

October 21, 2021

Public Advisor – Minnesota Public Utilities Commission  
121 7th Place East, Suite 350  
St. Paul, MN 55101

RE: Louise Solar Project, LLC  
PUC Docket Number: GS-20-647

Dear Public Advisor:

Thank you for the opportunity to review and comment on the Combined Environmental Assessment and Environmental Report (EA) for the Louise Solar Project, LLC (Project), a solar energy generating system in Mower County, Minnesota. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

### **Chapter 5: Potential Impacts and Mitigation Measures**

#### *Surface Water*

- The EA notes the public waters within or in close proximity to the Project area, it does not include the MPCA waterbody naming convention or impaired water condition status. The EA should note that the Project drains into the Little Cedar River subwatershed and that the Project partially drains to Unnamed Creek (07080201-519) which has an impaired macroinvertebrate community with nitrate identified as the pollutant stressing the macroinvertebrate community. For questions regarding impaired waters, please contact Emily Zanon at 507-206-2613 or [emily.zanon@state.mn.us](mailto:emily.zanon@state.mn.us).
- The EA acknowledges MPCA stormwater treatment requirements for solar facilities and general best management practices (BMP) requirements. However, there is not a reference to the National Pollutant Discharge Elimination System/State Disposal System General Construction Stormwater Permit (CSW Permit) requirements for sites within 1 mile of an impaired water. At least a portion of the site is within 1 mile of an unnamed stream that has construction related impairments. Therefore, areas of the site that have the ability to drain to this waterbody require use of additional erosion and sediment control BMPs during construction. These include immediately stabilizing soils on portions of the site that will not be actively worked for 7 or more days and providing temporary sediment ponds where 5 or more acres of land drains to a common location.
- Also due to other waterbodies within the site, including wetlands, existing 50 foot buffers to the waterbodies must be preserved during construction. If that is not possible, then redundant (double) downgradient sediment controls must be utilized. This requirement applies to all surface waters, public or nonpublic.
- Also, due to the water impairment, if the Project will ultimately disturb 50 or more acres, the Stormwater Pollution Prevention Plan for the Project will require submittal to the MPCA for review and approval prior to obtaining CSW Permit coverage. Questions regarding CSW Permit requirements should be directed to Roberta Getman at 507-206-2629 or [roberta.getman@state.mn.us](mailto:roberta.getman@state.mn.us).

October 21, 2021

We appreciate the opportunity to review this Project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit action(s) by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this project please contact me by email at [karen.kromar@state.mn.us](mailto:karen.kromar@state.mn.us) or by telephone at 651-757-2508.

Sincerely,

*Karen Kromar*

*This document has been electronically signed.*

Karen Kromar

Project Manager

Environmental Review Unit

Resource Management and Assistance Division

KK/EZ/RG:vs

cc: Dan Card, MPCA, St. Paul  
Emily Zanon, MPCA, Rochester  
Roberta Getman, MPCA, Rochester  
Wayne Cords, MPCA, Rochester