

**In the Matter of the Applications of Louise Solar Project, LLC for a Certificate of Need for the 50 MW Louise Solar Project in Mower County, Minnesota;**

**In the Matter of the Applications of Louise Solar Project, LLC for a Site Permit for the 50 MW Louise Solar Project in Mower County, Minnesota.**

**Docket Nos. IP7039/CN-20-646; IP7039/GS-20-647**

**Commissioner Tuma moves to add the following to decision option 3.A.:**

In addition to the ALJ's findings on the rationale for the fence the Commission recognizes the flexibility outlined in the May 2016 Commercial Solar Siting Guidance developed by the DNR and as a result will modify section 5.5 of the permit to read as follows:

**5.5 Security Fencing**

The security fence surrounding the facility shall be designed to minimize the visual impact of the project while maintaining compliance with the National Electric Safety Code. ~~To ensure complete deer exclusion from the solar facility, the fence should be 10-foot high to meet DNR's Fencing Handbook For 10 ft Woven Wire Deer Exclusion Fence.~~ The Permittee shall develop a final fence plan for the specific site that meets the approval of ~~coordinate with~~ the DNR and is within the parameters laid out in the 2016 Commercial Solar Siting Guidance ~~to further refine the appropriate fence design, identify ways to preclude wildlife entanglement in the security fence, and to ensure adequate deer escape technology exists at the facility.~~ The final fence plan ~~results of the coordination~~ shall be submitted to the Commission with the site plan pursuant to Section 8.3.

Clean version:

**5.5 Security Fencing**

The security fence surrounding the facility shall be designed to minimize the visual impact of the project while maintaining compliance with the National Electric Safety Code. The Permittee shall develop a final fence plan for the specific site that meets the approval of the DNR and is within the parameters laid out in the 2016 Commercial Solar Siting Guidance. The final fence plan shall be submitted to the Commission with the site plan pursuant to Section 8.3.

**Separately, Commissioner Tuma moves the following decision option:**

Tuma New 6. The Commission requests that the DNR meet with interested solar development stakeholders to discuss their proposed amendments to the Commercial Solar Siting Guidance. The Commission further requests that the DNR provide the Executive Secretary with a report on their discussions and their plans for the amendment of the Guidance.

# Commercial Solar Siting Guidance

Minnesota Department of Natural Resources

May 2016

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## Design Considerations

### **Fencing**

Fencing of a solar site has the potential to disrupt wildlife travel corridors. Project sites should be designed in a manner that does not disrupt significant wildlife travel corridors. Significant wildlife travel corridors are typically associated with streams, rivers, large wetlands, or other habitats. Fences can be modified to allow small openings for small animals to move in and out of the fenced area. Modified fencing for animal passage should only be used for specific sites on an as needed basis.

Fencing that will direct wildlife onto roads, especially high speed roads, should be avoided, as it results in wildlife fatalities and creates a safety issue for the motoring public. The DNR will provide comments during review of individual projects about when the use of fence setbacks from roads is warranted. The setback recommendation will be based on traffic volume and speed, as well as wildlife population levels in the area (primarily deer), and the presence of wildlife travel corridors.

The DNR recommends using 3-4 strand smooth fencing that is 4-5 feet high and does not use barbed wire. The use of a more open type of fencing allows wildlife to freely move in and out of the area. If chain link or woven wire fencing is used, then that fencing should be 8-10 feet high to ensure that deer do not attempt to jump the fence. Barbed wire should not be used at the top of the fence because deer can get entangled in the barbed wire. The result is injuries to the deer, fence repairs, and poor public relations for the operator of the solar project. An alternative design is to include a top guard angled out and upward at 45 degrees with 3-4 strands of smooth wire (no barbs) that would discourage trespassing. Solar developers should also review applicable codes and standards that may influence the type of fencing that is used at a site.