

December 1, 2025

*Via eDockets*

The Honorable Ann C. O'Reilly  
Court of Administrative Hearings  
600 North Robert Street  
Saint Paul, MN 55164-0620

RE: EIP Reply Comments on Proposed Findings of Fact  
Castle Rock Solar Project  
**PUC Docket Nos. IP7137/GS-24-267**  
**CAH Docket No. 65-2500-40800**

Dear Judge O'Reilly,

Minnesota Public Utilities Commission (Commission), Energy Infrastructure Permitting (EIP) staff offers the following comments on the Castle Rock Solar Project (project) proposed by Castle Rock Solar, LLC (Castle Rock Solar, applicant).

In these comments EIP staff:

- Responds to hearing comments and proposed permit conditions,
- Responds to Castle Rock Solar's Proposed Findings of Fact, Conclusions of Law, and Recommendations (Castle Rock Solar FOF).<sup>1</sup>

## **1. Response to Hearing Comments and Proposed Permit Conditions**

Hearing comments were received from a variety of sources including state agencies and the vegetation management planning working group, watershed districts, labor unions, and members of the public. Castle Rock Solar commented on the project Environmental Assessment (EA) and Draft Site Permit (DSP) in its response to hearing comments filed on November 17, 2025.<sup>2</sup> Here, EIP staff addresses the comments that specifically discuss the project EA and DSP filed on October 10, 2025.<sup>3,4</sup>

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<sup>1</sup> Castle Rock Solar, LLC, *Letter & Proposed Findings of Fact Conclusions of Law and Recommendations*, November 17, 2025, eDocket No. [202511-225010-02](#).

<sup>2</sup> Castle Rock Solar, LLC, Reply Comments, November 17, 2025, eDocket No. [202511-225010-01](#).

<sup>3</sup> PUC EIP, Castle Rock Solar Environmental Assessment (EA), October 10, 2025, eDocket No. [202510-223781-01](#).

<sup>4</sup> PUC EIP, Castle Rock Solar Environmental Assessment, Appendix C: Draft Site Permit (DSP), October 10, 2025, eDocket No. [202510-223781-04](#).

## A. Minnesota Department of Natural Resources (DNR)

In its November 3, 2025, comments the Minnesota Department of Natural Resources (DNR) provided feedback on the EA and DSP prepared for the Castle Rock Solar Project. Comments address topics including fence design, karst features, threatened and endangered species, sites of biodiversity significance, dewatering, snowmobile trails, the vegetation management plan, lighting, dust, and wildlife friendly erosion control.<sup>5</sup>

### **Security Fencing**

The DNR recommends the applicant adhere to the DNR's fencing guidance to construct a fence that reaches a height of at least 10 feet. The DNR supports Section 4.3.32 of the DSP, which requires the Permittee to design the final security fence in coordination with DNR.

### **Vegetation Management Plan**

The DNR recommends the applicant continue to coordinate with the Vegetation Management Plan Working Group and notes that the final vegetation management plan should be developed in accordance with the DNR's Prairie Establishment and Maintenance Technical Guidance for Solar Projects. The DNR supports Section 4.3.16 of the DSP, which requires the Permittee to establish native perennial vegetation and encourages the Permittee to meet Habitat Friendly Solar Program standards. The DNR also supports Section 4.3.17 of the DSP, which requires the Permittee to develop a vegetation management plan in coordination with the Vegetation Management Plan Working Group.

### **Snowmobile Trails**

The DNR requests the applicant coordinate with the snowmobile trail associations regarding any impacts, such as temporary closure, rerouting, or safety concerns, to Snowmobile Trail 123. The DNR encourages coordination with the snowmobile clubs to allow sufficient time to accommodate any changes to the route of Snowmobile Trail 123. The DNR supports Section 5.3 of the DSP, a special condition which requires the Permittee to coordinate with snowmobile associations to reroute Snowmobile Trail 123, as written.

#### **5.3 Snowmobile Trail 123**

*The Permittee shall work with the Dakota Trails Snowmobile Association and associated snowmobile clubs responsible for maintaining Snowmobile Trail 123 to identify alternative routes and interconnection to trails in the area and develop a plan for rerouting the portion of Snowmobile Trail 123 that falls within the project fence. The Permittee will be responsible for sponsoring the reroute efforts.*

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<sup>5</sup> Minnesota Department of Natural Resources, Hearing Comments. November 3, 2025, eDocket No. [202511-224630-01](#).

## **Karst Features**

The DNR supports Section 5.14 of the DSP, a special condition which requires the Permittee to file a geotechnical report prior to construction and limits construction activity within 150 feet of documented karst features. The DNR recommends revising Section 5.14 to require the Permittee to conduct a survey of surface karst features to ensure construction activities do not occur within 150 feet from surface karst features. In addition, the DNR proposes revising the active karst definition in Section 5.14 for clarity and accuracy. The DNR's proposed modifications to Section 5.14 are as follows:

### **5.14 Karst Geology**

*The Permittee shall file a geotechnical investigation report prepared for the Project construction area by a third-party geotechnical engineer or authorized representative. The report shall include methodology, results, and conclusions drawn from the geotechnical investigation with recommendations on project design and construction. The Permittee shall file the geotechnical report with the Commission at least 14 days prior to the pre-construction meeting.*

*The Permittee shall conduct a survey for surface karst features within areas mapped by the DNR as Minnesota Regions Prone to Surface Karst Feature Development.*

*The Permittee shall not locate project infrastructure within 150 feet of documented active karst features and avoid all construction activity within 150 feet of documented active karst features. ~~Active karst is~~ Areas prone to surface karst feature development are defined as areas underlain by carbonate bedrock with less than 50 feet of sediment cover.*

EIP staff support the DNR's proposed modifications to Section 5.14. EIP staff propose an additional modification to Section 5.14 requiring the Permittee to share the results of the surface karst feature survey with the Commission and the DNR. EIP staff's proposed modifications to Section 5.14 are as follows:

### **5.14 Karst Geology**

*The Permittee shall file a geotechnical investigation report prepared for the Project construction area by a third-party geotechnical engineer or authorized representative. The report shall include methodology, results, and conclusions drawn from the geotechnical investigation with recommendations on project design and construction. The Permittee shall file the geotechnical report with the Commission at least 14 days prior to the pre-construction meeting.*

*The Permittee shall conduct a survey for surface karst features within areas mapped by the DNR as Minnesota Regions Prone to Surface Karst Feature Development. The Permittee shall file the survey results with the Commission and submit the survey results to the DNR at least 14 days prior to the pre-construction meeting.*

*The Permittee shall not locate project infrastructure within 150 feet of documented active karst features and avoid all construction activity within 150 feet of documented active karst features. ~~Active karst is~~ Areas prone to surface karst development are defined as areas underlain by carbonate bedrock with less than 50 feet of sediment cover.*

## **Dewatering**

The DNR supports Section 5.16 of the DSP, a special condition which requires the Permittee to develop a dewatering plan, as written.

### ***5.16 Dewatering Plan***

*The Permittee shall develop a Dewatering Plan and provide training to personnel directly involved with discharge activities. The plan shall be filed at least 14 days prior to the pre-construction meeting. All on-site personnel directly involved with discharge activities shall have access to the Dewatering Plan at all times while at the discharge locations.*

## **Lighting**

The DNR supports Section 5.19 of the DSP, a special condition which requires the Permittee to use facility lighting that is down-lit, shielded, and falls within a specified nominal color temperature, as written.

### ***5.19 Facility Lighting***

*The Permittee shall use down-lit, shielded lighting around and within the Project. The nominal color temperature of Project lighting shall not exceed 4,000 Kelvin.*

## **Dust**

The DNR supports Section 5.20 of the DSP, a special condition which requires the Permittee to use dust control products that do not contain chloride, as written.

### ***5.20 Dust Suppression***

*The Permittee shall use dust suppression agents that do not contain chloride.*

## **Wildlife-Friendly Erosion Control**

The DNR supports Section 5.21 of the DSP, a special condition which requires the Permittee to use wildlife-friendly erosion control materials, as written.

### ***5.21 Wildlife-Friendly Erosion Control***

*The Permittee shall use erosion control materials that do not contain plastic or synthetic fibers of malachite green dye.*

## **Sites of Biodiversity Significance**

The DNR supports Section 5.22 of the DSP, a special condition which requires the Permittee to comply with the DNR's guidance to avoid or minimize impacts to ecologically significant areas,<sup>6</sup> including the Minnesota Biological Survey site of biodiversity significance located within the project boundary, as written.

### **5.22 Ecologically Significant Areas**

*The Permittee shall comply with DNR recommendations provided in the Natural Heritage Review Letter to avoid or minimize impacts to ecologically significant areas, including MBS site Castle Rock 10. The Permittee shall inform the DNR of the method used to install the collection line crossings through Castle Rock 10 and implement any BMPs suggested by the DNR. If impacts to resources occur, the Permittee shall document the impact and consult with the DNR to determine mitigation strategies.*

## **Northern Long-Eared Bat**

The DNR supports Section 5.23 of the DSP, a special condition which requires the Permittee to comply with state and federal guidance and requirements regarding the Northern Long-Eared Bat, as written.

### **5.23 Northern Long-Eared Bat**

*The Permittee shall comply with the USFWS and DNR guidance and requirements in effect regarding NLEB, including tree clearing restrictions if applicable.*

## **Loggerhead Shrike**

The DNR supports Section 5.24 of the DSP, a special condition which requires the Permittee to comply with the DNR's guidance on tree and shrub removal during the Loggerhead Shrike breeding season,<sup>7</sup> as written.

### **5.24 Loggerhead Shrike**

*The Permittee shall avoid tree and shrub removal during the Loggerhead Shrike breeding season, April through July. If avoidance is not feasible, the Permittee must identify a qualified surveyor to conduct a survey for active nests before any trees or shrubs are removed. The qualified surveyor must be on the DNR certified list of surveyors and the surveys must be conducted in accordance with DNR survey requirements.*

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<sup>6</sup> Minnesota Department of Natural Resources, Scoping Comments, May 2, 2025, eDocket No. [20255-218560-01](#) and [20255-218560-02](#).

<sup>7</sup> Id.

## B. Castle Rock Solar Comments

In its November 17, 2025, response to hearing comments Castle Rock Solar provided feedback on the EA and DSP prepared for the Castle Rock Solar Project. Comments addressed topics including site plans, organic farms, local labor, and karst features.<sup>8</sup>

### Site Plan

In response to a public comment requesting a special permit condition requiring the Permittee to provide a set of pre-construction drawings to Castle Rock Township, Castle Rock Solar proposes the following revisions to Section 8.3 of the DSP:

#### **8.3 Site Plan**

*At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission and provide ~~counties~~ the county and township where the Project will be constructed with a Site Plan that includes specifications and drawings for site preparation and grading; specifications and locations of the solar energy generating system and associated facilities; and procedures for cleanup and restoration. The documentation shall include maps depicting the Designated Site, solar energy generating system, and associated facilities layout in relation to that approved by this site permit.*

*The Permittee may not commence construction until the earlier of (i) 30 days after the pre-construction meeting or (ii) or until the Commission staff has notified the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this site permit.*

*If the Commission notifies the Permittee in writing within 30 days after the pre-construction meeting that it has completed its review of the documents and planned construction, and finds that the planned construction is not consistent with this site permit, the Permittee may submit additional and/or revised documentation and may not commence construction until the Commission has notified the Permittee in writing that it has determined that the planned construction is consistent with this site permit.*

*If the Permittee intends to make any significant changes in its Site Plan or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission ~~and~~ county staff, and the township staff at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this site permit.*

EIP staff have no objections to Castle Rock Solar's proposed revisions to Section 8.3 of the DSP.

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<sup>8</sup> Castle Rock Solar, LLC, Reply Comments, November 17, 2025, eDocket No. [202511-225010-01](#).

## Organic Farm

EIP staff proposed three special conditions in the DSP, Sections 5.9, 5.10, and 5.11, to protect Lengsfeld's Organic Gardens, an organic-certified farm adjacent to the project, from herbicide drift. Castle Rock Solar notes that these special conditions are no longer necessary as a portion of the southeast corner of the project will be removed from the site permit boundary. This portion of the project's southeast corner, which would have been restored with native vegetation, will now be used by the underlying landowner however they see fit. By removing this portion of the project, any vegetated areas managed with herbicides will be at least 290 feet from Lengsfeld's Organic Gardens. Castle Rock Solar notes that the 290-foot distance further expands any buffer already employed by Lengsfeld's Organic Gardens. Castle Rock Solar contacted the owner of Lengsfeld's Organic Gardens to discuss the buffer, and the owner had no additional concerns.<sup>9</sup> In addition, Castle Rock Solar does not anticipate any use of broadcast herbicide application, further reducing the risk of herbicide drift.

EIP staff agree that Castle Rock Solar's self-imposed setback minimizes the potential for impacts to Lengsfeld's Organic Gardens resulting from herbicide drift. EIP staff support removing Sections 5.9, 5.10, and 5.11 from the DSP.

### ~~5.9 Organic Land Planning Document~~

~~The Permittee shall develop an appendix for the AIMP titled Mitigative Actions for Organic Agricultural Land that describes herbicide application planning and considerations to minimize drift potential.~~

### ~~5.10 Herbicide Buffer Zone~~

~~The Permittee shall establish an herbicide buffer zone within the project that is consistent with the maximum recommended distance based on the herbicides that will be used on site. The Permittee shall mark the buffer zone using appropriate signage and ensure that all employees and/or contractors who will be responsible for applying herbicides on the site are aware of the location and purpose of the buffer.~~

### ~~5.11 Herbicide Damages~~

~~The Permittee shall be responsible for compensating Lengsfeld's Organic Gardens for any damages due to crops or decertification resulting from herbicide drift.~~

## Local Craft Labor

EIP staff proposed revising Section 8.5 DSP, a standard condition which requires Labor Statistic Reporting, to require the Permittee to notify the Commission if the Permittee intends to deviate from its commitment to select a contractor that maximizes the use of local labor. Castle Rock Solar notes that the revisions go beyond what has been required in prior permits and the commitments made by Castle

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<sup>9</sup> Castle Rock Solar, LLC, Supplemental Comments, December 1, 2025, eDocket No: [202512-225-356-01](#).

Rock Solar in the record. Castle Rock Solar proposes revising Section 8.5 of the DSP to reflect Castle Rock Solar's commitments made in the record, as follows:

### **8.5 Labor Statistic Reporting**

*The Permittee shall file quarterly Labor Statistic Reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the Project. The Labor Statistics Reports shall:*

- (a) detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers, including updates on outreach efforts, negotiations, and any agreements or understandings reached with local labor organizations; and*
- (b) provide an account of:*
  - i. the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. § 290.01, subd. 7;*
  - ii. the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the Project; and*
  - iii. the total gross hours worked or total full-time equivalent workers.*

*Permittee shall work with its contractor to determine the suitable reporting metric. The report may not include personally identifiable data.*

*The Permittee shall notify the Commission in writing if the Permittee intends to deviate from its commitment to select a contractor that will maximize the use of local, ~~craft union~~ construction employees to the greatest extent feasible. This notification shall include a detailed explanation of the rationale for the deviation.*

EIP staff proposed the revisions to Section 8.5 in the Castle Rock Solar DSP in response to Castle Rock Solar's acknowledgement that it may not be practicable to fill certain positions locally that require Minnesota licensed electricians or other personnel with specialized training.<sup>10</sup> EIP staff have no objections to Castle Rock Solar's proposed revisions to Section 8.5 of the DSP.

### **Karst Features**

EIP staff proposed Section 5.14 of the DSP, a special condition requiring the Permittee to file a geotechnical investigation and avoid construction activity and locating project infrastructure within 150 feet of documented active karst features. Castle Rock Solar notes that the EA did not fully reflect best practices for construction around karst geology and that a scientific justification for the 150-foot radius

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<sup>10</sup> Castle Rock Solar, LLC, Site Permit Application (Section 5.2.7), January 16, 2025, eDocket No. [20251-214065-02](#).

buffer around active karst has not been identified. Castle Rock Solar proposes that Section 5.14 of the DSP be revised as follows:

### **5.14 Karst Geology**

~~The Permittee shall file a geotechnical investigation report prepared for the Project construction area by a third-party geotechnical engineer or authorized representative. The report shall include methodology, results, and conclusions drawn from the geotechnical investigation with recommendations on project design and construction. The Permittee shall file the geotechnical report with the Commission at least 14 days prior to the pre-construction meeting.~~

~~The Permittee shall not locate project infrastructure within 150 feet of documented active karst features and avoid all construction activity within 150 feet of documented active karst features. Active karst is defined as areas underlain by carbonate bedrock with less than 50 feet of sediment cover.~~ conduct karst geology assessments in compliance with ASTM D8512-23 (Standard practice for Preliminary Karst assessments for land development) and detailed site investigations which may include geophysical and or geotechnical subsurface investigations. If the preliminary karst assessments indicates that karst features may impact, or be impacted by, the proposed site development, then a detailed site investigation which may include geophysical and/or geotechnical subsurface investigations may be recommended. If a karst feature is encountered, the Permittee shall report the findings to the Minnesota Department of Natural Resources (MDNR), and the Permittee shall develop appropriate mitigation measures in coordination with the MDNR.

EIP staff note that the 150-foot buffer is consistent with language adopted in a prior solar site permit<sup>11</sup> and supported by the DNR. EIP staff do not support Castle Rock Solar's proposed revisions to Section 5.14 of the DSP. As discussed previously, EIP staff support Section 5.14 as revised by the DNR and EIP (discussed above).

### **C. Vermillion River Watershed Joint Powers Organization (VRWJPO)**

In its October 29, 2025, comments the Vermillion River Watershed Joint Powers Organization (VRWJPO) provided feedback on the EA and DSP prepared for the Castle Rock Solar Project. Comments address suggested corrections to the EA and proposed additions to the DSP.<sup>12</sup>

#### **EA Section 1.8.5 – Natural Resources**

The VRWJPO suggests that the discussion of potential impacts to soils, surface water, and vegetation in Section 1.8.5 of the EA include discussion relating to how the placement of poles/pilings will result in

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<sup>11</sup> PUC, Order Granting Certificate of Need and Issuing Site and Route Permits [Byron Solar Project], May 1, 2023, eDocket No. [20235-195471-02](#), see special permit condition 5.1 requiring a 150-foot buffer from documented active karst features.

<sup>12</sup> Vermillion River Watershed Joint Powers Organization, Hearing Comments, October 29, 2025, eDocket No. [202510-224390-01](#).

additional soil compaction, describe the minimal to moderate impacts that may be realized to surface waters, specifically to the South Branch and Mainstem Vermillion River reaches, and describe how vegetation will be successfully maintained and managed under solar panels and note that there is the possibility that perennial vegetation may not establish well if heavily shaded by solar panels or challenges with vegetation management occur.

EIP staff appreciate the VRWJPO's suggestions and note that the discussion of potential impacts to soils, surface water, and vegetation in Section 1.8.5 of the EA is intended to be a generalized summary. A detailed description of the potential impacts of the project on the identified topics can be found in the respective sections of the EA – Section 4.7.3 (Soils), Section 4.7.4 (Surface Water and Floodplains), and Section 4.7.6 (Vegetation).

#### **EA Section 2.1.3.9 – Stormwater Drainage**

The VRWJPO states that it is difficult to determine where conflicts may exist between delineated wetlands and stormwater vegetated swales in Figure 17. Preliminary Stormwater Management System. The VRWJPO notes that some proposed stormwater vegetated swales appear to be located within wetlands identified with the approved Castle Rock Solar Wetland Conservation Act (WCA) Notice of Decisions (NODs). The VRWJPO states that utilizing wetlands areas as stormwater treatment devices may result in the alteration in wetland function and would not be in conformance with the requirements outlined within the WCA.

EIP staff appreciate the VRWJPO's comments. Figure 17 was created to provide a clear visual of Castle Rock's preliminary vegetated swale stormwater management system. As such, no additional layers, such as wetlands, were included.

#### **EA Section 4.3.4 – Land Use and Zoning**

The VRWJPO notes discrepancies between the wetland acreages and percentages listed in Table 14. Project Land Cover, the wetland locations shown in Figure 30. Project Area Land Cover, and the wetland acreages and locations as stated in the approved Castle Rock Solar WCA NODs. In addition, Table 15. Castle Rock Township and Dakota County Performance Standards for Solar Farms should include "Shoreland and Floodplain Management" instead of "Stormwater and Erosion Control." The VRWJPO also states that the EA should be fully inclusive of all impacts to water resources within the project's boundary, but the Land Use and Zoning section does not include discussion of impacts to wetlands, stream corridor habitat, and water resources.

EIP staff appreciate the VRWJPO's suggestions. The wetland acreages listed in Table 14 and visualized in Figure 30 correspond to the 2023 National Land Cover Database (NLCD), a raster-based inventory of land cover at a 30-meter spatial resolution derived from satellite imagery.<sup>13</sup> Discrepancies between the wetland acreages and percentages listed in Table 14, the wetland locations shown in Figure 30, and the

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<sup>13</sup> United States Geological Survey, National Land Cover Database:  
<https://www.usgs.gov/centers/eros/science/national-land-cover-database#overview>

wetland acreages and located in the approved Castle Rock Solar NODs are a result of the difference in scale between the NLCD's 30-meter spatial resolution and in-person wetland delineations.

The terms "Stormwater Management and Erosion Control" are used in Table 15 to identify the row of the table where Dakota County's stormwater management and erosion control standards, taken from Dakota County Ordinance No. 50 (Shoreland and Floodplain Management), for solar projects can be found. The standards listed in Table 15 were taken from the Dakota County Ordinance No. 50, Shoreland and Floodplain Management. The discussion of potential impacts and mitigation in Section 4.3.4 (Land Use and Zoning) focuses on the change in land use, converting agricultural land to a solar facility, local zoning, ordinances, and comprehensive plans, not on impacts and mitigation relating to wetlands, water resources, or vegetation. Discussion of impacts and mitigation on the identified topics can be found in the respective sections of the EA –Section 4.7.4 (Surface Water and Floodplains), Section 4.7.5 (Wetlands) and Section 4.7.6 (Vegetation).

#### **EA Section 4.7.4 (Surface Water and Floodplains) and 4.7.5 (Wetlands)**

The VRWJPO states that the delineated wetland areas in Figure 44. Project Area Surface Waters (Section 4.7.4) do not match the delineated wetland areas in Figure 46. Wetland Road and Collection Line Crossings (Section 4.7.5). Figure 44 shows solar arrays placed in the delineated wetland areas in Figure 46. The VRWJPO notes that Figure 46 should reflect approved wetland acreages as shown in Figure 44.

EIP staff appreciate the VRWJPO's comments. Figure 44 was created to provide a detailed visual of all surface waters, including wetlands, in the project area, and utilized National Wetland Inventory wetlands and field-delineated wetlands layers. Figure 46 was created to provide a clear visual of the locations of road and collection crossings in wetlands. For the purposes of clarity, Figure 46 only used a National Wetland Inventory wetland layer, as the intent of this figure was to highlight the wetland crossing areas discussed in Section 4.7.4.

#### **EA Section 4.7.7 – Wildlife and Habitat**

The VRWJPO suggests that Section 4.7.7 of the EA clarify that the trout stream is located just downstream of the immediate study area and that the long term vegetation maintenance information should note that mowing will be used to prevent weed and invasive species spread.

EIP staff appreciate the VRWJPO's suggestions and note that the section of the South Branch Vermillion River that is a designated trout stream is identified in Section 4.7.4 (Surface Water and Floodplains). The discussion of using mowing to maintain vegetative health, prevent weed spread, and prevent shading is referencing statements made in the draft Vegetation Management Plan (VMP). Castle Rock Solar filed the draft VMP as Appendix E of the site permit application on January 16, 2025.<sup>14</sup> The draft VMP contains additional information on invasive species control.

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<sup>14</sup> Castle Rock Solar, LLC, Site Permit Application, Appendix E: VMP, January 16, 2025, eDocket No. [20251-214065-08](#).

### **Castle Rock Township Watershed Management Plan**

The VRWJPO states that in accordance with MN Rule 103B.235, Castle Rock Township has incorporated the VRWJPO's Watershed Management Plan into its local water management plan and ordinances. As a result, some of Castle Rock Township's requirements for Post Construction Stormwater Management, Erosion and Sediment Control, Low Impact Development (LID) Practices, and Wetland and Watercourse Buffer requirements may be more restrictive than those required by the MPCA. This could have the potential to affect the three projects to a greater extent. The VRWJPO suggests that in Section 3.4 (Permits/Approvals) Table 10. Potential Downstream Permits should include the text for Stormwater Management and Erosion Control in Table 15, the Dakota County Soil and Water Conservation District should be identified as the delegated WCA LGU for Castle Rock Township, and a Township permit for land disturbing activities should be mentioned as a potential required permit. The VRWJPO notes that Section 4.7.2 (Geology and Groundwater) and Section 4.7.4 (Surface Water and Floodplains) should also mention a Township permit for land disturbing activities.

EIP staff appreciate the VRWJPO's suggestions and note that in Section 3.4 (Permits/Approvals) Table 10 does not include the text for Stormwater Management and Erosion Control found in Table 15 because this text is specific to solar farms, and the permits and approvals in Table 10 are not solar-specific. In addition, the Dakota County Soil and Water Conservation District is identified as the unit of government overseeing Minnesota WCA approval in Table 10. A site permit from the Commission supersedes local zoning, building, or land use rules.<sup>15</sup> As such, a Township permit for land disturbing activities was not mentioned in Section 3.4 (Permits/Approvals), Section 4.7.2 (Geology and Groundwater), or Section 4.7.4 (Surface Water and Floodplains)

### **Agricultural Impact Mitigation Plan**

The VRWJPO states that pages 84, 124, 149, and 166 of the EA indicate that a draft AIMP (Agricultural Impact Management Plan) is in Appendix C, the DSP. However, Section 4.3.18 of the DSP states that a plan must be submitted and is not actually a part of Appendix C. The VRWJPO questions if the text in the EA should be updated to read that the applicant must submit an AIMP.

EIP staff note that pages 84, 124, 149, and 166 of the EA indicate that the DSP is in Appendix C of the EA, while the draft AIMP is in Appendix D of Castle Rock Solar's site permit application. Castle Rock Solar filed the draft AIMP on January 16, 2025, as part of the site permit application.<sup>16</sup>

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<sup>15</sup> Minnesota Statutes [216E.10](#), subd. 1, Edition Year 2023.

<sup>16</sup> Castle Rock Solar, LLC, Site Permit Application, Appendix D: AIMP, January 16, 2025, eDocket No. [20251-214065-07](#).

## Land Disturbing Activities

The VRWJPO requests that the page 9 of the DSP be revised to require the Permittee to obtain a Township permit for land disturbing activities. As discussed above, a site permit from the Commission supersedes local zoning, building, or land use rules.<sup>17</sup>

## Site Plans

The VRWJPO requests that the page 22 of the DSP be revised to require the Permittee to provide site plans to Castle Rock Township for review and approval. As discussed above, Castle Rock Solar proposes revising Section 8.3 of the DSP to require the Permittee to provide a set of pre-construction drawings to Castle Rock Township. EIP staff support Castle Rock Solar's proposed revisions to Section 8.3 of the DSP.

## D. Public Comments

Members of the public provided feedback on the EA and DSP prepared for the Castle Rock Solar Project on November 4, 2025,<sup>18, 19</sup> and November 10, 2025.<sup>20</sup> EIP staff note that while the public comment filed on November 10, 2025, was filed after the hearing comment deadline of November 4, 2025,<sup>21</sup> the comment timestamp indicates it was submitted on November 1, 2025, prior to the hearing comment deadline. As such, EIP staff consider the public comment filed on November 10, 2025, to be a hearing comment. Comments address the topics covered in the EA and proposed additions to the DSP.

## Eco-Disaster Plan

A public commenter voiced concerns that a hailstorm will shatter the panels and Cadmium Telluride, a toxic chemical, will be released, and questioned how this will impact humans and the environment in this region. In addition, the public commenter inquired what the eco-disaster plan for fires is.

In the site permit application, Castle Rock Solar stated that project equipment will be engineered and selected to withstand the potential for an increase in the frequency of severe weather events.<sup>22</sup> In addition, EIP staff note that Section 8.12 of the DSP requires the Permittee to prepare an Emergency Response Plan prior to construction in consultation with the emergency responders having jurisdiction over the project. The Permittee must file the Emergency Response Plan with the Commission. Furthermore, the DSP contains two special conditions proposed by EIP staff, Section 5.7 and Section 5.8, which require the Permittee to develop a fire safety protocol and conduct cooperation and training

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<sup>17</sup> Minnesota Statutes [216E.10](#), subd. 1, Edition Year 2023.

<sup>18</sup> Public Hearing Comments, November 4, 2025, eDocket No. [202511-22656-01](#).

<sup>19</sup> Public Hearing Comments, November 4, 2025, eDocket No. [202511-224654-01](#).

<sup>20</sup> Public Hearing Comments, November 10, 2025, eDocket No. [202511-224802-01](#).

<sup>21</sup> Minnesota Public Utilities Commission, Notice of Public Hearings and Availability of Environmental Assessment, October 10, 2025, eDocket No. [202510-223763-01](#).

<sup>22</sup> Castle Rock Solar, LLC, Site Permit Application (Section 5.9), January 16, 2025, eDocket No. [20251-214065-02](#).

meetings with local emergency providers. In its November 17, 2025, reply comments Castle Rock Solar provided additional information regarding panel components and committed to ensuring that Toxicity Characteristic Leaching Procedure testing has been performed on the panel models used for the project.<sup>23</sup>

### **Environmental Impact Statement**

A public commenter requested a special permit condition requiring an Environmental Impact Statement (EIS) be conducted for the project, noting that an EA is not the same as an EIS.

EIP staff note that in accordance with Minn. Statute 216E.04, an EA is the only environmental document required for the project.<sup>24</sup>

### **Directional Boring**

A public commenter stated that it has not been established that directional cable boring under the South Branch Vermillion River will not affect the aquatic life, the effects of directional boring have not been studied in the EA, and an EIS would address how directional cable boring would impact the temperature of the protected South Branch Vermillion River, which was recently stocked with 1,000 cold water brook trout. The EIS would also address the effects of any wastewater and sediment runoff from the construction site on the South Branch Vermillion River.

EIP staff note that directional boring is discussed in the EA. Section 2.1.4 (How would the solar facility be constructed?) describes the typical measurements of bore pits, how excavated material will be handled, and how the bored area will be restored. Section 4.7.7 (Wildlife and Habitat) discusses the potential impacts of boring on aquatic wildlife and habitat, such as stress and increased sedimentation into the river in the event that appropriate erosion control measures are not implemented.

### **No Glare Solar Panels**

A public commenter requested a special permit condition requiring the project use no-glare solar panels, noting that the use of no glare solar panels would be for the safety and well-being of people and to protect wildlife.

EIP staff notes that PV panels are designed to absorb light to convert the light to electricity. The reflection of light from a solar panel is undesirable, as it results in losses to the panel's electricity generation capacity. When light reaches the interface between two transparent materials with different refractive indexes, such as air and glass, it is both refracted and reflected, a phenomenon known as Fresnel's Law. Only the refracted light crosses the interfaces and continues passing through to the next material, resulting in an incremental loss of light transmission. These transmission losses are compounded as light passes through the consecutive transparent layers in a solar panel to reach the photovoltaic cell, resulting in an optical loss of electrical power. To combat these losses, modern-day

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<sup>23</sup> Castle Rock Solar, LLC, Reply Comments, November 17, 2025, eDocket No. [202511-225010-01](#).

<sup>24</sup> Minnesota Statutes [216E.04](#), subd. 1 and 5, Edition Year 2023

solar modules come equipped with an anti-reflection coating similar to the type on eyeglasses. These coatings reduce optical losses by applying destructive interference that cancels out the light reflected by the top surface of the module and the photovoltaic cell, increasing solar panel efficiency and significantly reducing glare.<sup>25</sup> Compared to clear glass, which typically reflects approximately eight percent of the sunlight, modern-day PV panels typically reflect approximately three percent of the sunlight when the panels are directly facing the sun. Because of this, glare and reflection are expected to be minor.<sup>26</sup>

### **Property Values**

A public commenter noted that homeowners contiguous to the project will see a depreciation in property values and the effects of home values would be determined by an EIS. The public commenter requested a special permit condition that the project developer must guarantee to prevent the loss of home values for homeowners contiguous to the project.

A second public commenter noted that recent studies have shed light on the devaluation of property values within 3 miles of a solar farm, with property values experiencing an average decrease of 4.8%, depending on the proximity of the property to the solar farm. In a separate comment, the public commenter stated that if the project goes forward, the homeowners in close proximity to the project should receive compensation from the solar company as their homes will experience aesthetic impacts and noise pollution, resulting in the devaluation of their property, and the affected residents should have input on how this compensation is defined.

EIP staff note that the project's impacts on property values were analyzed in the EA. Section 4.3.5 (Property Values) references several studies on the impacts of solar farms on property values. One study found that homes within 0.5 miles of a solar facility had a 4 percent reduction in home sale prices, while another study found that proximity to a solar farm leads a depreciation of 1.7 to 5.4 percent in property values. These findings align with the results discussed by the second public commenter, who noted that property values decrease an average of 4.8 percent depending on the proximity of the property to the solar farm.

EIP staff also note that the standard permit conditions and special permit conditions in the DSP minimize and mitigate potential human and environmental impacts including impacts to property values.

### **Pollution Sensitivity**

A public commenter noted that Page 139 and Figure 41. Pollution Sensitivity within the project of the EA mention assumptions and state that contaminants from the land surface could reach groundwater

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<sup>25</sup> DOC EERA, Coneflower Solar Environmental Assessment (Section 4.3.1, p. 59), March 26, 2025, eDocket No. [20253-216823-01](#).

<sup>26</sup> DOC EERA, Lake Wilson Solar Environmental Assessment (pp. 34-35), October 18, 2025, eDocket No. [202310-199721-02](#).

within hours to a week. The public commenter noted that an EIS can determine the current and long term effects.

EIP staff note that the EA does not present assumptions on the rate at which contaminants from the land surface could reach groundwater. The pollution sensitivity classifications visualized in Figure 41 are determined by the DNR and are accurate to the project area.

### **Pre-Construction Drawings**

A public commenter requested a special permit condition requiring the Permittee to provide a set of pre-construction drawings to Castle Rock Township. As discussed above, Castle Rock Solar proposes revising Section 8.3 of the DSP to require the Permittee to provide a set of pre-construction drawings to Castle Rock Township. EIP staff support Castle Rock Solar's proposed revisions to Section 8.3 of the DSP.

### **Visual Screening Plan**

A public commenter requested a special permit condition requiring the Permittee to provide a set of visual screening plans for residents contiguous to the project and provide a copy to Castle Rock Township. The plans should show the visual screening drawings, and the Permittee should work one on one with homeowners for approval, which should require homeowner signatures. The Permittee should work on the screening plan with all homeowners contiguous to the project before approving the pre-construction plans.

EIP staff note that Section 5.1 of the DSP is a special condition requiring the Permittee to develop a site-specific Visual Screening Plan for adjacent residences and roadsides. EIP staff support the request for a copy of the Visual Screening Plan to be provided to the township, and propose Section 5.1 of the DSP be revised as follows:

#### **5.1 Visual Screening Plan**

*The Permittee shall develop a site-specific Visual Screening Plan. The Visual Screening Plan shall be designed and managed to mitigate visual impacts to adjacent residences and roadsides. The Visual Screening Plan shall at a minimum include:*

- (a) objectives for screening of nearby residences and roadsides; and*
- (b) a description of the types of trees and shrub species to be used, the location of plantings, and plans for installation, establishment, and maintenance.*

*The location of trees and shrubs included in the Visual Screening Plan that are located within the Permittee's site control shall be included in the Site Plan filed under Section 8.3. The Permittee is required to maintain and ensure the successful growth, health, and maintenance of the vegetation for 3 years.*

*At least 14 days prior to the pre-construction meeting, the Permittee shall file [with the Commission and provide the townships where the project will be constructed](#):*

- (a) the Visual Screening Plan;*

- (b) documentation of coordination between adjacent landowners; and*
- (c) an affidavit of its distribution of the Visual Screening Plan to adjacent landowners.*

### **Batteries/EMF**

A public commenter questioned where the batteries will be stored and if lithium batteries will be used, and noted that the batteries must be stored in specialized enclosures. The public commenter referenced attachments demonstrating the fire hazards of inverters, substations, and batteries and stated that these need to be very far away from homes. The public commenter noted that the conversion of the direct current, from the panels, into alternating current is where “dirty electricity” can escape as EMF radiation and EMR exposure. The public commented stated that nearby residents have a right to know what these levels are.

EIP staff note that if a site permit for the proposed battery project is pursued, it will be addressed in a separate proceeding. As such, questions and comments relating to batteries are not addressed here. Section 4.4.1 (Electric and Magnetic Fields) of the EA discusses the anticipated EMF levels generated by the project and the dissipation of EMF with increasing distance from project components.

### **Noise**

A public commenter noted that noise pollution from solar farms, generated by the inverter conversion process, is important. The public commenter referenced an online resource that offers solutions to this, such as constructing sound walls out of specific materials that absorb the sound wave noises, instead of deflecting them.

EIP staff note that Section 4.3.2 (Noise) of the EA discusses noise impacts and models the anticipated daytime and nighttime operational noise levels. These levels are anticipated to be within state noise standards.

## **2. Response to Proposed Findings of Fact, Conclusions of Law, and Recommendation (Castle Rock Solar FOF).**

EIP staff has reviewed Castle Rock Solar’s proposed Findings of Fact, Conclusions of Law, and Recommendations (Castle Rock Solar FOF) and believes that they accurately reflect the environmental review and permitting process for the project.<sup>27</sup> EIP staff has revised the proposed Castle Rock Solar FOF to reflect the above discussion of hearing comments and to ensure a complete record. The full text of EIP’s recommended revisions is shown in ~~strikeout~~ and underline in Attachment A.

EIP staff appreciates the opportunity to comment on the proposed project.

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<sup>27</sup> Castle Rock Solar, LLC, *Letter & Proposed Findings of Fact Conclusions of Law and Recommendations*, November 17, 2025, eDocket No. [202511-225010-02](#).

EIP Reply to Proposed Findings of Fact  
PUC Docket Nos. IP7137/GS-24-267  
CAH Docket No. 65-2500-40800

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Agnew". The signature is written in a cursive, flowing style.

Lauren Agnew  
Environmental Review Manager