STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

Katie Sieben	Chair
Hwikwon Ham	Commissioner
Audrey Partridge	Commissioner
Joseph Sullivan	Commissioner
John Tuma	Commissioner

In the Matters of the Applications of	**)**	
Benton Solar, LLC for Site Permits for the	**)**	
100 MW Solar Energy Generating System and	**)**	**Docket Nos. IP7115/GS-23-423**
100 MW Battery Energy Storage System and	**)**	**IP7115/TL-23-425**
a Route Permit for the 115 kV High-Voltage	**)**	**IP7115/ESS-24-283**
Transmission Line Associated with the Benton	**)**	**OAH Docket No. 25-2500-40339**
Solar Project in Benton County, Minnesota	**)**	

Benton Solar, LLC's Response to Scoping Comments

I. Introduction

Benton Solar, LLC ("Benton Solar") respectfully submits this response ("Response") to the comments made orally at the January 14 and 15 Environmental Assessment Scoping Meetings ("Scoping Meetings") held in the above-referenced proceedings, and to the written comments submitted thereafter pursuant to the December 26, 2024 Notice of Public Information and Environmental Assessment Scoping Meetings from the Minnesota Public Utilities Commission ("Commission") and Minnesota Department of Commerce ("Department"). This Response addresses specific comments by directing commentors to existing information contained in the Joint Site Permit and Route Permit Applications, as well as providing additional clarifications and information where appropriate.

II. Site Selection and Potential Impacts to Residential Areas

Several commentors raised concerns regarding the Project's[1] location relative to residential areas, including reasons for selecting the Project site and potential impacts to visual surroundings, noise levels, and property values. Although the entirety of the Project is proposed to be built on private land pursuant to voluntary agreements, Benton Solar recognizes the importance of these concerns and provides the below responses to address them.

[1] This Response refers to the up to 100-megawatt ("MW") capacity solar energy conversion facility as the "Solar Facility," the up to 100-MW battery energy storage system as the "BESS," and the approximately 0.5 mile, 115-kilovolt high-voltage transmission line as the "Transmission Line." This Response uses the term "Project" to refer to all three components collectively (i.e., the Solar Facility, the BESS, and the Transmission Project).

A. Siting

- Some commentors questioned why the Project was sited in its proposed location and suggested that the Project could be moved further away from residential areas.[2]

Response: Benton Solar invested significant time and resources in evaluating and selecting the Project site, which is unique in several meaningful ways and cannot easily be relocated or replicated. As provided in Section 2.1 of the Joint Site Permit Application, "the Site[3] is advantageous for solar development based on: 1) optimal solar resource; 2) environmental setting (i.e., where disturbance to other resources such as wetlands was minimized); 3) proximity to a point of interconnection (POI) to optimize equipment efficiency, minimize line loss, and avoid the need to construct a larger transmission line; and 4) the locations where landowners were willing to participate in the Project." Each of these factors is discussed further in Section 2.3.1.

B. Visual Concerns, Aesthetic Changes, and Mitigation Measures

- Commentors provided oral and written comments regarding the visual impact of the Solar Facility and BESS, and how the presence of the Solar Facility and BESS will change the landscape, including what it would mean to their daily way of life.[4]

Response: As a threshold matter, Benton Solar appreciates that community members hold various perspectives on the siting of a solar facility in their community, including the impacts of one being installed near their residence. To address these concerns, Benton Solar has committed to comply with the county setback standard (i.e., 300.0 feet from any residential dwelling unit not located on the property) and visual screening standards (i.e., installed in instances where there is less than 1,000 feet of separation between a residence and solar array) outlined in the Benton County Development Code, Section 9.20, Solar Energy Systems, where necessary (Benton County 2020) (please see Joint Site Permit Application, Section 3.3). Benton Solar continues to work on the screening plan and will prioritize minimizing visual impacts to the extent practicable.

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[2] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 49-52 (Jan. 14, 2025).

[3] The Site is defined in the Joint Site Permit Application as the 951.4-acre area for which Benton Solar has full land control and contains the Solar Facility and the BESS. Joint Site Permit Application by Benton Solar, LLC, at viii, Sept. 24, 2024, eDockets Doc. ID. 20249-210442-03 ("Joint Site Permit Application").

[4] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 42-45, 49-52, 64-65, 75-82 (Jan. 14, 2025) (Reed, Odenthal, M. Litfin, J. Litfin); Public Comments by Residents Impacted by Proposed Solar Project, Jan. 29, 2025, eDockets Doc. ID 20252-214999-02 ("Residents Comments"); Public Comments by Tammy Biery, Jan. 31, 2025, eDockets Doc. ID 20252-214999-02 ("Biery Comments"); Public Comments by Matt Braem, Jan. 27, 2025, eDockets Doc. ID 20252-214999-02 ("Braem Comments"); Public Comments by Michelle Johnson, Jan. 27, 2025, eDockets Doc. ID 20252-214999-02 ("Johnson Comments"); Public Comments by Steve Jurek, Jan. 29, 2025, eDockets Doc. ID 20252-214999-02 ("Jurek Comments"); Public Comments by Jaclyn and Mitch Litfin, Jan. 31, 2025, eDockets Doc. ID 20252-214999-02 ("Litfin Comments"); Public Comments by Sarah Mindeman, Jan. 26, 2025, eDockets Doc. ID 20252-214999-02; Public Comments by Steve Oetken, Jan. 31, 2025, eDockets Doc. ID 20252-214999-02; Public Comments by Jeffrey Reed, Jan. 14, 2025, eDockets Doc. ID 20252-214999-02; Public Comments by Jenna Reed, Jan. 29, 2025, eDockets Doc. ID 20252-214999-02 ("Reed Comments"); Public Comments by Leigh Rusin, Jan. 31, 2025, eDockets Doc. ID 20252-214999-02 ("Rusin Comments"); Public Comments by Tamara Sell, Jan. 31, 2025, eDockets Doc. ID 20252-214999-02 ("Sell Comments").

Impacts to visual resources and aesthetics are also addressed in Section 4.2.5 of the Joint Site Permit Application. The Project will convert current land cover (primarily agricultural and developed [95.2% and 99.2%, respectively]) into the Solar Facility, the BESS, and associated facilities for the life of the Project. However, Benton Solar has worked with state agencies, including the Department of Natural Resources ("MnDNR"), Board of Water and Soil Resources, and the Department of Agriculture ("MDA"), to develop a Vegetation Management Plan that would convert approximately 570 acres of the Site into a re-vegetated landscape comprised of regionally appropriate seed mixes that are anticipated to produce blooms in multiple seasons and support wildlife, including pollinators (see Appendix D of the Joint Site Permit Application). This revegetated area will largely replace disturbed cultivated agricultural land. Additionally, a Project glint and glare analysis was completed in 2022, which concluded that no glare occurrences are anticipated for nearby residences or roadways.[5]

C. Sound Levels

- Commentors provided written comments regarding noise that may be produced by the BESS and the Solar Facility.[6]

Response: As explained in Section 4.2.3 of the Joint Site Permit Application, Benton Solar has designed the Project to operate well below the threshold for acceptable noise levels established by the state. The Minnesota Pollution Control Agency ("MPCA") adopts standards that describe the maximum levels of noise in terms of sound pressure level that may occur in an outdoor atmosphere (Minn. Stat. § 116.07, subd. 2). Generally, the daytime/nighttime standards are broken down into three noise area classifications (residential, commercial, and industrial) and are outlined in Table 4.2-2 of the Joint Site Permit Application. The Site is categorized as "Noise Area 1 (residential)." Noise Area Classification 1 receptors are protected by the lowest sound level limits of the MPCA, expressed as the nighttime L50 sound level limit of 50 dBA (e.g., representative of a library setting). The sound level modeling analysis for the Project included solar inverters, BESS inverters, BESS containers, and one 115-megavolt amperes transformer. The modeled sound levels from the Project at 549 receptors are shown in Appendix G of the Joint Site Permit Application. The highest predicted worst-case Project-only L50 sound level is 45 dBA. When combined with a nighttime existing sound level of 34 dBA (in the absence of sound level measurements, the sound level of 34 dBA from ANSI/ASA S12.9-2013/Part 3 was assumed for the evaluation of the total sound level limit) from the American National Standards Institute/Acoustical Society of America standard, the total sound level is 45 dBA, which is well below the 50 dBA limit.

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[5] *See* sources cited in Joint Site Permit Application, at p. 52.

[6] *See* Residents Comments; Johnson Comments; Sell Comments.

D. Landowner Agreements, Property Values, Insurance, and Taxes

- Commentors provided oral and written comments on the Project's potential effects on landowners in the surrounding area, including potential effects on property values, any compensation for decreases in property values, and changes to insurance rates and taxes.[7]

Response: Benton Solar does not anticipate any decreases in property values attributable to the Project. The Joint Site Permit Application includes a market impact analysis commissioned by Benton Solar and cites existing literature, both of which conclude that solar farms and BESSs do not have a negative effect on the value, or deter sales, of neighboring agricultural land or residential single-family homes. The full analysis and existing literature are included in Section 4.2.6.1.2 and Appendix H of the Joint Permit Application. Benton Solar does not plan to compensate non-participating landowners throughout the life of the Project.

Benton Solar is not aware of and does not anticipate any changes to insurance rates or property taxes for participating landowners who are hosting project infrastructure. Benton Solar will pay a Solar Energy Production tax of $1.20 per megawatt hour produced in lieu of property taxes (Minnesota Department of Revenue). This will equate to approximately $200,000 per year to Benton County, and $50,000 per year to Minden Township.

III. Health and Safety

A. Human Health and Safety, including Long-Term Impacts

- Commentors presented oral and written comments on the potential impacts of the proposed Solar Facility and BESS on human health and safety, including potential acute and long-term health impacts.[8]

Response: Benton Solar is not aware of any scientific evidence that supports a link between the conditions raised by commentors and facilities like the Project. People have been safely living and working around solar panels for decades. Solar energy emits no pollution and the overall impact of solar on human health is overwhelmingly positive. Unlike other energy sources, solar energy does not produce emissions that may cause negative health effects or environmental damage. In fact, studies have shown health-related air quality benefits from solar energy are worth even more than the electricity itself.

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[7] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 21-22, 41, 45-46, 81 (Jan. 14, 2025) (Odenthal, Reed, Sell, J. Litfin); Remote Access 6:00 pm Tr. at 32-33 (LRusin) (Jan. 15, 2025); Biery Comments; Braem Comments; Public Comments by Brent Cronquist, Jan. 30, 2025, eDockets Doc. ID 20252-214999-02 ("Cronquist Comments"); Public Comments by Sarah Feierabend, Jan. 26, 2025, eDockets Doc. ID 20252-214999-02; Public Comments by Eric Haffner and Heather Schultz, Jan. 31, 2025, eDockets Doc. ID 20252-214999-02 ("Haffner Comments"); Johnson Comments; Jurek Comments; Public Comments by Michael Odenthal, Jan. 31, 2025, eDockets Doc. ID 20252-214999-02 ("Odenthal Comments"); Public Comments by Jeffrey Reed, Jan. 14, 2025, eDockets Doc. ID 20252-214999-02; Reed Comments; Rusin Comments; Sell Comments.

[8] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 76-78 (Jan. 14, 2025) (J. Litfin); Residents Comments; Biery Comments; Cronquist Comments; Johnson Comments; Litfin Comments; Reed Comments; Sell Comments.

Solar photovoltaic ("PV") panels typically consist of solar cells made of glass, polymer, aluminum, copper and semiconductor materials that can be recovered and recycled at the end of their useful life. To provide decades of corrosion-free operation, solar cells are encapsulated from air and moisture between two layers of plastic, with a layer of tempered glass and a polymer sheet or industrial laminate. In the same way a windshield cracks but stays intact, a damaged solar cell does not generally create small pieces of debris. Crystalline silicon panels represent approximately 90% of solar panels in use today. Research has shown they "do not pose a material risk or toxicity to public health and safety."[9] For example, there is no material risk of chemical components leaching into soil or groundwater.

Similar to PV facilities, BESSs do not pose a risk to the health and safety of the community. Battery cells are completely sealed and do not leak or produce any emissions. The cells are built into modules that provide physical protection. The modules are designed into racks, and racks are mounted into containerized systems, all with additional layers of physical protection. The containers, for example, typically consist of steel exterior walls and doors. The multiple layers of protection essentially eliminate any risk of physical damage to the cells. In the very rare scenario of a thermal event, contemporaneous monitoring and post-event testing have revealed no air, soil, or water contamination.[10] At the end of life for the Project, the battery cells may either be repurposed for another use (second-life) or recycled. As with PV panels most of the materials used in lithium-ion cells can be recovered and recycled at the end of their useful life.

B. Electromagnetic Fields

- Commentors presented oral and written comments on the potential impacts of the proposed project related to electric and magnetic fields ("EMF").[11]

Response: EMF and stray voltage are discussed in Section 4.2.4 of the Joint Site Permit Application, and in Section 7.2.1.4 of the Route Permit Application. In summary, solar farms produce a lower electromagnetic field exposure than most household appliances, such as TVs and refrigerators. Further, BESS systems operate on direct current rather than alternating current, and accordingly emit insignificant EMF.

Benton Solar expects that solar facility and BESS EMF levels would dissipate to acceptable background levels long before reaching any residences. Similarly, the Transmission Line's electric fields and magnetic fields will be well below the Commission's historically imposed maximum levels for electric fields and the Institute of Electrical and Electronic Engineers' guidelines for magnetic fields, respectively.

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9 Tommy Cleveland, *Health and Safety Impacts of Solar Photovoltaics*, N.C. State Univ., N.C. Clean Energy Tech. Ctr. (May 2017), https://nccleantech.ncsu.edu/wp-content/uploads/2019/10/Health-and-Safety-Impacts-of-Solar-Photovoltaics-PV.pdf.

10 For example, see testing conducted and reports prepared in response to a fire at a SDG&E battery storage facility on September 5, 2024, which was not affiliated with Benton Solar or NEER. *Air Quality Report and Water Run Off Report for the SDG&E Battery Storage Fire*, Escondio (Sept. 19, 2024), https://www.escondido.gov/CivicAlerts.aspx?AID=96.

11 *See e.g.*, Sauk Rapids 6:00 pm Tr. at 63-64 (Jan. 14, 2025) (Sell); Sell Comments.

C. Per- and Polyfluoroalkyl Substances (PFAs)

- A commentor provided a written comment regarding their concern about per- and polyfluoroalkyl substances ("PFAs") and potential impacts.[12]

Response: Some solar panel back-sheet materials may contain small percentages of fluoropolymers, a type of PFA that is highly stable and resistant to degradation. Peer research confirms that fluoropolymers meet the internationally recognized criteria of "Polymers of Low Concern"—they are biologically, chemically, and thermally stable, insoluble in water, and have high molecular weight that prevents crossing into cell membranes. Because of these properties, there is little to no risk of human and ecological health risks of PFAs getting into the environment from solar panels.

D. Emergency Response and Planning, including for Fire

- Commentors submitted oral and written comments regarding concern for how Benton Solar would respond should an emergency or fire occur at the BESS. Topics included 1) risks to local residents from fire incidents (e.g., related smoke or gases and the potential for explosions), 2) risk that incidents are triggered by storms, lightning, hail or other severe weather, and 3) mitigation plans in the event of a fire, including fire suppression, coordination with local emergency responders, training for local emergency responders, and evacuation plans for local residents. Commentors also noted examples of safety and fire incidents with other battery technologies.[13]

Response: Benton Solar will coordinate with local emergency responders, including providing training, to develop an Emergency Action Plan ("EAP") that prioritizes the safety of surrounding residents, structures, and emergency responders, which may be filed with the Commission pursuant to a standard permit condition prior to construction. Benton Solar began this outreach and training with Benton County Emergency Management on August 14, 2024, prior to submitting the Joint Site Permit Application. As explained in Section 3.4.4 of the Joint Site Permit Application, the EAP will include, inter alia, site evacuation plans, egress routes and muster areas. As explained below, however, Benton Solar does not anticipate any evacuations of buildings or residences adjacent to the Project because the design of the Solar Facility and the BESS includes fire mitigation measures.

As described in Section 4.2.1.2 of the Joint Site Permit Application, Benton Solar will also develop a safety plan for construction and operations and maintenance ("O&M") personnel that can be shared with agency response teams, as needed. The safety plan will describe standard procedures to be followed in accordance with local, state, and federal regulations and standard safety practices, and will include contacts for first responders and construction and O&M personnel. The safety plan will also include emergency procedures in the event of evacuation, fire, extreme weather conditions, injury, and criminal activity.

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[12] *See* Litfin Comments.

[13] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 53-60, 65-66, 78-79 (Jan. 14, 2025) (Sell, Odenthal, M. Lifin, J. Litfin); Remote Access 6:00 pm Tr. at 33-35 (Jan. 15, 2025) (Othoudt); Residents Comments; Johnson Comments; Odenthal Comments; Sell Comments.

With regard to the Solar Facility, there is a low likelihood of a fire event. The solar field itself has no substantial fuel source to support a fire—the panels are primarily metal and glass. If vegetation is allowed to grow within and under solar arrays, this vegetation typically consists of grasses or other small plants that are maintained less than 2 feet in height. The inverter units and pad mount transformers contain no hazardous materials.

The BESS is similarly designed to mitigate the risk of fire. As detailed in Section 3.1.2 of the Joint Site Permit Application, and explained at the January 14 Scoping Meeting, the BESS's containerized system is designed and tested to prevent a thermal runaway event, reducing the risk to residents and structures. The containerized system means that each battery cell has a thermal barrier between it and other cells in the same module, then each module is isolated from other modules in the same rack, and each rack is separated by a physical barrier from the other racks in the container. Each of these layers of separation and containment between cells, modules, and racks is designed to prevent the spread of any fire that occurs in one battery cell and significantly reduce any risk of a thermal runaway event propagating.

All of NextEra Energy Resources, LLC's ("NEER") and NEER subsidiaries' BESS systems are designed for the worst possible wind/storm conditions in any region in which they are installed, including lightning, heavy rain, and any relevant seismic or weather activity in the region. The design includes incorporating short circuit protection that would protect against a lightning strike and ground protection for any lightning strikes or water infiltration.

In the unlikely event of an incident, any fire would be suppressed in the BESS system, significantly reducing the risk of smoke or gas inhalation to anyone located outside of the BESS. Any smoke or gas produced from the battery cell would be predominately hydrogen, carbon dioxide and carbon monoxide. The cells themselves would not release hydrogen fluoride gas. Hydrogen fluoride may be released when plastic is burned, which may occur in any burning structure, but is not associated with any fires in the BESS cells themselves.

While Benton Solar cannot opine on the specific battery technologies used in incidents raised by commentors, the design of other battery technologies, including batteries used in applications other than BESSs, can lack the containerized and segregated energy storage systems that Benton Solar utilizes to reduce risk of incidents.

IV. Environmental and Wildlife Impacts

A. Microclimate

- Commentors provided oral and written comments regarding concern for "heat islands" and "hot spots," and for changes in wind patterns that could affect snow drifting.[14]

[14] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 50-51, 79 (Jan. 14, 2025) (Odenthal, J. Litfin); Residents Comments; Biery Comments; Johnson Comments; Odenthal Comments.

Response: Generally, the term "heat island effect" has typically been associated with urban areas where concrete and asphalt absorb and re-radiate heat, causing the local, ambient temperature to be warmer than surrounding areas. These discrete areas of temporarily increased temperature are also sometimes referred to as "hot spots."

While PV renewable energy production has surged, research is unclear whether PV power plants induce a heat island effect that is similar to the increase seen in ambient temperatures in cities relative to the wildlands. Study results are mixed on whether PV solar facilities impact area temperatures. In fact, while some studies show a slight increase in temperatures, others show PV systems can cause a cooling effect on the local environment.[15] Researchers who identified an increase in temperatures found that the increase was constrained to a small area around the PV installation itself.[16] Overall, a survey of the research conducted on the topic does not indicate any cause of concern.

Regarding impacts on wind patterns, the presence of solar facilities on the landscape has the potential to influence local wind patterns but is dependent on multiple variables such as project capacity, layout, environmental setting, and underlying surfaces. Benton Solar is not aware of any data demonstrating that a solar facility's impact on wind patterns resulted in a significant change to local snow drifting patterns.

B. Air Quality, including Emissions

- Commentors provided oral and written comments on concerns regarding air quality.[17]

Response: Air quality, and potential impacts to air quality, are discussed in detail in Section 4.5.1.2 of the Joint Site Permit Application and Section 7.5.1.2 of the Route Permit Application. Benton Solar will prevent the spread of dust during construction by wetting surfaces with water and/or commercial dust suppressants as needed to reduce the risk of dust becoming a nuisance to the public and neighbors. While construction activities may result in the short-term increase of airborne dust/particulate matter and emissions (related to use of equipment), these activities will be temporary. No long-term impacts to air quality because of construction are anticipated to occur.

Once operational, the Solar Facility and BESS are expected to have a beneficial impact to air quality by reducing: 1) emissions that would take place from burning of fossil fuels related to

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[15] Guoqing Li, et al., *Ground-Mounted Photovoltaic Solar Parks Promote Land Surface Cool Islands in Arid Ecosystems*, 1 Science Direct 100008 (2021), https://www.sciencedirect.com/science/article/pii/S2667095X21000088; Haider Taha, *The Potential for Air-Temperature Impact from Large-Scale Deployment of Solar Photovoltaic Arrays in Urban Areas*, 91 Solar Energy 358 (2013), https://www.sciencedirect.com/science/article/abs/pii/S0038092X12003386; Valery Masson, et al., *Solar Panels Reduce Both Global Warming and Urban Heat Island*, Frontiers in Environmental Science, June 2014, https://www.frontiersin.org/journals/environmental-science/articles/10.3389/fenvs.2014.00014/full.

[16] Vasilis Fthenakis and Yuanhao Yu, *Analysis Of The Potential for a Heat Island Effect in Large Solar Farms*, IEEE 39th Photovoltaic Specialists Conference (2013), https://ieeexplore.ieee.org/document/6745171.

[17] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 46-47, 62-63, 78-79 (Jan. 14, 2025) (Sell, J. Litfin); Residents Comments; Biery Comments; Johnson Comments.

regular farming practices, and 2) wind erosion and airborne dust/particulate matter associated with agriculture cultivation (as opposed to intermittent Project O&M activities). Overall, the Project is expected to have a positive impact on greenhouse gas emission levels in the state and region as it replaces the need for a more traditional energy generation source (i.e., fossil fuel combustion) with renewable energy. The Project will help to decrease the carbon intensity of electricity generated in Minnesota, and lessen both future atmospheric concentrations of greenhouse gases and the rate of climate change.

C. Wildlife, including Birds and Special-Status Species

- Commentors submitted oral and written comments indicating concern regarding impacts to wildlife, specifically including population impacts, inhibiting wildlife movement, disrupting migratory routes, and the potential for "lake effect" bird mortality.[18]

Response: Potential impacts to wildlife, including those raised in these comments, are discussed in detail in Sections 4.5.9 and 4.5.10 of the Joint Site Permit Application and in Sections 7.5.8 and 7.6.1 of the Route Permit Application. Where appropriate, the discussion occurs at a species-specific level (i.e., for species with regulatory protections).

The Site and the 631.9-acre portion of the Site where the development activities for the Project are expected to occur (the "Preliminary Development Area") are primarily agricultural and developed (95.2% and 99.2%, respectively) and do not include any officially notable wildlife habitat areas (e.g., Important Bird Areas, Wildlife Management Areas, Sites of Biodiversity Significance, Scientific and Natural Areas, Native Prairie, etc.). Accordingly, occurrence of wildlife in most of the Site likely is limited to common species adapted to a mosaic of land cover types, including cultivated crops, developed areas, and pastures. Benton Solar will avoid and/or minimize impacts to the extent practicable where wildlife diversity may be relatively highest in the Preliminary Development Area (e.g., forest remnants, wetlands). For instance, the Preliminary Development Area currently avoids impacts to all wetlands and waterways identified within the Site. Up to 10.1 acres of trees may be removed within the Site to accommodate construction of the Project substation, to establish horizontal directional drilling ("HDD") boring entry points, to provide access to those entry points, and to address shading concerns. These acres constitute 1.06% of the Site.

Small mammals, insects, and herptile species are expected to travel through the Preliminary Development Area. Larger mammals (e.g., white-tailed deer) will be excluded from the Preliminary Development Area through the installation of MnDNR-recommended fencing. Large mammals are expected to move around the Preliminary Development Area using undisturbed habitat and corridors between and around the fencing. Further, and as described in Section 7.5.8.2 of the Route Permit Application, the Transmission Line is unlikely to pose a hard barrier to the movement or migration of most terrestrial wildlife species expected to occur in this region. The Transmission Line does not span any federal or state notable wildlife habitat corridors (e.g., Important Bird Areas,

[18] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 43-44, 46-50 (Jan. 14, 2025) (Reed, Sell, Odenthal); Residents Comments; Biery Comments; Haffner Comments; Litfin Comments; Public Comments by Sarah Mindeman, Jan. 26, 2025, eDockets Doc. ID 20252-214999-02; Rusin Comments; Sell Comments.

Wildlife Management Areas). Mammals, insects, and herptile species are expected to travel through and across the Project right-of-way. Therefore, Benton Solar does not anticipate that the Project will impact wildlife travel corridors.

During construction, mobile wildlife individuals may be displaced to adjacent habitats. Less mobile species or immobile individuals, ground nests, and eggs may be impacted through collision with, or crushing by, construction equipment. However, such impacts may have occurred because of ongoing agricultural practices in the absence of Project development. Project construction is expected to have minimal impacts on individuals of common wildlife species and no impact on their populations. Following restoration and revegetation, and during Project O&M, the Project is expected to provide a net benefit for individuals inhabiting, or traveling through, the Preliminary Development Area (e.g., birds, pollinators) by providing potential bird nesting and pollinator habitat. Portions of the Preliminary Development Area designated as "management areas" in the Vegetation Management Plan (approximately 570 acres) will be revegetated with regionally appropriate seed mixes specifically designed to increase vegetative diversity and ecological function, as compared to current land use, and are expected to provide an increase in available habitat for some species.

Federally listed, proposed listed, candidate animal species, or other protected species, with potential to occur in the Site due to overlapping ranges, are identified in Section 4.5.10 of the Joint Site Permit Application and in Section 7.6.1.1 of the Route Permit Application. Several best management practices will be implemented to avoid and minimize the potential to impact protected species. For example, Benton Solar will avoid and minimize tree clearing to the extent practicable (i.e., expected tree removal equates to approximately 1% of the Site). Where tree clearing cannot be avoided, Benton Solar will implement seasonal clearing restrictions during the summer season (May 15–August 31) as recommended by the United States Fish and Wildlife Service ("USFWS") to minimize direct effects to special-status bat species.

As described in Section 4.5.9.1.2 of the Joint Site Permit Application, some bird species may be attracted to solar panels due to a possible phenomenon known as "lake effect." Bird collisions with solar panels have occurred, particularly with migratory water birds that presumably perceive solar panels as waterbodies and are attracted to land on them, causing stranding, injury, or death. Benton Solar will minimize the potential for such impacts to occur by using less reflective panels and establishing vegetation between and around panels. As noted in Anderson et al 2025,[19] little is currently known about wildlife-solar facility interactions, specifically water birds and specifically in wetland environments. Benton Solar respectfully refers the reader to the existing body of literature regarding bird interactions with solar facilities, particularly waterbirds.

[19] Crystal Anderson, et al., *Assessing the Impact of Solar Farms on Waterbirds: A Literature Review of Ecological Interactions and Habitat Alterations*," Conversations, Jan. 24, 2025, https://www.mdpi.com/2673-7159/5/1/4.

D. Water and Soil Heath and Management

- Commentors provided written and oral comments describing concerns regarding hazardous materials present in solar panels, and about runoff of these materials into the soil or water, soil erosion, impacts to soil and water quality, and changes to the water table.[20]

Response: Solar panels do not pose a threat of releasing hazardous substances to the environment. Panels are made of solid materials and do not pose a chemical hazard to the public, underlying soil or groundwater.

Impacts to soil resources are discussed in Section 4.5.4 of the Joint Site Permit Application. While construction activities may result in adverse impacts on soil resources, mitigation measures have been developed in coordination with state agencies that help to reduce impacts and ensure protection of soil resources, including measures outlined in the Agricultural Impact Mitigation Plan (Appendix C), the Vegetation Management Plan (Appendix D), and the Stormwater Pollution Prevention Plan. Further, installation of the Project can be beneficial for soil resources and erosion. The establishment of regionally appropriate vegetation will improve soil resources by reducing tillage that destroys vital soil structure, improving soil organic matter content through robust root development, and enhancing soil microorganism and fauna populations following years of intensive tillage and compaction and use of pesticides and fertilizer.

Impacts to water quality, surface waters, and wetlands are discussed in Sections 4.5.5, 4.5.6, and 4.5.7 of the Joint Site Permit Application. Crop production typically requires the input of nitrogen fertilizer into soils to increase crop production. Excess nitrogen can enter aquatic resources, resulting in elevated nitrate levels that can harm fish and other aquatic life and pollution of drinking water if it enters surface and groundwater resources. Approximately 75% of Minnesota's citizens rely on groundwater as their drinking supply.[21] A study conducted by the MPCA, in collaboration with the University of Minnesota and the U.S. Geological Survey, determined that more than 70% of nitrates in the state's environment comes from cropland, with the remaining 30% coming from other sources such as wastewater treatment plants, septic and urban runoff, forests, and the atmosphere.[22] The Project will result in the conversion of up to 614.5 acres of primarily cultivated cropland to a landscape predominantly comprised of regionally appropriate vegetation, which will not receive nitrogen applications for the life of the Project and, as noted above, is expected to stabilize soils and reduce runoff. Consequently, the Project is expected to improve groundwater and surface water quality by eliminating nitrogen application and drainage that could potentially move excess nitrogen off the Site.[23]

Benton Solar designed the Project to avoid impacts to surface waters, floodplains, and shoreland to the extent practicable. Based on the preliminary Site design, only collection lines intersect surface waters, such as the Elk River and an unnamed stream, and floodplains. At surface

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[20] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 46-48, 77 (Jan. 14, 2025) (Sell, J. Litfin); Residents Comments; Biery Comments; Haffner Comments; Odenthal Comments; Reed Comments; Sell Comments.

[21] *See* sources at Joint Site Permit Application, pp. 18-19.

[22] *Id.*

[23] *Id.*

water locations, Benton Solar will accomplish construction through HDD beneath the riverbed via upland-to-upland entry and exit points rather than via trenching to avoid impacts to the aquatic resource features' beds and banks. Additionally, Benton Solar has preliminarily designed several stormwater drainage basins within existing low-lying areas to help control runoff during rain events.

The Preliminary Development Area also avoids impacts to delineated wetlands. If impacts become unavoidable, the Project will meet requirements for a U.S. Army Corps of Engineers regional general permit.

Lastly, there is no indication that the Project would substantially impact the water table based on the drainage systems, soils, geology and groundwater characteristics associated with this area.

V. Project Construction

A. Construction Jobs and Local Hiring

- Commentors provided oral comments inquiring about who Benton Solar would employ to construct the project and whether Benton Solar would utilize local companies.[24]

Response: Benton Solar is in the process of selecting a general ("EPC") contractor for construction of the Project and intends to utilize union and local labor, as discussed in the Scoping Meetings on January 14 and 15, 2025. More details about Benton Solar's plans to utilize union and local labor can be found in Section 4.2.6.1.2 of the Joint Site Permit Application. Additionally, following helpful discussions with three intervening unions in this proceeding (IUOE Local 49, LiUNA Minnesota and North Dakota, and Carpenters Local 1382), Benton Solar has executed a commitment letter reflecting its intention to utilize union and local labor. This letter formalizes a commitment that Benton Solar proposed and has been discussing with the unions since the beginning of December 2024 and is attached to this Response as Attachment 1. Because the Project will be completed by a union signatory EPC, use of local labor will be a priority and realized in large part through the general contractor's work with local hiring halls.

B. Traffic and Roads

- Commentors raised concerns about increased traffic during construction, construction equipment damaging local roads, and safety of pedestrians using the road for walking or waiting for the bus.[25]

Response: As explained in Section 3.1.4 of Joint Site Permit Application, upgrades or other changes to public roads may be needed for construction and O&M of the Project. Benton Solar will work with Benton County to coordinate and pay for upgrades to meet the required public standards according to applicable road use agreements. Such upgrades may include, but are not limited to,

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[24] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 46-48 (Jan. 14, 2025) (Sell); Remote Access 6:00 pm Tr. at 36 (Jan. 15, 2025) (Othoudt); Sell Comments.

[25] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 48, 82 (Jan. 14, 2025) (Sell, J. Litfin); Public Comments by Scott Myers, eDockets Doc. ID 20252-214999-02 (Jan. 30, 2025) ("Myers Comments").

additional aggregate, road improvements, and driveway/approach changes. Road improvements may require a repair and road use agreement with Benton County and/or Minden Township. Benton Solar will coordinate with all relevant entities as the Project develops. New driveways or changes to existing driveways will require an entrance permit from Benton County, which will be acquired before construction. Benton Solar anticipates an influx of approximately 20 to 30 loaded truck trips per day during construction and does not anticipate using oversized loads. This influx will be perceivable to the public, but is not expected to impact daily traffic function and should have no impacts on pedestrian safety on the road. These impacts and mitigations are discussed in detail in Section 4.2.9.3 of the Joint Site Permit Application. Benton Solar looks forward to continued cooperation with Benton County and Minden Township throughout the development of the Project.

VI. Project Operation and Decommissioning

A. Benton Solar and Its Affiliates' Experience with Similar Projects

- Commentors presented oral and written comments regarding whether Benton Solar had experience in developing co-located renewable energy and energy storage facilities, or if the proposed project was an "experiment."[26]

Response: Benton Solar is a wholly owned, indirect subsidiary of NextEra Energy Resources (again "NEER"). NEER has been investing in the state of Minnesota since 2000, developing wind, solar, and battery storage. NEER has significant industry experience developing, constructing, and operating renewable energy sites nationwide. NEER's nationwide portfolio includes 37 gigawatts ("GW") of total generating capacity, 33 GW of operating solar and wind facilities, 3 GW of operating BESSs, and over 25 co-located solar and BESS facilities. As a result, Benton Solar's co-location of the BESS with the Solar Facility is not an experiment, but a continuation of installing over two dozen safe co-located facilities across the country.

B. Parties Responsible for Operations and Maintenance

- Commentors provided oral and written comments inquiring about who Benton Solar would employ to operate the Project and which entity would be responsible for the day-to-day activities, security of the site, and financial cost of operating the Project.[27]

Response: For the life of the Project, Benton Solar is responsible for the continued safe and secure operation of the Solar Facility, the BESS, and the Transmission Line, including the costs to operate the same. For day-to-day operations and security, Benton Solar anticipates the hiring of two to three full-time, local employees to operate and maintain the Project. More detail on operations and maintenance activities are provided in Section 3.5 of the Joint Permit Application, and in Section 5.8 of the Route Permit Application.

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[26] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 47, 57-58 (Jan. 14, 2025) (Sell, Odenthal); Odenthal Comments; Sell Comments.

[27] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 39, 56 (Jan. 14, 2025) (Odenthal, Sell); Braem Comments; Public Comments by Dan Starry, Jan. 15, 2025, eDockets Doc. ID 20252-214999-02 ("Starry Comments").

C. Decommissioning

- Commentors provided written and oral comments regarding the decommissioning process, including who is responsible for removal of debris, site restoration, disposal of the solar panels, and the costs to decommission the Project.[28]

Response: To the extent possible, Project equipment will be reconditioned, resourced, and/or recycled. Any materials that cannot be recycled will be safely disposed of at approved facilities. Benton Solar will restore the Site by removing equipment up to four feet and returning it to preconstruction conditions, to the extent possible. Benton Solar is financially responsible for the decommissioning and will provide a bond, surety, or other financial assurance to Benton County to cover the costs of decommissioning in the event Benton Solar is not able to do so. Additional details surrounding decommissioning of the Project are provided in Section 3.6 and Appendix E of the Joint Site Permit Application and in Section 6 and Appendix E of the Route Permit Application.

VII. Miscellaneous Comments

A. Local Community and Outreach Efforts

- Certain commentors presented oral and written comments asserting a lack of outreach by Benton Solar to homeowners and the broader community prior to the January 2025 Scoping Meetings and expressing frustration about a lack of connection to and benefit for the community from the Project.[29]

Response: As noted in Section 5 of the Joint Site Permit Application and Section 8 of the Route Permit Application, Benton Solar has provided regular updates to Benton County and other local stakeholders since 2022. Benton Solar strives to be a good partner with Benton County and ensure its concerns are addressed and met during the Project's development and operation. As noted in the presentation during the Scoping Meetings, Benton Solar's outreach has been focused on advising, educating, and consulting with landowners and the community. Benton Solar is also involved with the Foley Quality of Life Task Force and the Big Brothers Big Sisters of Central Minnesota, and is a member of the Foley Area Chamber of Commerce, the Benton Economic Partnership, and the St. Cloud Chamber of Commerce.

Moreover, Benton Solar hosted an open house at the Coyote Moon Grille on August 14, 2024—prior to submitting the Joint Site Permit and Route Permit Applications—for landowners in and around the Project area. Benton Solar mailed notice of the open house to area landowners prior to that meeting and the mailing list included landowners that commented about a lack of notice on the Project. A comprehensive outreach log is provided in Table 5-1 of the Joint Site Permit Application and in Table 8-1 of the Route Permit Application. Benton Solar will continue the

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[28] *See e.g.*, Remote Access 6:00 pm Tr. at 30 (Jan. 15, 2025) (Othoudt); Residents Comments; Braem Comments; Sell Comments; Starry Comments.

[29] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 39-40, (Jan. 14, 2025) (Odenthal); Residents Comments; Cronquist Comments; Myers Comments; Odenthal Comments; Sell Comments.

collaborative process with agencies, stakeholders, and landowners throughout the development, construction, and operation phases of the Project.

As noted in Section 4.2.6.1.2 of the Joint Site Permit Application, the Project will provide financial benefits to the community through payment of Minnesota's solar energy production tax. The solar energy production tax is paid to the county treasurer at the time and manner provided for the payment of personal property taxes. Revenues from solar energy production taxes are part of the settlement between the county auditor and the country treasurer. This revenue is distributed as 80% to the county and 20% to the township where the infrastructure is located. Section 4.2.6.1.2 of the Joint Site Permit Application provides more detail on the payments to the County and Township.

B. Risk from Substation and Fencing

- Commentors provided comments regarding generalized risk related to the existing Benton County Substation and questions about fencing that would be installed for the Project.[30]

Response: Interconnection of the Project to the existing Benton County Substation is being planned in close coordination with the owner of the existing Benton County Substation, Great River Energy, who is also subject to the Commission's jurisdiction for purposes of siting. Benton Solar is not aware of any recent events at the substation or reason why the Project would compromise the safety and reliability of the substation.

For fencing, as described in Section 3.1.5 of the Joint Site Permit Application, Benton Solar will install 58,768.1 linear feet of permanent security fencing along the perimeter of the Preliminary Development Area, excluding minor portions of some the Site (e.g., select access roads). The fence will be designed in accordance with MnDNR wildlife-friendly recommendations, made of agricultural woven wire, and will stand 8.0 feet above grade. Two strands of smooth, high tensile wire will be installed for a total height of 10.0 feet. This perimeter fencing will prevent large wildlife species (e.g., white-tailed deer) from entering the Preliminary Development Area. The fencing around the substation will include 1.0 foot of barbed wire on top of a 6.0-foot-above-grade chain-link fence to comply with the National Electric Code. The BESS fencing will include 1.0 foot of barbed wire on top of a 7.0-foot-above-grade chain-link fence.

C. Project Customer

- In their comments, a few commentors expressed concern over the fact that Benton Solar, at present, does not have a customer for the energy the Project would produce.[31]

Response: As noted in Section 1.1 of the Joint Site Permit Application, Benton Solar is working toward securing an agreement related to the sale of power generated by the Project. In addition, as a standard permit condition, Benton Solar will be required to provide notice to the Commission prior to beginning construction that it has finalized a commercial offtake arrangement.

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[30] Reed Comments; Sell Comments.

[31] *See e.g.*, Sauk Rapids 6:00 pm Tr. at 13, 21-22 (Jan. 14, 2025) (Odenthal).

D. Project Components

- Commentors raised concerns regarding the batteries and solar panels that will be used on the Project. Topics include the type of batteries, the battery manufacturer, country of origin of the battery, the life of battery, and the life of the solar panels.[32]

Response: As discussed in Section 3.1.2 of the Joint Site Permit Application, Benton Solar has not yet finalized the battery type for the Project. The battery type will be based on the technology available at the time of construction. Benton Solar will select suppliers who manufacture to quality standards—Tier 1 Equipment, although the specific manufacturers are still being determined. The life of the BESS is dependent on the manufacturers selected, but systems can last up to 25 to 30 years. The life of solar panels can also be 25 to 30 years. Solar panels degrade at a rate of 0.5% per year. Please refer to Section 3.6.2 and Appendix E of the Joint Site Permit Application for solar panel disposal location.

E. Transmission Line

- A commentor submitted a written comment indicating that they had only been made aware of a project to replace existing transmission lines and was not aware of a solar farm.[33]

Response: Benton Solar is not a replacement of existing transmission lines. As discussed in Section 1.0 of the Route Permit Application, the 115-kilovolt transmission line associated with the Project is a new approximately 0.5-mile-long component located on private land that will connect to the Great River Energy Benton County Substation. Additionally, as described in Section 5 of the Joint Site Permit Application (Table 5-1) and Section 8 of the Route Permit Application (Table 8-1), Benton Solar held an open house in August 2024 to inform the public of the Project.

F. Conversion of Agricultural Land

- Commentors provided written comments regarding the loss of agricultural land to solar panels.[34]

Response: Section 4.3.1 of the Joint Site Permit Application explains that the impact of the Project is a reduction in the amount of available cropland in Benton County by 0.3% during the life of the Project (approximately 25-30 years), and is expected to have no impact on surrounding, non-participating landowners who wish to continue their farming practices. Additionally, as described in Section 3.6.3 of the Joint Site Permit Application and associated Appendix E (Decommissioning Plan), at the end of the Project's useful life, Benton Solar will restore the Site to approximate preconstruction conditions, to the extent possible, in coordination with landowners, which may require the Site be returned to agricultural production. Benton Solar has also prepared an Agricultural Impact Mitigation Plan in coordination with MDA that identifies best management practices Benton Solar and its contractors will undertake to avoid, minimize, or mitigate potential

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[32] *Id.* at 47; Starry Comments.

[33] Haffner Comments.

[34] Jurek Comments; Myers Comments.

adverse impacts to agriculture that may result from the construction, operation, and decommissioning of the Project (Appendix C of the Joint Site Permit Application).

G. Airports

- Commentors submitted written comments expressing concern regarding the proximity of the Project to local airports.[35]

Response: As discussed in Section 4.2.9.3 and 4.2.5.2 of the Joint Permit Application, a glint and glare analysis was completed for the solar facility in 2022, which indicates there are no predicted glare occurrences for aircraft approach paths or air traffic controller personnel, and no predicted glare occurrences for nearby residences or roadways.[36]

Additionally, as discussed in Section 7.2.11.3 of the Route Permit Application, at its nearest point, the Project right-of-way is approximately 1.5 nautical miles northeast of the closest runway end. Benton Solar will identify and file a Federal Aviation Administration ("FAA") Form 7460-1, Notice of Proposed Construction or Alteration prior to construction, which allows the FAA to determine the effect a structure could have on the safe and efficient use of navigable airspace.

H. Cultural Resources

- One commentor provided a written comment inquiring about the potential for cultural and historical sites to occur in Benton County.[37]

Response: As discussed in Section 4.4 of the Joint Site Permit Application and in Section 7.4 of the Route Permit Application, the Project will avoid impacts to identified eligible and potentially eligible cultural resources in the Phase Ia and Phase I technical reports conducted by SWCA Environmental Consultants in coordination with the State Historic Preservation Office ("SHPO").[38] In addition, an unanticipated discovery plan will be put in place to assist in the identification, evaluation, and avoidance of any significant cultural resources that might be discovered during construction or operation of the Project. Benton Solar also conducted outreach to 47 Native American Tribes, including the 11 Minnesota Tribal Nations, for the Project.

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35 Biery Comments; Public Comments by Steve Oetken, eDockets Doc. ID 20252-214999-02 (Jan. 31, 2025).

36 *See* sources cited in Joint Site Permit Application, at p. 52.

37 Litfin Comments.

38 SWCA Environmental Consultants conducted a Phase Ia cultural resources literature review and Phase 1 archaeological and traditional cultural property reconnaissance inventory for the Project, discussed in Section 4 of the Joint Site Permit Application. Appendices 12 and 12-I contain the correspondence from the State Historic Preservation Office.

I. NEER Affiliates

- A written comment was provided indicating that NextEra Energy Resources, LLC and its affiliate, Benton Solar, LLC, are a subsidiary of BlackRock, Inc.[39]

Response: As provided in Section 1 of the Joint Site Permit Application and Section 1 of the Route Permit Application, Benton Solar, LLC, the owner and developer of the Project, is a wholly owned, indirect subsidiary of NEER. NEER is a global leader in renewable energy and is the largest generator of renewable energy in wind and solar resources in North America. NEER is a subsidiary of NextEra Energy, Inc., a Fortune 200 Company. BlackRock, Inc. is not part of the NextEra Energy family of companies.

VIII. Comments from Minnesota DNR and MnDOT

Benton Solar acknowledges and thanks MnDNR and the Minnesota Department of Transportation ("MnDOT") for reviewing the Joint Site Permit Application and the Route Permit Application.

A. MnDNR Comments

Benton Solar does not oppose MnDNR's recommendations for the scope of the Environmental Assessment. As acknowledged in MnDNR's comments, Benton Solar has designed the Project in consultation with MnDNR and in reliance on its *Commercial Solar Siting Guidance.* With respect to fencing specifications, Benton Solar notes that it must also comply with North American Electric Reliability Corporation Critical Infrastructure Protection Standards, which may require minor deviation from standard MnDNR guidance for the BESS and substation. Benton Solar looks forward to continued coordination with MnDNR on this issue and others as the Project progresses.

B. MnDOT Comments

With respect to MnDOT's comments, Benton Solar provides the following clarifications pertaining to cultural resources and protected species. Benton Solar looks forward to ongoing coordination with MnDOT as well.

- MnDOT suggests Benton Solar provide a summary of cultural field surveys and coordination with the SHPO to date.

Response: Benton Solar's Joint Site Permit Application, Appendix I (Historic Property Information) and Route Permit Application, Appendix F (Historical Property Information) provide a summary of the field surveys conducted to date as well as Benton Solar and its consultant, SWCA's, coordination with the SHPO. Specifically, SWCA conducted a Phase Ia cultural resources literature review and Phase 1 archaeological and traditional cultural property reconnaissance inventory.

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[39] Odenthal Comments.

- MnDOT suggests Benton Solar consult with the USFWS with respect to listed species which may occur within the Site and the MnDNR, as state-listed threatened and endangered species may be in the vicinity.

Response: Benton Solar coordinated with the USFWS through informal engagement in 2023 and through the Information for Planning and Consultation requests in 2023 and 2024. Benton Solar coordinated with the MnDNR through the Natural Heritage Information System in 2023 and 2024, with respect to listed species which may occur in the Site. Benton Solar also completed aquatic resources surveys for the Project in 2022, 2023, and 2024. Information on sensitive species can be found in the Joint Site Permit Application, Appendix K (Sensitive Species Reviews), and the Route Permit Application, Appendix G (Sensitive Species Review), and information on aquatic resources can be found in the Joint Site Permit Application, Appendix J (Aquatic Resources Delineation Report).

IX. Conclusion

Benton Solar appreciates the opportunity to file this Response.

Dated: February 12, 2025

Respectfully Submitted,

/s/ *Mark R. Johnson*

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ATTACHMENT 1

February 6, 2025

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Re: Benton Solar and Storage Project Commitment

This letter memorializes Benton Solar, LLC's ("Benton Solar") commitment to select and hire an Engineering, Procurement, & Construction ("EPC") contractor that will utilize skilled union tradesmen and tradeswomen to construct the Benton Solar renewable energy and battery storage project to be located in Benton County, Minnesota (the "Project").

Specifically, Benton Solar will select and hire an EPC contractor that will enter into a multi-craft, Project-specific agreement with the applicable Building Trades Unions ("Unions"), who will provide skilled workers represented by the Unions for construction. This will allow the Project to be constructed and completed on schedule in a high-quality and cost-effective manner consistent with Benton Solar's (i) unwavering expectations regarding the highest levels of public and industrial safety; (ii) goal of ensuring optimum productivity, on-time delivery, and coordination of the work of the crafts that will be needed to construct the Project; and (iii) desire that its contractors and subcontractors employ as many local skilled men and women represented by the Unions as possible.

To fulfill the commitment described in this letter, Benton Solar will require, in advance of commencing construction, that the Project's EPC contractor negotiate and enter into a site-specific Project Labor Agreement with the appropriate Unions for construction of the Project.

Benton Solar, LLC:

Signed by:
Dexter Liu
9A61B583FF0Z4A4...

By: Dexter Liu
Title: Assistant Vice President

STATE OF MINNESOTA
BEFORE THE
MINNESOTA PUBLIC UTILITIES COMMISSION

In the Matter of the Applications of Benton Solar, LLC for a Site Permit for the 100 MW Solar Energy Generating System, a Site Permit for the 100 MW Battery Energy Storage System, and a Route Permit for the Benton 115-kV Transmission Line for the Benton Solar Project in Benton County, Minnesota.	MPUC Docket No. IP7115/GS-23-423; IP7115/ESS-24-283; IP7115/TL-23-425
	CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of ***Benton Solar, LLC's Response to Scoping Comments.*** been served on this day by e-filing/e-serving upon the following:

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Dated this 12th of February, 2025

/s/ Kimberly McDaniel
Kimberly McDaniel