

The Commission met on **Wednesday, January 20, 2016**, with Chair Heydinger and Commissioners Lange, Lipschultz, and Tuma present.

The following matters were taken up by the Commission:

ENERGY AGENDA

IP-6828/WS-09-1197

In the Matter of the Application of Pleasant Valley Wind, LLC for a Large Wind Energy Conversion System Site Permit for the 301-MW Pleasant Valley Wind Project in Dodge and Mower Counties

Commissioner Tuma moved to approve the proposed *Post-Construction Noise Measurement Study Protocol* pursuant to section 6.6 of the site permit.

The motion passed 4–0.

IP-6943/GS-15-33

IN the matter of the Combined Application of North Star Solar PV LLC for a Site Permit and Route Permit for the North Star Solar Electric Power Generating Plant and Associated 115kV High-Voltage Transmission Line in Chisago County

Commissioner Lipschultz moved to take the following actions:

1. Adopt the ALJ Findings of Fact, Conclusions of Law, and Recommendation for the North Star Solar electric power generating plant and associated 115 kV high-voltage transmission line in Chisago County with the following modifications:

A. Strike Finding 169;

B. Modify Conclusion 10 to read:

§ 5.0.1

The Permittee shall develop a site specific Landscaping Plan in consultation with Chisago County, and considering local government ordinances and setbacks, that reasonably mitigates the visual impacts to all adjacent residences. The Landscaping Plan shall be filed in this docket at least 14 days prior to the pre-construction meeting.

C. Modify Conclusion 10 to read

§ 5.0.4

Tree removal required by the Projects shall be done between October 1st and March 30th to mitigate negative impacts to the northern long-eared bat and to

minimize potential impacts on migratory birds, unless other appropriate time limitations on tree clearing are determined in consultation with the USFWS. The Permittee shall file an account of that consultation 14 days prior to the pre-construction meeting.

2. Determine that the environmental assessment and the record created at the public hearing addresses the issues identified in the environmental assessment scoping decision.
3. Grant North Star Solar PV LLC a solar energy generating site permit identifying permit conditions for the 100 MW North Star Solar Generating Facility in Chisago County.
4. Requite the site permit to include the mitigation measures and conditions contained in the generic site permit template including the following modifications and special conditions:

A. Modify Section 4.1 as follows:

Within 14 days of issuance of this permit, the Permittee shall send a copy of the permit to any regional development commission, county, city, and township in which any part of the site is located.

The Permittee shall provide all affected landowners with a copy of this permit and, as a separate information piece, the complaint procedures after issuance of this permit. The Permittee shall contact participating landowners prior to entering their property or conducting maintenance within the site, unless otherwise negotiated with the affected landowner.

B. Add a special condition concerning landscaping plan requirement as follows:

The Permittee shall develop a site specific landscaping plan in consultation with Chisago County, and considering local government ordinances and setbacks, that reasonably mitigates the visual impacts to all adjacent residences. The landscaping plan shall be filed at least 14 days prior to the pre-construction meeting.

C. Add a special condition concerning vegetation management plan requirements as follows:

The Permittee shall develop a vegetation management plan in consultation with the DNR to the benefit of pollinators and other wildlife, and to enhance soil water retention and reduce storm water runoff and erosion.

The vegetation management plan shall be filed at least 14 days prior to the pre-construction meeting.

D. Add a special condition concerning security fence requirements as follows:

The security fence surrounding the Project shall be designed to minimize the visual impact of the project. While maintaining compliance with the National Electrical Safety Code, the Permittee shall install an eight-foot wood pole and woven wire fence, or substantially similar, around the perimeter of the Project. This type of fence is commonly referred to as a “deer fence” or “agricultural fence.” The permittee shall consult with DNR to insure the design of the facilities preserves or replaces identified natural wildlife, wetland, woodland or other corridors.

E. Add a special condition concerning tree removal timetables as follows:


Tree removal required by the Projects shall be done between October 1st and March 30th to mitigate negative impacts to the northern long-eared bat and to minimize potential impacts on migratory birds, unless other appropriate time limitations on tree clearing are determined in consultation with the USFWS. The Permittee shall file an account of that consultation 14 days prior to the pre-construction meeting.

5. Grant North Star Solar PV LLC a high-voltage transmission line route permit identifying a specific route and permit conditions for the North Star Solar Project 115 kV Transmission Line in Chisago County.
6. Require the route permit to include the mitigation measures and conditions contained in the generic route permit template including the following special condition concerning tree removal timetables as follows:
7. With respect to the remaining seven landowners substantially surrounded by the solar panels with whom North Star indicated they have entered into buyout negotiations, North Star shall notify the Commission of the resolution of those negotiations by providing a copy of any signed agreements or agreed-upon mitigation by March 15, 2016.

The motion passed 4-0.

There being no further business, the meeting was adjourned.

APPROVED BY THE COMMISSION: February 17, 2016



Daniel P. Wolf, Executive Secretary