



**Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road
St. Paul, MN 55155-4040**

October 4, 2023

Bill Storm
Minnesota Department of Commerce
85 7th Place East, Suite 280
St. Paul, MN 55101

**RE: In the Matter of the Application of Elk Creek Solar, LLC for a Site Permit for the up to 160 MW
Elk Creek Solar Project in Rock County, PUC Docket Number: IP7009/GS-19-495**

Dear Mr. Storm,

The Minnesota Department of Natural Resources (DNR) has reviewed the site permit application for the Elk Creek Solar Project in Rock County. Based on a thorough evaluation of the project area, including the previously unreviewed area, our agency offers the following comments regarding the potential environmental impacts that should be considered in the environmental assessment (EA).

Security Fencing

The EA should address the security fence design. Section 3.1.4 of the permit application states that security fencing will be installed along the perimeter of the solar arrays and Preliminary Development Area. Our agency appreciates the integration of deer egress gates, as shown in Appendix B, Sheet C200. However, the placement of the gates should be adjusted so that any deer removed from the solar facility are not directed onto nearby roadways. Additionally, placing the gates at an “outward facing” corner, rather than an “inward facing” corner, would aid in removing deer that may enter the facility. Our agency advises that the DNR’s *Commercial Solar Siting Guidance* was updated in February 2023. The guidance reflects current fencing recommendations to help avoid or mitigate wildlife entanglement or entrapment.

State-listed Fish

The EA should describe measures to avoid and/or minimize impacts to state-listed fish species. The Natural Heritage review letter (July 5, 2023) states that Topeka shiner (*Notropis topeka*), a federally listed endangered and state-listed special concern species, and plains topminnow (*Fundulus sciadicus*), a state-listed threatened species, have been documented in several places in Elk Creek in the vicinity of the proposed project. These fish species are adversely impacted by actions that alter stream hydrology or decrease water quality. Stringent erosion and sediment control practices must be implemented and

maintained near the stream and any of its tributaries during project construction and operation. Section 4.5.8.4 of the permit application indicates that Elk Creek will follow the U.S. Fish and Wildlife Service's *Recommendations for Construction Projects Affecting Waters Inhabited by Topeka Shiners in Minnesota*.

Facility Lighting

The EA should discuss measures to mitigate lighting impacts associated with the operation and maintenance facility, inverters, and security lighting at the entrances. Section 3.1.4 of the permit application states that lighting at the entrances and inverters will be downlit. Downlighting will help minimize light pollution. The DNR advises that LED lighting is often high in blue light, which is harmful to birds, insects, and other animals. Potential project impacts related to illuminated facilities can be avoided or minimized by using shielded and downward facing lighting and lighting that minimizes blue hue.

Dust Control

The EA should address dust control. Section 4.5.1.1 of the permit application states that, when necessary, dust from construction traffic will be controlled using standard construction practices such as watering of exposed surfaces and reduced speed limits. Our agency recommends avoiding products containing calcium chloride or magnesium chloride, which are often used for dust control. Chloride products that are released into the environment do not break down, and instead accumulate to levels that are toxic to plants and wildlife.

Wildlife-Friendly Erosion Control

The EA should address the importance of using wildlife-friendly erosion control. Due to entanglement issues with small animals, the DNR recommends that erosion control blankets be limited to "bio-netting" or "natural netting" types, and specifically not products containing plastic mesh netting or other plastic components. Hydro-mulch products may contain small synthetic (plastic) fibers to aid in its matrix strength. These loose fibers could potentially re-suspend and make their way into waterways.

The DNR appreciates the opportunity to comment on the Elk Creek Solar Project. If you have questions about our agency's comments, I may be reached at 651-259-5078 or cynthia.warzecha@state.mn.us.

Sincerely,

/s/ Cynthia Warzecha

Energy Projects Planner

EC: Michael Kaluzniak, Minnesota Public Utilities Commission
Sam Lobby, Minnesota Public Utilities Commission
Haley Byron, Minnesota Department of Natural Resources
Marc Morandi, National Grid Renewables

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