



May 30, 2025

United States Fish and Wildlife Service  
Chicago Ecological Service Field Office  
1511 47<sup>th</sup> Ave.  
Moline, IL 61265-7022

**Subject:**            ***Section 9 and 10 Endangered Species Act – No Effect Determination  
Anamite Solar, LLC***

On behalf of Anamite Solar, LLC, Kimley-Horn and Associates (Kimley-Horn) evaluated the Anamite Solar, LLC Project ("Project") for compliance with the Endangered Species Act Section 9 and 10 provisions. The Project consists of approximately 63 acres and is located West of Nesler Road in Plato Township, Kane County, Illinois. The Project will include the installation of an alternating current (AC) ground-mounted solar system. The Project will primarily consist of ground mounted solar panels, racking, associated electrical components, with security fencing and interior access roads. The Project is a privately funded project which is not anticipated to have a federal nexus. An official U.S. Fish and Wildlife Service (USFWS) species list for Kane County is included in Attachment A. An Ecological Compliance Assessment Tool (EcoCAT) Consultation Termination letter is included in Attachment B.

Kimley-Horn reviewed the USFWS Information for Planning and Consultation (IPaC) website for federally listed threatened and endangered species. According to the website, four species are listed and may be present in the project vicinity in Kane County. The whooping crane is listed as experimental population, non-essential. The monarch butterfly and western regal fritillary are listed as proposed threatened. The eastern prairie fringed orchid is listed as threatened. The Project is located outside of any designated critical habitat areas. The action area for the Project is made up entirely of agricultural row crops. Minimal suitable habitat was identified within the Project area; therefore, no adverse effects are anticipated to the listed species. The EcoCAT showed no record of Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. The EcoCAT showed that the least bittern and yellow-headed blackbird may be present within the study area vicinity. The EcoCAT concluded that adverse effects are unlikely.

Based on the proposed project, we conclude that the Anamite Solar Project will have "no effect" on federally listed species, their habitats, or designated critical habitat. No "incidental take" is anticipated; thus, no consultation with the USFWS is required based on the current Project.

If you have any questions or concerns, please feel free to contact me via phone (507.216.0288) or email (mason.kunkel@kimley-horn.com).

Sincerely,

*Mason Kunkel*

Mason Kunkel, Kimley-Horn



## Attachment A



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Chicago Ecological Service Field Office

1511 47th Ave

Moline, IL 61265-7022

Phone: (309) 757-5800



In Reply Refer To:

05/09/2025 17:39:40 UTC

Project Code: 2025-0094531

Project Name: Anamite Solar, LLC

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

#### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

Additionally, please note that on March 23, 2022, the Service published a proposal to reclassify the northern long-eared bat (NLEB) as endangered under the Endangered Species Act. The U.S. District Court for the District of Columbia has ordered the Service to complete a new final listing

determination for the NLEB by November 2022 (Case 1:15-cv-00477, March 1, 2021). The bat, currently listed as threatened, faces extinction due to the range-wide impacts of white-nose syndrome (WNS), a deadly fungal disease affecting cave-dwelling bats across the continent. The proposed reclassification, if finalized, would remove the current 4(d) rule for the NLEB, as these rules may be applied only to threatened species. Depending on the type of effects a project has on NLEB, the change in the species' status may trigger the need to re-initiate consultation for any actions that are not completed and for which the Federal action agency retains discretion once the new listing determination becomes effective (anticipated to occur by December 30, 2022). If your project may result in incidental take of NLEB after the new listing goes into effect this will first need to be addressed in an updated consultation that includes an Incidental Take Statement. If your project may require re-initiation of consultation, please contact our office for additional guidance.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

**Migratory Birds:** In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and

their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

## OFFICIAL SPECIES LIST

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

This species list is provided by:

**Chicago Ecological Service Field Office**

1511 47th Ave

Moline, IL 61265-7022

(309) 757-5800

## PROJECT SUMMARY

Project Code: 2025-0094531

Project Name: Anamite Solar

Project Type: Power Gen - Solar

Project Description: Proposed solar farm with associated access roads and utilities.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@42.0171121,-88.40137770015176,14z>



Counties: Kane County, Illinois

## ENDANGERED SPECIES ACT SPECIES

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

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Note that 1 of these species should be considered only under certain conditions.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

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

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

## BIRDS

NAME	STATUS
<b>Whooping Crane <i>Grus americana</i></b> Population: U.S.A. (AL, AR, CO, FL, GA, ID, IL, IN, IA, KY, LA, MI, MN, MS, MO, NC, NM, OH, SC, TN, UT, VA, WI, WV, western half of WY) No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/758">https://ecos.fws.gov/ecp/species/758</a>	Experimental Population, Non-Essential

## INSECTS

NAME	STATUS
<b>Monarch Butterfly <i>Danaus plexippus</i></b> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Proposed Threatened
<b>Western Regal Fritillary <i>Argynnis idalia occidentalis</i></b> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/12017">https://ecos.fws.gov/ecp/species/12017</a>	Proposed Threatened

## FLOWERING PLANTS

NAME	STATUS
<b>Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i></b> No critical habitat has been designated for this species. This species only needs to be considered under the following conditions: <ul style="list-style-type: none"> <li>Follow the guidance provided at <a href="https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html">https://www.fws.gov/midwest/endangered/section7/s7process/plants/epfos7guide.html</a></li> </ul> Species profile: <a href="https://ecos.fws.gov/ecp/species/601">https://ecos.fws.gov/ecp/species/601</a>	Threatened

## CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.



## **IPAC USER CONTACT INFORMATION**

Agency: Kimley-Horn  
Name: Cady Peterson  
Address: 14800 Galaxie Ave Suite 200  
City: Apple Valley  
State: MN  
Zip: 55124  
Email: cady.peterson@kimley-horn.com  
Phone: 9529052923



## Attachment B

**Applicant:** Anamite Solar, LLC  
**Contact:** Mason Kunkel  
**Address:** 30 W Hubbard Street  
Chicago, IL 60654  
  
**Project:** Anamite Solar, LLC  
**Address:** Off of Nesler Rd, Elgin

**IDNR Project Number:** 2512782  
**Date:** 05/07/2025

**Description:** On behalf of Cultivate Power, LLC, Kimley-Horn is initiating consultation with the IDNR to determine potential impacts to INAI sites or state listed threatened and endangered species for a proposed commercial solar facility. The Study Area comprises approximately 64 total acres and primarily consists of cropland (corn/soybean). The solar facility will include access roads and associated utilities.

## Natural Resource Review Results

### Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

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

Least Bittern (*Ixobrychus exilis*)

Yellow-Headed Blackbird (*Xanthocephalus xanthocephalus*)

**An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.**

#### Location

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

**County:** Kane

**Township, Range, Section:**

41N, 7E, 23

41N, 7E, 24



#### IL Department of Natural Resources

##### Contact

Adam Rawe  
217-785-5500  
Division of Ecosystems & Environment

#### Government Jurisdiction

IL Environmental Protection Agency  
Terri Lemasters  
1020 North Grand Avenue East  
Springfield, Illinois 62794 -9276

#### Disclaimer

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

## **Terms of Use**

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

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

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

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

## **Security**

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

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

## **Privacy**

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



# Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

JB Pritzker, Governor

Natalie Phelps Finnie, Director

May 09, 2025

Mason Kunkel  
Anamite Solar, LLC

30 W Hubbard Street  
Chicago, IL 60654

**RE: Anamite Solar, LLC**

**Project Number(s): 2512782**

**County: Kane**

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

However, the Department recommends:

Establishing pollinator-friendly habitat as groundcover wherever feasible. Solar Site Pollinator Establishment Guidelines can be found here:  
<https://dnr.illinois.gov/conservation/pollinatorscorecard.html>

The site should be de-compacted before planting.

Long term management of the site should be planned for prior to development to ensure successful native pollinator habitat establishment and prevent the spread of invasive species throughout the lifetime of this project. An experienced ecological management consultant should be hired to assist with long-term management.

Required fencing, excluding areas near or adjacent to public access areas, should have a 6-inch gap along the bottom to prevent the restriction of wildlife movement. Woven wire or a suitable habitat wildlife friendly fence should be used. Barbed wire should be avoided.

Trees should be cleared between November 1st and March 31st. All night lighting should follow IDA guidance.



## Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271  
<http://dnr.state.il.us>

JB Pritzker, Governor

Natalie Phelps Finnie, Director

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Isabella Newingham  
Division of Ecosystems and Environment  
217-785-5500