Oral Public Meeting Comments Received on the Scope of the Environmental Assessment for the Birch Coulee Solar Project Docket No. GS-23-477

Public Meetings

- 1. October 9, 2024 Franklin, Minn., 6:00 p.m.
- 2. October 10, 2024 Virtual, On-Line Meeting, 6:00 p.m.

1	SCOPING AND INFORMATIONAL MEETING - 23-477
2	Franklin - October 9, 2024 - 6:00 p.m.
3	BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION
4	AND DEPARTMENT OF COMMERCE
5	
6	In the Matter of the Application of Birch Coulee Solar,
7	LLC, for a Site Permit for the up to 125 MW Birch Coulee
8	Solar Project in Renville County, Minnesota
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13	MPUC DOCKET NO. IP-7119/GS-23-477
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17	Franklin Community Center
18	Franklin, Minnesota
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22	October 9, 2024
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25	COURT REPORTER: Janet Shaddix Elling, RPR
l	Shaddix & Associates Stonegraphic Court Departure

1	INDEX	
2	SPEAKER	PAGE
3	Craig Janezich	3
4	Scott Groux	5
5	Lauren Agnew	15
6	Nate Runke	19
7	Chris Wood	20
8	Fritz Busch	23
9	Scott Refsland	26
10	Miasia Wist Asia	30
11	Lauren Agnew	32
12	Dave Munsell	32
13	Joe Serbus	33
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
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1	MR. CRAIG JANEZICH: Okay. Hello. Good
2	evening.
3	My name is Craig Janezich and I work with
4	the Minnesota Public Utilities Commission. This is
5	the Public Information and Scoping Meeting for the
6	Birch Coulee Solar Project.
7	This is our meeting agenda.
8	The first thing we're going to do is do
9	an introduction and look at the permit review
10	application process. The project Applicant is going
11	to take us through their project and talk about the
12	project. And then the Department of Commerce is
13	going to give us an overview of how they do an
14	environmental review for projects. And then we'll
15	open it up for any questions or comments you all
16	have for the Applicant, the Department of Commerce,
17	or myself at the PUC.
18	The proposed project is a 125 megawatt
19	solar energy generating system. It's located on
20	approximately 768 acres over a 1,000-acre site.
21	There will be a transmission line, a short 115 kV
22	transmission line as part of the project as well.
23	The project is defined as a Large
24	Electric Power Generating Plant because it's over 50
25	megawatts. And because it's over that point, the

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Public Utilities Commission is responsible for licensing and permitting it and making a decision on the project.

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When the Commission makes a decision on 4 the project, there are over 12 factors that we 5 consider and they're part of the environmental 6 Noise, aesthetics, public health, safety, 7 review. land use conflicts. Those are all things and many 8 9 more that are part of the environmental review that you'll hear about later on from Lauren that the 10 Commission takes those factors when making a 11 determination on a project. 12

13 This is an estimate of the overall 14 schedule for the project. The public hearing 15 administrative law judge report and Commission 16 consideration, those are all tentative dates. It 17 will be dependent on when an administrative law 18 judge is available, but that's our best guess as to 19 the timeline for the permitting decision.

Again, my name is Craig Janezich, and I'm an Energy Facilities Planner at the Public Utilities Commission. Here's my name, email, and phone number. And there's a business card on the desk on your way out that you certainly can grab it so if you think of a question later on that you're

1	wondering about. I have a colleague who also is
2	helping me with this project and his name is Trevor
3	Culbertson, and his contact information is on the
4	slide, too. And the slide show is available on that
5	table, so you can get a copy of that information in
6	that as well.
7	I think the Applicant I think you need
8	to use the mic for the court reporter's benefit.
9	MR. SCOTT GROUX: Okay. Thank you.
10	All right. Welcome all to this public
11	scoping meeting. We are excited to be here to
12	provide an overview of the Birch Coulee Solar
13	Project.
14	
15	
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19	AES Clean Energy has experience developing, owning,
20	and operating renewable energy sites across the
21	country with a total of 7.9 gigawatts in operation
22	and 51 gigawatts developed. For the Birch Coulee
23	Solar project, AES Clean Energy is the parent
24	company and Birch Coulee Solar, LLC, is an affiliate
25	of AES Clean Energy.

1 Next slide. 2 As a high level overview of the project, the Birch Coulee Solar project is located in Birch 3 Cooley, Camp, and Bandon Townships, and a portion is 4 within the city of Franklin limits. 5 The point of interconnection is the existing Xcel Energy Franklin 6 substation located north of Highway 19. 7 Among other reasons, the project location was selected due to 8 9 the proximity to the existing substation, such that, 10 a long transmission line is not necessary to connect the project to the grid. 11 12 The project includes parcels from nine participating landowners and has a full boundary of 13 1,042 acres as shown by the thick black line on the 14 15 However, during operations the project map. footprint is expected to be approximately 768 acres 16 17 of that area. 18 As an update to the project key milestone dates, due to broad grid system updates that must be 19 20 placed in service before the project can deliver 21 power, the project construction has been delayed 22 until 2028, and the project is expected to begin 23 operating in 2030. The anticipated lifespan of the project 24

is at least 30 years, the length of the site permit.

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1	At the end of the project lifespan, we would
2	decommission the project, which involves removing
3	aboveground and below-ground equipment in accordance
4	with landowner agreement, and we would post a bond
5	to cover the cost of decommissioning.
6	Next slide.
7	We include a schematic image here to
8	discuss how a project like Birch Coulee Solar
9	operates. Sunlight shines on the panels, which
10	generates direct current electricity as they rotate
11	to track the sun's position throughout the day. The
12	direct current electricity flows through the
13	inverters, which convert it to alternating current
14	electricity, which is what the typical household
15	appliances use. The AC electricity is gathered and
16	stepped up at the substation to match the high
17	voltage of the grid before flowing to the Franklin
18	substation and then to the utility transmission
19	system.
20	Next slide.
21	Focusing in on project details, the
22	project is an up-to-125-megawatt solar energy
23	generating facility. A project of this size is
24	anticipated to power approximately 25,000 Minnesotan
25	homes per year, offset approximately 184,000 metric

Franklin Public Meeting - 10-9-24 - 23-477

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tons of carbon dioxide equivalent per year, and 1 2 provide annual revenue for Renville County, townships, the city of Franklin, and the school 3 district. 4 5 Of the estimated revenue figures, an average of 250,000 per year -- \$250,000 per year 6 will come from the production tax. 7 This is a new tax revenue stream due to the solar project levied 8 at \$1.20 per megawatt hour. This project will also 9 provide jobs for approximately 300 workers at the 10 peak of construction, and three full-time solar 11 technician jobs during project operations. 12 On the right-hand side, you can see the 13 proposed site layout that was showed at our 14 15 April 2024 open house. This design incorporates constraints such as the solar energy system setbacks 16 17 listed in the Renville County land use ordinance and 18 city of Franklin zoning ordinance, and avoids the sensitive environmental features that we identified 19 in our field surveys, including wetlands and water 20 21 bodies, treed areas, and areas identified during the 22 archeological survey. 23 Based on the discussions with the city of Franklin, the southern parcel within the city limits 24 25 is not included in the operational footprint. The

1	yellow hashed area is the existing Franklin
2	substation. The blue shaded areas are the solar
3	panel arrays. The dark green box next to the
4	existing Franklin substation is the project
5	substation. The small orange boxes distributed
6	throughout the solar array are the inverters, and
7	the red areas are the laydown yards.
8	For additional context, the operational
9	footprint of the project is represented by the thick
10	black line and located north of the existing
11	transmission line, north of State Highway 19. This
12	is a preliminary design, and we will finalize the
13	design prior to construction.
14	Next slide.
15	Now that we have looked at Birch Coulee
16	Solar's site layout and talked about how solar
17	projects operate, we can pivot to talk about how the
18	pieces of equipment connect and how we construct
19	these projects.
20	Construction of the Birch Coulee Solar
21	project is anticipated to take between 12 and
22	18 months to complete, starting with the initial
23	mobilization and preparation of the site. Equipment
24	and materials are delivered to the site over a
25	course of several months, while crews clear

1 vegetation and survey the site to mark boundaries of 2 the project components. A key aspect of this stage is installing 3 erosion and sediment control measures ahead of any 4 grading or excavating -- excavation activity to 5 minimize the potential for soil erosion and runoff 6 offsite. Our civil engineers and contractors 7 determine how much grading may be necessary for a 8 9 project like Birch Coulee where the topography is relatively flat. We anticipate that any soils can 10 be moved around onsite. 11 12 After the site is graded, assembly of the racking system begins. The racking consists of 13 horizontal steel support beams that will be oriented 14 15 north/south to optimize the sun exposure. 16 Next slide. 17 After the racking system is aligned and 18 installed, the panels can be installed on the steel support beams, along with the installation of the 19 20 other electrical pump components, such as wiring 21 that gathers the DC electricity to the panels, 22 converters that convert it to AC electricity, 23 entrenched gathering cables that carry the AC electricity to the substation. We would also 24 25 construct other project components, such as the

1 facilities that connect the project to the Franklin substation at the same time as the panel 2 installation. 3 Finally, after the project components are 4 installed, we would begin the restoration phase, 5 which includes stabilizing the cleared areas with 6 top soil and establishing vegetation. For the Birch 7 Coulee Solar project, we have prepared a draft 8 9 vegetation management plan that will be reviewed by Minnesota agencies, and intend to establish native 10 pollinator-friendly vegetation throughout the site. 11 While the site is being restored, the equipment 12 undergoes testing to make sure it's operating 13 14 properly. 15 Next slide. As part of the site permit application, 16 17 we prepared several visual renderings to show what 18 the project would look like during operation from different vantage points. This particular view is 19 20 facing north along 400th Street, which bisects the 21 project and runs north/south. 22 The current view is on the left, and the 23 operational view of the project facility is shown on the image on the right. The setback distance to the 24 25 perimeter fence is 67 feet from the edge of the road

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1	right-of-way per the county ordinance, and the
2	proposed height and style of the perimeter fence
3	would be the same as the fencing that you see around
4	the existing solar garden south of Franklin.
5	At this location, the solar facility is
6	on both sides of the roadway, with the 67-foot
7	setback distance and vegetation outside the fence
8	line on each side. The draft vegetation management
9	plan includes a mixed height native species,
10	mixed some more than four-feet high, outside of
11	the fence line that will be maintained during
12	operations. The project was designed to avoid
13	clearing trees. So you can see the grove of trees
14	in the photo is expected to remain during project
15	operation.
16	Next slide.
17	As we worked on designing the project and
18	preparing the site permit application, we engaged
19	with local, state, and federal agencies and tribes
20	to gather input and recommendations. I'll highlight
21	a few examples. Following a project notification
22	letter, we received recommendations and guidance
23	from the U.S. Fish and Wildlife Service, U.S. Army
24	Corps of Engineers, and the Department of Natural
25	Resources.

1 After we completed the wetland 2 delineation and habitat assessment field studies to understand the existing environmental constraints, 3 the Renville County Soil and Water Conservation 4 District approved the results of the wetland 5 delineation, and the DNR Natural Heritage review 6 confirmed no anticipated impacts to threatened and 7 endangered species. 8

9 We partnered with the Lower Sioux Indian Community and Upper Sioux Community's Tribal 10 Historic Preservation Officers on the archeological 11 survey, and received concurrence from the state 12 historic preservation office on the results of the 13 survey. Finally, we coordinated with the Department 14 15 of Agriculture on the agricultural impact mitigation plan, and the DNR and EERA on the vegetation 16 17 management plan that was submitted as appendices to the site permit application. 18

19

Next slide.

In addition to soliciting feedback and recommendations from agencies and tribes, we engaged with the local townships and city community leaders and adjacent project neighbors to ask for feedback to better understand concerns. As we recognize due to the proximity, the project would impact these

1 stakeholders directly. 2 A few highlights from our community 3 engagement include hosting the first open house in October 2023 to introduce the project, answer 4 questions, and listen to feedback. Based on the 5 6 questions we heard at the first open house and other meetings, we hosted a second open house in 7 April 2024 to share the project design and how we 8 9 incorporated and considered feedback. Finally, we prioritized connecting with local community 10 organizations to identify partnership opportunities 11 12 and ways we can support. Next slide. 13 We have a website where you can find 14 15 information about the project. We include the project e-mail address here. However, please file 16 17 your comments with the PUC so that can be included 18 in the scoping document. We want to thank the PUC and EERA for 19 20 coordinating this public meeting and providing an 21 opportunity for the communities to formally comment 22 on the project and scope of the environmental 23 assessment. Thank you, also, to everyone who joined 24 25 this meeting tonight. We greatly value your input

1 and continued engagement with the Birch Coulee Solar 2 project and the permitting process. 3 With that, we will turn the floor over to the EERA. 4 5 MS. LAUREN AGNEW: Great. Thank you. Hello, everyone. My name's Lauren Agnew. 6 I am the assigned project manager from the 7 Department of Commerce, Energy Environmental Review 8 9 and Analysis Unit. Next slide, please. 10 So our unit acts as technical advisors to 11 the Commission, and we are focused on providing 12 neutral third-party analysis of the potential human 13 and environmental impacts of projects such as Birch 14 15 Coulee. We do not advocate either way for the acceptance or denial of the project. Our goal is to 16 17 help the Commission make informed decisions about 18 project status. Next slide. 19 20 So my main task as the assigned manager 21 from Commerce is to prepare the environmental 22 assessment, and this will be used by the Commission 23 as a technical advisory resource for helping them make decisions. 24 25 An environmental assessment is an

1	objective analysis of the proposed Birch Coulee
2	project, and in this environmental assessment, I'll
3	be evaluating both the potential human and
4	environmental impacts, identifying strategies to
5	avoid, minimize, or mitigate said impacts. Again,
6	as a neutral third party, I'm not advocating either
7	way for any option. I'm just providing the facts
8	for the Commission.

Next slide.

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And so one of the main things that helps me prepare this environmental assessment is public input from the community that the project is located in, and this public input focuses our environmental assessment on the most relevant information for your community.

We have a table of contents that contains 16 17 a lot of different topics in our environmental assessment, both human and environmental impacts. 18 And we are soliciting feedback from you, the 19 community members, the attendants that are attending 20 21 tonight, on your questions, your comments, your 22 concerns about the various impacts that you feel 23 this project might have on your community, both to 24 yourselves and the environment around you. And this is really valuable because each 25

1	community is unique, and we need this public
2	feedback to help identify what is unique about
3	Franklin and the surrounding area that I can discuss
4	in my environmental assessment.
5	Next slide, please.
6	So how do you comment? So we had
7	yesterday at our in-person meeting, we had a verbal
8	comment period. We'll also be having one tonight at
9	the end of the presentation if anyone feels like
10	they want to, you know, speak to us. You can also
11	comment online on our website. There is an open
12	comment period now for Birch Coulee on the website
13	that you can click a button that says "submit a
14	public comment," and it sends it directly to me.
15	You can also physically mail or e-mail me
16	a comment. My contact information is listed here
17	for you. You can also find all of my contact
18	information on the EERA website under the Birch
19	Coulee project page. One note, our comment period
20	does end at the end of the month, so please send me
21	your comments by October 25th at 4:30 p.m.
22	Next slide.
23	All right. Finally, some commenting
24	etiquette for anyone who would like to speak. We
25	will be doing one speaker at a time. And when you

1	begin your comment, we first need you to state and
2	spell your name for our court reporter so she can
3	get it correct on the record.
4	Please limit your comments to a few
5	minutes, maintain respect for others, use respectful
6	language, and direct your comments or questions or
7	concerns to human and environmental impacts that
8	would be covered under the scope of the
9	environmental assessment.
10	Next slide.
11	So for those of you who are here today,
12	if you would like to comment, if you are on your
13	phone, you will press *3 to add yourself to the
14	comment queue, and that will show up for us, and you
15	can press *3 to remove yourself. If you are using
16	the Webex online, you can use the raise hand
17	function to indicate that you would like to speak,
18	and we will see that and can call on you. And then
19	when you're done, you can use the lower hand
20	function.
21	And then if you're using the Webex
22	application on your tablet or on your smartphone,
23	please use the chat icon and send a message that
24	says you would like to speak, and then we can
25	prepare it for you to speak. Don't specifically

Franklin Public Meeting - 10-9-24 - 23-477

1 message the questions in the comments. We want to 2 hear you specifically speak them so we can get you 3 on the record. 4 All right. So with that, we'll start with our comment period. 5 I'm going to start with the two people 6 who officially checked that they wanted to speak. 7 8 So we'll start with Nate Runke. 9 MR. NATE RUNKE: My name is Nate Runke, N-A-T-E, R-U-N-K-E. I am with the International 10 Union of Operating Engineers Local 49. We're a 11 12 local union that represents heavy equipment operators in Minnesota, North Dakota and South 13 Dakota. We are about 15,000 heavy equipment 14 15 operators in those three states. And I'm just here to make sure in scoping 16 17 decisions that that workforce side of it is covered. 18 We've seen over the past decades projects between wind and solar have become a big part of some of our 19 members' lives, how they earn a living. 20 So the utilization of a local union workforce from our 21 perspective is a really important thing. 22 A local 23 workforce for sure to make sure benefits like this, that are being created by a project like this, tend 24 25 to stay more in the community they're coming from.

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Franklin Public Meeting - 10-9-24 - 23-477

1 So that's mainly what U had to say and we can 2 hopefully get more comments in. 3 MS. LAUREN AGNEW: Okay. Next is Chris 4 Wood. 5 MR. CHRIS WOOD: My name is Chris Wood C-H-R-I-S, W-O-O-D. 6 7 I have a number of comments, actually, because I'm going to be living directly across the 8 9 road from the project. And one of my concerns is does anybody 10 that has the voting authority actually live next to 11 12 one of these sites? And that they would have a feeling of what it's really impacting and what it's 13 like. 14 15 And is there anything at this point that could put a halt to the project, like totally just 16 17 stop it in its tracks. I mean, I know they've 18 applied for their permit and everything is quite 19 vague. 20 A main concern is the plan, the long-term 21 plan for drainage, because my property, on both 22 sides of it, go under the road and through that 23 whole solar field all the way to the dredge ditch. So if that were to fail or need maintenance, how are 24 25 we going to access that?

1 And then, also, is there any way to state 2 or prove about property values? Because the neighbor down the road has had his house up for sale 3 for a few months now, and he's had two people look 4 at it. And that hasn't even had an offer. 5 It's unfortunate that he can't be here tonight, and he is 6 quite concerned that it is because of the project 7 that he has not even had an offer of any sort, not 8 even a low offer. So, I mean, I'm concerned about 9 10 that down the road on my property, that I'm going to have the same problem. 11 12 Is there -- and I'm getting back to the worker with the union. What is the plan for the 300 13 plus workers that are going to be in the area? 14 15 Where are they going to be housed, how are they going to entertain themselves in the off time. 16 Are 17 we going to need extra policing or public service 18 because of all these extra workers to just keep things safe? 19 20 And then being this is such a large

20 Project and governed, basically, the permit is going 21 project and governed, basically, the permit is going 22 through the state and most state projects that I'm 23 aware of have a prevailing wage. So I don't know if 24 this project is using prevailing wage or what kind 25 of workers they are using. So, I mean, and where

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are these workers going to be housed, obviously. 1 2 Another concern is dust control. And if 3 it's gravel, a lot of the gravel roads right now are very, very dusty because it is so dry and just from 4 the normal traffic it's very bad. 5 And another concern will be what are the 6 hours of operation that are intended? If they're 7 only going to be working on this for 18 months, are 8 9 they going to go 24/7 or are they going to do like they put on some of the mines around here, where 10 they can only work from 7:00 to 5:00 for noise and 11 12 such things? I mean, because we don't really need post pounding 24/7. I guess I'd like to have that 13 clarification in writing by someone. 14 And the other concern is if we're going 15 have miles of fencing, how are the wildlife going to 16 17 penetrate these miles of fencing when there's only the road ditch formed around it. Because we're 18 blocking off all the natural access across fields, 19 20 and the only way they can get to the water source or 21 the dredge ditches are along the ditches when the 22 fence goes up. 23 And then the other concern is fire I'm not sure if our local, small fire 24 protection. 25 department is adequately equipped for multiple

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1	transformers and large grass fires and solar panels
2	that you cannot drive through. I mean, is there
3	funding or any way to get extra equipment for that?
4	And then you say on the contract side of
5	things it ends in 30 years. But according to what I
6	see in your permit or application, is the
7	decommissioning is not fully funded until the very
8	end.
9	What happens when AES goes out of
10	business after three or four years and there's no
11	decommissioning fund because it's only 25 percent
12	funded. And then we're going to have to look at
13	this like southern Minnesota with all the windmill
14	blades right now that are sitting there because
15	there's no funding.
16	And then my final permit question is, it
17	says in their application that they can have five
18	percent of the area can be noxious weeds. That's 50
19	acres of noxious weeds and that seems like a lot to
20	me to just let slide.
21	So that's all I have for concerns. Thank
22	you.
23	MS. LAUREN AGNEW: Thank you.
24	And then we have Fritz.
25	MR. FRITZ BUSCH: Fritz Busch with the

Franklin Public Meeting - 10-9-24 - 23-477

1 New Ulm Journal. F-R-I-T-Z, B-U-S-C-H. 2 The first question is has the land been 3 purchased or is it leased for the project? MR. SCOTT GROUX: Thanks for the 4 5 question. 6 We have a mix of both purchase option agreements as well as lease agreements. Our costs 7 are participating landowners. 8 9 MR. FRITZ BUSCH: Okay. How many? 10 MR. SCOTT GROUX: Nine participating landowners, both with lease agreements and purchase 11 options. 12 MR. CRAIG JANEZICH: I should use the 13 14 mic, too, I guess. 15 So the court reporter can get it into the record, we just really need to get it -- we need to 16 17 be sure that Janet hears it, because the 18 Commissioners actually review the record. And if we don't have a good, solid record, your concerns or 19 20 comments might not be on it. So please use the 21 microphone and state and spell your name. 22 I know that's a challenge with one mic, I 23 apologize for that. MR. FRITZ BUSCH: Is there a similar 24 25 project like this up and running?

1	MR. SCOTT GROUX: Is there a similar
2	project? Yeah, there would be across the state
3	there are a lot of solar projects. I can't give you
4	an exact number off the top of my head, but I could
5	find out for you. Do you have a business card or
6	something? I could look that up for you for and get
7	back to you.
8	MR. FRITZ BUSCH: Yeah. The way I
9	understand it, there isn't one this size in
10	Minnesota. That's what I've read, but I don't know
11	for a fact if that's really true.
12	MR. SCOTT GROUX: No, I believe there are
13	larger ones. Yeah. Sherco out by Becker is one.
14	MR. FRITZ BUSCH: Okay. This isn't
15	really a question about this project, but there was
16	one a few years ago near Mountain Lake that was
17	going to be solar and wind and very large. I don't
18	know the status of that, what that status is, I
19	haven't heard.
20	MR. SCOTT GROUX: I'm also not familiar
21	with that project, but if I get your card I'll look
22	it up for you.
23	MR. FRITZ BUSCH: Are there a lot of
24	incentives for this? Is it with the federal
25	government as there are with, for instance, this CO2

1 pipeline project, maybe you people have dealt with 2 that and maybe not. 3 MR. SCOTT GROUX: Yeah. So for this 4 project, currently the development is backed by the 5 parent company, AES Clean Energy, which is a publicly traded corporation and private equity is 6 behind the current development. 7 8 As the project goes to construction, we 9 will be eligible for federal tax incentives, which we will use to help finance the project. 10 But currently there is no tax benefits that this project 11 is seeing and it is currently private equity that is 12 moving forward with the development. 13 MR. FRITZ BUSCH: So all of that would 14 15 have to be -- federal tax incentives is something that would have to come to be, they aren't existing 16 17 now, is what you're saying? 18 MR. SCOTT GROUX: No, there are currently no federal tax incentives associated with the 19 20 project. 21 MR. FRITZ BUSCH: All right. 22 MS. LAUREN AGNEW: You're good? 23 Yeah, so come up one at a time, sir. 24 Come on up. 25 MR. SCOTT REFSLAND: Thank you.

1 My name is Scott Refsland, S-C-O-T-T, 2 R-E-F-S-L-A-N-D. I'm here tonight representing 3 Renville County. Not so much questions, more comments 4 based on the application that was submitted. 5 Renville County does appreciate AES 6 following our setbacks that we have in our 7 8 ordinance. We would like to see that language probably added to the permit so that we ensure that 9 those setbacks always continue. 10 Tile lines are always an important topic 11 12 that we talk about. And, again, when we have county tile lines, we do have a corridor which are going to 13 be met by the tile lines are going to be a little 14 more difficult. And I know there's some language in 15 the draft permit out there that talks about that. 16 17 We would like to see language that the company would be responsible for repairing for the life of the 18 project if it's determined that it is found that 19 20 they caused the problem. Sometimes on dry years you 21 may not see an issue for a couple, three years, so that's what we would like to see as language in the 22 23 permit. Financial assurance is discussed in the 24 25 application. They're proposing a little over \$3.3

1	million and not putting any money up until year ten,
2	and then 25 percent at a time. We don't feel that
3	is a adequate number for decommissioning. We
4	currently require a \$200,000 bond on one megawatt in
5	Renville County. I understand that 125 and 200,000
6	is \$25 million, but we have a formula that we go
7	through and use to determine that number, and based
8	on that number, and I can get into more detail when
9	I submit a written comment on that, but we would be
10	at \$13.5 million just to recycle, if it came back to
11	county to recycle those panels. That's if it came
12	back to us and our responsible. We're not in the
13	business of selling panels so it would be recycle.
14	So we would like to see in the permit 13 and a half
15	million dollars as a bond, and to start 100 percent
16	on year one, not on year 10, and 25 percent the next
17	five years, and then we would like to have a copy of
18	that bond, which I believe we would if they have a
19	permit.
20	Weeds is our concern, too. We know that

weeds is our concern, cool. We know that when you do native prairie grasses on these it takes three to four years for a good establishment. We have found that weeds have been hard to be controlled, and when we do these one megawatts, we would like to see some assurance that the weeds are

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1 controlled in a timely manner on these sites. 2 Ownership change. I know that that's not 3 expected at this time, but we know that ownership does change. We would like to be notified, if there 4 is an ownership change, who the new contact would 5 Although I realize that we would contact the 6 be. PUC, we would like to have that contact on hand 7 8 also. 9 We would request that there's a road use and development agreement between Birch Coulee Solar 10 and Renville County and the affected townships. 11 12 And we would like there to be training 13 with our local emergency response teams to ensure that there's safety. If there is an emergency 14 15 within the site, that they are safe and they can perform their duties safely. 16 17 And lastly, on our one megawatts Renville 18 County has the component of screening around the facility so we would like to see some screening of 19 20 trees along residents and roadways. 21 Thank you. MR. CRAIG JANEZICH: Whoever is next may 22 23 If anybody else has anything else to say, proceed. 24 please come forward and state and spell your name. 25 Thank you.

1 MS. MIASIA WIST ASIA: Hi. My name is 2 Miasia Wist Asia, spelled M-I-A-S-I-A, last name, 3 W-I-S-T, space, A-S-I-A. So I wanted to ask my question forever 4 and I kinda had an outburst. Of the nine 5 landowners, how many are you leasing from and how 6 many are you buying the land from? 7 8 MR. SCOTT GROUX: Let me steal the mic. 9 Currently we have four purchase option 10 agreements and five lease structure agreements. MS. MIASIA WIST ASIA: There was a 11 question earlier about the value of land, so I'm 12 wondering if it will be public information, how much 13 you would be purchasing the land for, if you end up 14 15 going with the four buy options. MR. SCOTT GROUX: Those are private 16 17 transactions, so the values will not be disclosed 18 publicly. MS. MIASIA WIST ASIA: Okay. And then 19 20 lastly I read somewhere that during, like, 21 operations, there will be three permanent jobs 22 available for people; is that correct? 23 Are you planning to employ those people -- finding them through the 300 that you 24 25 originally start out with or are you going to bring

Franklin Public Meeting - 10-9-24 - 23-477

them in from somewhere else? 1 2 MR. SCOTT GROUX: The intent is always to hire from the local workforce when available. 3 So if part of the 300 workforce during construction is 4 located here in the Franklin, Redwood Falls area, or 5 Renville County, that would be a preference. 6 And, yeah, that is the preference, is to be able to hire 7 8 from that workforce. 9 MS. MIASIA WIST ASIA: My final follow-up for that one is what are the -- what are the exact 10 names of the positions that you will be hiring for 11 for the three permanent positions? 12 MR. SCOTT GROUX: So we usually list 13 those positions with AES Clean Energy as solar 14 15 technicians. We are an owner and operator, so those three solar technicians would be underneath AES 16 17 Clean Energy. 18 MS. MIASIA WIST ASIA: Okay. Thank you. MR. CRAIG JANEZICH: If anybody else 19 20 would like to speak, please come forward. 21 I'll give you a couple minutes. I'11 circle back. We'll take a couple minutes and come 22 23 back to see if there's any questions you may have, so we'll take a break, if that's okay. 24 25 (Break taken from 6:50 to 6:55.)

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1	MS. LAUREN AGNEW: All right. We're
2	going to wrap up chatting and come back.
3	Just a reminder, if you don't want to
4	come up and talk into the microphone and make a
5	verbal comment, there are many other ways you have.
6	The written sheets are available here tonight, you
7	can submit a comment through email, online.
8	But as of now, does anyone else want to
9	come up and ask a question or anything?
10	MR. DAVE MUNSELL: Sure.
11	MS. LAUREN AGNEW: Okay.
12	MR. DAVE MUNSELL: Hi. I'm Dave Munsell,
13	D-A-V-E, M-U-N-S-E-L-L.
14	I'm just curious about the contractual
15	obligations that you might have with the project.
16	I'm assuming that Xcel Energy will be the person
17	that buys the power? Is that how it works? Or how
18	is AES going to stay in business, I guess that's the
19	question I'm asking. That's the first question.
20	The second question, I thought I saw a
21	permit that Xcel Energy is going to try to build
22	another transmission line going north here for the
23	two 230s or 330 kilovolt lines going north. Are you
24	folks involved in that, by chance?
25	Thank you.

1	MR. SCOTT GROUX: So the first question
2	as far as how do we monetize the project. Ideally
3	as an owner and operator we look to sign power
4	purchase agreements, so we own and operate the
5	project for the full project life, but we sign with
6	an off-taker to effectively pay for the energy or
7	the capacity or a few different commercial
8	structures on the project. Currently we do not have
9	a PPA or any sort of off-take contract in place on
10	this project.
11	And as far as your second question
12	pertaining to the Xcel proposed transmission lines,
13	we are not affiliated with that project.
14	MS. LAUREN AGNEW: Next?
15	MR. JOE SERBUS: Yes. My name is Joe
16	Serbus, J-O-E, S-E-R-B-U-S.
17	I believe you had a slide previous and
18	that have the dollars generated for the county and
19	locally. They were just having a conversation back
20	there and I was wondering if you could pop it up
21	again just so we could see it one more time.
22	MR. SCOTT GROUX: Give me one second here
23	and I'll pull it up.
24	MS. LAUREN AGNEW: There we go.
25	MR. SCOTT GROUX: Is this what you wanted

1 to see? 2 MR. JOE SERBUS: Perfect. 3 MR. CRAIG JANEZICH: There are also copies of the slide at the table as well. 4 You're welcome to use those as well. 5 6 Is there anybody else? 7 MS. LAUREN AGNEW: All right. So with 8 that, we'll end the verbal comment period for 9 tonight. Thank you, everyone, for coming. Please grab materials on your way out 10 that has the slides, the comment form, information 11 12 on the environmental assessment, as well as Craig's and my business cards so you have that contact 13 information. 14 15 Thank you again. MR. CRAIG JANEZICH: A final reminder, 16 17 the comment period ends October 25th at 4:30 p.m. 18 So please get your comments submitted by October 25th at 4:30. 19 20 We also have a virtual meeting tomorrow 21 night, also at 6:00 p.m., on Webex. The details on joining the virtual meeting are included in the 22 23 notice. And you are welcome to come. We'll be 24 25 presenting the same presentation once again and then

2ask questions or give some comment.3Thank you.4(Proceedings concluded at 7:01 p.m.)5	1	having an option for anyone to virtually unmute and
<pre>4 (Proceedings concluded at 7:01 p.m.) 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24</pre>	2	ask questions or give some comment.
5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	3	Thank you.
6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	4	(Proceedings concluded at 7:01 p.m.)
7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	5	
 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 	6	
9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	7	
10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	8	
11 12 13 14 15 16 17 18 19 20 21 22 23 24	9	
12 13 14 15 16 17 18 19 20 21 22 23 24	10	
13 14 15 16 17 18 19 20 21 22 23 24	11	
14 15 16 17 18 19 20 21 22 23 24	12	
15 16 17 18 19 20 21 22 23 24	13	
16 17 18 19 20 21 22 23 24	14	
17 18 19 20 21 22 23 24	15	
18 19 20 21 22 23 24	16	
19 20 21 22 23 24	17	
20 21 22 23 24	18	
21 22 23 24	19	
22 23 24	20	
23 24	21	
24	22	
	23	
25	24	
	25	

Birch Coulee Solar Pro Franklin Public Meetin		Franklin Public Meeting 10-9-24 - 23-477	g Scoping a	and Information Meeting October 9, 2024
\$	- 13:23 administrative (2)	8:2 anticipate (1)	32:16 assurance (2)	3:6;5:12,22,24;6:3, 3;7:8;9:15,20;10:9;
	- 4:15,17 advisors (1)	10:10 anticipated (4)	27:24;28:25 attendants (1)	11:7;15:1,14;16:1; 17:12,18;29:10
\$1.20 (1) 8:9	15:11	6:24;7:24;9:21;	16:20	bisects (1)
8:9 \$13.5 (1)	advisory (1)	13:7	attending (1)	11:20
28:10	15:23	apologize (1)	16:20	black (2)
\$200,000 (1)	advocate (1) 15:15	24:23	authority (1) 20:11	6:14;9:10
28:4	advocating (1)	appendices (1) 13:17	available (5)	blades (1) 23:14
\$25 (1) 28:6	16:6	appliances (1)	4:18;5:4;30:22;	blocking (1)
\$250,000 (1)	AES (9)	7:15	31:3;32:6	22:19
8:6	5:19,23,25;23:9;	Applicant (3)	average (1)	blue (1)
\$3.3 (1)	26:5;27:6;31:14,16; 32:18	3:10,16;5:7 application (9)	8:6 avoid (2)	9:2 bodies (1)
27:25	aesthetics (1)	3:10;11:16;12:18;	12:12;16:5	8:21
*	4:7	13:18;18:22;23:6,17;	avoids (1)	bond (4)
	affected (1)	27:5,25	8:18	7:4;28:4,15,18
*3 (2)	29:11	applied (1)	aware (1)	both (7)
18:13,15	affiliate (1) 5:24	20:18 appreciate (1)	21:23	12:6;16:3,18,23; 20:21;24:6,11
Α	affiliated (1)	27:6	В	boundaries (1)
A	33:13	approved (1)		10:1
able (1)	Again (6)	13:5	back (8)	boundary (1)
31:7	4:20;16:5;27:12; 33:21;34:15,25	approximately (5) 3:20;6:16;7:24,25;	21:12;25:7;28:10, 12;31:22,23;32:2;	6:13 box (1)
aboveground (1)	agencies (3)	8:10	33:19	9:3
7:3 AC (3)	11:10;12:19;13:21	April (2)	backed (1)	boxes (1)
7:15;10:22,23	agenda (1)	8:15;14:8	26:4	9:5
acceptance (1)	3:7	archeological (2)	bad (1)	break (2)
15:16	AGNEW (10) 15:5,6;20:3;23:23;	8:22;13:11 area (6)	22:5 Bandon (1)	31:24,25 bring (1)
access (2) 20:25;22:19	26:22;32:1,11;33:14,	6:17;9:1;17:3;	6:4	30:25
accordance (1)	24;34:7	21:14;23:18;31:5	Based (4)	broad (1)
7:3	ago (1)	areas (5)	8:23;14:5;27:5;	6:19
according (1)	25:16 agreement (2)	8:21,21;9:2,7;11:6 Army (1)	28:7 basically (1)	build (1) 32:21
23:5	7:4;29:10	12:23	21:21	Busch (9)
acres (4) 3:20;6:14,16;23:19	agreements (6)	around (6)	beams (2)	23:25,25;24:9,24;
across (4)	24:7,7,11;30:10,10;	10:11;12:3;16:24;	10:14,19	25:8,14,23;26:14,21
5:20;20:8;22:19;	33:4	22:10,18;29:18	Becker (1)	B-U-S-C-H (1)
25:2	agricultural (1) 13:15	array (1) 9:6	25:13 become (1)	24:1 business (6)
activity (1) 10:5	Agriculture (1)	arrays (1)	19:19	4:23;23:10;25:5;
acts (1)	13:15	9:3	begin (3)	28:13;32:18;34:13
15:11	ahead (1)	ASIA (6)	6:22;11:5;18:1	button (1)
actually (3)	10:4 aligned (1)	30:1,2,11,19;31:9, 18	begins (1) 10:13	17:13 buy (1)
20:7,11;24:18	10:17	A-S-I-A (1)	behind (1)	30:15
add (1) 18:13	along (4)	30:3	26:7	buying (1)
added (1)	10:19;11:20;22:21;	aspect (1)	below-ground (1)	30:7
27:9	29:20	10:3	7:3	buys (1)
addition (1)	alternating (1) 7:13	assembly (1) 10:12	benefit (1) 5:8	32:17
13:20 additional (1)	Although (1)	assessment (11)	benefits (2)	С
9:8	29:6	13:2;14:23;15:22,	19:23;26:11	
address (1)	always (3)	25;16:2,11,14,18;	best (1)	cables (1)
14:16	27:10,11;31:2 Among (1)	17:4;18:9;34:12 assigned (2)	4:18 better (1)	10:23 call (1)
adequate (1)	6:7	15:7,20	13:24	18:18
28:3 adequately (1)	Analysis (3)	associated (1)	big (1)	came (2)
22:25	15:9,13;16:1	26:19	19:19	28:10,11
adjacent (1)	annual (1)	assuming (1)	Birch (17)	Camp (1)
U ()				

Franklin Public Meeting 10-9-24 - 23-477

Scoping and Information Meeting October 9, 2024

FTallkill I ublic Meeting	; - 10-9-24
6:4	5:1
can (32)	coming (2)
4:24;5:5;6:20;8:13;	19:25;34:9
9:17;10:10,18;12:13;	comment (19
14:12,14,17;17:3,10,	14:21;17:6
13,15,17;18:2,15,16,	14,16,19;1
18,19,24;19:2;20:1;	19:5;28:9;
22:11,20;23:17,18;	34:8,11,17
24:15;28:8;29:15;	commenting
32:7	17:23
capacity (1)	comments (1
33:7	3:15;14:17
carbon (1)	17:21;18:4
8:1	20:2,7;24:
card (3)	34:18
4:23;25:5,21	Commerce (
cards (1)	3:12,16;15
34:13	commercial
carry (1)	33:7
10:23	Commission
caused (1)	3:4;4:1,4,1
27:20	15:12,17,2
certainly (1)	Commission
4:24	24:18
challenge (1)	communities
24:22	14:21
chance (1)	Community
32:24	13:10,22;1
change (3)	16:12,15,2
29:2,4,5	19:25
chat (1)	Community
18:23	13:10
chatting (1)	company (3)
32:2	5:24;26:5;
checked (1)	complete (1)
19:7	9:22
Chris (3)	completed (1)
20:3,5,5	13:1
C-H-R-I-S (1)	component (
20:6	29:18
circle (1)	components
31:22	10:2,20,25
city (6)	concern (6)
6:5;8:3,18,23,24;	20:20;22:2
13:22	28:20
civil (1)	concerned (2
10:7	21:7,9
clarification (1)	concerns (6)
22:14	13:24;16:2
Clean (6)	20:10;23:2
5:19,23,25;26:5;	concluded (1
31:14,17	35:4
clear (1)	concurrence
9:25	13:12
cleared (1)	confirmed (1
11:6	13:7
clearing (1)	conflicts (1)
12:13	4:8
click (1)	connect (3)
17:13	6:10;9:18;
CO2 (1)	connecting (
25:25	14:10
colleague (1)	Conservatio

13:4consider (1) 25:34:9 4:6 nent (19) consideration (1) 21:17:6.8.11.12. 4:1616,19;18:1,12,14; considered (1) 5;28:9;32:5,7; 14:9 :8,11,17:35:2 consists (1) nenting (1) 10:13 constraints (2) nents (12) 8:16;13:3 5;14:17;16:21; construct (2) :21;18:4,6;19:1; 9:18;10:25 2,7;24:20;27:4; construction (6) 6:21;8:11;9:13,20; merce (4) 26:8;31:4 2,16;15:8,21 contact (7) nercial (1) 5:3;17:16,17;29:5, 6,7;34:13 mission (10) contains (1) ;4:1,4,11,15,22; 16:16 12,17,22;16:8 contents (1) missioners (1) 16:16 context (1) nunities (1) 9:8 continue (1) munity (10) 27:10 10,22;14:2,10; continued (1) 12,15,20,23;17:1; 15:1 contract (2) munity's (1) 23:4:33:9 contractors (1) any (3) 10:74:26:5:27:17 contractual (1) 32:14 olete (1) control (2) 10:4:22:2 oleted (1) controlled (2) onent (1) 28:24:29:1 conversation (1) onents (4) 33:19 2,20,25;11:4 convert (2) 7:13;10:22 20;22:2,6,15,23; converters (1) 10:22 erned (2) Cooley (1) 6:4 coordinated (1) erns (6) 24;16:22;18:7; 13:14 10;23:21;24:19 coordinating (1) luded (1) 14:20 copies (1) 34:4 urrence (1) copy (2) 5:5;28:17 rmed (1) corporation (1) 26:6 Corps (1) 12:24 0;9:18;11:1 corridor (1) ecting (1) 27:13 cost (1) ervation (1) 7:5

costs (1) 24:7 Coulee (16) 3:6;5:12,22,24;6:3; 7:8;9:15,20;10:9; 11:8;15:1,15;16:1; 17:12,19;29:10 country (1) 5:21 County (13) 8:2,17;12:1;13:4; 27:3.6.12:28:5.11; 29:11,18;31:6;33:18 couple (3) 27:21;31:21,22 course (1) 9:25 court (3) 5:8;18:2;24:15 cover (1) 7:5 covered (2) 18:8;19:17 CRAIG (8) 3:1,3;4:20;24:13; 29:22;31:19;34:3,16 Craig's (1) 34:12 created (1) 19:24 crews (1) 9:25 Culbertson (1) 5:3 curious (1) 32:14 current (5) 7:10,12,13;11:22; 26:7currently (7) 26:4,11,12,18;28:4; 30:9:33:8 D Dakota (2) 19:13,14 dark (1) 9:3 dates (2) 4:16;6:19 DAVE (3) 32:10,12,12 **D-A-V-E** (1) 32:13 day (1) 7:11 **DC**(1) 10:21 dealt (1) 26:1 decades (1) 19:18

decision (3) 4:2.4.19 decisions (3) 15:17,24;19:17 decommission (1) 7:2 decommissioning (4) 7:5:23:7.11:28:3 defined (1) 3:23 delayed (1) 6:21 delineation (2) 13:2,6 deliver (1) 6:20 delivered (1) 9:24 denial (1) 15:16 **Department (6)** 3:12,16;12:24; 13:14;15:8;22:25 dependent (1) 4:17 design (4) 8:15;9:12,13;14:8 designed (1) 12:12 designing (1) 12:17 desk (1) 4:23detail (1) 28:8 details (2) 7:21:34:21 determination (1) 4:12determine (2) 10:8;28:7 determined (1) 27:19 developed (1) 5:22 developing (1) 5:19 development (4) 26:4,7,13;29:10 different (3) 11:19:16:17:33:7 difficult (1) 27:15 dioxide (1) 8:1 direct (3) 7:10,12;18:6 directly (3) 14:1;17:14;20:8 disclosed (1) 30:17 discuss (2)

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Franklin Public Meeting 10-9-24 - 23-477

Franklin Public Meeti	ng - 10-9-24	10-9-24 - 23-477		October 9, 2024
discussed (1)	electrical (1)	actablishing (1)	features (1)	7:17
27:24	10:20	establishing (1) 11:7	8:19	flows (1)
discussions (1)	electricity (7)	establishment (1)	federal (5)	7:12
8:23	7:10,12,14,15;	28:22	12:19;25:24;26:9,	focused (1)
distance (2)	10:21,22,24	estimate (1)	15,19	15:12
11:24;12:7	eligible (1)	4:13	feedback (6)	focuses (1)
distributed (1)	26:9	estimated (1)	13:20,23;14:5,9;	16:13
9:5	else (6)	8:5	16:19;17:2	Focusing (1)
district (2)	29:23,23;31:1,19;	etiquette (1)	feel (2)	7:21
8:4;13:5	32:8;34:6	17:24	16:22;28:2	folks (1)
ditch (2)	email (2)	evaluating (1)	feeling (1)	32:24
20:23;22:18	4:22;32:7	16:3	20:13	Following (2)
ditches (2)	e-mail (2)	even (3)	feels (1)	12:21;27:7
22:21,21	14:16;17:15	21:5,8,9	17:9	follow-up (1)
DNR (2)	emergency (2)	evening (1)	feet (1)	31:9
13:6,16	29:13,14	3:2	11:25	footprint (3)
document (1)	employ (1)	everyone (3)	fence (5)	6:16;8:25;9:9
14:18	30:23	14:24;15:6;34:9	11:25;12:2,7,11;	forever (1)
dollars (2)	end (7)	exact (2)	22:22	30:4
28:15;33:18	7:1;17:9,20,20;	25:4;31:10	fencing (3)	form (1)
done (1)	23:8;30:14;34:8	examples (1)	12:3;22:16,17	34:11
18:19	endangered (1)	12:21	few (6)	formally (1)
down (2)	13:8	excavating (1)	12:21;14:2;18:4;	14:21
21:3,10	ends (2)	10:5	21:4;25:16;33:7	formed (1)
draft (3)	23:5;34:17	excavation (1)	field (3)	22:18
11:8;12:8;27:16	energy (16)	10:5	8:20;13:2;20:23	formula (1)
drainage (1)	3:19;4:21;5:19,20,	excited (1)	fields (1)	28:6
20:21	23,25;6:6;7:22;8:16;	5:11	22:19	forward (3)
dredge (2)	15:8;26:5;31:14,17;	existing (8)	figures (1)	26:13;29:24;31:20
20:23;22:21 drive (1)	32:16,21;33:6 engaged (2)	6:6,9;9:1,4,10;12:4; 13:3;26:16	8:5 file (1)	found (2) 27:19;28:23
23:2	12:18;13:21	expected (4)	14:16	four (4)
dry (2)	engagement (2)	6:16,22;12:14;29:3	final (3)	23:10;28:22;30:9,
22:4;27:20	14:3;15:1	experience (1)	23:16;31:9;34:16	15
due (4)	engineers (3)	5:19	finalize (1)	four-feet (1)
6:8,19;8:8;13:24	10:7;12:24;19:11	exposure (1)	9:12	12:10
during (8)	ensure (2)	10:15	Finally (4)	Franklin (12)
6:15;8:12,21;11:18;	27:9;29:13	extra (3)	11:4;13:14;14:9;	6:5,6;7:17;8:3,18,
12:11,14;30:20;31:4		21:17,18;23:3	17:23	24;9:1,4;11:1;12:4;
dust (1)	21:16		finance (1)	17:3;31:5
22:2	entrenched (1)	F	26:10	Fritz (10)
dusty (1)	10:23		Financial (1)	23:24,25,25;24:9,
22:4	environment (1)	Facilities (2)	27:24	24;25:8,14,23;26:14,
duties (1)	16:24	4:21;11:1	find (3)	21
29:16	environmental (20)	facility (4)	14:14;17:17;25:5	F-R-I-T-Z (1)
	3:14;4:6,9;8:19;	7:23;11:23;12:5;	finding (1)	24:1
E	13:3;14:22;15:8,14,	29:19	30:24	full (2)
	21,25;16:2,4,11,13,	facing (1)	fire (2)	6:13;33:5
earlier (1)	17,18;17:4;18:7,9;	11:20	22:23,24	full-time (1)
30:12	34:12	fact (1)	fires (1)	8:11
earn (1) 19:20	equipment (7) 7:3;9:18,23;11:12;	25:11	23:1 first (7)	fully (1) 23:7
	19:12,14;23:3	factors (2) 4:5,11	3:8;14:3,6;18:1;	function (2)
edge (1) 11:25	equipped (1)	4.5,11 facts (1)	24:2;32:19;33:1	18:17,20
EERA (4)	22:25	16:7	Fish (1)	fund (1)
13:16;14:19;15:4;	equity (2)	fail (1)	12:23	23:11
17:18	26:6,12	20:24	five (3)	funded (2)
effectively (1)	equivalent (1)	Falls (1)	23:17;28:17;30:10	23:7,12
33:6	8:1	31:5	flat (1)	funding (2)
either (2)	erosion (2)	familiar (1)	10:10	23:3,15
15:15;16:6	10:4,6	25:20	floor (1)	
Electric (1)	establish (1)	far (2)	15:3	G
3:24	11:10	33:2,11	flowing (1)	_

Franklin Public Meeting 10-9-24 - 23-477

Franklin Public Meeting	g - 10-9-24	10-9-24
garden (1)	habitat (1)	10:14
12:4	13:2	hosted (1)
gather (1)	half (1)	14:7
12:20	28:14	hosting (1)
gathered (1) 7:15	halt (1) 20:16	14:3 hour (1)
gathering (1)	hand (3)	8:9
10:23	18:16,19;29:7	hours (1)
gathers (1)	happens (1)	22:7
10:21	23:9	house (5)
generated (1) 33:18	hard (1) 28:23	8:15;14:3 housed (2)
generates (1)	hashed (1)	21:15;22
7:10	9:1	household
generating (3)	head (1)	7:14
3:19,24;7:23	25:4 health (1)	human (4)
gigawatts (2) 5:21,22	4:7	15:13;16
goal (1)	hear (2)	
15:16	4:10;19:2	
goes (3)	heard (2)	icon (1)
22:22;23:9;26:8 Good (4)	14:6;25:19 hearing (1)	18:23 Ideally (1)
3:1;24:19;26:22;	4:14	33:2
28:22	hears (1)	identified (
governed (1)	24:17	8:19,21
21:21	heavy (2) 19:12,14	identify (2) 14:11;17
government (1) 25:25	height (2)	identifying
grab (2)	12:2,9	16:4
4:24;34:10	Hello (2)	image (2)
graded (1) 10:12	3:1;15:6 help (3)	7:7;11:24
grading (2)	15:17;17:2;26:10	impact (2) 13:15,25
10:5,8	helping (2)	impacting
grass (1)	5:2;15:23	20:13
23:1 grasses (1)	helps (1) 16:10	impacts (7) 13:7;15:1
28:21	Here's (1)	18,22;18:
gravel (2)	4:22	important
22:3,3	Heritage (1)	19:22;27
Great (1) 15:5	13:6 Hi (2)	incentives (25:24;26)
greatly (1)	30:1;32:12	include (3)
14:25	high (3)	7:7;14:3,
green (1)	6:2;7:16;12:10	included (3
9:3 grid (3)	highlight (1) 12:20	8:25;14:1 includes (3)
6:11,19;7:17	highlights (1)	6:12;11:6
GROUX (15)	14:2	including (
5:9;24:4,10;25:1,	Highway (2)	8:20
12,20;26:3,18;30:8, 16;31:2,13;33:1,22,25	6:7;9:11 hire (2)	incorporate 14:9
grove (1)	31:3,7	incorporate
12:13	hiring (1)	8:15
guess (4)	31:11 Winteria (2)	Indian (1)
4:18;22:13;24:14; 32:18	Historic (2) 13:11,13	13:9 indicate (1)
guidance (1)	homes (1)	18:17
12:22	7:25	Informatio
тт	hopefully (1)	3:5;5:3,5
H	20:2 horizontal (1)	16:14;17: 30:13;34
		50.15,54

4 - 23-477	-
	informed (1) 15:17 initial (1)
)	9:22 in-person (1)
	17:7 input (4)
	12:20;14:25;16:12, 13
3,6,7;21:3	installation (2) 10:19;11:3
) 2:1	installed (3) 10:18,18;11:5
(1)	installing (1) 10:3
) 5:3,18;18:7	instance (1) 25:25
Ι	intend (1) 11:10
	intended (1) 22:7
)	intent (1) 31:2
(2)	interconnection (1) 6:6
2)	International (1) 19:10
7:2 g (1)	into (3) 24:15;28:8;32:4
	introduce (1) 14:4
)	introduction (1) 3:9
5 ; (1)	inverters (2) 7:13;9:6
7)	involved (1) 32:24
14;16:4,5, 3:7	involves (1) 7:2
t (2) 7:11	issue (1) 27:21
(4) 5:9,15,19	J
) ,15 2)	Janet (1)
3) (17;34:22	24:17 JANEZICH (8)
3) (6;12:9	3:1,3;4:20;24:13; 29:22;31:19;34:3,10 jobs (3)
(1) ted (1)	8:10,12;30:21 Joe (3)
tes (1)	33:15,15;34:2 J-O-E (1)
ues (1)	33:16 joined (1)
l)	14:24
on (10)	joining (1) 34:22 Journal (1)
5;14:15; 7:16,18;	24:1 judge (2)
4:11,14	4:15,18

	,
	K
	keep (1)
	21:18 key (2)
,	6:18;10:3 kilovolt (1)
	32:23 kind (1)
	21:24 kinda (1)
	30:5
	kV (1) 3:21
	L
	Lake (1)
	25:16 land (6)
	4:8;8:17;24:2;30:7, 12,14
	landowner (1) 7:4
	landowners (4) 6:13;24:8,11;30:6
	language (5)
	18:6;27:8,15,17,22 Large (4)
	3:23;21:20;23:1; 25:17
	larger (1) 25:13
	last (1) 30:2
	lastly (2) 29:17;30:20
	later (2)
	4:10,25 Lauren (11)
	4:10;15:5,6;20:3; 23:23;26:22;32:1,11;
	33:14,24;34:7 law (2)
	4:15,17 laydown (1)
16	9:7 layout (2)
	8:14;9:16
	leaders (1) 13:22
	lease (3) 24:7,11;30:10
	leased (1) 24:3
	leasing (1) 30:6
	least (1) 6:25
	left (1) 11:22
	length (1)

Birch Coulee Solar Proj Franklin Public Meeting	ect - 23-477 g - 10-9-24	Franklin Public Meeting 10-9-24 - 23-477	Scoping a	nd Information Meeting October 9, 2024
6:25	low (1)	message (2)	26:13	22:5
letter (1)	21:9	18:23;19:1	much (3)	north (7)
12:22	Lower (2)	met (1)	10:8;27:4;30:13	6:7;9:10,11;11:20;
level (1)	13:9;18:19	27:14	multiple (1)	19:13;32:22,23
6:2	· · · · · · · · · · · · · · · · · · ·	metric (1)	22:25	north/south (2)
levied (1)	Μ	7:25	MUNSELL (3)	10:15;11:21
8:8		MIASIA (6)	32:10,12,12	note (1)
licensing (1)	mail (1)	30:1,2,11,19;31:9,	M-U-N-S-E-L-L (1)	17:19
4:2	17:15	18	32:13	notice (1)
life (2)	main (3)	M-I-A-S-I-A (1)	must (1)	34:23
27:18;33:5	15:20;16:10;20:20	30:2	6:19	notification (1) 12:21
lifespan (2) 6:24;7:1	mainly (1) 20:1	mic (4) 5:8;24:14,22;30:8	myself (1) 3:17	notified (1)
limit (1)	maintain (1)	microphone (2)	5.17	29:4
18:4	18:5	24:21;32:4	Ν	noxious (2)
limits (2)	maintained (1)	might (3)		23:18,19
6:5;8:24	12:11	16:23;24:20;32:15	name (13)	number (6)
line (9)	maintenance (1)	miles (2)	3:3;4:20,22;5:2;	4:23;20:7;25:4;
3:21,22;6:10,14;	20:24	22:16,17	18:2;19:9;20:5;24:21;	28:3,7,8
9:10,11;12:8,11;	makes (1)	milestone (1)	27:1;29:24;30:1,2;	
32:22	4:4	6:18	33:15	0
lines (5)	making (2)	million (4)	names (1)	
27:11,13,14;32:23;	4:2,11	28:1,6,10,15	31:11	objective (1)
33:12	management (3)	mines (1)	name's (1)	16:1
list (1)	11:9;12:8;13:17	22:10	15:6	obligations (1)
31:13	manager (2)	minimize (2) 10:6;16:5	Nate (3)	32:15
listed (2) 8:17;17:16	15:7,20 manner (1)	Minnesota (5)	19:8,9,9 N-A-T-E (1)	obviously (1) 22:1
listen (1)	29:1	3:4;11:10;19:13;	19:10	October (4)
14:5	many (5)	23:13;25:10	native (3)	14:4;17:21;34:17,
little (2)	4:8;24:9;30:6,7;	Minnesotan (1)	11:10;12:9;28:21	19
27:14,25	32:5	7:24	Natural (3)	off (3)
live (1)	map (1)	minutes (3)	12:24;13:6;22:19	21:16;22:19;25:4
20:11	6:15	18:5;31:21,22	near (1)	offer (3)
lives (1)	mark (1)	mitigate (1)	25:16	21:5,8,9
19:20	10:1	16:5	necessary (2)	office (1)
living (2)	match (1)	mitigation (1)	6:10;10:8	13:13
19:20;20:8	7:16	13:15	need (8)	Officers (1)
LLC (1)	materials (2)	mix(1)	5:7;17:1;18:1;	13:11
5:24	9:24;34:10	24:6	20:24;21:17;22:12;	officially (1)
local (10)	may (4)	mixed (2)	24:16,16	19:7
12:19;13:22;14:10;	10:8;27:21;29:22;	12:9,10 mobilization (1)	neighbor (1) 21:3	offset (1) 7:25
19:11,12,21,22;22:24; 29:13;31:3	31:23 maybe (2)	9:23	neighbors (1)	offsite (1)
locally (1)	26:1,2	monetize (1)	13:23	10:7
33:19	mean (5)	33:2	neutral (2)	off-take (1)
located (6)	20:17;21:9,25;	money (1)	15:13;16:6	33:9
3:19;6:3,7;9:10;	22:12;23:2	28:1	new (3)	off-taker (1)
16:12;31:5	measures (1)	month (1)	8:7;24:1;29:5	33:6
location (2)	10:4	17:20	Next (21)	once (1)
6:8;12:5	Meeting (8)	months (4)	6:1;7:6,20;9:3,14;	34:25
long (1)	3:5,7;5:11;14:20,	9:22,25;21:4;22:8	10:16;11:15;12:16;	one (18)
6:10	25;17:7;34:20,22	more (8)	13:19;14:13;15:10,	16:10;17:8,19,25;
long-term (1)	meetings (1)	4:9;12:10;19:25;	19;16:9;17:5,22;	20:10,12;24:22;25:9,
20:20	14:7	20:2;27:4,15;28:8;	18:10;20:3,11;28:16;	13,16;26:23;28:4,16,
look (7) 3:9;11:18;21:4;	megawatt (3)	33:21 most (2)	29:22;33:14	24;29:17;31:10;
23:12;25:6,21;33:3	3:18;8:9;28:4 megawatts (3)	16:14;21:22	night (1) 34:21	33:21,22 ones (1)
looked (1)	3:25;28:24;29:17	Mountain (1)	54:21 nine (3)	25:13
9:15	members (1)	25:16	6:12;24:10;30:5	online (3)
lot (5)	16:20	moved (1)	Noise (2)	17:11;18:16;32:7
16:17;22:3;23:19;	members' (1)	10:11	4:7;22:11	only (5)
25:3,23	19:20	moving (1)	normal (1)	22:8,11,17,20;
-		5.7		7

Birch Coulee Solar Pro Franklin Public Meetin		Franklin Public Meeting 10-9-24 - 23-477	Scoping a	nd Information Meeting October 9, 2024
23:11	own (1)	30:21;31:12	7:11	8,21,22,23;8:8,9,12;
onsite (1)	33:4	permit (15)	positions (3)	9:4,9,21;10:2,9,25;
10:11	owner (2)	3:9;6:25;11:16;	31:11,12,14	11:1,4,8,18,21,23;
open (6)	31:15;33:3	12:18;13:18;20:18;	post (2)	12:12,14,17,21;13:23,
3:15;8:15;14:3,6,7;	Ownership (3)	21:21;23:6,16;27:9,	7:4;22:13	25;14:4,8,15,16,22;
17:11	29:2,3,5	16,23;28:14,19;32:21	potential (3)	15:2,7,16,18;16:2,12,
operate (2)	owning (1)	permitting (3)	10:6;15:13;16:3	23;17:19;19:24;20:9,
9:17;33:4	5:19	4:2,19;15:2	pounding (1)	16;21:7,21,24;24:3,
operates (1)		person (1)	22:13	25;25:2,15,21;26:1,4,
7:9	Р	32:16	Power (5)	8,10,11,20;27:19;
operating (4)		perspective (1)	3:24;6:21;7:24;	32:15;33:2,5,5,8,10,
5:20;6:23;11:13;	page (1)	19:22	32:17;33:3	13
19:11	17:19	pertaining (1)	PPA (1)	projects (7)
operation (4)	panel (2)	33:12	33:9	3:14;9:17,19;15:14;
5:21;11:18;12:15;	9:3:11:2	phase (1)	prairie (1)	19:18;21:22;25:3
22:7	panels (6)	11:5	28:21	properly (1)
operational (3)	7:9;10:18,21;23:1;	phone (2)	preference (2)	11:14
8:25;9:8;11:23	28:11,13	4:22;18:13	31:6,7	property (3)
operations (4)	parcel (1)	photo (1)	preliminary (1)	20:21;21:2,10
6:15;8:12;12:12;	8:24	12:14	9:12	proposed (5)
30:21	parcels (1)	physically (1)	preparation (1)	3:18;8:14;12:2;
operator (2)	6:12	17:15	9:23	16:1;33:12
31:15;33:3	parent (2)	pieces (1)	prepare (3)	proposing (1)
operators (2)	5:23;26:5	9:18	15:21;16:11;18:25	27:25
19:13,15	part (6)	pipeline (1)	prepared (2)	protection (1)
opportunities (1)	3:22;4:6,9;11:16;	26:1	11:8,17	22:24
14:11	19:19;31:4	pivot (1)	preparing (1)	prove (1)
opportunity (1)	participating (3)	9:17	12:18	21:2
14:21	6:13;24:8,10	place (1)	presentation (2)	provide (3)
optimize (1)	particular (1)	33:9	17:9;34:25	5:12;8:2,10
10:15	11:19	placed (1)	presenting (1)	providing (3)
option (4)	partnered (1)	6:20	34:25	14:20;15:12;16:7
16:7;24:6;30:9;	13:9	plan (7)	Preservation (2)	proximity (2)
35:1	partnership (1)	11:9;12:9;13:16,17;	13:11,13	6:9;13:25
options (2)	14:11	20:20,21;21:13	press (2)	Public (14)
24:12;30:15	party (1)	Planner (1)	18:13,15	3:4,5;4:1,7,14,21;
orange (1)	16:6	4:21	prevailing (2)	5:10;14:20;16:11,13;
9:5	past (1)		21:23,24	17:1,14;21:17;30:13
ordinance (4)	19:18	planning (1) 30:23	previous (1)	publicly (2)
8:17,18;12:1;27:8	pay (1)	Plant (1)	33:17	26:6;30:18
organizations (1)	33:6	3:24	prior (1)	PUC (4)
14:11	peak (1)	please (11)	9:13	3:17;14:17,19;29:7
oriented (1)	8:11	14:16;15:10;17:5,	prioritized (1)	pull (1)
10:14	penetrate (1)	20;18:4,23;24:20;	14:10	33:23
originally (1)	22:17	29:24;31:20;34:10,18	private (3)	
30:25		29.24,51.20,54.10,18 plus (1)	26:6,12;30:16	pump (1) 10:20
others (1)	people (5) 19:6;21:4;26:1;	21:14		purchase (4)
18:5		pm (4)	probably (1) 27:9	24:6,11;30:9;33:4
	30:22,24			
out (7)	per (6)	17:21;34:17,21;	problem (2)	purchased (1)
4:24;23:9;25:5,13;	7:25;8:1,6,6,9;12:1	35:4	21:11;27:20	24:3
27:16;30:25;34:10	percent (5)	point (3)	proceed (1)	purchasing (1)
outburst (1)	23:11,18;28:2,15,	3:25;6:5;20:15	29:23	30:14
30:5	16	points (1)	Proceedings (1)	put (2)
outside (2)	Perfect (1)	11:19	35:4	20:16;22:10
12:7,10	34:2	policing (1)	process (2)	putting (1)
over (8)	perform (1)	21:17	3:10;15:2	28:1
3:20,24,25;4:5;	29:16	pollinator-friendly (1)	production (1)	•
9:24;15:3;19:18;	perimeter (2)	11:11	8:7	Q
27:25	11:25;12:2	pop (1)	Project (90)	
overall (1)	period (6)	33:20	3:6,10,11,12,18,22,	queue (1)
4:13	17:8,12,19;19:5;	portion (1)	23;4:3,5,12,14;5:2,13,	18:14
overview (3)	34:8,17	6:4	23;6:2,3,8,11,12,15,	quite (2)
3:13;5:12;6:2	permanent (2)	position (1)	18,20,21,22,24;7:1,2,	20:18;21:7

Franklin Public Meeting 10-9-24 - 23-477

Scoping and Information Meeting October 9, 2024

Franklin Public Meeting	g - 10-9-24	10-9-24 - 2
	9:9	runs (1)
R	representing (1)	11:21
racking (3)	represents (1) 19:12	S
10:13,13,17 raise (1)	request (1)	safe (2)
18:16 read (2)	29:9 require (1)	21:19;29:15 safely (1)
25:10;30:20	28:4	29:16
realize (1) 29:6	residents (1) 29:20	safety (2) 4:7;29:14
really (7)	resource (1) 15:23	sale (1) 21:3
16:25;19:22;20:13; 22:12;24:16;25:11,15	Resources (1)	same (4)
reasons (1) 6:8	12:25 respect (1)	11:2;12:3;2 34:25
received (2)	18:5	saw (1)
12:22;13:12 recognize (1)	respectful (1) 18:5	32:20 saying (1)
13:24	response (1) 29:13	26:17 schedule (1)
recommendations (3) 12:20,22;13:21	responsible (3)	4:14
record (5) 18:3;19:3;24:16,18,	4:1;27:18;28:12 restoration (1)	schematic (1) 7:7
19	11:5	school (1) 8:3
recycle (3) 28:10,11,13	restored (1) 11:12	scope (2)
red (1)	results (2) 13:5,13	14:22;18:8 Scoping (4)
9:7 Redwood (1)	revenue (3)	3:5;5:11;14:
31:5 REFSLAND (2)	8:2,5,8 review (7)	19:16 SCOTT (17)
26:25;27:1	3:9,14;4:7,9;13:6; 15:8;24:18	5:9;24:4,10; 12,20;26:3,
R-E-F-S-L-A-N-D (1) 27:2	reviewed (1)	27:1;30:8,16
relatively (1) 10:10	11:9 right (9)	33:1,22,25 S-C-O-T-T (1
relevant (1)	5:10;11:24;17:23; 19:4;22:3;23:14;	27:1 screening (2)
16:14 remain (1)	26:21;32:1;34:7	29:18,19
12:14 reminder (2)	right-hand (1) 8:13	second (4) 14:7;32:20;3
32:3;34:16	right-of-way (1) 12:1	22
remove (1) 18:15	road (7)	sediment (1) 10:4
removing (1) 7:2	11:25;20:9,22;21:3, 10;22:18;29:9	seeing (1) 26:12
renderings (1)	roads (1) 22:3	seems (1)
11:17 renewable (1)	roadway (1)	23:19 selected (1)
5:20	12:6 roadways (1)	6:8 selling (1)
Renville (9) 8:2,17;13:4;27:3,6;	29:20	28:13
28:5;29:11,17;31:6 repairing (1)	rotate (1) 7:10	send (2) 17:20;18:23
27:18	Runke (3) 19:8,9,9	sends (1) 17:14
report (1) 4:15	R-U-N-K-E (1)	sensitive (1)
reporter (2) 18:2;24:15	19:10 running (1)	8:19 SERBUS (3)
reporter's (1)	24:25 runoff (1)	33:15,16;34 S-E-R-B-U-S
5:8 represented (1)	10:6	З-Е-К-Б-U-S 33:16
		1

23-477	
	service (3)
	6:20;12:23;21:17 setback (2)
	11:24;12:7
	setbacks (3)
5	8:16;27:7,10 several (2)
	9:25;11:17
	shaded (1) 9:2
	share (1)
	14:8
	sheets (1) 32:6
21:11;	Sherco (1)
	25:13 shines (1)
	7:9
	short (1) 3:21
	show (3)
`	5:4;11:17;18:14
)	showed (1) 8:14
	shown (2)
	6:14;11:23 side (4)
	8:13;12:8;19:17;
1.10.	23:4
4:18;	sides (2) 12:6;20:22
	sign (2)
);25:1, ,18,25;	33:3,5 similar (2)
6;31:2,13;	24:24;25:1
1)	Sioux (2) 13:9,10
1)	site (14)
)	3:20;6:25;8:14;
	9:16,23,24;10:1,12; 11:11,12,16;12:18;
;33:11,	13:18;29:15
	sites (3) 5:20;20:12;29:1
	sitting (1)
	23:14 size (2)
	7:23;25:9
	slide (20)
	5:4,4;6:1;7:6,20; 9:14;10:16;11:15;
	12:16;13:19;14:13;
	15:10,19;16:9;17:5, 22;18:10;23:20;
3	33:17;34:4
	slides (1) 34:11
	small (2)
	9:5;22:24
4:2	smartphone (1) 18:22
5 (1)	soil (3)
	10:6;11:7;13:4

0000001), 202
soils (1)
10:10 Solar (27)
3:6,19;5:12,23,24;
6:3;7:8,22;8:8,11,16;
9:2,6,16,20;11:8;12:4,
5;15:1;19:19;20:23; 23:1;25:3,17;29:10;
31:14,16
Solar's (1)
9:16
soliciting (2)
13:20;16:19 solid (1)
24:19
someone (1)
22:14 Sometimes (1)
27:20
somewhere (2)
30:20;31:1
sort (2) 21:8;33:9
source (1)
22:20
south (2)
12:4;19:13 southern (2)
8:24;23:13
space (1)
30:3
speak (8) 17:10,24;18:17,24,
25;19:2,7;31:20
speaker (1)
17:25 species (2)
12:9;13:8
specifically (2)
18:25;19:2 spell (3)
18:2;24:21;29:24
spelled (1)
30:2
stabilizing (1) 11:6
stage (1)
10:3
stakeholders (1) 14:1
start (5)
19:4,6,8;28:15;
30:25 starting (1)
9:22
State (10)
9:11;12:19;13:12;
18:1;21:1,22,22; 24:21;25:2;29:24
states (1)
19:15
status (3) 15:18;25:18,18
13.10,23.10,10

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Franklin Public Meeting 10-9-24 - 23-477

Scoping and Information Meeting October 9, 2024

Franklin Public Meeting	g - 10-9-24	10-9-24 - 23-477		October 9, 2024
	Aallaa (1)	4.4.4.2 (1)		
stay (2)	talks (1)	total (1)	unmute (1)	voting (1)
19:25;32:18	27:16	5:21	35:1	20:11
steal (1)	task (1)	totally (1)	up (17)	***
30:8	15:20	20:16	3:15;7:16;18:14;	W
steel (2)	tax (6)	Townships (4)	21:3;22:22;24:25;	
10:14,18	8:7,8;26:9,11,15,19	6:4;8:3;13:22;	25:6,22;26:23,24;	wage (2)
stepped (1)	teams (1)	29:11	28:1;30:14;32:2,4,9;	21:23,24
7:16	29:13	track (1)	33:20,23	water (3)
stop (1)	technical (2)	7:11	update (1)	8:20;13:4;22:20
20:17	15:11,23	tracks (1)	6:18	way (9)
strategies (1)	technician (1)	20:17	updates (1)	4:24;15:15;16:7;
16:4	8:12	traded (1)	6:19	20:23;21:1;22:20;
stream (1)	technicians (2)	26:6	Upper (1)	23:3;25:8;34:10
8:8	31:15,16	traffic (1)	13:10	ways (2)
Street (1)	ten (1)	22:5	up-to-125-megawatt (1)	14:12;32:5
11:20	28:1	training (1)	7:22	Webex (3)
structure (1)	tend (1)	29:12	use (14)	18:16,21;34:21
30:10	19:24	transactions (1)	4:8;5:8;7:15;8:17;	website (4)
structures (1)	tentative (1)	30:17	18:5,16,19,23;24:13,	14:14;17:11,12,18
33:8	4:16	transformers (1)	20;26:10;28:7;29:9;	weeds (5)
studies (1)	testing (1)	23:1	34:5	23:18,19;28:20,23,
13:2	11:13	transmission (7)	used (1)	25
style (1)	Thanks (1)	3:21,22;6:10;7:18;	15:22	Welcome (3)
12:2	24:4	9:11;32:22;33:12	using (4)	5:10;34:5,24
submit (3)	thick (2)	treed (1)	18:15,21;21:24,25	wetland (2)
17:13;28:9;32:7	6:14;9:9	8:21	usually (1)	13:1,5
submitted (3)	third (1)	trees (3)	31:13	wetlands (1)
13:17;27:5;34:18	16:6	12:13,13;29:20	Utilities (3)	8:20
substation (9)	third-party (1)	Trevor (1)	3:4;4:1,21	whole (1)
	15:13	5:2	utility (1)	20:23
6:7,9;7:16,18;9:2,4,			7:18	
5;10:24;11:2	thought (1)	Tribal (1)		Wildlife (2)
sun (1)	32:20	13:10	utilization (1)	12:23;22:16
10:15	threatened (1)	tribes (2)	19:21	wind (2)
Sunlight (1)	13:7	12:19;13:21	X 7	19:19;25:17
7:9	three (8)	true (1)	V	windmill (1)
sun's (1)	8:11;19:15;23:10;	25:11		23:13
7:11	27:21;28:22;30:21;	try (1)	vague (1)	wiring (1)
support (3)	31:12,16	32:21	20:19	10:20
10:14,19;14:12	throughout (3)	turn (1)	valuable (1)	WIST (6)
sure (7)	7:11;9:6;11:11	15:3	16:25	30:1,2,11,19;31:9,
11:13;19:16,23,23;	Tile (3)	two (3)	value (2)	18
22:24;24:17;32:10	27:11,13,14	19:6;21:4;32:23	14:25;30:12	W-I-S-T (1)
surrounding (1)	timeline (1)	typical (1)	values (2)	30:3
17:3	4:19	7:14	21:2;30:17	within (3)
survey (4)	timely (1)		vantage (1)	6:5;8:24;29:15
8:22;10:1;13:12,14	29:1	U	11:19	wondering (3)
surveys (1)	today (1)		various (1)	5:1;30:13;33:20
8:20	18:11	Ulm (1)	16:22	Wood (3)
system (6)	tomorrow (1)	24:1	vegetation (7)	20:4,5,5
3:19;6:19;7:19;	34:20	under (3)	10:1;11:7,9,11;	W-O-O-D (1)
8:16;10:13,17	tonight (7)	17:18;18:8;20:22	12:7,8;13:16	20:6
	14:25;16:21;17:8;	undergoes (1)	verbal (3)	work (2)
Т	21:6;27:2;32:6;34:9	11:13	17:7;32:5;34:8	3:3;22:11
1	tons (1)	underneath (1)	view (3)	worked (1)
table (3)	8:1	31:16	11:19,22,23	12:17
5:5;16:16;34:4	8.1 top (2)	unfortunate (1)		
			virtual (2)	worker (1)
tablet (1)	11:7;25:4	21:6	34:20,22	21:13
18:22	topic (1)	Union (4)	virtually (1)	workers (5)
talk (4)	27:11	19:11,12,21;21:13	35:1	8:10;21:14,18,25;
3:11;9:17;27:12;	topics (1)	unique (2)	visual (1)	22:1
32:4	16:17	17:1,2	11:17	workforce (6)
talked (1)	topography (1)	Unit (2)	voltage (1)	19:17,21,23;31:3,4,
9:16	10:9	15:9,11	7:17	8
L	1			1

Franklin Public Meeting 10-9-24 - 23-477

$\begin{array}{c ccccccccccccccccccccccccccccccccccc$	Franklin Public Meetin	g - 10-9-24	10-9-24 - 23-477	 October 9, 202
22.8 2 67-500 (1) $32:17$ 200,000 (1) 12:6 $32:17$ 200,000 (1) 12:6 $32:2$ 2023 (1) 7 $32:2$ 2023 (1) 7:01 (1) $22:4$ 2024 (2) 7:501 (1) $22:43$ 2024 (2) 7:601 (1) $22:53:2:6$ 2023 (1) 7:001 (1) $22:93:3:7$ 2030 (1) 7:01 (1) $32:2:3$ 2030 (1) 7:01 (1) $32:2:3:10:2:1:3:2:2:3: 2:3:2:3: 3:2:2:3: Y 2:2:9:1:3 3:2:2:3: 32:2:3:10:2:2:1:3:2:2:3: 3:2:2:3: 3:2:0:6:16 9:7 2:5:000 (1) 3:2:2:3: 9:7 2:5:000 (1) 2:5:1:1:2:8:1:16 9:7 2:5:000 (1) 2:5:1:1:2:8:1:16 9:10 (1) 2:5:1:1:2:8:1:16 2:5:1:1:2:1:4:17:19 9:10 (1) 3:0 (1) 3:0:1:1:3:0:2:4:1:3:10:2:4:1:3:10:2:4:1:3:10:2:4:1:1:19 9:10 (1) 3:0:1 3:0:1 3:0:1 9:10 (1) 3:0:1 3:0:1 3:0:1 9:10 (1) 3:0:1 3:0:1 <$	(1)		11.05	
vorks (1) 2 2 $32:17$ 200.000 (1) 28:5 $32:2$ 2023 (1) 7 $32:2$ 2023 (1) 7.9 (1) $32:4$ 2024 (2) 5:21 writing (2) 14:4 5:21 writien (2) 8:15:14:8 7/90 (1) 22:90 (2) 2023 (1) 7.91 (1) $32:2$ 2023 (1) 7.96 (2) X 2030 (1) 35:4 $66:32:16.21:33:12 22:03 35:4 7:25:81:16.62:81.1 20:00 (1) 35:20:6:16 9:7 25:000 (1) 23:11:28:2,16 3:20:2:16:16 9:7 25:000 (1) 7:2:1:3:10:24:17.19 3:20:2:16:16 9:7 25:000 (1) 30 (2) 3:2:13:10:24:17.19 7:2:5:81:16:6:28:1, 2 30:0.41 3:0:2:13:10:24:17.19 7:2:5:81:16:6:28:1, 3:0:24:13:00:24: 3:04 3:0:41 3:0:2:13:10:24:13:00:24: 3:04 3:10:2:13:00:24: 3:04 3:0:41 3:0:41 3:0:41 7:7:2:13:41:13:00:24: 3:04 3:0:41 3:0:41 3:0:41 3:10:2:13:00:24: 3:04 3:0:41 3:0$				
$\begin{array}{c c c c c c c c c c c c c c c c c c c $		2		
wrup (1) 233 (1) 7 322 2023 (1) 79 (1) 2214 2024 (2) 521 writien (2) 815348 222.11 289326 2028 (1) 790 (1) 289326 2028 (1) 701 (1) x 2030 (1) 701 (1) x 2030 (1) 701 (1) x 2030 (1) 701 (1) x $229,13$ 2206 (1) x $229,13$ 2206 (1) x $229,13$ 2206 (1) x $229,13$ $320,6:16$ $yrr (7)$ $7,24$ $7,258,16.66.28:1.$ 25000 (1) 16.16 8.66 $62522.35,10.625:16, 27:02,1(2),27:72,29$ $9:1$ 30 (2) 17.77 $625,2235$ x $8:10,21:13,30:24;$ 316 300 (1) $32:16$ $32:1417,19$ 1000 $172,12,44,17,19$ 1004 1120 12314 $22:11$ $23:16$ $19:11$ 12314 $5:22$ $32:15$ 5 12316 $5:22$ 12316 $5:22$ 12316 $5:22$ $13:16$ $5:22$ $13:16$ $5:22$ $12:16$ $5:22$ $12:16$ $5:22$ $12:16$ $5:22$ $12:16$ $5:22$ $12:16$ $5:25$ $12:26$ $3:24,23:18$ $13:16$ $5:22$ $12:16$ $5:22$ $13:16$ $5:22$ $12:16$ $5:22$ <t< td=""><td></td><td></td><td>- 12:6</td><td></td></t<>			- 12:6	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $			-	
writing (1) $= 144$ 7.9 (1) = 22:14 202 (2) $5:21written (2) 315:14:8 7:00 (1)28:9;32:6$ 2028 (1) $22:11X$ 2020 (1) $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $36:622030 (1)$ $23:11:28:2,1637$ $22:9:1322:9:1322:9:1322:9:1322:9:1322:9:1325:100 (1)$ $25:100 (1)7:24$ $25:000 (1)17:21:34:17,199:117:21:34:17,199:117:21:34:17,199:117:21:34:17,199:117:21:34:17,191$		28:5	1	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $		2023 (1)		
written (2) $331314:8$ 7:00 (1) 22:11 X 2028 (1) 7:201 (1) X 2020 (1) 35:4 (6:2) 7:60 (2) 35:4 (6:3)2:16;133:12 3:22:3 Y 22:9.13 Y 22:9.13 Y 22:9.13 Y 22:9.13 Y 22:9.13 Y 22:9.13 Y 22:9.13 Y 25:00 (1) 7:24 (7:7) 7:25:81.66.628:1, 16.6 (6:5)2:16;25:25:10.25:16; 7:72:02:128:17.22 yel: 10 3 $(1:7)$ 6:25:23:5 X 8:10(2):13:30:24; 31:4 300 (1) 32:23 1 4 1 4 1 (20) 1 7:21:34:17,19 (7:7) 6:25:23:5 X 8:10(2):13:30:24; 31:4 300 (1) 32:23 1 4 1 (2) (1:7) 5:00 (1) 12:13:30:24; 31:4 300 (1) 32:23 1 4 1 (2) 1 (1) 4 1 (1) 2 (1) 3 (1) 17:21:34:17,19 (1:7) 5:00 (1) 12:12:30:24; 31:4 300 (1) 32:23 1 4 1 (2) 2 (2) 2:11 3 (2) 5 5 (1) 17:21:34:17,19 (1:7) 5:00 (1) 22:13:30:24; 31:4 3 (2) 17:21:34:17,19 (1:7) 5:00 (1) 22:13:30:24; 31:4 3 (2) 5 5 5 5 5 5 5 5 5		14:4		
a $3:15;14:8$ $7:00(1)$ 229:932:6 208 (1) $2:11$ K 2030 (1) $3:54$ $6:23$ $7:66 (2)$ $3:20:616$ $6:632:16.21:33:12$ $3:22:33$ $3:20:616$ Y $2:2:913$ $3:20:616$ $9:7$ $2:2:913$ $3:20:616$ $9:7$ $2:3:11:28:2,16$ $2:3:11:28:2,16$ $9:7$ $2:3:12:3:2:16$ $2:3:11:28:2,16$ $9:7$ $2:3:16:62:81.1$ $2:50:00 (1)$ $3:20:6:16$ $6:32:32:5:10:62:81.1$ $7:24$ $7:24$ $7:24$ $7:20:21:28:17.22$ $1:20:(3:4:17,19)$ $7:21:34:17,19$ $9:10$ $3:1:4$ $3:14$ $3:14$ $3:14$ $3:16$ $3:14$ $3:14$ $3:14$ $3:14$ $3:16$ 5 5 5 $3:14$ $3:14$ $3:14$ $3:14$ $3:14$ $3:14$ $3:14$ $3:20:1$ $3:2:11$ $3:14:33:14$ $3:14:3$		2024 (2)		
$\begin{array}{c c c c c c c c c c c c c c c c c c c $				
X 2630 (1) 354 Xeel (4) 260 (1) 354 6:632:16.21;33:12 230 (1) $32:23$ Y $22:9,13$ $3:20:6:16$ yards (1) $22:11:23:2,16$ $3:20:6:16$ 9:7 $22:9,13$ $22:0,13$ $3:20:6:16$ 9:7 $22:11:23:2,16$ $25:000$ (1) $3:20:6:16$ 9:7 $7:24$ $25:000$ (1) $7:24$ $25:000 (1)$ $7:24$ $25:000 (1)$ $7:24$ $27:0:23:25:10:25:16:$ $7:724$ $25:000 (1)$ $7:24$ $27:0:23:24:17.22$ $7:24$ $30(2)$ $7:24:34:17.19$ $9:1$ $30 (2)$ $7:21:34:17.19$ $9:1$ $30 (2)$ $3:20:6:16$ $3:20$ 1 4 $3:20:10:23:30:24:3:30:24:3:30:24:3:30:24:3:30:24:3:30:24:30:30:10$ $3:14:30:20:30:10$ $3:20:10:23:24:17.19$ $49:01$ $11:20:10$ $10:01$ $22:11:30:24:17.19$ $49:01$ $11:20:10$ $10:02:13:24:17.19$ $500(1)$ $5:22:11:30:24:13:30:24:$	28:9;32:6			
X2030 (1) $35:4$ 768 (2)Xeel (4)230c (1) $35:4$ 6:6;32:16.21;33:1232:23 Y 22:9,13yards (1)25 (13)9:725,000 (1)7:25:8:16,6:28:1,250,000 (1)16.168:69:77:200 (1)7:20:21:28:17,22year (7)7:247:20:21:28:17,22year (8)256 (3)7:20:21:28:17,22yesterday (1)30 (2)7:20:21:28:17,22yesterday (1)30:0131:430:013:143:20141,000-acre (1)4:30 (3)3:20141,000-128:1610:0140:1411:2010:0128:155115 (1)5:2228:155113 (1)5:10 (1)3:1253:1253:125114 (4)12:0120:12:13:4:17:193:1413:2013:21:34:17:1914:59:215:00 (1)28:155:115 (1)5:12:113:12:55:13:1114:1015:2222:1125:2125:2226:31:1227:31:12:13:13:13:12531:12:13:13:13:12513:12:13:13:13:13:12514:13:1015:2019:1019:10 </td <td></td> <td></td> <td></td> <td></td>				
Xet (4) $6:23$ $768 (2)$ $6:6(32:16.21;33:12)$ $330 (1)$ $32:23$ Y $229,13$ $3:20;6:16$ yards (1) $22:9,13$ $25:31$ yen $25:31:28:2,16$ $25:00 (1)$ yen $25:11:28:2,16$ $25:00 (1)$ yen $25:11:28:2,16$ $25:00 (1)$ yen $25:11:28:2,16$ $25:00 (1)$ yen $78:24$ $25:00 (1)$ yen $78:1:28:2,16$ $25:00 (1)$ yen $7:2:24$ $25:00 (0)$ yen $7:2:24:25:10,25:16$ $17:2:1:34:17,19$ yeiterday (1) $30 (2)$ $6:25:23:5$ Z $8:10:21:1:3:30:24:$ $31:4$ $3:20:61$ $300 (1)$ $32:23$ 1 4 $4:30 (3)$ $3:20 (1)$ $32:23$ $32:22:31$ 1 $4:30 (2)$ $22:11$ $3:20 (2)$ $22:11$ $32:16 (2)$ $3:21 (2)$ $5:00 (1)$ $5:22$ $3:21 (2)$ $5:22 (2)$ $3:1:25 (2)$ $3:1:25 (2)$ $3:1:25 (2)$	X		35:4	
Xcel (4) 230s (1) $3:20:3$ 6:6:32:16.21:33:12 $2:23:3$ $3:20:6:16$ Y $2:29:13$ $2:23:3$ yards (1) $2:3:11:28:2:16$ $2:3:11:28:2:16$ 9:7 $2:3:11:28:2:16$ $2:3:11:28:2:16$ 9:7 $2:3:11:28:2:16$ $7:24$ 7:25:8:1.6.6:28:1, $5:0000(1)$ $8:6$ 9:7 $7:24$ $7:24$ 9:7 $7:25:8:1.6:25:16$ $1:7:21:34:17.19$ $7:20:21:28:17.22$ $3:14$ $3:14$ $7:20:21:28:17.22$ $3:14$ $3:12:3:30:24;$ $7:0:0:1:28:17.22$ $7:21:34:17.19$ $9:1$ $3:2:23$ 1 1 4 $1:02:1:3:30:24;$ $3:14$ $3:20:1$ $1:20:1$ $3:20:1$ $1:20:1$ $5:22:1:1:3:30:24;$ $3:21:5$ 5 5 $3:21:5$ 5 5 $1:2:0:1$ $5:22:1:1:1:1:1:1:1:1:1:1:1:1:1:1:1:1:1:1$			768 (2)	
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1	SCOPING AND INFORMATIONAL MEETING - 23-477
2	Webex - October 10, 2024 - 6:00 p.m.
3	BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION
4	AND DEPARTMENT OF COMMERCE
5	
6	In the Matter of the Application of Birch Coulee Solar,
7	LLC, for a Site Permit for the up to 125 MW Birch Coulee
8	Solar Project in Renville County, Minnesota
9	
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13	MPUC DOCKET NO. IP-7119/GS-23-477
14	
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17	Meeting held remotely via:
18	Webex and Telephone
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21	October 10, 2024
22	
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25	COURT REPORTER: Christine Simons, RPR, RMR
	Shaddix & Accesiates Stonegraphic Court Departure

1	INDEX	
2	SPEAKER	PAGE
3	Craig Janezich	3
4	Scott Groux	4
5	Lauren Agnew	14
6		
7		
8		
9		
10		
11		
12		
13		
14		
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1 MR. CRAIG JANEZICH: Okay. Good evening. 2 At least for those able to attend, my name is Craig Janezich, and I work for the Public Utilities 3 Commission. Our presentation will include an 4 introduction to the permit process, a description of 5 the project from the applicant, and the Department 6 of Commerce will go over the environmental review 7 8 process. After the presentation, we'll open up the 9 meeting to questions and comments. The Birch Coulee Solar project is a 10 125-megawatt solar energy project on 768 acres 11 12 within a site boundary of over 1,000 acres in Renville County. The project, it does include a 13 115-kV transmission line that is less than 14 15 1,500 feet. The project requires a site permit from the Minnesota Public Utilities Commission because it 16 17 qualifies as a large electric power generating 18 plant, as it's over 50 megawatts. When the Commission reviews a project for 19 a site permit, it focuses on areas outlined in 20 21 Minnesota Rule 7850.4100. These areas include 22 potential human and environmental impacts of the 23 The list that the Commission looks at is project. expansive, with over 12 factors that also include 24 25 noise, safety, aesthetics, and public health. The

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1	Commission also looks at whether there are suitable
2	ways to minimize or mitigate or avoid potential
3	impacts, and whether the project is efficient, cost
4	effective, secure, and conserves resources.
5	The Department of Commerce will prepare
6	the environmental assessment to help the Commission
7	to study these factors, which will aid the
8	Commission in making a decision.
9	This slide shows a general timeline of
10	the project. After the current meeting and comment
11	period, there'll be more opportunities to engage us
12	with this project. For instance, the public hearing
13	step is slated for March 2025. We estimate this
14	project will come before the Commission in
15	June 2025, while much of this schedule will be
16	dependent on the availability of the Administrative
17	Law Judge as they preside over the public hearings.
18	Next slide. As I said, my name is Craig
19	Janezich. My contact information is on this slide.
20	The public advisor is Trevor Culbertson. He is also
21	assisting on this docket, and his information is on
22	the slide as well.
23	I'll turn it over now to the applicants.
24	MR. SCOTT GROUX: Can you hear me?
25	MR. CRAIG JANEZICH: (Indicating.)

Virtual Public	Meeting -	10-10-24 ·	- 23-477
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1	MR. SCOTT GROUX: Okay. Welcome to the
2	public scoping meeting. We're excited to be here to
3	provide an overview of the Birch Coulee Solar
4	project. My name is Scott Groux, lead project
5	developer; and I'm here tonight with Lauren Colwell,
6	project permitting manager; and Lisa Agrimonti,
7	project counsel.
8	Next slide.
9	AES Clean Energy has experience
10	developing, owning, and operating renewable energy
11	sites across the country with a total of 7.9
12	gigawatts in operation and 51 gigawatts developed.
13	For the Birch Coulee Solar project, AES Clean Energy
14	is the parent company and Birch Coulee Solar, LLC,
15	is an affiliate of AES Clean Energy.
16	Next slide.
17	As a high level overview of the project,
18	the Birch Coulee Solar project is located in Birch
19	Cooley, Camp, and Bandon Townships, and a portion is
20	within the city of Franklin limits. The point of
21	interconnection is the existing Xcel Energy Franklin
22	substation located north of Highway 19. Among other
23	reasons, the project location was selected due to
24	the proximity to the existing substation, such that,
25	a long transmission line is not necessary to connect

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1 the project to the grid. 2 The project includes parcels from nine 3 participating landowners and has a full boundary of 1,042 acres as shown by the thick black line on the 4 5 However, during operations the project map. footprint is expected to be approximately 768 acres 6 of that area. 7 As an update to the project key milestone 8 9 dates, due to broad grid system updates that must be placed in service before the project can deliver 10 power, the project construction has been delayed 11 until 2028, and the project is expected to begin 12 operating in 2030. 13 The anticipated lifespan of the project 14 15 is at least 30 years, the length of the site permit. At the end of the project lifespan, we would 16 17 decommission the project, which involves removing aboveground and below-ground equipment in accordance 18 with landowner agreement, and we would post a bond 19 to cover the cost of decommissioning. 20 21 Next slide. 22 We include a schematic image here to 23 discuss how a project like Birch Coulee Solar Sunlight shines on the panels, which 24 operates. 25 generates direct current electricity as they rotate

2direct current electricity flows through the3inverters, which convert it to alternating current4electricity, which is what the typical household5appliances use. The AC electricity is gathered and6stepped up at the substation to match the high7voltage of the grid before flowing to the Franklin8substation and then to the utility transmission9system.10Next slide.11Focusing in on project details, the12project is an up-to-125-megawatt solar energy13generating facility. A project of this size is14anticipated to power approximately 25,000 Minnesotan15homes per year, offset approximately 184,000 metric16tons of carbon dioxide equivalent per year, and17provide annual revenue for Renville County,18townships, the city of Franklin, and the school19district.20Of the estimated revenue figures, an21average of 250,000 per year \$250,000 per year22will come from the production tax. This is a new23tax revenue stream due to the solar project levied24at \$1.20 per megawatt hour. This project will also25provide jobs for approximately 300 workers at the	1	to track the sun's position throughout the day. The
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25 provide jobs for approximately 300 workers at the	24	at \$1.20 per megawatt hour. This project will also
	25	provide jobs for approximately 300 workers at the

peak of construction, and three full-time solar 1 2 technician jobs during project operations. On the right-hand side, you can see the 3 proposed site layout that was showed at our 4 April 2024 open house. This design incorporates 5 constraints such as the solar energy system setbacks 6 listed in the Renville County land use ordinance and 7 city of Franklin zoning ordinance, and avoids the 8 sensitive environmental features that we identified 9 in our field surveys, including wetlands and water 10 bodies, treed areas, and areas identified during the 11 archeological survey. 12 Based on the discussions with the city of 13 Franklin, the southern parcel within the city limits 14 15 is not included in the operational footprint. The yellow hashed area is the existing Franklin 16 17 substation. The blue shaded areas are the solar 18 panel arrays. The dark green box next to the existing Franklin substation is the project 19 The small orange boxes distributed 20 substation. 21 throughout the solar array are the inverters, and 22 the red areas are the laydown yards. 23 For additional context, the operational footprint of the project is represented by the thick 24 black line and located north of the existing 25

1	transmission line, north of State Highway 19. This
2	is a preliminary design, and we will finalize the
3	design prior to construction.
4	Next slide.
5	Now that we have looked at Birch Coulee
6	Solar's site layout and talked about how solar
7	projects operate, we can pivot to talk about how the
8	pieces of equipment connect and how we construct
9	these projects.
10	Construction of the Birch Coulee Solar
11	project is anticipated to take between 12 and
12	18 months to complete, starting with the initial
13	mobilization and preparation of the site. Equipment
14	and materials are delivered to the site over a
15	course of several months, while crews clear
16	vegetation and survey the site to mark boundaries of
17	the project components.
18	A key aspect of this stage is installing
19	erosion and sediment control measures ahead of any
20	grading or excavating excavation activity to
21	minimize the potential for soil erosion and runoff
22	offsite. Our civil engineers and contractors
23	determine how much grading may be necessary for a
24	project like Birch Coulee where the topography is
25	relatively flat. We anticipate that any soils can

Г

1 be moved around onsite. 2 After the site is graded, assembly of the racking system begins. The racking consists of 3 horizontal steel support beams that will be oriented 4 north/south to optimize the sun exposure. 5 Next slide. 6 After the racking system is aligned and 7 installed, the panels can be installed on the steel 8 9 support beams, along with the installation of the other electrical pump components, such as wiring 10 that gathers the DC electricity to the panels, 11 converters that convert it to AC electricity, 12 entrenched gathering cables that carry the AC 13 electricity to the substation. We would also 14 15 construct other project components, such as the facilities that connect the project to the Franklin 16 17 substation at the same time as the panel 18 installation. Finally, after the project components are 19 20 installed, we would begin the restoration phase, 21 which includes stabilizing the cleared areas with top soil and establishing vegetation. 22 For the Birch 23 Coulee Solar project, we have prepared a draft vegetation management plan that will be reviewed by 24 25 Minnesota agencies, and intend to establish native

1	pollinator-friendly vegetation throughout the site.
2	While the site is being restored, the equipment
3	undergoes testing to make sure it's operating
4	properly.
5	Next slide.
6	As part of the site permit application,
7	we prepared several visual renderings to show what
8	the project would look like during operation from
9	different vantage points. This particular view is
10	facing north along 400th Street, which bisects the
11	project and runs north/south.
12	The current view is on the left, and the
13	operational view of the project facility is shown on
14	the image on the right. The setback distance to the
15	perimeter fence is 67 feet from the edge of the road
16	right-of-way per the county ordinance, and the
17	proposed height and style of the perimeter fence
18	would be the same as the fencing that you see around
19	the existing solar garden south of Franklin.
20	At this location, the solar facility is
21	on both sides of the roadway, with the 67-foot
22	setback distance and vegetation outside the fence
23	line on each side. The draft vegetation management
24	plan includes a mixed height native species,
25	mixed some more than four-feet high, outside of

1	the fence line that will be maintained during
2	operations. The project was designed to avoid
3	clearing trees. So you can see the grove of trees
4	in the photo is expected to remain during project
5	operation.
6	Next slide.
7	As we worked on designing the project and
8	preparing the site permit application, we engaged
9	with local, state, and federal agencies and tribes
10	to gather input and recommendations. I'll highlight
11	a few examples. Following a project notification
12	letter, we received recommendations and guidance
13	from the U.S. Fish and Wildlife Service, U.S. Army
14	Corps of Engineers, and the Department of Natural
15	Resources.
16	After we completed the wetland
17	delineation and habitat assessment field studies to
18	understand the existing environmental constraints,
19	the Renville County Soil and Water Conservation
20	District approved the results of the wetland
21	delineation, and the DNR Natural Heritage review
22	confirmed no anticipated impacts to threatened and
23	endangered species.
24	We partnered with the Lower Sioux Indian
25	Community and Upper Sioux Community's Tribal

1	Historic Preservation Officers on the archeological
2	survey, and received concurrence from the state
3	historic preservation office on the results of the
4	survey. Finally, we coordinated with the Department
5	of Agriculture on the agricultural impact mitigation
6	plan, and the DNR and EERA on the vegetation
7	management plan that was submitted as appendices to
8	the site permit application.
9	Next slide.
10	In addition to soliciting feedback and
11	recommendations from agencies and tribes, we engaged
12	with the local townships and city community leaders
13	and adjacent project neighbors to ask for feedback
14	to better understand concerns. As we recognize due
15	to the proximity, the project would impact these
16	stakeholders directly.
17	A few highlights from our community
18	engagement include hosting the first open house in
19	October 2023 to introduce the project, answer
20	questions, and listen to feedback. Based on the
21	questions we heard at the first open house and other
22	meetings, we hosted a second open house in
23	April 2024 to share the project design and how we
24	incorporated and considered feedback. Finally, we
25	prioritized connecting with local community

1 organizations to identify partnership opportunities 2 and ways we can support. Next slide. 3 We have a website where you can find 4 information about the project. We include the 5 project e-mail address here. However, please file 6 your comments with the PUC so that can be included 7 in the scoping document. 8 9 We want to thank the PUC and EERA for coordinating this public meeting and providing an 10 opportunity for the communities to formally comment 11 on the project and scope of the environmental 12 13 assessment. Thank you, also, to everyone who joined 14 15 this meeting tonight. We greatly value your input and continued engagement with the Birch Coulee Solar 16 17 project and the permitting process. 18 With that, we will turn the floor over to the EERA. 19 Thank you. 20 MS. LAUREN AGNEW: Great. 21 Hello, everyone. My name's Lauren Agnew. 22 I am the assigned project manager from the 23 Department of Commerce, Energy Environmental Review and Analysis Unit. 24 25 Next slide, please.

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the Commission, and we are focused on providing neutral third-party analysis of the potential human and environmental impacts of projects such as Birch Coulee. We do not advocate either way for the acceptance or denial of the project. Our goal is to help the Commission make informed decisions about project status.	>
 and environmental impacts of projects such as Birch Coulee. We do not advocate either way for the acceptance or denial of the project. Our goal is to help the Commission make informed decisions about project status.)
5 Coulee. We do not advocate either way for the 6 acceptance or denial of the project. Our goal is to 7 help the Commission make informed decisions about 8 project status.	>
6 acceptance or denial of the project. Our goal is to 7 help the Commission make informed decisions about 8 project status.)
7 help the Commission make informed decisions about 8 project status.	>
8 project status.	
9 Next slide.	
10 So my main task as the assigned manager	
11 from Commerce is to prepare the environmental	
12 assessment, and this will be used by the Commission	
13 as a technical advisory resource for helping them	
14 make decisions.	
15 An environmental assessment is an	
16 objective analysis of the proposed Birch Coulee	
17 project, and in this environmental assessment, I'll	
18 be evaluating both the potential human and	
19 environmental impacts, identifying strategies to	
20 avoid, minimize, or mitigate said impacts. Again,	
21 as a neutral third party, I'm not advocating either	
22 way for any option. I'm just providing the facts	
23 for the Commission.	
24 Next slide.	
25 And so one of the main things that helps	

1 me prepare this environmental assessment is public 2 input from the community that the project is located in, and this public input focuses our environmental 3 assessment on the most relevant information for your 4 5 community. We have a table of contents that contains 6 a lot of different topics in our environmental 7 assessment, both human and environmental impacts. 8 And we are soliciting feedback from you, the 9 community members, the attendants that are attending 10 tonight, on your questions, your comments, your 11 concerns about the various impacts that you feel 12 this project might have on your community, both to 13 yourselves and the environment around you. 14 15 And this is really valuable because each community is unique, and we need this public 16 17 feedback to help identify what is unique about Franklin and the surrounding area that I can discuss 18 in my environmental assessment. 19 20 Next slide, please. 21 So how do you comment? So we had -yesterday at our in-person meeting, we had a verbal 22 23 comment period. We'll also be having one tonight at the end of the presentation if anyone feels like 24 25 they want to, you know, speak to us. You can also

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would be covered under the scope of the environmental assessment. Next slide. Shaddix & Associates - Stenographic Court Reporters

comment online on our website. There is an open 1 2 comment period now for Birch Coulee on the website that you can click a button that says "submit a 3 public comment," and it sends it directly to me. 4 You can also physically mail or e-mail me 5 a comment. My contact information is listed here 6 7 for you. You can also find all of my contact 8 information on the EERA website under the Birch Coulee project page. One note, our comment period 9 does end at the end of the month, so please send me 10 your comments by October 25th at 4:30 p.m. 11 12 Next slide. All right. Finally, some commenting 13 etiquette for anyone who would like to speak. 14 We 15 will be doing one speaker at a time. And when you begin your comment, we first need you to state and 16 17 spell your name for our court reporter so she can 18 get it correct on the record. Please limit your comments to a few 19 20 minutes, maintain respect for others, use respectful 21 language, and direct your comments or questions or 22 concerns to human and environmental impacts that 23 24 25

1 So for those of you who are here today, 2 if you would like to comment, if you are on your phone, you will press *3 to add yourself to the 3 comment queue, and that will show up for us, and you 4 can press *3 to remove yourself. If you are using 5 the Webex online, you can use the raise hand 6 function to indicate that you would like to speak, 7 and we will see that and can call on you. And then 8 9 when you're done, you can use the lower hand function. 10 And then if you're using the Webex 11 application on your tablet or on your smartphone, 12 please use the chat icon and send a message that 13 says you would like to speak, and then we can 14 15 prepare it for you to speak. Don't specifically message the questions in the comments. We want to 16 17 hear you specifically speak them so we can get you 18 on the record. So it looks like we have a 19 All right. 20 few attendees. So the floor is now open for anyone 21 who would like to make a comment. 22 MR. CRAIG JANEZICH: Well, it doesn't 23 look like anybody wants to talk at the moment. I'11 just say, again, briefly and give you maybe a minute 24 25 to think about it, that there's still plenty of time

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to participate. You do have until October 25th to submit comments in writing. I think -- I think no one is really interested in asking questions right now. So having said that, if you do have questions in the future, don't hesitate to contact myself or Lauren. And I hope you all have a great evening and appreciate your time. Thank you. (Public comment concluded at 6:24 p.m.)

Birch Coulee Solar Proj Virtual Public Meeting		Virtual Public Meeting 10-10-24 - 23-477	Scoping a	nd Information Meeting October 10, 2024
\$	agencies (3) 10:25;12:9;13:11	array (1) 8:21	6:19 both (4)	17:11,19,21;18:16; 19:2
Ψ	AGNEW (2)	arrays (1)	11:21;15:18;16:8,	Commerce (4)
\$1.20 (1)	14:20,21	8:18	13	3:7;4:5;14:23;
7:24	agreement (1) 6:19	aspect (1) 9:18	boundaries (1) 9:16	15:11 Commission (12)
\$250,000 (1)	agricultural (1)	assembly (1)	9:16 boundary (2)	3:4,16,19,23;4:1,6,
7:21	- 13:5	10:2	3:12;6:3	8,14;15:2,7,12,23
*	Agriculture (1) 13:5	assessment (11) 4:6;12:17;14:13;	box (1) 8:18	communities (1) 14:11
*3 (2)	Agrimonti (1)	15:12,15,17;16:1,4,8,	boxes (1)	Community (9)
18:3,5	5:6	19;17:24	8:20	12:25;13:12,17,25;
1010,0	ahead (1)	assigned (2)	briefly (1)	16:2,5,10,13,16
Α	9:19	14:22;15:10	18:24	Community's (1)
	aid (1) 4:7	assisting (1) 4:21	broad (1) 6:9	12:25 company (1)
able (1)	aligned (1)	4:21 attend (1)	button (1)	5:14
3:2	10:7	3:2	17:3	complete (1)
aboveground (1) 6:18	along (2)	attendants (1)	11.0	9:12
AC (3)	10:9;11:10	16:10	С	completed (1)
7:5;10:12,13	alternating (1)	attendees (1)		12:16
acceptance (1)	7:3	18:20	cables (1)	components (4)
15:6	Among (1)	attending (1)	10:13	9:17;10:10,15,19
accordance (1)	5:22	16:10	call (1)	concerns (3)
6:18	Analysis (3) 14:24;15:3,16	availability (1) 4:16	18:8 Camp (1)	13:14;16:12;17:22 concluded (1)
acres (4)	annual (1)	average (1)	5:19	19:9
3:11,12;6:4,6	7:17	7:21	Can (22)	concurrence (1)
across (1) 5:11	anticipate (1)	avoid (3)	4:24;6:10;8:3;9:7,	13:2
activity (1)	9:25	4:2;12:2;15:20	25;10:8;12:3;14:2,4,	confirmed (1)
9:20	anticipated (4)	avoids (1)	7;16:18,25;17:3,5,7,	12:22
acts (1)	6:14;7:14;9:11;	8:8	17;18:5,6,8,9,14,17	connect (3)
15:1	12:22	В	carbon (1) 7:16	5:25;9:8;10:16
add (1)	appendices (1) 13:7	D	carry (1)	connecting (1) 13:25
18:3	appliances (1)	Bandon (1)	10:13	Conservation (1)
addition (1) 13:10	7:5	5:19	chat (1)	12:19
additional (1)	applicant (1)	Based (2)	18:13	conserves (1)
8:23	3:6	8:13;13:20	city (6)	4:4
address (1)	applicants (1)	beams (2)	5:20;7:18;8:8,13,	considered (1)
14:6	4:23	10:4,9	14;13:12	13:24
adjacent (1)	application (4) 11:6;12:8;13:8;	begin (3)	civil (1)	consists (1) 10:3
13:13	18:12	6:12;10:20;17:16 begins (1)	9:22 Clean (3)	constraints (2)
Administrative (1)	appreciate (1)	10:3	5:9,13,15	8:6;12:18
4:16 advisor (1)	19:7	below-ground (1)	clear (1)	construct (2)
4:20	approved (1)	6:18	9:15	9:8;10:15
advisors (1)	12:20	better (1)	cleared (1)	construction (4)
15:1	approximately (4)	13:14	10:21	6:11;8:1;9:3,10
advisory (1)	6:6;7:14,15,25	Birch (16)	clearing (1)	contact (4)
15:13	April (2) 8:5;13:23	3:10;5:3,13,14,18, 18;6:23;9:5,10,24;	12:3 click (1)	4:19;17:6,7;19:6 contains (1)
advocate (1)	archeological (2)	10:22;14:16;15:4,16;	17:3	16:6
15:5	8:12;13:1	17:2,8	Colwell (1)	contents (1)
advocating (1) 15:21	area (3)	bisects (1)	5:5	16:6
AES (3)	6:7;8:16;16:18	11:10	comment (14)	context (1)
5:9,13,15	areas (7)	black (2)	4:10;14:11;16:21,	8:23
aesthetics (1)	3:20,21;8:11,11,17,	6:4;8:25	23;17:1,2,4,6,9,16;	continued (1)
3:25	22;10:21	blue (1)	18:2,4,21;19:9	14:16
affiliate (1)	Army (1)	8:17	commenting (1)	contractors (1)
5:15	12:13 around (3)	bodies (1) 8:11	17:13 comments (8)	9:22 control (1)
Again (2)	10:1;11:18;16:14	8:11 bond (1)	3:9;14:7;16:11;	9:19
15:20;18:24	10.1,11.10,10.17	~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~	,	····

Virtual Public Meeting 10-10-24 - 23-477

Scoping and Information Meeting October 10, 2024

Virtual Public Meeting	- 10-10-24	10-10-24 - 23-477		October 10, 2024
convert (2)	delineation (2)	6:5;8:2,11;11:8;	etiquette (1)	7:20
7:3;10:12	12:17,21	12:1,4	17:14	file (1)
converters (1)	deliver (1)		evaluating (1)	14:6
10:12	6:10	E	15:18	finalize (1)
Cooley (1)	delivered (1)		evening (2)	9:2
5:19	9:14	edge (1)	3:1;19:7	Finally (4)
coordinated (1)	denial (1)	11:15	everyone (2)	10:19;13:4,24;
13:4	15:6	EERA (4)	14:14,21	17:13
coordinating (1)	Department (5)	13:6;14:9,19;17:8	examples (1)	find (2)
14:10				
	3:6;4:5;12:14;13:4;	effective (1)	12:11	14:4;17:7
Corps (1)	14:23	4:4	excavating (1)	first (3)
12:14	dependent (1)	efficient (1)	9:20	13:18,21;17:16
cost (2)	4:16	4:3	excavation (1)	Fish (1)
4:3;6:20	description (1)	either (2)	9:20	12:13
Coulee (15)	3:5	15:5,21	excited (1)	flat (1)
3:10;5:3,13,14,18;	design (4)	electric (1)	5:2	9:25
6:23;9:5,10,24;10:23;	8:5;9:2,3;13:23	3:17	existing (7)	floor (2)
14:16;15:5,16;17:2,9	designed (1)	electrical (1)	5:21,24;8:16,19,25;	14:18;18:20
counsel (1)	12:2	10:10	11:19;12:18	flowing (1)
5:7	designing (1)	electricity (7)	expansive (1)	7:7
country (1)	12:7	6:25;7:2,4,5;10:11,	3:24	flows (1)
				110WS (1) 7:2
5:11 County (5)	details (1)	12,14	expected (3)	
County (5)	7:11	e-mail (2)	6:6,12;12:4	focused (1)
3:13;7:17;8:7;	determine (1)	14:6;17:5	experience (1)	15:2
11:16;12:19	9:23	end (4)	5:9	focuses (2)
course (1)	developed (1)	6:16;16:24;17:10,	exposure (1)	3:20;16:3
9:15	5:12	10	10:5	Focusing (1)
court (1)	developer (1)	endangered (1)		7:11
17:17	5:5	12:23	F	Following (1)
cover (1)	developing (1)	energy (9)		12:11
6:20	5:10	3:11;5:9,10,13,15,	facilities (1)	footprint (3)
covered (1)	different (2)	21;7:12;8:6;14:23	10:16	6:6;8:15,24
17:23	11:9;16:7	engage (1)	facility (3)	formally (1)
CRAIG (5)	dioxide (1)	4:11	7:13;11:13,20	14:11
3:1,2;4:18,25;18:22	7:16	engaged (2)	facing (1)	four-feet (1)
crews (1)	direct (3)	12:8;13:11	11:10	11:25
9:15	6:25;7:2;17:21	engagement (2)	factors (2)	Franklin (11)
Culbertson (1)	directly (2)	13:18;14:16	3:24;4:7	5:20,21;7:7,18;8:8,
4:20	13:16;17:4	engineers (2)	facts (1)	14,16,19;10:16;
current (5)	discuss (2)	9:22;12:14	15:22	11:19;16:18
4:10;6:25;7:2,3;	6:23;16:18	entrenched (1)	features (1)	full (1)
11:12	discussions (1)	10:13	8:9	6:3
	8:13	environment (1)	federal (1)	full-time (1)
D	distance (2)	16:14	12:9	8:1
	11:14,22	environmental (19)	feedback (6)	function (2)
dark (1)	distributed (1)	3:7,22;4:6;8:9;	13:10,13,20,24;	18:7,10
	8:20	12:18;14:12,23;15:4,		
8:18			16:9,17	future (1)
dates (1)	district (2)	11,15,17,19;16:1,3,7,	feel (1)	19:5
6:9	7:19;12:20	8,19;17:22,24	16:12	
day (1)	DNR (2)	equipment (4)	feels (1)	G
7:1	12:21;13:6	6:18;9:8,13;11:2	16:24	
DC (1)	docket (1)	equivalent (1)	feet (2)	garden (1)
10:11	4:21	7:16	3:15;11:15	11:19
decision (1)	document (1)	erosion (2)	fence (4)	gather (1)
4:8	14:8	9:19,21	11:15,17,22;12:1	12:10
decisions (2)	done (1)	establish (1)	fencing (1)	gathered (1)
15:7,14	18:9	10:25	11:18	7:5
decommission (1)	draft (2)	establishing (1)	few (4)	gathering (1)
6:17	10:23;11:23	10:22	12:11;13:17;17:19;	10:13
decommissioning (1)	due (4)	estimate (1)	18:20	gathers (1)
6:20	5:23;6:9;7:23;	4:13	field (2)	10:11
delayed (1)	13:14	estimated (1)	8:10;12:17	general (1)
6:11	during (6)	7:20	figures (1)	4:9
			1	

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Virtual Public Meeting 10-10-24 - 23-477

Scoping and Information Meeting October 10, 2024

	- 10-10-24	10-10-24 - 23-477		October 10, 2024
	L-L-L-L-L-(1)	T	17.01	167
generates (1)	highlight (1)	Indicating (1)	17:21	16:7
6:25	12:10	4:25	large (1)	Lower (2)
generating (2)	highlights (1)	information (6)	3:17	12:24;18:9
3:17;7:13	13:17	4:19,21;14:5;16:4;	Lauren (4)	
gigawatts (2)	Highway (2)	17:6,8	5:5;14:20,21;19:6	Μ
5:12,12	5:22;9:1	informed (1)	Law (1)	
goal (1)	Historic (2)	15:7	4:17	mail (1)
15:6	13:1,3	initial (1)	laydown (1)	17:5
Good (1)	homes (1)	9:12	8:22	main (2)
3:1	7:15	in-person (1)	layout (2)	15:10,25
graded (1)	hope (1)	16:22	8:4;9:6	maintain (1)
10:2	19:7	input (4)	lead (1)	17:20
grading (2)	horizontal (1)	12:10;14:15;16:2,3	5:4	maintained (1)
	10:4		leaders (1)	12:1
9:20,23		installation (2)		
Great (2)	hosted (1)	10:9,18	13:12	making (1)
14:20;19:7	13:22	installed (3)	least (2)	4:8
greatly (1)	hosting (1)	10:8,8,20	3:2;6:15	management (3)
14:15	13:18	installing (1)	left (1)	10:24;11:23;13:7
green (1)	hour (1)	9:18	11:12	manager (3)
8:18	7:24	instance (1)	length (1)	5:6;14:22;15:10
grid (3)	house (4)	4:12	6:15	map (1)
6:1,9;7:7	8:5;13:18,21,22	intend (1)	less (1)	6:5
GROUX (3)	household (1)	10:25	3:14	March (1)
4:24;5:1,4	7:4	interconnection (1)	letter (1)	4:13
grove (1)	human (5)	5:21	12:12	mark (1)
12:3	3:22;15:3,18;16:8;	interested (1)	level (1)	9:16
guidance (1)	17:22	19:4	5:17	match (1)
12:12	17.22	introduce (1)	levied (1)	7:6
12.12	I	13:19	7:23	
Н	1			materials (1) 9:14
Π	(1)	introduction (1)	lifespan (2)	
	- icon (1)	3:5	6:14,16	may (1)
habitat (1)	18:13	inverters (2)	limit (1)	9:23
12:17	identified (2)	7:3;8:21	17:19	maybe (1)
hand (2)	8:9,11	involves (1)	limits (2)	18:24
18:6,9	identify (2)	6:17	5:20;8:14	measures (1)
hashed (1)			line (7)	9:19
hashed (1)	14:1;16:17			9.19
8:16	14:1;16:17 identifying (1)	J	3:14;5:25;6:4;8:25;	meeting (6)
8:16	· · · · · · · · · · · · · · · · · · ·	J	3:14;5:25;6:4;8:25;	meeting (6)
8:16 health (1)	identifying (1) 15:19		3:14;5:25;6:4;8:25; 9:1;11:23;12:1	meeting (6) 3:9;4:10;5:2;14:10,
8:16 health (1) 3:25	identifying (1) 15:19 image (2)	JANEZICH (5)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22
8:16 health (1) 3:25 hear (2)	identifying (1) 15:19 image (2) 6:22;11:14	JANEZICH (5) 3:1,3;4:19,25;18:22	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17	identifying (1) 15:19 image (2) 6:22;11:14 impact (2)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22;	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12;	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22;	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1) 15:25	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1) 13:24	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L land (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25 look (2)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3) 4:2;9:21;15:20
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1) 15:25 Heritage (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1) 13:24 incorporates (1)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L land (1) 8:7	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25 look (2) 11:8;18:23	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3) 4:2;9:21;15:20 Minnesota (3)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1) 15:25 Heritage (1) 12:21	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1) 13:24 incorporates (1) 8:5	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L land (1) 8:7 landowner (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25 look (2) 11:8;18:23 looked (1)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3) 4:2;9:21;15:20 Minnesota (3) 3:16,21;10:25
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1) 15:25 Heritage (1) 12:21 hesitate (1)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1) 13:24 incorporates (1) 8:5 Indian (1)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L land (1) 8:7 landowner (1) 6:19	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25 look (2) 11:8;18:23 looked (1) 9:5	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3) 4:2;9:21;15:20 Minnesota (3) 3:16,21;10:25 Minnesotan (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1) 15:25 Heritage (1) 12:21 hesitate (1) 19:6	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1) 13:24 incorporates (1) 8:5 Indian (1) 12:24	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L land (1) 8:7 landowner (1) 6:19 landowners (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25 look (2) 11:8;18:23 looked (1) 9:5 looks (3)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3) 4:2;9:21;15:20 Minnesota (3) 3:16,21;10:25 Minnesotan (1) 7:14
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1) 15:25 Heritage (1) 12:21 hesitate (1) 19:6 high (3)	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1) 13:24 incorporates (1) 8:5 Indian (1) 12:24 indicate (1)	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L land (1) 8:7 landowner (1) 6:19 landowners (1) 6:3	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25 looke (2) 11:8;18:23 looked (1) 9:5 looks (3) 3:23;4:1;18:19	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3) 4:2;9:21;15:20 Minnesota (3) 3:16,21;10:25 Minnesota (1) 7:14 minute (1)
8:16 health (1) 3:25 hear (2) 4:24;18:17 heard (1) 13:21 hearing (1) 4:12 hearings (1) 4:17 height (2) 11:17,24 Hello (1) 14:21 help (3) 4:6;15:7;16:17 helping (1) 15:13 helps (1) 15:25 Heritage (1) 12:21 hesitate (1) 19:6	identifying (1) 15:19 image (2) 6:22;11:14 impact (2) 13:5,15 impacts (9) 3:22;4:3;12:22; 15:4,19,20;16:8,12; 17:22 include (7) 3:4,13,21,24;6:22; 13:18;14:5 included (2) 8:15;14:7 includes (3) 6:2;10:21;11:24 including (1) 8:10 incorporated (1) 13:24 incorporates (1) 8:5 Indian (1) 12:24	JANEZICH (5) 3:1,3;4:19,25;18:22 jobs (2) 7:25;8:2 joined (1) 14:14 Judge (1) 4:17 June (1) 4:15 K key (2) 6:8;9:18 L land (1) 8:7 landowner (1) 6:19 landowners (1)	3:14;5:25;6:4;8:25; 9:1;11:23;12:1 Lisa (1) 5:6 list (1) 3:23 listed (2) 8:7;17:6 listen (1) 13:20 LLC (1) 5:14 local (3) 12:9;13:12,25 located (4) 5:18,22;8:25;16:2 location (2) 5:23;11:20 long (1) 5:25 look (2) 11:8;18:23 looked (1) 9:5 looks (3)	meeting (6) 3:9;4:10;5:2;14:10, 15;16:22 meetings (1) 13:22 megawatt (1) 7:24 megawatts (1) 3:18 members (1) 16:10 message (2) 18:13,16 metric (1) 7:15 might (1) 16:13 milestone (1) 6:8 minimize (3) 4:2;9:21;15:20 Minnesota (3) 3:16,21;10:25 Minnesotan (1) 7:14

Birch Coulee Solar Proj Virtual Public Meeting		Virtual Public Meeting 10-10-24 - 23-477	Scoping a	nd Information Meeting October 10, 2024
minutes (1)	10:5;11:11	11:22,25	placed (1)	8:2,19,24;9:11,17,24;
17:20	note (1)	over (8)	6:10	10:15,16,19,23;11:8,
mitigate (2)	17:9	3:7,12,18,24;4:17,	plan (4)	11,13;12:2,4,7,11;
4:2;15:20	notification (1)	23;9:14;14:18	10:24;11:24;13:6,7	13:13,15,19,23;14:5,
mitigation (1)	12:11	overview (2)	plant (1)	6,12,17,22;15:6,8,17;
13:5		5:3,17	3:18	16:2,13;17:9
mixed (2)	Ο	owning (1)	please (6)	projects (3)
11:24,25		5:10	14:6,25;16:20;	9:7,9;15:4
mobilization (1)	objective (1)		17:10,19;18:13	properly (1)
9:13	15:16	Р	plenty (1)	11:4
moment (1)	October (3)		18:25	proposed (3)
18:23	13:19;17:11;19:1	page (1)	pm (2)	8:4;11:17;15:16
month (1)	office (1)	17:9	17:11;19:9	provide (3)
17:10	13:3	panel (2)	point (1)	5:3;7:17,25
months (2)	Officers (1)	8:18;10:17	5:20	providing (3)
9:12,15	13:1	panels (3)	points (1)	14:10;15:2,22
more (2)	offset (1)	6:24;10:8,11	11:9	proximity (2)
4:11;11:25	7:15	parcel (1)	pollinator-friendly (1)	5:24;13:15
most (1)	offsite (1)	8:14	11:1	Public (13)
16:4	9:22	parcels (1)	portion (1)	3:3,16,25;4:12,17,
moved (1)	one (5)	6:2	5:19	20;5:2;14:10;16:1,3,
10:1	15:25;16:23;17:9,	parent (1)	position (1)	16;17:4;19:9
much (2)	15;19:3	5:14	7:1	PUC (2)
4:15;9:23	online (2)	part (1)	post (1)	14:7,9
must (1)	17:1;18:6	11:6	6:19	pump (1)
6:9	onsite (1)	participate (1)	potential (5)	10:10
myself (1)	10:1	19:1	3:22;4:2;9:21;15:3,	0
19:6	open (7)	participating (1)	18	Q
Ν	3:8;8:5;13:18,21,	6:3	power (3)	
19	22;17:1;18:20	particular (1)	3:17;6:11;7:14	qualifies (1) 3:17
	operate (1) 9:7	11:9	preliminary (1) 9:2	
name (4) 3:2;4:18;5:4;17:17		partnered (1) 12:24	9.2 preparation (1)	queue (1) 18:4
name's (1)	operates (1) 6:24	partnership (1)	9:13	10.4
14:21	operating (3)	14:1	prepare (4)	R
native (2)	5:10;6:13;11:3	party (1)	4:5;15:11;16:1;	N
10:25;11:24	operation (3)	15:21	18:15	racking (3)
Natural (2)	5:12;11:8;12:5	peak (1)	prepared (2)	10:3,3,7
12:14,21	operational (3)	8:1	10:23;11:7	raise (1)
necessary (2)	8:15,23;11:13	per (6)	preparing (1)	18:6
5:25;9:23	operations (3)	7:15,16,21,21,24;	12:8	really (2)
need (2)	6:5;8:2;12:2	11:16	presentation (3)	16:15;19:3
16:16;17:16	opportunities (2)	perimeter (2)	3:4,8;16:24	reasons (1)
neighbors (1)	4:11;14:1	11:15,17	Preservation (2)	5:23
13:13	opportunity (1)	period (4)	13:1,3	received (2)
neutral (2)	14:11	4:11;16:23;17:2,9	preside (1)	12:12;13:2
15:3,21	optimize (1)	permit (7)	4:17	recognize (1)
new (1)	10:5	3:5,15,20;6:15;	press (2)	13:14
7:22	option (1)	11:6;12:8;13:8	18:3,5	recommendations (3)
Next (18)	15:22	permitting (2)	prior (1)	12:10,12;13:11
4:18;5:8,16;6:21;	orange (1)	5:6;14:17	9:3	record (2)
7:10;8:18;9:4;10:6;	8:20	phase (1)	prioritized (1)	17:18;18:18
11:5;12:6;13:9;14:3,	ordinance (3)	10:20	13:25	red (1)
25;15:9,24;16:20;	8:7,8;11:16	phone (1)	process (3)	8:22
17:12,25	organizations (1)	18:3	3:5,8;14:17	relatively (1)
nine (1)	14:1	photo (1)	production (1)	9:25
6:2	oriented (1)	12:4	7:22	relevant (1)
noise (1)	10:4	physically (1)	project (67)	16:4
3:25	others (1)	17:5	3:6,10,11,13,15,19,	remain (1)
north (4)	17:20	pieces (1)	23;4:3,10,12,14;5:4,4,	12:4
5:22;8:25;9:1;	outlined (1)	9:8	6,7,13,17,18,23;6:1,2,	remove (1)
11:10	3:20	pivot (1)	5,8,10,11,12,14,16,17,	18:5
north/south (2)	outside (2)	9:7	23;7:11,12,13,23,24;	removing (1)
L	1	1	1	1

Virtual Public Meeting 10-10-24 - 23-477 Scoping and Information Meeting October 10, 2024

Virtual Public Meeting	- 10-10-24	1
6:17	4:15	4
renderings (1)	schematic (1)	slid
11:7	6:22	4
renewable (1)	school (1)	1
5:10	7:18	10
Renville (4)		14
3:13;7:17;8:7;	scope (2) 14:12;17:23	1
12:19	scoping (2)	
reporter (1)	5:2;14:8	sma 8:
17:17	SCOTT (3)	sma
represented (1)	4:24;5:1,4	1
8:24	second (1)	soil
requires (1)	13:22	301 9:
3:15	secure (1)	soils
resource (1)	4:4	9
15:13	sediment (1)	Sola
resources (2)	9:19	3
4:4;12:15	selected (1)	1
respect (1)	5:23	6,
17:20	send (2)	1
respectful (1)	17:10;18:13	Sola
17:20	sends (1)	9
restoration (1)	17:4	solie
10:20	sensitive (1)	1
restored (1)	8:9	sout
11:2	service (2)	1
results (2)	6:10;12:13	sout
12:20;13:3	setback (2)	8
revenue (3)	11:14,22	spea
7:17,20,23	setbacks (1)	1
review (3)	8:6	14
3:7;12:21;14:23	several (2)	spea
reviewed (1)	9:15;11:7	1'
10:24	shaded (1)	spec
reviews (1)	8:17	1
3:19	share (1)	spec
right (4)	13:23	1
11:14;17:13;18:19; 19:4	shines (1) 6:24	spel
right-hand (1)	show (2)	stab
8:3	11:7;18:4	Stat
right-of-way (1)	showed (1)	stag
11:16	8:4	9
road (1)	shown (2)	stak
11:15	6:4;11:13	1
roadway (1)	shows (1)	star
11:21	4:9	9
rotate (1)	side (2)	Stat
6:25	8:3;11:23	9
Rule (1)	sides (1)	1'
3:21	11:21	stat
runoff (1)	Sioux (2)	1:
9:21	12:24,25	stee
runs (1)	site (15)	10
11:11	3:12,15,20;6:15;	step
S	8:4;9:6,13,14,16;	4:
3	10:2;11:1,2,6;12:8;	step
sofoty (1)	13:8 sites (1)	7: still
safety (1) 3:25	5:11	sun 13
same (2)	size (1)	stra
10:17;11:18	7:13	stra 1:
schedule (1)	slated (1)	stre
Schedule (1)	Sinter (1)	but

10-10-24 - 23-477	
4:13	7:
slide (20)	Stre
4:9,18,19,22;5:8,	11
16;6:21;7:10;9:4;	stud
10:6;11:5;12:6;13:9;	12
14:3,25;15:9,24;	stud
16:20;17:12,25	4:
small (1)	style
8:20	11
martphone (1)	subr
18:12	17
soil (3) 9:21;10:22;12:19	subr
9:21;10:22;12:19 soils (1)	subs
9:25	5:
Solar (19)	19
3:10,11;5:3,13,14,	suita
18;6:23;7:12,23;8:1,	4:
6,17,21;9:6,10;10:23;	sun
11:19,20;14:16	10
Solar's (1)	Sun
9:6	6:
soliciting (2)	sun'
13:10;16:9	7:
south (1)	supp
11:19	1(
southern (1) 8:14	sure
speak (6)	surr
16:25;17:14;18:7,	16
14,15,17	surv
peaker (1)	8:
17:15	surv
species (2)	8:
11:24;12:23	syste
specifically (2)	6:
18:15,17 spell (1)	
17:17	
stabilizing (1)	table
10:21	16
stage (1)	table
9:18	18
takeholders (1)	talk
13:16	9: talk
starting (1) 9:12	tark 9:
State (4)	task
9:1;12:9;13:2;	15
17:16	tax (
status (1)	7:
15:8	tech
steel (2)	15
10:4,8	tech 8:
tep (1) 4:13	testi
stepped (1)	11
7:6	ther
still (1)	4:
18:25	thic
strategies (1)	6:
15:19	thire 15
stream (1)	13

:23 et (1) 1:10 lies (1) 2:17 **dy (1)** :7 e (1) 1:17 mit (2) 7:3;19:2 mitted (1) 3:7 station (9) :22,24;7:6,8;8:17, 9,20;10:14,17 able (1) 1 (1) 0:5 light (1) :24 's (1) :1 port (3) 0:4,9;14:2 e (1) 1:3 rounding (1) 6:18 vey (4) :12;9:16;13:2,4 veys (1) :10 em (5) :9;7:9;8:6;10:3,7 Т le (1) 6:6 let (1) 8:12 (2) 7;18:23 ed (1) :6 (1)5:10 (2) :22,23 nnical (2) 5:1,13 nnician (1) :2 ing (1) 1:3 re'll (1) :11 **k** (2) :4;8:24 d (1) 15:21

October 10, 202	2
third-party (1) 15:3	
threatened (1)	
12:22 three (1)	
8:1 throughout (3)	
7:1;8:21;11:1 timeline (1)	
4:9 today (1)	
18:1 tonight (4)	
5:5;14:15;16:11,23 tons (1)	
7:16 top (1)	
10:22 topics (1)	
16:7 topography (1)	
9:24 total (1)	
5:11 Townships (3)	
5:19;7:18;13:12 track (1)	
7:1	
transmission (4) 3:14;5:25;7:8;9:1	
treed (1) 8:11	
trees (2) 12:3,3	
Trevor (1) 4:20	
Tribal (1) 12:25	
tribes (2) 12:9;13:11	
turn (2) 4:23;14:18	
typical (1) 7:4	
U	
under (2)	
17:8,23 undergoes (1)	
11:3 unique (2)	
16:16,17 Unit (2) 14:24;15:1	
up (3) 3:8;7:6;18:4	
update (1) 6:8	
updates (1) 6:9	
Upper (1) 12:25	
1	

Birch Coulee Solar Proj Virtual Public Meeting ·	ect - 23-477 - 10-10-24	Virtual Public Meeting 10-10-24 - 23-477	Scoping and Information Meetin October 10, 202
up-to-125-megawatt (1) 7:12 use (6) 7:5;8:7;17:20;18:6, 9,13 used (1) 15:12 <i>using (2)</i>	3:3 worked (1) 12:7 workers (1) 7:25 writing (1) 19:2	6:13 25,000 (1) 7:14 250,000 (1) 7:21 25th (2) 17:11;19:1	
using (2) 18:5,11	X	3	
Utilities (2) 3:3,16 utility (1) 7:8	Xcel (1) 5:21	30 (1) 6:15 300 (1)	
V	Y	7:25	
valuable (1)	yards (1) 8:22	4	
16:15 value (1) 14:15 vantage (1)	year (4) 7:15,16,21,21 years (1) 6:15	4:30 (1) 17:11 400th (1) 11:10	
11:9 various (1) 16:12	yellow (1) 8:16 yesterday (1)	5	
vegetation (7) 9:16;10:22,24;11:1, 22,23;13:6 verbal (1)	16:22 Z	50 (1) 3:18 51 (1) 5:12	
16:22 view (3)	zoning (1) 8:8	6	
11:9,12,13 visual (1) 11:7	1	6:24 (1) 19:9	
voltage (1) 7:7	1,000 (1) 3:12	67 (1) 11:15	
W	1,042 (1) 6:4	67-foot (1) 11:21	
wants (1) 18:23	1,500 (1) 3:15 115-kV (1)	7	
water (2) 8:10;12:19	3:14 12 (2)	7.9 (1) 5:11	
way (2) 15:5,22 ways (2)	3:24;9:11 125-megawatt (1)	768 (2) 3:11;6:6 7850 (100 (1)	
4:2;14:2 Webex (2)	3:11 18 (1) 9:12	7850.4100 (1) 3:21	
18:6,11 website (4)	184,000 (1) 7:15		
14:4;17:1,2,8 Welcome (1)	19 (2) 5:22;9:1		
5:1 wetland (2) 12:16,20	2		
wetlands (1) 8:10	2023 (1) 13:19		
Wildlife (1) 12:13	2024 (2) 8:5;13:23		
wiring (1) 10:10	2025 (2) 4:13,15		
within (3) 3:12;5:20;8:14 work (1)	2028 (1) 6:12 2030 (1)		
work (1)	2030 (1)		