

## **Appendix C: Agency Coordination and Approvals**

**Attachment C-1: FAA Determination of No Hazard to Air Navigation:  
2010-WTE-1076-OE**



Federal Aviation Administration  
 Air Traffic Airspace Branch, ASW-520  
 2601 Meacham Blvd.  
 Fort Worth, TX 76137-0520

Aeronautical Study No.  
 2010-WTE-1076-OE  
 Prior Study No.  
 2009-WTE-7490-OE

Issued Date: 03/02/2010

Wes Slaymaker  
 W.E.S. Engineering LLC  
 706 S. Orchard St.  
 Madison, WI 53715

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Wind Turbine Chicago View  
 Location: Chicago Heights, IL  
 Latitude: 41-29-40.95N NAD 83  
 Longitude: 87-36-17.58W  
 Heights: 350 feet above ground level (AGL)  
 1100 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

As a condition to this Determination, the structure is marked and/or lighted in accordance with FAA Advisory circular 70/7460-1 K Change 2, Obstruction Marking and Lighting, white paint/synchronized red lights - Chapters 4,12&13(Turbines).

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be completed and returned to this office any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part I)
- Within 5 days after the construction reaches its greatest height (7460-2, Part II)

See attachment for additional condition(s) or information.

This determination expires on 03/02/2012 unless:

- (a) extended, revised or terminated by the issuing office.
- (b) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE POSTMARKED OR DELIVERED TO THIS OFFICE AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before April 01, 2010. In the event a petition for review is filed, it must contain a full statement of the basis upon which it is made and be submitted in triplicate to the Manager, Airspace and Rules Division - Room 423, Federal Aviation Administration, 800 Independence Ave., Washington, D.C. 20591.

This determination becomes final on April 11, 2010 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. For any questions regarding your petition, please contact Office of Airspace and Rules via telephone -- 202-267-8783 - or facsimile 202-267-9328.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

If we can be of further assistance, please contact Michael Blaich, at (404) 305-7081. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2010-WTE-1076-OE.

**Signature Control No: 681095-123282610**  
Sheri Edgett-Baron  
Acting Manager, Obstruction Evaluation Service

( DNH -WT )

Attachment(s)

Additional Information  
Map(s)

## Additional information for ASN 2010-WTE-1076-OE

The proposed construction would be located approximately 4.17 nautical miles (NM) southwest of the Lansing Municipal Airport (IGQ). It would exceed the Obstruction Standards of Title 14, Code of Federal Regulations (14 CFR), Part 77 as follows:

Section 77.23(a)(2) by 37 feet - a height that exceeds 313 feet above ground level within 4.17 NM as applied to IGQ.

The proposal was not circularized for public comment because current FAA obstruction evaluation policy exempts from circularization those proposals that exceed the above cited obstruction standard. This is provided the proposal does not lie within an airport traffic pattern. This policy does not affect the public's right to petition for review determinations regarding structures, which exceed the subject obstruction standards.

### AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

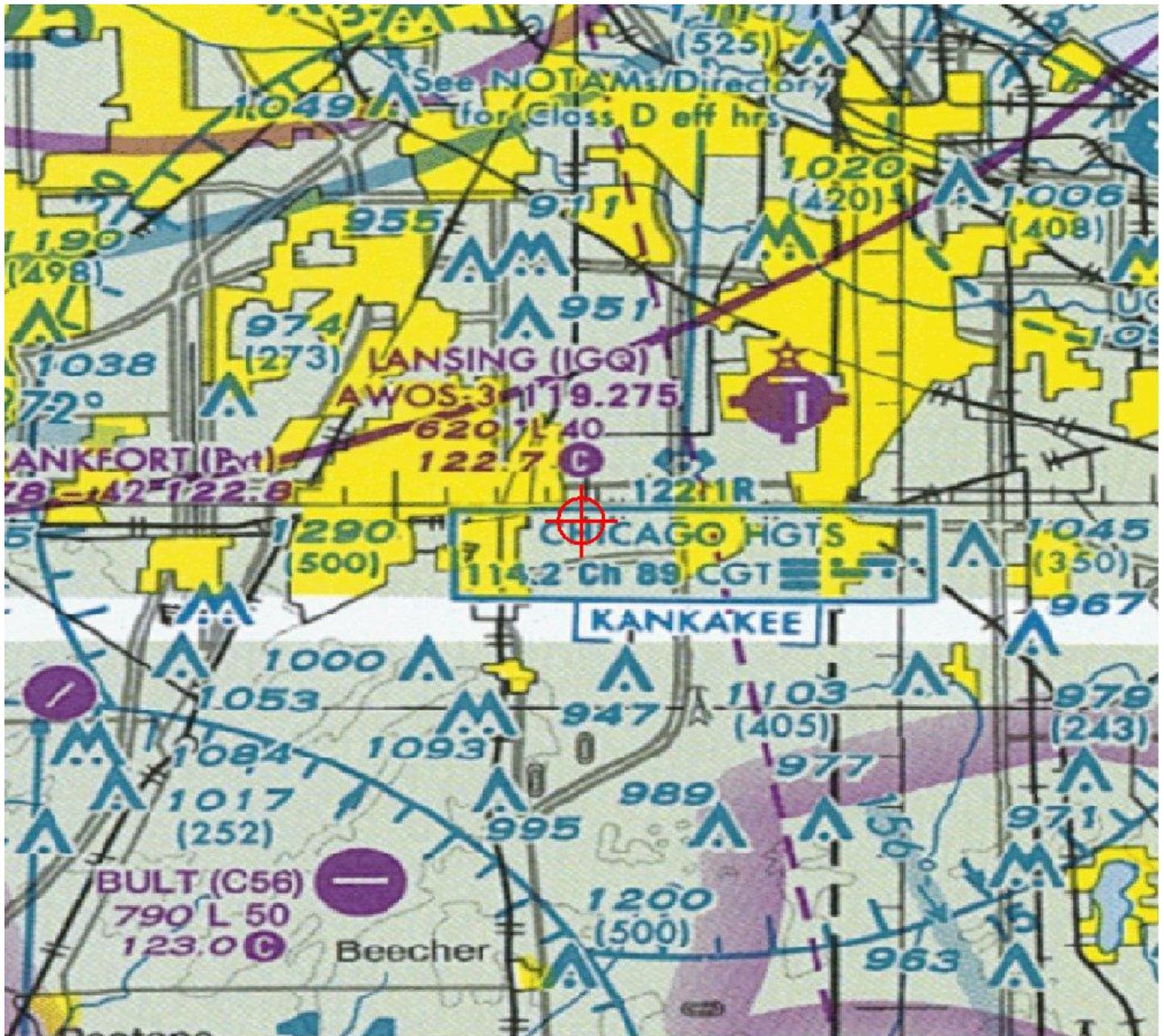
- > The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.
- > The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

### AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

- > The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.
- > The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.
- > The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.
- > The proposed structure will be appropriately obstruction marked and lighted to make it more conspicuous to airmen flying in VFR weather conditions at night.

The cumulative impact of the proposed structure, when combined with other existing structures is not considered significant. Study did not disclose any adverse effect on existing or proposed public-use or military airports or navigational facilities. Nor would the proposal affect the capacity of any known existing or planned public-use or military airport.

Therefore, it is determined that the proposed construction would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation.



From: Sam.Lakhani@faa.gov  
Date: January 25, 2010 4:41:01 PM CST  
To: Wesley Slaymaker <weseng@visi.com>  
Cc: Mike.Blaich@faa.gov  
Subject: Re: Status of FAA Filing 2009-WTE-10301-OE thru 10305

Wes,

Based on further information provided by you, we have re-evaluated your proposed options and concur with the single turbine (389' AGL) to be built in the proposed area. Our analysis shows that a single turbine will minimize the potential impact to the CGT VOR/DME located 1.5 NM to the east.

If you have any further questions or need more information, please contact me via email.  
Thank you for your cooperation and patience.

Sam Lakhani  
AJW-C15A  
Airspace (OE/AAA) Program Management  
CSA Engineering Services, Operations Support-Chicago  
847/294/8451  
sam.lakhani@faa.gov

From: Wesley Slaymaker <weseng@visi.com>  
To: Mike Blaich/ASO/FAA@FAA  
Cc: Sam Lakhani/AGL/FAA@FAA  
Date: 01/07/2010 01:57 PM  
Subject: Re: Status of FAA Filing 2009-WTE-10301-OE thru 10305

Mike and Sam

The Client doesn't need 6 turbines, once they found out they could do one at 290' they looked to maximize the whole site with 5- and to have flexibility on turbine type asked for more height- 330'  
Now, since it appears multiple turbines are a problem and a single turbine might be OK- could we get a 330' or a 389' on a single turbine? We can get a larger generator size machine and get the project kWhrs as needed by Client. I could agree to terminate the 5 requests and then amend the single request made back in July 2009

Wes Slaymaker, P.E.  
Project Engineer  
WES Engineering LLC  
706 S. Orchard St  
Madison, WI 53715  
608-259-9304  
wes@wesengineering.com

-----Sam Lakhani/AGL/FAA wrote: -----  
To: Mike Blaich/ASO/FAA  
From: Sam Lakhani/AGL/FAA  
Date: 01/07/2010 12:57PM  
cc: weseng@visi.com  
Subject: Re: Fw: Status of FAA Filing 2009-WTE-10301-OE thru 10305

Mike,

The 290' high turbine was approved before on the basis of only one turbine can be built in the area. Please refer to my comments in 09-WTE-7490\_OE. Since more turbines are proposed in the same area so now all 6 turbines will be studied as combined to assess any impact to CGT VOR.  
I have submitted sponsor's request for our analysis on new height of 290' AGL. I will let you know when I get response from the VOR specialists.

Sam Lakhani  
AJW-C15A

Airspace (OE/AAA) Program Management  
CSA Engineering Services, Operations Support-Chicago  
847/294/8451

Hi Sam,

Based on your Objection entered as a response for studies: 09-WTE-10301-OE through 10305 all submitted at a height of 335 feet AGL, I received the E-mail below. On prior study number 09-WTE-7490-OE, they received a favorable determination at a height of 290 feet AGL. This study at 290 feet AGL is located among the 335 feet AGL submittals and your response entered for 09-7490 was a No Objection with Provision (no objection to one turbine only). For studies: 09-10301 through 10305, I wrote them Notices of Presumed Hazard (NPH) for a No Effect Height (NEH) of "0" feet AGL. So, my question to you is that I know the 335 feet AGL is a problem, but can they reduce their requested height down to the 290 feet AGL and then receive favorable determination at this reduced height. Here was your response for the 335 feet AGL submittals:

Our initial analysis shows that the combined effect of 5 proposed turbines (335' high) in Chicago heights, IL will impact the CGT VORTAC located 1.5 nm east of these turbines. The collocated RCO facility will also experience some radio communications interference for pilots and controllers. The JLT long range radar located 20 nmi and QXM ASR located 10 nmi from these proposed turbines will have low level clutter issue for ATC. We noticed that the single met tower (290' high) by these proposed turbines was approved by Tech Ops due to only one met tower submitted and was determined to cause no impact to FAA facilities. But the proposed 5 combined turbines will be an issue for CGT VORTAC/RCO.

Here are the locations and heights on attachments:

[attachment "09-10301.pdf" deleted by Sam Lakhani/AGL/FAA]  
[attachment "09-wte-10301.pdf" deleted by Sam Lakhani/AGL/FAA]

Please, let me know as soon as you can, thanks.

Mike Blaich  
OE Airspace Specialist -Wind Turbines East (WTE)  
Tel: 404-305-7081  
Fax: 404-305-7080  
Email: mike.blaich@faa.gov  
Public Web Site for filing/status checks: [www.oaaaa.faa.gov](http://www.oaaaa.faa.gov)

----- Forwarded by Mike Blaich/ASO/FAA on 12/16/2009 06:40 AM -  
Mike

We just got back the FAA results of 2009-WTE-10301-OE to 10305-OE and they don't allow anything. But I have previously this year gotten clearance for a single wind turbine at this site for 290' tall turbine, 2009-WTE-7490-OE, so now I must ask, can we take those 5 locations and refile with 290' height and get clearance? Will one turbine be allowed there but not more?

My client has spent some considerable sums on this site and just received 1/2 million grant for the project, so this is beyond just a feasibility stage project

Wes Slaymaker, P.E.  
Project Engineer  
WES Engineering LLC  
706 S. Orchard St  
Madison, WI 53715  
608-259-9304  
[wes@wesengineering.com](mailto:wes@wesengineering.com)

Begin forwarded message:

From: noreply@faa.gov  
Date: December 15, 2009 7:41:10 AM CST  
To: wes@wesengineering.com , wes@wesengineering.com  
Subject: Status of FAA Filing  
Reply-To: oeaaa\_helpdesk@cghtech.com

Your filing is assigned Aeronautical Study Number  
2009-WTE-10305-OE.

An aeronautical study was initiated and the initial findings require a response from you within 60 days. Please review the letter and contact Michael Blaich via phone: (404) 305-7081 or email: [mike.blaich@faa.gov](mailto:mike.blaich@faa.gov) to attempt resolution of the issue(s) described. Please refer to the assigned ASN on all future inquiries regarding this filing.

To review your electronic record, go to our website [oeaaa.faa.gov](http://oeaaa.faa.gov) and select the Search Archives link to locate your case using the Aeronautical Study Number (ASN). Copies of your letter are available on the website for your convenience.



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**Attachment C-2: INDR-OREP Response and EcoCAT Review Results**



## Illinois Department of Natural Resources

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

Pat Quinn, Governor  
Marc Miller, Director

April 06, 2010

Alyson Grady  
Illinois Department of Commerce and Economic Opportunity  
620 East Adams  
Springfield, IL 62701

**Re: Chicago View Wind ARRA REPP**  
**Project Number(s): 1006015 [34994]**  
**County: Cook**

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 and 1090 is terminated.

The review area was expanded to consider the potential for impacts to 13 species of state-listed breeding migratory birds, located 15 miles to the north, in the vicinity of the Wolf Lake/Lake Calumet wetland complexes. These complexes support the Yellow-Headed Blackbird, Black-Crowned Night Heron, Black Tern, Yellow-Crowned Night Heron, Snowy Egret, Wilson's Phalarope, Upland Sandpiper, Common Moorhen, King Rail, Least Bittern, Peregrine Falcon, Little Blue Heron, and Piping Plover. The Piping Plover is also federally listed. Impacts to these species (while possible) are unlikely to jeopardize the continued existence of these species in Illinois.

Consultation for Part 1075 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. Consultation for Part 1090 (Interagency Wetland Policy Act) is valid for three years.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database and the Illinois Wetlands Inventory 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.

Michael Branham  
Division of Ecosystems and Environment  
217-785-5500

Printed on recycled and recyclable paper

*Applicant:* Illinois Department of Commerce and Economic Opportunity  
*Contact:* Alyson Grady  
*Address:* 620 East Adams  
Springfield, IL 62701

*IDNR Project #:* 1006015  
*Alternate #:* 34994  
*Date:* 02/08/2010

*Project:* Chicago View Wind ARRA REPP  
*Address:* 21600 to 22100 South Cottage Grove, Chicago Heights

*Description:* The project will construct 5 wind turbines with 3 MW total capacity on the top of a construction debris landfill.

### Natural Resource Review Results

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

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

#### Wetland Review (Part 1090)

The National Wetlands Inventory shows wetlands within 250 feet of the project location.

**An IDNR staff member will evaluate this information and contact you within 30 days 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:* Cook

*Township, Range, Section:*  
35N, 14E, 27



**IL Department of Natural Resources Contact**  
Michael Branham  
217-785-5500  
Division of Ecosystems & Environment

**Local or State Government Jurisdiction**  
IL Department of Commerce and Economic Opportunity  
Alyson Grady  
620 East Adams  
Springfield, Illinois 62701

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**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.

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**Attachment C-3: Correspondence with Chicago District ACOE**

## Jack T.P. Chan

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**From:** Bliss, Kate M LRC [Kate.M.Bliss@usace.army.mil]  
**Sent:** Thursday, July 15, 2010 5:27 PM  
**To:** Jack Chan  
**Cc:** Paul Vicari  
**Subject:** RE: Consultation for Chicago View Wind Project in Chicago Heights, IL (UNCLASSIFIED)

Classification: UNCLASSIFIED  
Caveats: NONE

Hi Jack,

From your description, it sounds like the project will not involve the discharge of fill within a waters of the U.S. and therefore not require a Section 404 permit. Of course, we would need to review the wetland delineation and engineering plans to verify.

Thanks,

Kate Bliss  
Project Manager  
Chicago District  
U.S. Army Corps of Engineers  
111 N. Canal Street  
Suite 600  
Chicago, Illinois 60606  
Phone: 312-846-5542  
Fax: 312-353-4110  
Web: <http://www.lrc.usace.army.mil/co-r/>

-----Original Message-----

From: Jack Chan [mailto:jchan@lrmg.net]  
Sent: Thursday, July 15, 2010 3:43 PM  
To: Bliss, Kate M LRC  
Cc: Paul Vicari  
Subject: Consultation for Chicago View Wind Project in Chicago Heights, IL

Dear Kate,

LRMG has been contracted by Chicago View Wind, LLC, (CVW) to prepare an Environmental Assessment for its wind turbine project as part of the National Environmental Policy Act (NEPA) requirements for receiving funding through Illinois Department of Commerce and Economic Opportunity (IDCEO) from Department of Energy (DOE). We are writing to initiate a general consultation with your office regarding Section 404 of the Clean Water Act.

CVW is proposing to install a single 1.5-megawatt (MW) wind turbine on top of a former construction debris landfill (approximately 62 acres in size) in Chicago Heights, southern Cook County, Illinois (see attached Topo Exhibit). The landfill is located west of Cottage Grove Avenue, north of Sauk Trail, and just south of the Ford Motor Company Stamping Plant along U.S. Highway 30. A 12-kilovolt (kV) underground distribution line (approximately 1-mile long) would also be installed along the Right-Of-Way of the south entrance drive and Cottage Grove Avenue to connect the wind turbine with the Bloom Trail High School (See NWI Exhibit).

As shown on the NWI Exhibit, wetlands areas (as mapped by national wetland inventory) associated with Deer Creek and its tributary are present along the proposed routes of the underground distribution line. To avoid any impacts to wetlands, the distribution line would be installed by horizontal directional drilling at all stream and wetland crossings.

As per our previous phone conversation, it is likely that a Letter of No Objection (LONO) from your office would be issued provided that the project would not result in any impacts to jurisdictional wetlands including Waters of the US. We would like a response from your office confirming this statement. As this stage of project, a routine wetland delineation has not been performed for the project. Should the project move forward and funding from the DOE be approved, a formal request of a LONO will be submitted to your office.

Thank you for assistance. Please let me know if you have any questions regarding the project.

Jack T.P. Chan, Ph.D., P.E., LEED AP  
Vice President / Environmental Engineer

Land Resource Management Group<[http://www.lrmg.net/logo/lrmg\\_logo.gif](http://www.lrmg.net/logo/lrmg_logo.gif)>  
1336 Main Street, 2nd Floor  
Crete, IL 60417  
Phone: 708.279.7484 x 228  
Fax: 708.279.7485  
Website: [www.LRMG.net](http://www.LRMG.net) <<http://www.lrmg.net/>>

Land to Water Stewardship

Classification: UNCLASSIFIED  
Caveats: NONE

Draft

**Attachment C-4: Correspondence with IDNR-OWR**

## Jack T.P. Chan

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**From:** Boyd, William [William.Boyd@Illinois.gov]  
**Sent:** Friday, July 16, 2010 3:14 PM  
**To:** 'Jack Chan'  
**Subject:** RE: Consultation for Chicago View Wind Project in Chicago Heights, IL

Utility crossings of a designated floodway can be automatically authorized by Regional Permit No. 3 provided all the terms and conditions are met. If the project meets the terms and conditions of the Regional Permit No. 3 then you do not have to submit anything to our office.

Please get in contact with our office if you have any additional questions.

Thank You,

Bill Boyd

Water Resources Engineer  
Illinois Department of Natural Resources Office of Water Resources Division of Resource Management 2050 West Stearns Road Bartlett, IL 60103

847-608-3100 ext 2025  
847-931-2037 fax

-----Original Message-----

**From:** Jack Chan [mailto:jchan@lrmg.net]  
**Sent:** Friday, July 16, 2010 12:02 PM  
**To:** Boyd, William  
**Subject:** Consultation for Chicago View Wind Project in Chicago Heights, IL

Dear Bill,

LRMG has been contracted by Chicago View Wind, LLC, (CVW) to prepare an Environmental Assessment for its wind turbine project as part of the National Environmental Policy Act (NEPA) requirements for receiving funding through Illinois Department of Commerce and Economic Opportunity (IDCEO) from Department of Energy (DOE). We are writing to initiate a general consultation with your office regarding the Floodway Construction Permit.

CVW is proposing to install a single 1.5-megawatt (MW) wind turbine on top of a former construction debris landfill (approximately 62 acres in size) in Chicago Heights, southern Cook County, Illinois (see attached Topo Exhibit). The landfill is located west of Cottage Grove Avenue, north of Sauk Trail, and just south of the Ford Motor Company Stamping Plant along U.S. Highway 30. A 12-kilovolt (kV) underground distribution line (approximately 1-mile long) would also be installed along the Right-Of-Way of the south entrance drive and Cottage Grove Avenue to connect the wind turbine with the Bloom Trail High School (See NWI Exhibit).

As shown on the NWI Exhibit and the Flood Insurance Rate Map, the proposed distribution will be crossing the regulatory floodway of Deer Creek. To avoid any impacts to Deer Creek, the distribution line would be installed by horizontal directional drilling.

As per our previous phone conversation, it is likely that the project will be qualified under the Regional Permit #3. As such, no further submittal to your office is necessary provided that the project would meet all the requirements and conditions of the regional permit. We would like a response from your office confirming this statement.

Thank you for assistance. Please let me know if you have any questions regarding the project.

Jack T.P. Chan, Ph.D., P.E., LEED AP  
Vice President / Environmental Engineer

Land Resource Management Group  
1336 Main Street, 2nd Floor  
Crete, IL 60417  
Phone: 708.279.7484 x 228  
Fax: 708.279.7485  
Website: [www.LRMG.net](http://www.LRMG.net)

Land to Water Stewardship

Draft

**Attachment C-5: Letter to USFWS**

# W.E.S. Engineering LLC

706 S. Orchard St  
Madison, WI 53715

March 24, 2010

U.S. Fish and Wildlife Service  
Chicago Illinois Field Office  
1250 South Grove, Suite 103  
Barrington, Illinois 60010  
(847) 381-2253

RE: Chicago Heights Wind Project

Dear Sir/Madam:

I am submitting to you some project information for review and comment as to any possible impacts to federally endangered wildlife species or other USFWS concerns in the project area. Attached is project map for a single wind turbine project planned in Chicago Heights Illinois on top of a construction debris landfill and supplying nearby Bloom school with renewable electricity. This turbine will not exceed 350' height as specified by the FAA. Current turbine under consideration is a 1.5MW Vensys turbine on a 61.5m tall tower, total height is 336'.

Please contact me if you have further questions of concerns.

Sincerely,

Wes Slaymaker, P.E.  
Project Engineer  
[wes@wesengineering.com](mailto:wes@wesengineering.com)  
608-259-9304-ph

Attachment: Chicago Heights Project maps and images



Department of Energy  
Washington, DC 20585

September 23, 2010

Janice Engle  
U.S. Fish and Wildlife Service  
Chicago Illinois Field Office  
1250 South Grove, Suite 103  
Barrington, Illinois 60010  
(847) 381-2253

Subject: Section 7 Endangered Species Consultation  
Chicago View Wind Project, Cook County, Illinois

Ms. Engle,

The U.S. Department of Energy (DOE) is requesting concurrence from the U.S. Fish and Wildlife Service (FWS) that the Chicago View Wind Turbine Project, which consists of a single wind turbine, would have *no effect* on the federally listed endangered Piping Plover (*Charadrius melodus*) and Leafy-prairie clover (*Dalea foliosa*); the federally-listed threatened Eastern prairie fringed orchid (*Platanthera leucophaea*), Mead's milkweed (*Asclepias meadii*), Prairie bush clover (*Lespedeza leptostachya*), and Hine's emerald dragonfly (*Somatochlora hineana*); and the Eastern Massasauga (*Sistrurus catenatus*), a candidate species. This request is being submitted after close consultation with Mr. Jeff Gosse in the FWS Midwest Region/Region 3 Office on the process for DOE "Recovery Act" funded wind power projects. This letter is a revision to an initial letter sent on September 3 and removes the discussion regarding the Indiana bat, which is no longer listed by USFWS Region 3 as occurring in Cook County, Illinois.

The Illinois Department of Commerce and Economic Opportunity is proposing to install a single 1.5 MW wind turbine on top of a construction debris landfill (approximately 60 acres in size) in Chicago Heights in southern Cook County, Illinois (Figure 1). The landfill is just south of the Ford stamping plant along Hwy 30 in Chicago Heights, IL, about 25 miles south of the Chicago. (Lat. 41.495572, Long. -87.604122).

The proposed site was capped with 6 inches of top soil in 2005 and planted with a pasture mix. Adjacent to the site on three sides are large industrial customers and a railroad/powerline corridor (Photographs 1, 2, 3, and 4). Directly east is housing built 30 to 60 years ago, and to the southwest are mixed woods and fields.

The turbine would be installed on a 202-foot monopole. Total height of the turbine and blades would be 328 feet. The turbine would provide electricity for the nearby Bloom Township School via a 12kV distribution line (see Figure 2). This 1-mile underground transmission line will follow the landfill property boundary, within a road right of way, until it is directional bored under the road into the school property.

One unnamed waterbody is located on the eastern portion of the site and would not be disturbed as a result of the proposed project. No other waterbodies are within a half mile of the site. There would be minimal disturbance of the area, as currently it is a construction debris landfill with an existing gravel access road of sufficient size and strength to allow access for all construction equipment.



DOE has obtained the list of threatened, endangered, candidate species for Cook County from the FWS Midwest Region 3 Section 7(a)(2) Technical Assistance Website. From this list DOE has determined the following species have potential to occur in Cook County: Eastern prairie fringed orchid, Leafy-prairie clover, Mead's milkweed, Prairie bush clover, Hine's emerald dragonfly, Eastern Massasauga, and Piping Plover.

None of these species were observed during site visits in April 2010 or June 2010, although intensive species-specific surveys were not conducted. Due to the industrial nature of the surrounding area, we do not anticipate any listed species to be common in the project area.

The proposed project area is a capped landfill that does not include any undisturbed habitats that would be potentially suitable for the Eastern prairie fringed orchid, Leafy-prairie clover, Mead's milkweed, and Prairie bush clover. A search of the Illinois Department of Natural Resources EcoCAT database did not indicate any records of these species in the vicinity of the proposed project.

No habitat for the Hine's emerald dragonfly, Eastern Massasauga, and Piping Plover is present within the 60 acre project area; as described below:

- The Hine's emerald dragonfly lives in calcareous (high in calcium carbonate) spring-fed marshes and sedge meadows overlaying dolomite bedrock. There is no suitable habitat in or around the proposed project area. The nearest Designated Critical Habitat for the Hine's emerald dragonfly is approximately 20 miles to the northwest on the Des Plaines River between Joliet and Willow Springs. This area includes Critical Habitat Units 1 through 7. The area between the turbine site and the Designated Critical Habitat is developed and urbanized, thus does not provide connectivity to the Designated Critical Habitat. Based on the lack of known occurrences of this species in the project vicinity, the lack of suitable habitat at or near the proposed project site and the distance from the nearest known occupied Critical Habitat, the proposed project would have no effect on this species.
- The Eastern Massasauga is typically found near sedge meadows, peatlands, wet prairies, open woodlands, and shrublands, none of which exist within the project area. Cook County is a participant Eastern Massasauga Species Survival Plan and has established various programs to document and preserve the Eastern Massasauga. However, the proposed turbine site is located on previously disturbed unvegetated land that has been used historically as a landfill and is industrial in nature. The surrounding area is well developed and predominantly suburban. Because the proposed project site does not provide suitable habitat for the Eastern Massasauga, installation of the proposed wind turbine would have no effect on this species.
- Piping plover inhabits sandy beaches, lakeshores and dunes. This preferred habitat (i.e. shorelines of the Great Lakes) does not occur within or immediately adjacent to the project site. The nearest shoreline is over 14 miles away on Lake Michigan and the proposed would turbine would have no effect on this species.

Consultation with the Illinois Department of Natural Resources was initiated on March 10, 2010. In a letter dated April 6, 2010, that agency terminated consultation regarding this project, determining that "adverse impacts were unlikely" to state-listed threatened and endangered species, which includes the Piping Plover.

DOE is preparing a Draft Environmental Assessment under the National Environmental Policy Act (NEPA 40 CFR 1500-1508) for this project, and will describe the potential impacts to biological resources, including eagles and other migratory birds, in that document. DOE will notify your office of the availability of that document.

In summary, pursuant to the requirements under Section 7(a) (2) of the Endangered Species Act (ESA) and the FWS implementing regulations (50 CFR Part 402), DOE respectfully requests concurrence on the determination that the installation and operation of the Chicago View Wind Turbine project in Cook County will have no effect on the Eastern prairie fringed orchid or any other federally-listed threatened, endangered, proposed, or candidate species, or their critical habitat. It is DOE's opinion that review and concurrence on this project does not negate the comprehensive approach for evaluation of these types of projects as a group. DOE is respectfully requesting concurrence as expeditiously as possible for this DOE "Recovery Act" funded project. DOE appreciates the importance USFWS is placing on all of the reviews of the DOE "Recovery Act" funded projects as we understand the matter was discussed during the September 1, 2010 Region 3 – Field Office meeting.

Please contact the DOE Document Manager Mr. John Jediny at 202-586-4790 or [John.Jediny@ee.doe.gov](mailto:John.Jediny@ee.doe.gov) or the NEPA Compliance Officer Mr. Pete Yerace at 513-218-4069 or [Pete.Yerace@emcbc.doe.gov](mailto:Pete.Yerace@emcbc.doe.gov) with any questions regarding this consultation.

Sincerely,

A handwritten signature in black ink, appearing to read "Pete Yerace", with a long horizontal flourish extending to the right.

Pete Yerace  
NEPA Compliance Officer

Enclosures:  
Figures 1&2  
Photographs 1, 2, 3 &4

cc: Mr. Jeff Gosse, USFWS Region 3 (w/ attachments)  
Mr. Shawn Cirton, USFWS Region 3 (w/ attachments)

Figure 1: Location of the Project

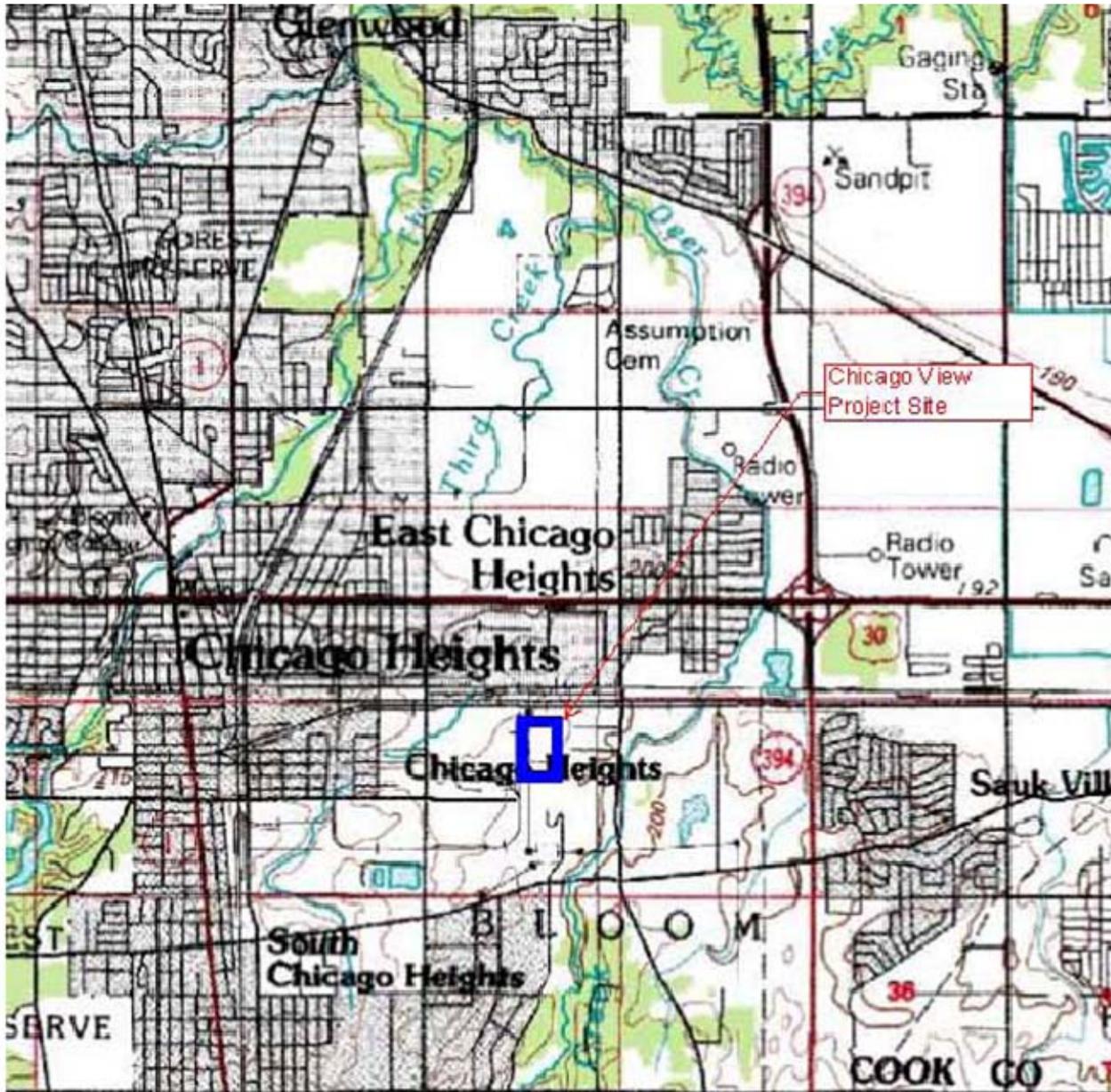
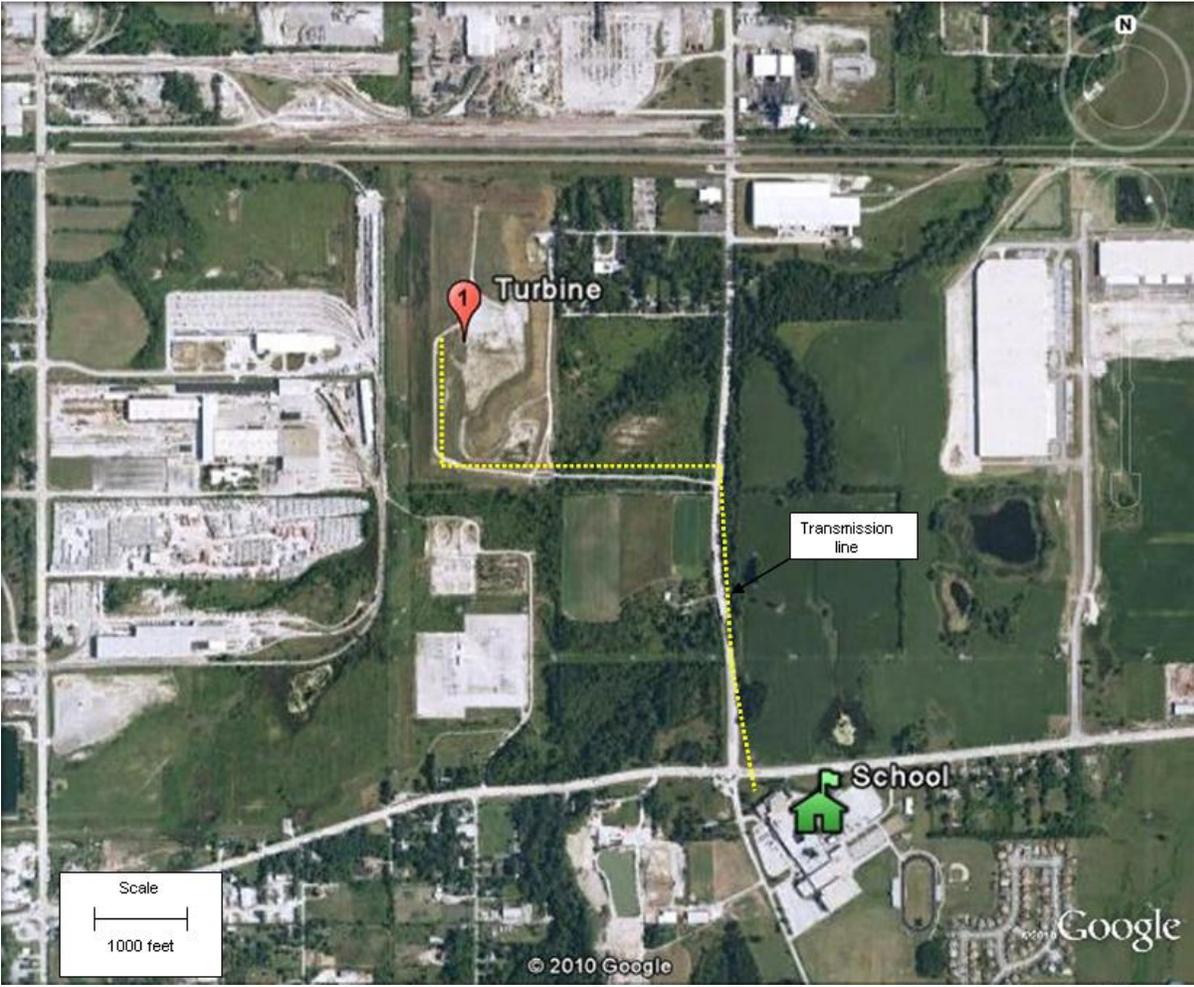


Figure 2: Satellite Image of Site





Picture 1- Top of landfill



Picture 2- East side of landfill, runoff pond and some housing



Picture 3- West side of landfill, railroad and industrial site



Picture 4- North side of landfill, railroad and industrial site

Draft

**Attachment C-6: IHPA Consultation**



**Illinois Historic  
Preservation Agency**

1 Old State Capitol Plaza • Springfield, Illinois 62701-1512 • [www.illinois-history.gov](http://www.illinois-history.gov)

Cook County  
Chicago Heights  
North of the Cook County Line and a Mile West of I-394  
Wind Turbine

PLEASE REFER TO: IHPA LOG #026031610

March 29, 2010

Wes Slaymaker  
WES Engineering LLC  
Wind Energy Consulting  
706 South Orchard Street  
Madison, WI 53715

Dear Mr. Slaymaker:

We have reviewed the documentation submitted for the referenced project(s) in accordance with 36 CFR Part 800.4. Based upon the information provided, no historic properties are affected. We, therefore, have no objection to the undertaking proceeding as planned.

Please retain this letter in your files as evidence of compliance with section 106 of the National Historic Preservation Act of 1966, as amended. This clearance remains in effect for two (2) years from date of issuance. It does not pertain to any discovery during construction, nor is it a clearance for purposes of the Illinois Human Skeletal Remains Protection Act (20 ILCS 3440).

If you are an applicant, please submit a copy of this letter to the state or federal agency from which you obtain any permit, license, grant, or other assistance.

Sincerely,

*Anne E. Haaker*

Anne E. Haaker  
Deputy State Historic  
Preservation Officer

AEH



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Telecommunications and**  
**Information Administration**  
Washington, D.C. 20230

AUG 27 2010

Mr. John Jediny (EE-3C)  
Department of Energy  
1000 Independence Ave., SW  
Room 5H-095  
Washington, DC 20585

Re: Chicago View Wind Energy Project, in Cook County, IL

Dear Mr. Jediny:

In response to your request on July 8, 2010, the National Telecommunications and Information Administration provided to the federal agencies represented in the Interdepartment Radio Advisory Committee (IRAC) the plans for the Chicago View Wind Energy Project, in Cook County, Illinois.

After a 45 day period of review, no federal agencies identified any concerns regarding blockage of their radio frequency transmissions.

While the IRAC agencies did not identify any concerns regarding radio frequency blockage, this does not eliminate the need for the wind energy facilities to meet any other requirements specified by law related to these agencies. For example, this review by the IRAC does not eliminate any need that may exist to coordinate with the Federal Aviation Administration concerning flight obstruction.

Thank you for the opportunity to review these proposals.

Sincerely,

A handwritten signature in black ink that reads "Ed M. Davison" followed by a horizontal line.

Edward M. Davison  
Deputy Associate Administrator  
Office of Spectrum Management