

RE: PUC EIP Supplemental Comments on Application Completeness

Lemon Hill Solar Project

PUC Docket No. IP7156/GS-25-126

In the time since Minnesota Public Utilities Commission (Commission) Energy Infrastructure Permitting (EIP) staff filed its initial comments on application completeness on July 23, 2025,¹ EIP staff have received a considerable number of comments from residents of Viola and Haverhill Townships concerning the Lemon Hill Solar Project. Based on these recent filings, EIP staff believes an explanation of the permitting process for the Lemon Hill Solar Project is useful before addressing the supplemental information provided by Lemon Hill Solar or the contents of the recent public comments.

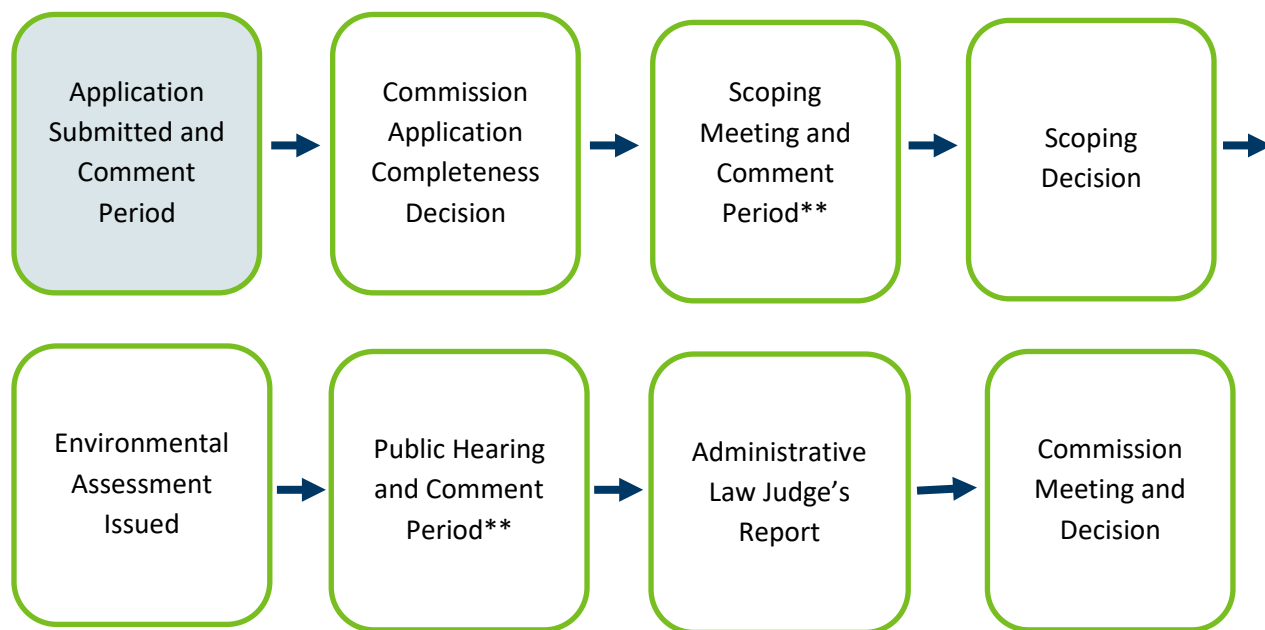
The Lemon Hill Solar Project site permit application is not proceeding under the new permitting framework, Minnesota Statute 216I, which became effective as of July 1, 2025. Site permit applications for solar farms submitted prior to July 1, 2025, including the Lemon Hill Solar application filed on June 30, 2025, will be reviewed in accordance with Minnesota Statute 216E.

The process under 216E requires EIP staff to prepare an environmental assessment (EA) for the proposed project. The EA will contain information on the human and environmental impacts of the proposed project and will address potential mitigating measures. There are two public comment opportunities in this process. First, a public information and scoping meeting is held to gather input from the public, local governments, state agencies, and other interested persons on the scope, the contents, of the EA, such as the human and environmental impacts of the proposed project, strategies to mitigate or avoid impacts, or unique characteristics or resources in the project area. EIP staff will use this public input to identify the topics to be studied in the EA.

The second public comment period occurs after the EA has been released. Members of the public, state and local governments, and other interested persons will have an opportunity to review the EA prepared for the project and to comment on the EA and other aspects of the project at the public hearing following the release of the EA. Both public comment periods in this process include a virtual meeting and an in-person meeting. The in-person meeting will be held in a location near where the proposed project would be located. Individuals who attend either a virtual or in-person meeting will have the opportunity to provide verbal comments at the meeting. In addition, both public comment periods allow individuals to provide their comments online, or via email or U.S. mail, providing the opportunity for individuals to submit comments in the way that is easiest for them. Prior to each public comment period, the Commission will issue a notice containing information on how to attend the in-person and/or virtual meeting, how to submit comments, and the date the comment period closes.

¹ Commission EIP staff, Staff Comments on Application Completeness, July 23, 2025. eDocket No. [20257-221324-01](#)

The application completeness period is the initial step that determines whether the environmental review and permitting process for a proposed project can proceed. When the Commission determines that a permit application is complete, the environmental review and permitting process will begin. A determination that a permit application is complete does not grant a permit. The Commission does not make a permit decision until the end of the environmental review and permitting process. The graphic below visualizes the environmental review and permitting process for the Lemon Hill Solar Project, which is in the application completeness period.



In its July 23, 2025, comments, EIP staff recommended that the Commission find Lemon Hill Solar’s application for the Lemon Hill Solar Project substantially complete and requested that Lemon Hill Solar provide a Phase I cultural resources survey and a native prairie field survey for the project’s two parcels which have not yet been surveyed, and additional information regarding existing conditions and potential impacts and mitigation measures for tourism, geology, groundwater, surface waters, wildlife, and rare and unique natural resources.

Lemon Hill Solar filed reply comments on application completeness on July 31, 2025.² Lemon Hill Solar’s reply comments included information on the results of the Phase I survey in the two parcels completed in April 2025. Lemon Hill Solar indicated that a Request for Project Review has been submitted to the State Historic Preservation Office (SHPO) and included the SHPO cover letter as an attachment to their

² Lemon Hill Solar, LLC, July 31, 2025, Completeness Reply Comments, eDocket No. [20257-221583-01](#)

reply comments.³ Lemon Hill Solar will file SHPO's determination with the Commission once it is complete. On August 1, 2025, Lemon Hill Solar filed documentation related to the Phase I Cultural Resource Survey⁴ and updated wetland delineation report⁵ for the two parcels. Finally, Lemon Hill Solar commented that a native prairie field survey was completed on the two parcels in May 2025 and that no native prairie was observed.⁶

Lemon Hill Solar stated that they are committed to working with EIP staff throughout the site permit process to develop appropriate impact mitigation measures and to provide EIP with the information needed for the preparation of the EA. EIP staff appreciates Lemon Hill Solar's commitment to providing the information requested in staff's initial comments. The information will be needed to prepare the EA. Additionally the information would aid public commenters in preparing their comments on potential impacts of the project during the scoping comment period. Thus, to the extent possible, EIP staff recommends that Lemon Hill Solar file the requested information into the record prior to the public information and scoping meetings for the project.

At the time EIP staff filed its initial comments on application completeness, there were 30 public comments on record for the project. Due to the high number of public comments, EIP staff anticipated that the project may be controversial, and that this controversy factor weighed for a task force. While noting the level of interest, and that the potential for controversy weighed in favor for a task force, EIP staff recommended that the Commission not appoint an advisory task force at that time. As of August 5, 2025, there are over 60 public comments on the record, a further indication that the project may be controversial, and 15 members of the public have requested an advisory task force for the project.⁷

Minnesota Rule 7850.2400 requires the Commission to meet to determine whether to appoint a citizen advisory task force as early in the process as possible. Upon appointing a citizen advisory task force, the Commission must specify in writing the charge to the task force. To date, the comments requesting an advisory task force have identified various charges for the task force, making it difficult to specify a particular charge.

The Commission could meet in the near future to determine whether to appoint a citizen advisory task force and specify a charge for the task force. Alternatively, the Commission could defer a decision on whether to appoint an advisory task force until it has the record of public, local government, and state agency comments following the close of the public scoping comment period.

³ Lemon Hill Solar, LLC, July 31, 2025, Completeness Reply Comments, Attachment A – Addendum 1 SHPO Cover Letter, eDocket No. [20257-221583-02](#)

⁴ Lemon Hill Solar, LLC, August 1, 2025, Supplemental Comments, Attachment A – Phase I Addendum I Report, eDocket No. [20258-221667-03](#)

⁵ Lemon Hill Solar, LLC, August 1, 2025, Supplemental Comments, Attachment B – Wetland Delineation Report, eDocket No. [20258-221667-04](#) (through –08)

⁶ Lemon Hill Solar, LLC, June 30, 2025, Site Permit Application, pg. 85, eDocket No. [20256-220448-02](#)

⁷ Public Comment, August 4, 2025, eDocket No. [20258-221718-01](#); Public Comment, August 4, 2025, [20258-221726-01](#); Batch 1, 8 Comments, August 5, 2025, Comments 1, 2, 4, 5, 6, and 7, eDocket No. [20258-221777-01](#); Batch 1, 9 Comments, August 5, 2025, Comments 1, 2, 3, 4, 5, 7, and 9, eDocket No. [20258-221765-01](#).

EIP staff appreciates the information provided by Lemon Hill Solar in its reply comments and supplemental filings to date, and recommends the remaining requested information be filed prior to the project's public information and scoping meetings, as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Lauren Agnew". The signature is fluid and cursive, with the first name "Lauren" being more prominent than the last name "Agnew".

Lauren Agnew
Environmental Review Project Manager