



**Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road
St. Paul, MN 55155-4040**

April 14, 2022

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

RE: In the Matter of the Application of Hayward Solar LLC, for a Site Permit for the up to 150 MW Hayward Solar Project in Freeborn County, PUC Docket Number: IP-7053/GS-21-113

Public Advisor,

The Minnesota Department of Natural Resources (DNR) has reviewed the Environmental Assessment (EA) for the Hayward Solar Project in Freeborn County. Our agency offers the following comments:

Soil Conditions and Limitations

The proposed project is within an area that was historically a large wetland, and most of the soils are in the poor and very poor drainage classes. To reiterate a topic from the DNR's previous comment letter (August 18, 2021), specific management practices are necessary to ensure that poorly drained soils are adequately addressed during construction, particularly during rain events.

Water Appropriation

Section 5.5.4 of the EA states that solar farms do not use water to generate electricity or for cooling and that water is not appropriated to operate these facilities. However, a DNR water appropriation permit may be required for construction dewatering or dust control. Our agency advises that a water use permit is required for all users withdrawing more than 10,000 gallons of water per day or one million gallons per year.

Facility Lighting

The DNR recommends a special permit condition to minimize visual impacts of the substation, as well as the operations and maintenance building, by using shielded and downward facing lighting and lighting that minimizes blue hue. LED lighting is often high in blue light, which is harmful to birds, insects, and fish. A similar special permit condition was included for the substation associated with the Frazee to Erie 115 kV Transmission Line Project (Docket TL-20-423): *Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the project substation. Downward facing lighting must be clearly visible on the plan and profile submitted for the project.*

Wildlife-Friendly Erosion Control

Due to entanglement issues with small animals, the DNR recommends that erosion control blankets be limited to “bio-netting” or “natural netting” types, and specifically not products containing plastic mesh netting or other plastic components. Furthermore, hydro-mulch products may contain small synthetic (plastic) fibers to aid in its matrix strength. The DNR recommends a special permit condition requiring the use of wildlife friendly erosion control akin to the condition included for the Louise Solar project (Docket WS-20-647): *The Permittee shall use only “bio-netting” or “natural netting” types and mulch products without synthetic (plastic) fiber additives.*

Vegetation Management Plan

The DNR recommends that the applicant work with the Vegetation Management Plan Working Group (VMPWG) to modify the draft VMP. As a member of the VMPWG, our agency is committed to working with Hayward Solar to ensure successful vegetation establishment and maintenance. The DNR has continued concerns regarding the incompatibility of seed mixes with soil types as well as herbicide use during the seeding and establishment phase. Our agency also supports a restriction on mowing after vegetation has been established, which typically occurs after 3-5 years. The VMP states that mowing will be used to manage vegetation during and after the establishment phase. After establishment, restricting mowing from April 15 to August 15 would improve the potential for ground nesting habitat.

The DNR appreciates the opportunity to comment on the Hayward Solar Project. Our agency advises that any DNR permits or licenses required for the project will not be granted until the PUC has issued an approved permit for this project. If you have questions about our agency’s comments, I may be reached at 651-259-5078 or cynthia.warzecha@state.mn.us.

Sincerely,

/S/ Cynthia Warzecha
Energy Projects Planner

CC: Michael Kaluzniak, Minnesota Public Utilities Commission
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