

**MEMORANDUM OF AGREEMENT AMONG PANTHER GROVE WIND, LLC,
THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, AND
THE ILLINOIS STATE HISTORIC PRESERVATION OFFICER
REGARDING ADVERSE EFFECTS TO HISTORIC PROPERTIES DUE TO THE
CONSTRUCTION OF THE PANTHER GROVE I WIND ENERGY PROJECT IN
CLAYTON, GREENE, MINONK, PANOLA, AND ROANOKE TOWNSHIPS,
WOODFORD COUNTY, ILLINOIS
(SHPO LOG #005011720)**

WHEREAS, Panther Grove Wind, LLC (Owner) plans to undertake new construction of 94 wind turbines and associated infrastructure improvements necessary to the wind farm (Wind Farm) in Clayton, Greene, Minonk, Panola, and Roanoke Townships in Woodford County, Illinois; and

WHEREAS, the project requires a National Pollutant Discharge Elimination System (NPDES) permit, a Water Pollution Control permit, and a Public Water Supply permit from the Illinois Environmental Protection Agency (IEPA), thereby making the project an Undertaking subject to review under the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420) and its implementing rules (17 IAC 4180) (Act); and

WHEREAS, the Owner has consulted with the Illinois State Historic Preservation Office (SHPO), a Division of the Illinois Department of Natural Resources (IDNR), pursuant to the Act; and

WHEREAS, the SHPO currently resides within IDNR (Office), and the Director of IDNR is the duly designated State Historic Preservation Officer (Officer); and

WHEREAS, the Area of Potential Effects (APE) for the Undertaking is defined as the Wind Farm, the 2021 Above-ground Area of Potential Effects (Above-ground APE) was defined as the Wind Farm and a 1.5-mile radius of the Wind Farm, and the 2024 Above-ground APE is defined as the Wind Farm and a 2-mile radius of the Wind Farm; and

WHEREAS, on February 27, 2024, based on the Phase 1 Archaeological Survey Addendum Report, the SHPO determined that the following archaeological sites are not eligible for listing in the National Register of Historic Places (NRHP): 11WD54, 234, 235, 238, 240, 421, 512-549, and 553-562 (see Page 1 of the Office's February 27, 2024, Letter, Appendix A); and

WHEREAS, based on a July 2, 2024, request, the SHPO provided conditional approval to begin the construction of the temporary laydown yard and Turbines T83, T84 and T54, indicating that the conditional approval would not pertain to any discovery during construction, and would not serve as clearance for the purposes of the Illinois Human Remains Protection Act (20 ILCS 3440); and

WHEREAS, on July 22, 2024, based on the Phase 1 Archaeological Survey Report for Addition 2, the SHPO determined that archaeological site 11WD233 is potentially eligible for listing on

the NRHP but that the Undertaking proposes to avoid this site (see Page 1 of the Office’s July 22, 2024, Letter, Appendix B); and

WHEREAS, based on the initial historic architectural survey completed in 2021, the SHPO previously determined, and reiterated in its July 22, 2024, response letter that the following above-ground historic properties are eligible for listing in the NRHP (see Page 2 of the Office’s July 22, 2024, Letter, Appendix B, noting that “AR#” stands for “Architectural Resources”):

- AR #12 Residence and outbuildings, 2933 County Rd. 2000 North, Minonk
- AR #47 Residence, Outbuildings, Shed, and Pillars, 2645 County Rd. 1900 North, Minonk
- AR #77 Residence, Corn Crib, Barns, and Outbuildings, 2701 County Rd. 1800 North, Minonk
- AR #89 Eagle School #27 and Garage, 1799 County Rd. 2500 East, Benson
- AR #112 Residences, Barn, and Garage, 1631 County Rd. 2000 East, Benson
- AR #157 Residence, Outbuilding, and Pole Building, 3064 County Rd. 1600 North, Minonk
- AR #158 Residence and Garage, Outbuildings, 3019 County Rd. 1600 North, Minonk
- AR #180 Residence and Barns, 2669 County Rd. 1600 North, El Paso
- AR #189 Residence, Barn and Corn Crib, and Shed, 2363 County Rd. 1600 North, Benson
- ~~AR #207* Bridge over the West Branch of Panther Creek () State Route 116 & CR 1500 N, Roanoke (no longer extant)~~
- AR #211 Residence and Outbuildings, 1480 County Rd. 2000 East, Roanoke
- AR #282 Residence, Garage, Pole Building, 1528 County Rd. 2375 East, El Paso
- AR #305 Residence and Barns, 1404 County Rd. 2000 East, Roanoke
- AR #307 Panther Creek Church of the Brethren, 1403 County Rd. 2000 East, Roanoke
- AR #316 Residence, Barn, Pole Building, 1341 County Rd. 2000 East, Roanoke
- AR #344 Residence and Barn, 1267 County Rd. 2250 East, Roanoke

WHEREAS, based on the additional historic architectural survey completed in 2024 due to the substantial modifications of the locations of 30 of the 94 wind turbines, the SHPO determined that the following above-ground historic properties are eligible for listing in the NRHP (see Pages 1 to 2 of the Office’s July 22, 2024, Letter, Appendix B, noting that “FS” stands for “Field Sites”):

- FS 1 Folkers Farmstead/House, 2269 County Rd. 1900 North, Benson (AR#35)
- FS 5 Farmstead, 3013 County Rd 1900 N, Minonk
- FS 6 Granary, 40.86977, -88.95980, Minonk
- FS 10 Farmstead, 3178 County Rd 1700 N, Minonk
- FS 26 Farmstead, 711 50th Street, Panola
- FS 31 Farmstead, 2479 County Rd 1200 N, El Paso
- FS 38 Concrete Bridge, 40.75170, -89.08285
- FS 42 D. Saggerman Farmstead, 1185 County Rd 2150 E, Secor
- FS 49 William Noffsinger Farmstead/House, 2876 County Rd. 2000E, Roanoke (AR#325)
- FS 85 Henry and Mary Seibel House, 1056 CR 1900 E., Secor

- FS 109 Farmstead, 1849 County Rd. 1400 N, Roanoke
- FS 112 Ranch House, 1785 County Rd. 1300 N, Roanoke
- FS 115 J. Weaver Farmstead 1218 County Rd. 1800 E, Roanoke
- FS 116 Charles and Lena Martin House, 1209 County Rd. 1800 E, Roanoke
- FS 117 Farmstead, 1171 County Rd. 1800 E, Roanoke
- FS 125 Samuel Peterson Farmstead, 1675 County Rd. 2000 E, Benson
- FS 131 Roanoke Concrete Products Company, 102 Concrete Drive, Roanoke

WHEREAS on July 22, 2024, the Officer determined that the Undertaking will have an adverse visual effect on the following above-ground historic properties determined eligible for listing in the NRHP (see Pages 2 to 3 of the Office's July 22, 2024, Letter, Appendix B):

- FS 49/AR#325 located at 2876 County Rd. 2000 E, Roanoke - Turbine 23
- AR #47 located at 2645 County Rd. 1900 North, Minonk - Turbine 80
- AR #77 located at 2701 County Rd. 1800 North, Minonk - Turbine 51
- AR #158 located at 3019 County Rd. 1600 North, Minonk - Turbine 62
- AR #180 located at 2669 County Rd. 1600 North, El Paso - Turbine 38
- AR #189 located at 2363 County Rd. 1600 North, Benson - Turbine 15 and 29
- AR #282 located at 1528 County Rd. 2375 East, El Paso - Turbine 2

WHEREAS, the public was notified of the Undertaking and was given an opportunity to comment on the adverse effect in public notices placed on October 17, 2024, in *The Pantagraph* (Bloomington, McLean County, Illinois), the *Daily Leader* (Pontiac, Livingston County, Illinois), and the *Breeze Courier* (Taylorsville, Christian County, Illinois), with one comment received from Landmarks Illinois; and

WHEREAS, the Owner has notified potential consulting parties of the adverse effect determination, and on October 21, 2024, Landmarks Illinois chose to participate in the consultation to resolve the adverse effect; and

NOW, THEREFORE, the Owner, IEPA, and the Officer agree that the Undertaking shall be implemented in accordance with the following stipulations in this Memorandum of Agreement (Agreement) in order to mitigate the adverse effects of this Undertaking to the NRHP-eligible properties.

STIPULATIONS

I. MINIMIZATION

- A. The Owner will offer trees native to the area to partially screen the viewshed of the Wind Farm and minimize visual adverse effects to historic properties as follows:
 1. The Owner shall first coordinate with the SHPO and the Office to develop an agreed upon list of native tree species to offer property owners; and
 2. The Owner shall then coordinate with the owner(s) of the seven

properties that the SHPO has determined there will be visual adverse effects (FS 49/AR#325, AR#47, AR#77, AR#158, AR#180, AR#189, AR#282); and

3. For each owner(s) of these seven properties, the Owner shall offer up to five (5) native trees that are approximately two years old and selected from the list of native tree species developed per Stipulation I(A)(1); and
4. If the owner(s) of these seven properties do not accept the offered trees, no further action is required from the Owner in order to fulfill Stipulation I(A); and
5. If none of the native tree species in the list of native tree species developed per Stipulation I(A)(1) are locally available at the time the trees are offered, the Owner shall coordinate with the signatories to determine an available replacement native tree species without the need to amend this MOA; and
6. Because these native trees would be planted on private property, the Owner will not plant the trees, will not require the trees to be planted, and will not replace any trees after they are planted.

II. MITIGATION

- A. The Owner shall retain a historical contractor(s) of its choice (Contractor) who meets the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61, https://www.nps.gov/history/local-law/arch_stnds_9.htm) to complete an agricultural history focusing on the portion of Woodford County, Illinois, within the 2024 Above-ground APE, which must include the following:
 1. The document will include historic context on agriculture in Woodford County, Illinois, as well as a discussion of agricultural property types including but not limited to barns and granaries; and
 2. Additional field survey will not be required. Although some additional research may be necessary, the agricultural history will primarily be based on the results of the previous historic architectural resources field survey and previous reporting Stantec completed for the Owner in 2024; and
 3. The Contractor shall email a 95% draft of the agricultural history in .pdf format to the Officer for review and comment; and
 4. The Officer will provide comments on the 95% draft submission within 30 days, and the Contractor shall address comments from the Officer and complete the final document, which will be submitted in .pdf format.

III. DURATION

This Agreement shall be effective until such time as all of its terms are satisfied or it is amended or terminated and replaced. Prior to such time, the Owner may consult with the other signatories to reconsider the terms of the Agreement and amend it in accordance with Stipulation VII AMENDMENTS below. The Owner shall notify the signatories as to the course of action it will pursue.

IV. POST-REVIEW ENCOUNTERS

If potential historic properties are encountered or unanticipated effects on historic properties found, the Owner shall consult with the Officer immediately and make reasonable efforts to avoid, minimize, or mitigate adverse effects to such properties. In the event of an unanticipated encounter of human remains or burials, the Owner understands and agrees that it must immediately stop work within the area of encounter, consult with the Officer, and comply with the Human Remains Protection Act (20 ILCS 3440) and its implementing rules (17 IAC 4170) as administered by IDNR, which provides that no human remains shall be disturbed without a permit issued by IDNR.

V. MONITORING AND REPORTING

Each year following the execution of this Agreement until it expires or is terminated, Owner shall provide all parties to this Agreement a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in Owner's efforts to carry out the terms of this Agreement.

VI. DISPUTE RESOLUTION

Should any signatory to this Agreement object at any time to any actions proposed or the manner in which the terms of this Agreement are implemented, the Owner shall consult with the signatories and to resolve the objection. If the signatories cannot agree regarding a dispute, the signatories shall utilize the procedures provided in 20 ILCS 3420/4e.

The Owner's responsibility to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

VII. AMENDMENTS

This Agreement may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy is signed by all of the signatories.

VIII. TERMINATION

If any signatory to this Agreement determines that its terms become impossible to carry out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulations VI and VII above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the Agreement upon written notification to the other signatories.

IX. COUNTERPARTS; FACSIMILE OR .PDF SIGNATURES

This Agreement may be executed in counterparts, each of which shall be considered an original and together shall be one and the same Agreement. A facsimile or .pdf copy of this Agreement and any signatures thereon will be considered for all purposes as an original.

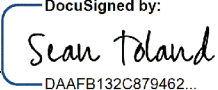
EXECUTION of this Agreement by signatories, and the implementation of its terms evidence that the signatories have afforded the Officer an opportunity to comment on the effects of the Undertaking in compliance with the Act.

[Signature Pages to follow]

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CONSTRUCTION OF THE PANTHER GROVE I WIND ENERGY PROJECT IN
CLAYTON, GREENE, MINONK, PANOLA, AND ROANOKE TOWNSHIPS,
WOODFORD COUNTY, ILLINOIS
(SHPO LOG #005011720)**

SIGNATORY

PANTHER GROVE WIND, LLC

Signature: _____  _____ Date: March 3, 2025

DocuSigned by:
Sean Toland
DAAFB132C879462...

Name: Sean Toland

Title: Director

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WOODFORD COUNTY, ILLINOIS
(SHPO LOG #005011720)**

SIGNATORY

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (IEPA)

Signature: _____ Date: _____

Name: _____

Title: _____

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WOODFORD COUNTY, ILLINOIS
(SHPO LOG #005011720)**

SIGNATORY


ILLINOIS DEPUTY STATE HISTORIC PRESERVATION OFFICER (OFFICER)

By: Carey L. Mayer Date: 3/6/2025
Carey L. Mayer, AIA
Deputy State Historic Preservation Officer
Illinois Department of Natural Resources

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(SHPO LOG #005011720)**

CONCURRING PARTY

LANDMARKS ILLINOIS

By:  _____ Date: March 7, 2025
Quinn Adamowski
Regional Advocacy Manager
Landmarks Illinois

Appendix A. Office's February 27, 2024, Response Letter



Illinois
Department of
**Natural
Resources**

JB Pritzker, Governor • Natalie Phelps Finnie, Director
One Natural Resources Way • Springfield, Illinois 62702-1271
www.dnr.illinois.gov

Woodford County
Clayton, Minonk, Panola & Greene Townships
Ineligible Sites: 11WD54,234,235,240,421,512-549,553-558
Eligible Properties: House at 1480 County Road 2000 East, Roanoke,
House at 1528 County Road 2375 East, El Paso,
House and Barn at 1404 County Road 2000 East, Roanoke,
Panther Creek Church of the Brethren at 1403 County Road 2000 East, Roanoke,
House at 1341 County Road 2000 East, Roanoke,
House at R.R. #1, East side of County Road 2000 East South of County Road 1300 North, Roanoke,
House at 1267 County Road 2250 East, Roanoke, House at 2933 County Road 2000 North, Minonk,
House at 2269 County Road 1900 North, Benson,
House and some outbuildings at 2645 County Road 1900 North, Minonk,
Farmstead at 2701 County Road 1800 North, Minonk,
Eagle School #27 at 1799 County Road 2500 East, Benson,
House and some outbuildings at 1631 County Road 2000 East, Benson,
House and outbuildings at 3064 County Road 1600 North, Minonk,
House at 3019 County Road 1600 North, Minonk,
House at 2669 County Road 1600 North, El Paso,
Farmstead at 2363 County Road 1600 North, Benson,
IEPA, PSAAP-203 & 204 & 21-007
New construction, Panther Grove / Woodford Wind Energy Project

PLEASE REFER TO: SHPO LOG #005011720

Turbine and Access Road Locations ONLY

February 27, 2024

Chris Green
Tri Global Energy
17300 N. Dallas Parkway, Suite 2020
Dallas, TX 75248

Thank you for requesting comments from our office concerning the possible effects of the referenced project on cultural resources. Our comments are required by the Illinois State Agency Historic Preservation Act (20 ILCS 3420), as amended (17 IAC 4180).

Our staff has reviewed the survey reports submitted to date and assessed the impact of the construction activities within turbine locations and access road corridors. We have determined that those project components, as proposed, will have no effect on historic properties. Construction may proceed within those locations **only**.

We look forward to reviewing the forthcoming report(s) of the results of continued survey efforts within proposed utility corridors and any other areas required under the Act. If further assistance is needed please contact Jeff Kruchten, Principal Archaeologist at 217/785-1279 or jeff.kruchten@illinois.gov.

Sincerely,

Carey L. Mayer, AIA
Deputy State Historic Preservation Officer

Appendix B. Office's July 22, 2024, Response Letter



Woodford County
South of Minonk
New construction, Panther Grove 1 / Woodford Wind Energy Project
Clayton, Minonk, Roanoke, Panola & Greene Townships
Ineligible Sites: 11WD54, 234, 235, 238, 240, 421, 512-549, 553-562
Potentially Eligible Site (avoided): 11WD233

IEPA, PSAAP-203/204/21-007/24-002, Stantec-193706902, SHPO Log #005011720

July 22, 2024

Bruce Hazelgrove
Engineering Manager
MasTec Renewables
800 S. Douglas Rd. 10th Floor
Coral Gables, FL 33134

Thank you for your submission of an Architectural Resource Survey of 146 properties within the 2024 Area of Potential Effect (APE), which we received on 6/12/24 (SHPO Log# 005011720). Our comments are required by the [Illinois State Agency Historic Resources Preservation Act](#) (20 ILCS 3420) and [its implementing rules](#) (17 IAC 4180) (Act). Your project includes the construction of 94 wind turbines with an approximate height of 638 ft. (from base to blade tip) and the associated infrastructure (access roads, collection lines, laydown yard, and operation and a maintenance building). Thank you for patience as we completed our review.

On February 27, 2024, our staff concurred with the Phase 1 Archaeological Survey Addendum Report. On 6/6/24 we received the Phase 1 Archaeological Survey Report for Addition 2, which is approximately 658 acres. Our staff have determined that Archaeological Site 11WD233 is potentially eligible for listing on the National Register of Historic Places (NRHP); accordingly your project proposes to avoid this site. Previously our staff determined that Archaeological Sites: 11WD54, 234, 235, 238, 240, 421, 512-549, and 553-562 are not eligible for NRHP listing.

On July 2, 2024, you requested approval to begin the construction of the temporary laydown yard and Turbines T83, T84 and T54. This conditional approval does not pertain to any discovery during construction, nor is it a clearance for purposes [Illinois Human Remains Protection Act](#) (20 ILCS 3440).

Our staff have reviewed the Architectural Survey Addendum and Effects Report, below is a summary of our findings. Properties in the 2021 Architectural Report are identified below as Architectural Resources (AR#) and properties in the 2024 Architectural Report are identified as Field Sites (FS).

Of the 146 properties in the 2024 Architectural Resource Addendum Survey, SHPO staff concur with the following NRHP determinations:

- FS 1 Folkers Farmstead/House, 2269 County Rd. 1900 North, Benson, (AR#35)
- FS 42 D. Saggerman Farmstead, 1185 County Rd 2150 E, Secor,
- FS 49 William Noffsinger Farmstead/House, 2876 County Rd. 2000E, Roanoke, (AR#325)
- FS 85 Henry and Mary Seibel House, 1056 CR 1900 E., Secor,
- FS 112 Ranch House, 1785 County Rd. 1300 N, Roanoke,
- FS 115 J. Weaver Farmstead 1218 County Rd. 1800 E, Roanoke,

- FS 116 Charles and Lena Martin House, 1209 County Rd. 1800 E, Roanoke,
- FS 125 Samuel Peterson Farmstead, 1675 County Rd. 2000 E, Benson,
- FS 131 Roanoke Concrete Products Company, 102 Concrete Drive, Roanoke,

Additionally, the following properties from the 2024 Addendum retain integrity to warrant a potential NRHP determination for regulatory review:

- FS 5 Farmstead, 3013 County Rd 1900 N, Minonk, *Criterion A*
- FS 6 Granary, 40.86977, -88.95980, Minonk, *Criterion C*
- FS 10 Farmstead, 3178 County Rd 1700 N, Minonk, *Criterion A*,
- FS 26 Farmstead, 711 50th Street, Panola, *Criterion A*
- FS 31 Farmstead, 2479 County Rd 1200 N, El Paso, *Criterion A & C*
- FS 38 Concrete Bridge, 40.75170, -89.08285, *Criterion C*
- FS 109 Farmstead, 1849 County Rd. 1400 N, Roanoke, *Criterion C*
- FS 117 Farmstead, 1171 County Rd. 1800 E, Roanoke, *Criterion A & C*

SHPO staff previously concurred with the following NRHP determinations from the 2021 Survey:

- AR #12 Residence and outbuildings, 2933 County Rd. 2000 North, Minonk,
- AR #47 Residence, Outbuildings, Shed, and Pillars, 2645 County Rd. 1900 North, Minonk,
- AR #77 Residence, Corn Crib, Barns, and Outbuildings, 2701 County Rd. 1800 North, Minonk,
- AR #89 Eagle School #27 and Garage, 1799 County Rd. 2500 East, Benson,
- AR #112 Residences, Barn, and Garage, 1631 County Rd. 2000 East, Benson,
- AR #157 Residence, Outbuilding, and Pole Building, 3064 County Rd. 1600 North, Minonk,
- AR #158 Residence and Garage, Outbuildings, 3019 County Rd. 1600 North, Minonk,
- AR #180 Residence and Barns, 2669 County Rd. 1600 North, El Paso,
- AR #189 Residence, Barn and Corn Crib, and Shed, 2363 County Rd. 1600 North, Benson,
- AR #207* Bridge over the West Branch of Panther Creek () State Route 116 & CR 1500 N, Roanoke,
- AR #211 Residence and Outbuildings, 1480 County Rd. 2000 East, Roanoke,
- AR #282 Residence, Garage, Pole Building, 1528 County Rd. 2375 East, El Paso,
- AR #305 Residence and Barns, 1404 County Rd. 2000 East, Roanoke,
- AR #307 Panther Creek Church of the Brethren, 1403 County Rd. 2000 East, Roanoke,
- AR #316 Residence, Barn, Pole Building, 1341 County Rd. 2000 East, Roanoke,
- AR #344 Residence and Barn, 1267 County Rd. 2250 East, Roanoke

**As of 2024, AR#207 is no longer extant.*

Of the 33 NRHP eligible architectural resources, SHPO staff concur that the following properties will be adversely visually affected by the proposed Turbines:

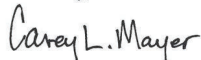
- FS 49/AR#325 located at 2876 County Rd. 2000E, Roanoke - Turbine 23
- AR #47 located at 2645 County Rd. 1900 North, Minonk - Turbine 80
- AR #158 located at 3019 County Rd. 1600 North, Minonk - Turbine 62
- AR #180 located at 2669 County Rd. 1600 North, El Paso - Turbine 38

SHPO staff have determined that the following additional properties will be adversely visually affected by the proposed Turbines:

- AR #77 located at 2701 County Rd. 1800 North, Minonk - Turbine 51
- AR #189 located at 2363 County Rd. 1600 North, Benson - Turbine 15 and 29
- AR #282 located at 1528 County Rd. 2375 East, El Paso - Turbine 2

These determinations were made using shapefiles of the latest turbine locations, which we received on 7/2/24 from your consultant, Stantec. Prior to the commencement of the remaining construction activities, we must have an executed Memorandum of Agreement to mitigate the above adverse visual effects. Please contact CJ Wallace, Cultural Resources Coordinator, at Carol.Wallace@Illinois.gov and Anna Margaret Barris (AnnaMargaret.Barris@Illinois.gov) to discuss potential mitigation project(s).

Sincerely,



Carey L. Mayer, AIA
Deputy State Historic Preservation Officer

c: Kevin P. McGowan, Ph.D., Public Service Archaeology & Architecture Program
Stacey Parks, Stantec Consulting Services Inc.
Chris Green, Tri Global Energy
Jennifer Ryall, Stantec Consulting Services Inc.