

Bureau of Land and Water Resources

State Fairgrounds • P.O. Box 19281 • Springfield, IL 62794-9281 • 217/782-6297 • TDD 866/287-2999 • Fax 217/557-0993

August 29, 2024

Dear Landowner:

As the landowner across which the Big Timber Solar Farm, LLC is planning to construct a community scale solar farm and related ±5 MW Commercial Solar Energy Facility, that will consist of solar panel arrays, racking systems, access roads, an onsite underground collection system, inverters and transformers, the Illinois Department of Agriculture would like to inform you of the following matter.

Effective August 28, 2024, Big Timber Solar Farm, LLC and the Illinois Department of Agriculture (IDOA) entered into an Agricultural Impact Mitigation Agreement (AIMA) establishing standards and policies that Big Timber Solar Farm, LLC will follow as it constructs a ±5 MW community scale commercial Solar Energy Facility over agricultural land in Kane County. The enclosed AIMA will provide a high level of protection to such land, but it may not address specific concerns that you may have. Such concerns must be addressed individually in your own easement contract to accomplish your specific goals.

As you review the AIMA, you may identify procedures that you would like to change. Your right to negotiate changes is preserved by Paragraph B. on page one of the AIMA. It states, “Except for Section 17B. through F., all actions set forth in this AIMA are subject to modification through negotiation by Landowners and the Facility Owner, provided such changes are negotiated in advance of the respective Construction or Deconstruction activities.” It is your decision as to whether you discuss the changes you desire with the right-of-way agent that is assigned to you. Of course, you also have the option to seek your own attorney to make sure your interests are protected.

As you consider your personal interests, you may want to include the owner indemnification clause in your individual easement agreement to protect yourself, your family and future heirs against future claims or expenses arising from the commercial solar energy facility’s construction, repairs and maintenance. This item is covered in Section 16 of the AIMA. We feel it is best that such issues are left to landowners to address in their individual easement contracts if specific items are of concern.

Please note that although the IDOA has entered the AIMA with the Big Timber Solar Farm, LLC it does not constitute our endorsement of the project. The AIMA’s sole purpose is to provide a high level of protection to landowners and agricultural land that will be impacted by the construction of the Solar Farm.

If you have questions, feel free to contact Jeffrey Evers of my staff at 217-785-5594, the address listed above or agr.aima@illinois.gov.

Sincerely,



Brian Rennecker, Chief
Bureau of Land and Water Resources

Enclosure
BR:JE

cc: Jerry Costello II, IDOA Director
Clay Nordsiek, IDOA
Bill Bodine, Laura Harmon - IL Farm Bureau

Garrett W. Thalgott – IL Farm Bureau
Kane Co. Farm Bureau Manager
Kane Co. Soil and Water Conservation District (SWCD)
Regional Representatives