

Staff Briefing Papers

Meeting Date: March 5, 2026

Agenda Item: **3

Company: North Star Energy Storage, LLC

Docket: IP-7155/ESS-25-123

In the Matter of the Application of North Star Energy Storage, LLC for an up to 100-megawatt Battery Energy Storage System Site Permit for the North Star Storage Project in Chisago County, Minnesota

- Issues:**
- Should the Commission adopt the Administrative Law Judge’s findings of fact, conclusions of law, and recommendation?
 - Should the Commission determine that the environmental assessment and the record created at the public hearing adequately address the issues identified in the scoping decision?
 - Should the Commission grant a site permit for the up to 100-megawatt North Star Battery Energy Storage System Project in Chisago County?

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✓ **Relevant Documents**

Date

Site Permit Application to the Minnesota Public Utilities Commission for the North Star Battery Energy Storage System Project (10 parts)

02/28/2025

Order on Application Completeness and Process

04/15/2025

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.

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✓ Relevant Documents	Date
Sample Site Permit	04/21/2025
Letter Regarding State Historic Preservation Office Consultation	04/22/2025
Minnesota Department of Natural Resources (DNR) Scoping Comment Letter (2 parts)	06/13/2025
Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) Comments on Scoping Decision	06/18/2025
Order on Scoping Decision for the Environmental Assessment	07/01/2025
Environmental Assessment Scoping Decision	07/17/2025
Amendment to the February 28, 2025 Site Permit Application	08/22/2025
Amended Environmental Assessment Scoping Decision	08/29/2025
Environmental Assessment	10/13/2025
North Star Energy Storage Direct Testimony and Schedules of Joel Puritz	10/21/2025
DNR Public Hearing Comment Letter	11/12/2025
Minnesota Interagency Vegetation Management Planning Working Group (VMPWG) Public Hearing Comment Letter	11/12/2025
North Star Energy Storage Response to Public Hearing Comments	12/03/2025
Minnesota Public Utilities Commission Energy Infrastructure Permitting (EIP) Staff Public Hearing Comments and Recommendations	12/17/2025
Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommendation (ALJ Report)	01/20/2026
EIP Staff Letter Regarding Exceptions	01/30/2026
North Star Energy Storage Exceptions	02/04/2026

Attachments

Attachment A: Table 1 - Proposed Site Permit Language

Attachment B: Table 2 - Proposed Modifications to ALJ Report Findings

Attachment C: Proposed Site Permit

I. ISSUES

- Should the Commission adopt the Administrative Law Judge's findings of fact, conclusions of law, and recommendation?
- Should the Commission determine that the environmental assessment and the record created at the public hearing adequately address the issues identified in the scoping decision?
- Should the Commission grant a site permit for the up to 100-megawatt North Star Battery Energy Storage System Project in Chisago County?

II. PROJECT BACKGROUND

North Star Energy Storage, LLC (North Energy Star Storage) (an affiliate of DESRI Renewables, L.L.C.) has applied to the Minnesota Public Utilities Commission (Commission) for a site permit for the proposed up to 100-megawatt North Star Battery Energy Storage System (BESS) Project to be located within the municipal boundary of North Branch in Chisago County, Minnesota.¹

The proposed site is located entirely within the existing North Star Solar Electric Power Generating Plant site permit boundaries, which was previously permitted by the Commission in 2016 and is owned and operated by North Star Solar PV LLC.² The proposed project area would be roughly 78 acres, with 19 of those acres designated for project construction. The final fenced operating footprint would be six acres, excluding the access road and stormwater basin. According to North Star Energy Storage, the eastern portion of the 78-acre parcel would be

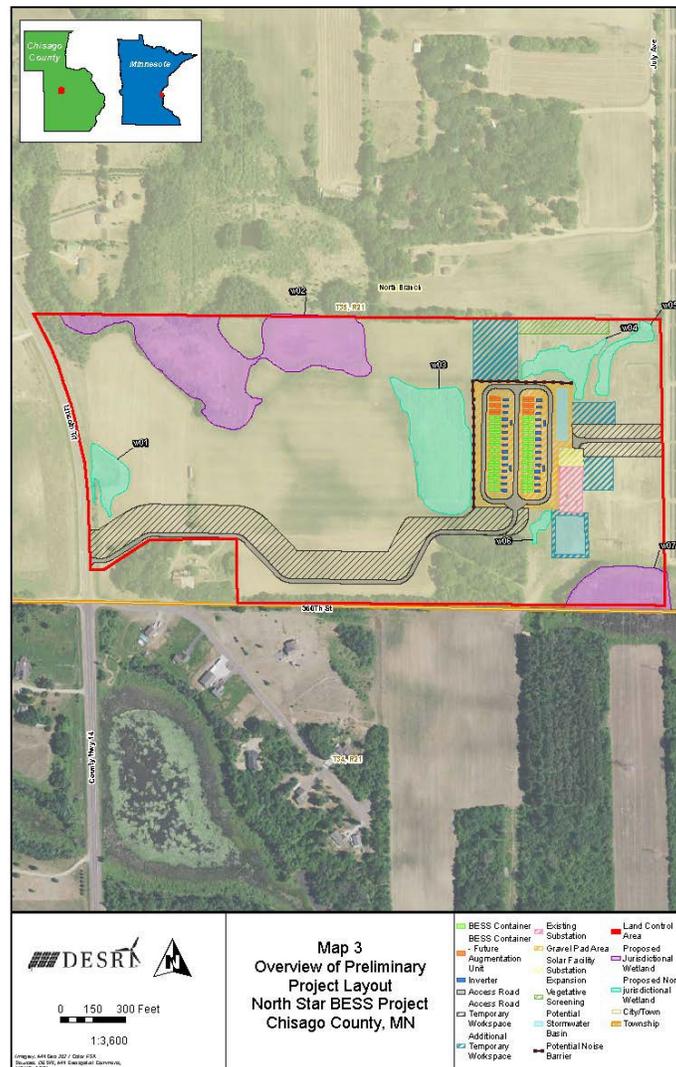
¹ North Star Energy amended its initial site permit application and increased the project nameplate capacity from 80 megawatts to 100 megawatts, updated vegetative screening and noise mitigation measures, and relocated project access roads. See North Star Energy Storage, Site Permit Application Amendment (August 22, 2025), Document ID [20258-222299-01](#).

² *In the Matter of the Combined Application of North Star Solar PV LLC for a Site Permit and Route Permit for the North Star Solar Electric Power Generating Plant and Associated 115 kV High-Voltage Transmission Line in Chisago County, Minnesota*, PUC Docket IP-6943/GS-15-33.

leased from North Star Solar PV LLC, and the western portion would be leased from the current private landowners.

The new BESS facility would include 120 multiple battery cell enclosures, a maintenance area, a stormwater basin, underground communication and collection lines, and perimeter fencing. Two access road options are being considered: (1) a western option from Lincoln Trail, and (2) an eastern option from within the existing North Star Solar Electric Power Generating Plant facility. The new BESS facility would interconnect to the existing Chisago County substation by utilizing existing transmission lines. North Star Energy Storage proposes to start construction of the project in the first quarter of 2026 with an anticipated commercial operation date in the second quarter of 2027.

Project Overview Map



III. RULES AND STATUTES

The North Star BESS Project is being reviewed under Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. The site permit application was filed with the Commission before implementation of the new Minnesota Energy Infrastructure Permitting Act (Minnesota Statutes Chapter 216I) on July 1, 2025.

A. Site Permit

The proposed North Star BESS Project requires a site permit from the Commission because it is an energy storage system designed with a nameplate capacity of 10 megawatts or more and is capable of storing generated electricity for a period of time and delivering the electricity for use after storage.³ In deciding whether to issue a site permit for an energy storage system, the Commission must consider the factors under Minn. Stat. § 216E.03, subd. 7, and Minn. R. 7850.1400.

B. Certificate of Need

Under Minn. Stat. § 216B.243, subd. 8(9), a certificate of need is not required for energy storage systems.

C. Procedural Treatment of Application

The Commission authorized the following procedures to review the site permit application: (1) use of the alternative review process;⁴ and (2) a request that the Court of Administrative Hearings appoint an administrative law judge to serve as hearing examiner for the public hearings and to issue findings of fact, conclusions of law, and recommendations consistent with Minn. Stat. § 216E.04, subd. 6, and Minn. R. 7850.3800.

Pursuant to Minn. R. 7850.3700, projects reviewed under the alternative process require preparation of an environmental assessment. The environmental assessment must contain information on the human and environmental impacts of the proposed project and any alternative sites or routes identified by the Commission, and it must address mitigation measures for all sites or routes considered. When making its final decision on whether to issue

³ Minn. Stat. § 216E.01, subd. 3a; and Minn. Stat. § 216E.03, subd. 1.

⁴ The North Star BESS Project is eligible for alternative review under Minn. Stat. § 216E.04, because it is an energy storage system (Minn. Stat. § 216E.04, subd. 2(9)).

a site permit, the Commission must determine whether the environmental assessment and the public hearing record address the issues identified in the scoping decision.

IV. PROCEDURAL HISTORY

A. Application Completeness

On February 28, 2025, North Star Energy Storage filed a site permit application for the North Star BESS Project.

On April 15, 2025, the Commission issued an order that accepted North Star Energy Storage's site permit application as complete; declined to appoint an advisory task force; requested appointment of an administrative law judge including preparation of findings of fact, conclusions of law, and recommendations; and delegated authority to its Executive Secretary to issue an authorization to Minnesota Power to initiate consultation with the Minnesota State Historic Preservation Office (SHPO).

On April 21 and 22, 2025, Commission staff filed a Sample Site Permit and a SHPO Consultation Letter, respectively.

B. Environmental Assessment Scoping

On May 28, 2025, an in-person public information and environmental assessment scoping meeting was held at Lent Town Hall in Stacy, Minnesota. Five individuals attended; attendees asked questions, provided verbal comments, or both. On May 29, 2025, an online scoping meeting was held via Webex, but no members of the public attended. A written comment period was open from May 14, 2025, through June 13, 2025.

Table 1 summarizes scoping comments and provides context for issues raised early in the review. These comments are already part of the record through the Commission's scoping decision and the environmental assessment, and they are also addressed in the ALJ Report.

Table 1: Summary of Scoping Comments

Individual	Organization	Type	Comments/Issues
	Minnesota Department of Natural Resources	Written	Wildlife/impact minimization measures: taller wildlife-excluding fence (no barbed wire), shielded/downlit ≤4000K lighting, non-chloride dust control, wildlife-friendly erosion controls, Blanding’s turtle measures, and prairie/vegetation management consistent with DNR guidance
Curt Schneider	Chisago County Environmental Services	Verbal	Indicated appreciation for early coordination and transparency and recommended continued coordination through EA and permitting. Continue being responsive to residents
Nathan Dull	MN Land Liberty Coalition	Verbal	Clarify battery chemistry (e.g., LFP vs. other Li-ion) and related safety/thermal runaway issues.
Dennis Anderson		Written	Concern about access road location and junctions with County Road 14 and existing natural gas pipelines
Tina Carey		Verbal	Battery safety (fire/explosion), end-of-life/recycling, EMF/health, noise, and visual screening
Debra Hermel		Verbal	Noise, rural character, wildlife, and visibility; requested screening, noise operation and construction
Paul Dennison		Verbal	Questions related to battery charging/discharging and existing solar facility and potential county tax benefits.
Steve Benson		Verbal	Additional review of access road routes that avoid wetland/environmental impacts

On July 1, 2025, the Commission issued an order on the Environmental Assessment Scoping Decision.

On July 17, 2025, the Minnesota Public Utilities Commission Energy Infrastructure Permitting (EIP) staff⁵ issued the Environmental Assessment Scoping Decision.

⁵ On July 1, 2025, the Minnesota Department of Commerce Energy Environmental Review (EERA) staff moved to the Minnesota Public Utilities Commission Energy Infrastructure Permitting (EIP) unit as directed by state law (Laws of Minn. 2024, ch. 126, art. 7). Although the application review process was initiated by EERA staff before July 1, 2025, EERA staff will finish the remaining evaluation as EIP staff at

On August 22, 2025, North Star Energy Storage filed an Amendment to the February 28, 2025 Site Permit Application. The amendment (1) increased the project capacity from 80 megawatts to 100 megawatts based on higher energy-density BESS technology; (2) reduced the preliminary development area from 26.6 acres to 18.8 acres; and (3) revised the site layout to reduce potential impacts by shifting the facility south to increase setbacks from a nearby residence, providing space for vegetative screening, and relocating the western access road to use an existing driveway.

On August 29, 2025, EIP staff issued an Amended Environmental Assessment Scoping Decision.

On October 13, 2025, EIP staff issued the Environmental Assessment.

C. Public Hearings

On October 21, 2025, North Star Energy Storage filed the Direct Testimony and Schedules of Joel Puritz.

On October 28, 2025, an in-person public hearing was held at the Lent Town Hall in Stacy, Minnesota. Three individuals attended; attendees asked questions, provided verbal comments, or both. On October 29, 2025, an online public hearing was held via WebEx; one person attended; no comments or questions were asked. A written comment period was open from October 13, 2025, through November 12, 2025.

Table 2 summarizes public hearing comments and the responses or actions proposed or taken.

Table 2: Summary of Public Hearing Comments

Individual	Organization	Type	Issues	Response/Action ⁶
Steve Perrault		Verbal	Visual/siting impacts from his property. Move BESS further south/nearer existing trees	Applicant indicates it moved the BESS south and added vegetative screening based

the Commission. The review of this application began under and will continue under Minnesota Statute 216E (2023). To provide distinction between the analysts, existing Public Utilities Commission staff are identified as PUC staff and former EERA staff as EIP staff for transitional dockets like this one.

⁶ Detailed responses are provided in: 1) North Star Energy Storage Response to Hearing Comments (December 3, 2025) (Document ID 202512-225507-01); and (2) EIP Staff Reply Comments (December 17, 2025) (Document ID 202512-225974-01).

Individual	Organization	Type	Issues	Response/Action ⁶
				on feedback; further movement south is limited by wetlands.
			Adequacy of visual screening	Draft permit includes a visual screening plan condition.
			Questions about local agricultural zoning.	State site permit supersedes local zoning.
Paul Dennison		Verbal	Clarification on local tax revenue implications	The project would add tax revenue to the local governments.
Aaron Nysse		Verbal	More detail/assurance on EMS plan and coordination and who pays for needed equipment/training.	The Applicant stated it would cover any gaps in local responder resources and training needed for the project, and described development of an emergency response plan that would not be finalized until relevant parties were satisfied.
			Financial assurance for decommissioning	The application includes and the draft permit requires a decommissioning plan plus a financial mechanism to cover decommissioning costs.

On November 12, 2025, written public hearing comments were filed by the Minnesota Department of Natural Resources (DNR) and the Minnesota Interagency Vegetation Management Planning Working Group (VMPWG). Their comments are summarized below.

1. Minnesota Department of Natural Resources (DNR)

The DNR indicated that its key concerns are being addressed through the Environmental Assessment and related draft permit conditions; particularly regarding Blanding’s turtles, fence design coordination, lighting, wildlife-friendly erosion control, dust control, and

vegetation management. The DNR also offered suggestions on minimum fence height and updates to the Vegetation Management Plan to incorporate guidance from the DNR's *Prairie Establishment and Maintenance Technical Guidance for Solar Projects*.

2. Vegetation Management Planning Working Group (VMPWG)

EIP staff, on behalf of the VMPWG, stated that no Commission action is recommended at this time. Rather, the VMPWG identified items for consideration during the pre-construction compliance review process, should the Commission issue a site permit.

On December 3, 2025, North Star Energy Storage filed its Response to Public Hearing Comments and Proposed Findings of Fact, Conclusions of Law, and Recommendations.

On December 17, 2025, EIP staff filed its Reply Comments.

On January 20, 2026, the Administrative Law Judge filed the Findings of Fact, Conclusions of Law, and Recommendation (ALJ Report).

On January 30, 2026, EIP staff filed a letter indicating that the ALJ Report accurately reflected the record of the case and that it had no exceptions.

On February 4, 2026, North Star Energy Storage filed a letter indicating that the ALJ Report provides a comprehensive summary of the record and submitted limited exceptions to offer updates and further clarification.

V. ADMINISTRATIVE LAW JUDGE REPORT

To ensure a complete record, meaningful public participation, and thorough consideration of the issues, the Commission requested appointment of an administrative law judge from the Court of Administrative Hearings. The Administrative Law Judge presided over the public hearings and prepared findings of fact, conclusions of law, and recommendations on the merits of the proposed project and any necessary site permit conditions.

PUC staff finds that the ALJ Report is well-organized around the applicable statutory and rule-based siting factors, that it ties each conclusion to specific record evidence, and that it addresses the main issues raised in comments during the environmental review scoping process and at the public hearings. In particular, the report describes the procedural requirements that

were followed, evaluates the completeness of the environmental assessment, and explains the justifications for granting a site permit, including recommended special permit conditions.

Rather than repeat the Administrative Law Judge's full analysis in these briefing papers, PUC staff has summarized the recommendations below and refers the Commission to the ALJ Report for the complete analysis.⁷

A. Completeness of Environmental Assessment

The Administrative Law Judge concluded that the Environmental Assessment was adequate because the Environmental Assessment and the record created at the public hearing and during the subsequent comment period addressed the issues raised in the scoping decision.⁸

B. Site Permit

The Administrative Law Judge found that the proposed North Star Energy Storage BESS Project meets the applicable statutory and rule criteria for issuance of a site permit for the 100-megawatt BESS and recommended that the Commission grant a site permit subject to the draft permit conditions⁹ and as identified and amended in the ALJ Report.

In summary, the Administrative Law Judge concluded that:¹⁰

- North Star Energy Storage and the Commission provided all required notices for the site permit.
- The Commission has the authority under Minn. Stat. § 216E.03, subd. 10, to place conditions on site permits.
- The draft site permit, including the recommended permit conditions, contains important mitigation measures and other reasonable and special conditions authorized under Minn. R. 7850.4000 and related laws.
- The record supports issuance of a site permit for the proposed BESS facility because North Star Energy Storage has met the criteria in Minn. Stat. § 216E.03 and Minn. R. 7850.4100, as well as all other applicable requirements.

⁷ Minnesota Court of Administrative Hearings; Findings of Fact, Conclusions of Law, and Recommendation (ALJ Report), CAH 2-2500-40938 (January 20, 2026) (Document ID [20261-227122-01](#)).

⁸ ALJ Report at findings 198-201.

⁹ Environmental Assessment at Appendix C (October 2025) (Document ID [202510-223823-01](#)).

¹⁰ ALJ Report at Conclusions of Law, p. 39.

- The Project does not present potential for significant adverse environmental effects pursuant to the Minnesota Environmental Rights Act or the Minnesota Environmental Policy Act.

C. Special Permit Conditions

The Administrative Law Judge concluded that the record supports including the special permit conditions identified in the draft site permit (Appendix C to the Environmental Assessment).¹¹ The Administrative Law Judge further noted these conditions are discussed in North Star Energy Storage's Direct Testimony and Schedules of Joel Puritz and in its Response to Public Hearing Comments.¹² EIP staff and the Applicant indicated support for all proposed special permit conditions and permit condition modifications. The proposed permit condition language is provided in **Table 1** of **Attachment A** to these briefing papers.

VI. EXCEPTIONS

Under Minn. R. 7829.2700, for cases subject to statutory deadlines, exceptions to the ALJ Report must be filed within 15 days after the report is filed. In this matter, the deadline to file exceptions was February 4, 2026. Only EIP staff and North Star Energy Storage filed letters regarding exceptions to the ALJ Report.

A. EIP Staff Exceptions

EIP staff filed a letter stating that the ALJ Report accurately reflects the record and that staff has no exceptions.

B. North Star Energy Storage Exceptions

North Star Energy Storage filed limited exceptions to the ALJ Report, stating the Report is comprehensive and that it supports the recommendation, but requested targeted revisions to reflect updated SHPO consultation and to correct/clarify findings related to cultural resources (Findings 120–121), noise mitigation wording (Finding 79), and draft site permit section references (Findings 87, 133, and 157). The proposed revisions are provided in **Table 2** of **Attachment B** to these briefing papers.

¹¹ Environmental Assessment at Appendix C (October 2025) (Document ID [202510-223823-01](#)).

¹² North Star Energy Storage Direct Testimony and Schedules of Joel Puritz (October 21, 2025) (Document ID [202510-224153-01](#)); and North Star Energy Storage Response to Hearing Comments (December 3, 2025) (Document ID [202512-225507-01](#)).

VII. PUC STAFF DISCUSSION

The following issues are before the Commission:

- Whether to adopt the ALJ Report.
- Whether the Environmental Assessment is complete.
- Whether to grant a site permit for the North Star Battery Energy Storage System Project, and identify any special permit conditions, as necessary.

Based on information in the permit application, the analysis provided in the Environmental Assessment, public comments, testimony, the ALJ Report, and other evidence in the record, PUC staff provides the discussion below.

A. ALJ Report

PUC staff agrees with the findings, conclusions, and recommendations reached by the Administrative Law Judge. 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 a site permit for a BESS.

1. *Exceptions and Clarifications*

The only exceptions received in this matter were from North Star Energy Storage and included minor corrections and clarifications related to updated information. PUC staff agrees with all of the modifications proposed by North Star Energy Storage. The proposed revisions are provided in **Table 2** of **Attachment B** to these briefing papers.

B. Environmental Assessment

PUC Staff agrees with the recommendation of the Administrative Law Judge that the evidence in the record demonstrated that the Environmental Assessment and the record created during the public hearing process addressed the issues and alternatives raised in the Scoping Decision and that it is complete.

However, should the Commission decide the Environmental Assessment is not complete, it must identify the reasons it is not complete and request that the Environmental Assessment be revised or supplemented. In that case, a schedule for revising or supplementing the

Environmental Assessment would need to be determined and the Commission would need to revisit its permit decisions after completion of the revised Environmental Assessment.

C. Site Permit

PUC staff agrees with the Administrative Law Judge that the record demonstrates the applicable criteria for a site permit has been met. PUC Staff therefore recommends that the Commission issue North Star Energy Storage a site permit to construct and operate the up to 100-megawatt North Star Battery Energy Storage System Project. A proposed site permit for the BESS facility is provided as **Attachment C** to these briefing papers.

PUC Staff supports all special permit conditions recommended by the Administrative Law Judge and supported by EIP staff and North Star Energy Storage. The proposed condition language is provided in **Table 1** of **Attachment A** to these briefing papers.

COMMISSION DECISION OPTIONS

ALJ Report

1. Adopt the Administrative Law Judge 's findings of fact, conclusions of law, and recommendations to the extent consistent with the decisions below. (PUC Staff, EIP Staff, North Energy Star Storage)
2. Adopt the following modified findings (See **Table 2** of **Attachment B** to these briefing papers):
 - a. Finding 79 (Noise) (North Energy Star Storage, PUC Staff)
 - b. Finding 87 (Land Use and Zoning) (North Energy Star Storage, PUC Staff)
 - c. Finding 120 (Archaeological and Historic Resources) (North Energy Star Storage, PUC Staff)
 - d. Finding 121 (Archaeological and Historic Resources) (North Energy Star Storage, PUC Staff)
 - e. Finding 133 (Geology and Groundwater) (North Star Energy Storage, PUC Staff)
 - f. Finding 157 (Wildlife and Habitat) (North Star Energy Storage, PUC Staff)

[If ALJ Report is adopted, move on to next decisions.]

Environmental Assessment

3. Determine that the Environmental Assessment and the record created at the public hearing address the issues identified in the scoping decision. (ALJ, PUC Staff)

Or

4. Determine that the Environmental Assessment and the record created at the public hearing do not address the issues identified in the scoping decision, identify the reasons, and direct staff to revise or supplement the Environmental Assessment.

[If Environmental Assessment is determined to be complete, move on to next decisions.]

Site Permit

5. Grant a site permit to North Star Energy Storage for the up to 100-megawatt North Star Battery Energy Storage System Project with the standard conditions identified in the attached proposed site permit.

And

6. Adopt the following special and modified site permit conditions (See **Table 1** of **Attachment A** to these briefing papers):
 - a. PC1 (Facility Lighting) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - b. PC2 (Visual Screening Plan) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - c. PC3 (Pre-construction Noise Modeling and Impact Assessment) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - d. PC4 (Noise Studies and Noise Mitigation) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - e. PC5 (Vegetation Management Plan) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - f. PC6 (Unanticipated Discoveries Plan) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - g. PC7 (Security Fencing) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - h. PC8 (Wildlife-Friendly Erosion Control) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - i. PC9 (Dust Control) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - j. PC10 (Blanding's Turtle) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - k. PC11 (Battery Augmentation) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - l. PC12 (Offtake Agreement) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - m. PC13 (Annual Report) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)
 - n. PC14 (Emergency Response) (ALJ, PUC Staff, EIP Staff, North Star Energy Storage)

Or

7. Deny a site permit for the up to 100-megawatt North Star Battery Energy Storage System Project.

[If a site permit is granted, move on to next decisions.]

Administrative

8. Delegate authority to the Executive Secretary to modify the site permit and the ALJ Report to correct any typographic and formatting errors and to ensure consistency with the Commission's order.

Staff Recommendation: 1, 2 (a-f), 3, 5, 6 (a-n), and 8

Table 1
Proposed Site Permit Language

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
PC1	Facility Lighting	5.1	<u>Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the gate locations, BESS Enclosures, and along fence lines. Downward facing lighting must be clearly visible on the plan and profile submitted for the Project.</u>		Recommended by ALJ and supported by EIP staff and Applicant.
PC2	Visual Screening Plan	5.2	<u>The Permittee shall develop a site-specific Visual Screening Plan. The Visual Screening Plan shall be designed and managed to mitigate visual impacts on adjacent residences. The Visual Screening Plan shall at a minimum include:</u> <u>A. objectives for screening nearby residences; and</u> <u>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.</u> <u>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</u>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<p><u>ensure the successful growth, health, and maintenance of the vegetation for 3 years.</u></p> <p><u>At least 14 days prior to the pre-construction meeting, the Permittee shall file:</u></p> <p><u>C. the Visual Screening Plan;</u></p> <p><u>D. documentation of coordination with landowners adjacent to the project site;</u></p> <p><u>and</u></p> <p><u>E. an affidavit of its distribution of the Visual Screening Plan to landowners adjacent to the project site.</u></p>		
PC3	Pre-construction Noise Modeling and Impact Assessment	5.3	<p><u>The Permittee shall file a noise impact assessment at least 14 days prior to the pre-construction meeting. The noise impact assessment shall summarize the results from noise propagation modeling that incorporates noise inputs from the selected equipment and the facility layout shown in the site plans required in Section 8.3 of this permit. The permittee shall file an updated noise impact assessment including any revisions to selected equipment or facility layout prior to any modifications to the facility over its operating life.</u></p>		Recommended by ALJ and supported by EIP staff and Applicant.
PC4	Noise Studies and Noise Mitigation	5.4	<p><u>The Permittee shall file a proposed methodology for the conduct of a post-construction noise study at least 14 days</u></p>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<p><u>prior to the pre-construction meeting. The Permittee shall develop the post-construction noise study methodology in consultation with Commission staff. The Permittee must conduct the post-construction noise study and file with the Commission the completed post-construction noise study within 18 months of commencing commercial operation.</u></p> <p><u>The BESS facilities and associated facilities shall be placed and operated such that the Permittee shall, at all times, comply with noise standards established by the MPCA. Operation of the facility shall be modified, or project components shall be removed from service if necessary to comply with these noise standards.</u></p>		
PC5	Vegetation Management Plan	5.5	<p><u>The Permittee shall amend its existing vegetation management plan (VMP) for the North Star Solar Facility, as presented in the North Star Solar Docket 15-33 (eDockets No. 20164-120014-03). This amended VMP will be developed in coordination with Commission staff and the Vegetation Management Working Group, using best management practices established by the DNR and BWSR. The Permittee shall file the amended VMP to</u></p>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<p><u>the docket for both North Star Solar and North Star Storage, 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. 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 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.</u></p> <p><u>The amended VMP must include the following:</u></p> <p><u>A. management objectives addressing short term (year 0-5, seeding and establishment) and long term (year 5 through the life of the Project) goals;</u></p> <p><u>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;</u></p>		

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<p><u>C. a description of how the site will be monitored and evaluated to meet management goals;</u> <u>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;</u> <u>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;</u> <u>F. identification of on-site noxious weeds and invasive species (native and non-native) and the monitoring and management practices to be utilized;</u> <u>and</u> <u>G. a marked-up copy of the Site Plan showing how the site will be revegetated and that identifies the corresponding seed mixes. Best management practices should be followed concerning seed mixes, seeding rates, and cover crops.</u></p>		
PC6	Unanticipated Discoveries Plan	5.6	<p><u>Prior to construction, the Permittee shall survey areas of construction activity within undisturbed land that have not been surveyed.</u></p> <p><u>The Permittee shall develop an Unanticipated Discoveries Plan (UDP) to</u></p>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<p><u>identify guidelines to be used in the event previously unrecorded archeological or historic properties, or human remains, are encountered during construction, or if unanticipated effects to previously identified archaeological or historic properties occur during construction. This is in addition to and not in lieu of any other obligations that may exist under law or regulation relating to these matters. The UDP shall describe how previously unrecorded, non-human burial, archaeological sites found during construction shall be marked and all construction work must stop at the discovery location. The Permittee shall file the UDP with the Commission at least 14 days prior to the preconstruction meeting.</u></p>		
PC7	Security Fencing	5.7	<p><u>The Permittee shall design the security fence surrounding the energy storage system to minimize the visual impact of the Project while maintaining compliance with the National Electric Safety Code. The Permittee shall develop a final fence plan for the specific site in coordination with the DNR. The final fence plan shall be submitted to the Commission as part of the Site Plan pursuant to Section 8.3.</u></p>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
PC8	Wildlife-Friendly Erosion Control	5.8	<u>The Permittee shall use only “bio-netting” or “natural netting” types of erosion control materials and mulch products without synthetic (plastic) fiber additives or malachite green dye.</u>		Recommended by ALJ and supported by EIP staff and Applicant.
PC9	Dust Control	5.9	<u>The Permittee shall minimize and avoid, if possible, the use of chloride-based dust control chemicals (i.e., calcium chloride, magnesium chloride).</u>		Recommended by ALJ and supported by EIP staff and Applicant.
PC10	Blanding’s Turtle	5.10	<u>The Permittee shall implement the following avoidance measures described in the DNR’s Natural Heritage Review letter to mitigate impacts to Blanding’s turtles;</u> <u>A. Avoid wetland and aquatic impacts during hibernation season, between September 15 and April 15, if the area is suitable for hibernation</u> <u>B. Install and maintain a temporary turtle proof barrier, such as a silt fence, to keep turtles out of soil stockpiles, gravel pads, and other areas of exposed soil/sand/sediment during nesting season, May 15 to July 15. The turtle proof barrier must be buried a minimum of 10 inches and removed once project is complete.</u> <u>C. Limit erosion and sediment control to wildlife friendly erosion control (see section 5.8).</u>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<p><u>D. Avoid hydro-mulch products that contain any materials with synthetic (plastic) fiber additives, as the fibers can re-suspend and flow into waterbodies.</u></p> <p><u>E. Check bare ground within construction areas for turtles before the use of heavy equipment or any ground disturbance.</u></p> <p><u>F. The Blanding’s turtle flyer must be given to all contractors working in the area. Report any sightings using the Quick Species Observation Form. If turtles are in imminent danger, move them by hand out of harm’s way; otherwise, they are to be left undisturbed. Directions on how to move turtles safely can be found at Helping Turtles Across the Road.</u></p>		
PC11	Battery Augmentation	5.11	<p><u>The Permittee shall notify the Commission of scheduled augmentation at least 30 days prior to commencing augmentation activities. In its filing, the Permittee shall describe the number and types of batteries included in the augmentation. The Permittee shall indicate the location of the augmentation on the project Site Plan. In its filing the Permittee shall demonstrate compliance with the noise impact assessment submitted to the</u></p>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<u>Commission as required in Section 5.3 of this permit.</u>		
PC12	Offtake Agreement	5.12	<p><u>In the event the Permittee does not have an offtake agreement, or some other enforceable mechanism for the sale of energy capacity, or ancillary services, and/or other products provided by the Project at the time this site permit is issued, the Permittee shall provide notice to the Commission when it obtains an offtake agreement, or some other enforceable mechanism for the sale of energy, capacity, or ancillary services, and/or other products. This site permit does not authorize construction of the Project until the Permittee has obtained an offtake agreement, or some other enforceable mechanism for energy capacity or ancillary services, and/or other products provided by the Project, including as example, registration as a market participant with MISO or other Regional Transmission Organization or Independent System Operator. In the event the Permittee does not obtain an offtake agreement or some other enforceable mechanism for the sale of energy, capacity, or ancillary services, and/or other products provided by the Project within four years of the issuance of this site permit, the Permittee must</u></p>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<p><u>advise the Commission of the reason for not having an offtake agreement, or some other enforceable mechanism. 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. Stat. § 216I.09 or Minn. Stat. § 216I.14.</u></p>		
PC13	Annual Report	5.13	<p><u>The Permittee shall, by February 1st following each complete or partial year of Project operation, file a report with the Commission on the monthly availability of the facility including:</u> <u>A. the installed nameplate capacity of the permitted facility;</u> <u>B. the monthly and annual availability of the facility;</u> <u>C. the operational status of the facility and any major outages, major repairs, incidents that required an emergency response, battery augmentation, or performance improvements occurring in the previous year; and</u> <u>D. any other information reasonably requested by the Commission.</u> <u>The Permittee shall file this information in a format recommended by the Commission. This information shall be</u></p>		<p>Recommended by ALJ and supported by EIP staff and Applicant.</p>

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			<u>considered public and must be filed electronically.</u>		
PC14	Emergency Response	8.11	<p>The Permittee shall prepare an Emergency Response Plan (ERP) in consultation with the emergency responders having jurisdiction over the Project prior to construction. <u>The plan developed shall have a process for (1) identifying any specialized equipment gaps for responding to emergencies at the BESS; (2) acquiring the equipment; and (3) providing any training for the specialized equipment at the Permittee's expense. The plan shall also indicate that the annual training of emergency service personnel with site operators must be done at the Permittee's expense.</u> The Permittee shall file the ERP, along with any comments from emergency responders to the Commission at least 14 days prior to the preconstruction meeting and a revised ERP, if any, at least 14 days prior to the pre-operation meeting. At least 14 days prior to the preoperation meeting, the Permittee shall file with the Commission an affidavit of the distribution of the ERP to emergency responders and Public Safety Answering Points (PSAP) with jurisdiction over the Project. The Permittee shall obtain and register the Project address</p>		Recommended by ALJ and supported by EIP staff and Applicant.

Permit Condition No.	Issue	Permit Section	Recommended Permit Language	Proposed Modifications	Comments
			or other location indicators acceptable to the emergency responders and PSAP having jurisdiction over the Project.		

Notes: The ALJ Report provides information on permit conditions at findings 189-195 (Document ID [20261-227122-01](#)).

Table 2
Proposed Modifications to ALJ Report Findings

Finding No.	Issue	Proposer	Proposed Modifications	Comments
79	Noise	North Star Storage	North Star will mitigate construction noise impacts by limited <u>limiting</u> construction to daytime hours to the extent practicable, and proposed noise barriers enclosing the BESS in its amended application. North Star will also implement noise mitigations in final design of the Project. Additional mitigation measures to minimize noise during operation <u>may</u> include selecting individual BESS units with lower noise levels, installing equipment silencers on BESS enclosures, installation of noise barriers (such as fences or berms), and operational limits.	Proposed to clarify that the listed options are not all required, but may be used as needed.
87	Land Use and Zoning	North Star Storage	North Star has taken steps to avoid and minimize noise impacts to <u>land use and zoning</u> . Further, Sections 4.3.22, 5.5 and 9.2 of the Draft Site Permit address noise impacts from the Project <u>land use and zoning impacts</u> .	Proposed to correct an incorrect reference.
120	Archaeological and Historic Resources	North Star Storage	In 2014, North Star Energy worked with Westwood to do a Phase 1 Archaeological Investigation with assistance from 10,000 Lakes Archaeology. No archaeological or historic sites were identified in the land control area, but two sites were identified adjacent to the Project. One is a historic farm site adjacent to the Project to the southwest, the other was a historic farm site adjacent to the Project to the northeast. In 2015 the historic farm site to the northeast was deemed not eligible for National Register of Historic Places. It has since been destroyed in the building of the Solar Facility. <u>In 2025, North Star worked with Merjent to conduct additional cultural resource study on the historic farm site adjacent to the Project to the southwest due to the relocation of the Project driveway near the historic farm site. Merjent determined that the area to be impacted by the Project driveway will not impact the character defining features of the potentially eligible farmstead.</u>	Proposed changes reflect updated SHPO consultation information that the ALJ was unable to consider in the ALJ Report.

Finding No.	Issue	Proposer	Proposed Modifications	Comments
121	Archaeological and Historic Resources	North Star Storage	North Star sent the 2014 results to SHPO in 2024 and SHPO agreed that the 2014 survey was adequate for the Project and additional archaeological surveys are not required. <u>North Star sent the 2025 results to SHPO and SHPO agreed that no significant archaeological sites will be affected by this Project and that there are no properties listed in the National or State Registers of Historic Places, or within the Historic Sites Network, that will be affected by the Project.</u>	Proposed changes reflect updated SHPO consultation information that the ALJ was unable to consider in the ALJ Report.
133	Geology and Groundwater	North Star Storage	Sections 4.3.11, 4.7.3 and 4.7.4 of the Draft Site Permit provides for a CSW Permit and implements the BMPs for erosion prevention and sediment control. Impacts to groundwater can also be minimized by mitigating impacts to and soils and surface waters.	Proposed to correct an incorrect reference.
157	Wildlife and Habitat	North Star Storage	North Star has taken steps to avoid and minimize impacts to surface water resources <u>wildlife and habitat</u> . Further, Sections 5.9 7 , 5.10 8 , <u>5.10</u> and 8.13 of the Draft Site Permit specify measures that will minimize impacts to wildlife. Other potential mitigation measures include checking open trenches and removing any wildlife caught in trenches before backfilling and restricting mowing from April 15 to August 15 will improve the potential for ground nesting habitat.	Proposed to correct an incorrect reference.

Note: Detailed information on all of the proposed modifications in the table is in North Star Storage’s Letter of Exceptions (February 4, 2026)(Document ID [20262-227799-01](#)).

STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION

SITE PERMIT FOR
NORTH STAR BATTERY ENERGY STORAGE SYSTEM PROJECT

AN ENERGY STORAGE SYSTEM

IN
CHISAGO COUNTY

ISSUED TO
NORTH STAR ENERGY STORAGE, LLC

PUC DOCKET NO. IP-7155/ESS-25-123

In accordance with the requirements of Minnesota Statutes Chapter 216I this site permit is hereby issued to:

Noth Star Energy Storage, LLC

Noth Star Energy Storage, LLC is authorized by this site permit to construct and operate the North Star Battery Energy Storage System Project, a battery energy storage system (BESS) with a nominal power rating of up to 100 megawatts (MW) alternating current (AC) with approximately 400 megawatt-hours (MWh) of energy capacity on a site of approximately 78 acres in the city of North Branch in Chisago County.

The energy storage system shall be constructed and operated within the site identified in this site permit and in compliance with the conditions specified in this site permit.

This site permit shall expire 30 years from the date of this approval.

Approved and adopted this ____ day of _____

BY ORDER OF THE COMMISSION

Sasha Bergman,
Executive Secretary

To request this document in another format such as large print or audio, call 651-296-0406 or 800-657-3782 (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.

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1 SITE PERMIT

The Minnesota Public Utilities Commission (Commission) hereby issues this site permit to North Star Battery Storage, LLC (Permittee) pursuant to Minnesota Statutes Chapter 216I. This site permit authorizes the Permittee to construct and operate an up to 100-megawatt energy storage system located in Chisago County, Minnesota (North Star Battery Energy Storage Project, henceforth known as Project). The energy storage system shall be constructed and operated within the site identified in this site permit and in compliance with the conditions specified in this site permit.

1.1 Pre-emption

Pursuant to Minn. Stat. § 216I.18, this site permit shall be the sole site approval required for the location, construction, and operation of the energy storage system and this site permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose governments.

2 PROJECT DESCRIPTION

The North Star Energy Storage Project is a battery energy storage system (BESS) with a nominal power rating of up to 100 megawatt (MW) alternating current (AC) with approximately 400 megawatt-hours (MWh) of energy capacity on a site of approximately 78 acres in North Branch in Chisago County. In addition to batteries, racking, and enclosures, the facility will also include inverters and transformers, electrical feeder lines, expanding an existing substation, stormwater drainage basins, storage and parking areas, and fencing surrounding the perimeter of the facility. The facility will be connected to the electric grid through an existing connection between the project substation and the adjacent Chisago County Substation.

2.1 Project Location

The Project is located in the following:

County	Township Name	Township	Range	Section
Chisago	North Branch	107N	15W	35

2.2 Project Ownership

At least 14 days prior to the pre-construction meeting, the Permittee shall file a description of its ownership structure, identifying, as applicable:

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- A. the owner(s) of the financial and governance interests of the Permittee;
- B. the owner(s) of the majority financial and governance interests of the Permittee's owners; and
- C. the Permittee's ultimate parent entity (meaning the entity which is not controlled by any other entity).

The Permittee shall notify the Commission of:

- D. a change in the owner(s) of the majority* financial or governance interests in the Permittee; or
- E. a change in the owner(s) of the majority* financial or governance interests of the Permittee's owners; or
- F. a sale which changes the ultimate parent entity of the Permittee.

*When there are only co-equal 50/50 percent interests, any change shall be considered a change in majority interest.

In the event of an ownership change, the new Permittee must provide the Commission with a certification that it has read, understands, and is able to comply with the conditions of this permit.

3 DESIGNATED SITE

The site designated by the Commission for the Project is depicted on the site maps attached to this site permit (Designated Site). The site maps show the approximate location of the energy storage system including future augmentation units and associated facilities within the Designated Site and identify a layout that seeks to minimize the overall potential human and environmental impacts of the Project, as they were evaluated in the permitting process.

The Designated Site serves to provide the Permittee with the flexibility to augment the Project in the future to maintain Project capacity and make minor adjustments to the layout to accommodate requests by landowners, local government units, federal and state agency requirements, and unforeseen conditions encountered during the detailed engineering and design process. The Permittee shall provide notice to the Commission pursuant to Section 5.11 prior to commencing augmentation activities. Any modification to the location of the energy storage systems or associated facility shall be done in such a manner as to have human and

environmental impacts that are comparable to those associated with the layouts on the maps attached to this site permit. The Permittee shall identify any modifications in the Site Plan pursuant to Section 8.3.

4 GENERAL CONDITIONS

The Permittee shall comply with the following conditions during construction and operation of the energy storage system over the life of this site permit.

4.1 Site Permit Distribution

Within 30 days of issuance of this site permit, the Permittee shall provide all affected landowners with a copy of this site permit and the complaint procedures. An affected landowner is any landowner or designee that is within or adjacent to the permitted site. In no case shall a landowner receive this site permit and complaint procedures less than five days prior to the start of construction on their property. The Permittee shall also provide a copy of this site permit and the complaint procedures to the applicable regional development commissions, county environmental offices, and city and township clerks. The Permittee shall file with the Commission an affidavit of its site permit and complaint procedures distribution within 30 days of issuance of this site permit.

4.2 Access to Property

The Permittee shall notify landowners prior to entering or conducting maintenance within their property, unless otherwise negotiated with the landowner. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3 Construction and Operation Practices

The Permittee shall comply with the construction practices, operation and maintenance practices, and material specifications described in the permitting record for this Project unless this site permit establishes a different requirement in which case this site permit shall prevail.

4.3.1 Field Representative

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this site permit during construction of the Project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

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The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative at least 14 days prior to the pre-construction meeting. The Permittee shall provide the field representative's contact information to affected landowners, local government units and other interested persons at least 14 days prior to the pre-construction meeting. The Permittee may change the field representative at any time upon notice to the Commission, affected landowners, local government units and other interested persons. The Permittee shall file with the Commission an affidavit of distribution of its field representative's contact information at least 14 days prior to the pre-construction meeting and upon changes to the field representative.

4.3.2 Site Manager

The Permittee shall designate a site manager responsible for overseeing compliance with the conditions of this site permit during the commercial operation and decommissioning phases of the Project. This person shall be accessible by telephone or other means during normal business hours for the life of this site permit.

The Permittee shall file the name, address, email, phone number, and emergency phone number of the site manager with the Commission within 14 days prior to the pre-operation meeting. The Permittee shall provide the site manager's contact information to landowners within or adjacent to the Project Boundary, local government units and other interested persons at least 14 days prior to the pre-operation meeting. The Permittee may change the site manager at any time upon notice to the Commission, landowners within or adjacent to the Project Boundary, local government units, and other interested persons. The Permittee shall file with the Commission an affidavit of distribution of its change to the site manager's contact information at least 14 days prior to the pre-operation meeting and upon changes to the site manager.

4.3.3 Employee Training on Site Permit Terms and Conditions

The Permittee shall train and educate all employees, contractors, and other persons involved in the construction and ongoing operation of the energy storage system of the terms and conditions of this site permit. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.4 Independent Third-Party Monitoring

Prior to any construction, the Permittee shall propose a scope of work and identify an independent third-party monitor to conduct construction monitoring on behalf of the Commission. The scope of work shall be developed in consultation with Commission staff and

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approved by the Commission's Executive Secretary. This third-party monitor will report directly to and will be under the control of the Commission with costs borne by the Permittee.

The Permittee shall file with the Commission the approved scope of work and the name, address, email, and telephone number of the third party-monitor at least 30 days prior to beginning construction and upon any change in contact information that may occur during construction of the Project.

Commission staff shall keep records of compliance with this section and will ensure that status reports detailing the construction monitoring are filed with the Commission in accordance with the approved scope of work.

4.3.5 Public Services, Public Utilities, and Existing Easements

During Project construction, the Permittee shall minimize any disruption to public services or public utilities. To the extent disruptions to public services or public utilities occur these shall be temporary, and the Permittee shall restore service promptly. Where any impacts to utilities have the potential to occur the Permittee shall work with both landowners and local entities to determine the most appropriate mitigation measures if not already considered as part of this site permit.

The Permittee shall cooperate with county and city road authorities to develop appropriate signage and traffic management during construction. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.6 Temporary Workspace

The Permittee shall select temporary workspace and equipment staging areas that limit the removal and impacts to vegetation. The Permittee shall not site temporary workspace in wetlands or native prairie as defined in sections 4.3.13 and 4.3.14. The Permittee shall site temporary workspace to comply with standards for development of the shorelands of public waters as defined in Section 4.3.13. The Permittee shall obtain temporary easements outside of the authorized Project Boundary from affected landowners through rental agreements. Temporary easements are not provided for in this site permit.

4.3.7 Noise

The Permittee shall comply with noise standards established under Minn. R. 7030.0010 to 7030.0080, at all times and at all appropriate locations during operation of the Project. The

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Permittee shall limit construction and maintenance activities to daytime working hours to the extent practicable.

4.3.8 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners and the local unit of government having direct zoning authority over the area in which the Project is located. The Permittee shall use care to preserve the natural landscape, minimize tree removal and prevent any unnecessary destruction of the natural surroundings in the vicinity of the Project during construction and operation.

4.3.9 Topsoil Protection

The Permittee shall implement measures to protect and segregate topsoil from subsoil on all lands utilized for Project construction unless otherwise negotiated with affected landowner.

4.3.10 Soil Compaction

The Permittee shall implement measures to minimize soil compaction of all lands during all phases of the Project's life and shall confine compaction to as small an area as feasible. The Permittee shall use soil decompaction measures on all lands utilized for Project construction and travelled on by heavy equipment (*e.g.*, cranes and heavy trucks), even when soil compaction minimization measures are used.

4.3.11 Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program. If construction of the Project disturbs more than one acre of land or is sited in an area designated by the MPCA as having potential for impacts to water resources, the Permittee shall obtain a National Pollutant Discharge Elimination System/State Disposal System Construction Stormwater Permit from the MPCA that provides for the development of a Stormwater Pollution Prevention Plan that describes methods to control erosion and runoff.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-

vegetation and prevent erosion. All areas disturbed during construction of the Project shall be returned to pre-construction conditions.

4.3.12 Public Lands

In no case shall the energy storage system and associated facilities including foundations, access roads, underground cable, and transformers, be located in the public lands identified in Minn. R. 7850.4400, subp. 1, or in federal waterfowl production areas. Photovoltaic tracker rows and associated facilities shall not be located in the public lands identified in Minn. R. 7850.4400, subp. 3, unless there is no feasible and prudent alternative.

4.3.13 Wetlands and Water Resources

The Permittee shall not place the energy storage 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 energy storage 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.

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 shall be used to protect wetland vegetation. 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.

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.

4.3.14 Native Prairie

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The Permittee shall not place the energy storage system or associated facilities in native prairie, as defined in Minn. Stat. § 84.02, subd. 5, unless addressed in a prairie protection and management plan and not located in areas enrolled in the Native Prairie Bank Program. The Permittee shall not impact native prairie during construction activities, as defined in Minn. Stat. § 216I.02, subd. 4, unless addressed in a prairie protection and management plan.

The Permittee shall prepare a prairie protection and management plan in consultation with the DNR if native prairie, as defined in Minn. Stat. § 84.02, subd. 5, is identified within the Project Boundary. The Permittee shall file the prairie protection and management plan with the Commission at least 30 days prior to submitting the Site Plan required by Section 8.3 of this site permit. The prairie protection and management plan shall address steps that will be taken to avoid impacts to native prairie and mitigation to unavoidable impacts to native prairie by restoration or management of other native prairie areas that are in degraded condition, by conveyance of conservation easements, or by other means agreed to by the Permittee, the DNR, and the Commission.

4.3.15 Vegetation Removal

The Permittee shall disturb or clear vegetation within the Designated Site only to the extent necessary to assure the safe construction, operation, and maintenance of the Project. The Permittee shall minimize the number of trees removed within the Designated Site specifically preserving to the maximum extent practicable windbreaks, shelterbelts, and living snow fences.

4.3.16 Application of Pesticides

The Permittee shall restrict pesticide use to those pesticides and methods of application approved by the MDA, DNR, and the U.S. Environmental Protection Agency (EPA). Selective foliage or basal application shall be used when practicable. All pesticides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner at least 14 days prior to pesticide application on their property. The Permittee may not apply any pesticide if the landowner requests that there be no application of pesticides within the landowner's property. The Permittee shall provide notice of pesticide application to landowners and beekeepers operating known apiaries within three miles of the pesticide application area at least 14 days prior to such application. The Permittee shall use the MDA's Apiary Registry (<https://mn.beecheck.org/map>) to identify known apiaries for purposes of compliance with this condition. The Permittee shall keep pesticide communication and application records and provide them upon the request of Commission staff.

4.3.17 Invasive Species

The Permittee shall employ best management practices to avoid the potential introduction and spread of invasive species on lands disturbed by Project construction activities. The Permittee shall develop an Invasive Species Prevention Plan and file it with the Commission at least 14 days prior to the pre-construction meeting. The Permittee shall comply with the most recently filed Invasive Species Prevention Plan.

4.3.18 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site-appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.19 Roads

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city, or township roads that will be used during the construction phase of the Project. Where practical, existing roadways shall be used for all activities associated with construction of the Project. Oversize or overweight loads associated with the Project shall not be hauled across public roads without required permits and approvals.

The Permittee shall locate all perimeter fencing and vegetative screening in a manner that does not interfere with routine road maintenance activities and allows for continued safe travel on public roads.

The Permittee shall construct the fewest number of site access roads required. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when accessing construction workspace, unless otherwise negotiated with the affected landowner. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.20 Archaeological and Historic Resources

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The Permittee shall make every effort to avoid impacts to archaeological and historic resources when constructing the Project. In the event that a resource is encountered, the Permittee shall consult with the State Historic Preservation Office (SHPO) and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize Project impacts on the resource consistent with SHPO and State Archaeologist requirements.

Prior to construction, the Permittee shall train workers about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall, in accordance with Minn. Stat. Ch. 307 (Private Cemeteries Act), immediately halt construction and promptly notify local law enforcement and the State Archaeologist. The Permittee shall not resume construction at such location until authorized by local law enforcement or the State Archaeologist. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.21 Interference

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the Project, the Permittee shall take whatever action is necessary to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the Project. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.22 Drainage Tiles

The Permittee shall avoid, promptly repair, or replace all drainage tiles broken or damaged during all phases of the Project's life unless otherwise negotiated with the affected landowner. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.23 Restoration

The Permittee shall restore the areas affected by construction of the Project to the condition that existed immediately before construction began to the greatest extent possible. The time period to complete restoration may be no longer than 12 months after the completion of construction, unless otherwise negotiated with the affected landowner. Restoration shall be compatible with the safe operation, maintenance, and inspection of the Project. Within 60 days

after completion of all restoration activities, the Permittee shall file with the Commission a Notice of Restoration Completion.

4.3.24 Cleanup

The Permittee shall remove and properly dispose of all construction waste and scrap from the right-of-way and all premises on which construction activities were conducted upon completion of each task. The Permittee shall remove and properly dispose of all personal litter, including bottles, cans, and paper from construction activities daily.

4.3.25 Pollution and Hazardous Wastes

The Permittee shall take all appropriate precautions to protect against pollution of the environment. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all waste generated during construction and restoration of the Project.

4.3.26 Damages

The Permittee shall fairly restore or compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damage sustained during construction. The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

4.3.27 Public Safety

The Permittee shall provide educational materials to landowners within and adjacent to the Designated Site and, upon request, to interested persons about the Project and any restrictions or dangers associated with the Project. The Permittee shall also implement any necessary safety measures such as placing warning signs and gates for traffic control or restricting public access. The Permittee shall file with the Commission an affidavit of its public safety notifications at least 14 days before the pre-construction meeting.

The Permittee shall submit the location of all underground facilities, as defined in Minn. Stat. § 216D.01, subd. 11, to Gopher State One Call following the completion of the construction of the Project.

4.3.28 Site Identification

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The Permittee shall mark the energy storage system with a clearly visible identification number and/or street address.

4.4 Collector and Feeder Lines

The Permittee may use overhead or underground collector and feeder lines to carry power from an internal Project interconnection point to the energy storage system. The Permittee shall place overhead and underground collector and feeder lines that parallel public roads within the public right-of-way or on private land immediately adjacent to the road. The Permittee shall obtain approval from the landowner or government unit responsible for the affected right-of-way.

The Permittee shall locate collector and feeder lines in such a manner as to minimize interference with agricultural operations including but not limited to existing drainage patterns, drain tile, future tiling plans, and ditches. The Permittee shall place safety shields on all guy wires associated with overhead collector and feeder lines. The Permittee shall submit the engineering drawings of all collector and feeder lines with the Site Plan pursuant to Section 8.3.

4.5 Other Requirements

4.5.1 Safety Codes and Design Requirements

The Permittee shall design the energy storage system and associated facilities to meet or exceed all relevant local and state codes, the National Electric Safety Code, and North American Electric Reliability Corporation requirements. This includes standards relating to clearances to ground, clearance to crossing utilities, clearance to buildings, strength of materials, clearances over roadways, right-of-way widths, and permit requirements. The Permittee shall keep records of compliance with these standards and provide them upon the request of Commission staff.

4.5.2 Other Permits and Regulations

The Permittee shall comply with all applicable state statutes and rules. The Permittee shall obtain all required permits for the Project and comply with the conditions of those permits unless those permits conflict with or are preempted by federal or state permits and regulations.

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission an Other Permits and Regulations Submittal that contains a detailed status of all permits, authorizations, and approvals that have been applied for specific to the Project. The Other Permits and Regulations Submittal shall also include the permitting agency name; the name of the permit, authorization, or approval being sought; contact person and contact

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information for the permitting agency or authority; brief description of why the permit, authorization, or approval is needed; application submittal date; and the date the permit, authorization, or approval was issued or is anticipated to be issued.

The Permittee shall demonstrate that it has obtained all necessary permits, authorizations, and approvals by filing an affidavit stating as such and an updated Other Permits and Regulations Submittal prior to commencing Project construction. The Permittee shall provide a copy of any such permits, authorizations, and approvals at the request of Commission staff.

5 SPECIAL CONDITIONS

The special conditions shall take precedence over other conditions of this permit should there be a conflict.

5.1 Facility Lighting

Permittees must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the gate locations, BESS Enclosures, and along fence lines. Downward facing lighting must be clearly visible on the plan and profile submitted for the Project.

5.2 Visual Screening Plan

The Permittee shall develop a site-specific Visual Screening Plan. The Visual Screening Plan shall be designed and managed to mitigate visual impacts on adjacent residences. The Visual Screening Plan shall at a minimum include:

- A. objectives for screening 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.

At least 14 days prior to the pre-construction meeting, the Permittee shall file:

- C. the Visual Screening Plan;

- D. documentation of coordination with landowners adjacent to the project site; and
- E. an affidavit of its distribution of the Visual Screening Plan to landowners adjacent to the project site.

5.3 Pre-construction Noise Modeling and Impact Assessment

The Permittee shall file a noise impact assessment at least 14 days prior to the pre-construction meeting. The noise impact assessment shall summarize the results from noise propagation modeling that incorporates noise inputs from the selected equipment and the facility layout shown in the site plans required in Section 8.3 of this permit. The permittee shall file an updated noise impact assessment including any revisions to selected equipment or facility layout prior to any modifications to the facility over its operating life.

5.4 Noise Studies and Noise Mitigation

The Permittee shall file a proposed methodology for the conduct of a post-construction noise study at least 14 days prior to the pre-construction meeting. The Permittee shall develop the post-construction noise study methodology in consultation with Commission staff. The Permittee must conduct the post-construction noise study and file with the Commission the completed post-construction noise study within 18 months of commencing commercial operation.

The BESS facilities and associated facilities shall be placed and operated such that the Permittee shall, at all times, comply with noise standards established by the MPCA. Operation of the facility shall be modified, or project components shall be removed from service if necessary to comply with these noise standards.

5.5 Vegetation Management Plan

The Permittee shall amend its existing vegetation management plan (VMP) for the North Star Solar Facility, as presented in the North Star Solar Docket 15-33 (eDockets No. 20164-120014-03). This amended VMP will be developed in coordination with Commission staff and the Vegetation Management Working Group, using best management practices established by the DNR and Minnesota Board of Water and Soil Resources (BWSR). The Permittee shall file the amended VMP to the dockets for both North Star Solar and North Star Storage, 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. 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

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landowners within 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 amended VMP must include the following:

- A. management objectives addressing short term (year 0-5, seeding and establishment) and long term (year 5 through the life of the Project) goals;
- 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;
- C. a description of how the site will be monitored and evaluated to meet management goals;
- 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;
- 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;
- F. identification of on-site noxious weeds and invasive species (native and non-native) and the monitoring and management practices to be utilized; and
- G. a marked-up copy of the Site Plan showing how the site will be revegetated and that identifies the corresponding seed mixes. Best management practices should be followed concerning seed mixes, seeding rates, and cover crops.

5.6 Unanticipated Discoveries Plan

Prior to construction, the Permittee shall survey areas of construction activity within undisturbed land that have not been surveyed.

The Permittee shall develop an Unanticipated Discoveries Plan (UDP) to identify guidelines to be used in the event previously unrecorded archeological or historic properties, or human remains, are encountered during construction, or if unanticipated effects to previously identified archaeological or historic properties occur during construction. This is in addition to

and not in lieu of any other obligations that may exist under law or regulation relating to these matters. The UDP shall describe how previously unrecorded, non-human burial, archaeological sites found during construction shall be marked and all construction work must stop at the discovery location. The Permittee shall file the UDP with the Commission at least 14 days prior to the preconstruction meeting.

5.7 Security Fencing

The Permittee shall design the security fence surrounding the energy storage system to minimize the visual impact of the Project while maintaining compliance with the National Electric Safety Code. The Permittee shall develop a final fence plan for the specific site in coordination with the DNR. The final fence plan shall be submitted to the Commission as part of the Site Plan pursuant to Section 8.3.

5.8 Wildlife-Friendly Erosion Control

The Permittee shall use only “bio-netting” or “natural netting” types of erosion control materials and mulch products without synthetic (plastic) fiber additives or malachite green dye.

5.9 Dust Control

The Permittee shall minimize and avoid, if possible, the use of chloride-based dust control chemicals (i.e., calcium chloride, magnesium chloride).

5.10 Blanding’s Turtle

The Permittee shall implement the following avoidance measures described in the DNR’s Natural Heritage Review letter to mitigate impacts to Blanding’s turtles:

- A. Avoid wetland and aquatic impacts during hibernation season, between September 15 and April 15, if the area is suitable for hibernation
- B. Install and maintain a temporary turtle proof barrier, such as a silt fence, to keep turtles out of soil stockpiles, gravel pads, and other areas of exposed soil/sand/sediment during nesting season, May 15 to July 15. The turtle proof barrier must be buried a minimum of 10 inches and removed once project is complete.
- C. Limit erosion and sediment control to wildlife friendly erosion control (see section 5.8).

- D. Avoid hydro-mulch products that contain any materials with synthetic (plastic) fiber additives, as the fibers can re-suspend and flow into waterbodies.
- E. Check bare ground within construction areas for turtles before the use of heavy equipment or any ground disturbance.
- F. The Blanding's turtle flyer must be given to all contractors working in the area. Report any sightings using the Quick Species Observation Form. If turtles are in imminent danger, move them by hand out of harm's way; otherwise, they are to be left undisturbed. Directions on how to move turtles safely can be found at Helping Turtles Across the Road.

5.11 Battery Augmentation

The Permittee shall notify the Commission of scheduled augmentation at least 30 days prior to commencing augmentation activities. In its filing, the Permittee shall describe the number and types of batteries included in the augmentation. The Permittee shall indicate the location of the augmentation on the project Site Plan. In its filing the Permittee shall demonstrate compliance with the noise impact assessment submitted to the Commission as required in Section 5.3 of this permit.

5.12 Offtake Agreement

In the event the Permittee does not have an offtake agreement, or some other enforceable mechanism for the sale of energy capacity, or ancillary services, and/or other products provided by the Project at the time this site permit is issued, the Permittee shall provide notice to the Commission when it obtains an offtake agreement, or some other enforceable mechanism for the sale of energy, capacity, or ancillary services, and/or other products. This site permit does not authorize construction of the Project until the Permittee has obtained an offtake agreement, or some other enforceable mechanism for energy capacity or ancillary services, and/or other products provided by the Project, including as example, registration as a market participant with MISO or other Regional Transmission Organization or Independent System Operator. In the event the Permittee does not obtain an offtake agreement or some other enforceable mechanism for the sale of energy, capacity, or ancillary services, and/or other products provided by the Project within four years of the issuance of this site permit, the Permittee must advise the Commission of the reason for not having an offtake agreement, or some other enforceable mechanism. 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. Stat. § 216I.09 or Minn. Stat. § 216I.14.

5.13 Annual Report

The Permittee shall, by February 1st following each complete or partial year of Project operation, file a report with the Commission on the monthly availability of the facility including:

- A. the installed nameplate capacity of the permitted facility;
- B. the monthly and annual availability of the facility;
- C. the operational status of the facility and any major outages, major repairs, incidents that required an emergency response, battery augmentation, or performance improvements occurring in the previous year; and
- D. any other information reasonably requested by the Commission.

The Permittee shall file this information in a format recommended by the Commission. This information shall be considered public and must be filed electronically.

6 DELAY IN CONSTRUCTION

If the Permittee has not commenced construction or improvement of the site within four years after the date of issuance of this site permit the Permittee shall file a Failure to Construct Report and the Commission shall consider revocation or suspension of this site permit in accordance with Minn. Stat. §§ 216I.14 and 216I.24.

7 COMPLAINT PROCEDURES

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission the complaint procedures that will be used to receive and respond to complaints. The complaint procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this site permit.

Upon request, the Permittee shall assist Commission staff with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

8 COMPLIANCE REQUIREMENTS

Failure to timely and properly make compliance filings required by this site permit is a failure to comply with the conditions of this site permit. Compliance filings must be electronically filed with the Commission.

8.1 Pre-Construction Meeting

Prior to the start of construction, the Permittee shall participate in a pre-construction meeting with Commission staff to review pre-construction filing requirements, scheduling, and to coordinate monitoring of construction and site restoration activities. Within 14 days following the pre-construction meeting, the Permittee shall file with the Commission a summary of the topics reviewed and discussed and a list of attendees. The Permittee shall indicate in the filing the anticipated construction start date.

8.2 Pre-Operation Meeting

At least 14 days prior to commercial operation of the Project, the Permittee shall participate in a pre-operation meeting with Commission staff to coordinate field monitoring of operation activities for the Project. Within 14 days following the pre-operation meeting, the Permittee shall file a summary of the topics reviewed and discussed and a list of attendees with the Commission.

8.3 Site Plan

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission and provide the counties where the Project will be constructed, a Site Plan that includes specifications and drawings for site preparation and grading; specifications and locations of the energy storage system and associated facilities; and procedures for cleanup and restoration. The documentation shall include maps depicting the Designated Site, energy storage system, and associated facilities layout in relation to that approved by this site permit.

The Permittee may not commence construction until the earlier of (i) 30 days after the pre-construction meeting or (ii) or until the Commission staff has notified the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this site permit.

If the Commission notifies the Permittee in writing within 30 days after the pre-construction meeting that it has completed its review of the documents and planned construction, and finds that the planned construction is not consistent with this site permit, the Permittee may submit additional and/or revised documentation and may not commence construction until the

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Commission has notified the Permittee in writing that it has determined that the planned construction is consistent with this site permit.

If the Permittee intends to make any significant changes in its Site Plan or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission and county staff at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this site permit.

8.4 Status Reports

The Permittee shall file with the Commission monthly Construction Status Reports beginning with the pre-construction meeting and until completion of restoration. Construction Status Reports shall describe construction activities and progress, activities undertaken in compliance with this site permit, and shall include text and photographs.

If the Permittee does not commence construction of the Project within six months of this site permit issuance, the Permittee shall file with the Commission Pre-Construction Status Reports on the anticipated timing of construction every six months beginning with the issuance of this site permit until the pre-construction meeting. The status updates shall include information on the Project's Midcontinent Independent System Operator (MISO) interconnection process, if applicable.

8.5 Labor Statistic Reporting

The Permittee shall file quarterly Labor Statistic Reports with the Commission within 45 days of the end of the quarter regarding construction workers that participated in the construction of the Project. The Labor Statistic Reports shall:

- A. detail the Permittee's efforts and the site contractor's efforts to hire Minnesota workers; and
- B. provide an account of:
 1. the gross number of hours worked by or full-time equivalent workers who are Minnesota residents, as defined in Minn. Stat. § 290.01, subd. 7;
 2. the gross number of hours worked by or full-time equivalent workers who are residents of other states, but maintain a permanent residence within 150 miles of the Project; and

3. the total gross hours worked or total full-time equivalent workers.

The Permittee shall work with its contractor to determine the suitable reporting metric. The report may not include personally identifiable data.

8.6 Prevailing Wage

The Permittee, its contractors, and subcontractors shall pay no less than the prevailing wage rate as defined in Minn. Stat. § 177.42 and shall be subject to the requirements and enforcement provisions under Minn. Stat. §§ 177.27, 177.30, 177.32, 177.41 to 177.435, and 177.45. The Permittee shall keep records of contractor and subcontractor pay and provide them at the request of Commission staff.

8.7 In-Service Date

At least three days before the Project is to be placed into service, the Permittee shall notify the Commission of the date on which the Project will be placed into service and the date on which construction was completed.

8.8 As-Builts

Within 90 days after completion of construction, the Permittee shall submit to the Commission copies of all final as-built plans and specifications developed during the Project construction.

8.9 GPS Data

Within 90 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (*e.g.*, ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the Project.

8.10 Right of Entry

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

- A. To enter upon the facilities easement of the property for the purpose of obtaining information, examining records, and conducting surveys or investigations.

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- B. To bring such equipment upon the facilities easement of the property as is necessary to conduct such surveys and investigations.
- C. To sample and monitor upon the facilities easement of the property.
- D. To examine and copy any documents pertaining to compliance with the conditions of this site permit.

8.11 Emergency Response

The Permittee shall prepare an Emergency Response Plan (ERP) in consultation with the emergency responders having jurisdiction over the Project prior to construction. The plan developed shall have a process for (1) identifying any specialized equipment gaps for responding to emergencies at the BESS; (2) acquiring the equipment; and (3) providing any training for the specialized equipment at the Permittee's expense. The plan shall also indicate that the annual training of emergency service personnel with site operators must be done at the Permittee's expense. The Permittee shall file the ERP, along with any comments from emergency responders to the Commission at least 14 days prior to the pre-construction meeting and a revised ERP, if any, at least 14 days prior to the pre-operation meeting. At least 14 days prior to the pre-operation meeting the Permittee shall file with the Commission an affidavit of the distribution of the ERP to emergency responders and Public Safety Answering Points (PSAP) with jurisdiction over the Project. The Permittee shall obtain and register the Project address or other location indicators acceptable to the emergency responders and PSAP having jurisdiction over the Project.

8.12 Extraordinary Events

Within 24 hours of discovery of an occurrence, the Permittee shall notify the Commission of any extraordinary event. Extraordinary events include but shall not be limited to fires, acts of sabotage, collector or feeder line failure, and injured worker or private person. The Permittee shall, within 30 days of the occurrence, file a report with the Commission describing the cause of the occurrence and the steps taken to avoid future occurrences.

8.13 Wildlife Injuries and Fatalities

The Permittee shall report any wildlife injuries and fatalities to the Commission quarterly.

9 DECOMMISSIONING AND RESTORATION

9.1 Decommissioning Plan

The Permittee shall comply with the provisions of the most recently filed and accepted Decommissioning Plan. The initial version of the Decommissioning Plan was submitted for this Project as Appendix D to the Site Permit Application. The Permittee shall file an updated Decommissioning Plan incorporating comments and information from the permit application process and any updates associated with the final construction plans with the Commission at least fourteen 14 days prior to the pre-construction meeting. The Permittee shall update and file the Decommissioning Plan with the Commission every five years following the commercial operation date.

The Decommissioning Plan shall provide information identifying all surety and financial securities established for decommissioning and site restoration. The Decommissioning Plan shall provide an itemized breakdown of costs of decommissioning all Project components, which shall include labor and equipment.

The Permittee shall also submit the Decommissioning Plan to the local unit of government having direct zoning authority over the area in which the Project is located. The Permittee shall ensure that it carries out its obligations to provide for the resources necessary to fulfill its requirements to properly decommission the Project at the appropriate time. The Commission may at any time request the Permittee to file a report with the Commission describing how the Permittee is fulfilling this obligation.

9.2 Site Final Restoration

Upon expiration of this site permit or upon termination of operation of the Project, the Permittee shall have the obligation to dismantle and remove from the site all Project components in accordance with the most recently filed and accepted decommissioning plan. To the extent feasible, the Permittee shall restore and reclaim the site to pre-project conditions. Landowners may require the site be returned to agricultural production or may retain restored prairie vegetation, or other land uses as agreed to between the landowner and the Permittee. All access roads shall be removed unless written approval is given by the affected landowner requesting that one or more roads, or portions thereof, be retained. All such agreements between the Permittee and the affected landowner shall be filed with the Commission prior to commencing restoration activities. The Permittee shall restore the site in accordance with the requirements of this condition and file a Notification of Final Restoration Completion to the Commission within 18 months of termination of operation of the Project.

10 COMMISSION AUTHORITY AFTER SITE PERMIT ISSUANCE

10.1 Final Designated Site Boundaries

After completion of construction the Commission shall determine the need to adjust the final boundary of the Designated Site required for the Project. This site permit may be modified, after notice and opportunity for hearing, to represent the actual Designated Site required by the Permittee to operate the Project authorized by this site permit.

10.2 Expansion of Designated Site Boundaries

No expansion of the site boundary described in this site permit shall be authorized without the approval of the Commission. The Permittee may submit to the Commission a request for a change in the boundary of the site for the Project. The Commission will respond to the requested change in accordance with applicable statutes and rules.

10.3 Periodic Review

The Commission shall initiate a review of this site permit and the applicable conditions at least once every five years. The purpose of the periodic review is to allow the Commission, the Permittee, and other interested persons an opportunity to consider modifications in the conditions of this site permit. No modification may be made except in accordance with applicable statutes and rules.

10.4 Modification of Conditions

After notice and opportunity for hearing this site permit may be modified or amended for cause, including but not limited to the following:

- A. violation of any condition in this permit;
- B. endangerment of human health or the environment by operation of the Project; or
- C. existence of other grounds established by rule.

10.5 More Stringent Rules

The issuance of this site permit does not prevent the future adoption by the Commission of rules or orders more stringent than those now in existence and does not prevent the enforcement of these more stringent rules and orders against the Permittee.

11 SITE PERMIT AMENDMENT

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The Commission has the authority to modify this site permit at any time. The Permittee may request an amendment of the conditions of this site permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required under Minn. Stat. § 216I.09.

12 TRANSFER OF SITE PERMIT

The Permittee may request at any time that the Commission transfer this site permit to another person or entity (transferee). In its request, the Permittee must provide the Commission with:

- A. the name and description of the transferee;
- B. the reasons for the transfer;
- C. a description of the facilities affected; and
- D. the proposed effective date of the transfer.

The transferee must provide the Commission with a certification that it has read, understands and is able to comply with the plans and procedures filed for the Project and all conditions of this site permit.

The transferee must provide the Commission with the name and contact information for the site manager, as described in Section 4.3.2, and either a current version with eDocket reference, or a revised version of the following:

- E. complaint procedures, as described in Section 7 and Attachment 1;
- F. ERP, as described in Section 8.12; and
- G. Decommissioning Plan, as described in Section 9.1.

The Commission may authorize transfer of the site permit after affording the Permittee, the transferee, and interested persons such process as is required under Minn. Stat. § 216I.13.

13 REVOCATION OR SUSPENSION OF SITE PERMIT

The Commission may initiate action to revoke or suspend this site permit at any time. The Commission shall act in accordance with the requirements of Minn. Stat. §§ 216I.14 and 216I.24, to revoke or suspend this site permit.

14 EXPIRATION DATE

This site permit shall expire 30 years after the date this site permit was approved and adopted.

PROPOSED PERMIT

ATTACHMENT 1

Complaint Handling Procedures for Permitted Energy Facilities

PROPOSED PERMIT

MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLAINT HANDLING PROCEDURES FOR
PERMITTED ENERGY FACILITIES

A. Purpose

To establish a uniform and timely method of reporting and resolving complaints received by the permittee concerning permit conditions for site or route preparation, construction, cleanup, restoration, operation, and maintenance.

B. Scope

This document describes complaint reporting procedures and frequency.

C. Applicability

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

D. Definitions

Complaint: A verbal or written statement presented to the permittee by a person expressing dissatisfaction or concern regarding site or route preparation, cleanup or restoration, or other permit conditions. Complaints do not include requests, inquiries, questions or general comments.

Substantial Complaint: A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

Unresolved Complaint: A complaint which, despite the good faith efforts of the permittee and a person, remains unresolved or unsatisfactorily resolved to one or both of the parties.

Person: An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private; however organized.

E. Complaint Documentation and Processing

1. The permittee shall designate a representative responsible for filing complaints to the Commission's eDocket system. This person's name, phone number and email address shall accompany all complaint submittals. The name and contact information for the representative shall be kept current in eDockets.
2. A person presenting the complaint should, to the extent possible, include the following information in their communications:
 - a. name, address, phone number, and email address;
 - b. initial date of the complaint;
 - c. tract, parcel number, or address of the complaint;
 - d. a summary of the complaint; and
 - e. whether the complaint relates to a permit violation, a construction practice issue, or other type of complaint.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
 - a. docket number and project name;
 - b. name of complainant, address, phone number and email address;
 - c. precise description of property or parcel number;
 - d. name of permittee representative receiving complaint and date of receipt;
 - e. nature of complaint and the applicable permit condition(s);
 - f. summary of activities undertaken to resolve the complaint; and
 - g. a statement on the final disposition of the complaint.

F. Reporting Requirements

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit, unless otherwise required below. The permittee shall report all complaints to the Commission according to the following schedule:

Immediate Reports: All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 1-800-657-3782 (voice messages are acceptable) or consumer.puc@state.mn.us. For e-mail reporting, the email

subject line should read “PUC EIP Complaint” and include the appropriate project docket number.

Monthly Reports: During project construction, restoration, and operation, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed by the 15th of each month to the eDockets system. The eDockets system is located at: <https://efiling.web.commerce.state.mn.us/>. If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

If a project has submitted twelve consecutive months of complaint reports with no complaints, monthly reports can terminate by a letter to eDockets notifying the Commission of such action. If a substantial complaint is received (by the company or the Commission) following termination of the monthly complaint report, as noted above, the monthly reporting should commence for a period of six months following the most recent complaint or upon resolution of all pending complaints.

If a permittee is found to be in violation of this section, the Commission may reinstate monthly complaint reporting for the remaining permit term or enact some other commensurate requirement via notification by the Executive Secretary or some other action as decided by the Commission.

G. Complaints Received by the Commission

Complaints received directly by the Commission from aggrieved persons regarding the permit or issues related to site or route preparation, construction, cleanup, restoration, or operation and maintenance will be promptly sent to the permittee.

The permittee shall notify the Commission when the issue has been resolved. The permittee will add the complaint to the monthly reports of all complaints. If the permittee is unable to find resolution, the Commission will use the process outlined in the Unresolved Complaints Section to process the issue.

H. Commission Process for Unresolved Complaints

Complaints raising substantial and unresolved permit issues will be investigated by the Commission. Staff will notify the permittee and appropriate people if it determines that the complaint is a substantial complaint. With respect to such complaints, the permittee and

complainant shall be required to submit a written summary of the complaint and its current position on the issues to the Commission. Staff will set a deadline for comments. As necessary, the complaint will be presented to the Commission for consideration.

I. Permittee Contacts for Complaints and Complaint Reporting

Complaints may be filed by mail or email to the permittee's designated complaint representative, or to the Commission's Consumer Affairs Office at 1-800-657-3782 or consumer.puc@state.mn.us. The name and contact information for the permittee's designated complaint representative shall be kept current in the Commission's eDocket system.

PROPOSED PERMIT

ATTACHMENT 2

Compliance Filing Procedures for Permitted Energy Facilities

PROPOSED PERMIT

MINNESOTA PUBLIC UTILITIES COMMISSION
COMPLIANCE FILING PROCEDURE FOR
PERMITTED ENERGY FACILITIES

A. Purpose

To establish a uniform and timely method of submitting information required by Commission energy facility permits.

B. Scope and Applicability

This procedure encompasses all known compliance filings required by the permit.

C. Definitions

Compliance Filing: A filing of information to the Commission, where the information is required by a Commission site or route permit.

D. Responsibilities

1. The permittee shall file all compliance filings through the eDockets system. The eDockets system is located at: <https://efiling.web.commerce.state.mn.us/>

General instructions are provided on the eDockets website. Permittees must register on the website to file documents.

2. All filings must have a cover sheet that includes:

- a. Date
- b. Name of submitter/permittee
- c. Type of permit (site or route)
- d. Project location
- e. Project docket number
- f. Permit section under which the filing is made
- g. Short description of the filing

ATTACHMENT C

3. The Commission may request a paper copy or USB drive of filings that are graphic intensive (*e.g.*, maps and engineered drawings), in addition to being electronically filed. If requested, send a paper copy or USB drive to: Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147.

PROPOSED PERMIT

PERMIT COMPLIANCE FILINGS¹

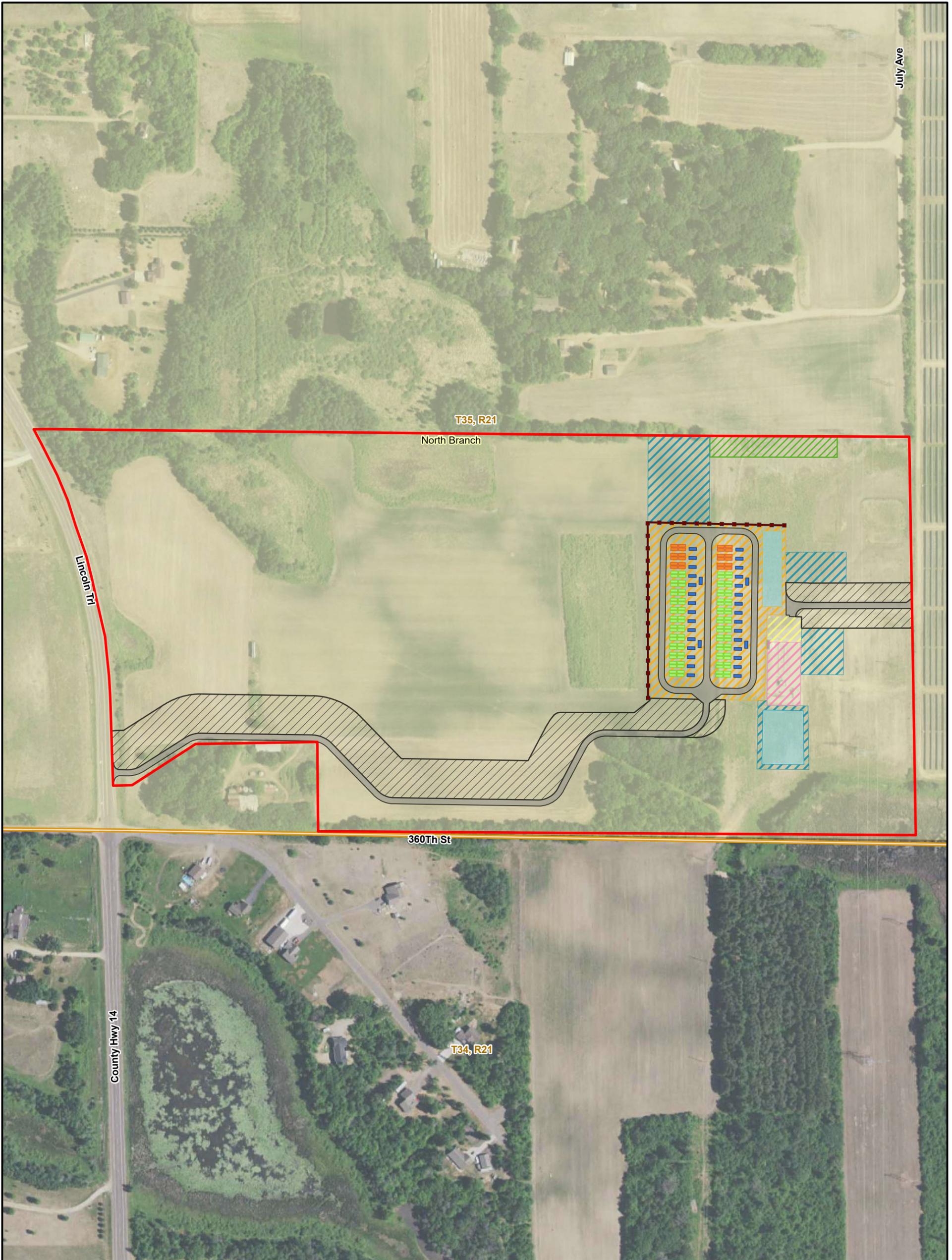
PERMITTEE:
PERMIT TYPE:
PROJECT LOCATION:
PUC DOCKET NUMBER:

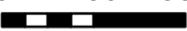
Filing Number	Permit Section	Description of Compliance Filing	Due Date

¹ This compilation of permit compliance filings is provided for the convenience of the permittee and the Commission. It is not a substitute for the permit; the language of the permit controls.

ATTACHMENT 3
Site Permit Maps

PROPOSED PERMIT




 0 150 300 Feet

 1:3,600
Imagery: MNGeo 2021 Color FSA
 Sources: DESRI, MN Geospatial Commons, MDNR, ESRI

Site Map
North Star BESS Project
Chisago County, MN
PUC Docket IP-7155/ESS-25-123

BESS Container	Additional Temporary Workspace	Potential Stormwater Basin
BESS Container - Future	Existing Substation	Potential Noise Barrier
Augmentation Unit	Gravel Pad Area	Land Control Area
Inverter	Solar Facility	City/Town
Access Road	Substation Expansion	Township
Access Road	Vegetative Screening	
Temporary Workspace		