

Appendix G
Agency and Tribal Coordination and Correspondence

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March 18, 2024

Sam O'Keefe
Gopher State Solar, LLC
320 N. Sangamon Street, Suite 1025
Chicago, IL 60607

Dear Mr. O'Keefe,

Thank you for submitting a solar size determination request for Gopher State Solar, LLC's proposed 200 megawatt (MW) Gopher State solar project in Renville County.

The Department is responsible for reviewing such requests to determine whether a combination of solar energy generating systems meets the definition of large electric power generating plant such that a proposed project is subject to the siting authority of the Minnesota Public Utilities Commission (Commission).

Based on information provided by Gopher State Solar, LLC, and based on criteria established in Minn. Statute 216E.021, the Department has determined that the Gopher State solar project is not associated with other planned solar projects in a way that would require them to be combined into a single project. However, given that the project on its own has a generating capacity of up to 200 MW, the Department determines that the project is subject to the Commission's siting authority and must submit an application for a site permit under the Power Plant Siting Act (Minnesota Statute 216E).

Per Minn. Statute 216E.021, Gopher State Solar, LLC has the right to dispute this determination with the Chair of the Commission.

Please contact me with any questions.

Sincerely,



Ray Kirsch
Energy Environmental Review and Analysis

cc: Bret Eknes, Public Utilities Commission

Minnesota Statute § 216E.021 requires combining proposed solar energy generating systems for permitting purposes when certain conditions exist. The Department of Commerce requires the information requested below to determine 1) whether proposed solar energy generating systems meet the definition of a large electric power generating plant and, therefore, are subject to the Public Utilities Commission's siting authority; or 2) whether large electric power generating plants that are solar energy generating systems should be combined for permitting purposes. Based on the information provided, Commerce staff may require additional information to make a determination.

Instructions: Answer each question completely. Each question and answer must be clearly identified. Attach maps and supporting information as necessary. Return the signed and dated information to:

Ray Kirsch
Minnesota Department of Commerce
85 Seventh Place East, Suite 280
Saint Paul, MN 55101-2198

Phone: (651) 539-1841
Fax: (651) 539-0109
Email: raymond.kirsch@state.mn.us

Note: This form can be made available electronically, and submitted as an electronic document.

A. Project Description

Briefly describe the proposed project or projects, including name(s); need for the project(s); number of solar energy generating systems; alternating current nameplate capacity of the individual solar energy generating systems identified; and the combined alternating current nameplate capacity.

Gopher State Solar, LLC ("Gopher State Solar"), a Delaware limited liability company, proposes to construct and operate an up to 200 megawatt ("MW") photovoltaic ("PV") solar energy generating facility and associated facilities in Kingman, Osceola, and Bird Island townships in Renville County, Minnesota ("Project"). Gopher State Solar will be submitting an application to the Minnesota Public Utilities Commission ("PUC") for up to 200 MW alternating current of nameplate solar-energy capacity and supporting infrastructure.

The Project will be located in Renville County, and the Project area spans approximately 1,667 acres, approximately 979 acres of which will be occupied by the solar panels and associated facilities. Gopher State Solar proposes to interconnect the Project at Great River Energy's existing 230 kV Panther Substation in Renville County, Minnesota. Connecting the Project to the Point of Interconnection

(“POI”) at Panther Substation will require an approximately 1,300-foot-long gen-tie line between the proposed new Project substation and the Panther Substation. The proposed gen-tie line will not exceed 1,500 feet in length.

The Project is necessary to meet the growing demand for additional renewable resources required to meet the Carbon-free Energy and Renewable Energy Standards set forth in Minnesota Statutes and other clean energy requirements in Minnesota.

B. Project Design and Location

Provide the following information regarding each solar energy generating system:

B-1. Describe the 1) solar generating equipment and associated facilities; 2) project boundary location(s) (county, township, and sections); 3) the area within the project boundary (acres); and 4) area within the project boundary that will be developed for the solar project (acres).

The Project’s main components include PV panels mounted on a single axis tracking system, solar inverters, an operations and maintenance building, and a substation. The racking system foundations will be pile driven, with the depth varying depending on the geotechnical investigation. The racking system foundations are not anticipated to require concrete; however, some concrete foundations may be needed depending on location and specific soil conditions.

Associated facilities include electrical cables, conduit, switchgear, step up transformers, supervisory control and data acquisition system, and metering equipment. The solar facility will be fenced and gated for security.

The Project is planned in the following sections in Renville County, Minnesota:

Township	Range	Section(s)
115N	34W	1, 2
116N	33W	19, 30
116N	34W	23, 24, 25, 27, 33, 34, 35, 36

The Project Area is comprised of approximately 1,667 acres of agricultural land located within Kingman, Osceola, and Bird Island townships in Renville County, Minnesota. Gopher State Solar has secured site control for the proposed Project. The final Project design is anticipated to occupy approximately 979 acres, with the additional acreage allowing for required buffers and flexibility in design.

B-2. Describe the anticipated point of electrical interconnection. Describe interconnection requests and the status of each request. Provide any assigned project or queue interconnection numbers.

The Project is adjacent to Great River Energy's existing 230 kV Panther Substation, which will be the Project's Point of Interconnection ("POI"). Connecting the Project to the POI will require an approximately 1,300-foot-long gen-tie line between the proposed new Project substation and the Panther Substation.

Gopher State Solar filed a queue position with the Midcontinent Independent System Operator ("MISO") in the MISO DPP 2021 West study cycle as J1846. It is anticipated that Gopher State Solar will execute a Generator Interconnection Agreement ("GIA") with MISO for 200 MW; Gopher State Solar will notify the Commission when the GIA has been executed. This interconnection will provide sufficient outlet to accommodate all of the solar energy generation from the Project.

B-3. Provide a map showing the proposed facility boundary, the interconnection site, anticipated solar module layout, and associated facilities. "Associated facilities" includes access roads, operation and maintenance facilities, collector and feeder lines, and substations. Maps should be at 1:24,000 scale using an imagery basemap. The map must include a legend and scale bar.

The attached Figure 1 shows the project area, proposed access road, and proposed collection line. Further revisions may occur as the Project advances towards filing.

C. Project Characteristics

Provide the following information regarding each solar energy generating system:

C-1. List and describe the entity responsible for constructing the project.

Ranger Power LLC ("Ranger Power") is developing the Project on behalf of Gopher State Solar. A contractor has not yet been selected for construction.

C-2. List and describe the entity responsible for operating and maintaining the project.

Gopher State Solar will be responsible for operating and maintaining the Project.

C-3. Describe the ownership structure, sales agreement(s), interconnection(s), revenue sharing, debt or equity financing, and any other characteristics of the solar energy generating system. Include a statement indicating whether these characteristics are “independent” or “shared.” If shared, indicate with what existing or proposed project.

Gopher State Solar owns the Project. Ranger Power, a Delaware limited liability company specializing in the development of utility-scale renewable energy projects in the United States, is developing the Project on behalf of Gopher State Solar. Gopher State Solar's indirect parent company is D.E. Shaw Renewable Investments, L.L.C. ("DESRI"). DESRI and its affiliates acquire, own, and manage long-term contracted renewable energy assets in North America.

It is possible that the Project could be sold to another entity in which case, Gopher State Solar and the buyer would request a transfer of the Site Permit. The Project's queue position includes only enough capacity to serve the Project. Accordingly, the Project will not share interconnection with any other project. Gopher State Solar does not currently have or anticipate sharing revenue, debt or equity financing with any other project.

C-4. Provide the anticipated schedule for completion, including dates for permitting, construction (start and end dates), and commercial operation.

Gopher State Solar plans to file a site permit application in the first quarter of 2024 so that it receives Commission approval for the Project in the first quarter of 2025. Construction is anticipated to begin as early as the second quarter of 2025 with commercial operation expected in the third quarter of 2026.

D. Applicant Information

D-1. Provide the name, address, email, and telephone number of the applicant and any authorized representative.

Gopher State Solar, LLC
320 N Sangamon Street,
Suite 1025
Chicago, IL 60607

Representatives:
Sam O'Keefe
320 N Sangamon Street, Suite 1025
Chicago, IL 60607

Rosanne Koneval
320 N Sangamon Street, Suite 1025
Chicago, IL 60607

Christy Brusven
60 South Sixth Street
Suite 1500
Minneapolis, MN 55402-4400
Telephone: 612-492-7412
Email: cbrusven@fredlaw.com

D-2. Provide the name, address, e-mail, and telephone number of the person or persons who would prepare the application to the Public Utilities Commission or to a Minnesota county or local unit of government, if such an application would be prepared by an agent or consultant of the applicant.

Dan Flo and Mandy Bohnenblust
Merjent, Inc.
1 Main Street SE, Suite 300
Minneapolis, Minnesota 55414
Direct: 612.746.3677
dan.flo@merjent.com and mandy.bohnenblust@merjent.com

D-3. Briefly describe the applicant's business entity including its ownership and financial structure.

Gopher State Solar is an independent power producer that will own and operate the Project.

D-4. Provide the Minnesota Secretary of State organizational ID number for the applicant business entity, all subordinate entities, and all solar developer entities involved with the project.

Gopher State Solar's Minnesota Secretary of State organizational identification number is 1164423700022. Gopher State Solar does not have any subordinate entities.

D-5. Identify and provide contact information for the person or persons who would be the permittees, if different than the applicant, if the solar energy generating systems were permitted by the Public Utilities Commission or a Minnesota county.

The permittee is Gopher State Solar LLC, who is also the applicant.

Representatives:
Sam O'Keefe
320 N Sangamon Street, Suite 1025

Chicago, IL 60607

Rosanne Koneval

320 N Sangamon Street, Suite 1025

Chicago, IL 60607

E. Other Projects in Minnesota

E-1. Identify any planned or existing solar energy generating system(s) in Minnesota in which the applicant, or a principal, partner, or affiliate of the applicant, has an ownership or other financial interest. Describe any facilities identified, including their location, alternating current nameplate capacity, and their interconnection requests.

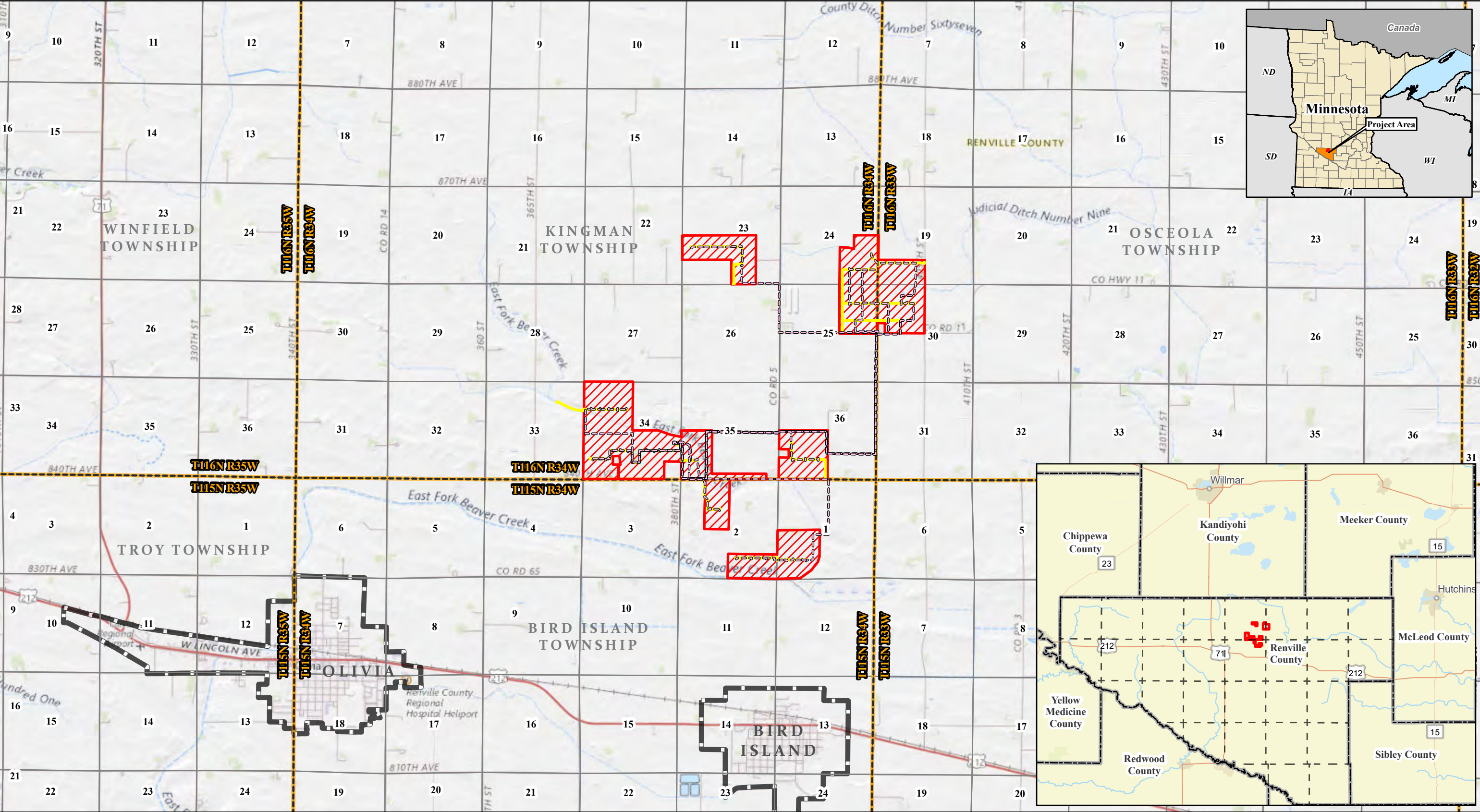
Gopher State Solar does not have any planned or existing solar energy generating systems in Minnesota. Gopher State Solar's indirect parent company is D.E. Shaw Renewable Investments, L.L.C. (DESRI). DESRI owns the 100 MW (AC) North Star Solar Project located in Chisago County, Minnesota. The North Star Solar Project began commercial operations in 2017. More information regarding the North Star Solar Project is available in MPUC Docket No. IP-6943/GS-15-33.



E-2. Identify any additional solar energy generating system(s) in Minnesota in which the applicant, or principal, partner, or affiliate of the applicant, has an ownership or other financial interest and is currently under construction or construction is planned to begin within 12 months of the proposed project(s) estimated completion date. Describe any facilities identified, including their location, alternating current nameplate capacity, and their interconnection requests.

None.

E-3. Identify any planned or existing solar energy generating system(s) in Minnesota which that shares any of the following with the proposed project: power purchase agreement, interconnection, sales, revenues, debt or equity financing, or other ownership or financial interests. Describe any facilities identified, including their location, alternating current nameplate capacity, and their interconnection requests.

None.





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Miles

1:60,000










Figure 1 - Project Location
Gopher State Solar Project
Ranger Power
Renville County, Minnesota

-  Project Area
-  Proposed Access Road
-  Proposed Collector Line
-  Township Boundary
-  Section Line
-  Municipal Boundary



February 29, 2024

VIA email

Jeff Illies
Minnesota Department of Transportation
2505 Transportation Road
Wilmar, MN 56201

**Re: Gopher State Solar Project
Renville County, Minnesota**

Dear Mr. Illies:

Gopher State Solar (also the “Company”) is planning to build a new utility-scale solar facility known as the Gopher State Solar Project (also the “Project”). The proposed Project site is located north of the City of Bird Island in Renville County, Minnesota (Figure 1). Gopher State Solar will have a generating capacity of up to 200 megawatts (MW) on a site approximately 1,600 acres in size.

The Project will include the construction of solar modules, inverters, racking, electrical collection lines, access roads, and fencing. The solar array layout and other design details are in progress as on-site surveys are completed this year. The Minnesota Public Utilities Commission (“Commission”) must approve solar projects of this size prior to construction and the purpose of this letter is to provide notification and seek feedback regarding the proposed Project as part of the Commission’s approval process.

Commission approval for a Site Permit must be obtained before the Project and associated facilities can be built. Gopher State Solar plans to submit a Site Permit application to the Commission in approximately the second quarter of 2024. As part of this process, Gopher State Solar has started gathering stakeholder, agency, tribal, and public input regarding the proposed Project. We would appreciate any input you may have as we prepare our applications in accordance with Minnesota Rules 7849 and 7850 and work through the Commission’s approval process.

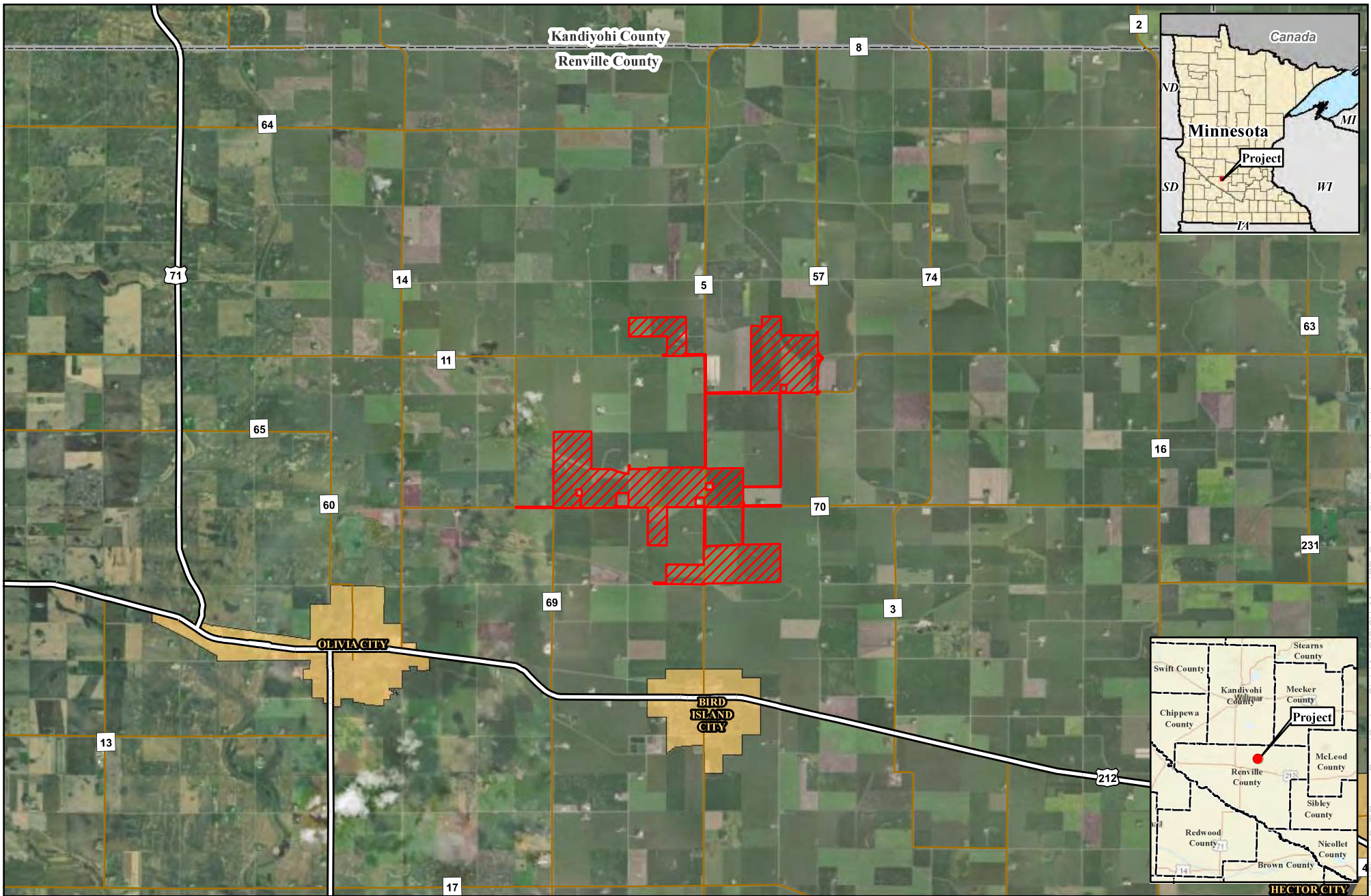
Please let us know if you have information we should consider in evaluating the Project. If you would like to request a meeting, please contact me at (410) 258-8640 or sam@rangerpower.com. I would be happy to discuss any questions that you may have about the Project.

Sincerely,

Sam O’Keefe
Ranger Power LLC

Enclosures Project Overview Map

cc: Megan DeSchepper (megan.deschepper@state.mn.us)
 Susann Karnowski (susann.karnowski@state.mn.us)







1 inch = 2 miles






For Environmental Review Purposes Only

Gopher State Solar Project

Ranger Power

Project Location

Renville County, Minnesota

-  Project
-  Municipal Boundary
-  County Boundary



June 13, 2023

VIA U.S. Mail

Ms. Sam Bump
Endangered Resource Review Coordinator
Minnesota Department of Natural Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155

**Re: Gopher State Solar Project
Renville County, Minnesota**

Dear Ms. Bump:

Gopher State Solar (also the "Company") is planning to build a new utility-scale solar facility known as the Gopher State Solar Project (also the "Project"). The proposed Project site is located north of the City of Bird Island in Renville County, Minnesota (Figure 1). Gopher State Solar will have a generating capacity of up to 200 megawatts (MW) on a site approximately 1,600 acres in size.

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On behalf of Gopher State Solar, Merjent submitted a formal Natural Heritage Review Request (2023-00339) on April 27, 2023 (enclosed) through the DNR's Minnesota Conservation Explorer ("MCE"). An automated response provided by the MnDNR on April 27, 2023 indicating that they did not believe that the Project will negatively affect any known occurrences of rare features.

Please let us know if you have information we should consider in evaluating the Project. If you would like to request a meeting, please contact me at (303) 478-4664 or emily@rangerpower.com. I would be happy to discuss any questions that you may have about the Project.

Sincerely,

Emily Straka
Ranger Power LLC

Enclosures Project Overview Map
 MCE Automated Response



June 13, 2023

VIA U.S. Mail

Shauna Marquardt
US Fish and Wildlife Service
Field Supervisor – Ecological Services
4101 American Boulevard East
Bloomington, MN 55425

**Re: Gopher State Solar Project
Renville County, Minnesota**

Dear Ms. Marquardt,

Gopher State Solar (also the “Company”) is planning to build a new utility-scale solar facility known as the Gopher State Solar Project (also the “Project”). The proposed Project site is located north of the City of Bird Island in Renville County, Minnesota (Figure 1). Gopher State Solar will have a generating capacity of up to 200 megawatts (MW) on a site approximately 1,600 acres in size.

The Project will include the construction of solar modules, inverters, racking, electrical collection lines, access roads, and fencing. The solar array layout and other design details are in progress as on-site surveys are completed this year. The Minnesota Public Utilities Commission (“Commission”) must approve solar projects of this size prior to construction and the purpose of this letter is to provide notification and seek feedback regarding the proposed Project as part of the Commission’s approval process.

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Ranger Power reviewed the Project using the United States Fish and Wildlife Service’s (“USFWS”) Information for Planning and Consultation (“IPaC”) tool and no federally protected species have been documented within the Project vicinity. In the event that a candidate species or a species proposed for listing becomes listed, Ranger Power will coordinate with the USFWS Twin Cities Field Office.

Please let us know if you have information we should consider in evaluating the Project. If you would like to request a meeting, please contact me at (303) 478-4664 or emily@rangerpower.com. I would be happy to discuss any questions that you may have about the Project.

Sincerely,

Emily Straka
Ranger Power LLC

Enclosures Project Overview Map

Company	Agency/ Landowner/ Tribe	Name	Title	Address	Address 2	City	State	Zip Code	Email
USACE St. Paul Regulatory District	Agency			180 5th Street East	Suite 700	St. Paul	MN	55101	USACE_Requests_MN@usace.army.mil
Public Utilities Commission	Agency	Bret Eknes	Energy Facilities Permitting Supervisor	121 7th Place E	Suite 350	St. Paul	MN	55101-2147	Bret.Eknes@state.mn.us
EERA	Agency	Ray Kirsch	Planning Director	85 7th Place East	Suite 280	St. Paul	MN	55101	raymond.kirsch@state.mn.us
DNR Ecological Resources	Agency	Cynthia Warzecha	Energy Project Reviews, Solar	500 Lafayette Rd	Box 25	St. Paul	MN	55155	cynthia.warzecha@state.mn.us
Minnesota Pollution Control Agency	Agency	Karen Kromar	Project Manager, Environmental Review Unit	520 Lafayette Road North		St. Paul	MN	55155	karen.kromar@state.mn.us
MDA	Agency	Stephan Roos	Planner	625 Robert Street North		St. Paul	MN	55155-2538	Stephan.Roos@state.mn.us
USDA NRCS	Agency	Troy Daniell	Minnesota State Conservationist	375 Jackson St		St. Paul	MN	55101-1854	Executive assistant, Kristine Kust: kristine.a.kust@usda.gov
MN State Office	Agency	Kelly Gragg-Johnson	Environmental Review Program Sp	50 Sherburne Avenue	Suite 203	St. Paul	MN	55155	kelly.graggjohnson@state.mn.us
SHPO	Agency	Amanda Gronhovid	MN State Archaeologist	328 W. Kellogg Blvd		St. Paul	MN	55102	Amanda.Gronhovid@state.mn.us
MN State Archaeologist	Agency	Benjamin J. Schaefer	Southern Regional Operations Coo	21371 State Hwy 15		New Ulm	MN	56073-5228	benjamin.schaefer@state.mn.us
DNR Lands and Minerals	Agency	Chuck Carpenter	Southern Regional Manager	1201 E Hwy 2		Grand Rapids	MN	55744	Charles.Carpenter@state.mn.us
DNR Parks and Trails	Agency	Loren Clarke		1008 W Lincoln Ave		Olivia	MN	56277-1251	Loren.Clarke@usda.gov
NRCS - Olivia Service Center	Agency								
Renville County Soil and Water Conservation District	Agency	Holly Hatlewick	District Administrator	1008 W Lincoln Ave		Olivia	MN	56277	hollyh@renvilleswcd.org
Red Lake Nation	Tribe	Darrell Seik, Sr.		15484 Migizi Drive		Red Lake	MN	56671	
Red Lake Nation	Tribe	Hunter Boldt		15484 Migizi Drive		Red Lake	MN	56671	
Red Lake Nation	Tribe	Joe Pulmer		15484 Migizi Drive		Red Lake	MN	56671	
Red Lake Nation	Tribe	Samuel Strong		15484 Migizi Drive		Red Lake	MN	56671	
Red Lake Nation	Tribe	Vernelle Lussier		15484 Migizi Drive		Red Lake	MN	56671	
Fond du Lac Band of Lake Superior Chippewa	Tribe	Allison Mitchell		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Band of Lake Superior Chippewa	Tribe	Ian Young		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Band of Superior Chippewa	Tribe	Jill Hoppe		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Development Corp.	Tribe	Kevin Dupuis, Sr.		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Band of Lake Superior Chippewa	Tribe	Miyah Danielson		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Band of Lake Superior Chippewa	Tribe	Roger Smith, Sr.		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Band of Lake Superior Chippewa	Tribe	Scott Buchanan		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Band of Lake Superior Chippewa	Tribe	Sean Copeland		1720 Big Lake Road		Cloquet	MN	55720	
Fond du Lac Band of Lake Superior Chippewa	Tribe	Wally Dupuis		1720 Big Lake Road		Cloquet	MN	55720	
Leech Lake Band of Ojibwe	Tribe	Kyle Fairbanks		190 Sailstar Dr NW		Cass Lake	MN	56633	
Leech Lake Band of Ojibwe	Tribe	Robert Budreau		190 Sailstar Dr NW		Cass Lake	MN	56633	
Leech Lake Band of Ojibwe	Tribe	Tommy Brown		190 Sailstar Dr NW		Cass Lake	MN	56633	
Leech Lake Band of Ojibwe	Tribe	Faron Jackson, Sr.		190 Sailstar Drive NW		Cass Lake	MN	56633	
Leech Lake Band of Ojibwe	Tribe	Jason Decker		190 Sailstar Drive NW		Cass Lake	MN	56633	
Leech Lake Band of Ojibwe	Tribe	LeRoy Staples Fairbanks III		190 Sailstar Drive NW		Cass Lake	MN	56633	
Leech Lake Band of Ojibwe	Tribe	Steve White		190 Sailstar Drive NW		Cass Lake	MN	56633	
Shakopee Mdewakanton Sioux Community	Tribe	Leonard Wabasha		2300 Tiwahe Circle		Shakopee	MN	55379	
Shakopee Mdewakanton Sioux Community	Tribe	Bill Rudnicki		2330 Sioux Trail NW		Prior Lake	MN	55372	
Shakopee Mdewakanton Sioux Community	Tribe	Cole W. Miller		2330 Sioux Trail NW		Prior Lake	MN	55372	
Shakopee Mdewakanton Sioux Community	Tribe	Keith Anderson		2330 Sioux Trail NW		Prior Lake	MN	55372	
Shakopee Mdewakanton Sioux Community	Tribe	Rebecca Crooks Stratton		2330 Sioux Trail NW		Prior Lake	MN	55372	
Shakopee Mdewakanton Sioux Community	Tribe	Steve Albrecht		2330 Sioux Trail NW		Prior Lake	MN	55372	
White Earth Nation	Tribe	Annie Jackson		35500 Eagle View Road		Prior Lake	MN	55372	
Lower Sioux Indian Community	Tribe	Earl Pendleton		39527 Highway 1		Morton	MN	56270	
Lower Sioux Indian Community	Tribe	Joseph Obrien		39527 Highway 1		Morton	MN	56270	
Lower Sioux Indian Community	Tribe	Kevin Okeefe		39527 Highway 1		Morton	MN	56270	
Lower Sioux Indian Community	Tribe	Robert Prescott		39527 Highway 1		Morton	MN	56270	
Lower Sioux Indian Community	Tribe	Miranda Sam		39527 Reservation Highway 1	PO Box 308	Morton	MN	56270	
Lower Sioux Indian Community	Tribe	Nizhoni Smith		39527 Reservation Highway 1	PO Box 308	Morton	MN	56270	
Lower Sioux Indian Community	Tribe	Robert L Larsen		39527 Reservation Highway 1	PO Box 308	Morton	MN	56270	
Lower Sioux Tribal Community	Tribe	Cheyenne St. John		39527 Reservation Hwy 1		Morton	MN	56270	
Mille Lacs Band of Ojibwe	Tribe	Jamie Edwards		43408 Oodena Drive		Onamia	MN	56359	
Mille Lacs Band of Ojibwe	Tribe	Melanie Benjamin		43408 Oodena Drive		Onamia	MN	56359	
Mille Lacs Band of Ojibwe	Tribe	Sheldon Boyd		43408 Oodena Drive		Onamia	MN	56359	
Mille Lacs Band of Ojibwe	Tribe	Shena Matrous		43408 Oodena Drive		Onamia	MN	56359	
Mille Lacs Band of Ojibwe	Tribe	Terry Kemper		43408 Oodena Drive		Onamia	MN	56359	
Mille Lacs Band of Ojibwe	Tribe	Virgil Wind		43408 Oodena Drive		Onamia	MN	56359	
1854 Treaty Authority	Tribe	Sonny Myers		4428 Haines Road		Duluth	MN	55811-1524	
Bois Forte Band of Chippewa	Tribe	Cathy Chavers		5344 Lakeshore Drive		Nett Lake	MN	55772	
Bois Forte Band of Chippewa	Tribe	Robbie Goggleye		5344 Lakeshore Drive		Nett Lake	MN	55772	
Bois Forte Band of Chippewa Tribal Government	Tribe	Robert Moyer, Jr.		5344 Lakeshore Drive		Nett Lake	MN	55772	
Bois Forte Band of Chippewa	Tribe	Shane Drift		5344 Lakeshore Drive		Nett Lake	MN	55772	

Bois Forte Reservation Tribal Council	Tribe	Tara Geshick		5344 Lakeshore Drive		Nett Lake	MN	55772	
Bois Forte Band of Chippewa	Tribe	Travis Morrison		5344 Lakeshore Drive		Nett Lake	MN	55772	
Prairie Island Indian Community	Tribe	Cody Whitebear		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Heather Westra		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Jessie Seim		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Jody Johnson		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Johnny Johnson		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Michael Childs, Jr.		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Noah White		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Shelley Buck		5636 Sturgeon Lake Road		Welch	MN	55089	
Prairie Island Indian Community	Tribe	Valentina Mgeni		5636 Sturgeon Lake Road		Welch	MN	55089	
Upper Sioux Community	Tribe	Adam Savariego		5722 Travers Lane	PO Box 147	Granite Falls	MN	56241	
Upper Sioux Community	Tribe	Camille Tanhoff		5722 Travers Lane	PO Box 147	Granite Falls	MN	56241	
Upper Sioux Community	Tribe	Amy Hastings		PO Box 147		Granite Falls	MN	56241	
Upper Sioux Community	Tribe	Caralyn Trutna		PO Box 147		Granite Falls	MN	56241	
Upper Sioux Community	Tribe	Jeremy Hamilton		PO Box 147		Granite Falls	MN	56241	
Upper Sioux Community	Tribe	Kevin Jensvold		PO Box 147		Granite Falls	MN	56241	
Upper Sioux Tribal Community	Tribe	Samantha J Odegard		PO Box 147		Granite Falls	MN	56241	
Minnesota Chippewa Tribe	Tribe	Gary Frazer		PO Box 217		Granite Falls	MN	56241	
Minnesota Chippewa Tribe	Tribe	Joel Smith		PO Box 217		Granite Falls	MN	56241	
Red Lake Region	Tribe	Kade Ferris		PO Box 274		Red Lake Region	MN	56671	
White Earth Nation	Tribe	Eugene Sommers		PO Box 418		White Earth	MN	56591	
White Earth Nation	Tribe	Henry Fox		PO Box 418		White Earth	MN	56591	
White Earth	Tribe	Jaime Arsenaault		PO Box 418		White Earth	MN	56591	
White Earth Reservation Business Committee	Tribe	Laurie York		PO Box 418		White Earth	MN	56591	
White Earth Reservation Business Committee	Tribe	Michael Fairbanks		PO Box 418		White Earth	MN	56591	
White Earth Nation	Tribe	Mike Laroque		PO Box 418		White Earth	MN	56591	
Grand Portage Band of Lake Superior Chippewa	Tribe	Agatha Armstrong		PO Box 428		Grand Protage	MN	55605	
Grand Portage Band of Lake Superior Chippewa	Tribe	April McCormick		PO Box 428		Grand Protage	MN	55605	
Grand Portage Band of Lake Superior Chippewa	Tribe	Bobby Deschampe		PO Box 428		Grand Protage	MN	55605	
Grand Portage Band of Lake Superior Chippewa	Tribe	Marie Spry		PO Box 428		Grand Protage	MN	55605	
Grand Portage Band of Ojibwe	Tribe	Mary Ann Gagnon		PO Box 428		Grand Protage	MN	55605	
Grand Portage Band of Lake Superior Chippewa	Tribe	Toby Stephens		PO Box 428		Grand Protage	MN	55605	
Mille Lacs Band of Ojibwe	Tribe	Harry Davis		43408 Oodena Drive		Onamia	MN	56359	
Leech Lake Band of Ojibwe	Tribe	Irene Folstrom		190 Sailstar Drive NW		Cass Lake	MN	56633	
White Earth Nation	Tribe	Laura Erickson		PO Box 418		White Earth	MN	56569	
Minnesota Indian Affairs Council	Tribe	Shannon Geshick		161 St. Anthony Ave	Suite 919	St. Paul	MN	55103	
Mille Lacs Band of Ojibwe	Tribe	Wendy Merrill		43408 Oodena Drive		Onamia	MN	56359	



June 13, 2023

VIA U.S. Mail

Recipient First Name Last Name
Agency
Address
City, State Zip

**Re: Gopher State Solar Project
Renville County, Minnesota**

Dear [Recipient]:

Gopher State Solar (also the "Company") is planning to build a new utility-scale solar facility known as the Gopher State Solar Project (also the "Project"). The proposed Project site is located north of the City of Bird Island in Renville County, Minnesota (Figure 1). Gopher State Solar will have a generating capacity of up to 200 megawatts (MW) on a site approximately 1,600 acres in size.

The Project will include the construction of solar modules, inverters, racking, electrical collection lines, access roads, and fencing. The solar array layout and other design details are in progress as on-site surveys are completed this year. The Minnesota Public Utilities Commission ("Commission") must approve solar projects of this size prior to construction and the purpose of this letter is to provide notification and seek feedback regarding the proposed Project as part of the Commission's approval process.

Commission approval for a Site Permit must be obtained before the Project and associated facilities can be built. Gopher State Solar plans to submit a Site Permit application to the Commission in approximately the second quarter of 2024. As part of this process, Gopher State Solar has started gathering stakeholder, agency, tribal, and public input regarding the proposed Project. We would appreciate any input you may have as we prepare our applications in accordance with Minnesota Rules 7849 and 7850 and work through the Commission's approval process.

Please let us know if you have information we should consider in evaluating the Project. If you would like to request a meeting, please contact me at (303) 478-4664 or emily@rangerpower.com. I would be happy to discuss any questions that you may have about the Project.

Sincerely,

Emily Straka
Ranger Power LLC

Enclosures Project Overview Map



June 13, 2023

VIA U.S. Mail

Recipient First Name Last Name
Tribe
Address
City, State Zip

**Re: Gopher State Solar Project
Renville County, Minnesota**

Dear [Recipient]:

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Cultural Resources Survey: Gopher State Solar has engaged Merjent, Inc. (Merjent), an environmental consulting firm based in Minneapolis, to assist with environmental review and permitting for the Project. Merjent’s services to Gopher State Solar include agency consultations and cultural resources field surveys.

Merjent conducted a preliminary file search for the project boundary plus a 1.0-mile buffer. A database search request was submitted to the Minnesota State Historic Preservation Office (SHPO) and the results were compared to information available on the Minnesota Office of the State Archaeologist (OSA Portal). The Phase I archaeological survey was completed in May, 2023.

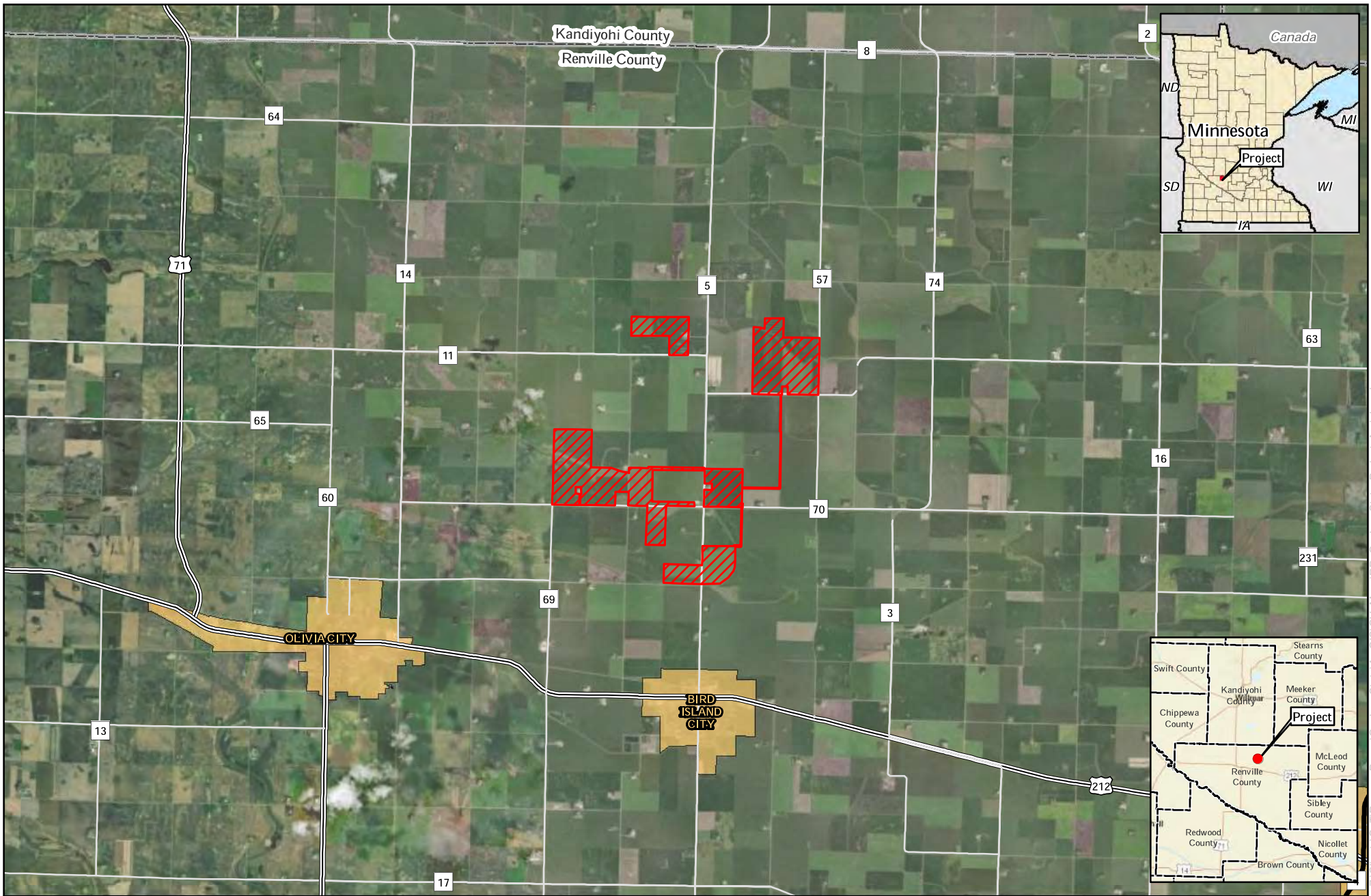


Please let us know if you have information we should consider in evaluating the Project. If you would like to request a meeting, please contact me at (303) 478-4664 or emily@rangerpower.com. I would be happy to discuss any questions that you may have about the Project.

Sincerely,

Emily Straka
Ranger Power LLC

Enclosures Project Overview Map
 Topographic Map



RANGER POWER **merjent**

0 1 2 Miles

1 inch = 2 miles

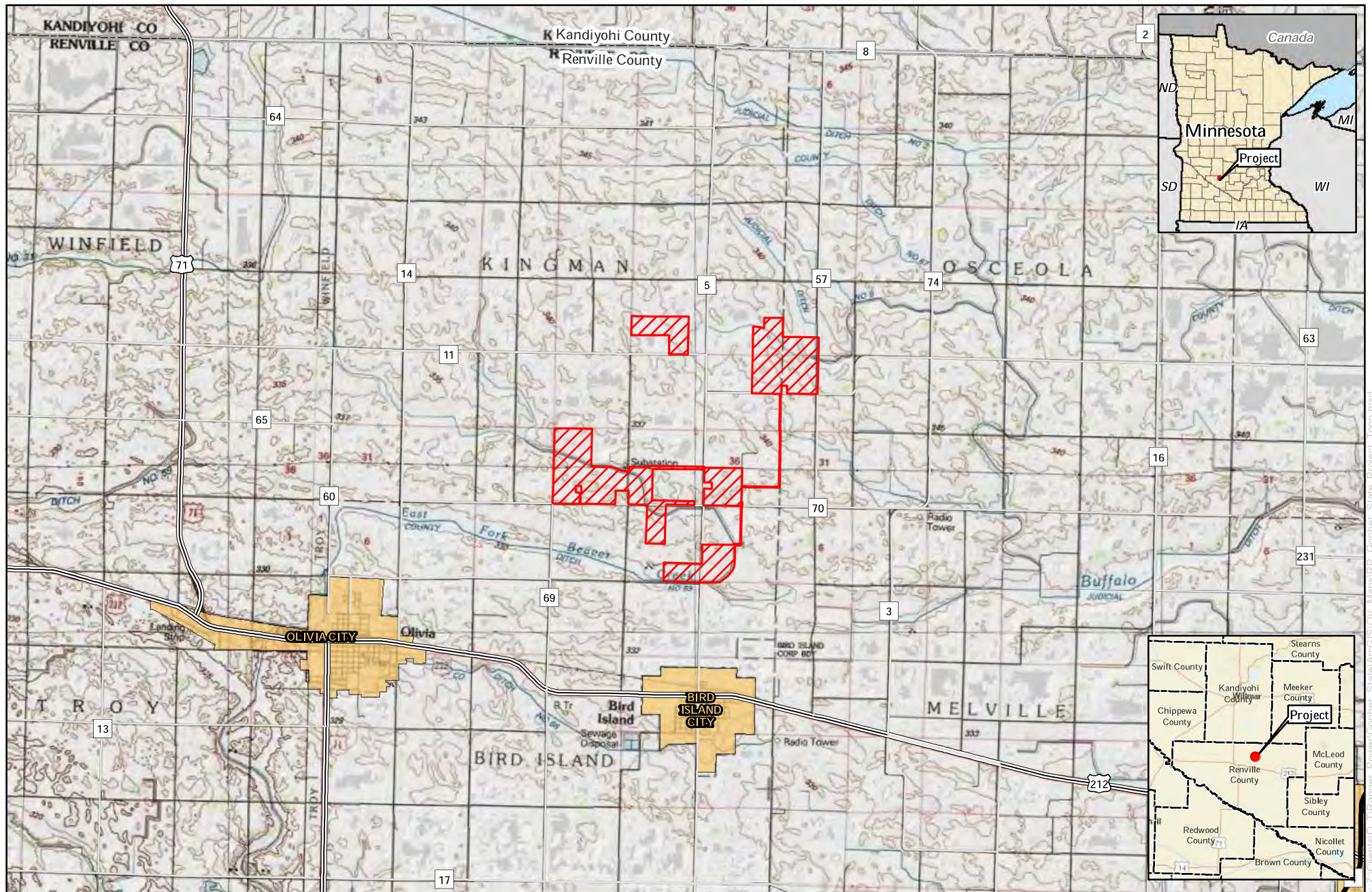
For Environmental Review Purposes Only

Gopher State Solar Project
 Ranger Power
 Project Location
 Renville County, Minnesota

Project

Municipal Boundary

County Boundary



0 1 2
Miles
1 inch = 2 miles

For Environmental Review Purposes Only

Gopher State Solar Project

Ranger Power
Project Location
Renville County, Minnesota

- Project
- Municipal Boundary
- County Boundary

From: [Sam O'Keefe](#)
To: [Mandy Bohnenblust](#); [Dan Flo](#)
Subject: EXTERNAL: Fwd: Gopher State Solar - Project Introduction
Date: Thursday, March 7, 2024 9:51:43 AM

CAUTION: This email originated from outside of Merjent.

----- Forwarded message -----

From: **Illies, Jeff (DOT)** <jeff.illies@state.mn.us>
Date: Thu, Mar 7, 2024 at 9:50 AM
Subject: RE: Gopher State Solar - Project Introduction
To: Sam O'Keefe <sam@rangerpower.com>, DeSchepper, Megan (DOT) <megan.deschepper@state.mn.us>, Karnowski, Susann (DOT) <susann.karnowski@state.mn.us>
Cc: Rosanne Koneval <rosanne@rangerpower.com>, Kack, Corey (DOT) <corey.kack@state.mn.us>, Kotch Egstad, Stacy (DOT) <stacy.kotch@state.mn.us>

Morning Sam,

Thanks for the email on the upcoming solar project you have planned. You will be working with Stacy throughout the PUC process. Below is some information she has asked me to get to you. I also have CC her in this email.

Thank you for reaching out for early coordination on this project.

Before MnDOT could comment further on the anticipated impacts, offer recommendations or permitting limitations, we'd need to know where access roads, collections lines and other associated facilities are proposed to be located.

Some initial thoughts and helpful guidance:

- *[Large Energy Facility Project Guidance - MnDOT \(state.mn.us\)](#) – newly developed guidance for PUC projects*
- *MnDOT District 8 planned construction projects can be found here: [MnDOT D8 CHIP](#)*
- *MnDOT 2024-2027 State Transportation Improvement Program (STIP): [MnDOT 2024-2027 STIP](#)*

Please reach out when and if you are interested in a meeting with MnDOT, or if you have any

questions on the information provided in this email.

Thanks

Jeff Illies

Permits Supervisor

MnDOT District 8 - Willmar

2505 Transportation Rd.

Willmar, MN. 56201

320 214-6317 – Office

Jeff.illies@state.mn.us

From: Sam O'Keefe <sam@rangerpower.com>
Sent: Thursday, March 7, 2024 8:29 AM
To: Illies, Jeff (DOT) <jeff.illies@state.mn.us>; DeSchepper, Megan (DOT) <megan.deschepper@state.mn.us>; Karnowski, Susann (DOT) <susann.karnowski@state.mn.us>
Cc: Rosanne Koneval <rosanne@rangerpower.com>
Subject: Gopher State Solar - Project Introduction

You don't often get email from sam@rangerpower.com. [Learn why this is important](#)

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Good morning,

Gopher State Solar, LLC is planning to build a new utility-scale solar facility known as the Gopher State Solar Project (Project). The proposed Project site is located north of the City of

Bird Island in Renville County, Minnesota.

Gopher State Solar will have a generating capacity of up to 200 megawatts (MW) on a site approximately 1,600 acres in size. The Project will include the construction of solar modules, inverters, racking, electrical collection lines, access roads, and fencing. Surveys have been completed and Gopher State Solar has started gathering stakeholder, agency, tribal, and public input regarding the proposed Project.

We would appreciate any input you may have as we prepare our applications in accordance with Minnesota Rules 7849 and 7850 and work through the Commission's approval process. Gopher State Solar plans to submit a Site Permit Application by April 2024.

Please let us know if you have information we should consider in evaluating the Project.

Thank you,

Sam

--

Sam O'Keefe

Senior Development Manager | Ranger Power LLC

(410) 258-8640 | sam@rangerpower.com

www.rangerpower.com

From: [Leonard Wabasha \(TO\)](#)
To: [Dan Flo](#)
Cc: [Sam O'Keefe](#); [Rosanne Koneval](#); [Mandy Bohnenblust](#); [Zane Jones](#)
Subject: EXTERNAL: RE: Gopher State Solar Project
Date: Friday, September 1, 2023 3:23:09 PM
Attachments:

CAUTION: This email originated from outside of Merjent.

Dear Dan Flo

Thank you the information requested, as no known archaeological sites have been recorded in the project area due to lack of study I have no concerns with the project moving forward, I do request that an Unanticipated Discovery Plan be in place should inadvertent discovery be made. Thank you for the opportunity to consult with you on this project. Have a Great Day!



LEONARD WABASHA

Director of Cultural Resources • Cultural Resources
Shakopee Mdewakanton Sioux Community
d: 952.496.6120
shakopeedakota.org
Leonard.Wabasha@shakopeedakota.org

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

From: Dan Flo <dan.flo@merjent.com>
Sent: Friday, September 1, 2023 3:15 PM
To: Leonard Wabasha (TO) <leonard.wabasha@shakopeedakota.org>
Cc: Sam O'Keefe <sam@rangerpower.com>; Rosanne Koneval <rosanne@rangerpower.com>; Mandy Bohnenblust <mandy.bohnenblust@merjent.com>; Zane Jones <zane@rangerpower.com>
Subject: FW: Gopher State Solar Project

This message came from **outside the organization**. Do Not click on links, open attachments or respond unless you know the content is safe.

Good Afternoon Mr. Wabasha,

In response to your email request below regarding the proposed Gopher State Solar Project in Renville County, Minnesota, please find the attached summary of the cultural resources literature review performed by Merjent on behalf of Ranger Power and the Project.

Also please note that Sam O'Keefe, copied here, is the Project's new point of contact for any future questions or other correspondence.

Sincerely,

Dan Flo (he/him)
Principal Consultant
612.924.3982 direct
612.812.0069 mobile
dan.flo@merjent.com



1 Main Street SE, Suite 300
Minneapolis, MN 55414
612.746.3660 main
www.merjent.com

----- Forwarded message -----

From: **Leonard Wabasha (TO)** <leonard.wabasha@shakopeedakota.org>
Date: Mon, Jun 19, 2023 at 11:10 AM
Subject: Gopher State Solar Project
To: emily@rangerpower.com <emily@rangerpower.com>

Dear Emily Straka

Thank you for your correspondence dated June 13th, 2023, regarding the Gopher State Solar Project and the opportunity to consult. Please send copies of the desktop file search. Thank you and Have a Great Day!



LEONARD WABASHA
Director of Cultural Resources • Cultural Resources
Shakopee Mdewakanton Sioux Community
d: 952.496.6120
shakopeedakota.org
Leonard.Wabasha@shakopeedakota.org

The Shakopee Mdewakanton Sioux Community is a federally recognized, sovereign Indian tribe located southwest of Minneapolis/St. Paul. With a focus on being a good neighbor, good steward of the earth, and good employer, the SMSC is committed to charitable donations, community partnerships, a healthy environment, and a strong economy.

~~~~~  
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If you have received this communication in error, please notify the sender and delete the message from your system. Thank you!  
~~~~~

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~~~~~

The information contained in this message is confidential. If you are not the intended recipient, dissemination or copying of this information is prohibited.

If you have received this communication in error, please notify the sender and delete the message from your system. Thank you!

~~~~~

From: [Emily Straka](#)
To: [Dan Flo](#); [Mandy Bohnenblust](#); [Sam O'Keefe](#); [Rosanne Koneval](#); [Zane Jones](#)
Subject: EXTERNAL: Fwd: Gopher State Solar Project - Renville County
Date: Thursday, August 17, 2023 10:37:35 AM
Attachments:

CAUTION: This email originated from outside of Merjent.

----- Forwarded message -----

From: **Byron, Haley (DNR)** <Haley.Byron@state.mn.us>
Date: Thu, Aug 17, 2023 at 10:33 AM
Subject: RE: Gopher State Solar Project - Renville County
To: Emily Straka <emily@rangerpower.com>
Cc: Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>

Hello Emily,

I appreciate your patience as we reviewed your proposed project. No major wildlife or public waters concerns were identified based on the information provided. As you continue with project develop please reference the [MN DNR Commercial Solar Siting Guidance](#) document. There is information regarding perimeter fencing, wildlife friendly erosion control, facility lighting, dust control, avian flight diverters, habitat friendly vegetation management and invasive species control among other topics.

Once you've identified the locations of transmission and collector lines, access roads, and temporary construction areas we can provide feedback on those aspects of the project as well. We are also happy to help with the development of your Vegetation Management Plan.

Please contact me if you have question about the guidance document or next steps. Thank you!

Haley Byron

Regional Environmental Assessment Ecologist | Southern Region EWR

Minnesota Department of Natural Resources

117 Rogers Street

Mankato, MN 56001

Office: 507-389-8813

Cell: 507-910-8963

Email: halley.byron@state.mn.us

mndnr.gov



From: Byron, Haley (DNR)
Sent: Monday, July 3, 2023 4:08 PM
To: Emily Straka <emily@rangerpower.com>
Cc: Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>
Subject: RE: Gopher State Solar Project - Renville County

Hi Emily,

Thank you for shapefile and NHIS report. I'll review the project information and get back to you with our initial response by the end of the month.

Thank you!

Haley Byron

Regional Environmental Assessment Ecologist | Southern Region EWR

Minnesota Department of Natural Resources

117 Rogers Street

Mankato, MN 56001

Office: 507-389-8813

Cell: 507-910-8963

Email: haley.byron@state.mn.us

mndnr.gov



From: Emily Straka <emily@rangerpower.com>
Sent: Thursday, June 29, 2023 11:27 AM
To: Byron, Haley (DNR) <Haley.Byron@state.mn.us>
Cc: Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>
Subject: Re: Gopher State Solar Project - Renville County

This message may be from an external email source.

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Hi Haley,

Thank you for your note and very nice to make your acquaintance! Attached please see the project shapefiles as well as the response from the MCE on the NHIS submitted for the project.

Let me know if you have any initial questions and looking forward to working with you both.

On Wed, Jun 28, 2023 at 8:07 AM Byron, Haley (DNR) <Haley.Byron@state.mn.us> wrote:

Good Morning Emily,

Thank you for the early coordination request for the Gopher State Solar Project. I will be your primary contact until the site permit application has been filed with the Public Utilities

Commission. Thereafter, Cynthia Warzecha will be your primary DNR contact through the PUC permitting process.

To help facilitate the review process, please provide GIS compatible shapefiles of the proposed project.

Looking forward to working with you on this project!

Haley Byron

Regional Environmental Assessment Ecologist | Southern Region EWR

Minnesota Department of Natural Resources

117 Rogers Street

Mankato, MN 56001

Office: 507-389-8813

Cell: 507-910-8963

Email: haley.byron@state.mn.us

mndnr.gov



--

Emily Straka
Senior Development Manager | Ranger Power LLC
(303) 478-4664 | emily@rangerpower.com
www.rangerpower.com



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

08/11/2023

Regulatory File No. MVP-2023-00977-JST

THIS IS NOT A PERMIT

Dan Flo
1 Main Street SE
Suite 300
Minneapolis, MN 55414

To: Dan Flo:

We have received your submittal described below. You may contact the Project Manager with questions regarding the evaluation process. The Project Manager may request additional information necessary to evaluate your submittal.

File Number: MVP-2023-00977-JST

Applicant: Emily Straka

Project Name: Gopher State Solar Project

Project Location: Section 10 of Township 115 N, Range 34 W, Renville County, Minnesota (Latitude: 44.7988842082101; Longitude: -94.8877985781598)

Received Date: 08/07/2023

Project Manager: Joseph Toth
(651) 290-5532
Joseph.Toth@usace.army.mil

Additional information about the St. Paul District Regulatory Program can be found on our web site at <http://www.mvp.usace.army.mil/missions/regulatory>.

Please note that initiating work in waters of the United States prior to receiving Department of the Army authorization could constitute a violation of Federal law. If you have any questions, please contact the Project Manager.

Thank you.

U.S. Army Corps of Engineers
St. Paul District
Regulatory Branch



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323
August 11, 2023

Regulatory File No. MVP-2023-00977-JST

Merjent, Inc.
c/o Dan Flo
1 Main Street SE, Suite 300
Minneapolis, MN 55414

Dear Mr. Flo:

This letter is in response to correspondence we received from Ranger Power LLC regarding the Gopher State Solar Project located in Renville County, MN, as shown on the enclosure entitled 2023-00977-JST Pages 1 of 1. This letter contains our initial comments on this project for your consideration. The purpose of this letter is to inform you that based on the Ranger Power Gopher State Solar Project Introduction letter, a Department of the Army (DA) permit may be required if there are impacts to aquatic resources for your proposed activity. In lieu of a specific response, please consider the following general information concerning our regulatory program that may apply to the proposed project.

If the proposal involves activity in navigable waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a Department of the Army permit.

If the proposal involves discharge of dredged or fill material into waters of the United States, it may be subject to the Corps of Engineers' jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a Department of the Army permit under Section 404. Information about the Corps permitting process can be obtained online at <http://www.mvp.usace.army.mil/regulatory>.

The Corps evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental

consequences" (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps' decision whether there is a less damaging practicable alternative to the proposal.

If an application for a Corps permit has not yet been submitted, the project proposer may request a pre-application consultation meeting with the Corps to obtain information regarding the data, studies or other information that will be necessary for the permit evaluation process. A pre-application consultation meeting is strongly recommended if the proposal has substantial impacts to waters of the United States, or if it is a large or controversial project.

If you have any questions, please contact me in our St. Paul office at (651) 290-5532 or Joseph.Toth@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

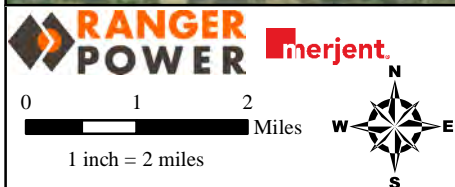
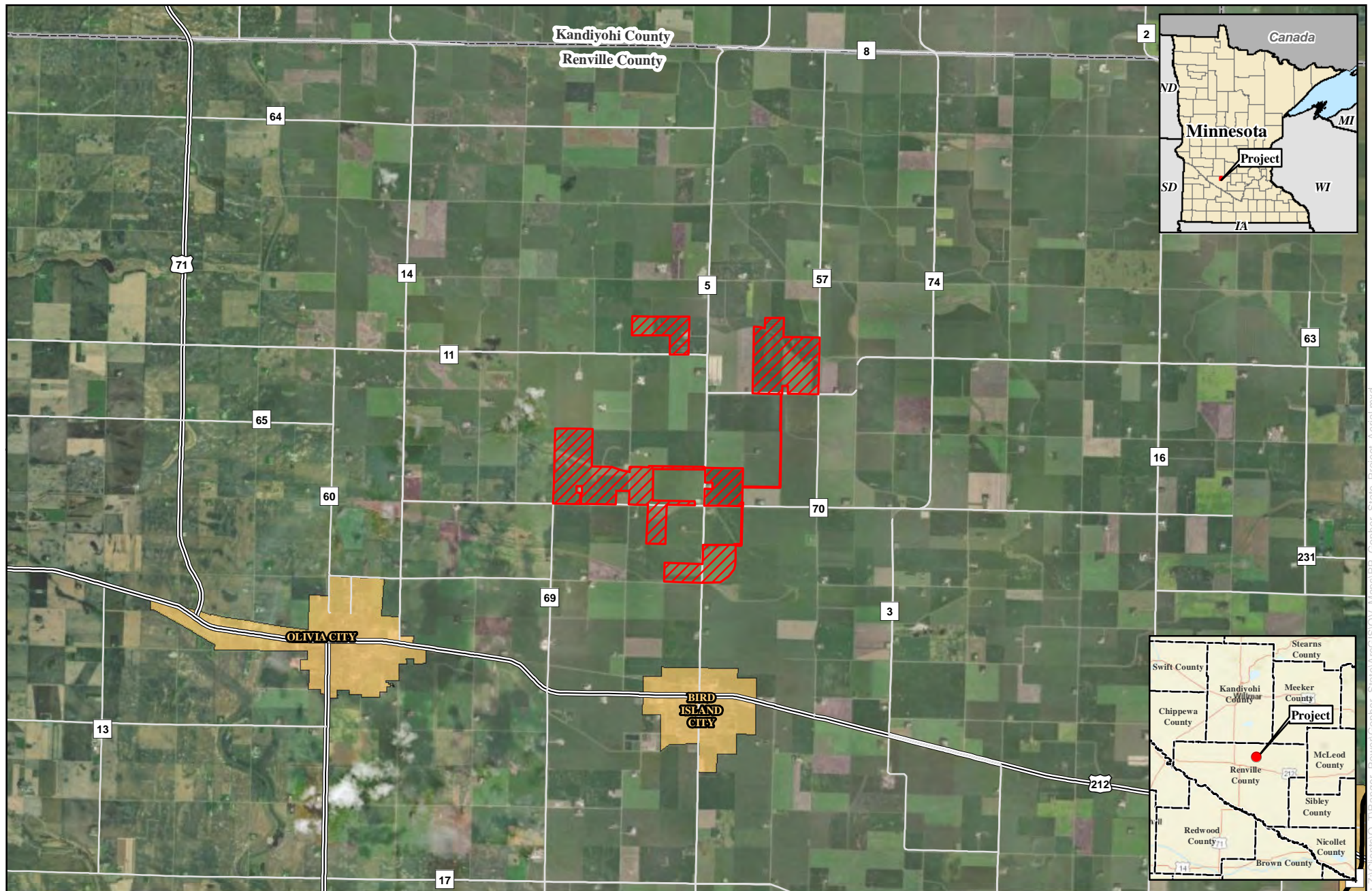
Sincerely,

A handwritten signature in black ink that reads "Joseph Toth". The signature is written in a cursive, flowing style.

Joseph Toth
Regulatory Specialist

cc:

Emily Straka, (Applicant - Ranger Power LLC)
Kyle Richter, (LGU – Renville County SWCD)






For Environmental Review Purposes Only

Gopher State Solar Project

Ranger Power

Project Location

Renville County, Minnesota

-  Project
-  Municipal Boundary
-  County Boundary

From: [Emily Straka](#)
To: [Mandy Bohnenblust](#); [Dan Flo](#); [Rosanne Koneval](#); [Zane Jones](#)
Subject: EXTERNAL: Fwd: Gopher State Solar - USFWS Comments
Date: Wednesday, July 5, 2023 10:21:17 AM

CAUTION: This email originated from outside of Merjent.

----- Forwarded message -----

From: Marsh, Dawn S <dawn_marsh@fws.gov>
Date: Wed, Jul 5, 2023 at 10:08 AM
Subject: Gopher State Solar - USFWS Comments
To: emily@rangerpower.com <emily@rangerpower.com>

Good morning,

Thank you for the opportunity to comment on the proposed Gopher State Solar site location and project in Renville County, Minnesota. The U.S. Fish and Wildlife Service (Service) provides comments on the proposed location and activities described in your letter dated June 13, 2023. Because the proposed project could impact federal trust resources, we are providing the following comments pursuant to the Endangered Species Act (ESA) and the Bald and Golden Eagle Protection Act to help inform project planning and development.

The Service provides the following specific comments for species that could occur in the proposed project area.

Impacts to Listed Species

Tricolored Bat (*Perimyotis subflavus*, Proposed Endangered)

On September 14, 2022, the Service published a proposal in the Federal Register to list the tricolored bat (TCB) as endangered under the Endangered Species Act. The Service has up to 12 months from the date the proposal published to make a final determination, either to list the tricolored bat under the Act or to withdraw the proposal. The Service determined the bat faces extinction primarily due to the range-wide impacts of WNS. Because TCB populations have been greatly reduced due to WNS, surviving bat populations are now more vulnerable to other stressors such as human disturbance and habitat loss. Species proposed for listing are not afforded protection under the Act; however, as soon as a listing becomes effective (typically 30 days after publication of the final rule in the Federal Register), the prohibitions against jeopardizing its continued existence and “take” will apply. Therefore, if this project or other future or existing projects have the potential to adversely affect TCB after the potential new listing goes into effect, we recommend that the effects of the project on TCB and their habitat be considered to determine whether authorization under ESA section 7 or 10 may be necessary if the proposed endangered listing rule is finalized. Projects or programs with an existing section 7 biological opinion may require reinitiation of consultation, and projects with an existing section 10 incidental take permit may require an amendment to provide uninterrupted authorization for covered activities.

The TCB is a small insectivorous bat that typically overwinters in caves, abandoned mines and tunnels, and road-associated culverts (southern portion of the range) and spends the rest of the year in forested habitats, typically roosting among live and dead leaf clusters in tree branches. For more information on TCB and the proposed rule, please

see: <https://www.fws.gov/species/tricolored-bat-perimyotis-subflavus> and for more information on WNS, please see: <https://www.whitenosesyndrome.org/>.

The project proponent may want to consider surveys for TCB (e.g., acoustics, mist netting, telemetry) to assess the species' use of habitat at this site; however, the decision to pursue surveys is voluntary. Additionally, we encourage voluntary habitat mitigation, such as enhancements to forest habitat on site that will be avoided through project design (e.g., see <https://www.whitenosesyndrome.org/mmedia-education/beneficial-forest-management-practices-for-wns-affected-bats-voluntary-guidance-for-land-managers-and-woodland-owners-in-the-eastern-united-states>).

The ESA {section 7(a)(4)} requires federal agencies to consider whether their actions may jeopardize a species proposed for federal listing (i.e., conduct a jeopardy analysis). If a proposed action is deemed likely to jeopardize a proposed species (or adversely modify proposed critical habitat - none has been proposed for TCB), then the federal action agency is required to confer with the Service, but the prohibition against carrying out such an action (i.e., a project that would jeopardize the species) does not go into effect until the listing itself is finalized and effective. The Service suggests that projects that do not result in adverse impacts to NLEB (i.e., "no effect" or "may affect, not likely to adversely affect" determinations) or TCB would not rise to the level of jeopardy for TCB. The Service recommends action agencies include a written jeopardy analysis (including a conceptual logic path) for the TCB in their administrative record for each project that they have determined may affect the species.

Impacts to Eagles

Bald eagles, golden eagles, and their nests are protected under the Eagle Act. The Eagle Act prohibits, except when authorized by a permit, the taking of bald and golden eagles and defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The Eagle Act's implementing regulations define disturb as "...to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle, (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

Our [National Bald Eagle Management Guidelines](#) are intended to help people protect eagle nests and avoid "disturbance" of eagles as required by the Eagle Act. We have also developed guidance to help determine if you may need an [incidental take permit for bald eagles](#) if disturbance cannot be avoided. If your project may impact a bald eagle nest, or you anticipate that you will be unable to avoid disturbing bald eagles, please contact us regarding the Eagle Act permit process.

Site Selection and Layout Recommendations:

1. Select a site with the least wildlife value practicable. Sites such as vehicle parking areas (using elevated solar panels), commercial roof tops, brownfields, industrial developments, or municipal solid waste landfills may provide adequate space for a solar development and have no impact to existing wildlife habitat. Additionally, developing solar with compatible forms of agriculture (e.g., "dual-use farming") may allow for continued crop production or grazing by using elevated solar panels and minimize the potential for additional loss of wildlife habitat.
2. If low wildlife value sites are not feasible, we suggest avoiding or minimizing to the

greatest degree the conversion of forested areas, native grasslands, and wetlands. These areas provide important habitat for a variety of species and help protect water quality.

3. Plan the site to help ensure bat habitat is adequately protected by minimizing the removal of forested habitat and protecting forested hedgerows or other forested corridors connecting areas of suitable bat habitat.

4. For other threatened or endangered species identified in the official IPaC Species List, determine if their habitat is present in the project action area. If suitable habitat is present, plan to avoid impacts to listed species' habitat. If habitat impacts cannot be avoided, we suggest conducting appropriate surveys to confirm species presence.

5. Identify bald eagle nests that are within or near the project site to help inform project layout. Bald eagle nests are large (4-6 feet in diameter and 3 feet deep, on average) and therefore noticeable, especially when in deciduous trees after leaf drop.

6. Plan the site to provide habitat for pollinators. Many pollinators are declining, including species that pollinate key agricultural crops and help maintain natural plant communities. Planting a diverse group of native plants around and under solar panels will help support the nutritional needs of Minnesota's pollinators. We recommend a mix of flowering trees, shrubs, and herbaceous plants so that something is always in bloom and pollen is available during the active periods of pollinators (mid-March to mid-October).

7. Incorporate a water source (e.g., ephemeral pool or low area) to provide additional resources for pollinators and bats.

Project Construction Recommendations:

1. When removing potential wildlife habitat is necessary, avoid spring and summer (March 15-August 15) when feasible to help prevent the loss of nests, non-mobile young, and help wildlife populations maintain productivity.

2. Consider voluntary mitigation in addition to any required mitigation to offset the loss of forested areas, wetlands, or native grasslands.

3. Use construction techniques and materials (wildlife friendly erosion control materials) that are not likely to cause additional harm to wildlife.

4. Implement measures to reduce the chances that equipment will exacerbate the spread of invasive species into natural habitats (e.g., cleaning equipment prior to accessing the site, post-site restoration monitoring, and invasive plant treatments, as necessary).

5. Any above ground electrical transmission lines or other equipment should follow the [Avian Power Line Interaction Committee guidelines](#) for minimizing avian electrocution and collision risk.

Thank you for the opportunity to comment on the proposed Gopher State Solar Project. Should you have any questions or concerns, or if the status of any species that may be present in the project area changes, please do not hesitate to contact me via email (Dawn_Marsh@fws.gov) or phone (612-283-8054).

Dawn

Dawn Marsh (she/her/hers) | Fish and Wildlife Biologist
U.S. Fish & Wildlife Service | Minnesota-Wisconsin Field Office
3815 American Blvd. E., Bloomington, MN 55425
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Emily Straka
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From: [Emily Straka](#)
To: [Dan Flo](#); [Mandy Bohnenblust](#)
Cc: [Rosanne Koneval](#); [Zane Jones](#)
Subject: EXTERNAL: Fwd: Outreach Regrading Gopher State Solar
Date: Friday, June 23, 2023 1:49:07 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of Merjent.

FYI to all

----- Forwarded message -----

From: **Emily Straka** <emily@rangerpower.com>
Date: Fri, Jun 23, 2023 at 1:48 PM
Subject: Re: Outreach Regrading Gopher State Solar
To: <raymond.kirsch@state.mn.us>
Cc: Kirsch, Raymond (COMM) <raymond.kirsch@state.mn.us>

Hi Ray,

Thank you very much for your follow up email and appreciate your notes. We will be sure to proceed per your guidance.

Looking forward to being in touch on this project in the coming months. Please feel free to reach out should any questions come up in the meantime.

Best,
Emily

On Fri, Jun 23, 2023 at 12:01 PM Kirsch, Raymond (COMM) <raymond.kirsch@state.mn.us> wrote:

Emily,

Good day. Thank you for your recent letter regarding the proposed Gopher State solar project. I support your outreach efforts to tribes, agencies, local governments and other stakeholders.

You indicate that you anticipate filing a site permit application in the second quarter of 2024. Here are a few thoughts regarding this application:

1. As the project develops, approximately 4-6 months prior to submitting an application, I would suggest that you meet with Commerce and Commission staff to discuss the project. A short meeting to orient staff to the project and discuss any questions.

2. You should plan to submit a draft application to Commerce Energy Environmental Review and Analysis (EERA) staff for review approximately 3 months prior to submitting a final application. Though we will provide feedback on the draft at that time, here are a few topics for consideration as you develop your draft application:
 - a. Vegetation Management Plan (VMP) – you will need to include a draft vegetation management plan in your application. EERA has [VMP guidance](#) on its [website](#).
 - b. Decommissioning Plan – you will need to include a draft decommissioning plan in your application.
 - c. Prime Farmland – you will need to discuss prime farmland in your application; [prime farmland guidance](#).
 - d. Size Determination – you will need to submit a size determination request with EERA; [size determination form](#).
3. Please do include Minnesota’s 11 federally-recognized tribes in your outreach.

That’s all for now. Let me know if you have any questions. We look forward to working with you on the project.

Best regards,

Ray

Ray Kirsch

Energy Environmental Review and Analysis

651-539-1841

mn.gov/commerce/energyfacilities

Minnesota Department of Commerce

85 7th Place East, Suite 280 | Saint Paul, MN 55101



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