

RE: PUC EIP Staff Exceptions to ALJ Report

Benton Solar Project

PUC Docket No. IP-7115/GS-23-423; IP-7115/TL-23-425; IP-7115/ESS-24-283

OA# Docket No. 25-2500-40508

Minnesota Public Utilities Commission Energy Infrastructure Permitting (EIP) staff has reviewed the Findings of Fact, Conclusions of Law, and Recommendations (ALJ report) issued by Administrative Law Judge Megan McKenzie on November 10, 2025, for the Benton Solar Project (project).¹

EIP staff believes the report accurately reflects the record for the project. Staff has no exceptions to the report.

EIP staff has also reviewed the exceptions to the ALJ report filed by Benton Solar on November 24, 2025.² In their exceptions, Benton Solar states they would like to begin tree clearing early during winter months and have suggested general permit condition modifications requiring a Tree Removal Management Plan prior to the clearing. While EIP staff has no objections to early tree clearing using a Tree Removal Management Plan, we recommend including the language as new special permit conditions rather than amending the general permit conditions. The language would remain unchanged and be added to the Special Permit Conditions section of their respective permits. As an example:

Site Permits

5.10 Tree Removal Management Plan

The Permittee may cut and remove trees, but not grub or grind stumps, prior to Project construction approval as described in Section 8.3, on the condition that the Permittee file a Tree Removal Management Plan for review by Commission staff and written approval by the Executive Secretary. The Tree Removal Management Plan shall include a description of the activities, equipment and methodology that will be used, figures showing tree removal locations and relevant mitigation measures.

¹ On July 1, 2025, Department of Commerce Energy Environmental Review and Analysis (DOC EERA) unit staff moved to the Minnesota Public Utilities Commission Energy Infrastructure Permitting (PUC EIP) unit as directed by state law (Laws of Minn. 2024, ch.126, art. 7). While DOC EERA staff initiated environmental review of this proposal prior to July 1, 2025, the environmental review is now being completed by PUC EIP staff. For accuracy related to procedural history, references to previous filings by EERA will be identified as such, and “EIP” will be referenced throughout the remainder of this document.

² Benton Solar, Exceptions to the ALJ Report, November 24, 2025, [202511-225226-01](#).

Route Permit

6.5 Tree Removal Management Plan

The Permittee may cut and remove trees, but not grub or grind stumps, prior to Project construction approval as described in Section 9.2, on the condition that the Permittee file a Tree Removal Management Plan for review by Commission staff and written approval by the Executive Secretary. The Tree Removal Management Plan shall include a description of the activities, equipment and methodology that will be used, figures showing tree removal locations and relevant mitigation measures.

EIP staff appreciates the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Logan Hicks", written in a cursive style.

Logan Hicks
Environmental Review Project Manager