

**Discussion Items**  
**North Star Solar Project (15-33) – Agenda Item #6 on March 31, 2016 Agenda**  
**Filed: March 30, 2016**

**1. Affected Landowner Definition Inclusion**

4.0 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction and operation of the solar energy generating system and associated facilities over the life of this permit. For purposes of this permit section and those that follow, an affected landowner is defined as a landowner that is within the project site boundary or adjacent to the site boundary.

**2. Landscaping Plan and Vegetation Management Plan Documents provided to Landowners**

4.1 Notification

Within 14 days of permit issuance, the Permittee shall send a copy of the permit to any regional development commission, county auditor, and city and township clerk in which any part of the site is located. Within 30 days of permit issuance, the Permittee shall provide all affected landowners with a copy of this permit and the complaint procedures. In no case shall the landowner receive this site permit and complaint procedures less than five days prior to the start of construction on their property. Within 14 days of approval of the final Landscaping Plan and Vegetation Management Plan, the Permittee shall provide all affected landowners with copies of the plan(s). The Permittee shall contact landowners prior to entering the property or conducting maintenance within the site, unless otherwise negotiated with the affected landowner.

**3. Herbicide Use Modification**

3.2.12 Application of Herbicides

The Permittee shall restrict herbicide use to those herbicides and methods of application approved by the Minnesota Department of Agriculture and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. All herbicides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of herbicide at least 14 days prior to any application on their property. The landowner may request that there be no application of herbicides on any part of the site within the landowner's property. The Permittee shall provide notice of herbicide application to affected landowners, and known beekeepers operating apiaries within one mile of the project site at least 14 days prior to such application.

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**4. Inclusion of a “Right of Entry” Provision**

*Staff Note: this provision was included in the Aurora Solar Permit but was subsequently (unintentionally) omitted from further iterations of the Solar Generic Site Permit Template.*

(Proposed 10.6) Right of Entry

Upon reasonable notice, presentation of credentials and at all times in compliance with the Permittee’s site safety standards, the Permittee shall allow representatives of the Commission to perform the following:

- (a) enter upon the site property for the purpose of obtaining information, examining records, and conducting surveys or investigations;
- (b) bring such equipment upon the site property as is necessary to conduct such surveys and investigations;
- (c) sample and monitor upon the site property; and
- (d) examine and copy any documents pertaining to compliance with the conditions of this permit.