

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

April 10, 2025

Public Advisor
Consumer Affairs Office
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: In the Matter of the Application of Gopher State Solar, LLC, for a Site Permit for the up to 200 MW Gopher State Solar Project in Renville County, MN: PUC Docket Number: IP-7119/GS-24-106

Public Advisor,

The Minnesota Department of Natural Resources (DNR) has reviewed the Environmental Assessment (EA) for Gopher State Solar, LLC (Applicant) to construct a 200 MW solar energy generating system (Project) in Renville County. Based on the review of the EA, the DNR offers the following comments:

Security Fencing

The EA indicates the security fencing will reach a maximum height of seven feet above grade. The DNR advises the security fence reaches a minimum height of 10 feet around each grouping of solar arrays to prevent large wildlife from entering the solar facility, as detailed in the DNR's documents, [Fencing Handbook for 10 ft Woven Wire Deer Exclusion Fence](#) and [Commercial Solar Siting Guidance](#). The Applicant should note that the DNR will not issue a white-tailed deer removal permit for facilities with security fences lower than 10 feet. The DNR supports section 4.3.32 of the draft site permit which directs the Permittee to coordinate the final security fencing design with the DNR and the Department of Commerce.

Facility Lighting

Chapter four of the EA states that the Applicant will install down-lit security lighting outside the O&M building, gates, and perimeter fence. To ensure lighting impacts are minimized, the DNR recommends a

special permit condition that requires shielded, downward facing lighting to minimize blue hue. Light-emitting diode (LED) lighting is often high in blue light, which is harmful to birds, insects, and other animals. A similar special permit condition was included for the substations and maintenance facilities associated with the permitted Enbridge Solar (Plummer Solar) project (Docket GS-22-451): *The Permittee must use shielded and downward facing lighting and LED lighting that minimizes blue hue at the project substation and operations and maintenance facility. Downward facing lighting must be clearly visible on the site plan submitted for the project.*

Dust Control

Section 4 of the EA states that the project will generate fugitive dust from travel on unpaved roads, grading, and excavation. The EA discusses watering exposed surfaces at the Project site as a standard construction practice for reducing fugitive dust. Products containing calcium chloride or magnesium chloride are commonly used dust control agents. Chloride products that are released into the environment do not break down and accumulate to levels that are toxic to plants and wildlife. To ensure chloride products are not used at the Project site, the DNR recommends a special permit condition which was included in the permitted Plummer Solar project (Docket GS-22-451): *The Permittee shall utilize non-chloride products for onsite dust control during construction.*

Wildlife-Friendly Erosion Control

Due to the potential of small animal entanglement, the DNR recommends erosion control blankets be limited to “bio-netting” or “natural netting” types, and specifically not products containing plastic mesh netting or other plastic components. Furthermore, hydro-mulch products often contain small synthetic (plastic) fibers and malachite green dye which poses toxicity concerns for fish, wildlife, and insects. The DNR recommends the following special permit condition: *The Permittee shall use only “bio-netting” or “natural netting” types of erosion control materials and mulch products without synthetic (plastic) fiber additives or malachite green dye.*

Vegetation Management Plan

The DNR recommends continued coordination with the Vegetation Management Plan Working Group (VMPWG) to refine the Project’s Vegetation Management Plan (VMP). The DNR supports section 4.3.17 of the draft site permit to require the Applicant to develop a VMP in coordination with the VMPWG. Our agency also supports section 4.3.16 of the sample permit application to encourage the Applicant to meet the standards of the Minnesota Habitat Friendly Solar Program by submitting the necessary documentation with the Board of Water and Soil Resources to ensure compliance with the program’s standards. The current seeding plan in the VMP does not comply with the Minnesota Habitat Friendly Solar Program.

In addition to coordinating with the VMPWG, the final VMP should be developed in accordance with the DNR’s [*Prairie Establishment and Maintenance Technical Guidance for Solar Projects*](#). The seed mix and best management practices described in the VMP do not adhere to our agency’s guidance nor is

the guidance referenced. Seed mixes should include diverse native grasses and forbs that match site conditions to minimize erosion, create pollinator and wildlife habitat, and improve soil health.

State-listed Species

To ensure compliance with Minnesota state-listed endangered and threatened species laws, our agency requests the following permit condition:

Prior to the start of construction, the Permittee shall resubmit a Natural Heritage Review and continue to consult with the MDNR regarding implementation of avoidance measures for state-protected threatened and endangered species. The Permittee will comply with applicable Minnesota Department of Natural Resources requirements related to state-listed endangered and threatened species in accordance with Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134). The Permittee shall keep records of compliance with this section and provide them upon the request of Commission staff.

The DNR appreciates the opportunity to comment on the Gopher State Solar project. Please contact me if you have questions about our agency's comments.

Sincerely,

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Energy Review Planner
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651-259-5402

Attachment: Natural Heritage Review Letter

CC: Haley Byron, Minnesota Department of Natural Resources

Equal Opportunity Employer