



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

July 21, 2020

Mike Kaluzniak
Minnesota Public Utilities Commission
121 7th Place E, Suite 350
St. Paul MN 55101-2147

RE: Elk Creek Solar Project in Rock County, PUC Docket Number: 19-495

Dear Mr. Kaluzniak,

The Minnesota Department of Natural Resources (DNR) appreciates the opportunity to comment on the Elk Creek Solar project. Our agency has collaborated with the Department of Commerce – Energy Environmental Review and Analysis (Department) and the Minnesota Board of Water and Soil Resources (BWSR) to revise the sample site permit's language on Beneficial Habitat (Section 4.3.8). The proposed language reflects the common goals among agencies to encourage the establishment of pollinator habitat.

The DNR supports the inclusion of *Section 4.3.8.1 Site Planning and Management* in the permit language. The vegetation management plan is a required PUC permit condition and is needed for a project to qualify as Pollinator Friendly Habitat. The vegetation management plan requirements will aid in the successful establishment of pollinator habitat at utility scale solar sites and ensure that the permittee meets agency expectations. Furthermore, the vegetation management plans supports agency coordination and promotes the tools and guidance documents developed by BWSR and the DNR for creating pollinator friendly habitat.

The proposed site permit language, with redline to show its development, is provided below:

4.3.8 Beneficial Habitat

The Permittee shall implement site restoration and management practices that provide for native perennial vegetation and foraging habitat beneficial to gamebirds, songbirds, and pollinators; ~~and that enhances~~ **improving** soil water retention and reducing storm water runoff and erosion. The Permittee shall develop a vegetation management plan ~~that incorporates, to the extent applicable and appropriate, the technical guidance and best management practices outlined in the DNR's Prairie Establishment and Maintenance Technical Guidance for Solar Projects¹. The vegetation management plan shall be filed at least 30 days prior to the preconstruction meeting.~~ **using best management practices established by the Minnesota DNR and the Minnesota Board of Soil and Water Resources. The vegetation management plan shall be prepared in coordination with EERA, DNR, and BWSR.**

The vegetation management plan and documentation of the coordination efforts between the permittee and the coordinating agencies shall be filed at least 14 days prior to the **preconstruction meeting**. To ensure continued management and recognition of beneficial habitat, the Permittee is encouraged to ~~seek certification of the project by following guidance set forth by the Pollinator Plan provided by the Board of Water and Soil Resources.~~ **meet the standards for Minnesota's Habitat Friendly Solar Program by submitting project plans, seed mixes, a completed project planning assessment form, and any other applicable documentation used to meet the standard to the Minnesota Board of Water and Soil Resources.** All documents required by BWSR for meeting standards of the Minnesota's Habitat Friendly Solar Program should also be filed with the Commission.

4.3.8.1 Site Planning and Management

The Vegetation Management Plan must include the following:

- Management objectives addressing short term (year 0-3, seeding and establishment) and long term (year 4 through the life of the permit) objectives.
- A description of planned restoration and vegetation activities, including how the site will be prepared, timing of activities, and how seeding will occur (broadcast, drilling, etc.), and the types of seed mixes to be used.
- A description of how the site will be monitored and evaluated to meet management objectives.
- A description of management tools used to maintain vegetation (e.g. mowing, spot spraying, hand removal, fire, grazing, etc.), including timing/frequency of maintenance activity.
- Identify responsible party for site restoration, monitoring, and long term vegetation management of the site (e.g. consultant, contractor, site manager, etc.).
- Identification, monitoring and management of noxious weeds and invasive species (native and non-native) on site.

Site plan showing how the site will be revegetated and corresponding seed mixes. Seed mixes, seeding rates, and cover crops should follow best management practices.

The DNR appreciates the opportunity to work with the Department and BWSR on the proposed permit language for the Elk Creek Solar Project. If you have questions about our agency's comments, I can be reached at cynthia.warzecha@state.mn.us or 651-259-5078.

Sincerely,

/S/ Cynthia Warzecha
Energy Projects Planner

CC: Bill Storm, Minnesota Department of Commerce
Jamie MacAlister, Minnesota Department of Commerce