it will do to Thomasboro it would eat up two thirds of
25 Thomasboro's ETJ, you will have Savoy going all the way to Tolono and they are paranoid about what
26 Savoy's advances are that will get into another fight with them. Mr. Schroeder said that if you give them
27 another mile they will have more people upset because they would not have any representation or any say in
28 these governments. He said that if you go you out on the west side of Savoy and south side of Savoy they are
29 building anywhere they see fit and if you drive your car down those roads at about 40 miles per hour and see
30 if you can stay in your seat with your seatbelt off, you can't and those will not get any better out there. He
31 said that there is no public water, sewer nor gas and they are just building wherever there is open land and he
32 was totally against that.

33
34 Mr. Moser said that he did not think Mahomet had any problem with windmills with Champaign adding
35 another mile because there are only three places that he could see and they are spoken for unless somebody
36 wants to go towards Philo. He said that he did not know why we would worry about that mile because that
37 flat land would not get a wind mill because they built them on moraines everywhere he looked other than
38 Benton, County Indiana and they can't build them fast enough to cover up the whole place.

39
40 Ms. Anderson asked if the airport limits part of that area or do they have to be so far away from an airport.

41
42 Mr. Moser said that most of that ridge out there was in that corridor study between Mahomet and Champaign

1 now so they can't do anything there and that would take in that ridge north of Champaign to north of
2 Mahomet.
3
4 Mr. Weibel said that the only part that might be in that two and a half mile band for Champaign would be the
5 far northern edge of Champaign.
6
7 Mr. Moser said that he would also think that Philo, Tolono, Sidney, Rantoul and Gifford would be hesitant
8 to run any project out when their school systems would benefit from it.
9
10 Ms. Wysocki asked if each county determines their ETJ or is it determined by the State.
11
12 Mr. Hall said that the State sets it at a mile and a half.
13
14 Ms. Wysocki asked Mr. Hall if the counties are allowed to expand that.
15
16 Mr. Hall said that you are not free to assign jurisdiction but you are free to do what is requested in this
17 instance which is only relevant to wind farms and is not an expansion of the ETJ. He said that the City of
18 Champaign had not suggested that we give up another mile of the counties jurisdiction and it is only in
19 regards to wind farms.
20
21 Ms. Wysocki asked Mr. Hall if the County agrees to do this and the ETJ is now 2 ½ miles and hypothetically
22 if some one wants to put up a wind farm at three miles if there is an annexation in Champaign that
23 automatically pushes everything out but how could this be guaranteed if there is a wind farm at three miles.
24
25 Mr. Hall said that the same problem could happen there upon subsequent annexation.
26
27 Ms. Wysocki said that it doesn't appear to be any type of safeguard or a protection for the city if that's what
28 this is about.
29
30 Mr. Schroeder said that he understands that this only deals with the wind farm impacts that Mr. Moser brings
31 up a good point and it's not going to affect anything because the 2 ½ mile doughnuts are outside the
32 moraines anyway and if you go to the east side they are not going to push this issue anyway because they
33 want these windmills out there.
34
35 Mr. Hall said that there is a map of the moraines on the second page of the handout.
36 Mr. Poltz said that he thought that the extension would impact their project outside the mile and a half from
37 the Mahomet municipal limits and if this was extended another mile you will eliminate another mile of
38 potential turbine location.
39
40 Mr. Kurtz asked Mr. Weibel although the doughnuts show all of the townships it was only Champaign that
41 would be affected.
42

1 Mr. Weibel said that he included the others because theoretically you could apply the same thing to the other
2 townships.

3
4 Mr. Doenitz said that if all of the municipalities had the extra mile that would affect 22 of the 30 townships
5 in the county, there's not much room left.

6
7 Ms. Wysocki asked the Committee if there was any other discussion and there was none.

8 Ms. Wysocki said that the motion was to turn down the request from the City of Champaign for an extra
9 mile ETJ.

10
11 Ms. Anderson asked if we had a Special Use Permit for the windmills would it be a possibility that this could
12 still be turned down.

13
14 Ms. Wysocki yes

15
16 The roll was called.

17
18 **Ms. Anderson – Yes**

Mr. Doenitz – Yes

Ms. Ammons – Yes

19
20 **Mr. Jones – Yes**

Mr. Kurtz – Yes

Mr. Moser – Yes

21
22 **Mr. Schroeder – Yes**

Ms. Wysocki – Yes

Mr. Langeheim – Absent

23
24 **Mr. Jones moved, seconded by Mr. Schroeder to accept a Decommissioning Funding Proposal.**

25
26 Ms. Wysocki said that this involves a letter of credit to be staggered over the first 13 years of a twenty five
27 year life of a wind turbine. She said that this letter of credit would remain with the bank that the Board
28 agrees to work through.

29
30 Mr. Nudo said that he had some discussion with a couple of loan officers of banks and he and Mr. Poltz
31 some discussion a little bit ago about the fact that letters of credit had changed and a letter of credit is
32 irrevocable and that it is backed by assets of the entity that is getting the letter of credit and it is renewable
33 each year sometimes now even six months because the banks are changing the rules to make it tougher and
34 tighter to get this kind of backing. He said that what this does is allow the developer of the wind farm not to
35 put the money upfront because there is a lot of upfront cost but it allows us to have a comfort level half way
36 through the lease that we have the money in hand and if something happens like the company were sold or it
37 ran into financial trouble in year seven we would have at least have six years worth of cash on hand to
38 handle decommissioning. He said that Mr. Uken provided a couple of documents for him today which he
39 had at home where they did some decommissioning and the cost could range from zero to \$100.00 per
40 kilowatt because these are mega kilowatt operations. He said that the reason it may be zero is because there
41 was some scrap involving the metals and the things that are used or to be sold elsewhere also people are
42 buying used turbines so there is some ability to get some scrap value out of it and it could be up to a\$100.00

1 dollars. He said that in a case in California they are talking about one with a lot more turbines but it says that
2 even with this modest amount some could easily cost land owners and tax payers which this is not the two
3 we want involved in this 23 million dollars so it would seem to him that this hybrid of having of credit and
4 then putting down one twelfth of the cash amount of decommissioning and reducing the letter of credit by
5 that amount each year allows us to get our money. He said that it will save the developer money because they
6 have to pay two to three percent on the bulk amount of the letter of credit but as it gets down to zero over
7 twelve years and for the last thirteen years it's zero and they could save 75% of their interest cost.

8
9 Mr. Nudo said that Mr. Poltz said that he will take it to his financial guys and see how this would work with
10 them but he sees this as a proposition that they could absorb because they don't have the upfront cost and it
11 eases the Committee's mind as to how we could get this thing paid for.

12
13 Mr. Kurtz asked Mr. Nudo if he knows what any of these payments would be at this point and how would we
14 ascertain the total amount of what it would cost to decommission one of these turbines.

15
16 Mr. Nudo said that in the write up on page 75 that outlines what the amount should be based on an
17 independent engineer's cost. He said that it would be a bone of contention and the parties would come up
18 with an accurate number and also factor in inflation but his proposal would not get into that and it basically
19 says once we figure what that amount is we fund it this way.

20 Mr. Nudo said that he did not have a problem with this being extended three, four, or five more years if they
21 can't afford to put that kind of money up for twelve years and he did not have a problem with it but he thinks
22 it could be a frame work to work with.

23
24 Mr. Kurtz asked Mr. Nudo if this has to be placed into this Section of the Ordinance and then we would find
25 out the exact numbers afterwards but at this point we have the guidelines for the payment.

26
27 Mr. Nudo said that's correct.

28
29 Mr. Jones said that he was not clear but if the firm was sold then we would not be covered and that would be
30 risky because more than likely it would be sold.

31
32 Mr. Nudo said that he did not know where the County gets involved in the sale of two entities and if there
33 are some legal documents to say this has to stay for the successor and the signee of any deals that come
34 forward so you have to factor that in or a sale.

35 Ms. Wysocki asked Mr. Poltz how long had the company been in existence.

36
37 Mr. Poltz said that Midwest Wind Energy had been in business since 2003.

38
39 Ms. Wysocki asked Mr. Poltz if it had been the same owner throughout.

40
41 Mr. Poltz said yes. He said that these projects are seldom setup with one company involved through the
42 lifespan of a project. He said that a project entity is created for example the Crescent Ridge Project (Crescent

1 project. He said that a project entity is created for example the Crescent Ridge Project (Crescent Ridge LLC)
2 and when you transfer ownership of that project the project entity remains just the ownership interest
3 changes hand so the obligation and the burden to fund the decommissioning plan goes along with the entity.
4
5 Ms. Anderson asked Mr. Poltz if this would replace what we have on page 75.
6
7 Mr. Poltz said no.
8
9 Ms. Wysocki said that this would be an addition to it.
10
11 Mr. Nudo said that the description of the LLC would be that the assets of the LLC are all you can go after
12 you cannot go after the member's assets. He said that he was a little more comfortable if they could work
13 this out with us to basically hybrid what we are trying to do here.
14
15 Ms. Wysocki asked Mr. Poltz if this letter of credit would remain with the bank that we would agree to work
16 with and would this bank be a local bank.
17
18 Mr. Poltz said yes it would remain with the bank and it would be a mutually acceptable bank.
19
20 Mr. Nudo said that the escrow would be the same and the money derived from the money in escrow could go
21 towards the decommissioning.
22
23 Mr. Kurtz said that each year the letter of credit could be reviewed so any changes that need to be made are
24 made on a yearly basis so they are not surprised five years down the road.
25
26 Mr. Poltz said that the decommissioning plan and the funding for the decommissioning plan is something
27 that would be in place to protect the County and not necessarily be used to decommission a project. He said
28 that if a company is still solvent there's no reason they wouldn't fund a decommission themselves and it's
29 only in place if there is a reason why the project entity could not perform.
30
31 Ms. Ammons asked Ms. Wysocki who would be reviewing this.
32
33 Ms. Wysocki said that she thought that it would be the Finance Committee.
34
35 Ms. Busey said that it would be a function of Mr. Hall's office.
36
37 Mr. Hall said that was correct but he still has some questions regarding this. He said his is to make sure that
38 the County has enough money in this fund no matter how it is funded or the shape of the fund to pay for
39 decommissioning and in year 13 when you go to an all cash basis he believed there are questions on how
40 much interest continues to accrue there and in year 13 he assumes the Committee wants 100% of the
41 decommissioning cost that might happen in year 25. He said that he will do his best to get this integrated
42 with the Ordinance but he had a lot of questions about how this needs to look in the Ordinance.

1 Mr. Hall said that it is easy enough to write in an annual review at ELUC every year so that is the easy part.

2

3 Ms. Ammons asked Ms. Wysocki to state the motion again.

4

5 Ms. Wysocki said that the motion was to accept this formula for a letter of credit regarding decommissioning
6 wind farms.

7

8 Ms. Ammons asked if this was including staff's recommendations on page 75.

9

10 Ms. Wysocki said yes.

11

12 The roll was called.

13

14 Ms. Anderson – Yes Mr. Doenitz – Yes Ms. Ammons – Yes

15 Mr. Jones – Yes Mr. Kurtz – Yes Mr. Moser – Yes

16 Mr. Schroeder – Yes Mr. Langehiem – Absent Ms. Wysocki – Yes

17

18

19 Mr. Kurtz moved, seconded by Mr. Schroeder to accept the Champaign County Ordinance as

20 amended and to forward it to the County Board.

21

22 Ms. Wysocki said that we started with that motion so that motion had been on the floor already.

23

24 Ms. Wysocki asked for a roll call to forward Case 634-AT-08 to the County Board.

25

26 The roll was called.

27

28 Ms. Anderson – Yes Mr. Doenitz – Yes Ms. Ammons – Yes

29 Mr. Jones – Yes Mr. Kurtz – Yes Mr. Moser – Yes

30 Mr. Schroeder – Yes Mr. Langehiem – Absent Ms. Wysocki – Yes

31

32 10. Monthly Reports (October-December 2008 and January-April, 2009)

33

34 None

35

36 11. Determination of Items to be placed on the County Board Consent Agenda

37

38 None

39

40 12. Adjournment

41

42 Ms. Ammons moved, seconded by Mr. Kurtz to adjourn the meeting. The motion carried by voice

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vote.

The meeting adjourned at 9:02 p.m.

Respectfully submitted,

Secretary to the Environment and Land Use Committee

eluc\minutes\minutes frm

Sodemann and Associates, Inc.



340 NORTH NEIL STREET
POST OFFICE BOX 557
CHAMPAIGN, IL 61824-0557
TEL 217 352-7688
FAX 217 352-7922

May 26, 2009

C. Pius Weibel
Chairman, Champaign County Board
County Board Office
Brookens Administrative Center
1776 E Washington Street
Urbana, IL 61802

Re: Supplemental Permit for Rantoul Landfill

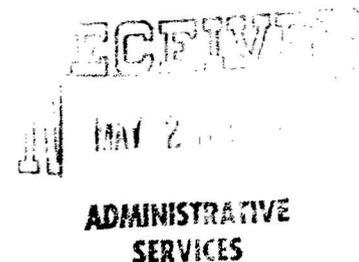
Dear Mr. Weibel,

This letter and attached form is to make you aware that the Village of Rantoul is seeking a supplemental permit for the Rantoul Landfill. During a routine inspection by the IEPA, it was determined that an additional methane gas vent should be installed at the Rantoul Landfill. The additional methane gas vent would diffuse methane gases that are causing stressed vegetation. In order to install this additional methane gas vent a supplemental permit must be submitted to the IEPA. This supplemental permit requires us to contact the Chairman of the Champaign County Board. If you have any questions on the attached form please address the Bureau of Land, Permitting Section within 21 days at the following address;

Illinois Environmental Protection Agency
Bureau of Land,
Permit Section #33
1021 North Grande Avenue East,
P.O. Box 19276
Springfield, IL 62794-9276

Very truly yours,

Christine Childress





Illinois
Environmental
Protection Agency

Bureau of Land
1021 North Grand Avenue East
Box 19276
Springfield, IL 62794-9276

NOTICE OF APPLICATION FOR PERMIT TO MANAGE WASTE (LPC-PA16)

Date: _____

To Elected Officials and Concerned Citizens:

The purpose of this notice is to inform you that a permit application has been submitted to the IEPA, Bureau of Land, for a solid waste project described below. You are not obligated to respond to this notice, however, if you have any comments, please submit them in writing to the address below, or call the Permit Section at 217/524-3300, within twenty-one (21) days.

Illinois Environmental Protection Agency
Bureau of Land, Permit Section (#33)
1021 North Grand Avenue East, Post Office Box 19276
Springfield, Illinois 62794-9276

The permit application, which is identified below, is for a project described at the bottom of this page.

SITE IDENTIFICATION

Site Name: Rantoul Municipal
Address: 1800 E. Township Road
City: Rantoul, IL 61866

Site # (IEPA): 0198110001
County: Champaign

TYPE PERMIT SUBMISSIONS:

TYPE FACILITY:

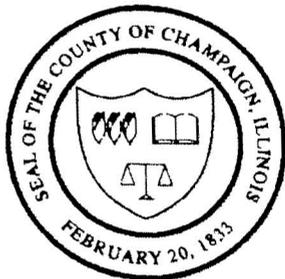
TYPE WASTE:

New Landfill	<input type="checkbox"/>	Landfill	<input checked="" type="checkbox"/>	General Municipal Refuse	<input checked="" type="checkbox"/>
Landfill Expansion	<input type="checkbox"/>	Land Treatment	<input type="checkbox"/>	Hazardous	<input type="checkbox"/>
First Significant Modification	<input type="checkbox"/>	Transfer Station	<input type="checkbox"/>	Special (Non-Hazardous) Chemical Only (exec. putrescible)	<input type="checkbox"/>
Significant Modification to Operate	<input type="checkbox"/>	Treatment Facility	<input type="checkbox"/>	Inert Only (exec. chem. & putrescible)	<input type="checkbox"/>
Other Significant Modification	<input type="checkbox"/>	Storage	<input type="checkbox"/>	Used Oil	<input type="checkbox"/>
Renewal of Landfill Development	<input type="checkbox"/>	Incinerator	<input type="checkbox"/>	Solvents	<input type="checkbox"/>
Operating Supplemental	<input checked="" type="checkbox"/>	Composting	<input type="checkbox"/>	Landscape/Yard Waste	<input type="checkbox"/>
Transfer	<input type="checkbox"/>	Recycling/Reclamation	<input type="checkbox"/>	Other (Specify _____)	<input type="checkbox"/>
Name Change	<input type="checkbox"/>	Other	<input type="checkbox"/>		
Generic	<input type="checkbox"/>				

DESCRIPTION OF PROJECT:

During an IEPA inspection it was determined that an additional methane gas vent should be installed due to the detection of stressed vegetation in a specific area. The addition of this methane gas vent will be a supplemental permit to the existing Rantoul Landfill permit.

Please retain a copy for your own use.



**STATE OF ILLINOIS
COUNTY OF CHAMPAIGN**

**ENTERTAINMENT, RECREATION,
LODGING OF TRANSIENTS, AND RACEWAYS LICENSE**

**No. 2009-ENT
\$90.00**

Champaign County Fair Association

License is hereby granted to Champaign County Fair Association of 902 N Coler Ave., Urbana IL to provide Recreation/Entertainment at the Champaign County Fairgrounds, Urbana, IL in Champaign County from July 24, 2009 to August 1, 2009 . This License expires the 2nd day of August, 2009 at 12:01am.

Witness my Hand and Seal this 9th day of June, A.D. 2009.

Chairman, Champaign County License Commission

Mark Shelden, Champaign County Clerk



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. 2009-ENT-16
Date(s) of Event(s) JULY 24, 2009 - AUG. 12
Business Name: CHAMPAIGN COUNTY FAIR ASSN
License Fee: \$ 90.00
Filing Fee: \$ 4.00
TOTAL FEE: \$ 94.00
Checker's Signature: [Signature]

Filing Fees:	Per Year (or fraction thereof):	\$ 100.00
	Per Single-day Event:	\$ 10.00
	Clerk's Filing Fee:	\$ 4.00

Checks Must Be Made Payable To: Mark Shelden, 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: Champaign County Fair Association
 2. Location of Business for which application is made: 1302 N. Coler Avenue, Urbana IL 617801 (mailing: PO Box 544, Urbana IL 61803-0544)
 3. Business address of Business for which application is made: P O Box 544, Urbana IL 61803-0544
 4. Zoning Classification of Property: _____
 5. Date the Business covered by Ordinance No. 55 began at this location: _____
 6. Nature of Business normally conducted at this location: County Fair
 7. Nature of Activity to be licensed (include all forms of recreation and entertainment to be provided): Carnival/Fair
 8. Term for which License is sought (specifically beginning & ending dates): July 24 - August 01 2009

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

9. Do you own the building or property for which this license is sought? YES
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: _____
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

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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: Andrew J. Hatch Title: President

Date elected or appointed: December 8 2008 Social Security No.: _____

Date of Birth: _____ Place of Birth: Champaign

Citizenship: _____

If naturalized, **place** and **date** of naturalization: _____

Residential Addresses for past three (3) years: _____

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

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.

3. 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: Karen K. Duffin Date of Birth: _____
Place of Birth: Paxton IL Social Security No.: _____
Residence Address: 1035 Strong Paxton IL
Citizenship: yes If naturalized, **place** and **date** of naturalization: _____

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): _____
Date of Birth: _____ Place of Birth: _____
Social Security Number: _____ Citizenship: _____
If naturalized, state **place** and **date** of naturalization: _____
2. Residential Addresses for the past three (3) years: _____

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

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:
CHAMPAIGN COUNTY FAIR ASSOCIATION
2. Date of Incorporation: Feb 28, 1910 State wherein incorporated: Illinois

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.

Andrew J. Hatch

Signature of President

Andrew J. Hatch

Bernice Benn

Signature of Secretary

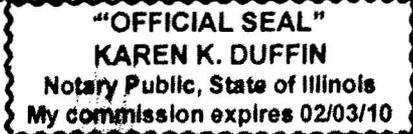
Bernice Benn

Andrew J. Hatch

Signature of Manager or Agent

Signature of Manager or Agent

Subscribed and sworn to before me this 28 day of April, 2009.



Karen K. Duffin

Notary Public

Notary Public



STATE OF ILLINOIS,
Champaign County
Recreation & Entertainment License
Check List and Approval Sheet

FOR ELUC USE ONLY

County Clerk's Office

1. Proper Application Date Received: 5-8-09
2. Fee Amount Received: 94.00

Sheriff's Department

1. Police Record Approval: _____ Date: 5/27/09
2. Credit Check Disapproval: _____ Date: _____

Remarks: _____ Signature: Jim Vogt

Planning & Zoning Department

1. Proper Zoning Approval: ✓ Date: 6/4/09
2. Restrictions or Violations Disapproval: _____ Date: _____

Remarks: _____ Signature: [Signature]

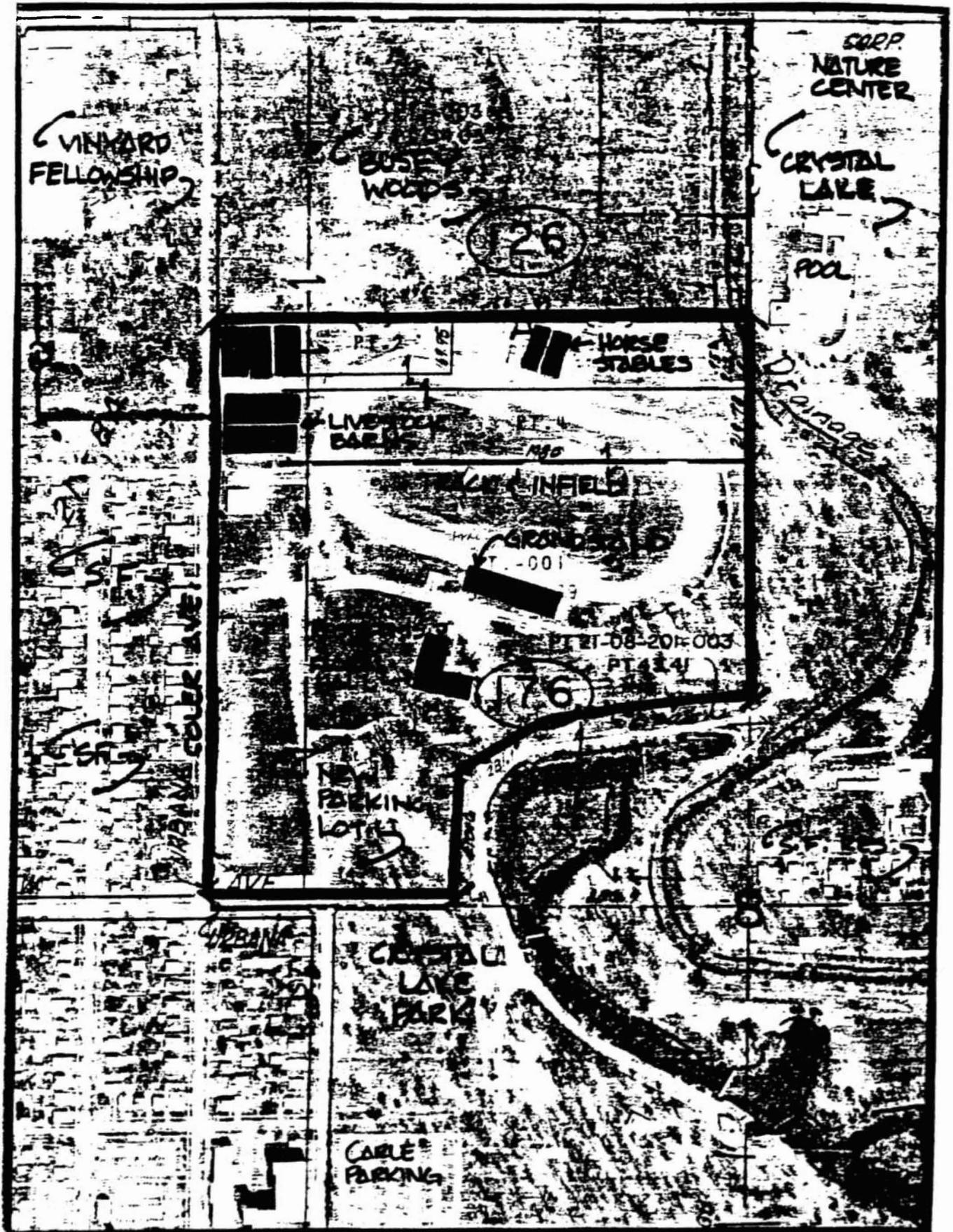
Authorized as a Special Use in the CR District
in Case 962-S-94 (includes DW in D.A.N. beer tent)

Environment & Land Use Committee

1. Application Complete Approval: _____ Date: _____
2. Requirements Met Disapproval: _____ Date: _____

Signature: _____

Remarks and/or Conditions: _____



Champaign
County
Department of

**PLANNING &
ZONING**

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

(217) 384-3708
FAX (217) 328-2426

TO: Environment and Land Use Committee
FROM: John Hall, Director of Planning and Zoning
DATE: June 4, 2009
RE: HB 466 regarding the Chatham decision

STATUS: HB 466 is the legislative bill requested by Champaign County and county municipalities to change the law regarding municipal annexation agreements. HB466 has been approved by both houses and now awaits the Governor's signature.

REQUEST: Authorize the County Board Chair to write the Governor requesting approval of HB466.

BACKGROUND

HB466 is the legislative bill requested by Champaign County and county municipalities to change the law regarding municipal annexation agreements. HB466 changes the law by adding Champaign County to a list of specific counties in which there are certain limits on municipal annexation agreements. HB466 replaced HB2518 which was last year's bill that failed. HB2518 was authorized by Champaign County Ordinance No. 6373 adopted on February 21, 2008. HB466 has been approved by both houses and now awaits the Governor's signature.

HB1003 is another bill that changes the law for all Illinois counties and it too has passed both houses. Both bills now await the Governor's signature. If HB1003 is signed HB466 will not be necessary.

The votes on both bills were overwhelming and there is a good chance that the law will be changed. The City of Champaign has been assisting the County in this endeavor and the Mayor has written a letter to the Governor requesting his signature on HB466 (see attached). The County Board may want to send a similar letter in the hopes of ensuring that one of these bills is signed.



Gerald J. Schweighart, Mayor & Liquor Commissioner

102 N Neil St • Champaign IL 61820 • (217) 403-8720 • fax (217) 403-8725 • www.ci.champaign.il.us

May 21, 2009

The Honorable Pat Quinn
Governor
State of Illinois
207 State House
Springfield, IL 62706

In Re: HB 466 and HB 1003

Dear Governor Quinn:

The City of Champaign requests that you approve HB 466 which is on your desk. The City of Champaign, along with Champaign County and other municipalities in the County of Champaign, requested, through formal Resolutions passed by their Councils and Board, that the state legislature pass an amendment to the Municipal Code concerning the effect of annexation agreements. HB 466 amends 65 ILCS 5/11-15.1-2.1 to add Champaign County to the list of counties that restrict the jurisdictional effects of an annexation agreement to a mile and a half around the municipality. The cities and villages of Champaign County have sought this because it provides certainty concerning control around their extraterritorial jurisdiction. Champaign County has sought this legislation because it limits municipal authority in the unincorporated county outside the mile and a half, so that counties can insure a comprehensive zoning plan.

HB 466 amends the statute simply by adding Champaign County to the other counties which have this limitation on annexation agreements. HB 1003 extends this concept statewide. The City of Champaign supports HB 466 because the county and the municipalities in Champaign County had a dialogue with each other and have concluded that this is the best solution for the municipalities and for Champaign County. The City of Champaign has no position on HB 1003 because, although we believe this concept is appropriate for Champaign County, other cities in other downstate counties may be in a different situation regarding jurisdictional authority.

RECEIVED

MAY 27 2009

CHAMPAIGN CO. P & Z DEPARTMENT

Governor Quinn

May 21, 2009

Page 2

If your office has any questions concerning HB 466 or HB 1003, please contact Trisha Crowley, Deputy City Attorney, at 217-403-8765 or trisha.crowley@ci.champaign.il.us.

Sincerely,



Gerald J. Schweighart

Mayor

cc: Champaign City Council

C. Pius Weibel, Champaign County Chair

John Hall, Champaign County Planning and Zoning Director

j:\neg\word\legislative program\gov quinn letter 5-21-09.doc

DATE: June 2, 2009
 TO: Environment and Land Use Committee
 FROM: Susan Monte
 RE: **2009 COUNTYWIDE ELECTRONICS RECYCLING EVENT**
Provided for Information Only

The 2009 Champaign County
 Computer & Electronics Recycling
 Event was held on Saturday,
 May 2nd at the Champaign County
 Fairgrounds large paved parking lot.

This year's electronics recycling
 collection was sponsored by
 Champaign County, City of Urbana,
 City of Champaign, Village of Savoy,
 and the Village of Mahomet. The
 contractor at this year's recycling
 drop-off event was Web Innovations
 & Technology Services, Inc. (WITS),
 Danville, IL.



An estimated 744 cars dropped off computer and electronics materials that filled seven tractor trailers. This amounted to approximately 60 tons of materials. Approximately 400 old televisions were collected, filling an entire tractor trailer. Among other items collected were: 600 computer monitors, roughly 350 non-reusable computers, 75 reusable computers, 22 stacked pallets of old printers and copiers, and 35 laptop computers. Fifteen huge gaylord boxes of various misc electronics and cable/wire/software were collected. Other 'e-scrap' items collected were old stereos, recorders, radios, microwaves, and small electrical appliances.

Items accepted at the event included computers, copiers, printers, monitors, networking and entertainment equipment, phones, stereo equipment, TV's (fee involved) and other small electronics. All items were free to drop off except TV's and computer monitors. The fee for computer monitors was \$5 each. TV drop-off fees ranged from \$10 to \$20, depending on the size & type of television.

The countywide event has been held annually over the past four years. Persons dropping off materials (and event organizers) were pleased with the site layout and traffic flow at this year's event. Vehicles dropping off computer and electronics items had little or no waiting time.

Reasons to Recycle Electronics

Recycling outdated electronics:

- encourages safe management of their potentially hazardous components
- supports recovery and reuse of valuable materials
- helps reduce pollution and energy use tied to production of new electronics

Technological advances are rapidly rendering formerly cutting edge electronics obsolete. Currently, the useful life of a computer is 3 to 5 years and shrinking.

Electronic products can contain over a dozen hazardous or toxic materials. The cathode ray tube in monitors can be up to 27% lead, and in a form that can leach into the water table if dumped in a landfill. Other chemicals such as cadmium and lithium (in rechargeable batteries), mercury (in switches and lamps) as well as chromium and antimony can be found in amounts that may cause them to test hazardous under federal law.

Many electronic products also contain parts that can be profitably refurbished and re-used with little effort, resulting in the saving of resources and reducing pollution associated with the access of virgin materials and manufacture of new products.

A = Approved

Purpose Statement:A

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:

GOAL 1 PLANNING AND PUBLIC INVOLVEMENTA

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

Objective 1.1 GUIDANCE ON LAND RESOURCE MANAGEMENT DECISIONSA

Champaign County will consult the Champaign County Land Resource Management Plan (LRMP) that formally establishes County land resource management policies and serves as an important source of guidance for the making of County land resource management decisions.

Objective 1.2 UPDATING OFFICIALS ON LAND RESOURCE MANAGEMENT CONDITIONSA

Champaign County will annually update County Board members with regard to land resource management conditions within the County.

Policy 1.2.1A

County planning staff will provide an annual update to County Board members with regard to land resource management conditions within the County.

Objective 1.3 LRMP INCREMENTAL UPDATESA

Champaign County will update the LRMP, incrementally, on an annual or biannual basis to make minor changes to the LRMP or to adjust boundaries of LRMP Future Land Use Map areas to reflect current conditions, (e.g., *Contiguous Urban Growth Area*, or *Rural Residential Area*).

Policy 1.3.1A

The Environment and Land use Committee will recommend minor changes to the LRMP after an appropriate opportunity for public input is made available.

Objective 1.4 LRMP COMPREHENSIVE UPDATES A

Comprehensively update the LRMP at a regular interval of no more than 15 or less than 10 years, to allow for the utilization of available updated census data and other information.

Policy 1.4.1A

Comprehensive updates of the LRMP will be overseen by a Steering Committee that is broadly representative of the constituencies in the County but weighted towards the unincorporated area.

Policy 1.4.2A

Opportunities for public input will be provided throughout any comprehensive update of the LRMP.

GOAL 2 GOVERNMENTAL COORDINATIONA

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

Objective 2.1 LOCAL AND REGIONAL COORDINATIONA

Coordinate land resource management planning with all County jurisdictions and, to the extent possible, in the larger region.

A = Approved

Policy 2.1.1A

The County will maintain an inventory through the LRMP, of *Contiguous Urban Growth Areas* where connected sanitary service is already available or is planned to be made available by a public sanitary sewer service plan, and development is intended to occur upon annexation.

Policy 2.1.2A

The County will continue to work to seek a county-wide arrangement that respects and coordinates the interests of all jurisdictions and that provides for the logical extension of municipal land use jurisdiction by annexation agreements.

Policy 2.1.3.....A

The County will encourage municipal adoption of plan and ordinance elements which reflect mutually consistent (County and municipality) approach to the protection of best prime farmland and other natural, historic, or cultural resources.

Objective 2.2 INFORMATION SHARINGA

Champaign County will work cooperatively with other units of government to ensure that the Geographic Information Systems Consortium and Regional Planning Commission have the resources to effectively discharge their responsibilities to develop, maintain and share commonly used land resource management data between local jurisdictions and County agencies that will help support land use decisions.

GOAL 3 PROSPERITY Goal 3, its Objectives and Policies were removed.

GOAL 4 AGRICULTURE.....A

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

Objective 4.1 AGRICULTURAL LAND FRAGMENTATION AND CONSERVATIONA

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*.

Policy 4.1.1.....A

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. Other land uses will not be accommodated except under very restricted conditions or in areas of less productive soils.

Policy 4.1.2A

The County will guarantee all landowners a *by right development* allowance to establish a non-agricultural use, provided that public health, safety and site development regulations (e.g., floodplain and zoning regulations) are met.

Policy 4.1.3A

The *by right development* allowance is intended to ensure legitimate economic use of all property. The County understands that continued agricultural use alone constitutes a reasonable economic use of *best prime farmland* and the *by-right development* allowance alone does not require accommodating non farm development beyond the *by right development* allowance on such land.

Policy 4.1.4A

Landowners of one or more lawfully created parcels that are recorded or lawfully conveyed

A = Approved

and are considered a 'good zoning lot' (i.e., a lot that meets County zoning requirements in effect at the time the lot is created) are guaranteed the 'by right' development allowance to establish a new single family dwelling or nonagricultural land use on each such lot, provided that current public health, safety and transportation standards are met.

Policy 4.1.5A

- a) The landowner *by right development* allowance will be generally proportionate to tract size, created from the January 1, 1998 configuration of tracts, with
 - 1 new lot allowed per 40 acres up to a total of 4 new lots; and
 - 1 authorized land use allowed on each vacant 'good zoning lot' provided that public health and safety standards are met.
- b) No further division of parcels that are 5 acres or less in size will be allowed.

Policy 4.1.6A

- a) On *best prime farmland*, the County will authorize only by-right residential development, and not discretionary residential development, provided site development requirements are met. On *best prime farmland*, the County may authorize non-residential *discretionary development* if the non-residential 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.

- b) The County may authorize *discretionary review* development on tracts consisting of other than *best prime farmland* if 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.

Policy 4.1.7... ..A

To minimize the conversion of *best prime farmland*, the County will require a maximum lot size limit on new lots established as *by right development* on *best prime farmland*.

Policy 4.1.8.....A

The County will consider the Champaign County Land Evaluation and Site Assessment System rating for farmland protection when making land use decisions regarding a *discretionary development*.

Objective 4.2 DEVELOPMENT CONFLICTS WITH AGRICULTURAL OPERATIONSA

Champaign County will require that each *discretionary review* development will not interfere with agricultural operations.

Policy 4.2.1.....A

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 provided better in a *rural* area than in an *urban* area.

A = Approved

Policy 4.2.2.....A

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.

Policy 4.2.3.....A

Each proposed '*discretionary review*' development will be required to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.

Policy 4.2.4.....A

To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, all *discretionary reviews* must consider whether a buffer between existing agricultural operations and the proposed development is necessary.

Objective 4.3 SITE SUITABILITY FOR DISCRETIONARY REVIEW DEVELOPMENTA

Champaign County will require that each *discretionary review* development is located on a suitable site.

Policy 4.3.1.....A

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.

Policy 4.3.2.....A

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.

Policy 4.3.3.....A

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.

Policy 4.3.4.....A

On *best prime farmland*, any businesses or other non-residential use will be authorized only if:

- a) it also serve 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.

Policy 4.3.5.....A

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.

Objective 4.4 REGULATIONS FOR RURAL RESIDENTIAL DISCRETIONARY REVIEWA

Champaign County will update County regulations that pertain to *rural* residential *discretionary review* developments to best provide for site specific conditions by 2010.

A = Approved

Objective 4.5 *LESA SITE ASSESSMENT REVIEW AND UPDATES*A

By the year 2012, Champaign County will review the Site Assessment portion of the Champaign County Land Evaluation and Site Assessment System (LESA) for possible updates; thereafter, the County will periodically review the site assessment portion of LESA for potential updates at least once every 10 years.

Objective 4.6 *PROTECTING PRODUCTIVE FARMLAND*.....A

Champaign County will seek means to encourage and protect productive farmland within the County.

Policy 4.6.1.....A

The County will utilize, as may be feasible, tools that allow farmers to permanently preserve farmland.

Policy 4.6.2.....A

The County will support legislation that promotes the conservation of agricultural land and related natural resources in Champaign County provided that legislation proposed is consistent with County policies and ordinances, including those with regard to landowners' interests.

Policy 4.6.3.....A

Champaign County will implement the agricultural purposes exemption, subject to applicable statutory and constitutional restrictions, so that all full- and part-time farmers and retired farmers will be assured of receiving the benefits of the agriculture exemption even if some non-farmers receive the same benefits.

Objective 4.7 *RIGHT TO FARM RESOLUTION*A

Champaign County affirms County Resolution 3425 pertaining to the right to farm in Champaign County.

Objective 4.8 *LOCALLY GROWN FOODS*A

Champaign County acknowledges the importance of the production, purchase, and consumption of locally grown food.

Objective 4.9 *LOCAL FOOD PRODUCTIONS, PURCHASE, AND CONSUMPTION*A

Champaign County will appoint a panel of local producers and consumers to recommend policies supportive of local food production, purchase and consumption.

Objective 4.10 *LANDSCAPE CHARACTER*A

Champaign County will preserve the County's agricultural and natural landscape character.

Policy 4.10.1A

The County will develop and adopt standards that reflect LRMP goals, objectives, and policies to maintain the County's agricultural and natural landscape character so that they can be considered during *discretionary review* cases.

GOAL 5 URBAN LAND USEA

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

Objective 5.1 *POPULATION GROWTH AND ECONOMIC DEVELOPMENT*A

Champaign County will strive to ensure that the preponderance of population growth and economic development is accommodated by *new urban development* in or adjacent to existing population centers.

A = Approved

Policy 5.1 1....A

The County will encourage new *urban development* occur to occur within the boundaries of incorporated municipalities.

Policy 5.1.2AA

The County will encourage that only compact and contiguous discretionary development occur within or adjacent to existing villages that have not yet adopted a municipal comprehensive land use plan.

Policy 5.1.2B....A

The County will require that only compact and contiguous *discretionary development* occur within or adjacent to existing unincorporated settlements.

Policy 5.1 3.....A

The County will consider municipal extra-territorial jurisdiction areas that are currently served or planned to be available by a public sanitary sewer service plan as *Contiguous Urban Growth Areas* which should develop in conformance with the relevant municipal comprehensive plans. Such areas are identified on the Future Land Use Map.

Policy 5.1.4.....A

The County may approve *discretionary development* outside *Contiguous Urban Growth Areas*, but within municipal extra-territorial jurisdiction areas only if:

- a. the development is consistent with the municipal comprehensive plan and relevant municipal requirements;
- b. the site is determined to be *well-suited overall* for the development if on *Best Prime Farmland* or the site is *suited overall*, otherwise; and
- c. the development is generally consistent with all relevant LRMP objectives and policies.

Policy 5.1 5A

The County will encourage *urban development* to explicitly recognize and provide for the right of agricultural activities to continue on adjacent land.

Policy 5.1.6A

To reduce the occurrence of agricultural land use and non-agricultural land use nuisance conflicts, all County discretionary approvals will encourage and when deemed necessary require the developer to create a sufficient buffer between existing agricultural operations and the proposed *urban development*.

Policy 5.1.7A

The County will oppose new *urban development* or development authorized pursuant to a municipal annexation agreement that is located more than one and one half miles from a municipality's corporate limit unless the Champaign County Board determines that the development is otherwise consistent with the Champaign County LRMP, and that such extraordinary exercise of extra-territorial jurisdiction is in the interest of the County as a whole.

Policy 5.1.8.....Tabled on 5/7/09

The County affirms its zoning authority as provided for in (55 ILCS 5/5-12001), Counties Code.

Note regarding Policy 5.1.8:

Staff will provide requested additional options for this policy in time for the June 11th meeting.

A = Approved

Policy 5.1.9 and Policy 5.1.10 were removed.

Objective 5.2 NATURAL RESOURCES STEWARDSHIPA

When new *urban development* is proposed, Champaign County will encourage that such development demonstrates good stewardship of natural resources

Policy 5.2.1A

The County will encourage the reuse and redevelopment of older and vacant properties within urban land when feasible.

Policy 5.2.2A

The County will:

- a. ensure that *urban development* proposed on *best prime farmland* is efficiently designed in order to avoid unnecessary conversion of such farmland; and
- b. encourage, when possible, other jurisdictions to ensure that *urban development* proposed on *best prime farmland* is efficiently designed in order to avoid unnecessary conversion of such farmland.

Policy 5.2.3A

The County will:

- a. require that proposed new *urban development* results in no more than minimal disturbance to areas with significant natural environmental quality; and
- b. encourage, when possible, other jurisdictions to require that proposed new *urban development* results in no more than minimal disturbance to areas with significant natural environmental quality.

Policy 5.2.4 and Policy 5.2.5 were removed.

Objective 5.3 ADEQUATE PUBLIC INFRASTRUCTURE AND SERVICESA

Champaign County will oppose proposed new *urban development* unless adequate utilities, infrastructure, and *public services* are provided.

Policy 5.3.1A

The County will:

- a. require that proposed new *urban development* in unincorporated areas is sufficiently served by available *public services* and without undue public expense; and
- b. encourage, when possible, other jurisdictions to require that proposed new *urban development* is sufficiently served by available *public services* and without undue public expense.

Policy 5.3.2A

The County will:

- a. require that proposed new *urban development*, with proposed improvements, will be adequately served by *public infrastructure*, and that related needed improvements to *public infrastructure* are made without undue public expense; and
- b. encourage, when possible, other jurisdictions to require that proposed new *urban development*, with proposed improvements, will be adequately served by *public infrastructure*, and that related needed improvements to *public infrastructure* are made without undue public expense.

Policy 5.3.3A

The County will encourage a regional cooperative approach to identifying and assessing the incremental costs of public utilities and services imposed by new development.

A = Approved

Policy 5.3.4 was removed.

GOAL 6 PUBLIC HEALTH AND PUBLIC SAFETYA

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

Objective 6.1 PROTECT PUBLIC HEALTH AND SAFETY.....A

Champaign County will ensure that *rural* development does not endanger public health or safety.

Policy 6.1.1A

The County will establish minimum lot location and dimension requirements for all new *rural* residential development that provide ample and appropriate areas for onsite wastewater and septic systems.

Policy 6.1.2A

The County will ensure that the proposed wastewater disposal and treatment systems of *discretionary development* will not endanger public health, create nuisance conditions for adjacent uses, or negatively impact surface or groundwater quality. .

Policy 6.1.3 and Policy 6.14 were removed.

Policy 6.1.5A

The County will actively seek to prevent nuisances created by light and glare and will endeavor to limit excessive night lighting, and to preserve clear views of the night sky throughout as much of the County as possible.

Policy 6.1.6A

The County will actively seek to abate blight and to prevent and rectify improper dumping.

Objective 6.2 PUBLIC ASSEMBLY LAND USESA

Champaign County will seek to ensure that public assembly, dependent population, and multifamily land uses provide safe and secure environments for their occupants.

Policy 6.2.1A

The County will require public assembly, dependent population, and multifamily premises built, significantly renovated, or established after 2010 to comply with the Office of State Fire Marshal life safety regulations or equivalent.

Policy 6.2.2A

The County will require Champaign County Liquor Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.

Policy 6.2.3A

The County will require Champaign County Recreation and Entertainment Licensee premises to comply with the Office of State Fire Marshal life safety regulations or equivalent by 2015.

Objective 6.3 DEVELOPMENT STANDARDSA

Champaign County will ensure that all new non-agricultural construction in the unincorporated area will comply with a building code by 2015.

A = Approved

Objective 6.4 COUNTYWIDE WASTE MANAGEMENT PLANA

Champaign County will develop an updated *Champaign County Waste Management Plan* by 2015 to address the re-use, recycling, and safe disposal of wastes including; landscape waste, agricultural waste; construction/demolition debris; hazardous waste; medical waste; and municipal solid waste.

GOAL 7 TRANSPORTATIONA

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

Objective 7.1 TRAFFIC IMPACT ANALYSESA

Champaign County will consider traffic impact in all land use decisions and coordinate efforts with other agencies when warranted.

Policy 7.1.1A

The County will include traffic impact analyses in *discretionary review* development proposals with significant traffic generation.

Objective 7.2 COUNTYWIDE TRANSPORTATION SYSTEMA

Champaign County will strive to attain a countywide transportation network including a variety of transportation modes which will provide rapid, safe, and economical movement of people and goods.

Policy 7.2.1A

The County will encourage development of a multi-jurisdictional countywide transportation plan that is consistent with the LRMP.

Policy 7.2.2 was removed.

Policy 7.2.3A

The County will encourage the maintenance and improvement of existing County railroad system lines and services.

Policy 7.2.4A

The County will actively seek to implement the County's Greenways and Trails Plan.

Policy 7.2.5A

The County will seek to prevent establishment of incompatible *discretionary development* in areas exposed to noise and hazards of vehicular, aircraft and rail transport.

Policy 7.2.6.....A

The County will seek to protect *public infrastructure* elements which exhibit unique scenic, cultural, or historic qualities.

A = Approved

GOAL 8 NATURAL RESOURCESA

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

GROUNDWATER RESOURCES

Objective 8.1 GROUNDWATER QUALITY AND AVAILABILITY.....A

Champaign County will strive to ensure adequate and safe supplies of groundwater at reasonable cost for both human and ecological purposes.

Policy 8.1.1A

The County will not approve *discretionary development* using on-site water wells unless it can be reasonably assured that an adequate supply of water for the proposed use is available without impairing the supply to any existing well user.

Policy 8.1.2A

The County will encourage regional cooperation in protecting the quality and availability of groundwater from the Mahomet Aquifer.

Policy 8.1.3A

As feasible, the County will seek to ensure that withdrawals from the Mahomet Aquifer and other aquifers do not exceed the long-term sustainable yield of the aquifer including withdrawals under potential drought conditions, particularly for shallow aquifer.

Policy 8.1.4A

To the extent that distinct recharge areas are identified for any aquifers, the County will work to prevent development of such areas that would significantly impair recharge to the aquifers.

Policy 8.1.5A

To the extent that groundwater in the County is interconnected with surface waters, the County will work to ensure that groundwater contributions to natural surface hydrology are not disrupted by groundwater withdrawals by *discretionary development*.

Policy 8.1.6A

The County will encourage the development and refinement of knowledge regarding the geology, hydrology, and other features of the County's groundwater resources.

Policy 8.1.7A

The County will ensure that existing and new developments do not pollute the groundwater supply.

Policy 8.1.8A

The County will protect community well heads, distinct aquifer recharge areas and other critical areas from potential sources of groundwater pollution.

Policy 8.1.9A

The County will work to ensure the remediation of contaminated land or groundwater and the elimination of potential contamination pathways.

A = Approved

SOIL AND MINERAL RESOURCES

Objective 8.2 SOILA

Champaign County will strive to conserve its soil resources to provide the greatest benefit to current and future generations.

Policy 8.2.1.....A

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 85 and includes land parcels with mixed soils that have a Land Evaluation score of 85 or greater as defined in the Champaign County Land Evaluation and Site Assessment System.

Objective 8.3 and its policies were removed.

Objective 8.4 SURFACE WATER PROTECTIONA

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, minimize erosion and sedimentation, and provide appropriate conditions for native aquatic species.

Policy 8.4.1A

The County will incorporate the recommendations of adopted watershed plans in its policies, plans, and investments and in its *discretionary review* of new development.

Policy 8.4.2.....A

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.

Policy 8.4.3A

The County will encourage the implementation of agricultural practices and land management that promotes good drainage while maximizing stormwater infiltration and aquifer recharge.

Policy 8.4.4A

The County will ensure that point discharges including those from new development, including surface discharging on-site wastewater systems, meet or exceed state and federal water quality standards.

Policy 8.4.5A

The County will ensure that non-point discharges from new development meet or exceed state and federal water quality standards.

Objective 8.5 AQUATIC AND RIPARIAN ECOSYSTEMSA

Champaign County will encourage the maintenance and enhancement of aquatic and riparian habitats.

Policy 8.5.1A

For *discretionary development*, the County will require land use patterns, site design standards and land management practices that, wherever possible, preserve existing habitat, enhance degraded habitat and restore habitat.

A = Approved

Policy 8.5.2A

The County will require in its *discretionary review* that new development cause no more than minimal disturbance to the stream corridor environment.

Policy 8.5.3A

The County will encourage the preservation and voluntary restoration of wetlands and a net increase in wetland habitat acreage.

Policy 8.5.4A

The County will support efforts to control and eliminate invasive species.

Policy 8.5.5A

The County will promote drainage system maintenance practices that provide for effective drainage, promote channel stability, minimize erosion and sedimentation, minimize ditch maintenance costs and, when feasible, support healthy aquatic ecosystems.

NATURAL AREAS

Note regarding Objective 8.6 and its Policies:

Objective 8.6 was discussed by the LRMP steering committee beginning at the April 30th meeting and continuing at the May 7th meeting. At the first meeting, two amended versions were proposed by steering committee members; they both failed by a wide margin. The committee tabled discussion on this objective, asking staff to reword the objective and its policies especially focusing on private property rights. Three RPC staff members and John Hall from County Zoning reworked them and distributed them for consideration prior to the May 7th meeting.

At the May 7th meeting, the committee voted against the staff-reworded Objective 8.6 by a significant margin. They then returned to the original wording (as shown below); this too failed by a wide margin. With all proposed versions of Objective 8.6 failing, as per committee rule, Objective 8.6 and its Policies were removed.

At the end of the May 7th meeting, a committee member requested that staff once again attempt to reword Objective 8.6 and its policies; Chair Wysocki allowed the request and asked staff for rewording for future consideration.

Objective 8.6 NATURAL AREAS AND HABITATFurther refinement requested by committee

Champaign County will seek to preserve, enhance, expand and restore areas representative of the *pre-settlement environment* and areas which provide habitat for threatened and endangered species, game species and other native species.

Policy 8.6.1..... Further refinement requested by committee

The County will use the *Illinois Natural Areas Inventory* and other scientific sources of information to identify areas requiring protection or offering the potential for restoration.

A = Approved

Policy 8.6.2..... Further refinement requested by committee

The County will promote land use patterns, site design standards and land management practices that provide habitat for native and game species and will encourage private efforts to establish and maintain such habitat.

Policy 8.6.3..... Further refinement requested by committee

The County, in its *discretionary review* of new developments, will require implementation of Illinois Department of Natural Resources recommendations on sites containing endangered or threatened species and will work to ensure that recommend management practices are maintained on such sites.

Policy 8.6.4..... Further refinement requested by committee

The County will encourage the reservation and establishment of private and public hunting grounds where conflicts with surrounding land uses can be minimized.

Policy 8.6.5..... Further refinement requested by committee

The County will require that the location, site design and land management of new development minimize disturbance of existing natural areas and biodiverse habitat.

Policy 8.6.6..... Further refinement requested by committee

The County will encourage efforts to control and eliminate invasive species and to promote healthy populations of native, threatened and endangered species.

Objective 8.7 PARKS AND PRESERVESA

Champaign County will work to protect existing investments in *rural* parkland and natural area preserves and will encourage the establishment of new public *parks and preserves* and protected private lands.

Policy 8.7.1A

The County will require that the location, site design and land management of *discretionary development* minimize disturbance of the natural quality, habitat value and aesthetic character of existing public and private *parks and preserves*.

Policy 8.7.2A

8.7.2 The County will strive to attract alternative funding sources that assist in the establishment and maintenance of *parks and preserves* in the County.

Policy 8.7.3A (added by committee 5/7/09)

The County will require that *discretionary development* provide a reasonable contribution to support development of *parks and preserves*.

Policy 8.7.4A (renumbered due to new 8.7.3, previously 8.7.3)

The County will encourage the establishment of public-private partnerships to conserve woodlands and other significant areas of natural environmental quality in Champaign County.

Policy 8.7.5A (renumbered due to new 8.7.3, previously 8.7.4)

The County will implement where possible incentives to encourage land development and management practices that preserve, enhance natural areas, wildlife habitat and/or opportunities for hunting and other recreational uses on private land.

A = Approved

Policy 8.7.6A (renumbered due to new 8.7.3, previously 8.7.5)

The County will support public outreach and education regarding site-specific natural resource management guidelines that landowners may voluntarily adopt.

AIR QUALITY

Objective 8.8 AIR POLLUTANTSA

Champaign County considers the atmosphere a valuable resource and will seek to minimize harmful impacts to it and work to prevent and reduce the discharge of ozone precursors, acid rain precursors, toxics, dust and aerosols that are harmful to human health.

Policy 8.8.1A

The County will require compliance with all applicable Illinois Environmental Protection Agency and Illinois Pollution Control Board standards for air quality when relevant in *discretionary review* development.

Policy 8.8.2A

In reviewing proposed *discretionary development*, the County will identify existing sources of air pollutants and will avoid locating sensitive land uses where occupants will be affected by such discharges.

Note regarding Objectives and Policies under Goal 8:

At the May 7th meeting, a committee member requested that another policy be added under Objective 8.8; the wording of this will become available in time for the June 11th meeting. A committee member also requested that a new objective be added under Goal 8; the wording of this will also become available in time for the June 11th meeting.

GOAL 9 ENERGY CONSERVATIONA

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

Objective 9.1 REDUCE GREENHOUSE GASESA

Champaign County will seek reduce the discharge of greenhouse gases.

Policy 9.1.1A

The County will promote land use patterns, site design standards and land management practices that minimize the discharge of greenhouse gases.

Policy 9.1.2A

The County will promote energy efficient building design standards.

Policy 9.1.3A

The County will strive to minimize the discharge of greenhouse gases from its own facilities and operations.

Objective 9.2 ENERGY EFFICIENT BUILDINGS.....A

Champaign County will encourage energy efficient building design standards.

A = Approved

Policy 9.2.1A

The County will enforce the Illinois Energy Efficient Commercial Building Act (20 ILCS 3125/1).

Policy 9.2.2A

The County will strive to incorporate and utilize energy efficient building design in its own facilities.

Objective 9.3 LAND USE AND TRANSPORTATION POLICIESA

Champaign County will encourage land use and transportation planning policies that maximize energy conservation and efficiency.

Objective 9.4 REUSE AND RECYCLINGA

Champaign County will actively promote efficient resource use and re-use and recycling of potentially recyclable materials.

Objective 9.5 RENEWABLE ENERGY SOURCESA

Champaign County will encourage the development and use of renewable energy sources where appropriate and compatible with existing uses.

GOAL 10 CULTURAL AMENITIESA

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

Objective 10.1 CULTURAL AMENITIESA

Champaign County will encourage the development and maintenance of cultural, educational, recreational, and other amenities that contribute to the quality of life of its citizens.

Policy 10.1.1 was removed.

Policy 10.1.2A

The County will work to identify historic structures, places and landscapes in the County.

Definitions

These phrases can be found in italics within the text of GOPs.

best prime farmland

'Best prime farmland' consists of soils identified in the Champaign County Land Evaluation and Site Assessment (LESA) System with a Relative Value of 85 or greater and tracts of land with mixed soils that have a LESA System Land Evaluation rating of 85 or greater.

by right development

'By right development' is a phrase that refers to the limited range of new land uses that may be established in unincorporated areas of the County provided only that subdivision and zoning regulations are met and that a Zoning Use Permit is issued by the County's Planning and Zoning Department. At the present time, 'by right' development generally consists of one (or a few, depending on tract size) single family residences, or a limited selection of other land uses. Zoning Use Permits are applied for 'over-the-counter' at the County Planning & Zoning Department, and are typically issued—provided the required fee has been paid and all site development requirements are met—within a matter of days.

contiguous urban growth area

Unincorporated land within the County that meets one of the following criteria:

- land designated for urban land use on the future land use map of an adopted municipal comprehensive land use plan, intergovernmental plan or special area plan, and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so).
- land to be annexed by a municipality and located within the service area of a public sanitary sewer system with existing sewer service or sewer service planned to be available in the near- to mid-term (over a period of the next five years or so); or
- land surrounded by incorporated land or other urban land within the County.

discretionary development

A non-agricultural land use that may occur only if a Special Use Permit or Zoning Map Amendment is granted by the County.

discretionary review

The County may authorize certain non-agricultural land uses in unincorporated areas of the County provided that a public review process takes place and provided that the County Board or County Zoning Board of Appeals (ZBA) finds that the development meets specified criteria and approves the development request. This is referred to as the 'discretionary review' process.

The discretionary review process includes review by the County ZBA and/or County Board of a request for a Special Use or a Zoning Map Amendment. For 'discretionary review' requests, a public hearing occurs before the County ZBA. Based on careful consideration of County [LRMP] goals, objectives and policies and on specific criteria, the ZBA and/or County Board, at their discretion, may or may not choose to approve the request.

'good zoning lot' (commonly referred to as a 'conforming lot')

A lot that meets all County zoning, applicable County or municipal subdivisions standards, and other requirements in effect at the time the lot is created.

parks and preserves

Public land established for recreation and preservation of the environment or privately owned land that is participating in a conservation or preservation program

pre-settlement environment

When used in reference to outlying Champaign County areas, this phrase refers to the predominant land cover during the early 1800s, when prairie comprised approximately 92.5 percent of land surface; forestland comprised roughly 7 percent; with remaining areas of wetlands and open water. Riparian areas along stream corridors containing 'Forest Soils' and 'Bottomland Soils' are thought to most likely be the areas that were forested during the early 1800s.

public infrastructure

'Public infrastructure' when used in the context of rural areas of the County generally refers to drainage systems, bridges or roads.

public services

'Public services' typically refers to public services in rural areas of the County, such as police protection services provided the County Sheriff office, fire protection principally provided by fire protection districts, and emergency ambulance service.

rural

Rural lands are unincorporated lands that are not expected to be served by any public sanitary sewer system.

site of historic or archeological significance

A site designated by the Illinois Historic Preservation Agency (IHPA) and identified through mapping of high probability areas for the occurrence of archeological resources in accordance with the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420/3). The County requires Agency Report from the IHPA be submitted for the County's consideration during discretionary review of rezoning and certain special use requests. The Agency Report addresses whether such a site is present and/or nearby and subject to impacts by a proposed development and whether further consultation is necessary.

suited overall

During the discretionary review process, the County Board or County Zoning Board of Appeals may find that a site on which development is proposed is 'suited overall' if the site meets these criteria:

- the site features or site location will not detract from the proposed use;
- the site will not create a risk to the health, safety or property of the occupants, the neighbors or the general public;

- the site is not clearly inadequate in one respect even if it is acceptable in other respects;
- necessary infrastructure is not in place or provided by the proposed development; and
- available public services are adequate to support the proposed development effectively and safely.

well-suited overall

During the discretionary review process, the County Board or County Zoning Board of Appeals may find that a site on which development is proposed is 'well-suited overall' if the site meets these criteria:

- the site is one on which the proposed development can be safely and soundly accommodated using simple engineering and common, easily maintained construction methods with no unacceptable negative affects on neighbors or the general public; and
- the site is reasonably well-suited in all respects and has no major defects.

urban development

The construction, extension or establishment of a land use that requires or is best served by a connection to a public sanitary sewer system.

urban land

Land within the County that meets any of the following criteria:

- within municipal corporate limits; or
- unincorporated land that is designated for future urban land use on an adopted municipal comprehensive plan, adopted intergovernmental plan or special area plan and served by or located within the service area of a public sanitary sewer system.

urban land use

Generally, land use that is connected and served by a public sanitary sewer system.

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A Plan to Improve the Planning and Management of Water Supplies in East-Central Illinois

by

East-Central Illinois Regional Water Supply Planning Committee



June 2009

13 **A Plan to Improve the Planning and**
14 **Management of Water Supplies**
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20 **East-Central Illinois Regional Water Supply Planning Committee**

21 Bradley Uken (Chair): Public
22 Jeff Smith (Vice Chair): Agriculture
23 Shannon Allen: Soil and water conservation
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25 Dwain Berggren: Environment
26 Robert Betzelberger: Small business
27 Frank Dunmire: Rural water districts
28 Jay Henry: Electric generating utilities
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36 A report prepared for the Mahomet Aquifer Consortium
37 under contract to
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39

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42 June 2009

43 Champaign, Illinois

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MAHOMET AQUIFER CONSORTIUM WATER SUPPLY PLANNING REPORT

by

East-Central Illinois Regional Water Supply Planning Committee

Bradley Uken (Chair): Public **Jeff Smith** (Vice Chair): Agriculture **Shannon Allen**: Soil and water conservation
Morris Bell: Water authorities **Dwain Berggren**: Environment **Robert Betzelberger**: Small business
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A report prepared for the Mahomet Aquifer Consortium under contract to
the Illinois Department of Natural Resources, Office of Water Resources, Springfield, IL

June 2009, Champaign, Illinois

EXECUTIVE SUMMARY

East-Central Illinois is not facing an immediate water crisis, but the East-Central Illinois Water Supply Planning Committee (the Committee) is driven by a desire to avoid crises that sometimes plague other states and countries. A recent headline describes the water problems in the southeastern United States:

"Georgia Water Woes: Drought Leads to Widespread Water Shortages"

The Committee believes strongly that stakeholders in the region can shape the future, rather than allowing runaway events to take control and crises to occur. A regional plan – a framework for action and a series of action items – provides a means to shape the future. It is the Committee's belief that implementation of a regional plan can lead to more desirable headlines, such as:

"Sustainable Water Supplies for East-Central Illinois"

MANDATE

The regional plan has been developed by the Committee in compliance with Executive Order 2006-01 issued by the Governor directing the Illinois Department of Natural Resources, in coordination with the Illinois State Water Survey, to engage in regional water supply planning.

PLANNING HIGHLIGHTS

To implement the Executive Order, the Office of Water Resources of the Illinois Department of Natural Resources signed a contract with the Mahomet Aquifer Consortium to complete over a three-year period specified tasks in a priority water quantity planning area for 15 counties in East-Central

237 Illinois: Vermilion, Iroquois, Ford, Champaign, McLean, Macon, DeWitt, Piatt, Woodford, Tazewell,
238 Mason, Logan, Menard, Cass and Sangamon. The regional plan focuses on the Mahomet Aquifer System
239 that underlies a large portion of the planning area together with the surface waters of the major river
240 basins. Funding for the crucial third year was not provided and this caused some important tasks in the
241 work plan to be curtailed.

242

243 Wittman Hydro Planning Associates, Inc. of Bloomington, Indiana, developed for the Mahomet
244 Aquifer Consortium and the Committee scenarios of how much water may be needed in the region to
245 2050.

246

247 Using the water demand data provided by Wittman Hydro Planning Associates, Inc. and geological
248 data and information provided by the Illinois State Geological Survey, the Illinois State Water Survey
249 conducted analyses to evaluate how drought, climate change, water withdrawals and discharges affect
250 streamflow, reservoir yield and groundwater availability. Most of this work was conducted under
251 contract with the Office of Water Resources of the Illinois Department of Natural Resources. A final
252 report from the State Surveys was not available for the Committee's use; therefore, the Committee
253 relied upon preliminary results in the form of draft materials and PowerPoint presentations on climate
254 scenarios, groundwater flow modeling results, and surface water yield analyses to form its
255 recommendations.

256

257 From March 2007 through June 2009 the Committee held 31 public meetings, received public
258 comments, was briefed on and discussed many aspects of water supply planning and management, and
259 conducted outreach and educational activities.

260

261 The regional water supply plan builds on the Committee's findings: key findings are summarized
262 after the recommended regional plan below. Major relevant features of the region, including a summary
263 of the water demand scenarios, are described in Appendix 1 of the report. Appendix 2 provides an
264 overview of water supply planning and management relevant to East-Central Illinois.

265

266

267 RECOMMENDED REGIONAL WATER SUPPLY PLAN

268

269

270 A FRAMEWORK FOR ACTION

271

272 The Committee selected a strategic planning framework within which to construct a plan. Within
273 this framework, the Committee considered a multitude of interconnected economic, social and
274 environmental factors. Given the time and resources available, the Committee focused on the impacts
275 of withdrawing water from the Mahomet Aquifer System and the major river basins to meet water
276 demand scenarios to 2050.

277

278 The Committee has identified a set of guidelines for regional water supply planning and
279 management based on the following six foundations:

280

281 **Self governance;**

Adaptive management;

Shared responsibilities;

282 **Sustainable water supplies;**

Sound science;

Informed public.

283

284 The sustainability of water supplies is defined as the provision of dependable and adequate supplies
285 of clean water to meet the demands of all users in a manner that can be maintained for an indefinite
286 time without causing unacceptable environmental, economic, or social costs.

289 KEY COMPONENTS

291 Vision of the future

293 In the years ahead, others will view East-Central Illinois as a model for regional water supply
294 planning and management. This is because future generations will inherit a legacy of responsible water
295 supply planning and management that will allow them to continue to be good stewards and managers,
296 rather than inheriting diminished resources and chronic problems. The provision of dependable and
297 adequate supplies of clean water for all users at reasonable economic and environmental cost will
298 enhance public health and the quality of life, reduce conflict, and preserve and enhance economic,
299 agricultural and environmental resources and opportunities.

302 Goal

304 The goal is to make recommendations that will be adopted and implemented by stakeholders to
305 improve the planning and management of water supplies in East-Central Illinois.

308 Planning and management standards

310 In order to protect aquifers, surface waters and ecosystems while allowing for the development of
311 water resources, the Committee recommends a number of voluntary standards for water supply
312 planning and management.

- 314 • Water supplies should continue to be planned and managed to meet demand in compliance
315 with existing laws, regulations and property rights, with due determination and
316 consideration of acceptable and/or unacceptable impacts.
- 318 • Water supplies should be planned and managed with enhanced regional cooperation and
319 coordination to address shared responsibilities and the interests of future generations.
320 Enhanced regional cooperation and coordination should be achieved through voluntary
321 efforts in the spirit of self-governance.
- 323 • Withdrawals from the confined Mahomet Aquifer should be managed so that head in any
324 well (pumping or non-pumping) finished in the confined Mahomet Aquifer does not fall
325 below the top of the aquifer. i.e., there is no loss of saturated thickness. It will be important
326 to monitor heads in pumping and non-pumping wells and provide a water-level watch for all
327 stakeholders.
- 329 • The earlier evaluation of the sustainability of pumping to capacity by Illinois American Water
330 (51.1 million gallons per day (mgd)) should be reevaluated to include additional withdrawals

- 331 from the Mahomet Aquifer by other communities and industries out to 2050, with
332 consideration of drawdown in pumping and non-pumping wells.
333
- 334 • The transition zone between the confined and unconfined parts of the Mahomet Aquifer
335 should be defined and an appropriate standard(s) be developed to protect the aquifer,
336 surface waters and ecosystems, while allowing for groundwater development.
337
 - 338 • A standard(s) should be set to protect shallow confined aquifers, surface waters and
339 ecosystems, while allowing for groundwater development.
340
 - 341 • In the unconfined parts of the Mahomet Aquifer in the Havana Lowlands, a standard(s)
342 should be developed and implemented to limit the reduction of saturated thickness in the
343 unconfined aquifer and protect surface waters and ecosystems, especially in summer during
344 drought conditions, while allowing for groundwater development.
345
 - 346 • The Committee recommends that key aquifer recharge areas, key stream reaches, and
347 ecosystem-sensitive stream flows be identified and preserved and/or restored.
348
 - 349 • Water supply facilities should be designed, constructed and operated in a manner that
350 prevents unacceptable impacts to surface waters, including streamflow and water levels in
351 lakes, wetlands and aquatic and riparian ecosystems, while providing sufficient water to
352 meet demand. Unacceptable impacts need to be defined.
353
 - 354 • Criteria and standards to protect the aquifers should be reevaluated when criteria and a
355 standard(s) are developed to protect surface waters and aquatic and riparian ecosystems
356 from possible unacceptable impacts of groundwater withdrawals, once unacceptable
357 impacts are defined.
358
 - 359 • Public water supplies should be managed to provide dependable and adequate supplies of
360 water during, at a minimum, recurrence of the multi-year droughts-of-record similar to
361 those that occurred in the 1930s and 1950s. A 90 percent confidence level should be used
362 for yields. Bloomington, Decatur and Springfield urgently need additional sources of water
363 and/or need to reduce water demand to be able to provide adequate supplies of water
364 during a drought-of-record, which can recur at any time. Emergency response plans for all
365 water supply facilities should be updated or prepared to provide adequate supplies of water
366 in low-probability situations in which adequate water supplies cannot be provided through
367 normal operations and capacities.
368
 - 369 • Efficiencies of water withdrawal, treatment, distribution and use, and use of water from
370 alternative sources (such as reused water, detained stormwater, and conjunctive use of
371 surface water and groundwater) should be increased. This should include obtaining
372 maximum feasible efficiencies in all existing, committed and planned water supply facilities,
373 which should be supplemented with additional facilities only as necessary to serve
374 anticipated water supply needs. Identification and uniform implementation of best
375 management practices for water supply facilities, where feasible, will help minimize the sum
376 of water supply system operating and capital investment costs and increase water use

377 efficiencies and sustainability. Examination of water pricing policies and practices may lead
378 to identification of additional strategies to reduce water demand.

379

380 • Water supply facilities should be designed for staged or incremental construction, where
381 feasible, to permit maximum flexibility to accommodate changes in population and
382 economic growth, changes in technology for water supply management, new scientific
383 understanding, and possible new or revised management standards.

384

385 • A continuous process for water supply planning should be implemented and regional and
386 local water supply plans should be reviewed and updated at least every five years.

387

388 • All water supply managers and other stakeholders in the region should be encouraged to
389 review a regional plan, suggest modifications, and become partners in regional water supply
390 planning and management.

391

392

393 ACTION ITEMS

394

395 **The main recommendation is to establish a permanent process and structure for regional water**
396 **supply planning and management involving a diverse set of stakeholders.**

397

398 **The Committee recommends that the Mahomet Aquifer Consortium retool to provide leadership,**
399 **administrative structure and process to fulfill an expanded role for regional water supply planning and**
400 **management in East-Central Illinois.**

401

402 • The mission should be broadened to include leadership and coordination of regional water
403 supply planning and management activities – for surface water as well as groundwater – in the
404 15-county region.

405

406 • Membership of the Board of Directors and its Technical Advisors should be broadened to
407 include the type of stakeholder and geographical diversity represented on the Regional Water
408 Supply Planning Committee.

409

410 • The Mahomet Aquifer Consortium should establish a continuous process and structure for
411 regional water supply planning and management to implement a regional plan, including an
412 appropriate committee structure.

413

414 • Engage in a continuous process of regional water supply planning and management and
415 implement a regional plan.

416

417 • Broader participation in Members' meetings should be encouraged and meetings rotated
418 throughout the region.

419

420 • To be effective, the Mahomet Aquifer Consortium will need a permanent staff and appropriate
421 financial and operating resources.

422

423 While encouraging the Mahomet Aquifer Consortium to identify its own means to implement the
424 regional plan, the Committee recommends two strategies to the Mahomet Aquifer Consortium, the
425 Illinois Department of Natural Resources, and the University of Illinois at Urbana-Champaign.

- 426
- 427 • As a critical early step, the Mahomet Aquifer Consortium is encouraged to identify its resource
428 needs and to take action to secure them. Stable and adequate funding from state government
429 and local entities is needed to support efforts to implement the regional plan. Federal funds also
430 should be pursued as a possible source.
 - 431
 - 432 • The University of Illinois at Urbana-Champaign is encouraged to consolidate and strengthen its
433 important role as a partner in regional water supply planning and management.
- 434

435

436 KEY FINDINGS

437

- 438 • Demand for water and water withdrawals will increase. Using different combinations of
439 assumptions, a plausible range of increases in total surface water and groundwater withdrawals
440 in the region by 2050 (excluding electric power generation) is about 220 to 420 mgd more than
441 modeled, normal-weather withdrawals of about 340 mgd in 2005. This range of increase would
442 be about 100 to 300 mgd above 2005 reported and estimated withdrawals of about 460 mgd,
443 which was a drought year in parts of the region. Withdrawals for electric power generation (the
444 large majority of which are non-consumptive) could decrease by 7 percent to about 1,218 mgd
445 or increase by 2 percent to about 1,342 mgd.
- 446
- 447 • Under normal weather conditions, groundwater withdrawals from the Mahomet Aquifer are
448 reported to increase from about 220 mgd in 2005 to 260 mgd in the Less Resource Intensive
449 (LRI) scenario in 2050, 280 mgd in the Baseline (BL) scenario, and 300 mgd in the More Resource
450 Intensive (MRI) scenario. Withdrawals would be much higher in a drought year, especially for
451 irrigation, and would increase with some climate change scenarios.
- 452
- 453 • An extreme climate scenario for water supplies would be a decrease in mean annual
454 precipitation, a recurrence of severe multi-year droughts, and an increase in temperature. The
455 probability of such a scenario occurring is unknown. However, severe multi-year droughts are
456 likely to recur and pose a great threat to water availability and some water supplies in the
457 region, especially those from surface waters and shallow aquifers. Building capacity to be
458 prepared for severe multi-year droughts also would provide protection against the adverse
459 impacts of possible climate change.
- 460
- 461 • Even during periods of drought and with possible climate change, there is sufficient water in the
462 region to meet the future water demand scenarios considered, provided that adequate
463 infrastructure and drought preparedness plans are developed and implemented and economic
464 and environmental costs can be tolerated.
- 465
- 466 • Withdrawing water from rivers and aquifers, storing, treating, distributing water, and
467 discharging waste water have social and economic benefits and economic and environmental

468 costs. Determining how much water is to be withdrawn from different sources necessitates
469 balancing and weighing benefits against costs and risks.

470

471 • Reservoirs are the prime sources of water supply for Decatur, Danville, Springfield and
472 Bloomington. Bloomington’s current use is about 12 mgd and the 90 percent estimate of yield
473 in a drought-of-record is 11.0 mgd. Decatur currently uses about 37 mgd and the 90 percent
474 yield estimate is 34.6 mgd. Springfield uses about 32 mgd and its 90 percent yield estimate is
475 23.4 mgd. Due to increasing water demand and increasing sedimentation, all three cities will
476 have increasing water supply deficits in the future unless additional sources of supply are
477 developed and/or demand is reduced. By 2050, Danville will have a water supply deficit with the
478 Baseline water demand scenario and a greater deficit with the More Resource Intensive water
479 demand scenario.

480

481 • Withdrawing sufficient water from aquifers to meet demands to 2050 results in increasing
482 drawdown of heads in wells finished in the aquifers, expanding cones of depression, a reversal
483 of groundwater flow in some areas, and reduced baseflow in streams. The bull’s eye of concern
484 is in Champaign County, where drawdown could lower head in some wells to less than 50 feet
485 above the top of the Mahomet Aquifer in some scenarios. Some shallow aquifers increasingly
486 are dewatered locally, wells finished in these aquifers go dry, and water levels in other wells
487 drop below the pumps and will require pumps to be lowered to sustain yields.

488

489 • The possibility of a slight increase in water withdrawals for electric power generation does not
490 appear to create a problem, although projections of future electricity demand and associated
491 water withdrawals are highly uncertain.

492

493 • The concept of the sustainability of water supplies is not uniformly or comprehensively
494 integrated in water supply management plans in the region.

495

496 • Water supplies in East-Central Illinois are planned and managed largely in piecemeal manner by
497 individual managers and local and sub-regional authorities. There is no planning and
498 management process or structure for comprehensive water supply planning and management
499 across the region.

500

501 • The University of Illinois at Urbana-Champaign, through the Illinois State Water Survey, Illinois
502 State Geological Survey and other departments, provides valuable technical assistance for water
503 supply planning and management

504

505 • The public and many local decision makers have limited understanding of water supply issues
506 and often are misinformed.

507

508 Based on the above findings, the Committee concludes that improvements in regional water supply
509 planning and management are needed to continue to provide benefits and to reduce costs and risks for
510 current and future residents of East-Central Illinois, those outside the region who depend on goods and
511 services produced in the region, and the environment.

512

513

514

515 CONCLUSIONS

516

517 Many of the building blocks of sound water supply planning and management already are in place.
518 We need to strengthen the blocks, add a few new ones, and reinforce the cement between the blocks.
519 Adding planning and management at the regional level is the cement that can improve communication
520 and coordination among stakeholders. The Committee recommends to today's stakeholders a regional
521 water supply plan that will allow them to realize the potentials of the water resources in the region,
522 shape their own future, and provide a worthy inheritance for future generations.

523

524 In the absence of improved water supply planning and management, the Committee believes that
525 future generations in the region face increased threats of water conflicts, crisis management,
526 degradation of the environment, and threats to public welfare and economic development. These
527 threats can be avoided or minimized by implementing the recommended regional plan.

528

529 The Foreword to the 1967 state water plan began with the assertive statement that "Illinois must
530 plan the long-range development of its water resources, if the state is to meet the needs of the future."
531 Forty two years later, that challenge remains.

532

533 A plan with no new laws or regulations and voluntary participation is perhaps more challenging to
534 implement than having to comply with new laws or regulations. Self-governance requires stakeholders'
535 participation and all to maintain open-minded, informed, just views of our personal, community and
536 common welfare.



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

(217) 384-3708
FAX (217) 328-2426

To: **Environment and Land Use Committee**
From: **John Hall, Zoning Administrator**
Date: **June 4, 2009**
RE: **Hiring Professional Consultants for Review of Certain Technical Studies for Wind Farm County Board Special Use Permits**

REQUEST

Committee direction is sought regarding whether or not to hire professional consultants to review certain technical submittals required for Wind Farm County Board Special Use Permits.

BACKGROUND

The first wind farm application is anticipated in August or September and several technical submittals are required as part of the application requirements. Review of those submittals will be the first step of the public hearing process and the quicker that compliance can be confirmed the shorter the public hearing will be. Many of the submittals can be reviewed by planning staff as part of the normal case review process and the County Engineer will review all submittals related to public street modifications and improvements. However, the following three submittals will require specialized professional knowledge to review and cannot be evaluated by planning staff:

- A noise study proving compliance with the Illinois Pollution Control Board noise standards (par. 6.1.4 I.). The noise study in particular is likely to be of great interest to adjacent non-participating landowners because it identifies the expected noise levels of the wind farm. Neighbors may not be willing to trust the assertions of the developer and may expect the County to take the necessary steps to verify compliance.
- A site risk assessment study regarding bird and bat mortality including if necessary a site specific one year bird and bat use survey (par. 6.1.4 L.).
- An independent engineer's estimate of decommissioning costs (par. 6.1.1 A. 5.(exist. 6.6.1 C. 5.)). This estimate is of particular importance to both the County and to participating landowners because it will be the basis of a realistic value of the letter of credit and eventually the escrow account to provide for decommissioning.

Recall that a special minimum application fee of \$20,000 is required for wind farm applications. Part of the justification of that fee was to cover the costs of these reviews. That justification was reviewed in item 12.B. of the Approved Finding of Fact that was included with the April 13, 2009, ELUC Agenda (see attached).

The Board is not obligated to hire consultants for the review of these submittals. Based on conversations with other county Zoning Administrators, it is quite unusual for other Illinois counties to hire consultants to review wind farm submittals. However, the Board should expect wind farm neighbors to be skeptical of the assertions of wind farm developers and the only way to reconcile those conflicting views will be to hire qualified professional consultants who can evaluate the wind farm submittals on behalf of the County Board.

There is at least one central Illinois engineering consultant who provides all of these services. If the Committee authorizes the hiring of consultants staff will begin searching for others.

A budget amendment will be necessary to authorize the expenditure but that amendment will not even be submitted until a wind farm application has been received. Considering that the minimum wind farm application is \$20,000, the budget amendment should be revenue neutral.

ATTACHMENT

ITEM 11.I.(5) CONTINUED

- (d) General achievement of the first agricultural land use goal (see Item 8.A.), second industrial land use goal (see Item 8.C.), and the fourth general land use goal (see Item 9.A.(3)).
12. Regarding fees proposed to be charged for Wind Farm County Board Special Use Permit applications:
- A. Regarding comparison of the proposed fees with other jurisdiction's with wind farm requirements:
 - (1) Fees from five other Illinois counties were compared. The range in fees varies widely for both the special use permit approval and the zoning permit approval. Total fees per tower ranged from \$2,183 per tower to \$8,500 per tower. Averages were determined for these five counties by using all the counties and by disregarding the maximum and minimum fees. See Attachment A to the Supplemental Memorandum for Case 634-AT-08 dated March 12, 2009, for specific data.
 - (2) The proposed fees compare to the averages as follows:
 - (a) The County Board Special Use Permit is 70% of the overall average and 73% of the middle three.
 - (b) The Zoning Use Permit fee is 100% of the overall average and 108% of the middle three.
 - (c) The total per turbine fee is 97% of the overall average and 104% of the middle three.
 - B. Regarding the County Board Special Use Permit:
 - (1) The proposed County Board Special Use Permit fee has to be adequate to cover the costs of the various consultants that will be necessary to adequately review the application submittals, as follows:
 - (a) A legal consultant to prepare the Roadway Upgrade and Maintenance agreement required by paragraph 6.1.4.F.
 - (b) A noise consultant to evaluate noise impacts and submittals required by paragraph 6.1.4.I.
 - (c) An environmental consultant to evaluate the wildlife impacts and submittals required by paragraph 6.1.4.L.
 - (d) A consulting engineer to review the costs of the reclamation agreement (decommissioning plan) required by paragraph 6.1.4.Q.
 - (2) The proposed County Board Special Use Permit fee has to be adequate to cover the staff time required to staff the public hearing and review the application as follows:

