



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

JB Pritzker, Governor
Colleen Callahan, Director

Authorization for Incidental Take and Implementing Agreement

Pursuant to the Illinois Endangered Species Protection Act (Act) (520 ILCS 10/5.5) and the regulations adopted to implement the Act (17 Ill. Adm. Code 1080), authorization is hereby granted to Sugar Creek Wind One LLC (hereinafter referred to as Sugar Creek) for the incidental take of the Federally- and State-endangered Indiana Bat (*Myotis sodalis*) and Federally- and State-threatened Northern Long-eared Bat (*Myotis septentrionalis*). Sugar Creek is located south of New Holland, five miles west of Lincoln in Logan County. Two Illinois Natural Areas Inventory Sites (INAI Sites) are near the project boundary, but outside a one-mile minimum buffer: Barton-Sommer Woodland (INAI Site 0190) to the Southwest, and Salt Creek (INAI Site 1432) to the Southeast. The Illinois Department of Natural Resources (hereinafter referred to as the Department) has determined that the taking is incidental to activities associated with the operation of the Sugar Creek Wind Project in Logan County, Illinois.

Procedural History

The Department received a Habitat Conservation Plan (HCP) prepared by Stantec Consulting Services, Inc., on behalf of Sugar Creek on May 8, 2020, as a request for authorization for the incidental take of Indiana Bat and Northern Long-eared Bat. The Sugar Creek HCP was approved by the US Fish and Wildlife Service (USFWS) and a federal Incidental Take Permit was issued on August 26, 2022. Pursuant to Ill. Adm. Code 1080.10, the approved HCP was accepted as complete in lieu of a State of Illinois conservation plan on January 3, 2022. The public notice period will be detailed under #6 of the Compliance section below.

Compliance with the Illinois Endangered Species Protection Act

The Act includes six criteria that must be satisfied for the authorization of incidental take of an endangered or threatened species. These criteria and the Department's determination for each are listed below.

1. The taking will not be the purpose of, but will only be incidental to, the carrying out of an otherwise lawful activity:

The stated and apparent purpose of this proposed action is the continued operation of 57 turbines, including 17 Vestas V110s (2.0 megawatts (MW)) and 40 Vestas V150s (4.2 MW) generating up to 202 MW of electricity when operating at

manufacturer's cut-in speed (the wind speed at which the turbines begin to generate power to send to the grid) of 3 meters/second (m/s) or 7 miles per hour (mph). Each turbine tower stands between 344 feet and 394 feet high at hub height, with highest blade tip position at 574 to 590 feet high. Each rotor consists of three composite blades with a rotor diameter of 361 feet (V110s) or 492 feet (V150s). The project also includes an operations and maintenance (O&M) facility, access roads, an underground electrical collection line system, overhead transmission lines, a substation, and two permanent meteorological towers (MET tower). A ground-based lidar system may be installed in place of a MET tower. **The project has been operational since November 2020.** Sugar Creek estimates that there are approximately 401.86 acres of potential suitable habitat for Indiana Bat and Northern Long-eared Bat habitat within the 17,745.4-acre permit area boundary. Take of the Indiana Bat and Northern Long-eared Bat could occur as a result of direct collision with, or barotrauma (injury caused by the sudden pressure changes near turbine blades) caused by, active wind turbines, particularly during spring and fall migration seasons. Indirect take may occur through potential disturbance/displacement of bats due to turbine presence. The take of Indiana Bat and Northern Long-eared Bat that could result from this project is not the purpose of Sugar Creek's activities but is incidental to the carrying out of an otherwise lawful activity.

2. The parties to the HCP will, to the maximum extent practicable, minimize and mitigate the impact caused by the taking:

Proposed minimization and mitigation measures were included in Sugar Creek's HCP.

To meet the "maximum extent practicable" standard, additional minimization and/or mitigation measures may be required beyond those proposed by Sugar Creek, based on the life history needs of the Indiana Bat and Northern Long-eared Bat.

All required minimization and mitigation measures are presented under the Authorization section below.

3. The parties to the HCP will ensure that adequate funding for the HCP will be provided:

Sugar Creek states that they will provide funding to implement the conservation and monitoring program outlined in the HCP. Funding assurance will be provided in the form of a Letter of Credit from a financial institution acceptable to the USFWS for those portions of the conservation program that are not yet implemented. Sugar Creek understands that if any additional activities are planned at the facility that may affect Indiana Bats, Northern Long-eared Bats, or other endangered or threatened species, coordination with the Department will be required.

It is the Department's opinion that Sugar Creek's stated commitment to funding their proposed minimization and mitigation measures is sufficient to satisfy this criterion.

4. Based on the best available scientific data, the Department has determined that the taking will not reduce the likelihood of survival or recovery of the endangered species or threatened species in the wild within the State of Illinois, the biotic community of which the species are a part, or the habitat essential to the species' existence in Illinois:

Indiana Bat (*Myotis sodalis*) is a Federally endangered and State-endangered flying mammal species.

Habitat: Indiana Bat hibernates in the winter, primarily in caves and abandoned mines. The species prefers the coldest part of the cave, where they are found huddled in large clusters of 500-1000 bats. In the summer, preferred habitat for this nocturnal insectivore consists of wooded areas, often near streams. The species is typically found beneath the exfoliating bark of trees.

Distribution: Their overall range covers much of the eastern United States. Populations migrate as far south as Georgia and Alabama. They are found as far north as Michigan, Vermont, and New York. The species has disappeared from most of its former range in the northeastern United States.

Migration: The species is migratory, traveling up to 300 miles between winter and summer habitats. Migrants will leave hibernation sites in March and April. They return to hibernacula in August or September. Staging or swarming occurs in September and October at the mouths of caves.

Reproduction: Mating occurs from late August to early October, prior to hibernation. Females store sperm through the winter and ovulation takes place in the spring. Females give birth to a single pup in June or July. Young can fly at 25-37 days.

Population: Indiana Bats hibernate in large groups, making them highly susceptible to white-nose Syndrome (confirmed in Illinois in 2013) during the winter months. The low reproductive rate of bats coupled with the vulnerability to disease afflicting the species at hibernacula is a cause of concern for potentially severe population level declines. Human disturbance in caves may disrupt hibernation, causing unnecessary burning of fat reserves that bats need to get through the winter. Removal of forested summer habitat may also lead to population decline.

Range in Illinois: Indiana Bats are extant (found in the last 10 years) in 42 of 102 Illinois counties. There are currently 76 extant Element Occurrence Records for Indiana Bats in the Illinois Natural Heritage Database. These records include both hibernacula and locations at which bats have been captured during surveys conducted during the summer breeding season. Data reflect the presence of Indiana bats at Illinois maternity colonies and/or day roosts as early as April 12

and as late as October 6. Locations are scattered across much of the southern ¾ of Illinois.

Incidental Take Authorizations: The Department has eleven (11) pending or authorized Incidental Take Authorizations for Indiana Bats. Previous projects have included electric transmission lines, a mine, a pipeline, and windfarms. This is the first authorization granted for the potential take of Indiana Bat in Logan County.

Northern Long-eared Bat (*Myotis septentrionalis*) is a Federally threatened and State-threatened flying mammal species.

Habitat: Northern Long-eared Bat hibernates in the winter, primarily in caves and abandoned mines. The species prefers cold, humid areas. They are most likely to be found in cracks or crevices, rather than huddled in large groups. In the summer, preferred habitat for this nocturnal insectivore consists of large, contiguous forested areas. The species roosts in live and dead trees, and occasionally in human structures such as bridges and barns.

Distribution: They are distributed in patches in eastern and north-central United States and southern Canada. The overall summer and winter ranges are the same.

Migration: Northern Long-eared Bat is commonly a local migrant, only traveling up to 50 miles between winter and summer habitats.

Reproduction: Mating occurs in late summer or early fall, prior to hibernation. Females store sperm through the winter, though some females may mate again at spring emergence. Females give birth to a single pup between May and July, depending on the location (typically late June to early July in Illinois).

Population: Northern Long-eared Bat hibernates in caves where the fungus that causes White-nose Syndrome is found. The low reproductive rate of bats coupled with the vulnerability to disease afflicting the species at hibernacula is a cause of concern for potentially severe population level declines. Northern Long-eared Bat is sensitive to disturbance during hibernation, which causes bats to deplete their energy reserves. Habitat fragmentation of mature forest habitat is also a threat.

Range in Illinois: Northern Long-eared Bat is extant in 38 of 102 Illinois counties. There are currently 64 extant Element Occurrence Records for Northern Long-eared Bat in the Illinois Natural Heritage Database. These occurrences include both summer locations of roost and/or maternity colonies and winter hibernacula. Data reflect the presence of Northern Long-eared Bat at Illinois maternity colonies and/or day roosts as early as April 16 and as late as October 3. Locations are scattered across the entire state

Incidental Take Authorizations: The Department has six (6) pending or authorized Incidental Take Authorizations for Northern Long-eared Bats for a pipeline and wind farms. This is the first authorization to be granted for potential take of Northern Long-eared Bats in Logan County.

Based on the amount of habitat impacted by this project, the number of known occurrences of the endangered and threatened species in Illinois, an assessment of the potential effect of this project on the listed species in the project footprint, the conservation measures included in this authorization for incidental take, and the understanding that vulnerability and recovery information on the species remains limited; the Department has concluded that the taking proposed herein will not reduce the likelihood of survival or recovery of the Indiana Bat or the Northern Long-eared Bat in the wild within the State of Illinois, the biotic community of which the species are a part, or the habitat essential to the species' existence in Illinois.

5. Any measures required under Section 5.5(b)(6) of the Act will be performed:

These measures are listed below under "Authorization." This authorization is, by definition, subject to those terms and conditions and the signature of a representative of Sugar Creek indicates their commitment to performing those measures.

6. The public has received notice of the application and has had the opportunity to comment before the Department made any decision regarding the application:

Public notice of Sugar Creek's request for authorization of incidental take was published in the *Breeze Courier* (official state newspaper) on February 1, 2022, and in the *Lincoln Courier* on February 1, February 8, and February 16, 2022. A copy of the HCP was deposited at the Lincoln Public Library, where it was available for public review. The deadline for public comment was March 16, 2022.

Authorization

It is the determination of the Department that the measures that will be implemented by Sugar Creek will adequately minimize and mitigate the anticipated taking of Indiana Bat and Northern Long-eared Bat incidental to activities associated the operation of the Sugar Creek Wind Project in Logan County, Illinois. Further, the Department has concluded that the take authorized herein will not reduce the likelihood of survival or recovery of the Indiana Bat or Northern Long-eared Bat in the wild within the State of Illinois, the biotic community of which the species are a part, or the habitat essential to the species' existence in Illinois.

All terms and conditions included in the aforementioned HCP submitted by Sugar Creek to the Department are incorporated into this agreement by reference and are made a part thereof.

Pursuant to Section 5.5 of the Illinois Endangered Species Protection Act [520 ILCS 10/5.5] and the Administrative Rules for the Incidental Taking of Endangered and Threatened Species [Ill. Adm. Code 1080.40(b)], this authorization is issued subject to the following terms and

conditions, which may include additions or modifications to the minimization and mitigation measures proposed by Sugar Creek in the HCP:

1. This authorization is effective upon the signature of the Department and shall remain in effect for a period of **thirty (30) years** (expiration 2052) from the date of the Department signature, unless terminated by written agreement of both parties.

Notwithstanding the above paragraph, due to the length of this Authorization, the Department reserves the right to reassess the terms of this Authorization every five years. If during reassessment the Department determines that the Indiana Bat or Northern Long-eared Bat have become more imperiled than when the species and impact analyses were initially conducted, the Department may request an amendment to this Authorization or additional minimization or mitigation by Sugar Creek. Further, if during reassessment the Department determines that the level of minimization and mitigation no longer meets the requirement of 520 ILCS 10/5.5 for minimization and mitigation to the maximum extent practicable for the potential take, the Department may request an amendment to this Authorization or additional minimization or mitigation by Sugar Creek.

If the Department and Sugar Creek cannot reach an agreement, this Authorization will be terminated. Termination of this Authorization under this provision does not prevent Sugar Creek from applying for a new Incidental Take Authorization for this project.

This authorization may be revoked pursuant to the Act and Ill. Adm. Code 1080.80(b) if the Department finds that Sugar Creek has failed to comply with any of these terms and conditions or has been responsible for the taking of Indiana Bats or Northern Long-eared Bats beyond that which is incidental to activities associated with the operation of the Sugar Creek Wind Project in Logan County, Illinois.

2. The effective period of this authorization may be altered by mutual written agreement between Sugar Creek and the Department. The Illinois Endangered Species Protection Board shall be notified of any such alteration.
3. Any substantive changes, including but not limited to a change in the project footprint or a change in the State-listed species which could potentially be affected, will require that a new conservation plan be submitted to the Department to initiate the review and public notice process as required by the Act. *For the purposes of this authorization, an increase in the turbine cut-in speed implemented based on mortality or estimated mortality of Indiana bats and/or Northern Long-eared bats in accordance with the adaptive management provisions of this Authorization, as well as the introduction of acoustic deterrents, as approved by the Department, shall not be considered a substantive change.*
4. This authorization may only be transferred upon approval and written authorization by the Department.
5. Notification to all on-site personnel shall be provided on the Indiana Bat and the Northern Long-eared Bat in the area, the identification of these species, regulations protecting the

species, where the species might be found, avoidance areas, travel restrictions for equipment and vehicles, how to report sightings or incidents that may involve take, and the importance of avoiding take of the species. **Sugar Creek shall submit a copy of the education materials to the Department.**

6. The Department reserves the right of entry by its staff or representatives to inspect species, potential habitat within the area under lease-control by Sugar Creek, species management and preservation practices, and data collection methodologies. Sugar Creek shall make pertinent records and materials relating to this permit available to the Department for examination on the premises or via electronic mail at reasonable times upon request by the Department or as otherwise authorized by law.
7. Biological consultants employed by Sugar Creek shall be qualified in working with these species and hold the necessary permits for work with non-listed and listed species; these include an Illinois Department of Natural Resources (IDNR) Scientific Collection Permit as authorized under 17 Illinois Administrative Code 520, and an IDNR Endangered Species Permit as authorized under 17 Illinois Administrative Code 1070.
8. Any discoveries of additional State-listed species beyond those identified in this agreement shall be reported to the Department within 48 hours of the discovery of such State-listed species carcass accompanied by location information (map and GPS coordinates) and photographs. If mortality has occurred, the carcass shall be retained and labeled.
9. Copies of any reports, updates, modifications, or other project documentation required by the USFWS Incidental Take Permit (ESPER0047644) issued on August 26, 2022, shall be provided concurrently to the Department. Likewise, all reports under this authorization shall be provided to the USFWS unless USFWS determines in writing that such submissions are not necessary. This includes but is not limited to reports of fatalities of any Indiana Bats or Northern Long-eared Bats **within 48 hours of discovery** of a carcass of one of those species. Per the HCP, Indiana Bat and Northern Long-eared Bat carcasses shall be turned over to the USFWS; however, in the event that USFWS does not have interest in such carcasses, the Illinois Bat Conservation Program (hereinafter referred to as IBCP) shall be notified and given the opportunity to collect such carcasses prior to their disposal by Sugar Creek. Prior to disposal of any *Myotis* carcass, IBCP shall be contacted and given ninety (90) days to collect the carcass from Sugar Creek.
10. Sugar Creek shall submit an **annual project status report** to the Department by March 1 of each year this authorization is in effect summarizing the implementation or status of minimization, monitoring, adaptive management, and mitigation measures and evaluating the effectiveness of those measures. Sugar Creek shall submit the same report to both USFWS and the Department. The report shall also include a map, GPS coordinates, and photographs of any listed species found within the project footprint, description of any injuries or mortalities, and the disposition of any individuals that were injured or killed.

11. Sugar Creek conducted the following minimization measures during the design and construction of the wind energy facility
- a. Turbines were sited using a 1,000-foot setback from bat foraging habitat of Sugar Creek.
 - b. Any tree clearing or trimming to occur for Sugar Creek operations or maintenance on trees with a diameter at breast height (DBH) of 3 inches or more shall take place between November 1 and March 31.
 - c. Collector lines were trenched underground to the extent practicable.
 - d. The point of interconnection was made to an existing grid.

12. Sugar Creek shall conduct, or cause to be conducted, the following **minimization measures** throughout the duration of operation of the wind energy facility:

- a. Turbine blades shall be feathered below the following cut-in speeds by date and temperature:

Temperature	March 15 to July 31	August 1 to October 15	October 15 to November 15	November 15 to March 15
<40°F	uncurtailed	uncurtailed	uncurtailed	uncurtailed
40-50°F	3.0 m/s	3.0 m/s	3.0 m/s	uncurtailed
>50°F	3.0 m/s	5.0 m/s	3.0 m/s	uncurtailed

- b. Any tree clearing or trimming to occur for Sugar Creek operations or maintenance on trees with a diameter at breast height (DBH) of 3 inches or more shall take place between November 1 and March 31.

13. Sugar Creek shall conduct, or cause to be conducted, the following **mortality monitoring** efforts for bat fatalities around turbines:

- a. Mortality monitoring shall continue to be conducted by a qualified consultant according to the protocol established in the HCP. Year numbers are understood to be synchronized with monitoring requirements under the USFWS Incidental Take Permit
 - i. **Intensive monitoring** shall take place during the **first 2 years** of the permit. From April 1 through July 31, this shall be weekly searches of 57 roads and pads in a 100m radius. From August 1 through October 15, these searches shall be twice weekly searches of 15 cleared plots in a 40m radius, and 42 roads and pads.
 - ii. **Annual monitoring** shall take place during **Years 3-14 and Years 17-30** of the permit. This monitoring shall be weekly searches of 57 roads and pads in a 100m radius from August 1 through October 15.

- iii. **Check-in monitoring** shall take place during **Years 15 and 16** of the permit. From April 1 through July 31, this shall be weekly searches of 57 roads and pads in a 100m radius. From August 1 through October 15, these searches shall be twice weekly searches of 15 cleared plots in a 40m radius, and 42 roads and pads.
 - iv. **Adaptive Management monitoring** shall take place for **2 years** following any adaptive management response. These searches shall take place three times a week and cover the roads and pads of a range from six turbines to all 57. The search will be triggered by the season.
 - b. Mortality monitoring shall also include search efficiency and carcass removal/persistence trials as described in the HCP. These shall use non-listed bat carcasses from onsite or veterinary labs, or brown mice or small black rats if 40 bat carcasses are not available.
 - c. **All carcasses of *Myotis* species, and carcasses of any Tri-Colored Bats (*Perimyotis subflavus*) found during standardized searches or incidentally discovered shall be retained and reported to the Department within 48 hours of carcass discovery.** Prior to disposal of any *Myotis* and/or *Perimyotis subflavus* carcass, the Department shall be contacted and given ninety (90) days to collect the carcass. If identification of a *Myotis* carcass is uncertain, the carcass shall be submitted to IBCP for DNA analysis and identification.
 - d. **Samples of wing tissue and hair from all Hoary Bats, Eastern Red Bats, and Silver-haired Bats** shall be preserved per IBCP protocol and submitted to their bat genomics laboratory until such time that the lab is no longer conducting population genetic studies on these species.
 - e. **The Department reserves the right to compel Sugar Creek to preserve and submit tissue samples and metadata to IBCP for future genetic studies which may be performed.**
 - f. **A report including, but not limited to, the bat survey methodology utilized, maps of turbines searched, and all fatalities observed, shall be submitted to the Department by January 31 summarizing the monitoring results from the previous year.** For each bat fatality, the following data shall be included: turbine location (turbine number and GPS coordinates), distance and bearing to turbine, species, sex, adult/juvenile, reproductive status, the potential date of fatality, wind speed profile sunset to sunrise during night preceding potential date of fatality, weather conditions, power production profile for the responsible turbine on estimated date of fatality, and photographs of the carcass.
14. Sugar Creek shall conduct, or cause to be conducted, the following adaptive management measures in the event that take of **Indiana Bats** may be exceeding the USFWS-authorized take limit of 90 individuals over the permit term:
- a. Short-term Trigger, First Level, where the average annual take is between the predicted and the permitted take ($1.3 < \lambda < 3.0$), and the projected take over the 30-year permit is between the predicted and permitted take ($39 \leq M \leq 90$).
 - i. Increase mitigation to account for the higher level of take,

1. AND, repeat intensive monitoring for 2 years (if deploying technology or changing cut-in speed)
 - ii. Sugar Creek MAY CHOOSE TO implement one or more of the following:
 1. Deploy additional technology
 2. OR raise cut-in speeds by 0.5 m/s, or at some level thought to be able to decrease take by necessary amount. Depending on the timing of bat fatalities, this may be applied during a concentrated period or in a part of the project if all listed bats are found within a specific time period or area of the project
 - b. Short-term Trigger, Second Level, where average annual take is above the permitted take ($\lambda \geq 3.0$), and the projected take over the 30-year permit is above the permitted take ($M \geq 90$).
 - i. Increase mitigation to account for the higher level of take
 - ii. AND, repeat intensive monitoring for 2 years (if deploying technology or changing cut-in speed)
 - iii. AND EITHER, deploy additional technology,
 - iv. OR, raise cut-in speeds by 0.5 m/s. Depending on the timing of bat fatalities, this may be applied during a concentrated period or in a part of the project if all listed bats are found within a specific time period or area of the project
 - c. Reversion Trigger, where the average annual take rate is below 50% of the Predicted Take ($\lambda < 0.65$), and the projected take over the 30-year permit term is below the Predicted Take ($M < 39$).
 - i. Lower cut-in speeds by 0.5 m/s at all or a subset of turbines. This may be applied during a concentrated period or periods, or part of the Project determined by the monitoring as lower risk (no listed bats found)
 - ii. AND, repeat intensive monitoring for 3 years
 - d. Long-term Trigger, where the actual calculated take to-date exceeds the Permitted Take ($M \geq 90$)
 - i. Raise cut-in speeds to 6.9 m/s during identified period of risk.
15. Sugar Creek shall conduct, or cause to be conducted, the following adaptive management measures in the event that take of **Northern Long-eared Bats** may be exceeding the USFWS-authorized take limit of 60 individuals over the permit term:
- a. Short-term Trigger, First Level, where the average annual take is between the predicted and the permitted take ($0.9 < \lambda < 2.0$), and the projected take over the 30-year permit is between the predicted and permitted take ($27 \leq M \leq 60$).
 - i. Increase mitigation to account for the higher level of take,
 1. AND, repeat intensive monitoring for 2 years (id deploying technology or changing cut-in speed)
 - ii. MAY CHOOSE TO either
 1. Deploy additional technology
 2. OR raise cut-in speeds by 0.5 m/s, or at some level thought to be able to decrease take by necessary amount. Depending on the timing of bat fatalities, this may be applied during a concentrated

period or in a part of the project if all listed bats are found within a specific time period or area of the Project.

- b. Short-term Trigger, Second Level, where average annual take is above the permitted take ($\lambda \geq 2.0$), and the projected take over the 30-year permit is above the permitted take ($M \geq 60$).
 - i. Increase mitigation to account for the higher level of take
 - ii. AND, repeat intensive monitoring for 2 years (if deploying technology or changing cut-in speed)
 - iii. AND EITHER, deploy additional technology,
 - iv. OR, raise cut-in speeds by 0.5 m/s. Depending on the timing of bat fatalities, this may be applied during a concentrated period or in a part of the project if all listed bats are found within a specific time period or area of the project
- c. Reversion Trigger, where the average annual take rate is below 50% of the Predicted Take ($\lambda < 0.45$), and the projected take over the 30-year permit term is below the Predicted Take ($M < 27$).
 - i. Lower cut-in speeds by 0.5 m/s at all or a subset of turbines. This may be applied during a concentrated period or periods, or part of the Project determined by the monitoring as lower risk (no listed bats found)
 - ii. AND, repeat intensive monitoring for 3 years
- d. Long-term Trigger, where the actual calculated take to-date exceeds the Permitted Take ($M \geq 60$)
 - i. Raise cut-in speeds to 6.9 m/s during identified period of risk.

16. Mitigation to the maximum extent practicable is required by the Act. Mitigation requirements for this authorization are as follows:

In consultation with USFWS, Sugar Creek conducted a Resource Equivalency Analysis, identifying the restoration of at least 101.3 acres of habitat-appropriate compensation for the estimated level of potential take of Indiana Bat and Northern Long-eared Bat as a result of this project.

A 102-acre mitigation site in Adams County, IL has been secured by Magnolia Land Partners LLC on behalf of Sugar Creek. A permanent easement shall be placed on the property and held by Great Rivers Land Trust. Magnolia Land Partners LLC shall be responsible for ensuring that this site achieves performance standards through monitoring and management of this property.

17. All reports, notifications, and other project documentation shall be submitted to:

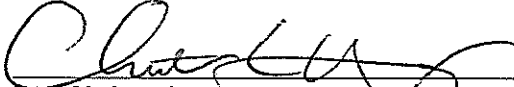
Illinois Department of Natural Resources
Office of Resource Conservation
Endangered Species Program – Incidental Take Authorization Coordinator
One Natural Resource Way
Springfield, IL 62702-1271

Or electronically to: DNR.ITAcoordinator@illinois.gov

The Department's Endangered Species Program shall provide all reports required under this agreement to the Illinois Endangered Species Protection Board and to the Department's Natural Heritage Database.

18. The Sugar Creek official identified below is authorized to execute this agreement. Execution by Sugar Creek indicates acceptance of all terms and conditions described in this authorization.
19. The execution of this agreement does not waive or excuse the responsibilities of Sugar Creek to comply with other Federal, State, or local regulations, including but not limited to obtaining any required permits for the execution of this project.

For the Illinois Department of Natural Resources:

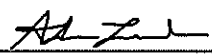


Mr. Christopher D. Young, Director
Office of Resource Conservation

12/2/2022

Date

For Sugar Creek Wind LLC:



Adam Loudon (Nov 22, 2022 15:02 CST)
Mr. Adam Loudon
President

Nov 22, 2022

Date