

April 9, 2026

Via eDockets

The Honorable Suzanne Todnem
Court of Administrative Hearings
600 North Robert Street
Saint Paul, MN 55164-0620

RE: EIP Comments on Proposed Findings of Fact
Lake Charlotte Solar Project
PUC Docket Nos. IP-7159/GS-25-206 and ESS-25-205
CAH Docket No. 23-2500-41194

Dear Judge Todnem,

Minnesota Public Utilities Commission (Commission), Energy Infrastructure Permitting (EIP) staff offers the following comments on the Lake Charlotte Solar Project (project) proposed by Lake Charlotte Solar (applicant).

In these comments, EIP staff:

- Responds to hearing comments and proposed permit conditions,
- Responds to Lake Charlotte Solar's Proposed Findings of Fact, Conclusions of Law, and Recommendations (Lake Charlotte Solar FOF).¹

1. Response to Hearing Comments

Hearing comments were received from a variety of sources including state agencies, labor unions, and members of the public. On February 18, 2026, Lake Charlotte Solar filed the Direct Testimony of Marta Lasch on behalf of Lake Charlotte Solar.² In this testimony, Lake Charlotte Solar addressed several components of the EA and DSP and proposed potential modifications to draft permit language. Lake Charlotte Solar also filed its response to hearing comments on March 25, 2026. In these comments, Lake Charlotte Solar provided responses to hearing comments and also provides comments on the project

¹ Lake Charlotte Solar, *Proposed Findings of Fact, Conclusions of Law, and Recommendations*, March 25, 2026, eDocket No. [20263-229641-02](#).

² Lake Charlotte Solar, *Direct Testimony of Marta Lasch*. February 18, 2026. eDocket no. [20262-228308-02](#).

Environmental Assessment (EA) and Draft Site Permit (DSP) in its response.³ Here, EIP staff addresses the comments that specifically discuss the project EA⁴ and DSP⁵ filed on or before March 18, 2026.

A. Minnesota Department of Natural Resources (DNR)

In its March 13, 2026, comments the Minnesota Department of Natural Resources (DNR) provided feedback on the Environmental Assessment (EA) and draft site permits prepared for the Lake Charlotte Solar Project. Comments address topics including fence design, grant-in-aid trails, the vegetation management plan, lighting, dust, and wildlife friendly erosion control. Generally, the DNR supports special conditions Section 5.11 Facility Lighting, Section 5.12 Dust Control, and section 5.13 Wildlife Friendly Erosion Control as written in the draft site permit.⁶ The DNR had more detailed comments on the following topics:

Surface Waters

The DNR provided comments on Commission staff's proposed Draft Site Permits. DNR's comments included feedback on Section 5.9: Surface Waters, which is a proposed special condition that requires the permittee to consult with the DNR, the Blue Earth Watershed, and the Martin County Soil and Water Conservation District. The DNR notes that while the agency appreciates the Commission's consideration by including the DNR as a party for the applicant to consult with, the agency ultimately determined its concerns are sufficiently addressed in two other proposed special conditions of the draft site permit, Section 5.12 and Section 5.13, which require the use of chloride-free dust control and wildlife friendly erosion control. The DNR respectfully requested to be removed from the language within Section 5.9. EIP staff supports the removal of DNR in the permit language, and proposes the following revision be incorporated in the final solar site permit and Lake Charlotte Solar FOF:⁷

5.9 Surface Waters

The Permittee shall consult with ~~the MNDNR~~, the Martin County Soil and Water Conservation District, ~~and the Blue Earth Watershed~~ regarding potential impacts to nearby surface waters due to construction activities, including but not limited to, erosion and sediment control.

Security Fencing

The DNR also provided comments on security fencing. The DNR supports section 4.3.32 of the draft site permit, and requests that the applicant adhere to the DNR's agency fencing guidance to construct a

³ Lake Charlotte Solar, *Response to Hearing Comments*. March 25, 2026, eDocket no. [20263-229641-01](#).

⁴ PUC-EIP, *Lake Charlotte Solar Environmental Assessment (EA)*. February 11, 2026. eDocket no. [20262-228055-01](#)

⁵ Id; Appendix C: Draft Site Permits. eDockets no. [20262-228055-04](#).

⁶ Minnesota Department of Natural Resources, *Hearing Comments*. March 13, 2026. eDocket No. [20263-229284-01](#).

⁷ The removal of the Blue Earth Watershed from this proposed permit condition is discussed further, below, in EIP staff's discussion of the applicant's comments.

fence that reaches a height of at least 10 feet. The DNR notes that with the applicant's current proposed fence design, conservation officers and DNR wildlife staff will not be deployed to assist with removal of animals trapped within the solar farm. The DNR will also not issue a permit for taking if the woven wire fence is lower than 10 feet tall.

Grant-in-Aid Trail

The DNR included comments on segment #161 of the Prairieland Trail, which crosses through the project's proposed Land Control Area. The DNR supports special condition 5.8 of the DSP as written, and notes that the development and maintenance of the snowmobile trail are financially assisted by Minnesota's grant-in-aid program, which is administered by the DNR. Coordination with local snowmobile clubs is strongly encouraged to allow time to accommodate changes to the snowmobile trail route.

Vegetation Management Plan

The DNR provided comments on Lake Charlotte Solar's Draft Vegetation Management Plan. The DNR supports sections 4.3.16 and 4.3.17 of the DSP as written, which support the establishment of beneficial habitat within the site, and the development of a project Vegetation Management Plan (VMP), respectively. The DNR has reviewed the applicant's draft VMP, and notes that non-native plant species and species that are not compatible with the soil at the project site are included in the seed mix. The DNR advises against planting non-native species and planting species that are not suitable to the site conditions, as this can inhibit successful vegetation establishment. The DNR also commends the applicant for committing to the Board of Water and Soil Resources' Habitat Friendly Solar Gold Standard for the solar array, permitter, and wetland seed mixes, and looks forward to continued coordination on the VMP to ensure successful vegetation establishment.

B. Lake Charlotte Solar

On February 18, 2026, Lake Charlotte Solar filed the Direct Testimony of Marta Lasch on behalf of Lake Charlotte Solar.⁸ In this testimony, Lake Charlotte Solar addressed several components of the EA and DSP, and proposed potential modifications to draft permit language for the following topics:

Potential Solar Glare

In the Lake Charlotte Solar Draft Site Permit, EIP staff proposed the inclusion of Section 5.2 Vegetation and Blowing Snow Control, a special condition that requires the applicant to coordinate with the Minnesota Department of Transportation (MnDOT) regarding vegetation between the project area and State Trunk Highway 15, reducing driver distraction, solar glare, and blowing snow.

In its scoping comments MnDOT provided comments on potential impacts to State Trunk Highway 15. MnDOT specifically requested the applicant provide additional information on potential adverse impacts to the adjacent high vulnerability snow trap along Trunk Highway 15 and recommended that the

⁸ Lake Charlotte Solar, *Direct Testimony of Marta Lasch*. February 18, 2026. eDocket no. [20262-228308-02](#).

applicant work with MnDOT's Blowing Snow Control team to discuss and resolve potential impacts to this area.⁹ In the Direct Testimony of Marta Lasch, Lake Charlotte Solar requested that this permit condition be updated to remove references to potential driver distraction and solar glare, and only require coordination regarding snow fence if snow fence is designed for the project.

EIP staff appreciates Lake Charlotte Solar's proposed modification of Section 5.2; however, EIP staff recommends that the permit language remain as proposed in the DSP,¹⁰ including references to potential driver distraction and glare, as this language has been previously adopted in Commission orders,¹¹ and is responsive to MnDOT's concerns.

EIP staff requests the following language be adopted in the final site permit for the Solar Facility and the Lake Charlotte Solar FOF:

5.2 Vegetation and Blowing Snow Control

The Permittee shall coordinate with the Minnesota Department of Transportation (MnDOT) regarding existing vegetation between the project area and State Trunk Highway 15. The Permittee shall retain or plant vegetation, as requested by MnDOT, necessary to reduce potential driver distraction, solar glare, and blowing snow. The Permittee shall coordinate with MnDOT regarding vegetative, structural, and/or other snow fence designs necessary to ensure the safe operation of State Trunk Highway 15. The Permittee shall provide documentation of its coordination with MnDOT and illustrate the snow fence design, if any, for the project in the Site Plan filed under Section 8.3.

Noise

EIP staff proposed the addition of Section 5.3 Noise Notice in the DSP, a special condition which requires the applicant to provide notice to adjacent residences detailing when major noise-producing activities will occur, and file results of a noise study with the Commission. In its hearing comments, EIP staff proposed to modify this permit language to reflect recent modifications to this permit language in other project proceedings – namely, to utilize a website for providing notice of noise-producing activities.¹²

In the Direct Testimony of Marta Lasch, Lake Charlotte Solar proposed to modify the language of Section 5.3 to remove the reference to a noise study, as this is the sole reference to such study within the solar farm DSP. EIP staff supports Lake Charlotte Solar's proposed modification for Section 5.3, and requests that the final permit language incorporate this proposed edit, in addition to EIP staff's proposed

⁹ MnDOT, *Scoping Comments*. September 16, 2026. eDockets no. [20259-223056-01](#).

¹⁰ PUC-EIP, *Lake Charlotte Solar Environmental Assessment (EA)*. Appendix C: Draft Site Permits. eDockets no. [20262-228055-04](#).

¹¹ PUC, *Order and Permit: Iron Pine Solar Project*. August 11, 2025. eDockets no. [20258-221949-01](#).

¹² PUC EIP, *Hearing Comments*, March 13, 2026. eDockets no. [20263-229251-01](#).

modification to include a website. EIP staff requests the following language be incorporated in the final solar facility site permit and Lake Charlotte Solar FOF:

5.3 Noise

The Permittee shall provide notice to adjacent residences detailing when major noise producing construction activities are planned to occur. The Permittee shall maintain a webpage identifying days, times and areas where construction crew will be doing pile driving during construction. The Permittee shall provide all neighboring landowners, the township, and the city of Northrop a link to the website prior to construction and shall update the website frequently during construction to keep landowners informed where pile driving will be occurring. ~~The permittee shall file with the Commission the results of the noise study within 12 months of operation of the project.~~

Contaminated Sites Management Plan

In the Lake Charlotte Solar Draft Site Permit, EIP staff proposed the inclusion of Section 5.7 Contaminated Sites Management Plan, a special condition that requires the applicant to develop a Contaminated Sites Management Plan (CSMP) to be followed in the event that contaminated materials are discovered during construction.¹³ Lake Charlotte Solar commented on this proposed permit language, and proposed a modification that would require the applicant to file a contaminated site analysis of the site detailing the results of a Phase II Environmental Site Assessment of potential contaminated portions of the site at least 14 days prior to the preconstruction meeting. If the contaminated site analysis documents the presence of contaminants exceeding applicable MPCA thresholds, then the permittee would be required to develop a CSMP and to coordinate with MPCA. EIP staff supports Lake Charlotte Solar's proposed modification of Section 5.7, and request the following language be adopted in the final site permit for the Solar Facility and the Lake Charlotte Solar FOF:

5.7 Contaminated Sites Management Plan

The Permittee shall file a contaminated site analysis of the site detailing the results of a Phase II Environmental Site Assessment of potential contaminated portions of the site at least 14 days prior to the preconstruction meeting. If the contaminated site analysis documents the presence of contaminants exceeding applicable MPCA thresholds, ~~t~~ The Permittee shall develop a Contaminated Sites Management Plan to be followed in the event that contaminated materials are discovered during construction or operation of the project. The permittee will notify and coordinate with Minnesota Pollution Control Agency for proper removal and disposal of any contaminated materials and restoration of the land.

Surface Waters

In the Direct Testimony of Marta Lasch, Lake Charlotte Solar provided comments on the proposed language for Section 5.9 of the DSP, a special condition that requires the applicant to consult with the

¹³ PUC-EIP, *Lake Charlotte Solar Environmental Assessment (EA)*. Appendix C: Draft Site Permits. eDockets no. [20262-228055-04](#).

DNR, the Martin County Soil and Water Conservation District, and the Blue Earth Watershed regarding potential impacts to nearby surface waters. Although the project is located within the Blue Earth River watershed, Lake Charlotte Solar noted that this watershed does not have a recognized watershed district or watershed management organization, per the Minnesota Board of Water and Soil Resources (BWSR) online directory of watershed districts.¹⁴ The Martin County Soil and Water Conservation District (SWCD) oversees watershed management for the project area.

EIP staff support Lake Charlotte Solar's proposed revision of Section 5.9 to reflect the oversight of local watershed impacts. EIP staff request the following language be adopted in the final site permit for the Solar Facility and the Lake Charlotte Solar FOF, which includes Lake Charlotte Solar's proposed modifications, as well as the DNR's proposed modifications:

5.9 Surface Waters

The Permittee shall consult with ~~the MNDNR~~, the Martin County Soil and Water Conservation District, ~~and the Blue Earth Watershed~~ regarding potential impacts to nearby surface waters due to construction activities, including but not limited to, erosion and sediment control.

Additional Environmental Impacts

In its March 25, 2026, response to hearing comments Lake Charlotte Solar provided feedback on public comments received and addressed a variety of topics such as site selection, community benefits, aesthetic impacts, and potential fire risks. Specific comments and revisions were included for the following topics covered in the EA and DSP:

Visual Screening

Lake Charlotte Solar responded to comments regarding concerns over aesthetic impacts and provided additional information on visual screening plans. In Lake Charlotte Solar's reply comments, the applicant summarized EIP staff's assessment of environmental impacts and discussed EIP staff's proposed Section 5.1 as a special condition of the DSP that requires visual screening for the project.

The applicant also provided an update on the status of vegetative plantings, noting that the original commitment from Lake Solar Charlotte only described installing vegetative plantings along 170th Street. However, following concerns expressed by local residents, Lake Charlotte Solar has further developed their screening plan to place screening between the solar facility and residences along Charlotte Oak Drive. Lake Charlotte Solar also stated that it has developed a Visual Screening Plan for adjacent residences where the resident has expressed concern about the visual impacts and/or where screening could reduce the visual impact of the Solar Facility on adjacent residences.¹⁵

¹⁴ Lake Charlotte Solar, *Direct Testimony of Marta Lasch*. February 18, 2026. eDocket no. [20262-228308-02](#)

¹⁵ Lake Charlotte Solar, *Response to Hearing Comments*. March 25, 2026, eDocket no. [20263-229641-01](#).

Public Health and Safety

Lake Charlotte Solar responded to comments related to several public health and safety concerns raised by local residents. Concerns addressed include potential public health impacts related to soil and water contamination, fire safety and surface water impacts. Lake Charlotte Solar summarized the analysis within the EA regarding public health and safety. In addition, Lake Charlotte Solar provided additional information on hazard mitigation measures that will be utilized to avoid safety risks or environmental contamination impacts; these measures included project design such as sensors and controls, and build-in fire detection and suppression, as well as collaboration with local emergency responders. Lake Charlotte Solar has stated that it is committed to working with the local emergency responders to make sure they have the tools and training they need to respond to emergencies at the project site.¹⁶

C. Public Comments

Members of the public commented on the Lake Charlotte Project.¹⁷ Comments addressed various topics covered in the EA¹⁸ and potential mitigation measures that were included in the DSP.¹⁹

Public Health and Safety

Public commenters expressed concern over potential safety risks of the proposed project, including extreme weather, fires, and electromagnetic fields. EIP staff notes that public safety is discussed in the EA. Section 4.4 (Human Health and Safety) describes the potential impacts to human health and safety from construction and operation of the project, including potential electromagnetic field impacts, stray voltage, as well as public safety and emergency services, fire risk, hazardous materials. Several sections of the DSP include requirements for public safety, such as Section 5.3 of the BESS DSP, which requires the permittee to file a Hazard Mitigation Analysis detailing the results of the equipment testing, and the risks associated with the technology at least 30 days prior to the preconstruction meeting. Section 8.12 of the Solar DSP and 8.11 of the BESS DSP requires the permittee to file an Emergency Response Plan with the Commission and local first responders prior to operation. Section 8.13 of the Solar DSP and 8.12 of the BESS DSP requires disclosure of extraordinary events, such as fires, etc.

Human and Environmental Impacts

Public commenters also expressed concern over potential impacts to humans and the environment, such as through decommissioning, aesthetic impacts, and noise. EIP staff note that environmental and

¹⁶ Id.

¹⁷ Public Comments – Batch of 10 Comments, March 12, 2026. eDocket no. [20263-229185-01](#); Batch of 17 Comments, March 13, 2026. eDocket no. [20263-229231-01](#); Jennifer Moeller, March 13, 2026. eDockets no. [20263-229227-01](#). Isaac and Tania Wallace, March 13, 2026. eDockets no. [20263-229323-01](#); Carmen Anders Deling, March 17, 2026. eDockets no. [20263-229387-01](#); Morgan Johnson, March 18, 2026. eDocket no. [20263-229395-01](#).

¹⁸ PUC-EIP, *Lake Charlotte Solar Environmental Assessment (EA)*. February 11, 2026. eDocket no. [20262-228055-01](#).

¹⁹ Id; *Appendix C: Draft Site Permits*. eDockets no. [20262-228055-04](#).

human impacts are discussed in several sections of the EA, including Section 4.3.1 (Aesthetics) and Section 4.3.2 (Noise). Section 9.1 of the DSP requires a decommissioning plan prior to construction and updated every five years. Periodic updates of the plan will address the developing information on end-of-life options for PV panels.

Comments also included potential impacts to prime farmland, such as through soil erosion and stormwater runoff. Section 4.5.1 (Agriculture) discusses impacts to farm economies, and Section 4.3.7 (Soils) discusses impacts to soils within the project site, including prime farmland. Section 4.7.6 (Vegetation). Section 4.3.17 of the Solar DSP requires Lake Charlotte Solar to develop a project Vegetation Management Plan, which outlines methods to restore and retain the ecological integrity of the site while improving soil health and habitat through the establishment of perennial vegetation. The project VMP is reviewed by state agencies and will be shared with landowners prior to beginning construction.

Other environmental concerns included potential impacts to wildlife. Section 4.7.7 (Wildlife and Habitat) discusses the potential impacts of construction on wildlife, including aquatic wildlife and habitat, such as stress and increased sedimentation into surface waters in the event that appropriate erosion control measures are not implemented. Section 5.9 of the Solar DSP is a permit condition that requires the applicant to consult with the Martin County Soil and Water Conservation District regarding potential impacts to surface waters. Several sections of the Solar and BESS DSP's require wildlife friendly design, such as downward facing LED lighting, non-chloride dust control, and wildlife friendly erosion control.

Property Values

Commenters expressed concern over potential impacts to property values. Section 4.3.5 of the EA discusses property value impacts. The EA notes that impacts to a specific property's value are difficult to determine. Because of this uncertainty, impacts on the value of specific properties could be subject to change, and may be dependent on several factors such as project siting, vegetation management, and visual screening. Section 4.3.8 of the DSP is a standard condition that requires the permittee to consider landowner input with respect to visual impacts and to 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. Section 5.1 of the Solar DSP is a special condition requiring the applicant to develop a visual screening plan to mitigate impacts to adjacent landowners.

2. Response to Proposed Findings of Fact, Conclusions of Law, and Recommendation (Lake Charlotte Solar FOF).

EIP staff has reviewed Lake Charlotte Solar's proposed Findings of Fact, Conclusions of Law, and Recommendations (Lake Charlotte Solar FOF) and believes that they accurately reflect the environmental review and permitting process for the project.²⁰

²⁰ Lake Charlotte Solar, *Proposed Findings of Fact, Conclusions of Law, and Recommendations*, March 25, 2026, eDocket No. [20263-229641-02](#).

EIP staff recommends that the special permit condition modification proposed by DNR for Section 5.9 be included in the final Lake Charlotte Solar site permit and reflected in the final Lake Charlotte Solar FOF.

EIP staff also recommends that the special permit condition modifications proposed by Lake Charlotte Solar be incorporated for Sections 5.7, and 5.9, and reflected in the final Lake Charlotte Solar FOF.

EIP staff recommends that the special permit condition modification proposed by EIP staff in the DSP for Section 5.2 be incorporated into the solar facility permit and the Lake Charlotte Solar FOF. EIP staff recommends the modification for Section 5.3 proposed in EIP staff's hearing comments be included in the final Lake Charlotte Solar site permit and reflected in the final FOF.

The full text of EIP's recommended revisions is shown in ~~strikeout~~ and underline in Attachment A.

EIP staff appreciates the opportunity to comment on the proposed project.

Sincerely,

A handwritten signature in cursive script that reads "Jessica Livingston".

Jessica Livingston
Environmental Review Manager