

Appendix A

Scoping Decision

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In the Matter of the Application of Coneflower Solar, LLC for a Site Permit for the up to 235 MW Coneflower Solar Project in Lyon County, Minnesota

**ENVIRONMENTAL ASSESSMENT
SCOPING DECISION**

DOCKET NO. IP-7132/GS-24-215

The above matter has come before the Commissioner of the Department of Commerce (Department) for a decision on the scope of the environmental assessment (EA) to be prepared for Coneflower Solar LLC's proposed 235 megawatt (MW) solar energy project in Custer Township in Lyon County, Minnesota.

Project Description

On August 19, 2024, Coneflower Solar, LLC (Coneflower Solar) submitted a site permit application to the Minnesota Public Utilities Commission (Commission) to construct the Coneflower Solar Project – an up to 235 MW alternating current photovoltaic solar energy generating facility.¹

The project will occupy approximately 1,723 acres in Custer Township, immediately north of the city of Garvin. The project will use photovoltaic solar panels mounted on single axis tracking systems. Aboveground collection cables mounted underneath panels in a hanging harness system will gather and send the electric power generated by the solar panels to a project substation.

The project has two potential interconnection scenarios: the MISO Scenario and the Garvin Scenario. In the MISO Scenario, a 34.5/115 kV substation located in the north-central portion of the project will connect with the electric grid through the existing Lyon County to Lake Yankton 115 kV transmission line via an adjacent switching station and up to 500 feet of 115 kV transmission line that will be permitted, constructed, owned, and operated by the interconnecting utility (Xcel Energy). In the Garvin Scenario, a 34.5/345 kV substation located in the east side of the project will connect with the electric grid through the proposed Garvin Substation from Xcel Energy's Minnesota Energy Connection route permit application (separate proceeding, Docket TL-22-132) via a short (up to 1 mile), aboveground 345 kV transmission line.²

Coneflower Solar indicates that a generator interconnection agreement (GIA) for the project has been filed with the Midcontinent Independent System Operator (MISO). Coneflower Solar expects to sign a GIA in summer 2025. Construction is anticipated to begin in 2026 with completion and operation anticipated in 2027.³

Project Purpose

Coneflower Solar states that the project will assist the State of Minnesota in meeting its renewable energy objectives, benefit the local community, and achieve greenhouse gas reduction targets.⁴ Coneflower Solar is working to secure a power purchase agreement with wholesale customers (e.g.,

¹ Coneflower Solar Project, Application to the Minnesota Public Utilities Commission for a Site Permit for a Large Electric Generating Facility, August 19th, 2024, eDockets Numbers [20248-209609-01](#) (through -10), [20248-209610-01](#) (through -08).

² Site Permit Application, Section 4.1.

³ Site Permit Application, Section 2.4.

⁴ Minnesota Statute 216B.1691.; Site Permit Application, Section 1.3.

Minnesota utilities and cooperatives) or commercial and industrial customers to sell the electric power generated by the project.

Regulatory Background

In Minnesota, no person may construct a large electric power generating plant without a site permit from the Commission.⁵ A large electric power generating plant is defined as a facility capable of operating at a capacity of 50 MW or more.⁶ The Coneflower Solar project will be capable of producing up to 235 MW and therefore requires a site permit from the Commission. Because the project is powered by solar energy, the site permit application qualifies for Commission review under the alternative permitting process described in Minnesota Statute 216E.04, Subd. 2.

As Coneflower Solar is an independent power producer, a certificate of need (CN) is not required for the project. The project is exempt under Minnesota Statute 216B.243, subd. 8(a)(8), which provides that a CN is not required for a “solar energy generating system, as defined in section 216E.01, subdivision 9a, for which a site permit application is submitted by an independent power producer under chapter 216E.”⁷

Department of Commerce, Energy Environmental Review and Analysis (EERA) staff is responsible for conducting environmental review for site permit applications submitted to the Commission.⁸ EERA staff will prepare an environmental assessment (EA) for the project. An EA contains an overview of the resources affected by the project. It also discusses potential human and environmental impacts and possible mitigation measures.⁹ Under the alternative permitting process, an EA is the only required state environmental review document.

Scoping Process

Scoping is the first step in the environmental review process. The scoping process has two primary purposes: (1) to gather public input as to the impacts and mitigation measures to study in the EA and (2) to focus the EA on those impacts and mitigation measures that will aid in the Commission’s decision on the site permit application.

Staff uses the information gathered during scoping to inform the content of the EA. EERA staff gathered input on the scope of the EA through public meetings and an associated comment period. This scoping decision identifies the impacts and mitigation measures that will be analyzed in the EA.

Public Information and Scoping Meetings

On November 12, 2024, Commission and EERA staff jointly held a public meeting in Tracy, Minnesota. Approximately 25 people attended this meeting and 7 attendees provided comments. Verbal comments in support and opposition to the project were received. Several potential impacts and concerns related to the project were raised including labor, barriers to animal migration and vehicle collision risks, property values, aesthetics, and who the project beneficiaries are.¹⁰ The following evening, November

⁵ Minnesota Statute 216E.03.

⁶ Minnesota Statute 216E.01.

⁷ Minnesota Statute 216B.243, Subd. 8(a)(8)

⁸ Minnesota Rule 7850.3700.

⁹ Minnesota Statute 216E.04, subd. 5; Minn. Rule 7850.3700, subp. 4.

¹⁰ Coneflower Solar Project, Oral Comments on the Scope of Environmental Assessment, eDockets Number [202412-213040-01](#).

13, 2024, Commission and EERA staff held a remote-access public meeting. Approximately four individuals from the public attended this meeting, with one individual providing comments over the use of prime farmland for the project, the productivity of this land, and how impacts to prime farmland will be minimized and mitigated.¹¹

Written Public Comments

A comment period ending on December 4, 2024, provided the public with an opportunity to provide input on the scope of the EA. Written comments were received from 7 members of the public.¹²

In addition to expressions of opposition to and support for the project, written public comments addressed several potential impacts and concerns related to the project. Numerous human impacts were raised including aesthetic impacts to non-participating landowners; the economic losses to local agriculture suppliers due to taking farmland out of production; management of shared farm drainage between leased and non-leased land; emergency plans for panel-damaging scenarios; the human health impacts of panel heat and/or glare; anticipated decibel levels at adjacent homes during project operation; long-term vs. short-term employment opportunities; who bears financial responsibility for the cleanup and restoration of the land and what financial assurances exist; negative effects to property values; the recreational and cultural significance of the land for hunting and fishing; and the necessity of such an expensive project in the area.

In addition, several environmental impacts were noted including the potential for fencing to hinder wildlife movement, increasing the risk that animals will become trapped, unable to escape predators, or funneled onto nearby roads and hit by vehicles; the impacts of panel heat and/or glare on wildlife health and activity; and whether long-standing trees bordering the project will be removed to prevent panel shading.

Tribal Comments

The Boise Forte Band of Chippewa requested they be informed if an unanticipated discovery of human remains is found.¹³

Agency Comments

The Minnesota Department of Transportation (MnDOT) provided comments on the impact of project water basins on peak runoff rates to the US 14 right-of-way, blowing snow concerns due to removing or altering the snow trap and snow fence within the project area, and the need for ongoing coordination with MnDOT regarding future construction activities, permitting, and traffic control.¹⁴

The Minnesota Department of Natural Resources (DNR) provided comments on potential impacts to wildlife generally resulting from proposed fencing, setback distances, dust control methods, lighting design, and erosion control methods. In addition, the DNR requested the project VMP be consistent

¹¹ Coneflower Solar Project, Oral Comments on the Scope of Environmental Assessment, eDockets Number [202412-213040-01](#).

¹² Coneflower Solar Project, Written Comments on the Scope of Environmental Assessment, eDockets Number [202412-212858-01](#).

¹³ Boise Forte Band of Chippewa Comment, eDockets Number [202411-211730-01](#).

¹⁴ MnDOT comment, December 4, 2024, eDockets Number [202412-212702-01](#).

with their technical guidance for prairie establishment and management at solar sites and advised against using non-native grass and clover seed mixes.¹⁵

Union Comments

The Operating Engineers Local 49 (Local 49) and North Central States Regional Council of Carpenters (NCSRCC) jointly noted the ability of the project to provide good paying opportunities for local workers.¹⁶

HAVING REVIEWED THE MATTER, consulted with EERA staff, and in accordance with Minnesota Rule 7850.3700, I hereby make the following scoping decision:

MATTERS TO BE ADDRESSED

The EA will describe the project and the human and environmental resources of the project area. It will provide information on the potential impacts of the project as they relate to the topics outlined in this scoping decision and possible mitigation measures. It will identify impacts that cannot be avoided and irretrievable commitments of resources, as well as permits from other government entities that may be required for the project. The EA will discuss the relative merits of the proposed project site with respect to the siting factors in Minnesota Rule 7850.4100.

The issues outlined below will be analyzed in the EA for the project. This outline is not intended to serve as a table of contents for the document itself.

I. GENERAL DESCRIPTION OF THE PROJECT

- A. Project Description
- B. Project Purpose
- C. Project Costs

II. REGULATORY FRAMEWORK

- A. Site Permit
- B. Environmental Review
- C. Grid Interconnection
- D. Other Permits and Approvals

III. ENGINEERING, DESIGN, AND CONSTRUCTION

- A. Solar Arrays
- B. Electrical Collection Systems
- C. Substation
- D. Associated Facilities

IV. OPERATION AND DECOMMISSIONING

¹⁵ DNR comment, December 4, 2024, eDockets Number [202412-212709-01](#).

¹⁶ IUOE Local 49 and NCSRC of Carpenters, December 5, 2024, eDockets Number [202412-212729-01](#).

- A. Maintenance
- B. Vegetation Management
- C. Repowering and Decommissioning

V. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATIVE MEASURES

The EA will include a discussion of the human and environmental resources potentially impacted by the project. Potential impacts of the project will be described and characterized. Based on the impacts identified, the EA will describe mitigation measures that could reasonably be implemented to reduce or eliminate the identified impacts. The EA will describe any unavoidable impacts resulting from implementation of the project.

Data and analyses will be commensurate with the level of impact for a given resource and the relevance of the information to consider mitigation measures. EERA staff will consider the relationship between the cost of data and analyses and the relevance and importance of the information in determining the level of detail of information to be prepared for the EA. Less important material may be summarized, consolidated, or simply referenced.

If relevant information cannot be obtained within timelines prescribed by statute and rule, the costs of obtaining such information is excessive, or the means to obtain it is unknown, EERA staff will include in the EA a statement that such information is incomplete or unavailable and the relevance of the information in evaluating potential impacts or alternatives.

- A. Environmental Setting
- B. Human Settlements
 - 1. Noise (operations)
 - 2. Aesthetics (vegetative screening)
 - 3. Displacement
 - 4. Property Values
 - 5. Zoning and Land Use Compatibility (setbacks)
 - 6. Cultural Values (hunting, fishing)
 - 7. Transportation and Public Services (US 14 ROW drainage, snow fences and traps, road use, wildlife-vehicle collisions)
- C. Socioeconomics
 - 1. Environmental Justice
 - 2. Local Economies (employment, financial assurances, agricultural suppliers)
- D. Public Health and Safety
 - 1. Electric and Magnetic Fields
 - 2. Emergency Services (planning, emergency scenarios)
- E. Land Based Economies
 - 1. Agriculture (drainage, prime farmland)
 - 2. Forestry
 - 3. Mining
 - 4. Recreation and Tourism (hunting and fishing)
- F. Archaeological and Historic Resources (unanticipated discoveries)
- G. Natural Environment
 - 1. Water Resources
 - 2. Soils (erosion control)

3. Geology
4. Flora (tree removal, VMP)
5. Fauna (wildlife movement, lighting effects)
6. Air Quality (dust)
7. Climate Change / Climate Resiliency
- H. Threatened / Endangered / Rare and Unique Natural Resources
- I. Electric System Reliability
- J. Adverse Impacts that Cannot be Avoided
- K. Irreversible and Irretrievable Commitments of Resources

ISSUES OUTSIDE THE SCOPE OF THE EA

The EA will not address following topics:

- Any site other than the project site proposed by the applicant.
- The manner in which landowners are compensated for the project.

SCHEDULE

The EA is anticipated to be completed and available in March 2025. Upon completion, it will be noticed and made available for review. Public hearings will be noticed and held in the project area after issuance of the EA. Comments on the EA may be submitted into the hearing record.

Signed this 3rd day of January, 2025

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE



Pete Wyckoff, Deputy Commissioner



