



LYON COUNTY PLANNING & ZONING SOIL & WATER CONSERVATION DISTRICT

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Date: April 22, 2025

Regarding: PUC Docket Number: IP-7132/GS-24-215; OAH Docket Number: 71-2500-40396
Public Comment Regarding Coneflower Solar Project

From: John Biren, Lyon County Ditch Inspector, representing County Ditch 29

To: Consumer Affairs Office, Minnesota Public Utilities Commission



Lyon County Ditch 29 established in 1918, benefits approximately 2,063 assessed acres of land. County Ditch 29 benefits property by providing drainage for agricultural lands, township, municipal, county, and state roads, railroads, and the City of Garvin. County Ditch 29 primarily consists of open ditches and subsurface drain tile. More specifically, the drainage system consists of 23,634 feet of subsurface main tile, 1 ¼ miles of open ditch and 49,185 feet of subsurface lateral and branch tile. The subsurface tile ranges in size from 5" to 30" in diameter. The depths vary from 4-23 feet deep with minimum gradients of 0.1 percent. On behalf of the benefited property, the Drainage Authority implements all rights established with County Ditch 29 per MN Statutes Chapter 103E.

The Drainage Authority for County Ditch 29 is aware the drainage system needs repair especially in relation to drainage within the City of Garvin. A repair report has not been ordered in part because the current benefits assessed to the landowners do not reflect current day land values. At this time, County Ditch 29 does not have adequate funds to accomplish the needed repairs. As a result, the Drainage Authority will likely order a redetermination of benefits during this calendar year. For these reasons it is not likely the repair will be completed prior to the construction of the Coneflower Solar Project.

Due to the size and location of the tile system, repairs will require the use of large earth moving equipment including large excavators. Essentially, the repair will consist of replacing old tile with new. Because the drainage law (MN Statutes 103E) allows the straightening and realignment of a tile system using modern day technology, and because the existing maps of County Ditch 29 are approximate locations of the tile, a repair project typically, requires an eighty foot (80') temporary right of way to accommodate the new installation. In the likely event the repair is not completed before the installation of the solar panels it is important for coordination to occur between the Coneflower Solar Project and County Ditch 29. At a minimum an onsite investigation should be conducted to identify the exact location and depth on the county tile to ensure the placement of solar panels and ancillary equipment and or structures do not impact future repairs to County Ditch 29.

The next page is a downsized copy of the original tile map.

COUNTY DITCH 29

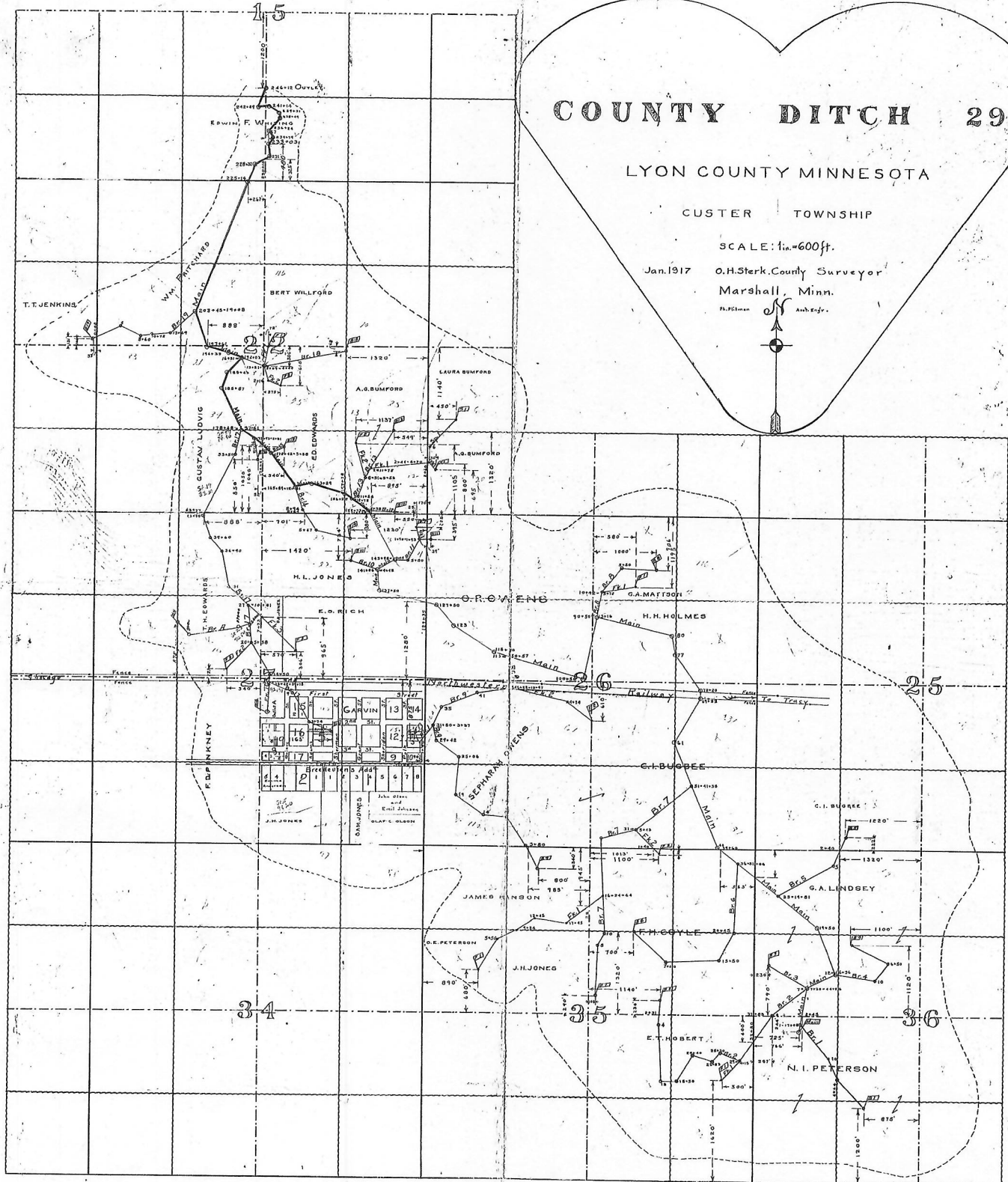
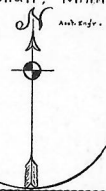
LYON COUNTY MINNESOTA

CUSTER TOWNSHIP

SCALE: 1 in. = 600 ft.

Jan. 1917 O.H. Sterk, County Surveyor
Marshall, Minn.

Pl. 251-1000



On this day
of Sept. 1917
O.H. Sterk
County Surveyor