

DEPARTMENT OF THE ARMY

U.S. ARMY CORPS OF ENGINEERS, ST. LOUIS DISTRICT 1222 SPRUCE STREET ST. LOUIS, MISSOURI 63103

December 7, 2023

Regulatory Branch

File Number: MVS-2023-682



This letter is regarding an approved jurisdictional determination (AJD) request submitted on your behalf by on November 22, 2023, for the project known as the Horseshoe Solar Project (the Review Area). The Review Area is approximately 53.4 acres located at 13748 Fillmore Trail, Hillsboro, Illinois. The project generally lies in Section 08, Township 08 North, and Range 03 West in Montgomery County, Illinois. Approximate geographic coordinates for the site are Latitude 39.1472° and Longitude --89.4441°.

For the purposes of this AJD, we have relied on the 2023 Rule, as amended ("Revised Definition of 'Waters of the United States'; Conforming"), Section 10 of the Rivers and Harbors Act of 1899 (RHA) as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

The features included in this approved jurisdictional determination are:

Upland Drainage Feature (1,251 linear feet), non-jurisdictional

Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form. For an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the boundary in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five-year period provided you submit a written request, and our staff are able to verify that the limits established during the original determination are still accurate.

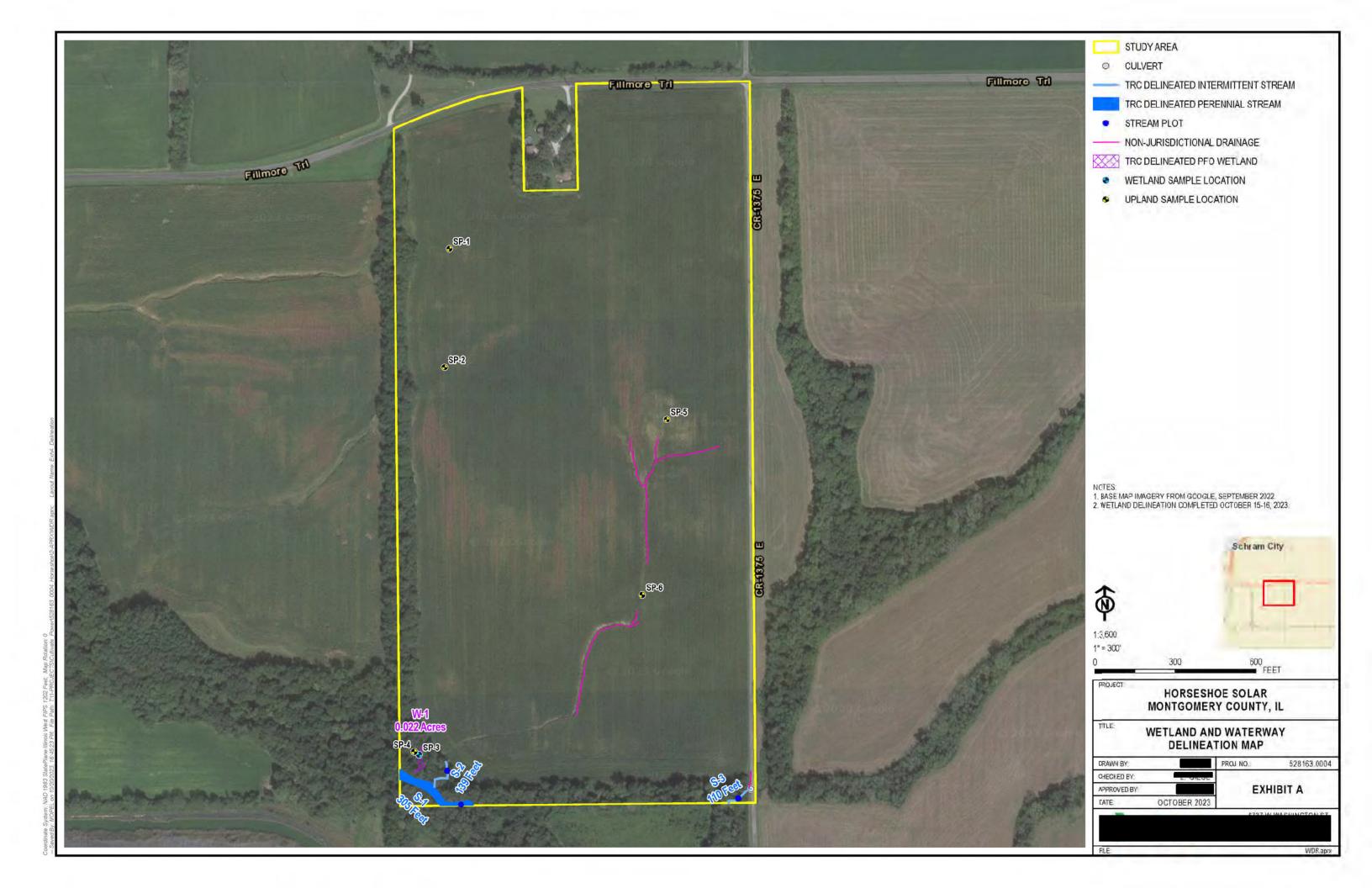
The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

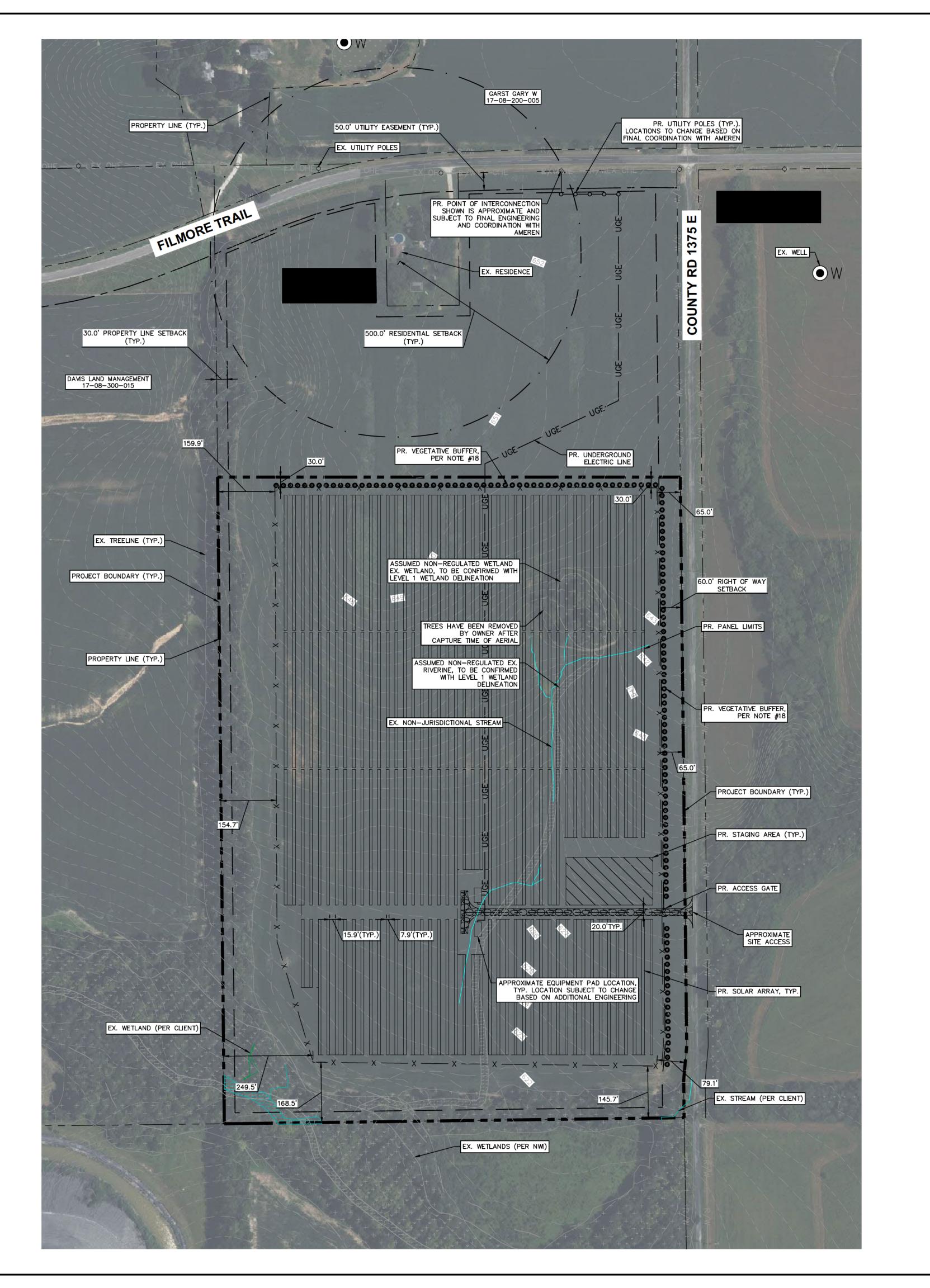
This review is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other Federal, state, or local approvals before beginning work and any modification that includes impacts to potential waters may require subsequent review and authorization from this office.

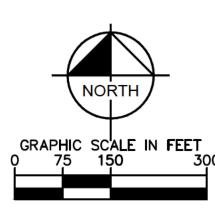
If you have any questions, please contact me at In any correspondence or inquiries, please refer to the File Number MVS-2023-682. The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to go to our Customer Service Survey found on our web site at https://regulatory.ops.usace.army.mil/customer-service-survey/.

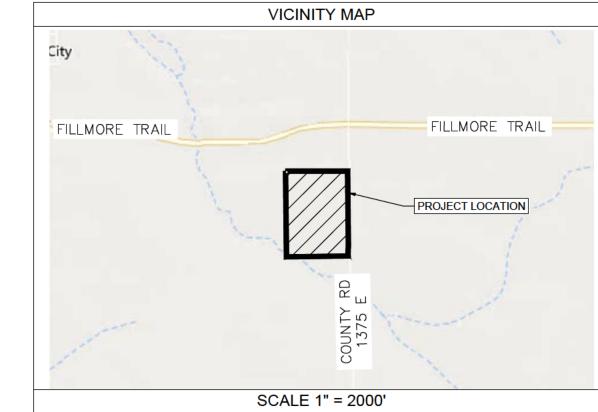
Sincerely,

Enclosures









SITE DATA TABLE		
PIN #	17-08-400-003	
PROPERTY OWNER		
SITE ADDRESS	13285 FILLMORE TRAIL HILLSBORO, IL 62049	
LEGAL DESCRIPTION	SECTION 8, TOWNSHIP 8N, RANGE 3W	
ZONING JURISDICTION	MONTGOMERY COUNTY	
ZONING	AG-1 AGRICULTURAL DISTRICT*	
CURRENT LAND USE	AGRICULTURE AND DWELLING	
PROPOSED USE	SOLAR FARM ENERGY SYSTEM	
TOTAL PARCEL AREA	79.4 AC	
PROJECT BOUNDARY AREA	53.4 AC	
AREA WITHIN FENCE	39.3 AC	
PRELIMINARY SOLAR AREA	33.8 AC	
RIGHT OF WAY SETBACK	60'	
PROPERTY LINE SETBACK	30'	

*ZONING SITE PLAN IS BEING SUBMITTED FOR SPECIAL USE PERMIT TO CONSTRUCT/OPERATE A SOLAR FARM ENERGY SYSTEM

- THE PURPOSE OF THIS PLAN IS FOR SPECIAL USE REVIEW AND APPROVAL BY MONTGOMERY COUNTY TO CONSTRUCT A SOLAR FARM ENERGY SYSTEM.
- THIS PLAN WAS PRODUCED UTILIZING GIS RESOURCES AND INFORMATION FROM MULTIPLE SOURCES, INCLUDING MONTGOMERY COUNTY, GOOGLE EARTH, AND USGS TOPOGRAPHIC INFORMATION.
- SUBJECT PROPERTY DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AS SHOWN ON THE FLOOD INSURANCE RATE MAP (COMMUNITY PANEL 17141C0250D) PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA).
- 4. THE LOCATIONS OF PROPOSED IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO: FENCING, SOLAR ARRAY RACKING, INVERTER/TRANSFORMER PADS, OVERHEAD POLES AND LINES, ETC., SHOWN ARE APPROXIMATE AND ARE SUBJECT TO MODIFICATION DUE TO SITE CONDITIONS, ADDITIONAL PERMITTING REQUIREMENTS, EQUIPMENT SPECIFICATIONS, AND/OR OTHER CONSTRAINTS DURING FINAL ENGINEERING.
- 5. PROJECT AREA, INCLUDING CONSTRUCTION STAGING AREAS, WILL BE CLEARED AND GRUBBED AS NECESSARY, RETAINING PRE—DEVELOPMENT DRAINAGE PATTERNS TO THE BEST EXTENT POSSIBLE. CONSTRUCTION STAGING AND AREAS SUBJECT TO RUTTING DURING CONSTRUCTION WILL BE TEMPORARILY STABILIZED WITH GRAVEL. SOIL CONDITIONS
- AND EQUIPMENT LOADS WILL DETERMINE FINAL DESIGN. 6. ALL DIMENSIONS SHOWN ARE AT 90 DEGREES UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL CALL AT LEAST 72 HOURS PRIOR TO BEGINNING CONSTRUCTION OR EXCAVATION TO HAVE EXISTING UTILITIES LOCATED. ADDITIONALLY, CONTRACTOR SHALL CONTACT ANY LOCAL UTILITIES THAT PROVIDE THEIR OWN LOCATOR SERVICES.
- 8. CONTRACTOR SHALL MAINTAIN ACCESS AND UTILITY SERVICES TO ANY REMAINING BUILDING(S) OR ADJACENT BUILDING(S) THROUGHOUT THE DEMOLITION AND CONSTRUCTION PHASES. EXISTING IMPROVEMENTS DAMAGED DURING CONSTRUCTION SHALL BE REPLACED/RESTORED TO THE SATISFACTION OF THE OWNER BY THE CONTRACTOR RESPONSIBLE FOR THE DAMAGE.
- 9. THE CONTRACTOR SHALL BE FULLY RESPONSIBLE TO PROVIDE SIGNS, BARRICADES, WARNING LIGHTS, GUARD RAILS, AND EMPLOY FLAGGERS AS NECESSARY WHEN CONSTRUCTION ENDANGERS EITHER VEHICULAR OR PEDESTRIAN TRAFFIC. THESE DEVICES SHALL REMAIN IN PLACE UNTIL THE TRAFFIC MAY PROCEED NORMALLY AGAIN.
- SITE WILL HAVE NO DEDICATIONS FOR OPEN SPACE, NATURAL AREA, HISTORIC BUILDING(S)/STRUCTURE(S), OR STORMWATER MANAGEMENT FACILITIES.
- 11. STORMWATER MANAGEMENT FACILITIES TO BE PROVIDED AS REQUIRED BY COUNTY
- AND/OR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITTING. REQUIREMENTS TO BE DETERMINED DURING FINAL ENGINEERING. 12. THE MAXIMUM HEIGHTS OF ANY SOLAR PANEL SHALL NOT EXCEED 15 FEET.
- 13. SOLAR PANELS WILL BE DESIGNED WITH ANTI-REFLECTIVE COATING TO MINIMIZE GLARE.
- 14. COLLECTION LINES WITHIN THE SOLAR FARM WILL BE LOCATED AND MAINTAINED
- UNDERGROUND. 15. THERE SHALL BE NO EXTERIOR LIGHTING.
- 16. SETBACKS SHOWN ON THIS PLAN ARE BASED ON MONTGOMERY COUNTY CODE OF ORDINANCES, SECTION F OF MONTGOMERY COUNTY, IL ORDINANCE FOR SOLAR ENERGY FARM AND SOLAR GARDEN INSTALLATIONS
- 17. ALL NECESSARY PERMITS FOR SOIL EROSION CONTROL AND DRIVEWAY CONSTRUCTION WILL BE OBTAINED AS PART OF FINAL ENGINEERING AND PRIOR TO CONSTRUCTION WILL READ POLLINATOR FRIENDLY SOLAR HABITAT.

18. LANDSCAPE BUFFER — EVERGREEN TREES TO BE INSTALLED AT 6' IN HEIGHT, 20' O.C. AROUND THE PERIMETER OF THE SITE WHERE EXISTING VEGETATION IS NOT SUITABLE FOR FUTURE SCREENING. PROPOSED VEGETATION SPECIES ARE SUBJECT TO CHANGE BASED ON FINAL DESIGN AND LOCAL AVAILABILITY.

PLANT SCH	IEDU	<u>LE</u>
EVERGREEN TREES	CODE	COMMON NAME
, ruy		
۲+ ک م		EVERGREEN TREE
• • •		MOUNTBATTEN JUNIPER
		EASTERN REDCEDAR
		FAT ALBERT COLORADO BLUE SPRUCE
		PYRAMIDAL WHITE PINE
		CAPITATA JAPANESE YEW
		AMERICAN ARBORVITEA

PROJECT BOUNDARY	
PROPERTY LINE (PER MONTGOMERY COUNTY GIS)	
RIGHT OF WAY (PER MONTGOMERY COUNTY GIS) SETBACK	R/W
EX. OVERHEAD ELECTRIC (PER AERIAL)	— EX OHE—
EX. UTILITY POLE (PER AERIAL)	¢
UTILITY EASEMENT	
RESIDENTIAL SETBACK	·
ROAD LABEL	IL-251
EX. RESIDENCE/STRUCTURE (TRACED PER AERIAL)	
EX. RIVERINE (PER NWI)	
EX. TREES (TRACED PER AERIAL)	+ + + + +
EX. SURFACE FEATURES (TRACED PER AERIAL)	
EX. FLOW (DIRECTION AND SLOPE)	XX%
EX. WETLANDS (PER NWI)	\(\psi\) \(\
EX. WETLANDS (PER CLIENT)	
EX. STREAM (PER CLIENT)	
EX. NON-JURISDICTIONAL STREAM	
PR. SECURITY FENCE	x
PR. PANEL LIMITS	
PR. OVERHEAD ELECTRIC	OHW-
PR. UNDERGROUND ELECTRIC	UGE UGE
PR. GRAVEL ACCESS ROAD	
PR. UTILITY POLE	0
PR. EQUIPMENT PAD	
PR. SOLAR ARRAY	
PR. STAGING AREA	
PR. UNDERGROUND ELECTRIC LINE	UG MV
PR. VEGETATIVE	0000

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SHEET NUMBER