May 30, 2025

Mr. Will Seuffert

Executive Secretary
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
St. Paul, MN 55101

RE: Vegetation Management Plan
Solway Solar Project
PUC Docket No. E017/GS-24-309
OAH Docket No. 23-2500-40576

Mr. Seuffert:

EERA, on behalf of the interagency Vegetation Management Planning Working Group (VMPWG), respectfully submits comments on the Vegetation Management Plan (VMP) proposed by Otter Tail Power Company (Otter Tail).

The VMPWG has reviewed the draft VMP for the proposed Solway Solar Project (Project) included as Appendix I of the Site Permit Application filed October 11, 2024.[1] The VMPWG does not recommend any action by the Minnesota Public Utilities Commission (Commission) at this time but is providing comments to facilitate transparency in the record as the VMPWG works with Otter Tail to arrive at a VMP that is adequate to meet pre-construction compliance filing requirements.

Overall, the plan for site restoration and implementation appears to be achievable and includes a range of potential seed mixes that can meet the anticipated permit conditions and the applicant's objectives. However, the VMPWG finds the information provided in the draft VMP to be relatively general, and notes that the final VMP will require substantially more project-specific details.

The VMPWG is committed to working with applicants and permittees to ensure that site restoration is successful and meets the goals laid out in the management plan. The VMPWG provides these specific comments on the plan and recommends that Otter Tail address these comments in its pre-construction VMP submittal:

[1] Otter Tail Power Company, *Site Permit Application: Solway Solar Project. Appendix I, Vegetation Management Plan*. October 11, 2024, eDocket No. 202410-210889-02.

General Format

- The VMPWG generally recommends that VMPs are written as plans that can be followed throughout the life of the project, using appropriate language and referencing clear actionable items that will be taken to meet VMP goals. The plan must be specific to the project, as opposed to a general discussion of vegetation establishment and management methods, and include detailed information on how it will be implemented, such as equipment specifications and timing and frequency of management activities.

Goals and Objectives

- The applicant should define management objectives that correspond to the established VMP goals. Short-term and long-term management goals and objectives are also necessary for each management unit.

Management Units

- The applicant should define and describe each Vegetation Management Unit (VMUs) (units can be defined by characteristics like seed mix, land use type, type of vegetation establishment, etc.).
- Short-term and long-term management objectives should be included for each individual VMU.
- The VMP should include information that was provided in Appendix 1: Management Practices for Solar Arrays as a part of the management techniques for each VMU. This appendix may not be necessary, as components should already be included in the VMP.

Site Preparation

- The VMP should include additional information in the site description section addressing site specific details such as topography, hydrology, frequency of flooding, and historic vegetation.
- The VMP contains very little information on site and seedbed preparation. The applicant should describe the anticipated site preparation activities and identify necessary equipment.
- The VMUs may require different site preparation methods due to characteristics such as soil properties or temporary saturation. The applicant should describe site preparation techniques and/or equipment that may be required in specific VMUs or under certain circumstances.
- The applicant is advised to verify the chemical application history of the site to determine if special methods will be necessary to allow for successful native vegetation establishment.

Seed Installation

- The VMP should include a table of the schedule/sequence of planned construction, planting, and management activities. Each step of the sequence should be listed along with a summary of what the step entails, a description of when the step will occur in the sequence, and the appropriate month/season to implement the step.

- Prior to construction, the applicant should clarify if seeding of the VMUs will occur simultaneously with Project construction, or if pre-seeding will occur. Seeds installed during construction activities may struggle to establish and require supplemental seeding. The seed installation methods for temporary, permanent, and supplemental seeding (if necessary) should be defined for each VMU.
- The applicant should summarize steps that will be taken and equipment that will be used to protect soil health during construction and site preparation, such as compaction prevention, soil and subsoil handing techniques, and the use of cover crops. Cover crops are often used to stabilize soils and reduce weeds during site restoration. In addition to suppressing weeds, cover crops also can suppress and reduce germination of desired species. The applicant is advised to consult with the VMPWG when integrating cover crops with seed mixes.

Seed Mixes

- EERA and partner agencies request that the applicant provide a list of species substitutions for each seed mix. The applicant can work directly with EERA, BWSR, and DNR or use the seed substitution list provided by BWSR. The goal is to ensure that the ecological niche and guild of a plant species is retained when substitutions are necessary.
- The proposed seed mixes contain several species that are not suitable for the site. Species should be selected for seed mixes with site conditions in mind, such as soil moisture, light levels, and habitat type.
- The VMPWG recommends using the BWSR seed mixes as a starting point, with modifications made to fit the site. Several of the proposed seed mixes exhibit low bloom season diversity and do not contain the recommended minimum number of forb and grass species.

Visual Screening

- The applicant should clarify whether vegetative screening will be utilized for this Project, as the use of vegetative screening will require the development of a visual screening plan. Native species should be used for vegetative screening.

Mowing and Haying

- Mowing and haying should be timed to avoid impacts to wildlife, such as ground-nesting birds and wildlife butterflies. The VMP should define the timing of mowing and haying and indicate the height equipment will be set. The applicant should indicate any restrictions for mowing and haying in compliance with listed species requirements or special conditions. If haying is utilized, it should occur after the nesting season for grassland birds (May 15 – August 1) and should be done at a raised height.
- For mechanical mowing and haying, hayed/mowed vegetation should be bagged and removed off site to prevent smothering new growth. Haying/mowing equipment should be cleaned prior to use on site to prevent the spread of non-native and invasive species into the planting.

Grazing

- The use of grazing as a vegetation management technique will require the development of a grazing plan. The applicant's grazing plan should summarize the goals of grazing, the type and number of animals to be used, plans for fencing, the time and duration of grazing, and the decision-making process for ensuring that vegetation is not over-grazed. The grazing plan should include adequate rest after defoliation of at least 30 calendar days and include refugia, so the entire site is not defoliated at one time. Drought contingency plans should be developed to avoid overgrazing during extreme conditions.

Herbicide Use and Weed Control

- Mowing can increase the presence of noxious weeds, and the mower can spread these species throughout the site. The use of mowing to prevent the development of noxious, invasive, and woody plants should be approached with caution.
- The applicant must provide additional information about anticipated herbicide use, including herbicide type, surfactant rate, and frequency.
- Managing weeds is important in establishing native vegetation. Weed control through herbicide management should only include spot treatments, not broadcast spray, and it is recommended that spot treatments be required, not preferred, as a management technique. A description of steps that will be taken to ensure there will not be spray drift impacting nearby vegetation should be included. The applicant is advised that widespread application of herbicides may act as a pre-emergent and reduce germination of desired vegetation.
- An invasive species plan is a required component of the VMP and must be included. If an invasive species plan was created as a separate appendix of the Site Permit Application, it should be referenced and be able to work alongside the VMP.

Maintenance

- The VMUs may require different site management and maintenance techniques due to characteristics such as soil properties or temporary saturation. The applicant should describe management techniques and/or equipment that may be required in specific VMUs or under certain circumstances.
- The applicant should provide an anticipated schedule for both short-term and long-term maintenance phases.

Monitoring and Reporting

- Monitoring should be conducted by a qualified, third party, independent agency. The selected monitor should have sufficient botanical experience in identifying native plants, native plant communities, invasive species, and non-native species typical of Minnesota. The applicant should develop a monitoring plan that includes both quantitative and qualitative methods and provides an assessment of anticipated outcomes.

- An annual monitoring report allows for VMP revisions based on any shortcomings or challenges faced during the reporting period. The annual report will be key to keeping the VMP "alive" and on track for successful implementation and long-term success. The applicant should define the contents of annual reports and establish the report submission process.

Updates to the Vegetation Management Plan

- The VMPWG understands that Otter Tail is still finalizing aspects of the VMP and requests that Otter Tail continue to coordinate with EERA and other state agencies as the VMP is finalized prior to construction.

In summary, EERA recommends that the applicant continue to coordinate with the VMPWG as it finalizes the vegetation management plan, including the development of diverse, native seed mixes suitable for the site, refinement of the installation, management, and monitoring plans, and integration of project-specific details. The VMPWG looks forward to the successful site restoration of the Solway Solar Project. The VMPWG will provide additional review and recommendations to the Commission as part of EERA's pre-construction compliance review.

The VMPWG appreciates the opportunity to comment on the proposed Solway Solar Storage Project.

Sincerely,

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EERA Environmental Review Manager

Jessica Livingston
EERA Environmental Review Manager

CC:

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