

From: [Lobby, Sam \(He/Him/His\) \(PUC\)](#)
To: [Staff, CAO \(PUC\)](#)
Subject: FW: MPCA Comment letter Elk Creek Solar Project
Date: Tuesday, February 27, 2024 10:10:39 AM
Attachments: [image001.png](#)
[20240227 Elk Creek Solar Comment Letter.pdf](#)

Can you please file this into the record for Elk Creek Solar, 19-495? Please let me know if you have questions, thanks much!

Sam

From: Swanson, Regina (MPCA) <Regina.Swanson@state.mn.us>
Sent: Tuesday, February 27, 2024 9:50 AM
To: Lobby, Sam (He/Him/His) (PUC) <Sam.Lobby@state.mn.us>
Cc: Green, Chris (MPCA) <chris.green@state.mn.us>; Card, Dan (MPCA) <dan.card@state.mn.us>; Hinz, Aaron (MPCA) <Aaron.Hinz@state.mn.us>; Wilde, William (MPCA) <william.wilde@state.mn.us>; Barta, Kirsten (MPCA) <Kirsten.Barta@state.mn.us>; deAlwis, Deepa (She/Her/Hers) (MPCA) <deepa.dealwis@state.mn.us>; Eyoh, Innocent (MPCA) <innocent.eyoh@state.mn.us>; Kuhl-Stennes, Megan (She/Her/Hers) (MPCA) <Megan.KuhlStennes@state.mn.us>; Hukriede, Randall (MPCA) <randall.hukriede@state.mn.us>
Subject: MPCA Comment letter Elk Creek Solar Project

Hello,

Please see the attached comment letter for the Elk Creek Solar Project. If you have any questions, please reach out to Chris Green. Thank you.

Regina Swanson

Office Administrative Specialist Sr.
EAO Division, Business Systems Unit 1
regina.swanson@state.mn.us
651-757-2098 (work)



Our mission is to protect and improve the environment and human health.

NOTICE: This email (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521. This email may be confidential and may be legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply back to the sender that you have received this message in error, then delete it. Thank you

February 27, 2024

Sam Lobby
Minnesota Public Utilities Commission
121 Seventh Place East, Suite 350
Saint Paul, MN 55101
Sam.lobby@state.mn.us

RE: Elk Creek Solar Project – Environmental Assessment

Dear: Sam Lobby

Thank you for the opportunity to review and comment on the Environmental Assessment (EA) for the Elk Creek Solar Project (Project) located in Magnolia and Vienna, Rock County, Minnesota. The Project consists of a 160 megawatt (MW) solar generation facility in Magnolia and Vienna Townships in Rock County, Minnesota. The project would provide 160 MW of electrical generation for which Elk Creek Solar has executed Generation Interconnection Agreements with the Midcontinent Independent System Operator (MISO). Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

Construction Stormwater

The site has a lot of stormwater basins. During the construction planning if an area has 10 or more acres drain to a common area the permittee must use a temporary sedimentation basin to treat water before it leaves the construction site or enters a surface water. This requirement changes to 5 acres if the site is draining into a special or impaired water. MPCA CSW permit item 14.2.

The 2023 construction stormwater permit has some changes that may impact solar sites regarding vegetation. If the permittee uses pollinator habitat or native vegetation during reestablishment of the landscape the inspection frequency and when they can stop inspecting has changed. Further information is found in MPCA CSW permit item 11.11.

Sam Lobby
Page 2
February 27, 2024

We appreciate the opportunity to review this Project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit actions by the MPCA. Ultimately, it is the responsibility of the Project proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EA, please contact me by email at Chris.Green@state.mn.us or by telephone at 507-476-4258.

Sincerely,

Chris Green

This document has been electronically signed.

Chris Green
Project Manager
Environmental Review Unit
Resource Management and Assistance Division

CG:rs

cc: Dan Card, MPCA
Aaron Hinz, MPCA
William Wilde, MPCA
Kirsten Barta, MPCA
Deepa deAlwis, MPCA
Innocent Eyoh, MPCA
Megan Kuhl-Stennes, MPCA
Randy Hukriede, MPCA