

Staff Briefing Papers

Meeting Date July 1, 2025

Agenda Item 2*

Company Iron Pine Solar Power, LLC

Docket No. IP7114/GS-23-414 (Solar Facility), IP7114/TL-23-415 (Transmission Line)

In the Matter of the Application of Iron Pine Solar Power for a Site Permit for the 325 MW Iron Pine Solar Project in Pine County, Minnesota.

In the Matter of the Application of Iron Pine Solar Power for a Route Permit for the 230 kV Transmission Line for the Iron Pine Solar Project in Pine County, Minnesota.

- Issues**
1. Should the Commission adopt the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommendation?
 2. Should the Commission find that the environmental assessment and the record created at the public hearings address the issues identified in the scoping decision?
 3. Should the Commission issue a site for the 325-megawatt Iron Pine Solar Energy Generating System?
 4. Should the Commission issue a route permit for the 230-kV transmission line?

Staff Jacques Harvieux Jacques.harvieux@state.mn.us 651-201-2233

✓ Relevant Documents

Date

Iron Pine Solar – Joint Site & Route Permit Application (35 parts)

May 15, 2025

To request this document in another format such as large print or audio, call 651.296.0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service or email consumer.puc@state.mn.us for assistance.

The attached materials are work papers of the Commission Staff. They are intended for use by the Public Utilities Commission and are based upon information already in the record unless noted otherwise.

✓ Relevant Documents

	Date
Order Accepting Application as Complete	July 2, 2024
Consent Order on Transmission Alternatives	August 27, 2024
DOC EERA – Environmental Assessment Scoping Decision	September 5, 2024
DOC EERA – Environmental Assessment (3 parts)	January 8, 2025
Iron Pine Solar – Joey Shannon – Direct Testimony (3 parts)	January 22, 2025
DOC -EERA – Public Hearing Comments	February 25, 2025
LIUNA – Comments	February 27, 2025
Iron Pine Solar – Reply Comments – Response to Public Hearing Comments	March 12, 2025
DOC EERA – Reply Comments	March 28, 2025
OAH – Report – Findings of Fact, Conclusions of Law, and Recommendations	April 25, 2025
Iron Pine Solar – Letter	May 12, 2025
DOC EERA – Exceptions	May 13, 2025

Attachments

Attachment 1: Proposed Site Permit

Attachment 2: Proposed Route Permit

I. STATEMENT OF ISSUES

1. Should the Commission adopt the Administrative Law Judge’s Findings of Fact, Conclusions of Law, and Recommendation?
2. Should the Commission find the environmental assessment complete, and the record created at the public hearings adequately address the issues identified in the scoping decision?
3. Should the Commission issue a site permit for the 325-megawatt Iron Pine Solar Energy Generating System?
4. Should the Commission issue a route permit for the 230-kilovolt transmission line?

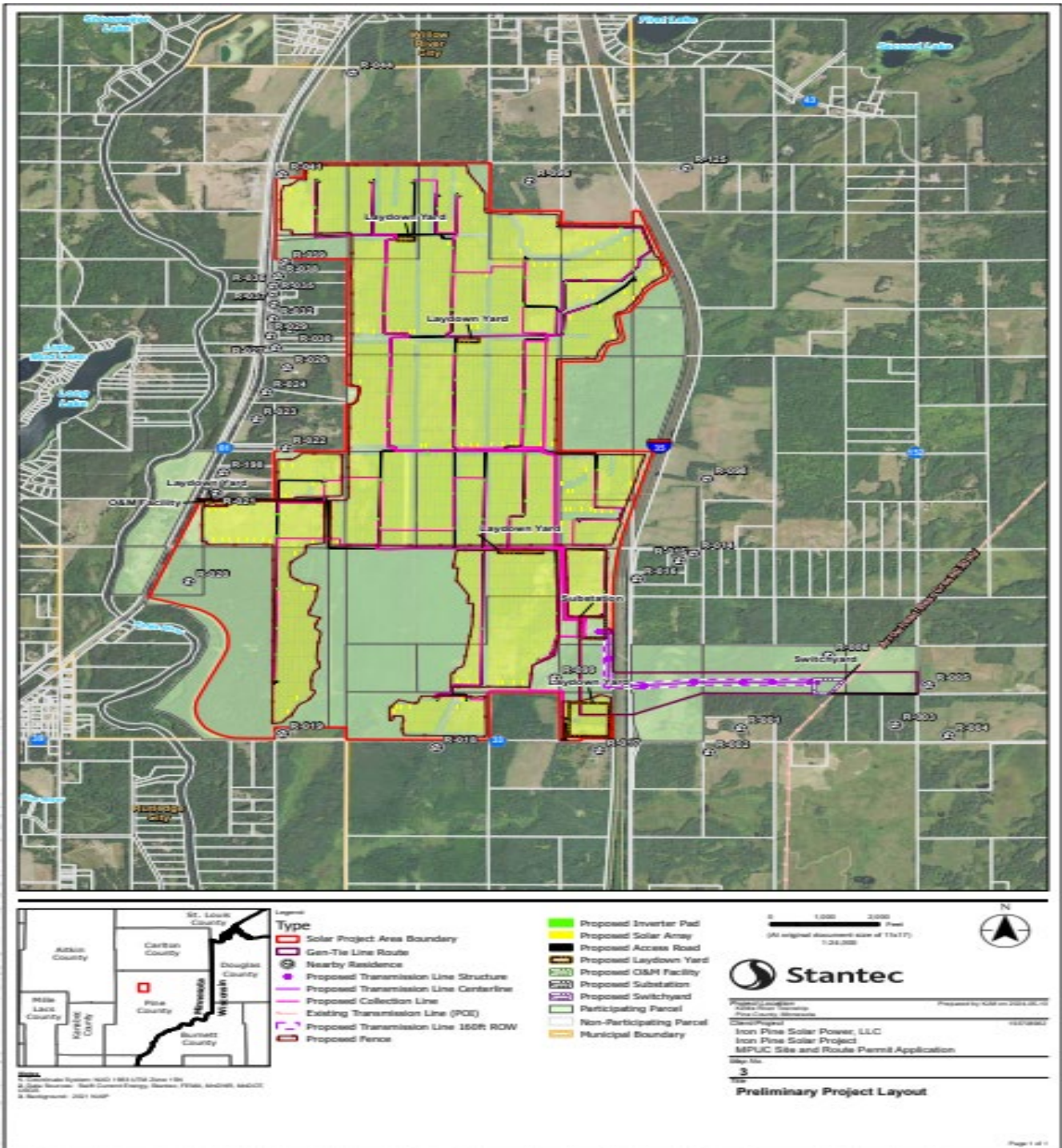
II. PROJECT DESCRIPTION

The Project is located in Kettle River Township, in Pine County, Minnesota, south of the town of Willow River, northeast of the town of Rutledge. The Project would include the up to 325-

megawatt (MW) Solar Project and an approximately one-mile, 230-kilovolt (kV) Gen-Tie Line. The applicant is to have complete project ownership with approximately 2,698 acres are under site control through private easements, and available for development. The Project Area is 2,296 acres, with approximately 2,207-acres designated for the Solar Project and a Gen-Tie Line spanning roughly one-mile in length with a right-of-way (ROW) width of 160 feet. The Applicant has secured 100 percent of the Gen-Tie line ROW through easement. An estimated 570,622 modules will be used for the project with the final number subject to change based upon final design. The Solar Project land is predominately agricultural land, while the proposed Gen-Tie Line route is located on predominantly forested land.

The Solar Project would consist of the following: solar panels, a racking system, inverters, step-up transformers and associated substation equipment, meteorological stations, fencing, access roads, and improvements to existing access roads or driveways as needed, stormwater management systems, temporary laydown yards, temporary offices, junction boxes, electrical collection system, and an operation and maintenance facility.

Proposed Project Area



III. STATUTES AND RULES

1. Site Permit

Minn. Stat. § 216E.03, subd. 1, provides that no person may construct a large electric generating plant without a site permit from the Commission and that a large electric generating plant may be constructed only on a site approved by the Commission. The Iron Pine Solar Project is a large electric power generating plant because it is a facility designed for and capable of operation at a capacity of 50-megawatts or more.

Large electric power generating plants that are powered by solar energy are reviewed under the Alternative Review process under Minn. Stat. § 216E.04 and MN Rule 7850.2800 - .3900.

Minn. Stat. § 216E.02, subd. 1, requires that large electric power generating plants be located consistent with state policy and in a manner that minimizes adverse human and environmental impact while ensuring continuing electric power system reliability and integrity and ensuring that electric energy needs are met and fulfilled in an orderly and timely fashion.

In determining whether to issue a permit for a large electric power generating plant, the Commission must consider the factors contained under Minn. Stat. § 216E.03, subd. 7, and Minn. R. 7850.4100. Under Minn. R. 7850.4600, the Commission may impose conditions in any site permit for a large electric power generating plant as it deems appropriate and that are supported by the record.

2. Route Permit

Minn. Stat. § 216E.02, subd. 1 provides that it is the policy of the state to locate large electric power facilities in an orderly manner compatible with environmental preservation and the efficient use of resources. In accordance with this policy the commission shall choose locations that minimize adverse human and environmental impact while insuring continuing electric power system reliability and integrity and ensuring that electric energy needs are met and fulfilled in an orderly and timely fashion.

Minn. Stat. § 216E.03, subd. 2, provides that no person may construct a high-voltage transmission line a route permit by the Commission. Under Minn. Stat. § 216E.01 subd. 4, a high-voltage transmission line is defined as a conductor of electric energy and associated facilities designed for and capable of operation at a nominal voltage of 100 kilovolts or more and that is greater than 1,500 feet in length.

High voltage transmission lines in excess of 200kV and less than 30 miles in length are reviewed under the Alternative Review process Minn. Stat. § 216E.04 and MN Rules 7850.2800 - .3900.

The statute also allows the Commission to specify the design, route, right-of-way preparation, facility construction, and any other necessary conditions when issuing a high-voltage transmission line permit.

3. Environmental Document

Minn. Stat. § 216E.04, subd. 5, requires preparation of an Environmental Assessment (EA) for projects being reviewed under the alternative permitting process. The Minnesota Department of Commerce is responsible for preparing the EA on behalf of the Commission. The EA must provide information on the human and environmental impacts of the proposed project and of alternative sites or routes; the feasibility of each alternative site or route considered; and mitigative measures that could reasonably be implemented to eliminate or minimize any adverse impacts identified.

4. Alternative Review

Minn. Stat. § 216E.04, subd. 2, states that several types of proposed projects are qualified for the alternative review process including large electric power generating plants that are powered by solar energy; and high voltage transmission lines in excess of 200 kilovolts and less than 30 miles in length.

IV. PROCEDURAL HISTORY

On May 15, 2024, Iron Pine Solar Power, LLC (Iron Pine Solar), filed its application for a site and route permit for the Iron Pine Solar Project.

On July 2, 2024, the Commission issued its Order (via Consent) accepting the site and route permit application as substantially complete.

On July 24, 2024, Commission and Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) staff conducted an in-person public information and environmental assessment scoping meeting in Pine County, Minnesota. A remote-access public information and environmental assessment scoping meeting was also held on July 25, 2024. A comment period was open through August 7, 2024, to receive comments on issues to be considered in the environmental assessment scoping decision.

On September 5, 2024, EERA filed the Environmental Assessment Scoping Decision.

On January 8, 2025, EERA issued the Environmental Assessment. Among other things, the EERA included proposed draft site and route permits for the project.

On January 22, 2025, Iron Pine Solar filed the direct testimony of Joey Shannon.

On February 5, 2025, Administrative Law Judge (ALJ) Christa Moseng presided over an in-person public hearing in Pine County, Minnesota. A virtual public hearing was also held on February 6, 2025. A written comment period was open through February 26, 2025.

On March 12, 2025, Iron Pine Solar filed its response to comments received during the public hearing process and its proposed findings of fact, conclusions of law, and recommendations.

On March 28, 2025, EERA filed reply comments supporting Iron Pine Solar's proposed findings of fact, conclusions of law, and recommendations.

On April 25, 2025, the ALJ filed her Findings of Fact, Conclusions of Law, and Recommendation (ALJ Report).

V. COMMENTS

On July 24 and 25, 2024, public information and environmental assessment scoping meetings were held regarding the environmental assessment for the proposed Iron Pine Solar project. A comment period was opened, and written comments were accepted until August 7, 2024.

On February 5 and 6, 2025, the ALJ presided over public hearings regarding the site and route permit for the Iron Pine Solar project. Another comment period was opened, and written comments were accepted until February 26, 2025.

Comments made by general members of the public during both comment periods were mixed, with some supporting the project, others asking general questions about the location and need, and some making general statements on the project and the area's history. There were no public comments during either comment period that requested special permit conditions, and staff recommends reviewing the ALJ's summary of public comments on pages 10-11 of her report.¹

On February 25, 2025, the Minnesota Department of Natural Resources (DNR) submitted written comments asking that the following special permit conditions be added to the site and route permit application:

- A revision to 4.3.32 of the Draft Site Permit requiring the Permittee to develop a final fence plan for the specific site in coordination with the Department of Commerce and the DNR, and in accordance with security fencing guidance;
- The use of shielded and downward facing LED lighting to minimize the blue hue;

¹ [ALJ Report Summary of Public Comments \(p. 10 of Findings of Fact, Conclusions of Law, and Recommendation Filed April 25, 2025\)](#)

- The use of only non-chloride products for dust control; and
- The use of wildlife friendly erosion control.

On February 26, 2025, the IUOE Local 49 and North Central States Regional Council of Carpenters (NCSRCC) submitted comments expressing appreciation for the commitments made by the applicant. The comments made by the unions further expressed that the project meets Minnesota statutory and rule requirements and encourages the Commission to grant those permits.

On February 26, 2025, EERA submitted comments recommending modifications to the draft decommissioning plan, modifications to the draft vegetation management plan, and addressing the direct testimony of Iron Pine Solar Power, LLC, with respect to select permit conditions for the project. The comments made by EERA are extensive, addressing subjects such as the draft decommissioning plan, the draft vegetation management plan, and a response to the Applicant's direct testimony regarding proposed permit conditions. Instead of paraphrasing EERA's comments in this briefing paper, staff recommends the Commission review the filing.² Any modifications proposed by EERA in their comments regarding permit conditions have been included in Table 1 attached to the briefing paper.

On February 27, 2025, LIUNA submitted comments expressing they have had an opportunity to discuss construction plans for the project with the applicant and believes based upon the applicant's labor commitments and plans, LIUNA believes the applicant meets the statutory requirements for a site permit.

On March 12, 2025, the applicant filed reply comments to the comments received during the comment period.³ Instead of paraphrasing the Applicant's comments in this briefing paper, staff recommends the Commission review the filing in its entirety. In its reply comments the applicant addressed the comments and recommendations made by EERA in their February 26, 2025, comments. Regarding EERA's comments made about the applicant's power purchase agreement (PPA), the applicant explained that the PPA has not been finalized at this time, and notes that the expiration of the PPA may be a trade secret term which may unnecessarily complicate the decommissioning plan, which is typically a public document and must be provided to the local unit of government.

The applicant further stated they will consider EERA's comments in preparing the updated decommissioning plan. Regarding, the Vegetation Management Plan (VMP) the applicant stated they remain committed to working with the Vegetation Management Planning Working Group (VMPWG). The applicant further expressed their commitment to working with the MDNR, and

² [EERA Hearing Comments \(February 26, 2025\)](#)

³ [Iron Pine Solar Reply Comments \(March 12, 2025\)](#)

expressed they had no objections to the proposed changes to permit conditions (contained in attached table) with exception to the proposed changes to the security fencing permit condition explaining that the proposed fencing in the draft site permit is consistent with other site permits issued by the Commission, and also with exception to the proposed changes to the vegetative screening plan regarding visual impacts to the Snowmobile Trail 235 stating they would address concerns regarding visual impacts to the trail if requested by the County since it would implicate an area within the County's road right-of-way.

Iron Pine Solar filed its proposed Findings of Fact, Conclusions of Law, and Recommendations on March 12, 2025. In its reply comments filed on March 28, 2025, EERA stated that the Findings accurately reflect the record.

VI. ADMINISTRATIVE LAW JUDGE REPORT

The Commission requested an ALJ from the Office of Administrative Hearings to preside over public hearings. The ALJ was charged with applying the siting and routing criteria established in statute and rule and preparing a report containing findings of fact, conclusions of law, and a recommendation on the merits of the proposed project and on conditions in the site and route permits.

The ALJ recommended that the Commission issue site and route permits to Iron Pine Solar, LLC, for the up to 325-megawatt Solar Facility and 230-kilovolt transmission line. The Report included several modifications to the sample solar permit and the sample HVTL permit which included a number of special permit conditions for inclusion (See Table 1 following Decision Options). Staff refers the Commission to the ALJ Report for the complete analysis.

The ALJ found that:

- Iron Pine Solar, the Commission, and the EERA have substantially complied with the procedural and notice requirements of Minn. Stat. Ch. 216E and Minn. R. Ch. 7850. All procedural requirements for the Site and Route Permits were met.
- The EERA has conducted an appropriate environmental analysis of the Project for purposes of the Site Permit and Route Permit proceedings, and which satisfies Minn. R. 7850.3700 and 7850.3900.
- Public hearings were held on February 5, 2025 (in-person) and February 6, 2025 (remote-access). Proper notice of the public hearings was provided, and the public was given an opportunity to speak at the hearings and to submit written comments.
- The EA prepared for the Project and the record created at the public hearing address the issues identified in the EA scoping decision.

- The Commission has the authority under Minn. Stat. § 216E.03 to place conditions in the Site and Route Permits.
- The Draft Site Permit, as revised by EERA staff and Iron Pine Solar, contains a number of important mitigation measures and other reasonable conditions.
- It is reasonable to amend the Draft Site Permit to include the changes proposed by EERA staff in the EA and the subsequent changes proposed by Iron Pine Solar in the ALJ's report. Staff notes the ALJ in their report states that Iron Pine Solar has demonstrated that the perimeter fencing currently contemplated for the Project is reasonable and Section 4.3.32 of the Draft Site Permit adequately addresses the security fencing, and the record does not contain any contrary evidence. The fencing proposed for the Solar Project is consistent with other site permits issued by the Commission, and the ALJ does not recommend the special condition proposed by the DNR.⁴
- The record in this proceeding demonstrates that Iron Pine Solar has satisfied the criteria for a Site Permit set forth in Minn. Stat. § 216E.04, subd. 8 (referencing Minn. Stat. § 216E.03, subd. 7) and Minn. R. Ch. 7850 and all other applicable legal requirements.
- The Solar Project, with the permit conditions discussed above, satisfies the Site Permit criteria in Minn. Stat. § 216E.03 and meets all other applicable legal requirements.
- The Draft Route Permit, as revised by EERA staff and Iron Pine Solar, contains a number of important mitigation measures and other reasonable conditions.
- It is reasonable to amend the Draft Route Permit to include the changes proposed by EERA staff in the EA and the subsequent changes proposed by Iron Pine Solar as described in the report.
- The record in this proceeding demonstrates that Iron Pine Solar has satisfied the criteria for a Route Permit set forth in Minn. Stat. § 216E.04, subd. 8 (referencing Minn. Stat. § 216E.03, subd. 7) and Minn. R. Ch. 7850 and all other applicable legal requirements.
- The Project, with the recommended permit conditions discussed above, does not present a potential for significant adverse environmental effects pursuant to the Minnesota Environmental Rights Act and/or the Minnesota Environmental Policy Act.

Staff has provided Table 1 and the proposed Draft Site and Route Permit as attachments to

⁴ [ALJ Report Analysis On Additional Special Conditions Regarding Security Fencing](#)

these briefing papers.

VII. EXCEPTIONS TO THE ALJ REPORT

On May 12, 2025, Iron Pine Solar filed a letter stating it had no exceptions to the ALJ's report.

On May 13, 2025, EERA filed a letter stating they had no exceptions to the ALJ's report.

VIII. STAFF ANALYSIS

Based on the information in Iron Pine Solar's Site and Route Permit Application, the analysis provided in the Environmental Assessment, the ALJ Report, and other evidence in the record, staff recommends that the Commission (i) adopt the full ALJ report; (ii) find that the Environmental Assessment and the record created at the public hearings address the issues identified in the scoping decision; (iii) and issue the attached proposed Site and Route Permits for the Iron Pine Solar Project.

Staff agrees with the ALJ Report that the record demonstrates that:

- the alternative permitting process was conducted in accordance with Minn. Stat. § 216E.04 and the operative rules Minn. R. 7850.2900 to 7850.3900;
- the environmental assessment included the items required by Minn. R. 7850.3700, subp. 4, was prepared in compliance with Minn. R. 7850.3700, and, in combination with the case record, addressed the issues identified in the Scoping Decision; and
- the permit factors set forth in Minn. Stat. § 216E.04, subd. 8 (referencing Minn. Stat. § 216E.03, subd. 7) and Minn. R. 7850.4100, have been considered and support issuing a site and route permit.

1. Whether to adopt the ALJ report

Staff agrees with the findings, conclusions, and recommendations reached by the ALJ. Staff finds that the ALJ Report is a sound and reasonable ruling that is reflective of the case record. The ALJ Report documents that the procedural requirements were followed and presents findings of fact for each of the decision criteria that must be met for the project. Therefore, staff recommends that the Commission approve the ALJ Report to the extent it is consistent with and necessary for the Commission's final decisions in these matters.

Alternatively, the Commission may, at its own discretion, modify or reject the ALJ Report.

2. Whether to find the Environmental Assessment Complete

Staff agrees with the ALJ that the Environmental Assessment and the record created at the public hearings and during the subsequent comment period address the issues identified in the Scoping Decision. The Environmental Assessment includes the items required by Minn. R. 7850.3700, subpts. 3 and 4.

Staff further notes:

- The Environmental Assessment did not identify any unique or significant environmental impacts from the construction and operation of the project that could not be properly mitigated.
- No information was submitted into the record that contested the information and analysis contained in the Environmental Assessment.

If the Commission finds the Environmental Assessment incomplete, it must identify the reasons and request that it be revised or supplemented. In this case, a schedule for revising or supplementing the Environmental Assessment would need to be established, and the Commission would revisit its decisions once completed.

3. Whether to Issue a Site and Route Permit

Staff agrees with the ALJ's conclusions that the procedural requirements and decision criteria set forth in Minn. Stat. Ch. 216E and Minn. R. Ch. 7850 have been satisfied and that the Commission should issue site, and route permits to Iron Pine Solar, LLC, for the up to 325-megawatt Solar Facility and the 230-kilovolt transmission line. Staff further agrees with the EERA and Iron Pine Solar permit conditions recommended by the ALJ for the site and route permits.

Staff notes that the proposed site and route permits attached to these briefing papers incorporate the EERA and Iron Pine Solar conditions recommended by the ALJ. If a permit is granted, they can be amended to include any additional modifications deemed appropriate by the Commission prior to issuance.

Staff has proposed a Special Permit Condition requiring a power purchase agreement or other enforceable mechanism for the sale of the energy from the project before construction can begin (P11 in Table).

Staff has included a decision option that authorizes staff to correct typographic and formatting errors, improve consistency, and ensure agreement with the Commission's final order in the

matter.

Alternatively, the Commission may, at its own discretion, deny a permit if it determines that the criteria have not been satisfied.

IX. COMMISSION DECISION OPTIONS

ALJ Report

1. Adopt the Administrative Law Judge’s Findings of Fact, Conclusions of Law, and Recommendation to the extent they are consistent with the Commission’s decision. (Iron Pine Solar, EERA, staff)

Environmental Assessment

2. Determine that the Environmental Assessment and the record created at the public hearings and subsequent comment period address the issues identified in the Scoping Decision. (Iron Pine Solar, EERA, OAH, Staff)

[Or, if the Commission does not select Option 1, it must identify the reasons and request that the Environmental Assessment be revised or supplemented.]

3. Determine that the Environmental Assessment and the record created at the public hearings and the subsequent comment period do not address the issues identified in the Scoping Decision for the following reasons:
[identify the reasons] **and**
4. Request that EERA prepare a supplement to the Environmental Assessment that addresses the identified deficiencies.

Site and Route Permit

5. Issue the Proposed Site and Route Permits attached to these briefing papers for the Iron Pine Solar Project in Pine County, Minnesota. (Iron Pine Solar, EERA, OAH, Staff)
6. Issue the Proposed Site and Route Permits attached to these briefing papers for the Iron Pine Solar Project in Pine County, Minnesota, modified as follows:
 - a. Add a special condition to the proposed site permit requiring an at least ten-foot perimeter fence, require the applicant to coordinate with MDNR on finalizing the security fence design, and revise section 4.3.32 of the draft site permit to require the final fence plan to be developed “in accordance with

security fencing guidance.” (MDNR)

- 7.** Do not issue a site and route permit.

Administrative

- 8.** Delegate authority to the Executive Secretary to modify the Site and Route Permits to correct any typographic and formatting errors and to ensure agreement with the Commission’s order.

Staff Recommendation: 1, 2, 5, and 8

Table 1
Recommended Proposed Permit Language
(Listed in order of appearance in ALJ report)

ID	Issue	ALJ Report Finding	Sponsor	Location in Draft Permit	Recommended Permit Condition
P1	Visual Screening Plan	114	Iron Pine Solar	(Site) 5.1	<p>5.1 Visual Screening Plan</p> <p>The Permittee shall develop a site-specific Visual Screening Plan. The Visual Screening Plan shall be designed and managed to mitigate visual impacts to adjacent residences. The Visual Screening Plan shall at a minimum include: (a) objectives for screening of nearby residences; and (b) a description of the types of trees and shrub species to be used, the location of plantings, and plans for installation, establishment, and maintenance. The location of trees and shrubs included in the Visual Screening Plan that are located within the Permittee's site control shall be included in the Site Plan filed under Section 8.3. The Permittee is required to maintain and ensure the successful growth, health, and maintenance of the vegetation for 3 years.</p> <p>At least 14 days prior to the pre-construction meeting, the Permittee shall file:</p> <p>(a) the Visual Screening Plan;</p> <p>(b) documentation of coordination with landowners <u>residences adjacent to</u> within 500 feet of the project site; and</p> <p>(c) an affidavit of its distribution of the Visual Screening Plan to landowners <u>residences adjacent to</u> within 500 feet of the project site.</p>
P2	Facility Lighting	118	MDNR	(Site) New Special Condition	<p>The Permittee must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the project substation and operations and maintenance facility. Downward facing lighting must be clearly visible on the site plan submitted for the project.</p>

P3	Vegetation and Blowing Snow Control	126	EERA	(Site) 5.4	<p>The Permittee shall coordinate with the Minnesota Department of Transportation (MnDOT) regarding existing vegetation between the project area and Interstate 35. The Permittee shall retain or plant vegetation, as requested by MnDOT, necessary to reduce potential driver distraction, solar glare, and blowing snow.</p> <p>The Permittee shall coordinate with MnDOT regarding vegetative, structural, and/or other snow fence designs necessary to ensure the safe operation of Interstate 35. The Permittee shall provide documentation of its coordination with MnDOT and illustrate the snow fence design for the project in the Site Plan filed under Section 8.3.</p>
P4	Dust Control	138	MDNR	(Site) New Special Condition	<p>The Permittee shall utilize non-chloride products for onsite dust control during construction.</p>
P5	Snowmobile Trail 187	140	EERA, Iron Pine Solar	(Site) 5.3	<p>The Permittee shall coordinate with the Northern Pine Riders snowmobile club regarding to reroute snowmobile trail 187 and any other snowmobile trails impacted by the project <u>and its use consistent with construction and operation of the project.</u></p>
P6	Wetlands and Water Resources	206	Iron Pine Solar	(Site) 4.3.13	<p>The Permittee shall not place the solar energy generating system or associated facilities in public waters and public waters wetlands, as shown on the public water inventory maps prescribed by Minnesota Statutes Chapter 103G, except that electric collector or feeder lines may cross or be placed in public waters or public waters wetlands subject to permits and approvals by the Minnesota Department of Natural Resources (DNR) and the United States Army Corps of Engineers (USACE), and local units of government as implementers of the Minnesota Wetlands Conservation Act. The Permittee shall locate the solar energy generating system and associated facilities in compliance with the standards for development of the shorelands of public waters as identified in Minn. R. 6120.3300, and as adopted, Minn. R. 6120.2800, unless there is no feasible and prudent alternative.</p>

					<p>The Permittee shall construct in wetland areas during frozen ground conditions, to the extent feasible, to minimize impacts. When construction during winter is not possible, wooden or composite mats or other industry best practices shall be used to protect wetland vegetation in accordance with USACE and Minnesota Wetlands Conservation Act requirements. The Permittee shall contain and manage soil excavated from the wetlands and riparian areas in accordance with all applicable wetland permits. The Permittee shall access wetlands and riparian areas using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts.</p> <p>The Permittee shall restore wetland and water resource areas disturbed by construction activities to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. The Permittee shall meet the USACE, DNR, Minnesota Board of Water and Soil Resources, and local government wetland and water resource requirements.</p>
P7	Vegetation Management Plan	231	Iron Pine Solar	(Site) 4.3.17	<p>The Permittee shall develop a vegetation management plan (VMP), in coordination with the Department of Commerce, and the Vegetation Management Working Group (VMWG), using best management practices established by the DNR and BWSR. The Permittee shall file the VMP and documentation of the coordination efforts between the Permittee and the coordinating agencies with the Commission at least 14 days prior to the pre-construction meeting. The Permittee shall also identify a third-party (e.g., consultant, contractor, site manager, etc.) contracted for restoration, monitoring, and long-term vegetation management of the site and file contact information with the Commission at least 14 days prior to the preconstruction meeting. Landowner-specific vegetation requests resulting from individual consultation between the Company and a landowner need not be included in the VMP. The Permittee shall provide all landowners within</p>

					<p>the Designated Site copies of the VMP. The Permittee shall file with the Commission an affidavit of its distribution of the VMP to landowners at least 14 days prior to the pre-construction meeting. The VMP must include the following:</p> <p>(a) management objectives addressing short term (year 0-5, seeding and establishment) and long term (year 5 through the life of the Project) goals;</p> <p>(b) a description of planned restoration and vegetation management activities, including how the site will be prepared, timing of activities, how seeding will occur (e.g., broadcast, drilling, etc.), and the types of seed mixes to be used;</p> <p>(c) a description of how the site will be monitored and evaluated to meet management goals;</p> <p>(d) a description of the management tools used to maintain vegetation (e.g., mowing, spot spraying, hand removal, fire, grazing, etc.), including the timing and frequency of maintenance activities;</p> <p>(e) identification of the third party (e.g., consultant, contractor, site manager, etc.) contracted for restoration, monitoring, and long-term vegetation management of the site;</p> <p>(f) identification of on-site noxious weeds and invasive species (native and non-native) and the monitoring and management practices to be utilized; and</p> <p>(g) a marked-up copy of the Site Plan showing how the site will be revegetated and that identifies the corresponding seed mixes.</p> <p>Best management practices should be followed concerning seed mixes, seeding rates, and cover crops.</p>
P8	Kettle River Wild and Scenic River District	239	EERA	(Site) 5.2	<p>If temporary workspace is required and permitted within the Kettle River Wild and Scenic River District, then the Permittee must consult with Pine</p>

					County and complete all work in accordance with the Pine County Kettle River Wild and Scenic River Ordinance. The Permittee shall keep records of compliance with this permit condition and provide them upon the request of Department of Commerce staff or Commission staff.
P9	Interstate 35 Crossing	266	EERA	(Route) 6.1	The Permittee shall coordinate with the Minnesota Department of Transportation (MnDOT) regarding the crossing of Interstate 35 by the project transmission line. The Permittee shall construct and operate the crossing consistent with MnDOT's 2557 Standard Specification Book and MnDOT's required height clearances for transmission line crossings of trunk highway/interstate rights-of-way.
P10	Wetland and Water Resources	317	Iron Pine Solar	(Route) 5.3.9	<p>The Permittee shall develop wetland impact avoidance measures and implement them during construction of the Transmission Facility. Measures shall include spacing and placing the power poles at variable distances to span and avoid wetlands, watercourses, and floodplains. Unavoidable wetland impacts as a result of the placement of poles shall be limited to the immediate area around the poles. To minimize impacts, the Permittee shall construct in wetland areas during frozen ground conditions where practicable and according to permit requirements by the applicable permitting authority. When construction during winter is not possible, the Permittee shall use wooden or composite mats or other industry best practices to protect wetland vegetation in accordance with USACE and Minnesota Wetlands Conservation Act requirements.</p> <p>The Permittee shall contain soil excavated from the wetlands and riparian areas and not place it back into the wetland or riparian area. The Permittee shall access wetlands and riparian areas using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts. The Permittee shall not place staging or stringing set up areas within or adjacent to wetlands or water resources, as practicable. The Permittee shall assemble power pole structures on upland areas before they are brought to the site for installation.</p>

					The Permittee shall restore wetland and water resource areas disturbed by construction activities to pre-construction conditions in accordance with the requirements of applicable state and federal permits or laws and landowner agreements. The Permittee shall meet the USACE, Minnesota Department of Natural Resources (DNR), Minnesota Board of Water and Soil Resources, and local units of government wetland and water resource requirements.
P11	Power Purchase Agreement	N/A	Staff	(Site) 5.7	In the event the Permittee does not have a power purchase agreement or some other enforceable mechanism for the sale of the electricity generated by the Project at the time this site permit is issued, the Permittee shall provide notice to the Commission when it obtains a commitment for purchase of the power. This site permit does not authorize construction of the Project until the Permittee has obtained a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the Project. In the event the Permittee does not obtain a power purchase agreement or some other enforceable mechanism for sale of the electricity to be generated by the Project within two years of the issuance of this site permit, the Permittee must advise the Commission of the reason for not having such commitment. In such event, the Commission may determine whether this site permit should be amended or revoked. No amendment or revocation of this site permit may be undertaken except in accordance with Minn. R. 7850.5100.