

MINUTES OF REGULAR MEETING

CHAMPAIGN COUNTY ZONING BOARD OF APPEALS

1776 East Washington Street
Urbana, IL 61802

DATE:	November 14, 2024	PLACE:	Shields-Carter Meeting Room
			1776 East Washington Street
TIME:	6:30 p.m.		Urbana, IL 61802

MEMBERS PRESENT: Brian Andersen, Cindy Cunningham, Lee Roberts, Jim Randol

MEMBERS ABSENT: Ryan Ewell, Chris Flesner

STAFF PRESENT: John, Hall, Charlie Campo, Jacob Hagman

OTHERS PRESENT: David Holly, Erik Maag, Eric Wood, Liam Sawyer, Scott O’Neil, Ted Hartke, Tim Maupin, Steve Billman, Aaron Esry, Kent Krukewitt, Tim Osterbur, Don Wauthier, Justin Leerkamp, Janet Smith, Rick Smith, John Crosby, Mary White, Daniel Harriett, Jan Niccum, Pat Fitzgerald, Roger Henning, Sean O’Brien.

1. Call to Order

The meeting was called to order at 6:31 p.m.

2. Roll Call and Declaration of Quorum

The roll was called, and a quorum was declared present.

Mr. Hall said a temporary chair was needed due to Mr. Elwell's absence. Mr. Andersen nominated Ms. Cunningham, seconded by Mr. Roberts. The motion passed by voice vote.

Ms. Cunningham informed the audience that anyone wishing to testify for any public hearing tonight must sign the Witness Register.

3. Approval of Minutes – May 30, 2024

The motion was made by Mr. Andersen and seconded by Mr. Roberts to approve the minutes. The motion passed via voice vote, Mr. Randol abstained from voting as he was not at the May 30, 2024 meeting.

4. Correspondence – None

5. Audience participation concerning matters other than cases pending before the Board - None

6. Continued Public Hearings

Case 147-V-24

Petitioner: Jerry & Diamond Hay

Request: **Authorize the following variances in the R-1 Single Family Residence Zoning District:**

Part A: Authorize a proposed single-family dwelling with a front yard of 17 feet in lieu of the required 25 feet per Section 5.3 of the Champaign County Zoning Ordinance.

Part B: Authorize a proposed single-family dwelling located within the corner visibility triangle, per Section 4.3.3 F.1. of the Champaign County Zoning Ordinance.

Location: **The East 67 feet of Lots 1, 2 and 3 of B.R. Hammer’s Addition to the Town of Dewey, in the Northwest Quarter of Section 34, in East Bend Township, with an address of 301 Independence Ave., Dewey.**

1 Mr. Hall said the petitioner communicated that they wanted to withdraw their case. Mr. Hall asked for a
2 written confirmation, which hasn’t been received yet. Mr. Hall says that since the fee has been paid and
3 the petitioner has done so much work for the case, he recommends that the case be continued until
4 January 30, 2025, and if written confirmation is received, the case can be withdrawn. Mr. Hall said that
5 if the petitioner reconsiders, the case can continue moving ahead.
6

7 **Mr. Andersen made the motion, seconded by Mr. Roberts, to continue case 147-V-24 until**
8 **January 30, 2025. The motion passed by voice vote.**
9

10 **Case 129-AM-24**

Petitioner: **Troy Parkhill**

Request: **Amend the Zoning Map to change the zoning district designation from the R-1 Single Family Residence Zoning District to the B-4 General Business Zoning District.**

Location: **A 1.81-acre tract in the Northeast Quarter of the Southeast Quarter of Section 15, Township 20 North Range 7 East of the Third Principal Meridian in Mahomet Township with an address of 503 South Lake of the Woods Rd, Mahomet.**

11
12 Mr. Hall said that progress has been made between the petitioner and the Village of Mahomet. The
13 Village meeting is coming up, where the annexation of the property will be discussed. Mr. Hall said that
14 there is hope that the petitioner and the Village come to an agreement. Mr. Hall recommended
15 continuing this case until January 30, 2025 to give the petitioner and Mahomet time to hopefully
16 complete the annexation process.
17

18 **Mr. Randol made the motion, seconded by Mr. Andersen, to continue case 129-AM-24 until**
19 **January 30, 2025. The motion passed by voice vote.**
20

21 **7. New Public Hearings**

22
23 **Case 144-S-24**

24
Petitioner: **Little Prairie Solar LLC, c/o BayWa r.e. Solar Projects LLC, via agent David Holly, Development Manager for BayWa r.e. Solar Projects LLC**

Request: **Authorize a Utility-Scale PV Solar Farm with a total nameplate capacity of 135 megawatts (MW), including access roads and wiring, and an accessory 135 MW Battery Energy**

Storage System, in the AG-1 Agriculture Zoning District.

Location: **In Sidney Township the following sections are included with exceptions as described in the legal advertisement: Sections 12, 13, 14, 15, 23 and 24, Township 18 North, Range 10 East of the 3rd Principal Meridian.**

1

2 Ms. Cunningham informed the audience that anyone wishing to testify for any public hearing tonight
3 must sign the Witness Register.

4

5 Ms. Cunningham informed the audience that this case is an administrative case, and as such, the County
6 allows anyone to cross-examine any witness. She said that at the proper time, she would ask for a show
7 of hands from those who would like to cross-examine, and each person would be called upon. She said
8 that those who merely cross-examine are not required to sign the witness register but will be asked to
9 clearly state their name before asking any questions. She noted that no new testimony was to be given
10 during the cross-examination. She said that attorneys who have complied with article 7.6 of the ZBA by-
11 laws are exempt from cross-examination.

12

13 Ms. Cunningham called David Holly to give testimony as the petitioner. David Holly from 2144
14 Owensville Rd, Charlottesville, VA 22901, made his opening statement using a PowerPoint
15 presentation. Mr. Holly thanked the Board for hearing their case and for bringing the Little Prairie Solar
16 project forward for discussion. Mr. Holly introduced himself as the lead contact for the Little Prairie
17 Solar project and said that subject-matter experts are with him to help with the discussion. Mr. Holly
18 introduced John Crosby, the permitting manager with the entitlements team; Patrick Fitzgerald, local
19 counsel with Meyer Capel; Liam Sawyer, a professional engineer with Kimley-Horn; Eric Wood is with
20 Energy Safety Response Group (ESRG) he's a BESS safety consultant and is relied on for BESS safety
21 training with fire protection districts.

22

23 Mr. Holly provided background on BayWa r.e. and their involvement with the community of Sidney and
24 Homer on the Prairie Solar 1 project since 2017. Mr. Holly said that the process started by working with
25 the landowners in the area and ultimately coming to having project participants, which led to a
26 successful solar project that was permitted in 2019 and is currently under construction.

27

28 Mr. Holly continued discussing the Little Prairie Solar project. Mr. Holly stated the project is a 135 MW
29 project, which is the same size as Prairie Solar 1, with the difference being that Little Prairie Solar is a
30 hybrid project that includes an accessory BESS component. Mr. Holly also highlighted the increased
31 revenue from property taxes that the solar project brings. Mr. Holly said that the proposed solar farm
32 over a 40-year operational life, compared to agricultural production would result in \$19 million in
33 additional tax revenue.

34

35 Mr. Holly laid out the development timeline for the project. Mr. Holly stated that BayWa r.e. has been
36 working on the Little Prairie Solar project since 2022, and they have a 2022 key position with MISO, the
37 regional transmission operator, and the project stems from the first phase of Prairie Solar 1. Mr. Holly
38 said that the boundary for Prairie Solar 1 shifted for various reasons and the landowners left out of that
39 project still wanted to be included in a project, and Little Prairie Solar is the result of that interest.

40

41 Mr. Holly said that currently, BayWa r.e. is going through the special use permit process, and for the
42 past 6 months, they have done a community engagement push to get as much good or bad feedback from
43 the community, stakeholders, and decision-makers. Mr. Holly said they want to get as much feedback as
44 possible to incorporate it productively into the site plan. Mr. Holly said they got feedback started with a
45 "tailgate" meeting in Sidney to discuss Prairie Solar 1's construction timeline and introduce Little

1 Prairie Solar. Mr. Holly said they also sent out two rounds of notification letters to adjacent landowners
2 within a specific radius of the project and held in-person meetings with as many of the adjacent
3 landowners as possible to get concerns and feedback. Mr. Holly said there was a Zoning Board of
4 Appeals meeting scheduled in September, which ended up not happening, but since that time, BayWa
5 r.e. held an open house in Sidney to try and receive more feedback from everyone. Mr. Holly said that a
6 BESS webinar was held during the week of November 4, 2024. Mr. Holly said that the webinar is on
7 their website. Mr. Holly said there were a lot of battery storage and safety questions from their open
8 house event.

9
10 Mr. Holly referred back to their timeline with a goal of Little Prairie Solar being operational by fall of
11 2028 and construction beginning in 2027. Mr. Holly said that the timeline could change depending on
12 factors outside of BayWa r.e.'s control, but they are hoping to stick to the current schedule.

13
14 Mr. Holly continued with a slide showing the boundary of the Little Prairie Solar project. Mr. Holly said
15 the project is 1,047 acres. Mr. Holly continued that within the plan's footprint, the pv solar array area
16 will be 655.8 acres within a fenced area of 785.4 acres. Mr. Holly pointed out a school district boundary
17 indicated by a green line bisecting the project. Mr. Holly stated that 8% of the project will be in the
18 Tolono Unit 7 School District, and 92% will be within the Heritage Unit 8 School District. Mr. Holly
19 said BayWa r.e. has been working with them for quite a while, and they're excited about the project.

20
21 Mr. Holly showed a conceptual site plan and stated he believed ZBA board members should have a copy
22 of that in front of them and he wanted to discuss the design thesis that they took on this project. Mr.
23 Holly referred to the presentation showing the footprint of Prairie Solar 1, noting the plans do not show
24 black over the project substation just because that is the same location that Little Prairie is utilizing for
25 design efficiency reasons. Mr. Holly stated this project is staying within Champaign County because it's
26 a lot easier to design a project next to Prairie Solar 1 and utilize routing cabling through that project,
27 utilizing the same project substation footprint of a previously permitted substation and the same access
28 road up to that substation. Mr. Holly said they tried to incorporate design efficiencies in that way to the
29 best of their ability. Mr. Holly said they designed it to meet the County ordinance and not by state sitting
30 requirements as the project is designed based on the County ordinance requirements, as far as setbacks
31 from property lines and adjacent landowners.

32
33 Mr. Holly said they are buffering the known drainage infrastructure to date, that's not going to be all of
34 the drainage infrastructure, but this is what is known so far. Mr. Holly completed his presentation by
35 noting the location of the substation in the northwest corner of the project footprint, which is a shared
36 location with Prairie Solar 1. Mr. Holly said that typically, the battery storage on hybrid projects would
37 go next to a substation, for cost reasons and efficiency and routing up to the Sydney 138 KV. Mr. Holly
38 continued that after the initial feedback we received from the Department of Planning and Zoning, it was
39 preferred to move the substation farther away from the Village of Sydney. Mr. Holly said they are
40 seeking to locate the substation within the Prairie Solar 1 footprint and construction, and if there's a
41 successful permit for Little Prairie Solar, the BESS systems would be in the middle of those two
42 projects, 0.35 miles away from the closest open ag field, roughly 0.55 miles away from the closest
43 residence.

44
45 Mr. Holly continued to describe the layout of the BESS site. Mr. Holly said that throughout the design
46 iterations that they've taken, they worked as closely as they could with the Department to get feedback
47 on the battery ordinance that is pending and being worked on by the Planning Department. Mr. Holly
48 said that if iterations change, they will work as closely as possible to get feedback and incorporate it into
49 the plan. Mr. Holly said the current design is a few iterations from the original plan that we had put

1 forth, and some of those considerations changed such as increasing the spacing between the battery
2 containers beyond what the manufacturers recommended. Mr. Holly added that along with the spacing
3 requirement they added north and south, access roads and stub out roads so that basically all containers
4 within the facility are accessible within 100 feet of an access road in the facility. Mr. Holly said access
5 concerns were raised, and they changed the design to meet that. Mr. Holly said they observed the draft
6 battery amendment language and tried to incorporate that to the best degree possible so that there are
7 200-foot setbacks between the property lines on the west and the south.

8
9 Mr. Holly referenced the hash blue area on the map as the stormwater basin locations for compliance
10 with the Champaign County stormwater ordinance and the battery units themselves. Mr. Holly said
11 BayWa r.e. needs a manufacturer to base the design around. Mr. Holly clarified that manufacturers of
12 the batteries that get deployed on projects in the United States have to meet UL and NFPA standards.
13 Mr. Holly noted for everyone that the proposed units for this project are meeting all current safety
14 standards that are available.

15
16 Mr. Holly said BayWa r.e. designed the project based on the County ordinance, and it is meeting all the
17 ordinance requirements, apart from the four waivers that we are requesting for the project. Mr. Holly
18 broke down the waivers being requested. Mr. Holly said part A is a waiver for standard conditions for
19 not entering into a roadway and maintenance agreement prior to consideration of the Special Use Permit
20 by the Board and the purpose of doing that, after meeting with stakeholders in the community, is if there
21 was any anything that could be improved upon in using those original road use and maintenance
22 agreements as templates, they would be open to adding that into those templates, to capture that for
23 protections for the municipality in the County.

24
25 Mr. Holly said the part B waiver is for locating a project less than one and a half miles from the Village
26 of Sydney municipal boundary and noted that this project is technically farther away than the previously
27 permitted Prairie Solar 1 project from 2019.

28
29 Mr. Holly said part C is a waiver for a setback of 65 feet from a southern boundary of a property line,
30 and that property line is in the center line of the road. Mr. Holly showed an aerial of the property and
31 showed that along County Road 900N they are providing landscape buffers, per the County ordinance,
32 within 1,000 feet of residences. Mr. Holly continued that if they were to follow the ordinance in this
33 specific location, the proposed vegetative screening buffer would jut out and leave roughly three 3.3
34 acres of open area. Mr. Holly said, after consulting with the community with the landowners and the
35 adjacent farmer, it was determined that a 3.3-acre corner is not ideal for farming because it's too small
36 for the commercial-sized equipment. Mr. Holly continued that they felt that the aesthetics of keeping a
37 vegetative screening buffer going directly across County Road 900N without a stub out would be more
38 visually appealing.

39
40 Mr. Holly said that part D is for a waiver for a separation of 225 feet from one solar inverter to the fence
41 line because the County zoning ordinance requires 275 feet buffers around the inverters of a project. Mr.
42 Holly said this is a request for one specific parcel, one specific inverter. Mr. Holly said that there is an
43 existing transmission easement on the southern side of that parcel, so using good engineering practice
44 and putting the inverter smack in the middle, the 275-foot setback cannot be met. Mr. Holly said they
45 are staying within the fence line, and the setback is within the property boundary of the project, so they
46 don't feel that there will be any adverse impact on the agriculture field to the north.

47
48 Mr. Holly finished his testimony by inviting Eric Wood to speak. Eric is with the Energy Safety
49 Response Group and works closely with BayWa r.e. nationwide on battery storage safety and working

1 with fire departments and in-the-field training.

2
3 Ms. Cunningham asked Eric Wood to state his name and address. Eric Wood of 7475 Dayton-Brandt
4 Road, Tipp City, Ohio 45371, stated that he has been with ESRG for a year and a half, and prior to that,
5 he was a professional firefighter in Ohio for 20 years. Mr. Wood continued by saying that during the last
6 6 years, he was in the fire service, he worked with ESRG on the testing side of BESS.

7
8 Mr. Wood said that ESRG is mainly comprised of battery engineers, AHJs, and current and retired
9 firefighters, most of whom are located throughout the United States, such as New York, Ohio, and the
10 West. Mr. Wood continued that he's had the opportunity to travel all over the United States to do fire
11 department training, help with permitting, consult, and a myriad of other things as it pertains to battery
12 energy storage. Mr. Wood said ESRG had performed over 300 medium and large-scale fire tests in Ohio
13 alone. Mr. Wood said his consulting work includes site-specific ERPs (Emergency Response Plans), fire
14 department training, and Hazard Mitigation Analysis, all of which fall under NFPA 855 as required for
15 site-specific projects. Mr. Wood said that on the testing side of his job, he looks at a myriad of different
16 things as it goes to product development, permitting, hazard assessment, operational safety codes and
17 standards. Mr. Wood said ESRG does normalized testing, or if not, they will look at testing as it pertains
18 to UL 9540 and 9540A.

19
20 Mr. Wood said that ESRG works with developers like BayWa r.e. and they're there from the beginning
21 when developers look to commission a project and stay with them all the way to the very end when
22 decommissioning a project because ESRG is there to help offset any further concerns as that
23 decommissioning process takes place with NFPA 855 intact.

24
25 Mr. Wood explains what NFPA 855 is and how it looks. Mr. Wood said that 855 is an umbrella set of
26 standards for installing and decommissioning BESS. Mr. Wood stated that NFPA 855 came about in
27 2019, so while it is still relatively new, it has gone through a myriad of iterations and is going through
28 another at this time. Mr. Wood said that all BESS that gets integrated into the electric grid has to meet
29 NFPA standards. Mr. Wood continued that all BESS have to be tested to the UL standards, such as UL
30 9540 and UL 9540A, before becoming commissioned. Mr. Wood said any BESS or technology
31 connected to the energy grid would have those UL stamps. Mr. Wood said there are other codes and
32 standards that fall under NFPA 855, such as UL 1973, NFPA 72, NFPA 68 and 69, and a handful of
33 other things with the ANSI International Electric Code. Mr. Wood said that this is a highly regulated
34 industry, and ESRG works with companies like BayWa r.e. to ensure all codes and standards are met.
35 Mr. Wood ended his testimony.

36
37 Mr. Holly said he wanted to describe the landscape plan as shown on the Preliminary Landscape Plan
38 slide. The landscape plan is designed to meet the County ordinance requirements. Mr. Holly said there's
39 a landscape buffer within 1,000 feet of the dwellings throughout the project, and that buffer is a mix of
40 evergreen species and large evergreen shrub species. Mr. Holly continued that the plan shows a purple
41 and green area; purple and green are pollinator seed mixes, the green you see under all of the PV arrays,
42 and there's a buffer seed mix used throughout the project that's purple.

43
44 Mr. Holly said the green is designed to grow up to the lower panel height at the max tilt of the panels so
45 it doesn't shade them out; it is dually designed to be able to be grazed by sheep if that's how BayWa r.e.
46 wants to manage the vegetation on the project during operations in the buffer area. Mr. Holly added that
47 the purple seed mix underneath the 25-foot wide vegetated landscape buffer is a custom seed mix that
48 grows higher (around 36 to 48 inches tall) than the mix placed under the panels. Mr. Holly said the
49 custom blend consists of a custom blend of 30 pollinator species. Mr. Holly said the seed blends are

1 provided by a non-profit named Bee & Butterfly Habitat Fund. Mr. Holly stated that it is an organization
2 out of Nebraska that many projects in the Midwest are joining, and they do that through signing an
3 agreement through their solar synergy program. Mr. Holly said Little Prairie has already signed an
4 agreement with Bee & Butterfly Habitat Fund, and they are experts in pollinator habitat maintenance
5 and deployment on large-scale utility projects all over the Midwest.
6

7 Mr. Holly said BayWa r.e. relies on Bee & Butterfly Habitat Fund to provide the custom seed mixtures,
8 the two different mixtures between the PV array and the buffer areas, and the purpose of deploying
9 pollinator habitat across the entire project is to promote nutrient retention throughout the operations of
10 the passive solar farm. Mr. Holly continued that the Bee & Butterfly Habitat Fund comes out for the first
11 six years of project operations, takes a baseline soil sample, and then takes soil samples over six years to
12 document nutrient retention or increased nutrients in the soil. Mr. Holly said the Bee & Butterfly Habitat
13 Fund also monitors the pollinator habitat after maturity and offers part of the program to connect the
14 project to a local apiary operator so the project owner can host an apiary or apiaries on the site.
15

16 Mr. Holly said the solar projects are passive and contractual obligations must be met, mainly through a
17 decommissioning plan spelled out in a requirement, through the State siting bill, the County ordinance,
18 and the agriculture impact mitigation agreement. Mr. Holly continued explaining the State siting bill that
19 passed last year requires something different than Prairie Solar 1 as it requires solar projects like Little
20 Prairie to enter into that agriculture impact mitigation agreement (AIMA) prior to Special Use Permit
21 approval. Mr. Holly said the decommissioning plan would be the same process as Prairie Solar 1 to
22 include financial assurance that is reviewed on a five-year rotating basis for the first 25 years and every
23 two years thereafter to account for inflation, changing pricing, and that update and review is done by a
24 third party, independent engineer.
25

26 Mr. Holly ended his comments by discussing some benefits that BayWa r.e. is bringing to the County.
27 Mr. Holly said the job creation for this project is not a huge, long-term, permanent job creator. Mr.
28 Holly said there's a high influx of jobs during construction, and all that money will stay within the
29 County for lodging and food. Mr. Holly stated that the project itself is passive in nature and would not
30 result in increased use of resources such as increased students in schools or the use of other County
31 resources. Mr. Holly added that the Little Prairie project economic analysis shows roughly \$5.2 million
32 would come in property tax revenue from the project footprint if it were corn and soybeans. Mr. Holly
33 said that over four decades of operations under a solar farm use it is estimated to generate \$24.2 million
34 in property tax revenue, roughly a \$19 million delta of property tax revenue. Mr. Holly said the revenue
35 is split between the taxing jurisdictions that are part of the County. Mr. Holly said that school districts
36 are the highest taxing jurisdictions in the County, and with 92% of this project being within Heritage
37 School District, they received the lion's share of that property tax revenue, and showing their support for
38 the project, they have executed a tax abatement agreement with Little Prairie solar. Mr. Holly ended his
39 presentation.
40

41 Ms. Cunningham thanked Mr. Holly and Mr. Wood and asked the Board if they had any questions. Mr.
42 Andersen asked about jobs for the County and if the petitioner had a plan to help promote those jobs,
43 which were local jobs pulling from the manpower pool here in Champaign County. Mr. Holly said they
44 don't have a plan to promote the jobs at this time, but they have a workforce development program
45 they'd like to implement within the County. Mr. Holly said they would bring on EPC (Engineering,
46 Procurement, and Construction contracts) for Little Prairie and would mainly control where the jobs are
47 coming from. Mr. Holly continued that through a workforce development effort, BayWa r.e. can
48 essentially try to create a pathway to the EPC that gets roped in at the end of when we go to construction
49 for the project. Mr. Holly said he doesn't want to mislead anyone and tell them everyone will be from

1 here because he doesn't know.

2
3 Mr. Andersen asked if Mr. Holly had considered talking with the local Building Trades Council to work
4 with them on filling jobs. Mr. Holly said they've had some high-level discussions with union members,
5 but nothing has advanced, really, because this is such an early-stage project. Mr. Andersen had no other
6 questions at this time.

7
8 Ms. Cunningham asked Mr. Wood about BESS. Ms. Cunningham said that Mr. Randol has experience
9 as a volunteer firefighter, which is quite different from that of a professional firefighter. Ms.
10 Cunningham continued that, unlike in a big city, when rural volunteers get an alert tone, they might be
11 in a meeting, and many volunteers can't respond. Ms. Cunningham continued that she had babies when
12 she was a firefighter, and if the neighbor or her husband weren't home, she couldn't go. She continued
13 that even if she could get them to the neighbors, getting to the firehouse takes time, and then getting on
14 the fire truck. Ms. Cunningham said that in rural districts, it's a different game than in an urban setting,
15 and a primary concern for her is fire suppression. Ms. Cunningham said that fires in BESS aren't
16 common, but it's a big deal when they catch fire. Ms. Cunningham asked Mr. Wood to go into more
17 detail about the possible fire suppression plan.

18
19 Mr. Wood approached the microphone and said that most of the fire departments he's worked with
20 throughout the country have been rural and volunteer. Mr. Wood continued that, including the city he
21 worked for, three of the departments that his city worked with that had mutual aid agreements were all
22 volunteer, all of which outdid and outshone his unit. Mr. Wood continued that most of the constituents
23 and the stakeholders with whom ESRG reached out are primarily volunteer departments. Mr. Wood said
24 that when ESRG goes out, they engage local fire districts and fire departments, and they talk about self-
25 consumption. Mr. Wood said the less water, the better is what he's found over the last years that he's
26 done the testing, specifically in Ohio; UL has also found that to be true. Mr. Wood said the ideology is
27 that if a container has an event, they want to limit the amount of water being applied and allow the
28 safety mechanisms inside of it to do what it is set up to do and then not apply any water. Mr. Wood said
29 that self-consumption allows the fire to burn itself out.

30
31 Ms. Cunningham asked about the safety measures within the BESS that would help contain any fires.
32 Mr. Wood explained that part of the mechanisms integrated into these systems is known as a battery
33 management system, along with other things integrated into thermal and energy management systems.
34 Mr. Wood explained that if you have a cell phone, you carry an object with a battery management
35 system. Mr. Wood continued that battery management systems have been in place for the last decade,
36 dating back to 2010 or 2011, when Android phones were catching fire in people's pockets because the
37 phones were overcharging and overheating, which caused the lithium-ion batteries inside to swell. Mr.
38 Wood continued that when you get those middle of the night calls, and if you have your phone plugged
39 in when you look at your phone, your phone will display that its smart charging, and it'll tell you that the
40 phone won't reach 100% charge until 4 or 5 am depending upon when you plug your phone in, and that's
41 because that battery management system that's been integrated into the phone. Mr. Wood continued that
42 every BESS is integrated and will be tied into that specific site, each enclosure will have its own battery
43 management system, and that battery management system then is tied back to what's known as a remote
44 operation center where these sites are monitored 24 hours a day, 7 days a week, 365 days a year, and
45 somebody is always looking at these sites, to determine what is happening and what is going on. Mr.
46 Wood explained that the ideology behind those safety mechanisms is that if something were to go out of
47 place, they could start looking to take that system offline before something escalated that much further.

48
49 Ms. Cunningham asked about definitive warning signals that something will go wrong. Mr. Wood said

1 that with the NFPA 855, the BESS has to be tied back into an NFPA 72 system, which correlates back to
2 things like fire alarm control panels. Mr. Wood continued that within these systems, on top of having
3 battery management systems and energy management, thermal management systems, they also have to
4 be comprised of different sensors. Mr. Wood said whether that's a hydrogen sensor, gas sensor, or
5 smoke detector, maybe BESS has thermal imaging cameras on the exterior looking at heat structures,
6 whatever the manufacturer is bringing to the table as part of their mitigation systems. Mr. Wood
7 continued that the mitigation systems are what start tying in and figuring out things that are happening
8 well in advance because the battery management system and the other systems mentioned are tied
9 explicitly to every cell within that enclosure, so the management systems can read down to the actual
10 individual cell to determine if something is going out of whack. Mr. Wood continued that whoever is
11 observing the BESS can determine from the remote operation center that they can take the system
12 offline immediately before escalating the issue. Mr. Wood said he brings that up because when ESRG
13 does the UL 9540 and 9540A tests, they don't use any safety systems. Mr. Wood added they have to take
14 all the safety systems offline to force that system into an event, and they have to get it to that point so
15 that they can determine then what the UL 9540 and 9540A results look like for that specific
16 manufacturer in that specific system.

17
18 Mr. Randol asked that when Mr. Wood trains the fire departments, what are you training the firemen and
19 different departments to do besides not putting water on the BESS? Mr. Wood said one of the things
20 they do as part of that training is provide a site-specific emergency response plan, and within that site-
21 specific emergency response plan, which is also a requirement of NFPA 855, is much like what they do
22 in the fire service: is to maintain your exposures. Mr. Wood continued that based on how this site would
23 be laid out when it comes time for them to determine a technology, Mr. Wood said that technology
24 would determine how to offset these systems, and then ESRG would come out and would do training to
25 determine what that exposure aspect would look like so ESRG can provide you with the education and
26 knowledge so that you understand how to mitigate anything if something were to occur. Mr. Wood
27 finished by saying that, with all the testing and data that ESRG has collected over the last eight years,
28 self-consumption is the correct path to take at this specific moment.

29
30 Ms. Cunningham said that Mr. Wood talked about training Sidney, but the reality is that if something
31 happens, it's going to be Sidney, Ogden Royal, or St Joseph Stanton also responding. Ms. Cunningham
32 asked if ESRG would also be amenable to training the other departments. Mr. Wood said they've had,
33 for the past six months, meetings with the fire chief at Sydney Fire Protection District, Mr. Don Happ Jr,
34 and they've made a commitment to develop that emergency response plan draft before even a Special
35 Use Permit potentially being issued at the Board level. Mr. Wood said the timeline's purpose would be
36 to front run any training with Sidney Fire Protection District, and if ESRG is hosting that training, Mr.
37 Wood doesn't see any reason why any other Fire Protection District in the County could not be a part of
38 that training. Ms. Cunningham said it would be much easier for the firefighters to be trained by ESRG
39 than to pass it on like a game of telephone. Mr. Wood added that he knows that there is a standalone
40 BESS amendment the Planning Department is working on, and it would probably be beneficial for
41 everyone if that were an open meeting to be able to attend.

42
43 Ms. Cunningham said, getting back to labor, Champaign County has a vigorous labor council and
44 encourages BayWa r.e. to contact them.

45
46 Ms. Cunningham asked if the Board had any more questions. Seeing none, Ms. Cunningham asked if the
47 staff had any questions. Mr. Hall said he is concerned about the Hazard Mitigation Analysis required by
48 NFPA 855. Mr. Hall said NFPA 855 requires a Hazard Mitigation Analysis to be submitted to the
49 authority having jurisdiction, and in the Special Use Permit, the authority having jurisdiction is this

1 Board and another authority having jurisdiction is the Fire Protection District that will be responsible.
2 When talking to Mr. Holly regarding when they might see a Hazard Mitigation Analysis, Mr. Hall said
3 he was told technology changes almost daily, and he could show you a Hazard Mitigation Analysis
4 today that might have little relevance to what BayWa r.e. builds because it's based on the equipment that
5 they bought at the time that they're ready to build. Mr. Hall continued that BayWa r.e. is not ready to
6 build for at least three years, leaving him with a crazy situation: How can the Zoning Board see the
7 Hazard Mitigation Analysis? Mr. Hall continued that maybe the Zoning Board doesn't need to see it and
8 that the Zoning Board can leave that to the petitioner, who is working with the Fire Protection District.
9 Mr. Hall said he'd want to know that the Fire Protection District signs on to that or agrees with the
10 Hazard Mitigation Analysis, but it's a level of detail that he's never seen addressed in any zoning
11 ordinance anywhere. Mr. Hall said his biggest question right now, on this accessory battery system for
12 Little Prairie and our primary text amendment for battery storage systems, is the whole foundation of
13 NFPA 855 is this Hazard Mitigation Analysis, so you can do the testing like Mr. Wood talked about and
14 know what the failure is going to be so you can prepare for it. Mr. Hall asked if this Board needs to get
15 that involved or if that could be left to the Fire Protection District?
16

17 Mr. Randol said that as long as the Board knows and has it in writing that the proper training will be
18 handled with the fire protection districts, that's all they need to know. Mr. Randol said he doesn't care
19 what it says until it involves him as a firefighter in his district, so he doesn't think the Board needs to get
20 involved.
21

22 Ms. Cunningham said she'd feel better when the County has a BESS ordinance and that her knowledge
23 of these battery energy storage systems is just surface-level, and she isn't qualified to judge whether the
24 ESRG safety plan is good or not. Ms. Cunningham continued that all she has is Mr. Wood's reputation
25 and the projects he's done before, and the fact that Mr. Wood is making sense with how he's explaining
26 the system. Ms. Cunningham said she's sitting across from an electrician (Mr. Andersen), who she also
27 counts on to evaluate plans, so she's not sure what good it would do for the Board to review all of the
28 details of a Hazard Mitigation Analysis and that it may be better left to professionals and firefighters.
29 Mr. Hall said the Board can return with a special condition that clarifies the Hazard Mitigation Analysis
30 so everyone understands it. Mr. Hall continued that on December 12th, 2024, when the text amendment
31 is before the Board, everyone can expect to see a severely revised draft amendment. Mr. Holly asked
32 whether the Hazard Mitigation Analysis would be part of a Zoning Use Permit application. Mr. Hall said
33 that the Board would want to know if any Hazard Mitigation Analysis was shared with the Fire
34 Protection District, and as long as there were no concerns and all parties agreed, it seems the Board
35 would be comfortable with that outcome.
36

37 Ms. Cunningham asked if the staff had any other questions, and seeing none, Ms. Cunningham moved
38 on to cross-examination.
39

40 Ms. Cunningham said that if anyone wishes to cross-examine, they can raise their hand, and she'll call
41 on you, and you can come to the cross-examination chair. Ms. Cunningham reminded everyone that this
42 is not a time for testimony and that people are welcome to testify when it is time for testimony, but at
43 this point, it's time for cross-examination, and all you can do during cross-examination is ask the
44 petitioner questions.
45

46 Ms. Cunningham called Daniel Herriott to the cross-examination microphone. Daniel Herriott of 30
47 Dunlap Woods, Sidney, IL 61877, asked what kind of access firefighters would have to the site and if
48 they needed keys to access it or if the site would be behind a fence. Mr. Holly said they've thought about
49 that, but he believes that information would be worked out when creating the emergency response plan.

1 Mr. Holly continued that the emergency response plan would hopefully be worked out in the next few
2 months.

3
4 Mr. Herriott asked how long the batteries burn if they catch on fire. Mr. Wood said that the burn time
5 varies. Mr. Herriott asked if Mr. Wood meant 12 hours, 12 days, or upwards of 30 days. Mr. Wood said
6 that when ESRG burned a fully populated 40-foot container, it burned in under 8 hours. Mr. Herriott
7 asked about the evacuation radius and whether there were 40-mile-an-hour crosswinds. Mr. Wood asked
8 if Mr. Herriott was concerned about crosswinds moving gasses from the Little Prairie location to
9 elsewhere that may threaten citizens. Mr. Herriott explained that he lives within a mile and a half of the
10 facility and is worried about crosswinds coming to his property. Mr. Wood said that from a training
11 standpoint, he would not tell an incident commander what to do or how to do it when they arrive
12 because it is their scene, and they must determine the best course of action.

13
14 Mr. Herriott asked what would be covered in the training. Mr. Wood said the training provides Fire
15 Protection Districts the knowledge and education of the type of off-gas, which is no different than what
16 we see with residential or commercial structure fires. Mr. Wood continued that at this specific juncture
17 where they're looking to place this specific site, in regards to BESS, ESRG does not see a concern with
18 having to evacuate anywhere that is around there because what they see with the off-gas, and what they
19 see that what is comprised of it, because, again, it's no different than a regular residential or commercial
20 structure fire. Mr. Herriott asked Mr. Wood if he was aware of lithium-ion battery storage facilities in
21 California that catch fire and evacuate large masses of people. Mr. Wood said he talked with some of the
22 captains who worked on those scenes, they said that that was a massively preemptive approach and that
23 after doing their due diligence and looking at those specific areas, that was more than what they needed
24 to do, based off of what they found when they did their fire suppression and their investigation of what
25 they found was that there was not an ideal age atmosphere at that specific time and multiple captains
26 were going on record stating as much. Mr. Herriott asked Mr. Wood what is the most prolonged period
27 of time that a battery facility has ever been on fire, uncontained, waiting for it to burn out. Mr. Wood
28 said that was a tricky question because there have been different events from variations of BESS. Mr.
29 Wood continued by noting that the California events are all by BESS that predates NFPA 855, and he's
30 seen a mass increase in systems that are being integrated into the grid across the country that are now
31 falling under the NFPA 855, and those systems are not failing. Mr. Herriott said there have been fires
32 that burned for 12 days, which is a concern.

33
34 Mr. Herriott asked how a BESS is being transported because semi-trucks wreck on occasion and how
35 BESS was contained when they were part of an accident. Mr. Wood said that the Department of
36 Transportation standards have to be met for BESS to be transported. Mr. Wood continued UN 38.3 deals
37 with the Department of Transportation concerning BESS and Lithium-ion batteries getting transported.
38 Mr. Wood added that standards also apply to decommissioning because the Department of
39 Transportation and FEMSA also oversee those rules and regulations, along with how BESS gets
40 transported across the road. Mr. Herriott said trucks transporting BESS had wrecked in California,
41 which resulted in the highway being shut down for 2 days.

42
43 Mr. Herriott asked if the Little Prairie solar project would change the land's topography. Mr. Holly said
44 he wasn't sure about that at this point. Mr. Herriott asked if Mr. Holly could speak about the grading
45 happening with Prairie Solar 1. Mr. Holly said minor grading does happen, but he couldn't speak to the
46 amount of square footage of dirt being moved. Mr. Herriott said he wanted to know how much square
47 footage was considered minor. Mr. Holly said that he could get that information for him from the
48 project manager.

49

1 Mr. Herriott asked if they would be installing pattern tile in the project area for the Little Prairie Solar
2 project. Mr. Holly said they would not be installing pattern tile.

3
4 Mr. Herriott asked about putting out a solar panel if it catches on fire. Mr. Holly said that for solar
5 panels to be deployed anywhere in North America, like battery systems, they have to meet the same
6 exact electrical codes, specifically the UL codes. Mr. Holly said that if there was an incident or
7 something electrical was happening, they would see that at the remote-control operations center, similar
8 to the battery system because it's a 24/7 remote-operated system. Mr. Holly continued that they would
9 see a spike in temperature or any other abnormality to get in front of a fire. Mr. Holly said that if there
10 were a fire, it would be part of an emergency response plan for the site with the Sidney Fire Protection
11 District. Mr. Holly said that the Sidney Fire Protection District has a "Fire Run Car," and in between 10
12 and 15 minutes, could have over 14,000 gallons of water at the location. Mr. Herriott said that 14,000
13 gallons wasn't much water because a recent house fire required 30,000 gallons. Ms. Cunningham asked
14 Mr. Herriott to avoid testimony and stick to asking questions.

15
16 Mr. Herriott asked if BayWa r.e. followed AIMA (Agricultural Impact Mitigation Agreement). Mr.
17 Holly said following AIMA is a change from Prairie Solar 1 because the State siting bill passed in
18 January 2023 requires all new projects to agree to an AIMA before getting a Special Use Permit. Mr.
19 Herriott asked if they entered into that agreement on the Prairie Solar 1 project, and Mr. Holly said that
20 they did. Mr. Herriott asked about the resting of the soil. Mr. Holly said the soil resting would happen
21 when Little Prairie Solar is operational, so resting would be during up to four decades of operation. Mr.
22 Herriott had no additional questions.

23
24 Ms. Cunningham called Justin Leerkamp to the cross-examination microphone. Justin Leerkamp of 548
25 County Road 1900E, Sidney, IL 61877, said when you're (Mr. Wood) training a department to respond
26 to a fire or incident, do you go into what they need with regard to staffing and equipment? Mr. Wood
27 said he's trained departments with five personnel, and they feel comfortable handling and mitigating any
28 incident at a site. Mr. Wood continued that with the site-specific ERP. when we work closely with the
29 fire district, we will look at mutual aid agreements and determine whether mutual aid agreements are
30 necessary.

31
32 Mr. Leerkamp asked for Little Prairie Solar; what will Sidney need with regard to staffing and
33 equipment to respond properly? Mr. Wood said he wasn't familiar with the current staff of the Sidney
34 Fire Protection District, so he couldn't answer that question.

35
36 Mr. Leerkamp asked what any fire protection district would need with regard to staffing and equipment
37 for an event at the Little Prairie location. Mr. Wood said he doesn't feel that he can quantify that number
38 for you because I've had a variety of different departments with a variety of members and numbers that
39 have said that they're comfortable with minimal staffing to maximum staffing when responding to a fire.

40
41 Ms. Cunningham said that Mr. Randol and she have served on volunteer fire departments, and if
42 volunteers arrive at an event and there are not enough, they call for additional help. Mr. Leerkamp said
43 he is a trustee for the Fire Protection District south of Sidney, and he's just trying to figure out if Sidney
44 and the surrounding fire districts have enough staff if an event occurs.

45
46 Mr. Leerkamp continued by asking if 10 or 50 people is enough in the case of an event. Mr. Wood said
47 that giving a specific number will be a variable thing.

48
49 Mr. Leerkamp asked about a worst-case scenario. Mr. Wood said that looking at NFPA 1142 and the

1 limited water needed, it will be based on how many tankers are available. Mr. Wood continued that five
2 people could easily handle an incident at the Little Prairie site. Mr. Wood said they operate with limited
3 water supply and usage based on NFPA 1142 standards. Mr. Wood said they're not applying massive
4 amounts of water, doing large stretches, or laying extensive hose lines, which minimizes manpower
5 intensity. Mr. Wood continued that during training, we tabletop scenarios, assess the site, build the ERP,
6 and conduct walkthroughs to ensure personnel understand the site layout. Mr. Wood said that follow-up
7 tabletop exercises and hands-on training build confidence. Mr. Wood continued that departments
8 nationwide consistently report feeling more comfortable after training and understanding system
9 behavior, failures, and mitigation strategies.

10
11 Mr. Leerkamp said he understands that Mr. Wood is trying to help fire districts, but he's just trying to
12 see how many people they will need to respond to an event if they don't have enough people. Mr. Wood
13 said he understands his concerns and that while the department he worked for was a career department,
14 they worked with three other volunteer departments.

15
16 Mr. Leerkamp asked about additional resources for traffic control; for blocking roads etc., he assumed
17 the five guys responding would have to be upfront and dealing with the fire and would need to rely on
18 the Sheriff's Office for traffic control. Mr. Wood said, looking at the preliminary site plan and what is
19 currently in place, he wasn't worried about traffic control because the site is back from the road. Mr.
20 Leerkamp said the nature of people in rural Illinois is to stop and watch fires. Mr. Wood noted that
21 ESRG would offer to assist in writing an SOP and SOG to better delineate what to do. Mr. Holly said
22 Mr. Leerkamp was discussing items that would be part of the discussion about what would be a part of
23 the ERP. Mr. Holly continued that BayWa r.e. is committed to completing the ERP within the next few
24 months prior to Special Use Permit approval. Mr. Leerkamp asked if the Zoning Board could review the
25 ERP before approval. Mr. Holly said he hopes it will be before the County Board by then, but they are
26 committed to getting the ERP in as part of the approval. Mr. Wood said that when the ERP is completed,
27 he works closely with the fire districts to ensure that the ERP meets their needs based on available
28 resources.

29
30 Mr. Leerkamp asked if the life of the Little Prairie project is 40 years. Mr. Holly said it has a maximum
31 life of 40 years. Mr. Leerkamp asked if there was no guarantee of the project's length. Mr. Holly said the
32 incentives are aligned for a project to continue as long as possible economically for the project so Little
33 Prairie would be incentivized to go the full operational period that the real estate agreements
34 allow, which is 40 years.

35
36 Mr. Leerkamp asked about the amount of earthwork being done for Little Prairie solar compared to
37 Prairie Solar 1. Mr. Holly said he couldn't answer about the amount of earth being moved for Prairie
38 Solar 1, but Little Solar is still in the design phase, and we are not close to knowing how much earth
39 moving is necessary. Mr. Holly continued that he would know more of that information before the
40 Zoning Use Permits were approved.

41
42 Mr. Leerkamp asked about the intent of the land once the project was decommissioned and everything
43 was removed from the land. Mr. Holly said what happens with the land will lie with the landowner to do
44 what they want to after the commercial operation period has ended. Mr. Holly continued that the
45 landowner could return the land to corn, soybeans, or whatever they want to do that'd be entirely out of
46 our jurisdiction to determine, but we intend to return the land to a condition based on requirements in the
47 AMIA, and the County ordinance, to a pre-construction state. Mr. Leerkamp asked Mr. Holly if it was
48 possible to return the land to agricultural production after the amount of earthwork being done. Mr.
49 Holly said that the land could be returned to agricultural production and said he couldn't confirm that fill

1 dirt would be used on Little Prairie.

2
3 Mr. Leerkamp asked if fill dirt is used how the fill dirt would be removed or if its removal was part of
4 the decommissioning process. Mr. Holly said he couldn't confirm that fill dirt would be used or if
5 removal would be needed because they are not at the construction-level engineering phase of the design.

6
7 Mr. Leerkamp asked if some pad would be built under the BESS for footing. Mr. Holly said standard
8 aggregate is used as a base, similar to what is used on roads. Mr. Leerkamp asked if the aggregate would
9 be removed from the decommissioning plan. Mr. Holly said that removal of the aggregate is required
10 unless the landowner wants it to remain on the property, which is an option.

11
12 Mr. Leerkamp asked about the \$19 million tax delta over 40 years. Mr. Holly said it was scaled over 40
13 years, so the Delta would be smaller if the project lasted only 35 years. Mr. Holly continued that the \$19
14 million doesn't include a recently secured tax abatement agreement from the Heritage School District.
15 Mr. Leerkamp asked Mr. Holly to explain more about that agreement. Mr. Holly said that the agreement
16 abates the taxes at the rate of 25% for the first 10 years of a project operation. Mr. Leerkamp asked
17 about the depreciation rate for the taxing bodies of a solar farm and what it decreases annually. Mr.
18 Holly said he didn't know. Mr. Leerkamp had no further questions.

19
20 Ms. Cunningham called Ted Hartke to the cross-examination microphone. Ted Hartke of 1183 County
21 Road 2300E, Sidney, IL 61877, asked for the BESS site plan to be pulled up and said his question was
22 for the Kimley-Horn engineer. Mr. Hartke asked whether the different-colored detention areas
23 represented dry or wet detention areas. Mr. Liam Sawyer of 500 E. 96th Street, Indianapolis, IN, 46220,
24 and with Kimley-Horn said the detention areas are preliminary but would most likely be dry detention
25 areas based on Section 9 of the Champaign County ordinance. Mr. Hartke asked about the difference
26 between the filled and unfilled boxes on the site plan. Mr. Sawyer said the boxes with the blue outline
27 are the BESS units, and the red boxes are called PCS stations, which contain the inverter and
28 transformer.

29
30 Mr. Hartke asked about adding some roads where there previously were no roads on previous versions
31 of the site plan between the battery units. Mr. Holly said there was one road down the middle of the site,
32 and they added roads from the north side and south side and a stub road on the east side. Ms.
33 Cunningham said that all questions should be about the current site plan. Mr. Hartke said that he was
34 wondering why the additional roads were put in and is wondering if they were put in for access for the
35 Fire Protection District trucks or spacing purposes. Mr. Holly said that the Department of Planning and
36 Zoning recommended installing additional roads for access. Mr. Hartke asked if the Department gave
37 any reasons for the additional roads. Mr. Holly said that the recommendation was part of a larger
38 discussion. Mr. Hall said the site plan needed additional roads for better firefighter access.

39
40 Mr. Hartke asked if there was a fire if it would be in the BESS units or the inverters. Mr. Wood asked
41 whether Mr. Hartke wanted to know where the overheating would occur. Mr. Hartke asked if the fire
42 hazard was between the blue ones (BESS) and red ones (inverters) or if it could be both. Mr. Hartke
43 asked about the blue boxes again and wanted to know what they were called so he could call them
44 something besides blue boxes. Mr. Wood said the blue box is a battery energy storage container. Mr.
45 Hartke asked if they were full of batteries and if the red boxes were the brains and the computer. Mr.
46 Wood said the red box is an inverter, specifically a PCS inverter. Mr. Wood continued that the BESS is
47 a string of batteries, and then they're tied into a PCS inverter, and that's how everything comes together
48 to tie everything into the grid. Mr. Hartke asked if the PCS inverters act like a booster to push the power
49 into the batteries and take it out when unloading the battery charge. Mr. Wood said Mr. Hartke

1 referenced the battery management systems, which differ from the PCSs. Mr. Hartke asked if the BESS
2 and PCS could have cross-wire haywire and become a fire hazard in both places. Mr. Wood said that it
3 could happen, and he recognizes from the fire service that anything and everything has the potential to
4 have faults at some point, so the question becomes about providing knowledge and education on
5 mitigating something if it were to occur.
6

7 Mr. Hartke asked Mr. Wood if he thought the spacing on the BESS and PCS was okay. Mr. Wood said
8 the spacing in place is based on the UL 9540 and 9540A tests. Mr. Hartke asked if Mr. Wood thought
9 the spacing was okay. Mr. Wood said he wasn't sure what the spacing was in the preliminary site plan.
10 Mr. Hartke asked about a what-if scenario and said not to get mad about the what-ifs. Mr. Hartke
11 continued by saying what if your son or daughter is a volunteer firefighter, and one of the BESS or PCS
12 units is beginning to burn. Mr. Hartke said he was sorry if he was testifying. Ms. Cunningham said she
13 wasn't allowing testimony and told Mr. Hartke to get to the question. Mr. Hartke said to hang on and
14 continued by saying that your son or your daughter is the responding mutual aid or volunteer fire person,
15 and they see this thing as smoking. Mr. Hartke said how far away do you tell your son or daughter to
16 stay away from this as they respond? Mr. Wood said the ERP has specifically set out that the first
17 responders are to maintain a distance of 100 feet. Mr. Hartke asked if they needed to have a breathing
18 apparatus 100 feet away. Mr. Wood said any firefighter working on any scene, whether it's fire or not,
19 should always have their PPE on as appropriate for their standard operating policy and guidelines.
20

21 Mr. Hartke asked if they had communicated with the Sidney Fire Protection District Chief. Mr. Wood
22 said he's been in contact with Don Happ Jr. over the last 6 months. Mr. Hartke asked what Don Happ
23 Jr.'s questions or concerns were. Mr. Holly said Don Happ Jr. mostly asked technology questions but
24 had no concerns and was well-educated on how BESS operates.
25

26 Mr. Hartke said he assumed no water would be used on the BESS fires and if they don't put on any
27 water, is there anything else they can do besides stand back and hang out and let it burn out. Mr. Wood
28 said some of the stuff that they talk about and fire departments already do is the initiation of what is
29 called an incident action plan, where they get the call, they arrive on the scene, and then they go through
30 their standard mitigation processes of looking at a 360-degree aspect of the site, they look at what's
31 occurring based off of the NFPA 72 compliant fire alarm panel to figure out where the incidents actually
32 taking place, and then they initiate their incident action plan.
33

34 Mr. Hartke asked if folks who live a mile or a mile and a half away from Little Prairie should
35 automatically leave if they see something occurring as a safety precaution. Mr. Wood said with the
36 knowledge and understanding that he has offered up, he doesn't see any reason for them to evacuate
37 their homes. Mr. Hartke asked about being a half-mile away. Mr. Wood said he didn't see why people
38 within a half-mile of the site should leave their homes. Mr. Hartke asked if they should stay inside. Mr.
39 Wood said that's going to be based upon the incident commander at that specific scene at that specific
40 time to determine what they feel is best for those citizens at that time. Mr. Wood continued that it is
41 100% up to the fire department to decide what they deem necessary for their citizens and fire personnel.
42 Mr. Hartke said the Zoning Board has repeatedly said they want to defer to the fire department. Ms.
43 Cunningham said that Mr. Hartke needed to ask a question. Mr. Hartke asked what happens if the local
44 fire department doesn't want this. Mr. Holly said they wouldn't recommend moving forward without an
45 emergency response plan; ideally, the fire department would be a part of that. Ms. Cunningham said the
46 Board has already received a letter from Sidney in favor the project. Ms. Cunningham continued that the
47 letter was from Don Happ Jr. Mr. Holly said that part of the letter also states that Sidney Fire Protection
48 District is committing to initiate a draft ERP before the Special Use Permit is approved. Ms.
49 Cunningham said that the questions being asked have been asked before and previously answered. Mr.

1 Hartke said he thought his questions had been different.
2

3 Mr. Hartke said that in the case of a big grass fire, is there any concern about panel integrity or glass
4 breakdown. Mr. Holly said in the unlikely event of a grass fire, manufacturers of PV modules have
5 warranties on their products, which likely would come into play. Mr. Holly continued that insurance
6 would also be involved, and an insurance offset for damaged panels would likely be part of the equation.
7 Mr. Hartke asked if the same applied to a hail storm. Mr. Holly said it would. Mr. Hartke asked if
8 damaged panels would be sent to the landfill. Mr. Holly said the panels on the project are not considered
9 hazardous waste. Mr. Holly continued that the panels passed toxicity characteristics and leaching
10 procedures called T-clp tests. Mr. Holly said the T-clp process is how you deem something as hazardous
11 waste or not; these panels on the project are not considered hazardous waste and could be disposed of in
12 a landfill. Mr. Hartke asked if they would go into a landfill at the end of the project. Mr. Holly said that
13 was unlikely because there are millions and millions of dollars in equipment on the site. Mr. Holly
14 continued that the first course of action, before even considering landfill, is an entirely second use life
15 for the panels on the project.
16

17 Mr. Hartke asked about possible location for the used panels to go. Mr. Holly said they could go to a
18 different county or be used for residential applications. Mr. Holly continued that the panels are highly
19 efficient after 30, 35, or 40 years. Mr. Hartke asked if sending them to another county was cheaper than
20 recycling them. Mr. Holly said he didn't know. Mr. Hartke said that by the time the panels are 30 years
21 old, how much would it cost to recycle the panels if it were feasible to do so, or if they go into a landfill.
22 Mr. Holly said the first order of action would be a second use of life. Mr. Holly continued that the panels
23 at year 30 still have a potential of 87% efficiency. Mr. Holly continued that there's a high likelihood that
24 they do not go to a landfill because they're worth quite a bit of money on the secondary market. Mr.
25 Hartke asked if the decommissioning plan states that used panels will automatically get sold to the
26 secondary market, or does the decommissioning plan say something different? Mr. Holly said that's not
27 part of the decommissioning plan and said Mr. Sawyer could help answer that question.
28

29 Mr. Sawyer said if you're looking at it per Champaign County code, you can look at salvage, which is
30 based on straight-line depreciation. Mr. Sawyer continued that he does assume a resale value there, but
31 the total price, including markups, that's based on our decommissioning plan uses what's called RS
32 Means, which is an industry-standard for productivity waiver. Mr. Sawyer said there's a city cost index
33 based on locality, and they used Champaign. Mr. Sawyer said there are hourly rates of how much it
34 costs per unit hour to take down the panel using one operator, two construction laborers, and trucking
35 costs that all go into the cost, and that trucking cost is currently to a facility in Ohio.
36

37 Mr. Hartke said you will take the panels down in your decommissioning plan. Mr. Hartke continued that
38 labor to load them, and they will haul them to Ohio. Mr. Hartke asked what happens in Ohio, whether
39 they get put on a different solar farm or a boat. Mr. Holly said there's no way to determine that now, and
40 we don't know their second use life. Mr. Hartke said they don't know if they will get any money for the
41 solar panels in the decommissioning plan. Mr. Sawyer said the salvage value of the panels is
42 \$1,000,048. Mr. Hartke asked if the \$1,000,048 value was in the decommissioning plan. Mr. Holly said
43 the purpose of the decommissioning plan is to set a basis for the financial assurance that must be posted
44 according to your County ordinance. Mr. Holly continued that an option is preferred for a second use
45 life of the panels, even before recycling, even before potential landfill due to the inherent value of the
46 materials.
47

48 Mr. Hartke said he was concerned about unloading the panels. Ms. Cunningham said Mr. Hartke needed
49 to ask his question. Mr. Hartke said to hang on. Mr. Randol said Mr. Hartke was to ask a question and

1 not to tell members of the Board to hang on. He continued to say that Mr. Hartke needs to follow the
2 program and ask a question so the meeting can move on. Mr. Hartke asked for patience so he could
3 formulate his questions. Ms. Cunningham said Mr. Hartke will have an opportunity to testify before the
4 Board but currently, they are doing cross-examination so he should be asking questions on the
5 previously given testimony and not giving testimony.
6

7 Mr. Hartke said that concerning the secondary market use, did the petitioner anticipate the panels being
8 shipped to another country to be used or disposed of. Mr. Holly said he doesn't anticipate that because
9 there's no way to know that. Mr. Holly continued that 40 years is a long time for economic cycles to
10 change, growth opportunities, and whatever those second-use life cases could be so there is now way to
11 know what they will be now.
12

13 Mr. Hartke asked about the Prairie Solar 1 project and whether they were moving topsoil to strip the
14 land, replacing it, or just re-piling it to relevel the ground. Ms. Cunningham said that questions about the
15 soil had been previously asked and answered during Mr. Hartke's, Mr. Herriott's, and Mr. Leerkamp's
16 cross-examination. Mr. Hartke said he didn't think they answered that question earlier. Ms. Cunningham
17 said the answer might not have been the one he wanted, but the question was answered.
18

19 Mr. Sawyer said that the AIMA that has been discussed regulates the stockpiling and topsoil where the
20 Little Prairie solar project is located. Mr. Sawyer said that trenching or grading might occur, and if that
21 happens, the topsoil will be stripped and stockpiled on site, per the AIMA and then replaced. Mr. Hartke
22 said he was flustered and wanted to know if he could come back and ask more questions. Ms.
23 Cunningham said that Mr. Hartke would have the opportunity to testify but that other people could be
24 allowed to ask questions because Mr. Hartke was repeating questions previously asked.
25

26 Mr. Hartke said he remembered his last question, which involved Kimberly-Horn, was about the noise
27 contour map. He asked if they made a noise contour map that showed the 40 dBA line. Mr. Sawyer said
28 there isn't an exact 40 dBA line on their plans. Mr. Sawyer continued that they had one location along
29 the border, which registered 41 dBA; everywhere else, it was 40 dBA. Mr. Holly said the sound analysis
30 shows these results, which meet requirements in the ordinance for Class A residences next to the project.
31 Mr. Holly said the ordinance and state siting bill are based on the Illinois Pollution Control Board
32 standards, and the project meets the County ordinance as designed. Mr. Hartke said that Prairie Solar 1
33 had a special condition requiring no more than 39 dBA, and during previous meetings the developers
34 said that they would provide a map showing the 40 dBA line. Mr. Holly said they don't have a new map
35 to show because the project, with current equipment, is meeting the County ordinance requirements. Mr.
36 Hartke asked if the petitioner knows what noise levels have adverse health effects concerning sleep. Ms.
37 Cunningham said Mr. Hartke was giving testimony and asking leading questions. Ms. Cunningham
38 continued and stated that Mr. Hartke needed to ask a question. Mr. Hartke asked if the people present
39 were noise experts. Mr. Holly said they were not. Mr. Hartke asked if Kimberly-Horn had a noise
40 expert. Mr. Sawyer said they do have one, and his name is Ted Hardy, and he prepared that portion of
41 the plan. Mr. Hartke asked if Mr. Hardy was available to answer questions. Mr. Holly said any questions
42 about the noise could be sent to him. Mr. Hartke had no more questions.
43

44 Ms. Cunningham called Kent Krukewitt to the cross-examination microphone. Kent Krukewitt of 116
45 Sunflower St, Savoy, IL 61874, said he wanted to know how close the BESS site is to the drainage
46 ditch. Mr. Holly said they had an appendix in the presentation that had cut sheets, which should be able
47 to help. Mr. Krukewitt said it appears that open drainage ditches are close to your batteries, and open
48 drainage ditches tend to overflow, so he is wondering how close the BESS site is to the ditch. Mr. Holly
49 said the design is based on County ordinance requirements, which is a 50-foot setback from the

1 centerline of the ditch, and that setback is to the project fence line, so the BESS site will be farther away
2 than that. Mr. Krukewitt asked if the petitioners were aware of the drainage ditch. Ms. Cunningham
3 asked Mr. Krukewitt to ask a question. Mr. Krukewitt said he was asking a question. Ms. Cunningham
4 said a valid question to ask these gentlemen is, "Do you have experience with a setback this close and
5 flooding your BESS units?" Ms. Cunningham continued that a leading question is just testimony and
6 gave an example, "Are you aware that cigarette smoke causes cancer?" Ms. Cunningham said the
7 example is a question that is testimony, and there's a difference between testimony framed as questions
8 and an actual question. Mr. Krukewitt said he apologizes to the Chair.
9

10 Mr. Krukewitt said the petitioners said there would be no pattern tiling on this project and wanted to
11 know why. Mr. Holly said pattern tiling is not required in State siting requirements or the County
12 ordinance. Mr. Holly continued that they believed it would be overkill for the site. Mr. Krukewitt said
13 that Prairie Solar 1 had pattern tiling. Mr. Holly said that was correct. Mr. Krukewitt had no more
14 questions.
15

16 Ms. Cunningham called Sean O'Brien to the cross-examination microphone. Sean O'Brien of Sidney,
17 IL, said the petitioner mentioned that the battery management system ties into a remote data center in
18 Southern California. Mr. Holly said it is located in Irvine, California. Mr. O'Brien asked about the data
19 link between Little Prairie and the monitoring center and if it was redundant. Mr. Holly said he was
20 unsure of the answer and needed to confirm with the engineering team to get a proper answer. Mr.
21 O'Brien asked if Little Prairie lost connectivity to the remote management system, could the on-site
22 battery management system operate independently and safely? Mr. Wood said that each technology
23 brought to the table is different because manufacturers have different aspects regarding the battery
24 management system, but if the system goes offline, there are systems in place to stay intact for some
25 time.
26

27 Mr. O'Brien asked how many controls in the NFPA 855 are audited and how often the document is
28 audited. Mr. asked if he was referring to the NFPA 855 document. Mr. O'Brien said it is related to risk
29 management, and he is not a battery person but an IT person. Mr. O'Brien said that using NIST 8057
30 guidelines with 1700 controls must be met to pass an audit satisfactorily for a data project, what types of
31 controls are in the NFPA 855, and how often is it audited. Mr. Wood said he was unaware if NFPA 855
32 had an audit system. Mr. Wood continued that the committee is comprised of, not just firefighters but
33 also external and internal stakeholders from engineering backgrounds, both within and outside the
34 industry. Mr. Wood said that when systems look to get integrated, it relates to things like NFPA 72 for
35 the fire alarm control panel, which has the potential to be not audited, per se, but has the expectation of
36 being inspected. Mr. Wood continued that fire marshals and area inspectors can come out and inspect
37 the site to ensure it meets those NFPA standards as needed. Mr. Wood said that, as far as the actual
38 NFPA 855 is being audited, he's unaware that an external entity is auditing that document. Mr. Holly
39 said NFPA 855 does get updated every three years. Mr. Wood continued those committees return every
40 three years, and they produce another document. Mr. Wood said they're going through another iteration,
41 which is currently open to public comment. Mr. Wood said the review is expected to be done by the end
42 of this year, when they go back through and revise it, and hope to have the 2026 version up by quarter
43 one of 2026. Mr. O'Brien had no further questions.
44

45 Ms. Cunningham called Jan Carter Niccum to the cross-examination microphone. Jan Carter Niccum of
46 Savoy, IL, said he wanted to know if the IFSI (Illinois Fire Safety Institute) local fire training school
47 would be included to help with any MABAS (Mutual Aid Box Alarm System) response. Mr. Holly said
48 they would not preclude anyone who wants to join the training, but they might need a bigger space if
49 that happens. Mr. Randol said that the Board has reached out to IFSI for comment and asked Mr. Hall if

1 they have responded. Mr. Hall said that IFSI has not responded to any communication. Mr. Niccum had
2 no further questions.

3
4 Ms. Cunningham said that Mr. Herriott and Mr. Hartke would need to decide who will ask additional
5 questions first, and they were reminded not to ask questions that had already been answered. Mr.
6 Herriott approached the microphone and asked if the project prohibits neighbors from applying aerial
7 applications to their fields. Mr. Holly said this project doesn't prohibit aerial application in neighboring
8 fields. Mr. Herriott asked if there was a concern about leaking hazardous materials from batteries into
9 the soils or the open drainage ditches. Mr. Wood said there was no concern. Mr. Herriott asked if the
10 BESS units were self-contained. Mr. Wood said they were. Mr. Herriott had no additional questions.

11
12 Mr. Hartke approached the microphone and asked if BayWa r.e. still owned Prairie Solar 1. Mr. Holly
13 said it was brought to his attention tonight that we may not own it, and I don't know what portions of the
14 project may have been sold. Mr. Holly said it's a very common practice to recycle development capital
15 for any development. Mr. Hartke asked for the name of the entity to which Prairie Solar 1 is being sold.
16 Mr. Holly said he wasn't sure and wasn't at liberty to say. Mr. Hartke said he had no additional
17 questions.

18
19 Ms. Cunningham said that since no one else had questions, the Board moved on to testimony.
20 Ms. Cunningham said she would go down the witness registry in order. Ms. Cunningham called Pat
21 Fitzgerald, who was at the top of the list, and he waived his testimony. Ms. Cunningham called Ted
22 Hartke to give testimony.

23
24 Ted Hartke of 1183 County Road 2300E, Sidney, IL 61877, approached the microphone. Mr. Hartke
25 said he had concerns about the project and hoped the Board would ask questions. Mr. Hartke said he's
26 been in front of the Board many times to discuss noise from wind turbines. Mr. Hartke said he thinks
27 industrial noise is intrusive and that at 40 dBA, it has adverse health effects due to sleep interference.
28 Mr. Hartke continued that for the previous project (Prairie Solar 1), the Board was good to citizens by
29 putting a special use condition that BayWa r.e. had to keep noise levels at 39 dBA or less at property
30 lines to protect from any potential neighbor complaints. Mr. Hartke said there are additional ways to
31 mitigate noise, such as a solid wood fence immediately around the inverters. Mr. Hartke said he was
32 sorry for repeating talking points, but he feels getting it on the official record for each hearing is
33 important. Mr. Hartke said it's very simple to mitigate the noise of an inverter. Mr. Hartke said in
34 previous meetings with BayWa r.e. representatives, he asked them, quizzed them, and pressed them on
35 noise mitigation, and they promised to get me a contour map showing where the 40 dBA contour line
36 would be, and they did not do that. Mr. Hartke said that BayWa r.e. could still provide that map to see if
37 any neighbors are concerned about this noise level.

38
39 Mr. Hartke said that BayWa r.e. claimed for Prairie Solar 1 that they would not move the soil and would
40 let the soil rest. Mr. Hartke continued that the soil would take it easy for a long time and not be intensely
41 used for agricultural purposes because it would lie there and rest. Mr. Hartke said that in the last couple
42 of months, as he has driven past the Prairie Solar 1 project, he has seen very tall berms and a lot of
43 topsoil being stripped and moved around the site. Mr. Hartke said that tonight was the first night he ever
44 heard of any fill material being brought in, which is a concern. Mr. Hartke said that fill material is
45 usually some cast-off clay, a mix, or some lesser quality material because it is rare for good, clean, black
46 topsoil to be used for fill material for construction projects. Mr. Hartke continued that he is concerned
47 that the lower-quality dirt will eventually be mixed in with the best prime farm ground. Mr. Hartke said
48 he is concerned about a perceived double standard because, as a land surveyor, he's approached to try to
49 keep home sites at three acres or less for the preservation of farmland and, in his opinion,

1 industrialization and putting in solar panels on farm ground. He has witnessed brick, rubble, and
2 concrete chunks are being used as the driveway entrance into the solar farm that's next to the
3 veterinarian clinic on the far east end of Windsor Road. Mr. Hartke continued when he hears that solar
4 farms do not contaminate or bring in dirty material and are here to protect the soil, he is not seeing that.
5 Mr. Hartke said the same goes for the solar farm next to the North Market Street McDonald's and the
6 Ranger truck stop. Mr. Hartke said that at that project, the contractors dug straight through the topsoil
7 into the subsoil and buried a lot of cables. Mr. Hartke continued that he took photos showing mixed clay
8 with topsoil. Mr. Hartke said that removing topsoil would probably be a major violation if you were to
9 look at the AIMA.

10
11 Mr. Hartke said he didn't see any County enforcement of the AIMA nor for the visual barriers or the
12 landscape buffer for the solar farm north of Sidney. Mr. Hartke continued that he had seen some
13 plantings being done, but most of those have either died or are 75% dead. Mr. Hartke said that the
14 landscape buffer zone enforcement is poor, and he feels sorry for the neighbors next to the solar farms
15 because of improper oversight. Mr. Hartke said that he doesn't feel as though BayWa r.e. has fulfilled
16 what they said they would do, which is only pounding in posts, but they've done more than that with
17 regard to the soil.

18
19 Mr. Hartke asked the Board to include a special condition that limits noise to 39 dBA at the property
20 line. Mr. Hartke continued by saying that he didn't realize the County didn't have a standalone BESS
21 ordinance. Mr. Hartke said he had some questions about the upcoming BESS ordinance. Ms.
22 Cunningham said this was a time for testimony, and cross-examination had passed. Mr. Hartke said he
23 would like to know what a safe setback would be from a BESS to a residence and the scientific basis of
24 why those setbacks are established. Mr. Hartke continued to be concerned about the evacuation distance
25 from large fire that may not be contained. Mr. Hartke said that the hazardous area around a wind turbine
26 is 500 meters, and that is the distance a wind turbine operator should run upwind. Mr. Hartke continued
27 that he wanted to know what the hazardous distance is downwind from a wind turbine or a solar fire.
28 Mr. Hartke said he wanted to know if, in the event of a fire, a solar worker running from the fire would
29 knock on people's doors and tell folks to get out of their homes. Mr. Hartke said that every zoning use in
30 the County needs to have the protection of the neighbors for the good of the public. Mr. Hartke
31 continued that if the solar farm or wind farm is not going to be forthright and give distances that show
32 they feel comfortable for the location of their family members or their workers or themselves, those
33 items (wind and solar farms) should not be approved until the builders come up with a number that
34 should be perfect for setbacks. Mr. Hartke thanked the Board for their attention to the matter, and he
35 doesn't have a personal concern but does have a concern for the folks who live closer to the
36 developments. Mr. Hartke had no further testimony.

37
38 Ms. Cunningham called Roger Henning to testify Roger Henning of 1664 East County Road 600 North
39 in Philo, IL, 61864, said he spoke with Mr. Hall last year about the vegetation and stuff dying, at the
40 solar farm on the north side of CR 1000 N and he hasn't seen anyone address that issue. Mr. Hall said
41 that his issue has been addressed. Mr. Henning said it doesn't appear that much work had been done.
42 Mr. Hall said he had seen the photos of what was being accomplished. Mr. Henning said the vegetation
43 doesn't last very long. Mr. Henning had no further testimony.

44
45 Ms. Cunningham called Don Wauthier to testify. Don Wauthier of 1831 Tahoe Court in Champaign, IL,
46 61822, said he had a couple of questions and thoughts. Mr. Wauthier continued that a trend that has been
47 ramping up is the use of solar farm areas for secondary agricultural uses, whether that is grazing sheep,
48 raising carrots, or some other fashion. Mr. Wauthier continued that he would like to see the Board
49 consider including some conditions about some secondary use; it just seems like a waste to society to let

1 that ground be there in grass for 40 years and do nothing with it that's productive other than create
2 energy, and it is an aspect that needs to be considered.

3
4 Mr. Wauthier said he currently serves as the engineer for Drainage District 1 of Sidney, the operator and
5 owner of the stream channel shown on the Little Prairie site. Mr. Wauthier continued that the Drainage
6 District has a right of way that it owns along the channel, and the current preliminary drawings appear to
7 show the placement of panels and fencing within that right of way, which would prevent the ability of
8 the drainage district from doing its regular, customary maintenance and is something that may need to
9 be addressed. Mr. Wauthier said that recent information has come out from the University of Minnesota
10 and a couple of other universities, indicating that solar panels do increase stormwater surface runoff
11 unless the panels are adequately spaced. Mr. Wauthier continued that he didn't know what the spacing
12 for the panels is yet, but he asked the Board to make sure the spacing of the panels is of the correct
13 width, consistent with the current research, so that it does not create a larger flow of stormwater runoff
14 during large storm events.

15
16 Mr. Wauthier said that it appears as though this project is not going to be pattern tiled. Mr. Wauthier
17 continued that he understood from Prairie Solar 1 the pattern tiling was intended to remove groundwater
18 from the soil so that it would have more ability to soak up some of that water and reduce stormwater
19 runoff. Mr. Wauthier said that if BayWa r.e. will not do that here; it would seem to make sense to at
20 least follow the current research standards for spacing. Mr. Wauthier had no further testimony.

21
22 Ms. Cunningham called John Crosby to provide testimony, but he waived his opportunity to present
23 testimony.

24
25 Ms. Cunningham called Kent Krukewitt to testify. Kent Krukewitt of 116 Sunflower Street, Savoy, IL
26 61874, said one of the reasons pattern tiling is important with projects like this is because drainage is
27 important, and as the previous person stated, in Champaign County, if you don't have drainage, you
28 don't have anything. Mr. Krukewitt continued that there are people outside this project in which water
29 flows through the project with drainage tile that goes to the open ditch. Mr. Krukewitt continued that he
30 is a drainage commissioner for the ditch that was on a previously shown slide. He stated that the
31 neighbors near the site still require drainage and they pay taxes for the ability to get water to the ditch.
32 Mr. Krukewitt said he wanted to know how BayWa r.e. will get water outside the project flowing
33 through that area to the open ditch if they don't know where the tiles are. Mr. Krukewitt said that it's
34 imperative for those outside of this project, whose land is drained through the project to continue to have
35 water move through the project site to the ditch, and he hasn't seen anything addressed that pertains to
36 that.

37
38 Mr. Krukewitt said on the BESS site plan that the batteries are very close to the open ditch, and one
39 wouldn't want lithium in the ground or the surface water. Mr. Krukewitt continued that the ditch in
40 question goes directly to the Salt Fork and from the Salt Fork to the Wabash, and it would be a
41 catastrophe if that got contaminated. Mr. Krukewitt said that the Drainage District has development
42 regulations that are okayed by the Circuit Court here in Champaign County and approved by a judge so
43 that BayWa r.e projects (Prairie Solar 1 and Little Prairie) have to follow those development regulations
44 dealing with drainage and if you don't have drainage in Champaign County you don't have anything.
45 Mr. Krukewitt continued that he's concerned about all the dirt that is being moved around and leveling
46 that is being done at the Prairie Solar 1 site which changes surface drainage. And the ground leveling,
47 and moving water around or changing where it travels, is going to be looked at that very closely with
48 regard to drainage regulations and hopefully the County will have the same concerns. Mr. Krukewitt
49 had no further testimony.

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Mr. Hartke said he wanted to cross-examine Mr. Krukewitt.

Ms. Cunningham called Ted Hartke to the cross-examination microphone. Mr. Hartke said he also had questions for Mr. Wauthier, so Mr. Wauthier approached the testimony microphone. Mr. Hartke said he wanted to know if the Drainage District got involved with the pattern-tile planning for the Prairie Solar 1 project to help or direct BayWa r.e. on what to do. Mr. Krukewitt said the drainage district did not get directly involved.

Ms. Cunningham said that Mr. Hartke needs to limit his cross-examination to testimony that was given. Mr. Hartke said that Mr. Krukewitt did talk about pattern tiling in Prairie Solar 1. Ms. Cunningham said that Mr. Krukewitt said that pattern tiling was done for Prairie Solar 1 and was not being done for Little Prairie. Mr. Hartke said that Mr. Krukewitt had asked BayWa r.e. why they didn't do pattern tiling in Little Prairie, and they said they didn't need to. Mr. Hartke said that he was asking Mr. Krukewitt to clarify his testimony which would answer his own questions. Mr. Hartke continued that he wanted to ask his questions but told Ms. Cunningham to tell him if his questions were inappropriate. Ms. Cunningham said Mr. Hartke could continue but was on thin ice with his cross-examination.

Mr. Hartke said he wanted to know if the Drainage District had any influence, instruction, or responsibility for the pattern tiling. Mr. Krukewitt said the drainage district might have had some influence because they discussed the field drainage issues with BayWa r.e. and the need for the water coming through the project site to continue to go all the way to the open ditch. Mr. Krukewitt continued that there was already tile in the Prairie Solar 1 project area, and if the piling hit the existing tiles, they would develop a sinkhole. Mr. Krukewitt said water would instantly enter the broken tile, and big holes would be in the field. Mr. Krukewitt continued that without having a detailed map of the current tiles, BayWa r.e. would be hitting tiles with their pilings. Mr. Krukewitt said he believed that BayWa r.e. determined that it would be in their best interest to forget about the old tiles and systematically tile all of the project area.

Mr. Hartke said he wanted to know if the redone tiling in Prairie Solar 1 resulted in any upsizing of tiles. Mr. Krukewitt said there were new mains installed to serve the new tiling.

Mr. Hartke wanted to know how far the new mains went outside the Prairie Solar 1 site. Mr. Krukewitt said the new mains went to the open ditch.

Mr. Hartke said he wanted to know in which direction the mains went. Mr. Krukewitt said most of the mains went to the east.

Mr. Hartke said his next question was for Mr. Wauthier and asked if the increased drainage to the Salk Fork River gets more volume quicker when upsizing a tile. Mr. Wauthier said the Salk Fork River will increase in volume but not substantially, and it would be no different than if a farmer would pattern tile a cornfield. Mr. Wauthier said it would increase total flow, but the stormwater runoff quantity is much greater than tile flow. Mr. Hartke had no additional cross-examination questions.

Ms. Cunningham called Daniel Herriott to testify. Daniel Herriott of 30 Dunlap Wood, Sidney, IL 61877, said he thanked the Board and specifically Mr. Randol, who has been on the Board for the last 7 or 8 years. Mr. Herriott said that in response to Mr. Andersen's question about jobs for Little Prairie, Mr. Herriott had seen trucks from a trucking company from Fairfield, Illinois, at Prairie Solar 1, along with a dirt contractor from Wisconsin. Mr. Herriott said people come from Northern Illinois, Southern

1 Illinois, and out of state to work on Prairie Solar 1. Mr. Herriott said he is concerned about changing the
2 land's topography with the Little Prairie project. Mr. Herriott said Prairie Solar 1 had had a lot of black
3 soil peeled back and fill-dirt brought in. Mr. Herriott said that bulldozers were still working on site, even
4 after all the rain over the past two weeks. Mr. Herriott continued that he believed doing so violated the
5 AIMA, and ruts are currently being bulldozed back so BayWa r.e. can get to dry soil. Mr. Herriott said
6 he had concerns as a landowner that all of his drainage protections would be hurt because he is
7 downstream of the project site, and BayWa r.e. is filling in lower areas for Prairie Solar 1, and he is sure
8 the same will happen with the Little Prairie site where the solar panels are going.

9
10 Mr. Herriott said he wanted to talk about the construction for Little Prairie not starting for three years.
11 Mr. Herriott continued that his family has been landowners in Champaign County for over 100 years; he
12 has lived in Sidney for 11 years after being born and raised outside of Sidney. Mr. Herriot said he has
13 three sons and his family not going anywhere because they will be around for a very long time. Mr.
14 Herriott said the Little Prairie project could still be operational after he dies. Mr. Herriott said that
15 Prairie Solar 1 meetings started 7 years ago, and he remembers that because he was at that hearing when
16 he found out his wife was pregnant with their second child, and the project wasn't approved until after
17 his son was born. Mr. Herriott said that since construction won't begin for three years, he is asking the
18 Board to delay the project for a year or two to see how Prairie Solar 1 works out. Mr. Herriott continued
19 that postponing Little Prairie until after Prairie Solar 1 was constructed to see what the impact would be
20 on the project's neighbors before deciding to move forward with Little Prairie. Mr. Herriott said that
21 since they've been waiting so long for Prairie Solar 1, it shouldn't be a big deal to wait a few more
22 years. Mr. Herriott said he would strongly encourage Little Prairie to pattern tile the project area similar
23 to Prairie Solar 1. Mr. Herriott said he never received notification letters sent to neighboring landowners,
24 and he is one of them.

25
26 Mr. Herriott continued by asking Mr. Hall what native-compact access roads are. Mr. Hall said BayWa
27 r.e. indicates that they were going to compact the soil for the access road, and the ordinance requires
28 access roads to be gravel so that gravel will be on top of the compacted soil. Mr. Herriott said he
29 appreciated the clarification. Mr. Hall said he could get Mr. Herriott a set of grading plans from Prairie
30 Solar 1. Mr. Hall continued that he knows people have talked about vast mounds of earth, but when
31 looking at the 800 acres and what had been previously discussed in terms of grading, it looks minimal
32 and no more than one might expect when trying to get a nice, even rolling landscape. Mr. Herriott said
33 he disagreed with Mr. Hall's statement because he possesses dirt from a project, and it was about six
34 inches of topsoil throughout 4 acres, and the masses of dirt currently on site are much more significant
35 than that. Mr. Herriott continued that, six inches of topsoil is a lot of soil and not minimal grading. Mr.
36 Herriott said that tiles are buried 3 feet underground, and 3 feet is more than 6 inches.

37
38 Mr. Herriott said he had notes from the March 29th, 2018, meeting, and they are Mr. Hall's words about
39 fire and solar panel technology. Mr. Herriott continued and read that Mr. Hall said that fire could release
40 some undesirable and hazardous materials depending on the type of panels used. Mr. Herriott continued
41 that Mr. Hall heard from fire protection districts and that if there's ever a fire at a solar farm, the fire will
42 go on its course, and the fire protection district will ensure that the fire does not get outside the solar
43 farm. Mr. Herriott said that Mr. Hall stated he didn't know how likely a fire is to happen, but he read
44 that there can be significant cleanup after a fire. Mr. Herriott said that 7 years later, he isn't sure there
45 are more answers today about what would happen in a fire. Mr. Herriott continued that the County had
46 experienced dry conditions, and if somebody throws a cigarette out, grass catches on fire. Mr. Herriott
47 continued that he lives less than a mile-and-a-half from the Little Prairie site and that is a concern of his.
48 Mr. Herriott said winds sometimes come from the east and sometimes come from the west, and
49 sometimes the wind could easily start blowing in his direction, resulting in him vacating his house with

1 his sons and trying to find somewhere to go.

2
3 Mr. Herriott said that previous Board member Mr. DiNivo's testimony was taken into consideration
4 because he discussed developing a solar for being less disruptive for underlying soil structures,
5 compared to converting similar acreage to single-family homes where the soil structure was destroyed.
6 Mr. Herriott continued that he believed the pictures he submitted would demonstrate that the topsoil
7 structure was destroyed and was being bulldozed away. Mr. Herriott said soil is being semi-trucked in
8 and out, and dirt from some parcels is being moved to other parcels. Mr. Herriott said that the retention
9 of topsoil, according to the Zoning Ordinance and AIMA, is not currently being followed on Prairie
10 Solar 1, and he isn't sure it will be followed for the Little Prairie project.

11
12 Mr. Herriott said that the last subject would be lithium-ion batteries. Mr. Herriott said you don't have to
13 dive deeply into fires at California BESS facilities, but a news article from October 28th, 2024, is pretty
14 darn recent. Mr. Herriott read from the article, "For more than two days, a vital shipping passageway in
15 the Port of Los Angeles was shut down, and the cause was surprising to some: a big rig overturned,
16 sparking a fierce lithium-ion battery blaze that spewed toxic gasses, snarling port traffic and resulted in
17 what one official said it was a massive economic loss for delayed shipments." Mr. Herriott said that
18 BESS units are being trucked in, and those accidents happen. Mr. Herriott said that back in May, the San
19 Diego Fire Resource Department spent 14 days battling a hazardous fire that ignited a BESS in Otay
20 Mesa. Mr. Herriott said in September 2023, a smaller fire was sparked at a BESS. Mr. Herriott
21 continued by saying that California is starting to restrict BESS facilities, and while California is light-
22 years ahead of Champaign County, they are starting to pull back. Mr. Herriott said he doesn't think that
23 rural America, Central Illinois, should have these BESS units. Mr. Herriott said technology is changing,
24 and he encouraged the Board to wait until the changes become safe. Mr. Herriott had no additional
25 testimony.

26
27 Ms. Cunningham called Justin Leerkamp to testify. Justin Leerkamp of 548 County Road 1900E,
28 Sidney, IL, 61877, said he is not against solar panels, he has a solar panel in his front yard, and believes
29 they make sense in certain situations. Mr. Leerkamp continued that he is concerned about the AIMA and
30 how it is being followed at the Prairie Solar 1 site. Mr. Leerkamp said he owns a grain elevator down at
31 Bongard, and the dirt that is being trucked in for the Prairie Solar 1 project is coming from an adjacent
32 property and a contractor from Wisconsin contacted him because he initially thought it was Mr.
33 Leerkamp's dirt. Mr. Leerkamp said they'd hauled a couple hundred loads, likely with non-local trucks,
34 and that all the dirt came from the U of I campus when they tore down the building where Kams was
35 previously located. Mr. Leerkamp said the fill has concrete in it, and the contractors did a fantastic job
36 of trying to clean the fill. Mr. Leerkamp said he hasn't gone over the Prairie Solar 1 project, he hasn't
37 looked at it, nor the plans, but he knows that the farm ground where that fill is being placed is gone
38 forever. Mr. Leerkamp said he doesn't care what the decommissioning plans claim; the ground will
39 never be farmed again, not in its current condition. Mr. Leerkamp continued that it is possible that some
40 kind of crop might be possible with future technology, but the soil will be gone forever. Mr. Leerkamp
41 said that when you stir the soil profile and mix in blue clay, the ground will pack and not grow crops.
42 Mr. Leerkamp said that the AIMA needs to be followed and it is time to start protecting the resources
43 and what the County has. Mr. Leerkamp said that he understands energy is an important resource, but
44 that Champaign County has valuable farmland that should not be ruined. Mr. Leerkamp had no
45 additional testimony.

46
47 Ms. Cunningham called Janet Smith to testify. Janet Smith of 863 County Road 2300E in Homer, IL,
48 61849, said her concern is that she lives only .9 miles from the BESS, and she is worried about the fire
49 and how adjacent homeowners are going to be notified if a fire happens and if any hazardous materials

1 are on fire and they'll need to evacuate. The panels on the proposed project will surround three sides of
2 her property. Ms. Smith continued that all of the farmland around her property will be gone, and it will
3 be just solar panels. Ms. Smith said she also has concerns about the noise and heat from the panel area in
4 addition to the disturbance to the soil under the project area and being in the middle of it. Ms. Smith had
5 no additional testimony.

6
7 **Mr. Andersen made the motion, seconded by Mr. Roberts, to close the witness registry. The**
8 **motion passed via voice vote.**

9
10 Mr. Hall said 25 minutes remained in the meeting, and he encouraged the Board to take as much time as
11 needed to discuss the testimony they heard. Mr. Hall continued by asking if the Board had any
12 homework for the staff or the petitioner on something they should follow up on, and this was the time to
13 provide direction.

14
15 Mr. Randol said there needs to be some follow-up on what is happening at Prairie Solar 1 because it
16 doesn't sound good. Mr. Randol said he had been opposed to BESS since day one because whenever he
17 heard about BESS, because of his involvement with the fire department, and the issues he has seen both
18 in training films and from what other firefighters have passed on to him, he has concerns about what
19 potentially could happen with the BESS units. Mr. Randol continued that he wanted to know more about
20 California possibly cutting back on installing BESS units and what led to that decision. Mr. Randol said
21 he's concerned about the lack of pattern tiling in the Little Prairie project plan. Mr. Randol said that he's
22 been under the impression that there was no major land disturbance because the pilings for the solar
23 panels could be easily driven into the ground, and there was no reason to for soil disturbance. Mr.
24 Randol asked Mr. Hall why the soil at Prairie Solar 1 was being disturbed, and if it had been discussed at
25 a previous meeting, Mr. Randol might have missed it.

26
27 Ms. Cunningham said she had not read the drainage plan and wasn't sure what was in place for drainage,
28 but the testimony raised her concerns because Champaign County is swamp land, and if the water isn't
29 moved out, it will result in a problem. Ms. Cunningham continued, that like Mr. Randol, she is also
30 concerned about fire, but she believes society can't get off fossil fuels without BESS units. Ms.
31 Cunningham said that as a Board and as a County, they are tasked with protecting their neighbors while
32 at the same time protecting the future from further pollution. Ms. Cunningham said she is also concerned
33 about filling dirt in prime agriculture farmland.

34
35 Mr. Randol feels the Board was sold a bill of goods when the solar projects first started. Mr. Randol
36 continued that the people involved in the Prairie Solar 1 project, including the BESS units, knew that the
37 Little Prairie project was forthcoming, but they withheld that information from the Board. Mr. Randol
38 said that if the Board knew those possibilities were coming, they might have had different thoughts
39 about how things were developing. Mr. Randol continued that this goes back to the BESS concerns, and
40 he feels the solar industry, and Ameren knew because they came to the Board at various meetings asking
41 about upgrading substations. Mr. Randol said that everyone but the Board knew BESS was coming,
42 which disturbs him.

43
44 Ms. Cunningham said this meeting won't be the last on the Little Prairie project. Ms. Cunningham said
45 that BayWa r.e. has heard multiple concerns from the community and the Board, and the Board could
46 use some help to understand how some of the harm neighbors are noticing will be mitigated in the Little
47 Prairie project. Ms. Cunningham said she would review the provided documentation to look at the
48 drainage plan and discuss it with Mr. Hall and Mr. Campo before the next hearing because she is unsure
49 if the current plan is adequate to avoid the concerns of some of the local water experts.

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Review of the Docket –

Mr. Hall said a few items are on the agenda before the meeting ends. Mr. Hall said that looking at the docket, a special meeting is being proposed for December 5, 2024, to make up for the missed meeting on October 31, 2024. Mr. Hall said there is a meeting on December 12, but that meeting date is closed, so the next date for the Little Prairie case would be January 16, 2025.

Mr. Andersen made the motion, seconded by Mr. Roberts, to continue case 144-S-24 until January 16, 2025. The motion passed via voice vote.

Staff Report – None

Other Business – Draft ZBA Meetings Calendar

Ms. Cunningham said the Board needs to review the draft of the ZBA meetings calendar. Mr. Hall said the ZBA calendar was based on a draft of the County Board calendar. Mr. Hall continued to point out that in 2025, the ZBA will have 4 months (April, June, November, December) where they will only have one meeting. Mr. Hall said that County offices will be moving to the County Plaza in January, February, or March and that the meeting room is much smaller than the Shields-Carter room. Mr. Hall said he requested a ZBA meeting room, but the ZBA is not that high on the priority list.

Mr. Roberts made the motion, seconded by Mr. Randol, to adopt the 2025 Champaign County Planning and Zoning calendar. The motion passed via voice vote.

Mr. Andersen made the motion, seconded by Mr. Roberts, to have a special meeting on December 5, 2024. The motion passed via voice vote.

Mr. Andersen made the motion, seconded by Mr. Roberts, to adjourn the meeting. The motion passed via voice vote.

10. Adjournment – 9:20 pm