





NOTICE OF ENVIRONMENTAL ASSESSMENT AVAILABILITY, PUBLIC HEARINGS, AND COMMENT PERIOD

Issued: March 11, 2022

In the Matter of the Application of Hayward Solar, LLC for a Certificate of Need and Site Permit under the Alternative Permitting Process for the up to 150 MW Hayward Solar Project in Freeborn County

Public Utilities Commission (PUC) Docket Number: IP-7053/CN-21-112 (Certificate of Need)

IP-7053/GS-21-113 (Site Permit)

Office of Administrative Hearings (OAH) Docket Number: 5-2500-37666 and 5-2500-37667

Please take notice that the Minnesota Public Utilities Commission (Commission) will hold a remote-access public hearing and an in-person public hearing and on the applications of Hayward Solar, LLC (Hayward Solar), for a certificate of need and a site permit for an up-to 150 megawatt (MW) solar energy generating facility in Hayward Township in Freeborn County. The proposed project would occupy approximately 1,272 acres east of the city of Hayward and south of Interstate 90. The proposed project would use photovoltaic solar panels mounted on linear tracking systems. Underground collection lines would route the electric power to a switching station on the existing Hayward-Murphy Creek 161 kV transmission line. Hayward Solar anticipates the proposed project to be operational in 2023.

Remote-Access Public Hearing

Date: Monday, March 28, 2022

Time: 6:00 PM

Telephone: 1-855-282-6330 Web Address: https://minnesota.webex.com

Password, if needed: XXkEb2jpd53 Event Number and Access Code: 2499 498 5952

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5-2500-37667

 Hearing video and audio are available via the internet. Logon five to 15 minutes before the hearing begins. You will be asked to join the hearing through a Webex application or through a plug-in for your web browser.

- You will be asked to enter your name and email address. Attendees will be muted. If you
 would like to ask a question or make a comment during the hearing, use the chat function
 to send a message to the hearing moderator. Your line will be unmuted, and you will be
 able to ask your question or make a comment.
- You may call in on your telephone and listen to the hearing. If you would like to ask a question or make a comment during the hearing, press *3 on your telephone.
- If you have questions about participating in the hearing or need assistance during the hearing, please contact Charley Bruce at the Commission (contact information below).

In-Person Public Hearing

Date: Tuesday, March 29, 2022

Time: 6:00 PM

Location: Wedgewood Cove Golf Club

2200 West 9th Street, Albert Lea, MN 56007

Link to Google Map: https://goo.gl/maps/JGf3j2Nvi9yVzdQg7

- Public hearings start on time. For in-person hearings, arrive a few minutes early so you have time to pick up materials and find a seat.
- Citizens will have the opportunity to offer oral and written comments into the record. Staff
 from the Commission, the Department of Commerce and Hayward Solar will be available
 to answer questions about the project and the review process.
- The same information will be presented at each hearing.
- Each hearing will last until everyone present has had an opportunity to speak, or until 9:00 PM, whichever is first.
- Comments received at the hearing and during the comment period will be used to inform the record and help the Commission with making its decision.

To find out if a hearing is canceled. Call (toll-free) 1-855-731-6208 or 651-201-2213 or visit mn.gov/puc.

Public Hearing and Process Information

The Honorable James Mortenson, Administrative Law Judge with the Office of Administrative

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Hearings will preside over the public hearings. After the public comment period, Judge Mortenson will provide the Commission with a report including findings of fact, conclusions of law, and recommendations.

The purpose of the public hearings is to receive public input on the proposed project. Interested persons will have the opportunity to: (1) ask questions of the applicant and agency staff; (2) offer verbal and written comments on the merits of the proposed project; and (3) suggest possible conditions to be considered for inclusion in the site permit. Members of the public may participate without the necessity of intervening as a party. Representation by legal counsel is permitted but not required.

The hearings will end when all attendees have had the opportunity to comment and all other business has been concluded, or 9:00 p.m., whichever occurs first. Written comments may be submitted during the comment period following the hearing using the methods described in this notice.

The Minnesota Department of Commerce (Department) has prepared and issued an environmental assessment (EA) for the project. The EA analyzes the potential impacts of the project and possible mitigation measures. In addition, the EA analyzes the potential impacts of alternatives to the project itself. The EA is available on the Department's website and on eDockets (see Additional Information, below). Print copies of the EA are available from the Department upon request; please contact Ray Kirsch at the Department (contact information below).

Upon receipt of Judge Mortensen's report from the public hearings, the Commission will consider the report, the EA, and the entire record in making decisions on Hayward Solar's certificate of need and site permit applications. The Commission is anticipated to make these decisions in the summer of 2022.

Minnesota Statutes and Rules. For statute and rule information for Hayward Solar's certificate of need application, see Minn. Stat. § 216B.243 and Minn. R. Ch. 7849. For statute and rule information for the site permit application, see Minn. R. 7829.1200, and Minn. R. 7850.2800 to 7850.3900. Relevant Minnesota statute and rules may be viewed at: https://www.revisor.mn.gov.

Public Comment Period

Comment Period: March 11, 2022, through **April 15, 2022,** at 4:30 PM.

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Please focus your comments on information that will help answer the following questions:

Is the proposed project needed and in the public interest?

- What are the potential human and environmental impacts of the project, and how can these impacts be addressed in the site permit?
- Should the Commission issue a certificate of need for the proposed solar energy system?
- Should the Commission grant a site permit for the proposed solar energy system?
- If granted, what additional conditions or requirements should be included in the solar site permit?

Comments received after the close of the comment period may or may not be considered by the Commission.

Online: <u>mn.gov/puc/consumers/public-comments</u>, and follow the instructions.

Email: <u>publicadvisor.puc@state.mn.us.</u>

US Mail: Public Advisor, Minnesota Public Utilities Commission

121 7th Place East, Suite 350

Saint Paul, MN 55101

eFiling: Visit https://mn.gov/puc/consumers/public-comments/, and follow the prompts.

Important. Comments will be made available to the public via the Public Utilities Commission's website, except in limited circumstances consistent with the Minnesota Government Data Practices Act. The Commission does not edit or delete personal identifying information from submissions.

Additional Information

Department of Commerce project Webpage: https://mn.gov/eera/web/project/14408/

Subscribe to the Docket: To receive email notification when new documents are filed in this matter visit: https://www.edockets.state.mn.us/EFiling and select *Subscribe to Dockets*.

Full Case Record: See all documents filed in this matter on the Commission's website at: mn.gov/puc/edockets, select *Go to eDockets Project Database* and enter docket numbers (21-112 or 21-113), and select *Search*.

Community Locations: Copies of the applications and the Environmental Assessment are available at these locations: <u>Albert Lea Public Library, 211 East Clark Street, Albert Lea, MN 56007</u>

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Filing Requirements. Utilities, telecommunications carriers, official parties, and state agencies are required to file documents using the Commission's electronic filing system. All parties, participants, and interested persons are encouraged to use the electronic filing system: https://www.edockets.state.mn.us/EFiling, and follow the prompts.

Project Contacts

Public Utilities Commission Public Advisor

Charley Bruce – charley.bruce@state.mn.us or 651-201-2251

Public Utilities Commission Energy Facilities Planners

Michael Kaluzniak - mike.kaluzniak@state.mn.us or 651-201-2205

Department of Commerce Environmental Review Manager

Ray Kirsch - raymond.kirsch@state.mn.us, 651-539-1841

Department of Commerce Certificate of Need Analyst

Steve Rakow – steve-rakow@state.mn.us, 651-539-1833

Hayward Solar Project Contact

Mike Roth - mroth@tenaska.com, 402-938-1634

Process Information

The Public Utilities Commission (Commission) must approve a certificate of need before the project can be built. Hayward Solar submitted the certificate of need application on May 5, 2021. The Commission's decision-making process takes about twelve months.

After the public hearing, the Commission reviews all the information in the record, including written comments and comments received at the public hearings. The Commission's final decision on the certificate of need for this project is expected by August 2022.

If any reasonable accommodation is needed so that you may fully participate in these hearings, for example sign language or large print materials, please contact the Office of Administrative Hearings at 651-361-7900 (voice) at least one week before the hearing.

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To request this document in another format such as large print or audio, call 651.296.0406 (voice). Persons with a hearing or speech impairment may call using their preferred Telecommunications Relay Service.

HAYWARD SOLAR PROJECT AREA MAP



CERTIFICATE OF SERVICE

I, Chrishna Beard, hereby certify that I have this day, served a true and correct copy of the following document to all persons at the addresses indicated below or on the attached list by electronic filing, electronic mail, courier, interoffice mail or by depositing the same enveloped with postage paid in the United States mail at St. Paul, Minnesota.

Minnesota Public Utilities Commission
NTOICE OF ENVIRONMENTAL ASSESSMENT AVAILABILITY, PUBLIC HEARINGS, AND
COMMENT PERIOD

Docket Number IP7053/CN-21-112, IP7053/CN-21-113
Dated this 11th day of March, 2022

/s/ Chrishna Beard

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
A	Branam	abranam@arevonenergy.c om	Arevon	8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.st ate.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-112_Official CC Service List
Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.	200 South Sixth Street Suite 4000 Minneapolis, Minnesota 55402-1125	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Kate	Fairman	kate.frantz@state.mn.us	Department of Natural Resources	Box 32 500 Lafayette Rd St. Paul, MN 551554032	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Annie	Felix Gerth	annie.felix- gerth@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Sharon	Ferguson	sharon.ferguson@state.mn .us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Jacqueline	Foley	jfoley@arevonenergy.com	Arevon	8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Kyle	Gerking	kgerking@tenaska.com	Tenaska, Inc.	14302 Fnb Pkwy Omaha, NE 68154	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Kari	Howe	kari.howe@state.mn.us	DEED	332 Minnesota St, #E200 1ST National Bank Ble St. Paul, MN 55101	Electronic Service g	No	OFF_SL_21-112_Official CC Service List
Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA	200 South Sixth St Ste 400 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-112_Official CC Service List

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Ray	Kirsch	Raymond.Kirsch@state.mn .us	Department of Commerce	85 7th Place E Ste 500 St. Paul, MN 55101	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Karen	Kromar	karen.kromar@state.mn.us	MN Pollution Control Agency	520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Chris	Matthews	cmatthews@arevonenergy.	Arevon	8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service	No	OFF_SL_21-112_Official CC Service List
James	Mortenson	james.mortenson@state.m n.us	Office of Administrative Hearings	PO BOX 64620 St. Paul, MN 55164-0620	Electronic Service	Yes	OFF_SL_21-112_Official CC Service List
Generic Notice	Residential Utilities Division	residential.utilities@ag.stat e.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_21-112_Official CC Service List
Stephan	Roos	stephan.roos@state.mn.us	MN Department of Agriculture	625 Robert St N Saint Paul, MN 55155-2538	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Michael	Roth	MRoth@tenaska.com	Tenaska, Inc.	14302 Fnb Pkwy Omaha, NE 68154	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Joe	Sedarski	joe.sedarski@westwoodps.com	Westwood	12701 Whiewater Dr Ste 300 Minnetonka, MN 55343	Electronic Service	No	OFF_SL_21-112_Official CC Service List
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-112_Official CC Service List

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Janet	Shaddix Elling	jshaddix@janetshaddix.co m	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service		OFF_SL_21-112_Official CC Service List
Sean	Sosa	ssosa@arevonenergy.com		8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service		OFF_SL_21-112_Official CC Service List
Cynthia	Warzecha	cynthia.warzecha@state.m n.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, Minnesota 55155-4040	Electronic Service	No	OFF_SL_21-112_Official CC Service List

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А	Branam	abranam@arevonenergy.c om	Arevon	8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Generic Notice	Commerce Attorneys	commerce.attorneys@ag.st ate.mn.us	Office of the Attorney General-DOC	445 Minnesota Street Suite 1400 St. Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-113_Official CC Service List
Jeremy	Duehr	jduehr@fredlaw.com	Fredrikson & Byron, P.A.	200 South Sixth Street Suite 4000 Minneapolis, Minnesota 55402-1125	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Sharon	Ferguson	sharon.ferguson@state.mn .us	Department of Commerce	85 7th Place E Ste 280 Saint Paul, MN 551012198	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Jacqueline	Foley	jfoley@arevonenergy.com	Arevon	8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Kyle	Gerking	kgerking@tenaska.com	Tenaska, Inc.	14302 Fnb Pkwy Omaha, NE 68154	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Breann	Jurek	bjurek@fredlaw.com	Fredrikson & Byron PA	200 South Sixth St Ste 400 Minneapolis, MN 55402	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Chris	Matthews	cmatthews@arevonenergy.	Arevon	8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service	No	OFF_SL_21-113_Official CC Service List
James	Mortenson	james.mortenson@state.m n.us	Office of Administrative Hearings	PO BOX 64620 St. Paul, MN 55164-0620	Electronic Service	Yes	OFF_SL_21-113_Official CC Service List
Generic Notice	Residential Utilities Division	residential.utilities@ag.stat e.mn.us	Office of the Attorney General-RUD	1400 BRM Tower 445 Minnesota St St. Paul, MN 551012131	Electronic Service	Yes	OFF_SL_21-113_Official CC Service List

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Michael	Roth	MRoth@tenaska.com	Tenaska, Inc.	14302 Fnb Pkwy Omaha, NE 68154	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Joe	Sedarski	joe.sedarski@westwoodps.com	Westwood	12701 Whiewater Dr Ste 300 Minnetonka, MN 55343	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Will	Seuffert	Will.Seuffert@state.mn.us	Public Utilities Commission	121 7th PI E Ste 350 Saint Paul, MN 55101	Electronic Service	Yes	OFF_SL_21-113_Official CC Service List
Janet	Shaddix Elling	jshaddix@janetshaddix.co m	Shaddix And Associates	7400 Lyndale Ave S Ste 190 Richfield, MN 55423	Electronic Service	Yes	OFF_SL_21-113_Official CC Service List
Sean	Sosa	ssosa@arevonenergy.com	Arevon	8800 N Gainey Center Dr Ste 250 Scottsdale, AZ 85258	Electronic Service	No	OFF_SL_21-113_Official CC Service List
Cynthia	Warzecha	cynthia.warzecha@state.m n.us	Minnesota Department of Natural Resources	500 Lafayette Road Box 25 St. Paul, Minnesota 55155-4040	Electronic Service	No	OFF_SL_21-113_Official CC Service List

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Sarah	Beimers	sarah.beimers@state.mn.u s	Department of Administration - State Historic Preservation Office	50 Sherburne Avenue Suite 203 St. Paul, MN 55155	Electronic Service	No	SPL_SLAgency Reps
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Randall	Doneen	randall.doneen@state.mn.u s	Department of Natural Resources	500 Lafayette Rd, PO Box 25 Saint Paul, MN 55155	Electronic Service	No	SPL_SLAgency Reps
Annie	Felix Gerth	annie.felix- gerth@state.mn.us		Board of Water & Soil Resources 520 Lafayette Rd Saint Paul, MN 55155	Electronic Service	No	SPL_SLAgency Reps
Todd	Green	Todd.A.Green@state.mn.u s	Minnesota Department of Labor & Industry	443 Lafayette Rd N St. Paul, MN 55155-4341	Electronic Service	No	SPL_SLAgency Reps
Chad	Konickson	chad.konickson@usace.ar my.mil	U.S.Army Corps of Engineers	180 5th St # 700 Saint Paul, MN 55101	Electronic Service	No	SPL_SLAgency Reps
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Cathy	Chavers	cchavers@boisforte- nsn.gov	Bois Forte Band of Chippewa	Bois Forte Tribal Government 5344 Lakeshore Drive Nett Lake, MN 55772	Electronic Service	No	SPL_SLTribal Government Contacts
Michael	Childs, Jr.	michael.childsjr@piic.org	Prairie Island Indian Community	Prairie Island Indian Community 5636 Sturgeon Lake F Welch, MN 55089	Electronic Service	No	SPL_SLTribal Government Contacts
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Rebecca	Crooks Stratton	Rebecca.Crooks- Stratton@ShakopeeDakota .org	Shakopee Mdewakanton Sioux Community	Shakopee Mdewakanton Sioux Community 2330 Sioux Trail NW Prior Lake, MN 55372	Electronic Service	No	SPL_SLTribal Government Contacts
Miyah	Danielson	MiyahDanielson@FDLREZ. COM	Fond du Lac Band of Lake Superior Chippewa	1720 Big Lake Road Cloquet, MN 55720	Electronic Service	No	SPL_SLTribal Government Contacts
Sandi	Davis	SandiDavis@FDLREZ.CO M	Fond du Lac Band of Lake Superior Chippewa	1720 Big Lake Road Cloquet, MN 55720	Electronic Service	No	SPL_SLTribal Government Contacts
Jason	Decker	jason.decker@llojibwe.net	Leech Lake Band of Ojibwe	190 Sailstar Drive NW Cass Lake, MN 56633	Electronic Service	No	SPL_SLTribal Government Contacts

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
Bobby	Deschampe	robertdeschampe@grandp ortage.com	Grand Portage Band of Lake Superior Chippewa	PO Box 428 Grand Portage, MN 55605	Electronic Service	No	SPL_SLTribal Government Contacts
Shane	Drift	sdrift@boisforte-nsn.gov	Bois Forte Band of Chippewa	Bois Forte Tribal Government 5344 Lakeshore Drive Nett Lake, MN 55772	Electronic Service	No	SPL_SLTribal Government Contacts
Wally	Dupuis	WallyDupuis@fdlrez.com	Fond du Lac Band of Lake Superior Chippewa	1720 Big Lake Road Cloquet, MN 55720	Electronic Service	No	SPL_SLTribal Government Contacts
Kevin	Dupuis, Sr.	kevindupuis@fdlrez.com	Fond du Lac Development Corp.	Reservation Business Committee 1720 Big Lake Rd Cloquet, MN 55720	Electronic Service	No	SPL_SLTribal Government Contacts
Jamie	Edwards	jamie.edwards@millelacsb and.com	Mille Lacs Band of Ojibwe	43408 Oodena Drive Onamia, MN 56358	Electronic Service	No	SPL_SLTribal Government Contacts
Michael	Fairbanks	Michael.Fairbanks@whitee arth-nsn.gov	White Earth Reservation Business Committee	PO Box 418 White Earth, MN 56591	Electronic Service	No	SPL_SLTribal Government Contacts
Irene	Folstrom	irene.folstrom@llojibwe.net		N/A	Electronic Service	No	SPL_SLTribal Government Contacts
Gary	Frazer	gfrazer@mnchippewatribe. org	Minnesota Chippewa Tribe	PO Box 217 Cass Lake, MN 56633	Electronic Service	No	SPL_SLTribal Government Contacts
Shannon	Geshick	shannon.geshick@state.m n.us	Minnesota Indian Affairs Council (MIAC)	N/A	Electronic Service	No	SPL_SLTribal Government Contacts
Robbie	Goggleye	rgoggleye@boisforte- nsn.gov	Bois Forte Band of Chippewa	Bois Forte Tribal Government 5344 Lakeshore Drive Nett Lake, MN 55772	Electronic Service	No	SPL_SLTribal Government Contacts

First Name	Last Name	Email	Company Name	Address	Delivery Method	View Trade Secret	Service List Name
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Amy	Hastings	amyh@uppersiouxcommun ity-nsn.gov	Upper Sioux Community	5722 Travers Lane PO Box 147 Granite Falls, MN 56241	Electronic Service	No	SPL_SLTribal Government Contacts
Robbie	Howe	robbie.howe@llojibwe.net	Leech Lake Band of Ojibwe	190 Sailstar Drive NW Cass Lake, MN 56633	Electronic Service	No	SPL_SLTribal Government Contacts
Annie	Jackson	Cheryl.Jackson@whiteeart h-nsn.gov	White Earth Nation	White Earth Tribal Headquarters 35500 Eagle View Ros Ogemo, MN 56569	Electronic Service	No	SPL_SLTribal Government Contacts
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