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# Byron Solar Project Advisory Task Force Report

Minnesota Department of Commerce  
Energy Environmental Review and Analysis  
Docket Nos. IP-7041/GS-20-763, TL-20-765  
March 2022

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## **Project Team**

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## **Report Prepared By**

Dan Pfeiffer, Zan Associates

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## **Alternative Formats**

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## Introduction

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On August 30, 2021, Byron Solar LLC (a subsidiary of EDF Renewables) submitted an application for a joint site and route permit for the up to 200 MW Byron Solar Project in Dodge County and associated 345 kV transmission line in Dodge and Olmsted counties to the Minnesota Public Utilities Commission (PUC).

The proposed Byron Solar project is situated on approximately 1800 acres of predominately agricultural land in Canisteo and Mantorville townships. The preliminary project design shows a developed area of approximately 1600 acres. Energy from the solar panels will be directed through underground electrical to a new project substation located south of Highway 14 near 640<sup>th</sup> St/265<sup>th</sup> Ave in Dodge County. A new high voltage transmission line would travel north across Highway 14 from the project substation then east to the existing Southern Minnesota Municipal Power Agency (SMMPA) Byron Substation in Olmsted County (See Appendix A for a map of the proposed site and route).

In its Order of November 17, 2021, the PUC authorized the Minnesota Department of Commerce to establish an Advisory Task Force to assist the PUC in (1) identifying impacts and issues of local concern that should be analyzed in the Environmental Analysis (EA) and (2) identifying mitigation measures, including site or route alternatives, which should be analyzed in the EA (See Appendix B for ATF Charge).

Minnesota Department of Commerce Energy Environmental Review and Analysis (EERA) staff solicited ATF nominations from local units of government surrounding the proposed site and transmission line route.

### Advisory Task Force

Advisory Task Force Member	Government Unit
Stacy Kotch-Egstad, Utility Routing and Siting Coordinator	Minnesota Department of Transportation
Lauren Cornelius, Environmental Services Director	Dodge County
Mark Engel, Current Planning Supervisor	Olmsted County
Steven Cook, Council Member	City of Byron
Tim Ibisch, City Administrator	City of Kasson
Neil Witzel, Supervisor	Canisteo Township
Nathan Gransee, Supervisor	Mantorville Township

## Methodology

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The Advisory Task Force met on January 6, January 21, and February 4, 2022 (See Appendix C for ATF meeting agendas and Appendix D for meeting notes). In addition to task force members, EERA staff, the consultant, and the applicant also attended all the meetings. The meetings were open to the public and two members of the public attended the first meeting. Zan Associates, an EERA consultant, facilitated ATF meetings. All meetings were run as hybrid meetings and included the opportunity to participate virtually to allow everyone to participate in a way that best meets their needs under COVID-19 protocols and Minnesota's changing winter travel conditions.

At the first meeting, task force members reviewed the state's permitting process and proposed project. The task force then used a modified conversation café technique to identify impacts and issues that should be analyzed in the EA. The technique asked task force members to suspend judgment, respect one another, seek to understand rather than persuade and speak honestly and in depth without repeating the same information. The process involved four rounds. During the first two rounds, task force members identified impacts and issues uninterrupted by other task force members. The third round was a facilitated conversation on the identified impacts and issues. The fourth round asked task force members to reflect on the impacts and issues identified.

At the second meeting, task force members reviewed the impacts and issues identified at the first meeting. Task force members then prioritized the impacts and issues, ranking importance. Prioritization was followed by a facilitated discussion of results before moving on to identification of site and transmission line route benefits and issues then identification of potential route alternatives.

At the third meeting, task force members reviewed the previous two meetings including reviewing the impacts and issues identified and potential mitigation. Task force members also shared thoughts and other impacts and issues or potential mitigation measures they heard at the previous week's public meetings. The discussion focused on developing conclusions, noting that unanimous agreement is not a requirement as an advisory task force. Task force members discussed a draft of this report and a process to review the next draft and provide comments before submitting the final version for inclusion in the scoping summary report.

## Impacts and Issues to Study in the EA

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Task force members identified and then prioritized impacts and issues by responding to the following question: "What impacts and issues should be studied by the Department of Commerce when it prepares the environmental assessment (EA) for the project?"

## Impacts and Issues

Task force facilitators organized the identified impacts and issues in 13 broad categories. The categories are presented in order of task force member priority based on ranking and expressed level of interest during discussions.

### Agriculture / Farmland

The majority of task force members expressed the project's impact on agriculture or farmland as a major issue. Many of these impacts and issues overlap with other categories. For example, farmland impacts overlap with zoning and land use compatibility issues and impacts to adjacent farmland from stormwater runoff or damaged drain tile. Discussions focused on the state rules regarding use of prime farmland for energy generation, the significant amount of prime farmland being converted locally and regionally, the high crop index of this farmland, and the impact on Canisteo Township as an agriculture producer and an agricultural community.

### Zoning and Land Use Compatibility

Discussions focused on the impacts and the implications of the proposed solar farm. Discussed impacts included future growth, opportunity lost, and the project's inconsistency with Canisteo Township's planning for agriculture and Dodge County's performance standards for solar energy farms. Discussed implications included opportunity postponement or how this artificial barrier may change how the community grows over time. Zoning ordinance discussion focused on the county-developed performance standards for solar farms and how the project should comply with the county's performance standards. Zoning and land use compatibility had high prioritization and focus of task force discussion.

### Water Resources

Many task force members expressed impacts or issues related to stormwater management practices from the project as a concern, especially the impact on agricultural drainage systems during construction, operations, and restoration at decommissioning. Task force members noted that the existing drain tile systems were installed over many years and may not be well mapped. Task force members pointed out that these systems are often interconnected. The impact on one field area may affect the neighboring areas. Based on experiences with other solar farms in the region, task force members noted concerns regarding best practices for stormwater management ponding and infiltration, including maintenance and sediment management. A task force member emphasized the importance of panel size assumptions in designing stormwater management practices to effectively manage stormwater at the project and ensure it does not impact neighboring properties. Task force members also discussed the importance of snow removal.

### Natural Resources

Discussions focused on solar site seed mix and ongoing maintenance practices, including weed and invasive species control. Some discussions focused on the impact on wildlife types or wildlife corridors.

## **Economics**

Discussions focused on the need to evaluate farming versus power generation for taxes, jobs, and downstream economic effects.

## **Public infrastructure (non-transportation)**

Discussion focused on the potential for the transmission line to impact a planned future Byron force-main sewer to serve growing areas. Following a discussion with Byron public works, a task force member reported that there likely is not an impact because the area in question would be served by a gravity fed system, not a forced main system that required pumping stations.

## **Property Values**

Property value discussions focused on the impacts to neighboring properties along with non-adjacent area properties. A task force member noted that current residents have expressed a desire to move away from the area now in anticipation of the solar farm. It was also noted that some residents purposefully choose to live in the country and how to ensure they can still enjoy living here.

## **Decommissioning and Project End-of-Life**

Project end-of-life and decommissioning were the focus of significant discussions. Dodge County solar farm performance standards mentioned in Zoning and Land Use Compatibility have specific decommissioning requirements that may be more stringent than what's required with a PUC permit. Dodge County requires that a bond be in place, to ensure that no costs are borne by local town or county resources. There were discussions on requiring any additional funding for decommissioning, above bonded amount, to be paid by the solar site property owners who benefited from site leasing fees. Discussions also focused on what happens at the end of life, especially if the future post-solar farm land-use changes and ensuring all infrastructure above and below grade is removed. A number of task force members expressed that decommissioning should return the land to the existing pre-solar state noting Canisteo Township's agriculture focus while also acknowledging change can occur in 30+ years. Additional discussion focused on the cumulative impact of many solar projects decommissioning simultaneously and whether recycling capacity is available.

## **Visual / Aesthetics**

Discussions focused on the visual impact of solar versus existing agriculture, the visual impact on nearby residents, and the need for glare study. Maintenance and weed control, also included in Natural Resources, was discussed as a potential visual or aesthetic issue.

## **Jobs / Employment**

Job and employment discussions focused on both short-term jobs from project construction and long-term extent of jobs once the project becomes operational. Discussion of short-term construction jobs focuses on whether local workers would be used in construction and ongoing maintenance. In considering long-term

changes, discussions focused on total impact on jobs by acre for agriculture and solar noting that agriculture supports adjacent jobs (e.g. equipment sales and maintenance) while solar has a high number of construction but lower number of long-term maintenance jobs.

### **Tax Revenue**

Tax revenue discussions focused on the impacts for the area and county. Member noted that the township loses tax base from agriculture but would receive payment from solar.

### **Transportation**

Transportation impacts and issues discussed included the Highway 14 plan and potential future interchange at CSAH 15 as well as impacts to Dodge County Road 8 and Olmsted County Road 25. Discussion also focused on the impact to township gravel roads during construction and during ongoing operations. Task force members discussed the need to minimize impacts to future roadway expansions and ensure that, often oversized, agricultural vehicles can pass each other on roads surrounding the site.

### **Energy**

Energy discussions focused on the benefit to the substation owner, whether the new transmission line would have capacity to allow more future solar farms along its route and its cumulative impact. There were discussions around the cumulative impact of concentration of solar farms in one area and questions on the benefits of large versus smaller solar sites.

## **Ranking Impacts and Issues**

Task force members were asked to prioritize impacts and issues from 1-12. Agriculture and farmland was not included in the prioritization exercise. Agriculture and farmland was a key focus of discussion during the identification of impacts and issues and remained a key point of discussion in each meeting, ensuring these issues will be a priority for study in the EA. The remaining are listed in ranked order in previous section.



**Impacts and Issues Ranking Results Table**

ATF Member	Zoning and Land Use Compatibility	Decommissioning and Project End-of-Life	Tax Revenue	Jobs/Employment	Visual / Aesthetics	Economics	Natural Resources	Property Values	Public infrastructure (non-transportation)	Transportation	Energy	Water Resources
	1	3	12	11	4	10	7	2	5	9	8	6
	2	7	12	10	8	4	1	11	5	6	9	3
	3	2	4	5	6	7	8	9	10	11	12	1
	1	9	7	8	11	3	5	4	2	10	12	6
	1	8	7	9	10	4	3	2	5	11	12	6
	8	6	9	5	2	7	4	3	11	12	10	1
	1	10	6	7	11	4	9	12	3	2	5	8

**Updated Ranking**

During in meeting ranking at the task force’s January 21, 2022 meeting, one member only ranked their top priority (1). Following draft report review by task force members, the member who had previously only selected one ranking provided their rankings for the remaining impacts and issues. This updated ranking resulted in the shift in overall ranking for four impacts and issues.

Ranking Results on January 21, 2022	Revised Ranking Results February 2022
<ol style="list-style-type: none"> <li>1. Zoning and Land Use Compatibility</li> <li>2. Water Resources</li> <li>3. Natural Resources</li> <li>4. Economics</li> <li>5. Public Infrastructure (non-transportation)</li> <li>6. Decommissioning and Project End-of-Life</li> <li>7. Property Values</li> <li>8. Visual / Aesthetics</li> <li>9. Jobs / Employment</li> <li>10. Transportation</li> <li>11. Tax Revenue</li> <li>12. Energy</li> </ol>	<ol style="list-style-type: none"> <li>1. Zoning and Land Use Compatibility</li> <li>2. Water Resources</li> <li>3. Natural Resources</li> <li>4. Economics</li> <li>5. Public Infrastructure (non-transportation)</li> <li><b>6. Property Values</b></li> <li><b>7. Decommissioning and Project End-of-Life</b></li> <li>8. Visual / Aesthetics</li> <li>9. Jobs / Employment</li> <li><b>10. Tax Revenue</b></li> <li><b>11. Transportation</b></li> <li>12. Energy</li> </ol>

## Mitigation Measures

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Task force members identified potential mitigation measures to be analyzed in the EA by impact and issue categories (See Appendix D for more details).

The mitigation measures identified by category include:

- General
  - Public release and communication of an annual inspection of permit conditions and mitigation measures
- Agriculture and Farmland
  - Require return to agricultural use at decommissioning
  - Require ongoing weed control at the site
- Zoning and Land Use Consistency
  - Incorporation of Dodge County solar farm performance standards
  - Setbacks for solar infrastructure to allow agricultural equipment to pass on local roadways
  - Requiring permits and approvals from local jurisdictions (e.g. review of stormwater plans, roadway modifications, grading)
- Water Resources
  - Identify drain tile before construction and repair any drain tile impacted during construction to ensure no impact to other parcels
  - Require restoration of drain tile systems impacted during construction and at decommissioning
  - Require a hydrologic study that goes beyond project boundary
  - Restore drain tile system at decommissioning to agriculture
  - Maintenance requirements for infiltration ponds
- Natural Resources
  - Require seed mix and habitat for beneficial insects/pollinators along with ongoing weed and invasive or pest species control
  - Require ongoing maintenance and weed control at the site and possible penalty for non-compliance

- Economics
  - Encourage local hiring and employment opportunities
  - Use of good neighbor agreements to compensate non-participating landowners
- Decommissioning and End-of-Life Consideration
  - Incorporate Dodge County decommissioning requirements for Solar Energy Farms (Chpt. 16: Zoning Ordinance, 16.46.3, D5), including:
    - decommissioning of all above and below-grade infrastructure,
    - bond or cash escrow for financial assurance
  - Require property owners to pay excess decommissioning costs
  - Require public process to update the decommissioning plan if future use changes
- Visual/Aesthetics
  - Use of vegetation (or other appropriate screening) to provide visual screens to adjacent landowners; Dodge County solar performance standards
  - Require glare study to develop mitigation for surrounding community and barriers to reducing glare
  - Require maintenance of visual screening barriers
- Jobs/Employment
  - Hire locally for construction and maintenance jobs
- Transportation
  - Requiring road use agreements with local road authorities, including local road use permitting
  - Traffic management plan for construction activities
  - Design options for future road capacity improvements, including potential interchange
  - Expand setbacks where wide agricultural vehicles need to pass each other
  - Explore the use of transmission line easements for future Stagecoach Trail planning

## Identification Site and Transmission Line Route Benefits and Issues

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Task force members discussed site and transmission line route benefits and issues. Minnesota Department of Transportation (MnDOT) member noted the transmission line crossings might be considered a benefit as a lower impact on trunk highway system than paralleling a highway. MnDOT also noted it does not permit private ventures to parallel trunk highways. Task force members noted that prime farmland concern is applicable to any site in the area.

## Identification of Potential Route Alternatives

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The task force did not identify any potential route alternatives.

## Conclusions

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As an advisory task force, the unanimous agreement of all task force members is not a requirement nor was it a task force's goal. The conclusions below attempt to highlight conclusions for decision-maker consideration.

1. Impacts on agriculture and prime farmland are important to the task force. Continued analysis and transparent decision-making are essential.
2. Analysis of water resource impacts and identified mitigation measures are important to the task force.
3. Increased communication between the proposer, the State, and local jurisdictions and clearly identified process and responsibilities for ongoing communications with jurisdictions and the public are important if the project moves forward. The Counties, cities, and townships need to clearly communicate with their constituents and ensure proposer responsiveness to resolving issues, so the project does not burden local jurisdiction staff.
4. Several task force members expressed concern about the process not starting locally, including the lack of local control in permitting process. Task force members noted unhappiness about the project expressed to them by their constituents and those present at the public meeting, including those not immediately surrounding the site.
5. The impacts to the site, neighbors and the surrounding communities should be considered in mitigation.
6. A member noted competing interests and that prime farmland is developed into other uses through zoning and land use processes.

## Appendices

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Appendix A – Map of applicant site and route

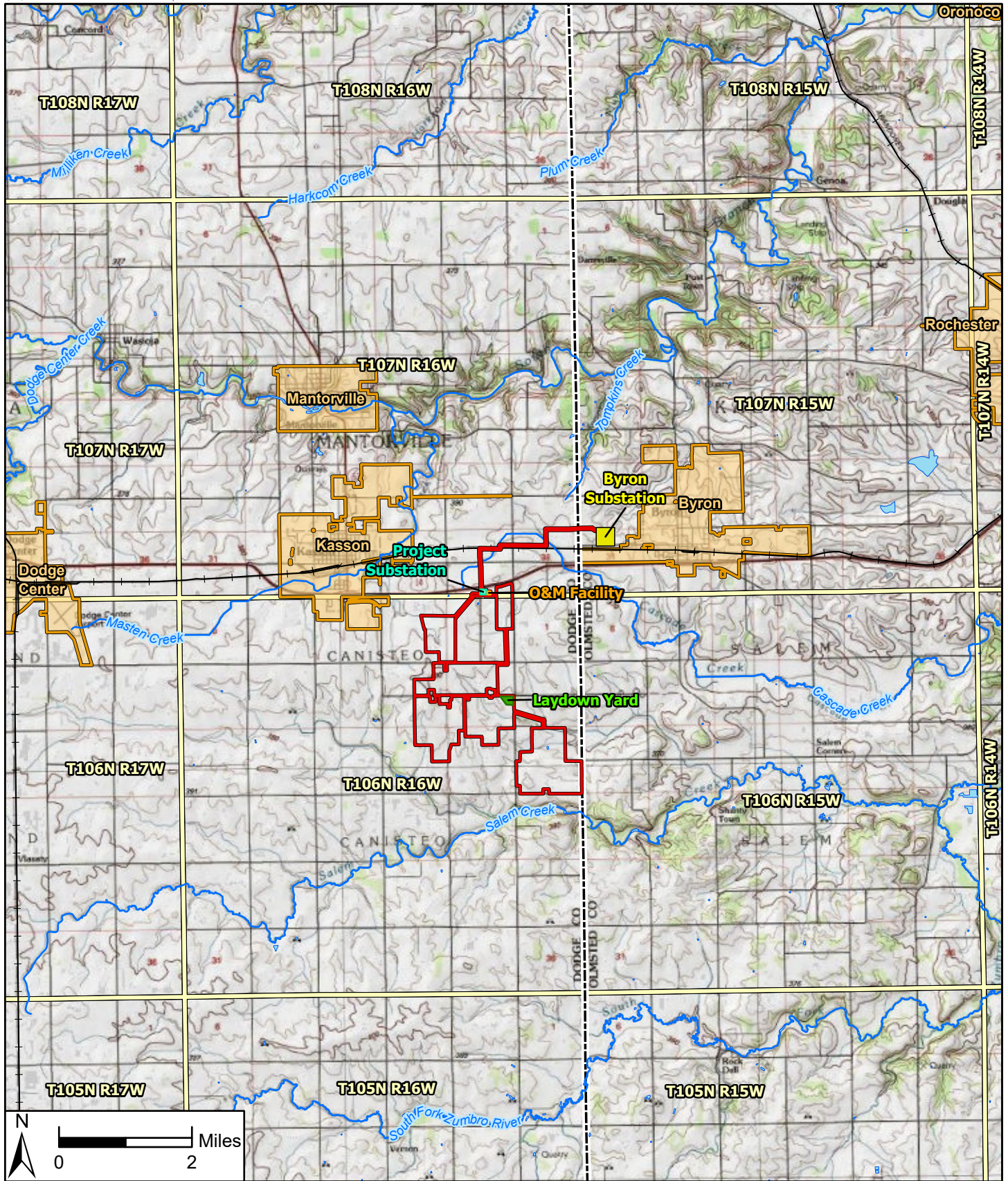
Appendix B – Advisory Task Force charge

Appendix C – Advisory Task Force meeting agendas

Appendix D – Advisory Task Force meeting notes

## **Appendix A – Map of applicant site and route**

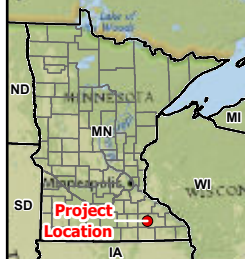




Data Source(s): Westwood (2021); MNDNR (Various Dates); US Census Bureau (2019); NED (2016); USGS NHD Dataset(2013); USFWS NWI (2017); Esri USGS Topo Basemap (Accessed 2021).

**Westwood**

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**Legend**

- Project Area Boundary
- Existing Substation
- Laydown Yard
- O&M Facility
- NHD Flowline
- NHD Waterbody
- Railroad
- County Boundary
- Municipal Boundary
- PLS Township Boundary

**Byron Solar Project**  
 Dodge and Olmsted Counties, Minnesota

**Project Location**

N:\0208109\_000\GIS\ArcPro\Byron Solar Site Permit Maps\Byron Solar Site Permit Maps.aprx  
 Byron\_Map01\_ProjectLocation\_Map01\_ProjectLocation | 8/10/2021 4:22 PM

## **Appendix B – Advisory Task Force charge**





**In the Matter of the Application of Byron Solar, LLC  
for a Site Permit and Route Permit under the  
Alternative Permitting Process for the up to 200  
MW Byron Solar Project in Dodge County and 345  
kV Transmission Line in Dodge and Olmsted  
counties**

**Advisory Task Force  
Establishment and Charge  
PUC Docket Nos. IP-7041/GS-20-763, TL-20-765**

### **ADVISORY TASK FORCE ESTABLISHMENT, CHARGE, AND ORDER**

The above-noted matter has come before the Assistant Commissioner of the Department of Commerce (Department) for a decision on the establishment of an advisory task force (ATF) to advise the Public Utilities Commission (Commission) on Byron Solar, LLC's joint site and route permit application for the proposed Byron Solar Project (Project).

As authorized by the Commission, the Assistant Commissioner is establishing an ATF to assist in identifying impacts and mitigation measures to be evaluated in the environmental assessment (EA) to be prepared by the Department for the proposed project.

ATF members will be solicited from the following governmental units:<sup>1</sup>

Counties: Dodge, Olmsted  
State Agencies: Minnesota Department of Transportation  
Cities: Byron, Kasson  
Townships: Dodge County – Canisteo, Mantorville  
Olmsted County – Kalmar

The ATF will consist of up to eight (8) members.

As authorized by the Commission, the Department herein charges ATF members to:

1. Assist in identifying impacts and issues of local concern that should be analyzed in the EA;
2. Assist in identifying mitigation measures, including site or route alternatives, which should be analyzed in the EA.

ATF members will be expected to participate in up to three meetings and to assist Department staff with the development of a summary of the task force's work. The Department is in the process of contracting for facilitation services for the ATF.

The ATF will expire upon issuance of the EA scoping decision for the project.

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<sup>1</sup> See Minnesota Statute 216E.08, Subd. 1. Neither Dodge nor Olmsted counties are represented by a Regional Development Commission.

**THE ASSISTANT COMMISSIONER MAKES THE FOLLOWING ORDER:**

**WHEREAS**, Byron Solar LLC, submitted an application for a joint site and route permit for the up to 200 MW Byron Solar Project and associated 345 kV transmission line project on August 30, 2021; and

**WHEREAS**, Minnesota Statute 216E.08 provides for the establishment of an advisory task force (ATF) to assist the Commission in carrying out its duties; and

**WHEREAS**, at its meeting on October 28, 2021, the Commission authorized the Department to establish an ATF and develop a structure and charge for the ATF; and

**WHEREAS**, Minn. Stat. 216E.08 establishes that an ATF comprise at least one representative from each regional development commission, county, and municipal corporation, and at least one town board member from each county in which a site or route is proposed to be located; and

**WHEREAS**, the Project is not located within a regional development commission; and

**THEREFORE**, the Department herein establishes an advisory task force for the Byron Solar Project, authorizes Department staff to appoint members of the task force, and adopts the above determination with regard to its structure and charge.

Signed this 15th day of November, 2021

STATE OF MINNESOTA  
DEPARTMENT OF COMMERCE



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Katherine Blauvelt, Assistant Commissioner

## **Appendix C – Advisory Task Force meeting agendas**

## Byron Solar Advisory Task Force

Meeting #1

January 6, 2022

1:30 p.m. to 4:30

Dodge County Government Services Center

721 Main St. N, Mantorville

Virtual

Zoom.us

Meeting ID: 835 8444 5598

Passcode: 317032

### AGENDA

	<b>Activity</b>	<b>Time</b>
1.	Welcome and agenda review	1:30
2.	Introductions	1:40
3.	Why we're here	2:00
4.	Work of the task force	2:15
5.	Project overview	2:30
	<i>BREAK</i>	
6.	Identification of impacts and issues	3:00
7.	Next steps	4:15
	Adjourn	4:30

**Thank you**

## Byron Solar Advisory Task Force

Meeting #2

January 21, 2022

9:00 a.m. to 12:00 p.m.

Dodge County Government Services Center

721 Main St. N, Mantorville

Virtual

Zoom.us

Meeting ID: 864 8019 1696

Passcode: 275632

### AGENDA

	<b>Activity</b>	<b>Time</b>
1.	Welcome and agenda review	9:00
2.	Review impacts and issues identified in meeting #1	9:10
3.	Prioritize impacts and issues	9:20
4.	Identify potential mitigation measures	9:45
	<i>BREAK</i>	
5.	Identify site and transmission line route benefits and issues	10:45
6.	Identify potential route alternatives	11:15
7.	Next steps	11:45
	Adjourn	12:00

**Thank you**

## Byron Solar Advisory Task Force

**Meeting #3**

**February 4, 2022**

**10:00 a.m. to 11:30 a.m.**

**Dodge County Government Services Center**

**721 Main St. N, Mantorville**

**Virtual**

**Zoom.us**

**Meeting ID: 889 8795 7199**

**Passcode: 271693**

### AGENDA

	<b>Activity</b>	<b>Time</b>
1.	Welcome and agenda review	10:00
2.	Review meeting #1 and #2	10:10
3.	Review ATF draft report	10:30
4.	Next steps	11:15
	Adjourn	11:30

**Thank you**

## **Appendix D – Advisory Task Force meeting notes**

## Byron Solar Advisory Task Force

Meeting #1

January 6, 2022

1:30 p.m. to 4:30

Dodge County Government Services Center  
721 Main St. N, Mantorville

### **Task Force Members:**

Lauren Cornelius, Dodge County; Mark Engel, Olmsted County; Nathan Gransee Mantorville Township; Neil Witzel, Canisteo Township; Stacy Kotch Egstad, Minnesota Department of Transportation; Steven Cook, City of Byron; Tim Ibisch, City of Kasson

### **Task Force Staff:**

Suzanne Steinhauer, Minnesota Department of Commerce; Dan Pfeiffer, Zan Associates; Faith Xiong, Zan Associates

### **Attendees:**

Scott Wentzel, Byron Solar, LLC; Alex Pouliot, Land & Liberty Coalition; Nathan Dull, Land & Liberty Coalition

### **Meeting Summary**

Dan Pfeiffer welcomed Task Force members and attendees. Dan began with an overview of the hybrid meeting process and agenda and introductions. The Task Force is charged with identifying impacts and issues of local concern that should be analyzed in the Environmental Assessment (EA) for the proposed Byron Solar Project (project) and assist in identifying mitigation measures, including potential site or route alternatives, which should be analyzed in the EA.

Suzanne Steinhauer highlighted the Minnesota Department of Commerce Energy Environmental Review and Analysis division's role and the Minnesota Public Utility Commission's required approvals for the project.

Dan overviewed the task force charge and roadmap. Three meetings in January and early February are anticipated. The first meeting focuses on identifying issues and impacts to be studied in the EA. The second meeting will focus on identifying potential mitigation measures. The third meeting is planned to wrap up any alternative site or route discussions along with the task force report and next steps.

Dan asked if any task force members had questions for the proposer that may help with identifying impacts and issues.



### Questions about the project

- *Have all identified parcels signed agreements?*  
Proposed site landowners have signed a voluntary lease agreement. Some landowners may have signed only part of their land into the project. Byron Solar, LLC has offered some financial composition for adjacent landowners and are in process of negotiating those. These are voluntary agreements.
- *How are you indicating that the use of prime farmland is meeting state statute?*  
Byron Solar, LLC is seeking a waiver noting there is no site within Dodge County for a project of a similar scale without utilizing prime farmland.

### Impacts/Issues to consider in the EA

Dan moved the task force to identify impacts and issues using a conversation café technique. Each member had two opportunities to speak uninterrupted, answering "what impacts and issues should be studied by the Department of Commerce when it prepares the Environmental Assessment for the project?". These two rounds were followed by a conversation round and wrap-up. Zan Associates have categorized the impacts and issues identified by task force members.

### Transportation

- 345kV transmission line impact Dodge County's transportation overlay and potential interchange at CSAH 15. Noting that while the actual crossing may not impact future plans, the site boundaries outlined in the map, depending on ownership of the property, may have more of an impact on the actual crossing of the 345kV transmission line. The variance of site boundaries, ownership and that future expansion may fall in that area more likely than further west on US 14.
- The impact of the solar project on township roads along with ongoing maintenance. It was noted that roads account for a significant portion of the township budget.
- Impact of construction traffic on roads.
- Potential transportation advantage was noted, referencing the planned Stagecoach State Trail. A potential 345kV transmission line right of way is 100 feet to 150 feet in width and could be used to include a trail. Noting that just a transmission line may be less disruptive to agriculture, but a trail could be beneficial.

### Public Infrastructure

- The city of Byron will be putting in a force main sewer that will allow the city to serve on undeveloped areas next year. Want to know how the 345-transmission line will impact the city's economic growth.

### Human Settlements – Property Values

- Impact on bordering landowners.
- Value of land to people in surrounding areas
- The project's impact on the long-term growth of Kasson.
- It was noted that two bordering landowners had been excluded from compensation.
- People choose to live in the country. What are the impacts to the community who want to live in the country, and how to ensure that people can still enjoy living here?

### Human Settlements – Zoning and Land Use Compatibility

- Noting that some parts of Dodge County zoning (Kasson urban expansion area, transportation overlay district) have changed and should be corrected in the EA from what they were in the application
- Impact on future growth, noting that it could impact long-term growth of Kasson pushing south.
- Opportunity loss or opportunity postponement – this artificial barrier may change how the community grows as time goes on

### Human Settlements – Visual/Aesthetics

- The visual impact of solar versus agriculture

### Economics

- Evaluate farming versus power generation for taxes, jobs, etc.
- What is the ownership of the substation, and is there an opportunity for local investors

### Economics – Tax revenue

- Who is getting the tax revenue/benefit?
- Noted that township loses tax from agriculture but according to the proposal would receive a portion of the benefit
- Tax revenue implications for the area and the county as a whole?

### Economics – Jobs/Employment

- Plan for local jobs or workers brought in

### Water Resources

- Impact on public water supplies
- Stormwater management both on-site and neighbors
- Impact of project construction on drain tiling primarily since not all tile lines are known due to age, missing tile maps, and loss of institutional knowledge with ownership changes in local tiling firms.
- Impact of tile damage or moving tile lines on drainage both on-site and neighbors.
- It is important to understand panel size and surface calculations to get stormwater management calculations. The county has experienced issues at other solar sites. County noted issues with retention ponds at other site

### Natural Resources

- Impacts on wildlife and wildlife corridors
- Change in type of wildlife
- Seeding mix along with weed control and long-term maintenance

### Decommissioning and Project End-of-Life

- Dodge County decommissioning rules on solar farms need to be met. Dodge County requires reclamation of everything above and underground. The county requires bonds as a security for decommissioning. The county would like to see an update on the project's decommissioning plan.
- What happens at the end of the site's life and ensuring the county isn't solely responsible for removal through decommissioning bonds.

- Concern with cumulative impact of decommissioning many solar projects at the same time and the potential to overwhelm recycling capacity

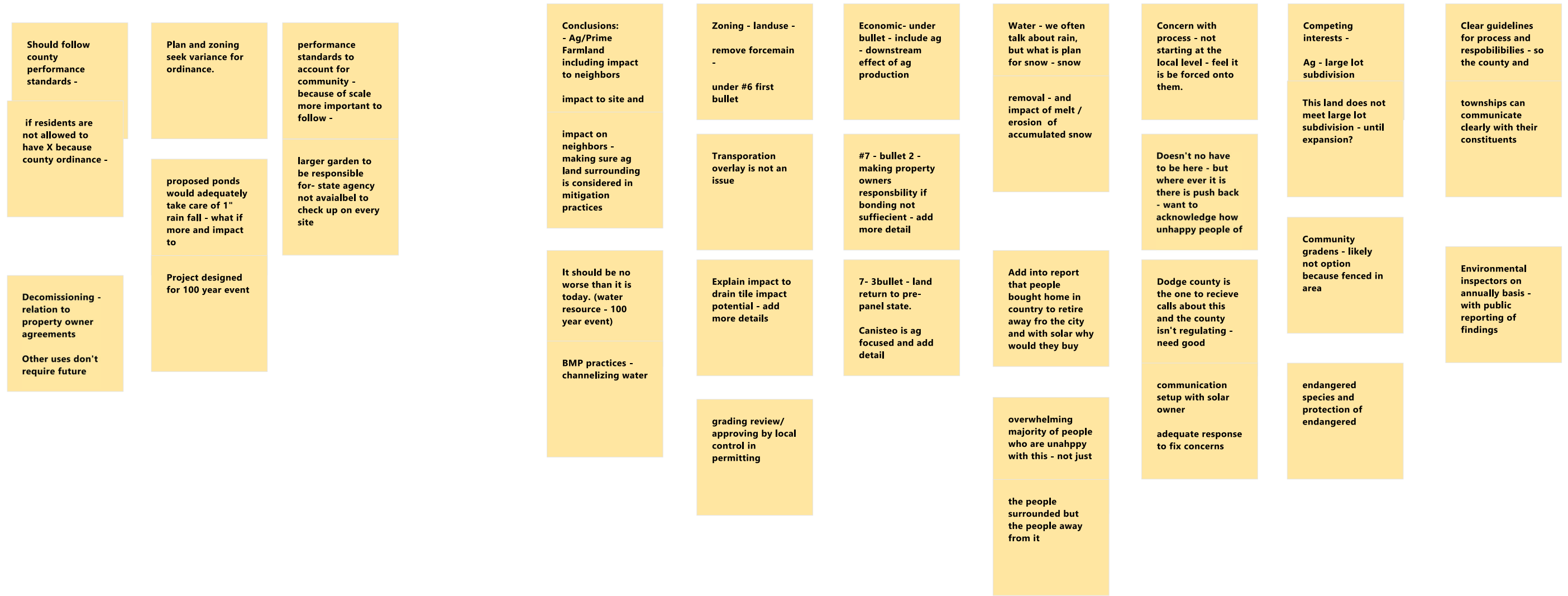
#### Energy

- The new power line and its capacity – Aside from this project, how many more solar farms can this new powerline support? Does it allow other smaller solar farms to come in along the route? What are the impacts to the county/city if more solar farms come in to use this powerline/energy source?
- The cumulative effect of concentration of solar farms in one area
- What is the benefit to substation owner (SMMPA)
- Noted transmission line health concerns (EMF)
- What are the benefits of large sites versus small sites spread out over a larger area

#### **Meeting Adjourned**

Dan concluded the meeting with an overview of the next steps including task force member homework to prepare for the next meeting. The homework includes reviewing the summary of first meeting focusing on the identified impacts and issues, are there any additional impacts or issues not already included and beginning to think about potential impact mitigation measures to discuss at the second meeting. The second meeting will focus on potential mitigation measures including potential site and route alternatives.

Byron Solar Advisory Task Force Meeting #3



# Byron Solar Advisory Task Force

Meeting #2

January 21, 2022

9:00 a.m. to 12:00 p.m.

Dodge County Government Services Center

721 Main St. N, Mantorville

Hybrid meeting – Zoom Meeting

## Task Force Members:

Lauren Cornelius, Dodge County; Mark Engel, Olmsted County; Nathan Gransee Mantorville Township; Neil Witzel, Canisteo Township; Stacy Kotch Egstad, Minnesota Department of Transportation; Steven Cook, City of Byron; Tim Ibisch, City of Kasson

## Task Force Staff:

Suzanne Steinhauer, Minnesota Department of Commerce; Dan Pfeiffer, Zan Associates; Faith Xiong, Zan Associates

## Attendees:

Scott Wentzel, Byron Solar, LLC

## Meeting Summary

Dan Pfeiffer began the meeting with an icebreaker and provided an overview of the meeting process and agenda. The public scoping comment period and the advisory task force are occurring simultaneously. The task force is charged to help identify impacts and issues of local concern that should be analyzed in the Environmental Assessment (EA) for the project and assist in identify mitigation measures, including potential site or route alternatives, which should be analyzed in the EA.

Dan provided a summary of the last meeting and asked the group if any additional impacts and issues the group would like to consider in the EA. Task force members identified the following impacts/issues:

- Impact to Dodge County Rd 8 and Olmsted County Rd 25 future realignment and proposed solar panel placement.
- Analyze Hwy 14 future changes and change in area traffic from connecting roadway, especially near proposed transmission line.
- Responsibility for yearly weed, brush, tree, and site erosion inspection of the solar project and ensuring it complies with the county's statutes. May be potential for non-compliance penalty for brush, weed, tree growth, and erosion.
- Steven Cook noted discussing transmission line with the public works director and line will likely not impact future force main or gravity sewer.
- County remains concerned regarding Byron Solar's request to vary the restrictions on siting on prime farmland waiver and precedent.
- Impact on local roads both during construction and ongoing maintenance operations.

## Issues and Impacts Prioritization Exercise

Using an online polling tool, Dan asked the group to prioritize the 12 impacts and issues identified in the last meeting. Agriculture/Farmland was not included on list because of significant focus during previous meeting and existing requirements.

ATF Member	Zoning and Land Use Compatibility	Decommissioning and Project End-of-Life	Tax Revenue	Jobs/Employment	Visual / Aesthetics	Economics	Natural Resources	Property Values	Public infrastructure (non-transportation)	Transportation	Energy	Water Resources
	1	3	12	11	4	10	7	2	5	9	8	6
	2	7	12	10	8	4	1	11	5	6	9	3
	3	2	4	5	6	7	8	9	10	11	12	1
	1	9	7	8	11	3	5	4	2	10	12	6
	1											
	8	6	9	5	2	7	4	3	11	12	10	1
	1	10	6	7	11	4	9	12	3	2	5	8

Please prioritize the identified impacts and issues below (1=highest priority and 12=lowest priority)



Impact and issue prioritization:

1. Zoning and Land Use Compatibility
2. Water Resources
3. Natural Resources
4. Economics
5. Public infrastructure (non-transportation)
6. Decommissioning and Project End-of-Life
7. Property Values
8. Visual / Aesthetics

9. Jobs / Employment
10. Transportation
11. Tax Revenue
12. Energy

Dan led a discussion of the top and bottom impacts and issues, asking what stood out or surprised members the most.

- Low ranking of decommissioning was a surprise to the county. The county felt should be ranked higher because the public expressed concern about what will happen to the land once the project ends. The county wanted to make sure there was no room for questioning when the project ends, noting the proposer buys bonds to cover the cost, but what if 35 years from now the bond is not sufficient for decommissioning. Concern taxpayers should not be responsible for costs. Task force members discussed whether landowners receiving rent/lease payments should be responsible because they benefited from the project. An additional concern is that if the solar project transfers ownership, then the bond should be transferrable to the new owner.
- Concern that losing agricultural land was overshadowing tax revenue.
- Discussion of impacts to local roads, noting the potential interchange at CSAH 15 is unfunded. It could be years before funding is available. Lack of funding makes it hard for MnDOT to take proactive steps. MnDOT noted that the project boundary sits outside of ROW lines and potential encroachments would be addressed in permitting process.

#### **Mitigations Measures to Analyzed in EA**

Dan moved the group to discuss mitigation measures to be analyzed in the EA. The following are mitigation measures identified by task force members by categories:

#### **Agriculture**

- Dodge County convened a solar task force group. The group has put together performance standards for solar energy farms. County would like this proposed project to match the county's performance standards for solar energy farms as much as possible. The purpose of these performance standards is to locate solar projects in a way that is consistent with the values of the county.
- Concern rural America good enough to produce renewable energy, but last to recoup benefits.
- Canisteo Township has consistently aimed to keep the township as an agricultural area. Concern that the use of prime farmland for the solar farm goes against the agriculture plan and that the land will not be turned back, after the project's lifecycle, into prime farmland as it is today. Also noted that people are moving out of Canisteo because of the solar farm, and some still look at this land as a retirement area.

#### **Transportation**

- The continuous use of heavy equipment will crush the gravel roads turning them into powder. Need to clarify responsibility for maintaining gravel and typography of the roads.
- Concern that the project's access roads across farmland are removed during decommissioning.
- Request for a traffic management plan (what the roads will be, restriction to the speed limit, etc.).

- Suggest expanded setbacks where there are solar farms on each side of a public road, specifically the smaller local roads where wide agricultural vehicles need to pass each other.
- Discussion of potential opportunity for the Stagecoach Trail in the transmission line area. Length of transmission line is short. The connecting trail is longer. Part of the Stagecoach Trail system is a connection between Byron and Kason. The comprehensive plan for Byron shows a corridor connection that will be running right through the site. It will also connect to the planned corridor, open space, greenways, etc. One idea is to use the existing 345-transmission line as a corridor for recreational transportation. The easement would be there for the transmission if its permitted, but would need a secondary easement on top of that to allow for recreational transportation. Member noted that trail users might not want recreational trail under transmission line. There are limited corridors, and sometimes there are tradeoffs.
- CSAH15 and Hwy 14 interchange is currently not funded. Considering long-term expansion projects, there is concern about building solar to the edge of a property and impact if the state/county wants to expand the roadway, and this should be considered as potential mitigation for transportation.

#### Property Values

- Distance and space have impacts on visuals. Members would like to see clarity and definition of Good Neighbor Agreement 500 ft (from where to where). Concern that 500 ft might not be sufficient. Member knows an individual who was excluded because they were 600 ft from the project.
- Individuals are moving out of township because the planned solar farm. Concern that this will decrease property value.
- Even if the property value goes up because of the solar project, people would still prefer not to live by a solar project. Hard to say it won't affect property value.
- Discussion about requiring a clause attached to the legal description title saying that a property cannot be sold until the property is cleaned up from decommission. Suggest setting up parameters for future property sales for the provision of zoning.
- Member suggested agricultural land with solar panels would be increase income and increase property value over agriculture. However, residential land adjacent solar panels will decrease property value and residential expansion.
- A significant portion of Canisteo Township would become solar panels, which will impact current farmlands and township plan.

#### Zoning and Land Use Compatibility

- Depending on the county's zoning for visual barriers, these visual barriers could get expensive.
- As soon as the solar project goes in, the parcel loses its ability to be zoned for urban expansion. Solar is not allowed in urban expansion areas while agriculture is.

#### Visual and Aesthetic

- Dodge County zoning ordinance requires three rows of trees, planted at a minimum of 200 ft from the road centerline. The rows will be spaced 16 ft, 10 ft, 8 ft off center apart. For small solar farms, the first two rows from the boundary line will be shrubs to achieve a mature height



of 8-30 ft. The third row will be evergreens to achieve a mature height of 30-60 ft. There will need to be adjustments for larger solar farms. Visual buffer needs to be kept.

- Regarding the tree buffers, it is important to consider both visual setbacks and necessary space for snow removal.
- Weed control needs to be managed.
- Control vegetation, so it doesn't create homes for animals to inhabit. Don't want to cause an issue to neighboring parcels.
- Provide habitat for beneficial insects/pollinators.
- Some projects are using the solar facilities as community gardens to deal with weed control and provide habitat for pollinators.
- Risk of glare from the solar panels – blinding drivers and blocking views of corners.
- Dodge County requires a glare study.
- Require visual barriers around the solar project to reduce glare.

#### Economics

- Create more jobs, hire locally.
- The economic benefits on the employment side is short-lived, unless there is ongoing maintenance.
- Solar project requires maintenance which could be local job opportunities.
- Agriculture has downstream jobs in other areas (ex. elevators, trucking, processing, etc.), which may be lost from the land converted to solar.

#### Water Resources

- A hydrologic study needs to be conducted. The hydrologic study must go beyond the project boundary.
- Tiles connect, so a large drainage tile system analysis needs to be done. Tiling system – upfront due diligence.
- Regarding infiltration basin, there needs to be a soil study done because there are certain requirements regarding what type of pond can be used based on hydric soils in the project site.
- Upon project decommissioning, replace past tile system to return to agriculture.
- Filtration/infiltration ponds need to be clean, and what entity will be responsible for maintaining and cleaning these ponds.
- MnDOT typically requests stormwater runoff calculations for right-of-way adjacent projects during the permitting process.

#### Natural Resources

- Make sure that seed mixes applied under panels are being considered.
- Increased pollinators to ensure the seed mix is productive, leaving it in its best nutrient state after the project goes.
- Invasive species control.
- Wetland impacts - what would it take to replace or decommission these.

- Reestablishing tile line - If this isn't farmland, but it may have a different use, how does this affect the overall approach. If a portion of it becomes a subdivision after decommissioning, you may not be able to reestablish those tile lines to make some of the other land farmable.

### Decommissioning

- Dodge County request that the project follows the county's decommissioning requirements for Solar Energy Farms (Chpt. 16: Zoning Ordinance, 16.46.3, D5). The county requires a performance bond or cash escrow upfront. A decommissioning plan should also be included.
- Request to clearly identify decommissioning responsibility after the project ends if the bond is not enough money, the site is sold, or similar actions.
- Clarity on panel specification is needed for stormwater calculations and decommissioning planning process
- Require decommission plan updates if there are changes to the existing decommissioning plan. For example, if planned decommissioning is to return to agriculture but now will be a development, then an updated plan with public review and comment should be considered.
- Consider retiling the properties to the way they were as part of decommissioning.

### Identifying Site and Transmission Line Route Benefits and Issues

#### Benefits:

- A benefit to MnDOT because the transmission line is crossing the highway. This is less impact on the trunk highway system than paralleling a highway. Because Byron Solar owns the line, MnDOT does not consider them a public utility for transportation purposes. MnDOT does not permit private ventures to run parallel with trunk highways.
- The proposed transmission route runs along existing corridors, railroads, and county roads.

#### Issues:

- Construction, if permitted, will take place regardless of whether a Good Neighborhood Agreement is reached or not. There are two versions of the Good Neighborhood Agreement based upon how many sites the panel faces versus the property.
- Community concern about the use of prime farmland would apply to any site in the area.

### Question about the project

*Is all the electrical above or below ground?*

- All electrical infrastructure is underground except for the transmission line. These 70-100 ft steel poles.

*Why project boundaries to MnDOT Right-Of-Way (ROW)?*

- Byron Solar, LLC has rights up to the MnDOT ROW if the property owner in question has given us an option to purchase an agreement.

*What if MnDOT/Dodge County needs to expand roadways in the future adjacent to the project site?*

- Byron Solar LLC is open to discussion in the future. It is private property, and Byron Solar is open to working with MnDOT and the county to define expansion. The landowner will likely want to seek an easement agreement otherwise, it will become unusable to them or to Byron Solar.

*Where is the 500 ft Good Neighbor Agreement coming from?*

- The Good Neighbor Agreement is voluntary. 500 ft was selected based on existing economic and property value studies. Historically there are no property value impacts beyond 200 ft. Research shows that solar farms increase property value.

*Have you've done an analysis of the roads and potential agreements with local road owners?*

- It would be part of the construction planning and open to discussions in the future.

*What's your plan set back from the road?*

- In the current site design, we are at least 100 ft from the centerline of any road. County is concern about large equipment clipping a solar panel. The plan is approximately 30-50 ft into the farm field. County has a setback of 50 ft from ROW for accessory structure and 100 ft from ROW for solar panels.

*Is the project limit finalized?*

- Byron Solar LLC will not be adding any additional property.

*Have the panel specifications been finalized?*

- Byron Solar stated that it can provide example specifications with panel dimensions but is unable to commit to specific panels at this time. Purchasing panels would occur until later in the process, closer to the actual construction timeline. Panel efficiency is increasing over time, which has been reducing panel sizes.

### **Meeting Adjourned**

Dan concluded the meeting with an overview of the next steps.

Next Advisory Task Force meeting: February 4, 2022

Public meeting: January 25, 2022 (in-person) and January 26, 2022 (virtual)



# Byron Solar Advisory Task Force

## Meeting #2

February 4, 2022

10:00 a.m. to 11:30 p.m.

Dodge County Government Services Center

721 Main St. N, Mantorville

Hybrid meeting – Zoom Meeting

### Task Force Members:

Lauren Cornelius, Dodge County; Mark Engel, Olmsted County; Nathan Gransee Mantorville Township; Neil Witzel, Canisteo Township; Stacy Kotch Egstad, Minnesota Department of Transportation; Steven Cook, City of Byron; Tim Ibisch, City of Kasson

### Task Force Staff:

Suzanne Steinhauer, Minnesota Department of Commerce; Dan Pfeiffer, Zan Associates; Faith Xiong, Zan Associates

### Attendees:

Scott Wentzel, Byron Solar, LLC

### Meeting Summary

Dan Pfeiffer began the meeting with an overview of the meeting process and a summary of the first and second meeting of the advisory task force.

- Meeting # 1 Identify impacts and issues to be analyzed in the environmental assessments
- Meeting # 2 Prioritize impacts and identify potential mitigation measures

Dan provided an opportunity for the group to add any additional thoughts on the issues, impacts, and mitigation measures discussed in the first and second meeting and asked the group if any other changes were to be recorded in the report.

### Discussion:

Task force members discussed the language surrounding agriculture and farmland as a top priority in the Advisory Task Force (ATF) report. Agriculture and farmland were not included in the prioritization exercise as it represented significant discussion during impact and issue identification and existing study requirements. Task force members noted that this prime farmland is the top tier of prime farmland as measured by crop index.

Task force members asked whether the Commission would review all the ATF documents or just the report. It was noted that the ATF report would include the meeting materials and summaries, and the entire package is included in the EA scoping report and record.

Task force members noted it is vital to know the solar panel size to calculate the water retention ponds used.

Additional discussions focused on road-use agreements and whether local jurisdictions should consider bonding requirements for road use.

Task force members discussed what they heard at the public scoping meetings, including;

- many people were upset and were not in favor of this project
- people didn't believe that this project would improve their property value, and
- one task force member mentioned that two landowners at the meeting felt pressured to lease their property to the developer because the primary landowners surrounded their property. They felt they didn't have a choice because they would be totally surrounded by solar. The landowner received a bonus from the person who rents land because the land was so productive the previous year.

A task force member noted that there are often competing interests. In the county, there is prime farmland developed for other uses.

Dan provided a summary of what to anticipate after the meeting and asked the group to identify items that should be included as part of the conclusions in the report.

Impacts to include and highlight in the conclusion:

#### **Local performance standards**

Task force members noted that development is typically restricted based on local ordinances. The project should follow Dodge County performance standards for solar farms and other local ordinances. Member recommended that the project is willing to follow the same rules as other developments and noted that the community developed the performance standards. Another task force member noted the variance process used in developments.

Member also noted that certain items for decommissioning get into a contractual obligation between the property owner and the project owner. Also, noting that other developments are not required to post bonding for removing 100% of the facility in the future.

#### **Erosion concern on prime farmland**

Task force members noted concern regarding stormwater calculations for adequate retention, infiltration, and erosion control. Project developer clarified it is designed for a 100-year flood event.

Task force members noted the importance of prime farmland, both that being used for the project as well as land in the surrounding area, as one of the conclusions and that surrounding properties are just as valuable as properties in the project area. Need to ensure that agricultural land surrounding the project is also considered in all the mitigation practices.

Another member noted that a goal should be that the project will not make the land worse than it is today.

### **Water resource**

Task force members noted project construction drainage tiles impact potential and suggested this needed to be better explained in the report for non-agriculture readers. Additional discussion focused on the concern with snowmelt and site erosion.

### **Property Values**

Task force member noted that people had bought home in the country to get away from the city to retire and asked what would make people want to buy this land for retirement in the future? And, how does this project affect this population?

### **Other**

Project feels forced on the community. Task force members expressed both concern and frustration with the process not starting or consulting at the local city/township level. Members noted that solar farms could go anywhere, and other locations will not impact farmland this way.

Task force members noted concern about how the project will impact the County's relationship with community members if the project moves forward. Concern focuses on the potential influx of calls or communications which will burden county staff time to respond to without clear authority to address community member concerns. Members noted that good communication and responsiveness by the project proposer is necessary if the project moves forward.

Discussion among task force members regarding the development of prime farmland in broad context, noting there are land-use processes and procedures for variances and development for residential or other uses.

### **Mitigation measures to include and highlight in the conclusion:**

Task force members reiterated that the proposer's good communications with the community are necessary, so the County and local jurisdictions don't bear the responsibility for project communications. Members also noted that good communication between the proposer and local jurisdictions is essential. Members also suggested that clear communication of the approval process and future issue resolution is essential for the local jurisdictions to share with their constituents.

Task force members suggested that the proposer begin bridging the gap in communication by presenting the project to the County Board. Proposer noted scheduling a presentation that was postponed due to illness recently.

Task force members suggested that local jurisdiction review and commenting on permitting may help mitigate concerns for road degradation and water resources.

Task force members recommended annual inspection and public reporting on findings to ensure transparency.

### Next step:

The EA will identify impacts and mitigation measures. Then these findings go to the judge. The judge makes recommendations to the Commission. The judge gets the ideas from what's been identified in the record.

Local jurisdictions and the public have an opportunity to provide comments on the EAW. These comments may result in mitigation measures. If the Commission issues a permit it will identify mitigation measures.

The Advisory Task Force will have another opportunity to see the draft report and provide feedback on the mitigation measures and the details.

### **Comments on Draft Report**

- Number 6; bullet 1: Zoning to land use compatibility can impact future and long-term growth of Kason pushing south and Byron place of force main sewer to server certain area. Byron future force main is outside the area.
- Number 5; bullet 1 Economics: Include the downstream effect of agricultural production on the economy (ex., farmers buy farm equipment, grocery store buy products from farmers, etc.).
- Number 7; bullet 2: Making it the landowner's responsibility for excess cost in decommissioning a site if bonding isn't sufficient. If the bonding isn't sufficient, should the landowners and their heirs be responsible for the excess cost for decommissioning? More detail is needed.
- Number 7; bullet 3: add language about land returning to its pre-panel state. Canisteo Township is an agricultural focus.

### **Meeting Adjourned**

Dan concluded the meeting with an overview of the next steps.



Byron Solar Advisory Task Force Meeting #3

