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STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
FOR PUBLIC UTILITIES COMMISSION

In the Matter of the Application of Lemon
Hill Solar, LLC for a Site Permit for the up
to 180 MW Lemon Hill Solar Project in
Olmsted County, MN

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
RECOMMENDATIONS**

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TABLE OF CONTENTS

STATEMENT OF ISSUES	2
SUMMARY OF RECOMMENDATIONS	2
FINDINGS OF FACT.....	2
I. APPLICANT.....	2
II. PROCEDURAL HISTORY	3
III. DESCRIPTION OF THE PROJECT	11
IV. SITE LOCATION AND CHARACTERISTICS	15
V. PROJECT SCHEDULE	16
VI. SUMMARY OF PUBLIC COMMENTS	16
A. Pre-Application Comments	16
B. Comments on Application Completeness	17
C. Scoping Comments.....	18
D. Public Hearings Comments.....	23
E. Written Comments Received During Comment Period	29
VII. PERMITTEE	34
VIII. CERTIFICATE OF NEED	34
IX. SITE PERMIT CRITERIA	34
X. APPLICATION OF SITING CRITERIA TO THE PROPOSED PROJECT	38
A. Project Setting.....	38
B. Human Settlement	39
1. <i>Aesthetics</i>	39
2. <i>Noise</i>	45
3. <i>Cultural Values.</i>	47
4. <i>Land Use and Zoning.</i>	48
5. <i>Property Values.</i>	54
6. <i>Tourism and Recreation</i>	55
7. <i>Transportation and Public Services</i>	56
8. <i>Socioeconomics</i>	58
9. <i>Environmental Justice</i>	59
C. Human Health and Safety.	59
1. <i>Electric and Magnetic Fields (EMF).</i>	60
2. <i>Stray and Induced Voltage</i>	60
3. <i>Photovoltaic Heat</i>	63
4. <i>Panel Components.</i>	63
5. <i>Public Safety and Emergency Services.</i>	64

D.	Land-Based Economics.....	66
1.	<i>Agriculture</i>	66
2.	<i>Tourism</i>	69
E.	Archaeological, Cultural, and Historic Resources.....	70
F.	Natural Resources.....	71
1.	<i>Air Quality</i>	71
2.	<i>Geology and Groundwater</i>	71
3.	<i>Soils</i>	78
4.	<i>Topography</i>	78
5.	<i>Surface Water and Floodplains</i>	79
6.	<i>Wetlands</i>	80
7.	<i>Vegetation</i>	81
8.	<i>Wildlife and Habitat</i>	82
9.	<i>Climate Change</i>	85
G.	Rare and Unique Resources.....	85
H.	Application of Various Design Considerations.....	87
I.	Use of Existing Large Electric Power Generating Plant Sites.....	88
J.	Use of Existing Rights-of-Way.....	89
K.	Electrical System Reliability.....	89
L.	Cost of Constructing, Operating, and Maintaining the Facility.....	90
M.	Adverse Human and Natural Environmental Effects that Cannot be Avoided. 91	
N.	Irreversible and Irretrievable Commitments of Resources.....	92
O.	Cumulative Impacts and Cumulative Potential Impacts.....	92
XI.	SITE PERMIT CONDITIONS.....	94
XII.	NOTICE.....	104
XIII.	ENVIRONMENTAL REVIEW.....	104
	CONCLUSIONS OF LAW	105
	RECOMMENDATIONS	107

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In the Matter of the Application of Lemon Hill Solar, LLC for a Site Permit for the up to 180 MW Lemon Hill Solar Project in Olmsted County, MN

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
RECOMMENDATIONS**

This matter comes before Administrative Law Judge Ann C. O'Reilly based upon a Site Permit Application filed with the Minnesota Public Utilities Commission on June 30, 2025.

Christina Brusven and Ryan Cox, Fredrikson & Byron, P.A., appear on behalf of the Applicant, Lemon Hill Solar, LLC (Lemon Hill or Applicant). Also appearing on behalf of Applicant were: Toby Valentino, Director of Development; Sergio Trevino, Vice President of Permitting and Siting; and Roseanne Koneval, Senior Vice President of Development for Ranger Power, LLC, the developer for the Project.¹

Lauren Agnew, Environmental Review Manager, appeared on behalf of the Minnesota Public Utilities Commission (Commission or PUC) Energy Infrastructure Permitting unit (EIP). Craig Janezich appeared as the Commission's advisory staff member.

On June 30, 2025, Applicant filed a Site Permit Application (Application) to construct and operate an up to 180 megawatt (MW) solar project located in Olmsted County, Minnesota (Project). The Commission referred this matter to the Court of Administrative Hearings on December 15, 2025. The Commission requested that an administrative law judge conduct public hearings and prepare findings of fact, conclusions of law, and recommendations on whether to grant a site permit and, if so, what conditions or provisions should be included in the site permit.

Public hearings were held on June 10, 2026, and June 11, 2026. The record remained open for the receipt of written public comments through June 25, 2026, Applicant's response to public comments through July 9, 2026, and the EIP's revisions to Applicant's proposed findings on July 23, 2026. The record closed on August 5, 2026,

¹ Ranger Power, LLC (Ranger Power) and DESRI Holdings, L.P. (DESRO) have entered into a joint venture to own and operate the Lemon Hill Project. Both Ranger Power and DESRI are "parent companies" of Lemon Hill Solar, LLC. Ranger Power is developing and handling the permitting of the Project, but DESRI plans to be the owner and operator of the Project. Additional information about the relationship of the various corporate entities is available in the Application.

following the receipt of additional public comments and Applicant's filing of an updated letter from the Minnesota Department of Health submitted by Applicant on July 30, 2026.²

STATEMENT OF ISSUES

Has Applicant Lemon Hill Solar, LLC satisfied the criteria established in Minn. Stat. § 216E.03, subd. 7(b) (2023)³ and Minn. R. 7850.4100, .4400 (2023) for a site permit for the Project?

SUMMARY OF RECOMMENDATIONS

Because Applicant has not satisfied the applicable legal requirements, the Commission should **DENY** a Site Permit for the proposed Project. Applicant has failed to establish that there is no feasible and prudent alternative to siting the solar facility on prime farmland. In addition, an application of the legal criteria for site permits establishes that the unavoidable negative impacts on human settlement and land-based economies, as well as the risk posed to groundwater resources arising out of the sensitive geology of the project area, warrants denial of the site permit application.

Based on the evidence in the hearing record, the Administrative Law Judge makes the following findings of fact:

FINDINGS OF FACT

I. APPLICANT

1. Applicant is Lemon Hill Solar, LLC, a limited liability company established for the sole purpose of owning the Proposed Project. The Project is joint venture between Ranger Power, LLC (Ranger Power) and DESRI Holdings, L.P. (DESRI).⁴

2. Ranger Power is a Delaware limited liability company specializing in developing utility-scale renewable energy projects in the United States. DESRI, Inc. is a Delaware corporation that operates under a protective layered corporate structure through which it acquires, owns, and manages renewable energy assets in North America. Under an agreement between Ranger Power and DESRI, Ranger Power will develop the Project, but DESRI will be the "indirect parent company" (i.e., functional but protected owner) of the limited liability company called Lemon Hill Solar, LLC.⁵

² Because Applicant was also filing untimely comments, the Judge also considered untimely comments filed by the public.

³ Due to the date of filing of the Application (June 30, 2025), changes in the applicable law during the 2024 legislative session, and the effective date of those legislative changes (July 1, 2025), this case proceeds under the 2023 versions of Minn. Stat. ch. 216E and Minn. R. Part 7850. See Notice of Legislative Changes (July 9, 2025) (eDocket No. 20257-220799-01).

⁴ Ex. App-2 at 3 (Site Permit Application).

⁵ Ex. App-2 at 3(Site Permit Application).

3. According to the Application, Lemon Hill Solar, LLC would own, operate, and maintain the Project after starting commercial operations, although DESRI would remain the “indirect parent company” of Lemon Hill Solar, LLC. As the Applicant, Lemon Hill Solar, LLC – not DESRI -- would be responsible for all regulatory, contractual, and financial obligations resulting from the Site Permit, land leases, and power purchase agreement (PPA).⁶ By using a limited liability company to own the Project, DESRI is mostly insulated from financial and legal responsibility. The Application notes that “Lemon Hill Solar and DESRI reserve the right to sell or assign the Project to another qualified entity at any time, before, during, or after the Project is constructed.”⁷

II. PROCEDURAL HISTORY

4. On February 21, 2025, Applicant filed a Notice of Intent to Submit a Site Permit Application Under the Alternative Permitting Process in Minn. Stat. § 216E.04 (2023).⁸

5. After the Notice was filed, eight public comments were submitted opposing the Proposed Project.⁹

6. Applicant filed the Project Notice, Application, and supporting appendices and figures with the Commission on June 30, 2025.¹⁰

7. The Commission issued a Notice of Legislative Changes¹¹ and a Notice of Comment Period on Application Completeness on July 9, 2025.¹² The initial comment period closed July 23, 2025, with the reply and supplemental comment periods closing on July 30 and August 5, 2025, respectively.¹³

8. The Commission received 34 public comments during the initial application completeness comment period, plus one late comment filed on July 29, 2025.¹⁴ These

⁶ Ex. App-2 at 3 (Site Permit Application).

⁷ Ex. App-2 at 3 (Site Permit Application).

⁸ Ex. App-1 (Notice of Intent to File Site Permit Application Under Alternative Process).

⁹ Taylor Pike Comments (Feb. 27, 2025) (eDocket No. 20252-215821-02); Juni Mullholland Comments (Feb. 27, 2025) (eDocket No. 20252-215821-01); Comment by William and Tamera Schmidt (Mar. 3, 2025) (eDocket No. 20253-215960-01); Comment by Ted Pike (Mar. 3, 2025) (eDocket No. 20253-215959-01); Comment by Paul Uecker (Mar. 20, 2025) (eDocket No. 20253-216639-01); Comment by Gary Laurie and Matt Meyer (Apr. 16, 2025) (eDocket No. 20254-217729-01); Comment by John Meyer (May 5, 2025) (eDocket No. 20255-218573-01); Comment by Mike Keefe (Jun. 24, 2025) (eDocket No. 20256-220201-01).

¹⁰ Ex. App-2 (Site Permit Application); Ex. App-3 (SPA Figures); Exs. App-4 through App-15; Ex. App-16 (Project Notice).

¹¹ Notice of Legislative Changes (July 9, 2025) (eDocket No. 20257-220799-01).

¹² Ex. PUC-1 (Notice of Comment Period on Application Completeness).

¹³ *Id.*

¹⁴ Joshua Axley Comments (July 18, 2025) (eDocket No. 20257-221139-02); Faheena Keefe Comments (July 18, 2025) (eDocket No. 20257-221139-01); Laurie Meyer Comments (July 21, 2025) (eDocket No. 20257-221230-01); Mike Keefe Comments (July 21, 2025) (eDocket No. 20257-221219-01); Wayne Pike Comments (July 21, 2025) (eDocket No. 20257-221218-01); Clint Mulholland Comments (July 21, 2025) (eDocket No. 20257-221217-01); Deborah Klavetter Comments (July 21, 2025) (eDocket No. 20257-221216-01); Public Comment Batch including Comments from Amy Renken, Randy Renken,

comments were largely in opposition to the Proposed Project and included a petition signed by Viola and Haverhill Township residents opposing the Project.¹⁵

9. In its comments filed on July 23, 2025, the EIP recommended that the Commission accept the Application as substantially complete and require Applicant to provide additional detail regarding existing conditions and potential impacts and mitigation measures for tourism, geology, groundwater, surface waters, wildlife, and rare and unique natural resources. Staff recommended that the Commission require that Applicant provide a Phase I cultural resources survey and a native prairie field survey for the Project's two parcels which had not yet been surveyed. Staff also recommended a full administrative law judge report for the public hearing but noted that an advisory task force was not warranted.¹⁶

10. Applicant replied to the comments on July 31, 2025, and included a letter to the Minnesota State Historic Preservation Office (MnSHPO) requesting its review and comment on the Project.¹⁷

11. Applicant filed Supplemental Comments on August 1, 2025,¹⁸ along with a Phase 1 Addendum Cultural Resource Survey Report¹⁹ and a Wetland Delineation Report for the Project.²⁰

12. On August 5, 2025, EIP staff filed a Response to Reply Comments.²¹

13. Between August 4 and 27, 2026, 32 supplemental public comments were filed, some outside of the comment period.²² These comments included a letter from

Rogena Klavetter, Tamara and William Schmidt, and Wendy Jensen (July 22, 2025) (eDocket No. 20257-221275-01); Ken Everson Comments (July 22, 2025) (eDocket No. 20257-221274-01); Ken Everson Comments (July 23, 2025) (eDocket No. 20257-221316-01); Tracy Huffman-Krizo Comments (July 23, 2025) (eDocket No. 20257-221315-01); David Krizo Comments (July 23, 2025) (eDocket No. 20257-221314-01); Julie Huffman Comments (July 23, 2025) (eDocket No. 20257-221313-01); Eleanor Krizo Comments (July 23, 2025) (eDocket No. 20257-221311-01); Kevin Hammel Comments (July 23, 2025) (eDocket No. 20257-221310-01); Tom Shea Comments (July 23, 2025) (eDocket No. 20257-221309-01); James Klavetter (July 23, 2025) (eDocket No. 20257-221308-01); Norma Pries (July 23, 2025) (eDocket No. 20257-221307-01); Public Batch Comments from Laurie Albers, Jean Hanson, Bethany Hoffman, Jennifer Lawver, Julie Meyers, Phillip Nicklay, Ted Pike, Rick Trogstad, Jason and Mindy Shea, and Amy Renken (July 24, 2025) (eDocket No. 20257-221366-01); Dale Bierbaum Comments (July 30, 2025) (eDocket No. 20257-221547-01) (filed July 29 but not uploaded by Commission staff until July 30, 2025).

¹⁵ Ken Everson Comments (July 22, 2025) (eDocket No. 20257-221274-01).

¹⁶ Ex. PUC-EIP-1 (Comments on Application Completeness).

¹⁷ Exs. App-18 (Completeness Reply Comments) and App-19 (Reply Comments Attachment A - Addendum 1 SHPO Cover Letter).

¹⁸ Ex. App-20 (Supplemental Comments).

¹⁹ Ex. App-21 (Supplemental Comments Attachment A - Phase I Addendum 1 Report).

²⁰ Ex. App-22 (Supplemental Comments Attachment B Wetland Delineation Report).

²¹ Ex. PUC-EIP-2 (Response to Reply Comments).

²² Deborah Klavetter Comments (Aug. 4, 2025) (eDocket No. 20258-221726-01); Michael Jones Comments (Aug. 4, 2025) (eDocket No. 20258-221718-01); Brad Nelson Comments (Aug. 4, 2025) (eDocket No. 20258-221700-01); Viola Township Comments (Aug. 4, 2025) (eDocket No. 20258-221699-01); Letter from State Senator Steve Drazkowski and State Rep. Steven Jacob (Aug. 5, 2025) (eDocket No. 20258-221784-

Minnesota State Senator Steve Drazkowski and State Representative Steven Jacob, which urged the Commission to deny the Application.²³

14. On August 21, 2025, Applicant filed an additional supplemental comment, outside of the comment period, specifically in response to comments filed by Mike Keefe.²⁴ Keefe responded to Applicant in a comment filed August 27, 2025.²⁵

15. On August 29, 2025, the Commission issued a Notice of Commission Meeting on September 11, 2025, to consider the completeness of the Application.²⁶

16. The Commission later removed the Application completeness determination from the Commission agenda on September 11, 2025,²⁷ and placed it on the Commission agenda for September 18, 2025.²⁸ Proper public notice of these changes was provided.

17. Briefing papers were filed by Commission staff in advance of the September 18 Commission meeting, which included a Sample Solar Site Permit.²⁹ A revised decision option was proposed by Commissioner John Tuma on September 16, 2025.³⁰

18. Thereafter, on September 26, 2025, Applicant submitted an amendment to the Application and updated the service list for the Project.³¹

19. On October 16, 2025, Applicant submitted supplemental comments in response to: (1) the EIP's comments on application completeness; and (2) the Commission's action at its meeting on September 18, 2025. In this filing, Applicant provided additional information on the areas of tourism, geology and groundwater, surface

01); Public Comment Batch (8), including comments from Kenneth Everson, Mike Keefe, Kevin Hammel, Tracy Huffman-Krizo, Michael Jones, Owen Ziemer, and Bill Schmidt (Aug. 5, 2025) (eDocket No. 20258-221777-01); Public Comment Batch (9) including comments from Carla Brunsvold, Dale Bierbaum, Darrell Richardson, Jim Klavetter, John and Norma Pries, Mike Keefe, Rachel Smith, Steve Uthke, and Wendy Jensen (Aug. 5, 2025) (eDocket No. 20258-221765-01); LIUNA Comments (Aug. 5, 2025) (eDocket No. 20258-221768-01); Laurie Albers Comments (Aug. 6, 2025) (eDocket No. 20258-221810-01); Viola Township Comments (Aug. 8, 2025) (eDocket No. 20258-221896-03); Tamera and William Schmidt Comments (Aug. 8, 2025) (eDocket No. 20258-221896-02); Mike Keefe Comments (Aug. 8, 2025) (eDocket No. 20258-221896-01); Mike Keefe Comments (Aug. 14, 2025) (eDocket No. 20258-222087-01); Bill Schmidt Comments (Aug. 18, 2025) (eDocket No. 20258-222188-01); Wendy Jensen Comments (Aug. 18, 2025) (eDocket No. 20258-222186-01); Bradley Lorang Comments (Aug. 25, 2025) (eDocket No. 20258-222364-01); Mike Keefe Comments (Aug. 27, 2025) (eDocket No. 20258-222459-01).

²³ Letter from State Senator Steve Drazkowski and State Rep. Steven Jacob (Aug. 5, 2025) (eDocket No. 20258-221784-01).

²⁴ Ex. App-23 (Supplemental Comments).

²⁵ Mike Keefe Comments (Aug. 27, 2025) (eDocket No. 20258-222459-01).

²⁶ Notice of Commission Meeting (Aug. 29, 2025) (eDocket No. 20258-222472-01).

²⁷ Notice of Matter Removed from September 11, 2025 Agenda Meeting (Sept. 3, 2025) (eDocket No. 20259-222671-01).

²⁸ Ex. PUC-2 (Notice of Commission Meeting).

²⁹ Ex. PUC-3 (Briefing Papers and Attachments).

³⁰ Ex. PUC-4 (Briefing Papers – Decision Option).

³¹ Ex. App-24 (SPA Amendment and Update to Service List).

waters, wildlife, rare and unique natural resources, stray voltage, and solar panel components associated with the Project.³²

20. In a letter dated October 31, 2025, the EIP determined that Applicant's supplemental filings were sufficient to complete the Application.³³

21. On October 31, 2025, the Commission issued an Order Finding the Application Complete and Authorizing Use of the Alternative Review Process. The Order authorized review of the Application under the alternative permitting process set forth in Minn. Stat. § 216E.04 and Minn. R. 7850.2800 to 7850.3900. It also requested the appointment of an administrative law judge from the Court of Administrative Hearings to: (1) preside over a public hearing; (2) direct that intervention as a party is not required; (3) establish the types of filings necessary to facilitate proper record development and establish a schedule for the same; and (4) prepare a report setting forth findings of fact, conclusions of law, and recommendations on the merits of the application and provide recommendations, if any, on the conditions in, and provisions of, a permit.³⁴

22. On November 3, 2025, the Commission issued the Notice of Public Information and Environmental Assessment (EA) Scoping Meetings, announcing three scoping meetings: two in-person meetings on November 19, 2025, in Rochester, Minnesota, and one virtual meeting via Webex on November 20, 2025. The Order established a deadline for public comments on scoping as December 8, 2025.³⁵

23. An Affidavit of Publication was filed to document the publication of the Notice of Scoping Meetings in the *Post Bulletin* newspaper on November 8, 2025.³⁶

24. On November 17, 2025, the EIP filed a Sample Permit for the Project,³⁷ and the Commission authorized consultation with the MnSHPO regarding the Project.³⁸

25. The Commission published the Notice of Public Information and EA Scoping Meetings in the *Environmental Quality Board (EQB) Monitor* on November 18, 2025.³⁹

26. Two scoping meetings were held in Rochester on November 19, 2025, one at 12 p.m. and one at 6 p.m. A third scoping meeting was held via WebEx on November 20, 2025, at 6 p.m.⁴⁰

³² Ex. App-25 (Supplemental Comments).

³³ EIP Letter regarding Applicant's supplements to Application (Oct. 31, 2025) (eDocket No. 202510-224555-01).

³⁴ Ex. PUC-5 (Order Finding the Application Complete and Authorizing Use of the Alternative Review Process).

³⁵ Ex. PUC-6 (Notice of Public Information and EA Scoping Meetings).

³⁶ Ex. PUC-7 (Affidavit of Publication – Scoping Meetings).

³⁷ Ex. PUC-8 (Sample Permit).

³⁸ Ex. PUC-9 (Authorization to Initiate SHPO Consultation).

³⁹ Ex. PUC-10 (EQB Monitor – Scoping Meeting Notice).

⁴⁰ See Ex. PUC-EIP-4 (Oral and Written Comments on the Scope of Environmental Assessment).

27. On or about December 8, 2025, the following agencies, organizations and members of the public filed scoping comments, including scoping comments filed by Applicant: LIUNA, Minnesota Department of Natural Resources (MDNR), Minnesota Department of Agriculture (MDA), Minnesota Department of Transportation (MnDOT), Dan Klavetter, Jim Klavetter, Michael J. LaPlante, Wendy Jensen and Ken Everson, and Julie Huffman.⁴¹

28. On December 11, 2025, the EIP filed the written and oral comments received on the scope of the EA.⁴² Mike Keefe filed comments outside of the comment period on December 15, 2025.⁴³

29. The Administrative Law Judge issued an Order for Prehearing Conference on December 16, 2025. The Order scheduled a first prehearing conference for December 29, 2025.⁴⁴ The date of the first prehearing conference was subsequently changed to January 2, 2026.⁴⁵

30. The first prehearing conference was held on January 2, 2026. Applicant and the EIP submitted a proposed schedule for the proceedings.⁴⁶

31. On January 6, 2026, EIP Staff issued the Notice of EA Scoping Decision⁴⁷ and filed the EA Scoping Decision.⁴⁸

32. A First Prehearing Order was issued on January 21, 2026, setting the schedule for the proceedings, including the dates, times, and locations of the public hearings.⁴⁹

33. The Notice of EA Scoping Decision was published in the *EQB Monitor* on January 20, 2026.⁵⁰

34. On April 29, 2026, Applicant filed supplemental information for consideration in the EA, including an Alternative Substation Layout as an alternative to the Application

⁴¹ LIUNA Comments (Dec. 8, 2025) (eDocket No. 202512-225639-01); DNR Comments (Dec. 8, 2025) (eDocket No. 202512-225633-01); DNR Natural Heritage Review Letter (Dec. 8, 2025) (eDocket No. 202512-225633-02); Ex. App-26 (Scoping Comments); MDA Comments (Dec. 8, 2025) (eDocket No. 202512-225612-01); MnDOT Comments (Dec. 8, 2025) (eDocket No. 202512-225606-01); Dan Klavetter Comments (Dec. 8, 2025) (eDocket No. 202512-225618-01); Jim Klavetter Comments (Dec. 8, 2025) (eDocket No. 202512-225610-01); Michael J. LaPlante Comments (Dec. 8, 2025) (eDocket No. 202512-225609-01); Wendy Jensen and Ken Everson Comments (Dec. 8, 2025) (eDocket No. 202512-225608-01); Julie Huffman Comments (Dec. 9, 2025) (eDocket No. 202512-225652-01) (received by the PUC on Dec. 8, but not filed by Commission staff until Dec. 9, 2025).

⁴² Ex. PUC-EIP-4 (Oral and Written Comments on the Scope of Environmental Assessment).

⁴³ Mike Keefe Comments (Dec. 15, 2025) (eDocket No. 202512-225820-01).

⁴⁴ Order for Prehearing Conference (Dec. 16, 2025) (eDocket No. 202512-225926-01).

⁴⁵ Amended Order for Prehearing Conference (Dec. 16, 2025) (eDocket No. 202512-226239-01).

⁴⁶ First Prehearing Order (Jan. 21, 2025) (eDocket No. 20261-227152-01).

⁴⁷ Ex. PUC-EIP-5 (Notice of EA Scoping Decision).

⁴⁸ Ex. PUC-EIP-6 (EA Scoping Decision).

⁴⁹ First Prehearing Order (Jan. 21, 2025) (eDocket No. 20261-227152-01).

⁵⁰ Ex. PUC-EIP-7 (EQB Monitor – Environmental Assessment Scoping Decision Notice).

Substation Layout, and requested that a prehearing scheduling conference be held as soon as possible. To allow the PUC-EIP time to evaluate the Alternative Substation Layout in the EA, Applicant requested that the deadline for completing the EA be extended, the public hearings be rescheduled until after the new EA deadline, and that post-hearing deadlines also be extended.⁵¹

35. A second prehearing conference was held on May 7, 2026, to address Applicant's request to include an Alternative Substation Layout in the Application.⁵² Based upon Applicant's request and the EIP's stipulations, a Second Prehearing Order was issued, which revised the dates for public hearings and established a new schedule for the proceedings.⁵³

36. An Amended Second Prehearing Order made additional changes to the schedule, as requested by the parties. The Amended Second Prehearing Order scheduled three public hearings: two in-person hearings on June 10, 2026, in Rochester, Minnesota, and a virtual hearing on June 11, 2026. The Order also set the deadline for public comments as June 25, 2026.⁵⁴

37. On May 26, 2026, the Commission issued a Notice of Public Hearings and Availability of EA for the Project. The Notice advised that the EA was available for public review; announced the date, times, and locations for the public hearings (including information to attend the virtual hearing); and noticed the deadline to submit public comments.⁵⁵

38. The EIP issued the EA on May 27, 2026.⁵⁶

39. The EA was mailed to the Rochester Public Library, Haverhill Township, and Viola Township.⁵⁷ The EA was also sent to the required state and local agencies and Tribal Historic Preservation Officers (THPOs).⁵⁸

40. On June 1, 2026, Applicant filed the Direct Testimony of Sergio Trevino, Kyra Rothwell, Dan Flo, Evan Christianson, Sonia Singh, and Douglas Mutcher, with accompanying schedules.⁵⁹

⁵¹ Ex. App-28 (Supplemental Information for EA).

⁵² Order for Second Prehearing Conference (May 1, 2026) (eDocket No. 20265-231335-01).

⁵³ Second Prehearing Order (May 8, 2026) (eDocket No. 20265-231611-01).

⁵⁴ Amended Second Prehearing Order (May 12, 2026) (eDocket No. 20265-231740-01).

⁵⁵ Ex. PUC-12 (Notice of Public Hearings and Availability of EA).

⁵⁶ Ex. PUC-EIP-8 (Lemon Hill Solar EA and Appendices). Appendix E – Agency and Union Responses to Data Requests, to the Lemon Hill Solar EA was filed separately on 05/28/2026 (eDocket No. 20265-232263-01).

⁵⁷ Ex. PUC-EIP-10 (Distribution of EA to Local Libraries and Townships).

⁵⁸ Ex. PUC-EIP-9 (Distribution of Environmental Assessment to Agencies and THPOs).

⁵⁹ See Exs. App-29 through App-34.

41. Also on June 1, 2026, Darrell Richardson filed a public comment requesting a supplemental EA and Environmental Impact Statement (EIS) for the Project.⁶⁰

42. On June 2, 2026, the Notice of Public Hearings and Availability of the EA was published in the *EQB Monitor*.⁶¹ The Notice was published in the *Post Bulletin* newspaper on May 23, 2026.⁶²

43. On June 4, 2026, the Haverhill Township Board filed a Resolution opposing the Project and identifying land-use, agricultural, and prime farmland concerns.⁶³

44. On June 8, 2026, Darrell Richardson filed a public comment again requesting a supplemental EA and EIS for the Project.⁶⁴

45. The public hearing presentation was filed on June 9, 2026, in advance of the public hearings.⁶⁵

46. Two in-person public hearings were held on June 10, 2026, at 125 Live (a community center) in Rochester, Minnesota. The first hearing commenced at 12 p.m. and the second commenced at 6 p.m. A virtual public hearing was held via WebEx on June 11, 2026, commencing at 6 p.m.

47. Public Hearing Exhibits A through G were filed on June 18, 2026.⁶⁶ Applicant filed public and nonpublic versions of Public Hearing Exhibit A, Part 1.⁶⁷ The Master Exhibit List was filed on June 22, 2026.⁶⁸

48. Numerous public comments were filed between June 11 and July 9, 2026.⁶⁹ Because of a delay in the timely uploading of public comments to eDockets by Commission staff, the Judge will accept and consider all comments filed in this matter.

⁶⁰ Darrell Richardson Request for Supplemental EA and EIS (June 1, 2026) (eDocket No. 20266-232417-01).

⁶¹ Ex. PUC-EIP-11 (EQB Monitor – Public Hearings and Environmental Assessment Availability Notice).

⁶² Ex. PUC-13 (Affidavit of Publication – Public Hearings).

⁶³ Haverhill Township Board Resolution No. 202605 Expressing Opposition to the Proposed Lemon Hill Solar Project (June 4, 2026) (eDocket No. 20266-232540-01).

⁶⁴ Darrell Richardson Request for a Supplemental EA and EIS (June 8, 2026) (eDocket No. 20266-232601-01).

⁶⁵ Public Hearing Slides (June 9, 2026) (eDocket No. 20266-232660-01).

⁶⁶ Exs. PUC-EIP-14 through PUC-EIP-20.

⁶⁷ Exs. PUC-EIP-12 (Public Hearing Exhibit A, Part 1 – (Public Lease Memorandum) and PUC-EIP-13 (Public Hearing Exhibit A, Part 1 (Nonpublic Lease Agreement)).

⁶⁸ Master Exhibit List (June 22, 2026) (eDocket No. 20266-233181-01).

⁶⁹ Mike Keefe Comments (June 11, 2026) (eDocket No. 20266-232784-01); Darrell Richardson Request for Supplemental EA and EIS (June 22, 2026) (eDocket No. 20266-233124-01); Kevin Hammel and John Pries (June 23, 2026) (eDocket No. 20266-233212-01); Dan Klavetter Public Hearing Comments (June 25, 2026) (eDocket No. 20266-233323-01); Comments of Aaron Cunningham, Curt Shellum, Stephanie Cunningham, Brett Ostby, Erin O'Neill, David and Robin Lowe, Joni Mulholland, Jim Klavetter, Joe Adams, Alex Langsjoen, Nikki Kranz, Leah Tollefson, Darrell Richardson, Jill Danielson, Tracy Huffman-Krizzo, Deborah Klavetter, Wendy Jensen, and Ken Everson (June 29, 2026) (eDocket Nos. 20266-233483-01, 20266-233482-01, 20266-233481-01, 20266-233481-01, 20266-233481-01, 20266-233481-01, 20266-233480-01, 20266-

49. In addition to the comments filed by members of the public, the following organizations and agencies filed comments: the International Brotherhood of Electrical Workers Local 343 (IBEW Local 343) and Laborer's International Union of North America (LIUNA); the Minnesota Department of Health (MDH), Minnesota Department of Natural Resources (MDNR), and the Minnesota Interagency Vegetation Management Planning Working Group (VMPWG).⁷⁰

50. On June 24, 2026, the EIP filed its public hearing comments.⁷¹ The next day, June 25, 2026, Applicant filed its Response to the EA, along with a karst Assessment Addendum.⁷²

51. On July 9, 2026, Applicant filed its response to public comments and its Proposed Findings of Fact, Conclusions of Law and Recommendations.⁷³ The EIP filed its reply comments and its proposed revisions to Applicant's Proposed Findings on July 23, 2026.⁷⁴

52. Additional public comments were filed between July 9 and August 5, 2026.⁷⁵

233479-01, 20266-233478-01, 20266-233477-01, 20266-233476-01, 20266-233475-01, 20266-233474-01, 20266-233473-01, 20266-233472-01, 20266-233471-01, 20266-233470-01, and 20266-233456-01); Deborah Klavetter Comments (June 30, 2026) (eDocket No. 20266-233558-01); Wendy Jensen Comments (June 30, 2026) (eDocket No. 20266-233517-01); Ken Everson Comments (June 30, 2026) (eDocket No. 20266-233513-01); Eliese Klennert Comments (July 8, 2026) (eDocket No. 20267-233923-01); Joshua Pries Comments (July 8, 2026) (eDocket No. 20267-233912-01); Owen Zeimer Comments (July 9, 2026) (eDocket Nos. 20267-233977-01 and 20267-233984-01); Mindy Shea Public Comments (July 9, 2026) (eDocket No. 20267-233976-01); Mara Shabestari Comments (July 9, 2026) (eDocket No. 20267-233982-07); Terry Lambert Comments (July 9, 2026) (eDocket No. 20267-233982-06); Mary Doucette Comments (eDocket No. 20267-233982-05); Susan Dreher Comments (July 9, 2026) (eDocket No. 20267-233982-04); Shane Tracy Comments (July 9, 2026) (eDocket No. 20267-233982-03); Charles Wilson Comments (July 9, 2026) (eDocket No. 20267-233982-02); Mary Petersson Comments (July 9, 2026) (eDocket No. 20267-233982-01).

⁷⁰ IBEW Local 343 and LIUNA Public Hearing Comments (June 25, 2025) (eDocket No. 20266-233342-01); MDH Public Hearing Comments (June 23, 2026) (eDocket No. 20266-233231-01); MDNR Public Hearing Comments (June 25, 2026) (eDocket No. 20266-233340-01); VMPWG Public Hearing Comments (June 25, 2026) (eDocket No. 20266-233326-01).

⁷¹ EIP Public Hearing Comments (June 24, 2026) (eDocket No. 20266-233257-01).

⁷² Lemon Hill - Response to the EA with Attachment A - Karst Assessment Addendum (June 25, 2025) (eDocket No. 20266-233322-01).

⁷³ Lemon Hill Response to Public Comments and Proposed Findings of Fact, Conclusions of Law and Recommendations (July 9, 2026) (eDocket Nos. 20267-233981-03).

⁷⁴ EIP Reply Comments and revisions to Applicant's Proposed Findings of Fact, Conclusions of Law and Recommendations (eDocket Nos. 20267-234568-01 and 20267-234568-02)

⁷⁵ Comment of David Klavetter (July 17, 2026) (eDocket No. 20267-234279-01); Comment of Mindy Shea (July 9, 2026) (eDocket No. 20267-233976-01); Comment of Owen Zierner (July 9, 2026) (eDocket No. 20267-233977-01); Comment of Julie Huffman (Aug. 5, 2026) (eDocket No. 20268-234953-01); Comment of Gary Benike (Aug. 5, 2026) (eDocket No. 20268-234953-02); Comment of Sara Behnken (Aug. 5, 2026) (eDocket No. 20268-234953-03); Comment of Mike Keefe (Aug. 5, 2026) (eDocket No. 20268-234953-04); Comment of Laurie Meyer (Aug. 5, 2026) (eDocket No. 20268-234953-05); Comment of Tracy Huffman-Krizo (Aug. 5, 2026) (eDocket No. 20268-234953-06); Comment of David Lowe (Aug. 5, 2026) (eDocket No. 20268-234953-07);

53. On July 30, 2026, Applicant submitted a letter regarding updated recommendations from the MDH regarding karst avoidance measures.⁷⁶

III. DESCRIPTION OF THE PROJECT

54. Applicant is proposing to construct and operate an up to 180 MW alternating current (AC) photovoltaic (PV) solar energy generating facility and associated infrastructure, known as the Lemon Hill Solar Project. The proposed Project would be located in Haverhill and Viola Townships in Olmsted County, Minnesota.⁷⁷

55. The Project footprint would comprise and encumber approximately 1,956 acres of prime agricultural land (Site). The Project would include: bi-facial PV modules affixed to tracking systems that allow the PV modules to track the sun from east to west; inverters; transformers; an electrical collection system; access roads; security fencing; security cameras and lighting; a collector substation; an operations and maintenance (O&M) building; parking; stormwater retention ponds; weather stations; temporary laydown areas, either approximately 160 or 530 feet of 161 kilovolt (kV) transmission generation tie-line; and any necessary ancillary equipment or buildings.⁷⁸

56. The estimated annual energy production for the Project is 338,500 megawatt hours (MWh).⁷⁹

57. Applicant has a Power Purchase Agreement (PPA) with Xcel Energy, a Minnesota utility, serving customers throughout Minnesota and several neighboring states.⁸⁰ Xcel Energy seeks solar energy resources, like this Project, to attempt to meet the requirements of Minnesota's 100 percent carbon-free standard.⁸¹ The Commission approved the PPA on March 25, 2026, in MPUC Docket No. E-002/M-24-230.⁸²

58. Applicant is proposing to interconnect the Project's substation via a 161 kV gen-tie line to Dairyland Power Cooperative's (Dairyland) switchyard that would then tie into Dairyland's LQ34 161 kV transmission line, which is scheduled to be relocated. The gen-tie line would be approximately 1,500 feet in length and would have capacity to accommodate all the solar energy generation from the Project. Applicant filed a queue position with the Midcontinent Independent System Operator (MISO) in the MISO DPP 2021 West study cycle as J2219. Applicant executed a Provisional Generator Interconnection Agreement (GIA) with MISO and Dairyland in February 2026, and

⁷⁶ Lemon Hill letter (July 30, 2026) (eDocket No. 20267-234734-01).

⁷⁷ Ex. App-29 at 3-4 (Direct Testimony of Sergio Trevino).

⁷⁸ Ex. App-29 at 3-4 (Direct Testimony of Sergio Trevino).

⁷⁹ Ex. App-2 at 2 (Site Permit Application).

⁸⁰ See Scoping Hrg. Tr. Vol. I at 67:1 and Vol. II at 69:20-23.

⁸¹ See IBEW Local 343 and LIUNA Comments (June 25, 2026) (eDocket No. 20266-233342-01).

⁸² See Order Approving Solar and Storage Portfolio and Associated Cost Recovery, *In the Matter of Northern States Power Company's, d/b/a Xcel Energy, Petition for Approval of a Solar and Storage Portfolio*, MPUC Docket No. E-002/M-24-230 (March 25, 2026); see also Ex. App-29 at 8-9 (Direct Testimony of Sergio Trevino).

proposes to start construction in the first quarter of 2027, with commercial operations starting by the end of 2028, should the Project be approved by the Commission.⁸³

59. In its Application, Applicant proposed that the Project's substation be located in a seven-acre area east of County Road 102 N.E., to the east of the existing overhead 161 kV Rochester-to-Wabaco transmission line owned by Dairyland, which would be the point of interconnection for the Project. The substation would connect the Project to the grid by way of a new approximately 530-foot 161 kV gen-tie transmission line.⁸⁴ Within the Site there would be approximately 20 separately fenced areas containing most of the solar facilities, including the solar panels, substation, and buildings.⁸⁵ This configuration is called the Preliminary Design Scenario in the EA, but for purposes of this Report will be called the Original Design Scenario.⁸⁶ The Original Design Scenario appears in Figure 1, as follows:⁸⁷

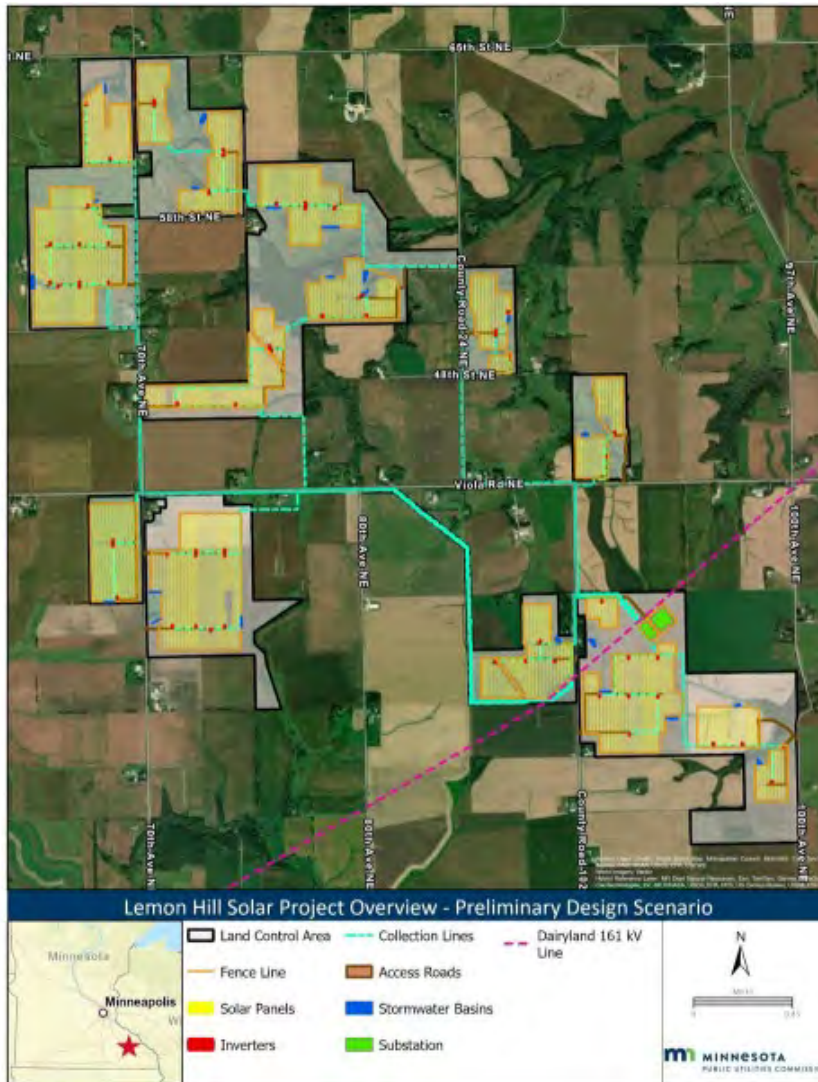
⁸³ Ex. App-29 at 4 (Direct Testimony of Sergio Trevino).

⁸⁴ Ex. App-29 at 6-7 (Direct Testimony of Sergio Trevino).

⁸⁵ Ex. PUC-EIP-8 at 2 (EA).

⁸⁶ To avoid confusion with the term "Preliminary Development Area," discussed later in the Report.

⁸⁷ Ex. PUC-EIP-8 at 3 (Figure 1) (EA).

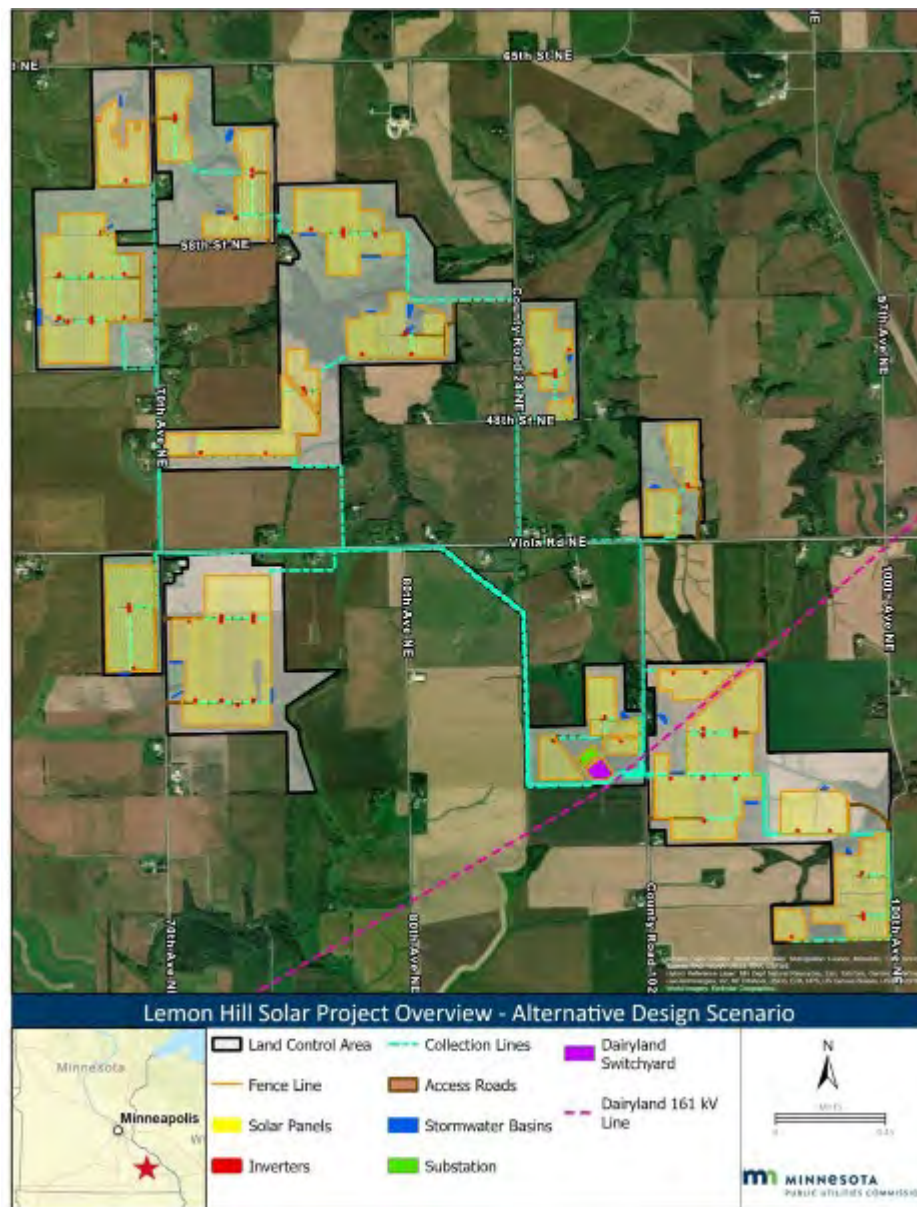


60. On April 29, 2026, ten months after filing its Application, Applicant requested that the EIP also evaluate an alternative location for the substation in an area west of County Road 102 N.E. and to the west of Dairyland's existing transmission line.⁸⁸ In this alternative design, Applicant proposes to move the substation within the Site to an approximately 8.5-acre area west of County Road 102 N.E. and west of Dairyland's existing transmission line. The new substation location would displace some solar panels, which would be relocated to two areas within the Site: (1) to the location of the original substation and an area surrounding that location (still within the Site); and (2) to a parcel situated in the southeast section of the Site, west of 100th Avenue S.E. The alternative configuration would also require the addition of 34.5 kV collector lines in the southeast section of the Site. The alternative design would connect the Project to the grid by way of a new, approximately 160-foot 161 kV gen-tie transmission line.⁸⁹ The alternative design would include approximately 22 separately fenced blocks within the Site where most of

⁸⁸ Ex. App-28 (Supplemental Information for EA).

⁸⁹ Ex. App-29 at 7 (Direct Testimony of Sergio Trevino).

the solar facilities would be located (excluding transmission lines and other items).⁹⁰ This configuration is described in the EA as the Alternative Design Scenario and appears as follows:⁹¹



61. Under both design scenarios, the area where the fenced facilities are proposed to be located within the Site is described in the EA and Application as the Preliminary Development Area. The Preliminary Development Area does not include the collection lines, collection corridors, setbacks, or roads required for the Project, which are necessary aspects of the Project and all located within the Project Site.⁹²

⁹⁰ Ex. PUC-EIP-8 at 2 (EA).

⁹¹ Ex. PUC-EIP-8 at 4 (Figure 2) (EA).

⁹² Ex. PUC-EIP-8 at x (EA).

62. Simply put, the Preliminary Development Area is the sum acreage of the *fenced portions* of the 1,956-acre Site where Applicant proposes to locate facilities (including the solar panels, substation, Dairyland switchyard, O&M building, transformers, and metering equipment) but does *not* include the access roads, gen-tie structures, new overhead transmission lines, underground collection lines, the collection corridors, or the required setbacks.⁹³

63. Applicant estimates that the Preliminary Development Area (i.e., the total acreage of the fenced-in areas of the Site, not including required setbacks, new transmission lines, connection corridors, etc.) for the Original Design Scenario totals 963 acres and 1,067 acres in the Alternative Design Scenario.⁹⁴

IV. SITE LOCATION AND CHARACTERISTICS

64. The proposed solar facility would be located in Haverhill and Viola Townships within Olmsted County, Minnesota. The location is approximately 3.3 miles east of the city limits of Rochester, 3.3 miles northwest of the city of Eyota, and 0.85 mile west of the unincorporated community of Viola. The proposed Project would be located north and south of County Road 2 (also known as Viola Road N.E.), which bisects the Site running east-west. The Project Site is bounded by several public roadways, including 55th Avenue N.E. to the west; County Road 124/65th Street N.E. to the north; 97th Avenue N.E. and 100th Avenue N.E. to the east; and Silver Creek Road N.E. to the south.⁹⁵

65. The EA describes the area in which the Project would be located in two separate ways: the Site and the Land Control Area, both of which describe the same approximately 1,956-acre area.⁹⁶

66. Applicant has obtained all necessary land rights to construct the Project on the 1,956-acre Site through lease agreements with private landowners.⁹⁷ The record is silent as to how many landowners have entered into lease agreements with Applicant. EIP staff did not review the lease agreements as part of its analysis of the Project.

67. The 1,956-acre Site, plus the one-mile radius from the Site and collection line corridor, is referred to in the EA as the Project Area.⁹⁸

68. Views in the Project Area are broad and expansive but typically include farmsteads and rural residences. Many of the structures are fully or partially surrounded

⁹³ Exs. PUC-EIP-8 at 2 (EA); APP-2 at 8 (list of associated facilities and equipment) (Application).

⁹⁴ Ex. PUC-EIP-8 at 2 (EA).

⁹⁵ Ex. PUC-EIP-8 at 70 (EA).

⁹⁶ See Ex. PUC-EIP-8 at ix (EA). The EA defines the Land Control Area as “the 1,956-acre area for which [Applicant] is assumed to have site control through ownership, a lease agreement, or an easement. The site permit application refers to this as the ‘Site’.” *Id.*

⁹⁷ Ex. APP-2 at 3 (Application); Ex. PUC-EIP-8 at 2 (EA).

⁹⁸ See Ex. PUC-EIP-8 at 71 (EA).

by wooded shelterbelts. Several residences border the Project and are situated along public roadways.⁹⁹

69. Land use within the 1,956-acre Project Site is currently dominated by agriculture and prime farmland. Nearly 90 percent of the 1,956-acre Project Site is currently used for cultivated agriculture (primarily corn and soybeans) and hay/pasture and is considered prime farmland. Building features common to the area include residences and buildings, paved and gravel roads, and private agricultural drainage ditches.¹⁰⁰

70. There are some other infrastructure projects in the region, including: (1) a six-acre, 2.1 MW solar array located adjacent to the northern portion of the Project along 70th Avenue N.E.; (2) a 161 kV line (the rerouted LQ34 line owned by Dairyland) that crosses through the southeastern portion of the Project Site; (3) a liquid petroleum pipeline, owned by Magellan Pipeline Company, that runs through the Project from southeast to northwest;¹⁰¹ and (4) three registered Federal Communications Commission towers within the Project Site.¹⁰²

71. Applicant selected the Project Site based on three economic factors: (1) proximity to existing transmission infrastructure that has available capacity to receive injected power produced by the Project; (2) interest from a small number of landowners who volunteered to participate in the Project; and (3) proximity to large load centers in Rochester and Minneapolis.¹⁰³

V. PROJECT SCHEDULE

72. Applicant anticipates that it would begin construction on the Project in the first quarter of 2027 and reach commercial operation by the end of 2028.¹⁰⁴

VI. SUMMARY OF PUBLIC COMMENTS

A. Pre-Application Comments

73. After the filing of the Notice of Intent to Submit a Site Permit Application, eight members of the public submitted comments to the PUC.

74. Several residents of Viola and Haverhill Townships expressed opposition to the Project, voicing concerns over the loss of prime agricultural land, the impact on the local environment and wildlife, the lack of local input into Project, the impact on local aesthetics, noise pollution, the negative affect on property values, the lack of long term accountability by the Applicant, failure to consider input of local and non-leasing

⁹⁹ Ex. PUC-EIP-8 at 70 (EA).

¹⁰⁰ Ex. PUC-EIP-8 at 94 (EA)

¹⁰¹ Ex. PUC-EIP-8 at 71 (EA).

¹⁰² Ex. PUC-EIP-8 at 71 (EA).

¹⁰³ Ex. App-29 at 4 (Direct Testimony of Sergio Trevino).

¹⁰⁴ Ex. App-29 at 4 (Direct Testimony of Sergio Trevino).

landowners owners, health concerns associated with radiation from solar farms, and concerns that energy produced locally would be transferred away from, rather than used within the community. The comments were overall in opposition to the Project.¹⁰⁵

75. One Haverhill Township resident, who had already contracted with Applicant, offered to discuss his perspective and his motivation for contracting.¹⁰⁶

B. Comments on Application Completeness

76. On July 9, 2025, the PUC issued the Notice of Comment Period regarding the completeness of the Application. The comment period closed on July 23, 2025.¹⁰⁷

77. The PUC received 96 comments during the comment period, all of which opposed the Project. Seventeen people requested that an Advisory Task Force be appointed to review the Project.¹⁰⁸

78. Members of the community opposed the Project because of the environmental impact, loss of prime farmland, economic impact to community landowners and businesses, the decline in property values, lack of local involvement in the permitting process and Project oversight, likelihood of noise pollution, and the aesthetic impacts to the historically rural community.¹⁰⁹

¹⁰⁵ Comment by Taylor Pike; Comment by William and Tamera Schmidt; Comment by Gary Laurie and Matt Meyer; Comment by Joni Mulholland; Comment by Ted Pike; Comment by John Meyer; Comment by Mike Keefe.

¹⁰⁶ Comment by Paul Uecker (Mar. 20, 2025) (eDocket No. 20253-216639-01).

¹⁰⁷ Notice of Comment Period on Application Completeness).

¹⁰⁸ Comment by Deborah Klavetter (August 4, 2025) (eDocket No. 20258-221726-01); Comment by Michael Jones (August 4, 2025) (eDocket No. 20258-221718-01); Comments by Kevin Hammel, Tracy Huffman-Krizo, Owen Ziemer and Michael Jones, (August 5, 2025) (eDocket No. 20258-221777-01); Comments by Carla Brunsvold, Darrell Richardson, Jim Klavetter, John and Norma Pries, Wendy Jensen and Rachel Smith, (August 5, 2025) (eDocket No. 20258-221765-01); Comment by Laurie Albers (August 5, 2025) (eDocket No. 20258-221810-01); Comment by Tammy Schmidt (August 8, 2025) (eDocket No. 20258-221896-02).

¹⁰⁹ Comment by Joshua Axley; Comment by Faheena Keefe; Comment by Laurie Meyer; Comment by Wayne Pike (July 21, 2025) (eDocket No. 20257-221218-01); Comment by Mike Keefe (July 21, 2025) (eDocket No. 20257-221219-01); Comment by Clint Mulholland (July 21, 2025) (eDocket No. 20257-221217-01); Comment by Deborah Klavetter (July 21, 2025) (eDocket No. 20257-221216-01); Comments by Amy Renken, Randy Renken, Rogena Klavetter, Tamera and William Schmidt, Wendy Jensen (July 22, 2025) (eDocket No. 20257-221275-01); Comment by Tracy Huffman-Krizo (July 23, 2026) (eDocket No. 20257-221315-01); Comment by David Krizo (July 23, 2026) (eDocket No. 20257-221314-01); Comment by Julie Huffman (July 23, 2026) (eDocket No. 20257-221313-01); Comment by Eleanor Krizo (July 23, 2026) (eDocket No. 20257-221311-01); Comment by Kevin Hammel (July 23, 2026) (eDocket No. 20257-221310-01); Comment by Tom Shea (July 23, 2026) (eDocket No. 20257-221309-01); Comment by James Klavetter (July 23, 2026) (eDocket No. 20257-221308-01); Comment by John and Norma Pries (July 23, 2026) (eDocket No. 20257-221307-01); Comments by Laurie Albers, Jean Hanson, Bethany Hoffman, Jennifer Lawver, Julie Meyers, Phillip Nicklay, Ted Pike, Rick Trogstad, Jason and Mindy Shea, and Amy Renken (July 24, 2026) (eDocket No. 20257-221366-01); Comment by Dale Bierbaum (July 30, 2026) (eDocket No. 20257-221547-01); Comment by Brad Nelson (August 4, 2025) (eDocket No. 20258-221700-01); Comment by Viola Township (August 4, 2025) (eDocket No. 20258-221699-01); Comments by Kenneth Everson, Mike Keefe, and Bill Schmidt (August 5, 2025)

79. State Senator Steve Drazkowski and State Representative Steven Jacob submitted comments opposing the Project. The legislators pointed out that because of recent federal law changes phasing out certain tax credits and incentives that may apply to Lemon Hill and their developer, Ranger Power, Lemon Hill may be trying to use an expedited permitting request for the Project to benefit their financial interests. The legislators contend that by expediting the permitting process, the public would have limited meaningful public engagement and local stakeholders would be robbed of adequate opportunity to participate, comment, and improve the outcomes for all concerned. In addition, they state, “an expedited process could result in insufficient assessment of unique local environmental, agricultural, and water management factors, including stormwater compliance and potential impacts on native plant communities and wildlife. The proposed development is in a very environmentally sensitive area.” Finally, the legislators strongly urged the appointment of a citizen advisory task force for the project under Minn. R. 7850.2400.¹¹⁰

80. Residents of Viola and Haverhill Townships filed a petition entitled “Opposition Petition People Against the Viola and Haverhill Township Ranger Power Lemon Hill Solar Project.” The petition contained 225 signatures. The Petition talked about how the project affects farm families and area residents by taking away productive farmland, the displacement or loss of wildlife, the destruction of waterways, terraces and tile lines, much of which was paid for with tax dollars to save valuable top soils, and the loss of farmland impacting other businesses like seed dealers, equipment dealers, fuel companies, and more.¹¹¹

81. EIP’s comments recommended that the Commission accept the Application as substantially complete, not appoint an advisory task force, and request for the appointment of an administrative law judge to conduct public hearings and prepare a full report with findings, conclusions, and recommendations.¹¹²

C. Scoping Comments

82. Public Information and Environmental Review Scoping Meetings were held on November 19 and 20, 2025. There were two in-person meetings on November 19, 2025 (at 12 p.m. and 6 p.m.) and a virtual meeting conducted by WebEx on November 20, 2025.¹¹³

83. Fifteen members of the public provided verbal comments during the 12 p.m. meeting on November 19, 2025; 24 individuals provided verbal comments during the

(eDocket No. 20258-221777-01); Comments by Dale Bierbaum, John and Norma Pries, Steve Uthke, and Mike Keefe (August 5, 2025) (eDocket No. 20258-221765-01); Comment by Bradley Lorang (August 25, 2025) (eDocket No. 20258-222364-01).

¹¹⁰ Steve Drazkowski, State Senator and Steven Jacob, State Representative Comments (August 5, 2025) (eDocket No. 20258-221784-01).

¹¹¹ Opposition Petition (July 22, 2025) (eDocket No. 20257-221274-01).

¹¹² EIP Staff Comment (July 23, 2026) (eDocket No. 20257-221324-01).

¹¹³ Notice of Public Information and Environmental Assessment Scoping Meetings.

6 p.m. meeting on November 19; and two people offered verbal comments during virtual meeting on November 20, 2025.¹¹⁴

84. Residents raised concerns about current plans for setbacks as insufficient and about the karst geology and contaminants in the water affecting wells. Jim Klavetter, a resident, farmer, and chairperson of the Viola Township Board, talked about how the job creation for the Project would be mostly temporary jobs, but long term, it would take away more jobs than it would bring, especially to small businesses in the area that rely on agriculture.¹¹⁵

85. Mike Keefe discussed concerns about the leases between the Applicant and landowners. Keefe mentioned the karst region and the likelihood of groundwater contamination.¹¹⁶

86. Tracy Huffman-Krizo emphasized concerns about how frost heave may cause frost jacking (where the expanding ice grips the piles and jacks it upwards) which would affect that fragile karst topography.¹¹⁷

87. Joe Christenson raised questions about the short notice to the community about the project application and the logic to putting solar panels in Minnesota where the weather interferes with sunlight.¹¹⁸

88. Mindy Shea talked about how farming and rural living is more than an occupation or address, but a way of life rooted in tradition, resilience, and a deep connection to land in the community. Shea asserted the reason for the solar panels seems motivated by monetary benefit.¹¹⁹

89. David Pike, landowner near the Project Site, asked about the financial footing of the Applicant and where to obtain that information, about the depth of pylons in the soil, and the security fence.¹²⁰

90. The scoping comment period ended on December 8, 2025. Written comments were received from unions, state agencies, and members of the public.¹²¹

91. LIUNA, IUOE Local 49, and Iron Workers Local 512 requested that the EA consider local employment and economic impact.¹²²

¹¹⁴ Scoping Hrg. Tr. Vol. I; Scoping Hrg. Tr. Vol. II; Scoping Hrg. Tr. Vol. III (eDocket No. 202512-225762-02).

¹¹⁵ Scoping Hearing Tr. Vol. I at 18-28 (J. Klavetter). See also Scoping Hearing Tr. Vol. I at 41-44 (W. Pike); Scoping Hearing Tr. Vol. I at 58-62 (J. Lawver); Scoping Hearing Tr. Vol. I at 72-76 (J. Mulholland); Scoping Hearing Tr. Vol. II at 15-17 (C. Mulholland);

¹¹⁶ Scoping Hrg. Tr. Vol. I at 29-29.

¹¹⁷ Scoping Hrg. Tr. Vol. I at 45-53.

¹¹⁸ Scoping Hrg. Tr. Vol. I at 63-66.

¹¹⁹ Scoping Hrg. Tr. Vol. II at 17-20.

¹²⁰ Scoping Hrg. Tr. Vol. III at 18-30.

¹²¹ Ex. PUC-EIP-4 (Oral and Written Comments on the Scope of EA).

¹²² Scoping Hrg. Tr. Vol. I at 16-19, 89-91.

92. The MDH warned of active karst in the Project Area, impacts on stormwater ponds, including drinking water protections, the need for remediation and contingency planning, and the potential impact on private wells.¹²³

93. The MnDOT commented that, while the Project does not immediately affect MnDOT interests, the Applicant would most likely need permits for hauling during construction and should also be aware of road construction in the area.¹²⁴

94. The Minnesota Pollution Control Agency (MPCA) reminded that the Project would need to include permits from the U.S. Army Corps of Engineers and the MPCA, including water quality certification.¹²⁵

95. The Minnesota Department of Agriculture (MDA) asked that the EA examine:

- Impacts to the local agricultural economy brought about by the removal of a large amount of agricultural land, local employment and community agricultural businesses, agricultural land availability, and local agricultural land values and rental rates;
- Impacts on local infrastructure, such as roads and surface drainage systems;
- Compliance with local zoning and land use ordinances, such as setbacks and screening, among others;
- Impact to agricultural soils and drainage systems;
- Effect on surface and ground water quality due to the proximity of karst geologic features within and near the Project;
- Site contamination caused by the construction and decommissioning; and
- Stray voltage and electromagnetic fields to nearby agricultural activities, such as irrigation systems, livestock, and people.¹²⁶

96. The MDNR warned of potential impacts to wildlife caused by fencing, the location of karst features, protections for loggerhead shrike and native plant communities, lighting requirements, potential for increased dust during construction, and the need for wildlife-friendly erosion control. To that end, the MDNR made several recommendations:¹²⁷

¹²³ Written Comments on EA Scoping at 5-6 (Dec. 11, 2025) (eDocket No. 202512-225762-01).

¹²⁴ MnDOT Written Comments on EA Scoping (Dec. 11, 2025) (eDocket No. 202512-225606-01).

¹²⁵ Written Comments on EA Scoping at 3.

¹²⁶ MDA Written Comments on EA Scoping (Dec. 8, 2025) (eDocket No. 202512-225612-01).

¹²⁷ MDNR Written Comments on EA Scoping (Dec. 8, 2025) (eDocket No. 202512-225633-01).

- Require a Vegetation Management Plan (VMP).
- Require security fencing with a minimum height of 10 feet around each group of solar arrays to prevent white-tailed deer and other large wildlife from entering the facility;
- Require that fencing be designed in accordance with the MDNR's *Commercial Solar Siting Guidance and the Fencing Handbook for 10 ft Woven Wire Deer Exclusion Fence*.
- Require that the nominal color temperature of lighting used not exceed 4,000 kelvin, be downlit, and be shielded to minimize blue hue, backlight, and glare in compliance with the MDNR's *Commercial Solar Siting Guidance*.
- The EA should address potential impacts to the loggerhead shrike, a state-listed endangered bird that has been documented in the Project vicinity. Specifically, tree and shrub removal should be avoided during the loggerhead shrike breeding season (April through July). If tree clearing cannot be avoided during the breeding period, a qualified surveyor must conduct a survey for active nests before any trees or shrubs can be removed. The MDNR also attached a Natural Heritage Review Letter regarding details about necessary surveys.
- The EA should address fugitive dust levels and dust suppression measures to be taken during construction and once the facility is operational.
- The EA should discuss the use of wildlife friendly erosion control measures, including use of biodegradable erosion control materials that are flexible and rectangular to prevent wildlife entanglement, limiting erosion control blankets to "bio-netting" or "natural netting" types (not plastic), and selecting hydro-mulches that do not contain synthetic fibers or malachite green dyes, which can pose toxicity concerns for fish, wildlife, and insects.

97. Finally, the MDNR noted that the Project is within a region prone to karst features. Consequently, the MDNR recommended that Applicant be required to coordinate with geotechnical experts to prevent pollution in this sensitive hydrogeology. In addition, the EA should describe how design and construction methods to protect the groundwater from pollution.¹²⁸

98. The Leech Lake Band of Ojibwe Tribal Historic Preservation Office noted that, although they have no recorded historic properties within the area, no cultural

¹²⁸ MDNR Written Comments on EA Scoping at 1.

resources could be found. The Band requested to be notified if human remains or suspected human remains are encountered.¹²⁹

99. Thirty-five written comments were received from individual members of the public. Members of the public wrote to ask for more extensive setbacks at property lines.¹³⁰ Amy Renken asked about effects on recreation and tourism and who will hold the Applicant accountable for agreements made for this Project if they sell.¹³¹ Bradley Lorang asked that independent subject matter experts verify information presented by the Applicant and the PUC for the Project.¹³²

100. Eliese Klennert, owner of The Stables Equestrian Center located next to the Project, proposed permit conditions to avoid, minimize, or mitigate direct impacts to her business.¹³³

101. Gary Benike asked to consider ruling out driving pillars into shallow karst areas, and to have all tile lines located, flagged, and if necessary, relocated before any construction starts.¹³⁴

102. A number of members of the public wrote in support of the Project for its environmental and economic impacts.¹³⁵

103. Mike Keefe submitted written comments outside the comment period. Keefe filed a copy of the Terracon karst Survey and Groundwater Assessment Report for the Lemon Hill Solar Project. Keefe asserted the Terracon report discussed harms to the karst geology by the Project and that the groundwater systems are not compartmentalized but interconnected.¹³⁶

104. No site or system alternatives were recommended for study during the scoping period.

105. Applicant filed responsive scoping comments and addressed the following topics: karst, groundwater, the Crawfish River Solar Project, project ownership, and fire risk.¹³⁷

106. Prior to the beginning of the hearing comment period, on June 1 and 8, 2026, community member Darrell Richardson submitted comments requesting that the Project undergo both a Supplemental Environmental Assessment (SEA) and a full Environmental Impact Statement (EIS), arguing that the current EA is incomplete and

¹²⁹ Written Comments on EA Scoping at 7.

¹³⁰ Written Comments on EA Scoping at 11-12, 20.

¹³¹ Written Comments on EA Scoping at 8.

¹³² Written Comments on EA Scoping at 13.

¹³³ Written Comments on EA Scoping at 21-6.

¹³⁴ Written Comments on EA Scoping at 27-73.

¹³⁵ Written Comments on EA Scoping at 16, 78, 80-87, 127, 131-32, 135-36.

¹³⁶ Mike Keefe Comments (Dec. 15, 2025) (eDocket No. 202512-225820-01).

¹³⁷ Ex. App-26 (Scoping Comments).

inadequate. Richardson asserts that the current EA does not incorporate new data indicating the presence or likely presence of protected species (including the Rusty Patched Bumble Bee), new information documenting well fluctuations and high-capacity well activity, and more information regarding karst features, surface to groundwater connectivity, and groundwater impacts such as aquifer recharge, contamination risks, and effects on private wells. Richardson contends that these gaps prevent a full understanding of the Project's environmental consequences and do not meet Minnesota's environmental review standards. Richardson asked the Commission to require additional environmental review given the emergence of new information to ensure full legal compliance, transparency, and thorough environmental analysis before the Project proceeds.¹³⁸

107. On June 4, 2026, Haverhill Township submitted comments opposing the proposed Project, arguing that it would convert large areas of prime farmland into long-term industrial use, thereby threatening agricultural productivity and the viability of local farming. The township also raised concerns about the Project's compatibility with rural land uses, its impact on the area's character and landscape, and potential environmental risks, especially groundwater contamination due to sensitive karst geology. Additional issues included soil health, drainage, construction impacts, and the need for strong decommissioning plans and financial guarantees. The township urged regulators to carefully review the Project, prioritize farmland preservation, and deny the site permit.¹³⁹

D. Public Hearings Comments

108. Three public hearings were held on June 10 and 11, 2026: two in-person hearings in Rochester on June 10, 2026 (12 p.m. and 6 p.m.), and one virtual hearing on June 11, 2026. Twelve people provided oral comments at the afternoon hearing on June 10.¹⁴⁰ Thirteen people made oral comments at the evening hearing on June 10.¹⁴¹ One person made an oral comment at the virtual hearing on June 11.¹⁴² The oral comments made at the hearings are detailed below.

109. Mike Keefe, resident of Dover, submitted six exhibits for review, including a lease agreement between a local landowner and Applicant.¹⁴³ Keefe argues that Applicant's land leases violate state law by, among other things: (1) failing to disclose material facts to landowners; (2) including unfair nondisclosure clauses; (3) exceeding the 21-year limit to land leases set forth in the Minnesota Constitution (the Applicant lease is for 35 or 44 years); (4) allowing an LLC to be involved in farming or owning agricultural land in violation of Minn. Stat. § 500.24; and (5) breaching the agricultural land preservation policy set forth in Minn. Stat. § 17.80, subd. 2(h). Keefe states that local landowners feel "duped" and want out of the leases they signed. Keefe also asserts that

¹³⁸ Darrell Richardson Comments (June 1, 2026) (eDocket No. 20266-232417-01); Darrell Richardson Comments (June 8, 2026) (eDocket No. 20266-232601-01).

¹³⁹ Haverhill Township Comments (June 4, 2026) (eDocket No. 20266-232549-01).

¹⁴⁰ Pub. Hrg. Tr. Vol. I (Jun. 10, 2026, 12 p.m.) (eDocket No. 20266-233125-01).

¹⁴¹ Pub. Hrg. Tr. Vol. II (Jun. 10, 2026, 6 p.m.) (eDocket No. 20266-233125-02).

¹⁴² Pub. Hrg. Tr. Vol. III (Jun. 11, 2026) (eDocket No. 20266-233125-03).

¹⁴³ Pub. Hrg. Exhibit A (June 18, 2026) (eDocket Nos. 20266-233054-01, 20266-232909-02, 20266-232909-03).

the EA was inadequate to address karst issues in the area. He is concerned that there is insufficient geotechnical oversight or analysis of the Project, given the sensitive karst geology in the area. Keefe explained that “frost heave” would move the solar pilings and allow surface water to enter the sensitive karst geology. Finally, Keefe expressed concern that Applicant or its contractor, Merjent, started a fire in Haverhill Township in 2024, near the proposed Site.¹⁴⁴ (Merjent admits that its employees saw the fire on the property and called the fire department, but denies knowing how the fire started.)¹⁴⁵

110. Joe Christenson, a local resident, commented that given the state’s cold and volatile weather, Minnesota is not a viable location for solar projects. He contends that Minnesota solar farms do not produce much energy because of the limited amount of sun exposure or sun intensity that Minnesota receives, especially during the long winter months. He noted that Minnesota prime farmland should not be used for solar farms because there are plenty of areas in other states with more sun and less productive land. Christenson questioned whether any of the energy produced from the proposed Project would even be used in Minnesota or whether it would be shipped out of state. Christenson is also concerned about hunting the frequently occurs near the proposed Project Site. He is worried that that projectiles could strike and damage the solar panels, creating a risk of contaminants leaking from the panels into groundwater. Finally, Christenson believes that the Project was instigated by a particular Haverhill Township Board member who wanted to lease his land for the Project for profit and concealed this conflict of interest from the township board until after an election. Christenson believes that solar farms like the one proposed do little to combat climate change.¹⁴⁶

111. Darrell Richardson, Viola Township, submitted an exhibit for review.¹⁴⁷ Similar to his written comments and request for additional environmental review, Richardson asserts that the EA is inadequate in the following ways: (1) it omits multiple threatened and endangered species; (2) it ignores the impact on the endangered Rusty Patched Bumble Bee, an important insect for agriculture; (3) it neglected to analyze groundwater impacts, especially to private wells in the area; and (4) it fails to meet EA sufficiency standards by, among other things, making unsupported conclusions. Richardson requested a supplemental EA or a full EIS be completed.¹⁴⁸

112. Ken Everson, Eyota, commented that the EA is insufficient with respect to the analysis of the jobs that would be lost as a result of the Project. He noted that the jobs “created” would only be temporary during construction and that very few (three to five) permanent jobs would be created. In contrast, he explained that significantly more jobs would be lost or the local economy negatively impacted by removing more than 1,900 acres of prime farmland from production. Everson asserts that the EA did not adequately consider the jobs that would be lost and the economic impact resulting from the loss of this farmland in the small community. He explained that the EA did not properly consider the local suppliers and business owners that would suffer as a result of the

¹⁴⁴ Pub. Hrg. Tr. Vol. I at 25-31; Pub. Hrg. Tr. Vol. II at 54-70, 66-70.

¹⁴⁵ Pub. Hrg. Tr. Vol. II at 66-38 (Dan Flor, employee of Merjent).

¹⁴⁶ Pub. Hrg. Tr. Vol. I at 33-38; Pub. Hrg. Tr. Vol. II at 94-101 (Christenson).

¹⁴⁷ Pub. Hrg. Exhibit B (June 18, 2026) (eDocket No. 20266-233054-02).

¹⁴⁸ Pub. Hrg. Tr. Vol. I at 40-47 (Richardson).

reduction in farmland/farming in the area. Everson also questioned how the Commission can ignore the Prime Farmland Rule, Minn. R. 7850.4400. According to a Request for Information #158, 963.14 acres would be lost under the Project as proposed in the original Application and 1,067.42 acres lost with the Alternative Substation. Everson rejects the EA conclusion that there is no other feasible and prudent alternative to the Project. Everson questioned why the state does not have a lawyer or agency representing the public's interest in these types of projects. Instead, it appears that the EIP merely "rubber stamps" a utility company's data and information in the EA. He expressed need for critical and independent review of these projects to determine whether the projects really are in the best interest of the state and its residents. Everson also addressed: (1) the existence of karst in the area and how the EA did not adequately analyze that issue; (2) potential impacts on the many private wells in the area and on the groundwater; and (3) how the Project would be decommissioned and put back into agricultural use, especially if there is damage to existing drainage system.¹⁴⁹

113. Nathan Runke, a member of the International Union of Operating Engineers, Local 49, expressed support for the Project, provided that it creates union jobs. He questioned, however, whether Applicant was willing to commit to using local union labor for construction, something the company was unwilling to commit to at the hearing. In addition, it was noted that the company makes no assurance that the three to five permanent jobs created to operate the facility would be local hires.¹⁵⁰

114. Shannon O'Neill, is a business owner in Elgin. She said that the Project should be developed in a different location due to the valuable farmland and natural beauty of the area that would be impacted.¹⁵¹

115. Clint Mulholland is a local resident who is worried about living close to the proposed substation. He questioned what entity was paying the cost of the land leases and what public subsidies the solar companies are receiving. He urged the Commission to require more buffers between private property and the solar farm.¹⁵²

116. Joni Mulholland is a local resident and is disappointed with how this Project was originally proposed and how it is being permitted. First, she asked if DESRI and Ranger Power intend to sell the Applicant after the Project is developed, a question the companies did not fully answer. Mulholland emphasized that: (1) the energy produced by the Project would not be used in Minnesota; (2) local workers would not be used for construction of the Project; (3) only a couple permanent jobs would be created by the Project (and more local jobs lost); and (4) the Project would not benefit Minnesota. She is disappointed that the Minnesota Legislature quietly passed laws exempting solar companies from complying with local laws and regulations, thereby removing local control of the development. For example, Viola and Haverhill Townships were never given the opportunity to object to the Project before it went before the PUC. Like other commenters, Mulholland notes that one Haverhill Township Board member quietly pushed to get the

¹⁴⁹ Pub. Hrg. Tr. Vol. I at 48-80; Pub. Hrg. Tr. Vol. II at 101 (Everson).

¹⁵⁰ Pub. Hrg. Tr. Vol. I at 80-82 (Runke).

¹⁵¹ Pub. Hrg. Tr. Vol. I at 114-18 (O'Neill).

¹⁵² Pub. Hrg. Tr. Vol. I at 118-22 (C. Mulholland).

Project brought into the area so that he could personally profit from leasing his property at the expense of others in the community. In short, Mulholland believes that there is a lack of transparency with the Project and that the community is being taken advantage of by out-of-state solar companies.¹⁵³

117. Erin O'Neill is a local resident concerned about the environmental impact the Project would have on the area, particularly the risk of introduction non-native invasive plant species into the agricultural community. O'Neil asserts that government agencies do not always know what is best for the community.¹⁵⁴

118. Jim Klavetter is a former Viola Town Board Chairman and current member of the township Planning and Zoning Commission. He made several points during the hearing. First, he noted that the labor Applicant plans to use to construct the project are not local union workers; they are generally brought in from out of state. Second, Klavetter expressed concern about the existence of karst in the area and the potential impacts the Project would have on water quality due to the sensitive karst geology. Third, he is disappointed that Applicant is exempt from all the local zoning laws and rules with which farmers and residents must comply. Klavetter noted that Ranger is based in Chicago and DESRI is in Massachusetts, rendering them unresponsive to local needs. He expressed disappointment with the Applicant for not working with the local Townships to obtain input and coordinate on issues such as setbacks, roads, and other local regulatory items. This caused a fair amount of distrust in the community. Fourth, Klavetter questioned why the Commission does not have legal counsel at the public hearings to question the Applicant, represent the public interest, and provide argument and analysis regarding the EA, which was not performed by a third party with expertise. Klavetter asserts that the EA did not provide a neutral, critical analysis. Instead, the EIP relies almost exclusively on Applicant's own data and information without EIP staff performing its own research and analysis or using other state agencies with specialized expertise to provide independent analysis. Fifth, Klavetter highlighted that Ranger is merely a developer and Applicant is a shell company (a limited liability company) used to protect DESRI from any liability or real financial risk associated with this proposed solar farm. Moreover, the Project would likely be sold several times over the course of its lifespan. Thus, Klavetter questions how the state will hold any company responsible for the Project years down the line or if Minnesota taxpayers would ultimately be left "holding the bag" should the Project not be financially successful for its owners. Sixth, Klavetter questioned why the Applicant needs nondisclosure agreements in the land leases. These clauses: (1) prevent landowners from knowing what the company is paying other landowners for use of their land; and (2) allow the company to evade transparency. (During Klavetter's comments, EIP staff affirmed that it does not review land leases as part of its analysis.) Klavetter noted that Applicant can terminate the leases at its will, but for landowners, the contracts are not terminable, rendering them contracts of adhesion. Klavetter noted that only three of the ten landowners who signed leases with the Applicant actually farm in the area – the remainder are nonresident (absentee) landowners and/or non-farmers. Furthermore, because solar companies would pay more per acre to lease the land than farmers, these

¹⁵³ Pub. Hrg. Tr. Vol. I at 123-127; Pub. Hrg. Tr. Vol. II at 112-19 (J. Mulholland).

¹⁵⁴ Pub. Hrg. Tr. Vol. I at 127-29 (O'Neill).

types of projects prevent young farmers from staying in the agricultural business because they cannot find affordable land to rent or buy and farm. Seventh, Klavetter agrees with other commenters that the EA did not adequately value the economic loss that will befall the rural community, which historically has depended on agriculture. He explained that a solar project will not bring business to the community, will not bring any tax benefits, and will only benefit the small number of landowners who signed leases with Applicant. Finally, Klavetter asked Applicant which substation configuration it preferred. Applicant responded that it is asking the Commission to approve both substation configurations and the Applicant will decide after it receives its permit.¹⁵⁵

119. Deborah Klavetter, Viola Township, is a lifelong farmer and resident of the area.¹⁵⁶ She opposes the Project because it is on prime agricultural land, would have negative environmental impacts, reduce property values, and impose health risks to local residents.¹⁵⁷ Klavetter notes that the area has been historically rural and agricultural and that the Project would be taking nearly 2,000 acres of land out of agricultural production. She notes that foreign solar companies do not care about Minnesota or its farmers, and that, in the end, Minnesota taxpayers would be footing the bill for this “green scam.” Finally, Klavetter urges the Commission to remember that once prime farmland is gone, it would be gone forever because farmers will leave the rural areas, harming an industry that has been the foundation of Minnesota for generations.

120. Brad Nelson explained that his real property is in the Project Area, but not within the Project Site, and would suffer a significant reduction in value as a result of the solar farm. First, Nelson owns an equestrian riding facility that would be impacted due to construction noise and activity. He questions the accuracy of the EA's noise analysis and its failure to acknowledge the impact on his business. Second, Nelson is concerned about water run-off from the Project that might pollute his land and nearby waterways. He noted that a proposed retention pond would drain into a dry creek and contaminate it. He asked that the water be diverted in a different direction. Nelson questioned why the Applicant does not have to pay damages for the reduction in property values to landowners whose property would be negatively impacted by the Project but whose property is not leased to the Applicant for the Project. He noted that his neighbors get money to lease their land, but he gets no compensation despite major impacts to his business and real property. Finally, Nelson urges the Commission to deny the permit so that the Applicant can find a better location where karst geology is not so prevalent.¹⁵⁸

121. Noble Salisbury is a local electrician who expressed concern regarding stray voltage from the Project and its potential impact on local farmers. He notes that stray voltage can have expensive impact on farmers, including damage or death to livestock, reduction in milk production, and livestock infertility. He does not believe the Applicant is testing for stray voltage and he does not believe that the Applicant will compensate

¹⁵⁵ Pub. Hrg. Tr. Vol. I at 83-102; Pub. Hrg. Tr. Vol. II at 70-145 (Jim Klavetter).

¹⁵⁶ Pub. Hrg. Exhibit C (June 18, 2026) (eDocket No. 20266-233054-03).

¹⁵⁷ Pub. Hrg. Tr. Vol. I at 103-108 (D. Klavetter).

¹⁵⁸ Pub. Hrg. Tr. Vol. I at 109-113; Pub. Hrg. Tr. Vol. II at 87-97 (Nelson).

farmers for their losses. He urges the Commission to require the Applicant to test regularly for stray voltage and compensate farmers for damages.¹⁵⁹

122. Jeffery Spors owns a farm immediately downstream from the proposed Project. He is concerned that his well and drinking water would be contaminated due to the sensitive karst geology in the area. He asserts that the EA discusses karst generally but does not specifically address the karst specific to the Project Area. He explained that karst studies performed after the Project would be approved are of little value because they cannot inform the Commission on whether the location is actually appropriate for the Project before it is permitted. Spors requests that a full EIS be performed before the Project would be permitted. Spors contends that his property would also suffer from pollution due to solar panel runoff onto his land and that his property will have drainage issues due to stormwater runoff caused by the solar panels. He urges the Commission to require larger setbacks and impose more protective measures to reduce the impact of runoff on nearby properties. Spors notes that certain waterfowl in the area are already at risk and the Project only increases that risk. Spors is concerned that the area would be converted from a rural, agricultural area to an industrial zone. He noted that the Viola and Haverhill Townships are not the right place for this Project.¹⁶⁰

123. Elise Klennert, owns an equestrian center in the Project Area. She requests that Applicant plant natural screening for the length of her driveway and agree to a 1,000-foot setback from her house. She has serious concerns about the impact construction will have on her business because horses are easily spooked by noise and may present a danger to her clients if spooked. She argued that the EA does not properly address the issue of noise to farm animals or the economic impact she (and others in the area) will suffer.¹⁶¹

124. Ken Bourquin is a farmer in Haverhill and Viola Townships. He is concerned about the loss of approximately 1,900 acres of prime farmland because of this Project. He is also concerns about the lack of job creation associated with the Project (three to five permanent jobs) in comparison to the significant losses to local businesses, such as equipment dealers, pesticide and herbicide providers and applicators, seed suppliers, insurance sales, co-ops and elevators, LP gas suppliers, and other agribusinesses that depend on the local farming economy.¹⁶²

125. Melissa Shea is a small business owner and CEO of a large dairy farm in the area. She expressed concerns regarding the loss of local businesses, the loss of prime farmland, and the health risks to animals and humans associated with the Project. She reminds the Commission that “solar isn’t food” and that her six-generation farm would lose 137 acres of farmland because of this Project, that is currently used to feed their

¹⁵⁹ Pub. Hrg. Tr. Vol. I at 28 (Salisbury); Pub. Hrg. Tr. Vol. II at 28-41, 105-110 (Salisbury).

¹⁶⁰ Pub. Hrg. Tr. Vol. II at 42-45, 110-12 (Spors). Pub. Hrg. Exhibit E (June 18, 2026) (eDocket No. 20266-233054-05).

¹⁶¹ Pub. Hrg. Tr. Vol. II at 46-51 (Klennert).

¹⁶² Pub. Hrg. Tr. Vol. II at 52-63 (Bourquin).

livestock. She urges the Commission to deny the site permit due to the impact on prime agricultural land.¹⁶³

126. Bradley Lorang was the only member of the public who spoke at the virtual public hearing on June 11, 2026. Lorang asked several questions about the Project. First, Lorang asked which substation location Applicant preferred. Applicant responded that it seeks to have both substation locations approved by the Commission and then it would decide which one to build once a permit is issued. Second, Lorang asked what the expected energy output would actually be for the Project. Applicant could not answer that question. Instead, Applicant noted that solar panels are only 25 percent efficient on average and that exact output cannot be predicted or known in advance. Applicant also confirmed that the energy created by the Project does not necessarily stay in Minnesota. Rather, it is sold to Xcel and transported onto the grid for broader distribution. Third, Lorang asked how much time EIP staff spent in the Project Area when preparing the EA. EIA staff responded that she received most of the data and information used for the EA from the Applicant and that she spent just one day in the Project Area. Fourth, Lorang noted that his real property will be surrounded on all four sides by the Project but that he would not receive any compensation for the impacts he will suffer. He requested that the Commission require a minimum setback of 1,500 feet from the Project and occupied dwellings. Finally, Lorang does not believe that the EA was complete or thorough, and he believes that the EA relied too heavily on information and data provided by the Applicant. Moreover, he is also concerned by the fact that the Applicant cannot quantify how much energy is expected to actually be produced by the Project, a fact that would seem to be material to the Commission's decision on whether to permit the Project.¹⁶⁴

E. Written Comments Received During Comment Period

127. The written public comment period remained open through June 25, 2025. Members of the public submitted thirty-one written comments during the comment period with an additional nine comments filed outside the comment period. In addition, EIP and Applicant submitted comments.

128. Fifteen members of the public submitted comments supporting the Project. Several comments in support of the Project said that Applicant will have economic benefits such as increased tax revenue, investments in local schools and public services, and economic stability.¹⁶⁵ Other members of the public supported the project because of

¹⁶³ Pub. Hrg. Tr. Vol. II at 93-94 (Shea).

¹⁶⁴ Pub. Hrg. Tr. Vol. III at 31-57 (Lorang).

¹⁶⁵ Written comment from Aaron Cunningham (June 29, 2026) (eDocket No. 20266-233483-01); Written comment from Stephanie Cunningham (June 29, 2026) (eDocket No. 20266-233481-01); Written comment from Brett Ostby (June 29, 2026) (eDocket No. 20266-233480-01); Written comment from Joe Adams (June 29, 2026) (eDocket No. 20266-233475-01); Written comment from Alex Langsjoen (June 29, 2026) (eDocket No. 20266-233474-01); Written comment from Nikki Kranz (June 29, 2026) (eDocket No. 20266-233473-01); Written comment from Leah Tollefson (June 29, 2026) (eDocket No. 20266-233472-01); Written comment from Susan Dreher (July 9, 2026) (eDocket No. 20267-233982-04); Written comment from Shane Tracy (July 9, 2026) (eDocket No. 20267-233982-03); Written comment from Charles Wilson (July 9, 2025) (eDocket No. 20267-233982-02); Written comment from Mary Peterson (July 9, 2026) (eDocket No. 20267-233982-01).

sustainable energy generation and energy reliability.¹⁶⁶ Members of the public also supported the project because it supports landowner rights and voluntary participation.¹⁶⁷

129. Mike Keefe, resident of Dover, MN, submitted a written comment reiterating his hearing comments. Keefe also criticizes the use of broad non-disclosure agreements as a way to limit transparency and public oversight. The comment argues these concerns warrant review by the FBI and U.S. Attorney to determine whether any laws were violated, and emphasizes the need for full disclosure, accountability, and preservation of evidence before any approval is considered.¹⁶⁸

130. Darrell Richardson submitted written comments identical to his oral comments.¹⁶⁹

131. Kevin Hammel and John Pries submitted comments opposing the Project, expressing concerns about the loss of local control in the permitting process, and arguing that recent state law changes allow outside developers to bypass local zoning protections that farmers must follow. They raise environmental concerns about potential groundwater contamination in the region's fragile karst geology, citing risks from damaged solar panels releasing metals and chemicals, as well as long-term impacts on soil health, drainage, and agricultural productivity. Hammel and Pries also question the fairness and accountability of the Project, noting that many nearby landowners receive no benefits while bearing potential risks, and emphasize that prime farmland should be preserved for food production rather than converted to industrial solar use, urging decision-makers to reject the Project in favor of protecting rural communities and natural resources.¹⁷⁰

132. The EIP submitted comments recommending modifications to the Project's draft decommissioning plan and summarized changes between the sample site permit filed by the Commission and the Draft Site Permit (DSP) for the Project.¹⁷¹

133. MDH reviewed the EA and DSP for the Project and raised recommendations focused on groundwater protection in the area's sensitive karst geology. MDH emphasized the need for robust water quality monitoring, recommending a full year of baseline data with quarterly sampling (or more frequent sampling after major rainfall), inclusion of both shallow and deeper wells near karst features, and testing for agricultural pollutants and project-related contaminants such as nitrates, pesticides, herbicides, and metals. MDH also recommended continued monitoring during and after construction to ensure groundwater conditions remain consistent with baseline levels, with all results

¹⁶⁶ Written comment from Stephanie Cunningham (Jun. 29, 2026) (eDocket No. 20266-233481-01); Written comment from Mara Shabestari (Jul. 9, 2026) (eDocket No. 20267-233982-07); Written comment from Terry Lambert (Jul. 9, 2026) (eDocket No. 20267-233982-06); Written comment from Shane Tracy (Jul. 9, 2026) (eDocket No. 20267-233982-03).

¹⁶⁷ Written comment from Curt Shellum (Jun. 29, 2026) (eDocket No. 20266-233482-01); Written comment from Mary Doucette (Jul. 9, 2026) (eDocket No. 20267-233982-05); Written comment from Terry Lambert (Jul. 9, 2026) (eDocket No. 20267-233982-06).

¹⁶⁸ Mike Keefe Comments (June 11, 2026) (eDocket No. 20266-232784-01).

¹⁶⁹ Darrel Richardson Comments (June 22, 2026) (eDocket No. 20266-233124-01).

¹⁷⁰ Kevin Hammel and John Pries Comments (June 23, 2026) (eDocket No. 20266-233212-01).

¹⁷¹ EIP Staff Comments (June 24, 2026) (eDocket No. 20266-233257-01).

submitted to the Commission. Additionally, MDH recommended extending the proposed 150-foot buffer from karst features to temporary workspaces, highlighting the importance of extra precautions in this geologically vulnerable area.¹⁷²

134. VMPWG filed comments. The VMPWG does not recommend any action by the Commission at this time but provided comments to facilitate transparency in the record as the VMPWG works with Applicant to draft a VMP that is adequate to meet pre-construction compliance filing requirements. The issues addressed management areas; site preparation; seed installation; seed mixes; visual screening; mowing and haying; grazing; herbicide use and weed control; management strategies; monitoring and reporting; implementation of the Habitat Friendly Solar Program; and updates to the VMP.¹⁷³

135. Dan Klavetter, a farmer and business owner in Viola Township, asked the PUC to consider the long-term impact this project will have on groundwater protection, agriculture, rural businesses, productive farmland, and property rights. Klavetter said that if approved, the project should include stronger protections for non-participating landowners, independent groundwater monitoring, enforceable accountability for water quality, and setbacks measured from property lines not at residences.¹⁷⁴

136. MDNR submitted comments generally supporting the Project but also raising concerns and recommendations to reduce environmental impacts. The MDNR expressed support for measures addressing karst features, wildlife movement, habitat protection, and coordination on fence design, while urging a taller (10-foot) fence to prevent deer entrapment and requiring the Applicant to manage wildlife safely if a shorter fence is used. The MDNR also recommended increasing solar panel height to improve vegetation management, clarifying seasonal tree-clearing restrictions to protect bats and birds (June 1–August 15), and maintaining setbacks and habitat features to support wildlife.¹⁷⁵

137. IBEW Local 343 and LIUNA filed comments supporting the approval of the Project, emphasizing its potential to deliver clean energy, economic benefits, and high-quality union jobs for local workers. The Unions support the EA and assert that concerns raised by local residents and Viola Township particularly regarding karst geology, groundwater, and environmental risks had already been adequately addressed and did not warrant further study. The Unions highlight their workforce's experience and commitment to safe construction practices, including working in karst regions and preventing environmental harm. They also note the Project's expected economic contributions, including over \$20 million in local activity, job creation, tax revenue, and

¹⁷² MDH Comments (June 23, 2026) (eDocket No. 20266-233231-01).

¹⁷³ VMPWG Comments (June 25, 2026) (eDocket No. 20266-233326-01).

¹⁷⁴ Written comment from Dan Klavetter (June 25, 2026) (eDocket No. 20266-233323-01); Written comment from Dan Klavetter (July 17, 2026) (eDocket No. 20267-234568-01).

¹⁷⁵ DNR Comments (June 25, 2026) (eDocket No. 20266-233340-01).

workforce development opportunities, while reinforcing the Project's role in helping meet Minnesota's carbon-free energy goals.¹⁷⁶

138. Applicant filed comments in support of the EA, provided additional feedback and insights on certain proposed special conditions in the DSP, and provided a karst Assessment Addendum.¹⁷⁷

139. Erin O'Neill submitted a written comment adding to her oral comments. She believes that this project does not belong on prime agricultural land and would be better suited for an urban area. She commented that funds should be created to cover the cost of the wells that will need to be removed if they are contaminated, to clean up the solar farm, and to support an independent survey to test the land surrounding the project for chemicals.¹⁷⁸

140. David and Robin Lowe, neighbors to the Project, submitted a written comment in opposition to the Project. They commented that farmland is not a place for solar panels, the project will affect the habitat and populations of local wildlife, and that the project will decrease property values. They commented that there should be a quarter mile buffer surrounding the project.¹⁷⁹

141. Joni Mulholland filed written comments identical to what she said at the hearing.¹⁸⁰

142. Jill Danielson filed written comments opposing the project because it is proposed for the wrong location and poses unacceptable risks to the community, environment, and agricultural heritage. She expressed concerns about the impact on water quality and private wells because of the fragile karst geology, the impact on the character and value of surrounding properties, and the impact on wildlife and threatened species. She also articulated concerns about the construction activities, zoning, and the loss of prime agricultural land.¹⁸¹

143. Tracy Huffman-Krizo submitted written comments opposing the project. She stated that the concerns of the community were not adequately addressed. Huffman-Krizo suggested conditions to add to the permit, including comprehensive vegetative screening requirements, screening adjacent to inhabited properties, screening adjacent to public roads, mixed species requirement, spacing and density, tree replacement and maintenance, and rationale for larger initial planting sizes. She also requested that there be uniform setbacks from inhabited properties and routing of an underground electrical collection line along Viola Road.¹⁸²

¹⁷⁶ IBEW Local 343 and LIUNA Comments (June 25, 2026) (eDocket No. 20266-233342-01).

¹⁷⁷ Applicant Response to EA (June 25, 2026) (eDocket No. 20266-233322-01).

¹⁷⁸ Written comment from Erin O'Neill (June 29, 2026) (eDocket No. 20266-233479-01).

¹⁷⁹ Written comment from David and Robin Lowe (June 29, 2026) (eDocket No. 20266-233478-01).

¹⁸⁰ Written comment from Joni Mulholland (Jun. 29, 2026) (eDocket No. 20266-233477-01).

¹⁸¹ Written comment from Jill Danielson (Jun. 29, 2026) (eDocket No. 20266-233470-01).

¹⁸² Written comment from Tracy Huffman-Krizo (Jun. 29, 2026) (eDocket No. 20266-233456-01).

144. Wendy Jensen filed comments that the solar farm would be 250 feet from her house and surround her house on three sides. She commented that Ranger Power does not respect the rights of landowners affected by the project and that their employees trespassed on private property.¹⁸³

145. Ken Everson submitted written comments reiterating his hearing comments. He adds that he estimates that the community will lose at least \$935,715 on the project.¹⁸⁴

146. Eliese Klennert submitted written comments identical to her hearing comments.¹⁸⁵

147. Joshua Pries commented that Lemon Hill damaged his corn crops while they were surveying the land. He said the damage will kill his corn and cause long-term issues to his crop. He included photos of the damaged corn.¹⁸⁶

148. Owen Ziemer commented that a solar farm would be a poor use of resources and is not feasible without a tax subsidy from the State of Minnesota. He added that the EA should not be used in this decision because it was funded by Ranger Power and that an independent assessment should be completed. He said that if the Project moves forward, Ranger Power should not be allowed to sell for 30 years so that they follow their commitments to the Project and the community.¹⁸⁷

149. Mindy Shea stated that soil testers trespassed on her property after they were told not to enter until the crop was harvested. She included pictures.¹⁸⁸

150. Laurie Meyer opposes the Project because of the karst geography and the Decorah edge, loss of prime farmland, and property values lowering.¹⁸⁹

151. Sara Behnken opposes the Project because it is routed through actively farmed agricultural land. She asked that the commission protect the farmland that sustains the state and deny the Project.¹⁹⁰

152. Gary Benike commented that he is concerned about the karst geology and is concerned that the drinking water supply will be contaminated.¹⁹¹

¹⁸³ Written comment from Wendy Jensen (Jun. 30, 2026) (eDocket No. 20266-233517-01).

¹⁸⁴ Written comment from Ken Everson (Jun. 30, 2026) (eDocket No. 20266-233513-01).

¹⁸⁵ Written comment from Eliese Klennert (Jul. 8, 2026) (eDocket No. 20267-233923-01).

¹⁸⁶ Written comment from Joshua Pries (Jul. 8, 2026) (eDocket No. 20267-233912-01).

¹⁸⁷ Written comment from Owen Ziemer (Jul. 9, 2026) (eDocket No. 20267-233977-01).

¹⁸⁸ Written comment from Mindy Shea (Jul. 9, 2026) (eDocket No. 20267-233976-01).

¹⁸⁹ Written comment from Laurie Meyer (Aug 5, 2026) (eDocket No. 20268-234953-05).

¹⁹⁰ Written comment from Sara Behnken (Aug. 5, 2026) (eDocket No. 20268-234953-03).

¹⁹¹ Written comment from Gary Benike (Aug. 5, 2026) (eDocket No. 20268-234953-02).

153. Julie Huffman opposes the Project and is concerned about the environmental impact, safety of the water supply, the destruction of prime farmland, and the disruption of the local community's quality of life.¹⁹²

154. On July 16, 2026, after the close of the comment period, Dan Klavetter submitted "Observations Regarding Lemon Hill Solar, LLC's July 9, 2026 Response To Public Hearing Comments and Proposed Findings of Fact." Klavetter is a farmer, Certified Crop Adviser, and owner of DK Seed. Klavetter states that certain statements in the Proposed Findings filed by the Applicant are not supported by the record. Klavetter asserts "the record does not appear to include a project-specific input-output analysis of lost annual agricultural purchases, a survey of local suppliers, or an assessment of tenant and beginning-farmer opportunity costs. Without that analysis, a definitive finding that the agricultural economy will experience only negligible to minimal impacts is stronger than the disclosed method supports." In addition, Klavetter points out that while the EA evaluated acres, it did not evaluate relationships, identify customer concentration, future prospects, the frequency of service contacts, or the cost of maintaining a local working radius. Klavetter asserts that "Lemon Hill's response argues that its Prime Farmland Impact Assessment considered interconnection availability, land control, environmental constraints, and non-prime land and concluded that no feasible or prudent alternative exists. Those are relevant siting factors. The concern is how broadly that conclusion should be stated when the environmental review itself was limited to the Applicant's proposed site and did not evaluate another project site."¹⁹³

VII. PERMITTEE

155. The Permittee for the Site Permit would be Lemon Hill Solar, LLC.¹⁹⁴

VIII. CERTIFICATE OF NEED

156. Pursuant to Minn. Stat. § 216B.243, subd. 2, no large energy facility shall be sited or constructed in Minnesota without the issuance of a certificate of need by the Commission. However, in accordance with Minn. Stat. § 216B.243, subd. 8, solar energy generating systems, for which a site permit application is submitted by an independent power producer under Chapter 216E, are exempt from the certificate of need process.¹⁹⁵

157. Applicant is an independent power producer, and, thus, the Project is exempt from certificate of need requirements.

IX. SITE PERMIT CRITERIA

158. For all site permit applications submitted prior to July 1, 2025, the siting of large electric power generating plants (LEPGP) is governed by Minn. Stat. Ch. 216E (2023) and Minn. R. 7850.1000-.5600 (2023). Minn. Stat. § 216E.01, subd. 5 (2023),

¹⁹² Written comment from Julie Huffman (Aug. 5, 2026) (eDocket No. 20268-234953-01).

¹⁹³ Dan Klavetter Comments (July 17, 2026) (eDocket No. 20267-234279-01).

¹⁹⁴ Ex. App-2 at 2 (Site Permit Application).

¹⁹⁵ Ex. App-2 at 6 (Site Permit Application).

defines an LEPGP as “electric power generating equipment and associated facilities designed for or capable of operation at a capacity of 50,000 kilowatts or more.”

159. A LEPGP powered by solar energy is eligible for the alternative permitting process authorized by Minn. Stat. § 216E.04 (2023). Applicant filed its Application on June 30, 2025, under the alternative review process established by the Commission in Minn. R. 7850.2800-.3900 (2023).

160. Under Minn. Stat. § 216E.04 (2023), for a LEPGP permitted under the alternative permitting process, the EIP¹⁹⁶ prepares an EA containing information on the human and environmental impacts of the proposed Project and addresses mitigating measures. By law, the EA is the only state environmental review document required to be prepared on the Project.

161. The Power Plant Siting Act (PPSA), Minn. Stat. Ch. 216E (2023), requires that site permit determinations “be guided by the state’s goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state’s electric energy security through efficient, cost-effective power supply and electric transmission infrastructure.”¹⁹⁷

162. Under the PPSA, the Commission must be guided by the following responsibilities, procedures, and considerations:¹⁹⁸

- (1) evaluation of research and investigations relating to the effects on land, water and air resources of large electric power facilities and the effects of water and air discharges and electric and magnetic fields resulting from such facilities on public health and welfare, vegetation, animals, materials and aesthetic values, including baseline studies, predictive modeling, and evaluation of new or improved methods for minimizing adverse impacts of water and air discharges and other matters pertaining to the effects of power plants on the water and air environment;
- (2) environmental evaluation of sites and routes proposed for future development and expansion and their relationship to the land, water, air and human resources of the state;
- (3) evaluation of the effects of new electric power generation and transmission technologies and systems related to power plants designed to minimize adverse environmental effects;

¹⁹⁶ On July 1, 2025, Department of Commerce Energy Environmental Review and Analysis (DOC EERA) unit staff moved to the Commission EIP unit as directed by state law (Laws of Minn. 2024, ch.126, art. 7) and in response to permitting reform under Minnesota Statutes Chapter 216I (2024).

¹⁹⁷ Minn. Stat. § 216E.03, subd. 7.

¹⁹⁸ Minn. Stat. § 216E.03, subd. 7.

- (4) evaluation of the potential for beneficial uses of waste energy from proposed large electric power generating plants;
- (5) analysis of the direct and indirect economic impact of proposed sites and routes including, but not limited to, productive agricultural land lost or impaired;
- (6) evaluation of adverse direct and indirect environmental effects that cannot be avoided should the proposed site and route be accepted;
- (7) evaluation of alternatives to the applicant's proposed site or route proposed pursuant to subdivisions 1 and 2;
- (8) evaluation of potential routes that would use or parallel existing railroad and highway rights-of-way;
- (9) evaluation of governmental survey lines and other natural division lines of agricultural land so as to minimize interference with agricultural operations;
- (10) evaluation of the future needs for additional high-voltage transmission lines in the same general area as any proposed route, and the advisability of ordering the construction of structures capable of expansion in transmission capacity through multiple circuiting or design modifications;
- (11) evaluation of irreversible and irretrievable commitments of resources should the proposed site or route be approved;
- (12) when appropriate, consideration of problems raised by other state and federal agencies and local entities;
- (13) evaluation of the benefits of the proposed facility with respect to (i) the protection and enhancement of environmental quality, and (ii) the reliability of state and regional energy supplies;
- (14) evaluation of the proposed facility's impact on socioeconomic factors; and
- (15) evaluation of the proposed facility's employment and economic impacts in the vicinity of the facility site and throughout Minnesota, including the quantity and quality of construction and permanent jobs and their compensation levels. The commission must consider a facility's local employment and economic impacts and may reject or place conditions on a site or route permit based on the local employment and economic impacts.

163. In addition to the PPSA, the Commission is governed by Minn. R. 7850.4100 (2023), which mandates consideration of the following factors when determining whether to issue a permit for a large electric power generating plant:

- (1) effects on human settlement, including, but not limited to, displacement, noise, aesthetics, cultural values, recreation, and public services;
- (2) effects on public health and safety;
- (3) effects on land-based economies, including, but not limited to, agriculture, forestry, tourism, and mining;
- (4) effects on archaeological and historic resources;
- (5) effects on the natural environment, including effects on air and water quality resources and flora and fauna;
- (6) effects on rare and unique natural resources;
- (7) application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and could accommodate expansion of transmission or generating capacity;
- (8) use or paralleling of existing rights-of-way, survey lines, natural division lines, and agricultural field boundaries;
- (9) use of existing large electric power generating plant sites;
- (10) use of existing transportation, pipeline, and electrical transmission systems or rights-of-way;
- (11) electrical system reliability;
- (12) costs of constructing, operating, and maintaining the facility which are dependent on design and route;
- (13) adverse human and natural environmental effects which cannot be avoided; and
- (14) irreversible and irretrievable commitments of resources.¹⁹⁹

164. The rules applicable to LEPPG expressly limit the amount of prime farmland that may be used for utility projects. Minn. R. 7850.4400, subp. 4 (2023) provides that no LEPPG may be permitted if the developed portion of the project site includes more than 0.5 acres of prime farmland per megawatt net generating capacity, unless there is “no

¹⁹⁹ Minn. R. 7850.4100 (2023).

feasible and prudent alternative.” Economic considerations alone do not justify the use of prime farmland.²⁰⁰

165. The Project has a net generating capacity of 180 MW. Accordingly, Minn. R. 7850.4400, subp. 4 limits the amount of prime farmland that can be used for the developed portion of the project to just 90 acres (0.5 acres x 180 MW) unless Applicant can prove that there is no feasible and prudent alternative based on considerations other than economic ones.

166. In addition, Minn. R. 4410.1000 and 7850.3700, subp. 3 (2023), requires consideration of the cumulative impacts or cumulative potential effects or any other matter included by the Commission in its scoping decision.

167. Under Minn. Stat. § 216E.04, subd. 9(a), the Commission is prohibited from issuing a site permit in violation of the site selection standards and criteria established in chapter 216E and in the rules adopted by the Commission, including Minn. R. 7850.4400 and .3700.

X. APPLICATION OF SITING CRITERIA TO THE PROPOSED PROJECT

A. Project Setting

168. The Project is proposed in a rural, agricultural area of Olmsted County, Minnesota, east of Rochester, northwest of Eyota, and west of the unincorporated community of Viola. The proposed facility would be located in Haverhill and Viola Townships.²⁰¹

169. The Site or Land Control Area is the 1,956 acres of land that Applicant controls through ownership, lease agreement, or easements for the development of the solar farm. This includes the area used for the solar facility, as well as the area for collection corridors, the substation, access roads, and new transmission lines.²⁰²

170. As set forth above, within the 1,956-acre Site, Applicant has proposed two different design scenarios for the placement of facilities: the Original Design Scenario and the Alternative Design Scenario.²⁰³

171. The Project Area is currently dominated by agricultural uses, including cultivated crops and hay or pasture, with scattered farmsteads, rural residences, wooded shelterbelts, wetlands, streams, and rural roads. The topography is generally flat to gently rolling, with most of the Site in the 0-to-5 percent slope range, although steeper areas and creek-bottom elevation changes are present. The area is located in southeastern Minnesota karst terrain, and the Site includes the Decorah Edge, a sensitive groundwater

²⁰⁰ Minn. R. 7850.4400, subp. 4 (2023).

²⁰¹ Ex. PUC-EIP-8 at 2 (EA).

²⁰² Ex. PUC-EIP-8 at ix (EA).

²⁰³ Ex. PUC-EIP-8 at x and Figure 1 at 3 (EA).

recharge and filtration feature that contributes to aquifer recharge and groundwater-supported wetlands, springs, and headwater systems.²⁰⁴

B. Human Settlement

172. Minnesota law requires consideration of the Project's effects on human settlement, including displacement of residences and businesses, noise created by construction and operation of the Project, and impacts to aesthetics, cultural values, recreation, and public services.²⁰⁵

1. Aesthetics

173. The region of influence (ROI) for aesthetics is the Project Area.²⁰⁶

174. Aesthetics refers to the visual quality of an area as perceived by the viewer and forms the impression a viewer has of an area. Aesthetics are subjective, meaning their relative value depends upon the perception and philosophical or psychological responses unique to individuals. Impacts to aesthetics are equally subjective and depend upon the sensitivity and exposure of an individual. How an individual values aesthetics, as well as perceived impacts to viewshed, can vary greatly.²⁰⁷

175. A viewshed includes the natural landscape and build features visible from a specific location. Natural landscapes can include vegetation patterns (such as cropland and agricultural fields), wetlands, surface waters, forests, and distinct landforms and landscapes. Buildings, roads, power lines, solar panels, barns, and homes are examples of build features. An intact and harmonious viewshed (meaning one that does not have a conflicting build feature or land use) is considered more aesthetically pleasing and valuable. Viewsheds are important and impact the cultural values of the local community.²⁰⁸

176. Viewer sensitivity is an individual's interest or concern for the quality of a viewshed and varies depending upon the activities, investment, values, and expectations individuals may have related to the viewshed, and their level of concern for potential changes to the viewshed. High viewer sensitivity is generally associated with people who live in an area, who are economically invested by owning property or businesses in the area, who have family in an area, who use an area for recreational activities, and who view an area as having cultural or historic significance. These are not temporary observers, like people who might just briefly visit or pass through an area. Thus, individuals who live or invest in an area are more impacted by a change in aesthetics of an area.²⁰⁹

²⁰⁴ Ex. PUC-EIP-8 at 70-71 (EA).

²⁰⁵ Minn. R. 7850.4100, subp. A.

²⁰⁶ Ex. PUC-EIP-8 at 72 (EA).

²⁰⁷ Ex. PUC-EIP-8 at 72 (EA).

²⁰⁸ Ex. PUC-EIP-8 at 72 (EA).

²⁰⁹ Ex. PUC-EIP-8 at 72 (EA).

177. Viewer exposure refers to how long and how frequent one observes a viewshed. For example, residents in an area would have high view exposure and the change in aesthetics to an area would be expected to have more impact on those who have high viewer exposure.²¹⁰

178. The EA describes the Project Area as consisting of “bucolic, farming landscape.” The existing landscape in the Project Area is rural and agricultural, consisting of gently rolling agricultural crop fields of corn and soybeans, pasture and grazing fields for livestock operations, wooded shelterbelts, wetland streams, rivers, springs, and farmsteads.²¹¹

179. The build environment in the Project Area includes the unincorporated communities of Viola and Haverhill Townships, county roads, and the occasional farmstead. Residences, farmsteads, and livestock facilities are scattered around the nearby landscape, many surrounded by woodlands or shelterbelts.²¹²

180. The Project would introduce new, manmade, industrial structures into the existing natural, agricultural landscape. The Project would convert a Site consisting of nearly 2,000 agricultural acres into an industrial solar farm, thereby significantly changing the viewshed, aesthetics, use, and value of the Site and Project Area.²¹³ Below are pictures of the existing viewshed of the Project Site and include descriptions of the proposed changes to the viewshed as a result of the Project:²¹⁴

Figure 26. Existing Viewshed of Lemon Hill Solar Project – South of 65th Street NE



Figure 26 shows the existing viewshed of the proposed location for the Lemon Hill Solar Project looking south from 65th Street NE. The field in this image will host a fenced block of solar panels in both the Preliminary and the Alternative Design Scenario.

²¹⁰ Ex. PUC-EIP-8 at 72 (EA).

²¹¹ Ex. PUC-EIP-8 at 72-76 (EA).

²¹² Ex. PUC-EIP-8 at 72-73 (EA).

²¹³ Ex. PUC-EIP-8 at 72-83 (EA).

²¹⁴ Ex. PUC-EIP-8 at Figures 26-29 (EA).

Figure 27. Existing Viewshed of Lemon Hill Solar Project – West of 70th Avenue NE



Figure 27 shows the existing viewshed of the proposed location for the Lemon Hill Solar Project facing west from 70th Avenue NE. The field in this image will host a fenced block of solar panels and project inverters in both the Preliminary and the Alternative Design Scenario.

Figure 28. Existing Viewshed of Lemon Hill Solar Project – West of County Road 24 NE



Figure 28 shows the existing viewshed of the proposed location for the Lemon Hill Solar Project facing west from County Road 24 NE. Components of the field in this image are located outside of the project boundary, and will not host any project facilities. However, further west of the field in this image, a fenced block of solar panels and project inverters will be hosted in both the Preliminary and the Alternative Design Scenario.

Figure 29. Existing Viewshed of Lemon Hill Solar Project – West of County Road 102 NE



Figure 29 shows the existing viewshed of the proposed location for the Lemon Hill Solar Project facing west from County Road 102 NE. The field in this image will host fenced block of solar panels and project inverters in the Preliminary Design Scenario. The field will host a fenced block of solar panels, the project substation, the Dairyland Switchyard, and project inverters in the Alternative Design Scenario.

181. The photographs in Appendix H of the EA give context to the significant change to the area proposed by the Project.²¹⁵

182. The Project would be visible from the local roads adjacent to the Project and, more importantly, visible from the nearby residences, which are mostly farmsteads. For people living outside the Project Area or those casually passing through, the impact intensity level is expected to be minimal. But for people who live, work, own businesses, and are invested in the area, the impact would be significant, unavoidable, and long-term, lasting up to the 40-year life of the Project, lasting or outlasting the lifespan of many of the current residents. These impacts cannot be mitigated through visual screening or project design.²¹⁶

183. Visual impact is especially important because people live very close to the Project. There are 68 residences within approximately 0.6 miles of the Project Site, including 39 residences on parcels adjacent to or within the Project Site. Three residences are directly within the Site.²¹⁷ Between 13 to 16 of the residences located within 0.25 miles of the Project would have little to no natural screen from the Project.²¹⁸ The figure below shows the location of the residences to the Project Site:²¹⁹

²¹⁵ Ex. PUC-EIP-8 at Appendix H (EA).

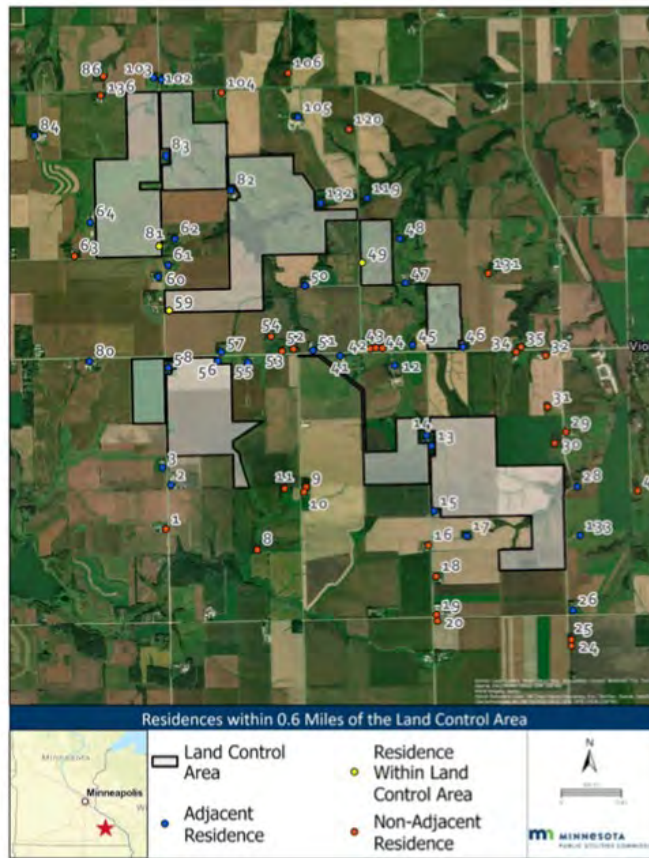
²¹⁶ Ex. PUC-EIP-8 at 72-79 (EA).

²¹⁷ Ex. PUC-EIP-8 at 77 (EA).

²¹⁸ Ex. PUC-EIP-8 at Appendix H (EA).

²¹⁹ Ex. PUC-EIP-8 at 78 (EA).

Figure 31. Residences within 0.6 Miles of the Project



184. The visible elements of the solar facility would consist of between 20 and 22 fenced-in facility areas consisting of PV arrays, transformers and inverters, an O&M building, a new substation, a Dairyland switchyard, and a new 161 kV transmission line. The solar panels would be approximately four to seven feet above ground when level but extend to 15 feet at maximum tilt. The new substation would comprise between 7 and 8.5 acres of land (depending on design scenario). The substation would house the new Dairyland switchyard, the 161 kV gen-tie line, and a 0.6-acre O&M building with a parking lot. New 161 kV overhead transmission lines would also be constructed in the area extending 150 feet vertically and between 160 to 530 feet in length (depending on design scenario). Permanent lighting would be installed on the substation and O&M building.²²⁰

185. The Project would be a significant and noticeable change in the landscape because it converts the Site -- 1,956 acres of agricultural land -- into a solar facility.²²¹ Should the Project be approved, 1,956 acres of agricultural fields planted with corn, soybeans, and hay would be replaced with solar panels and utility facilities, including new overhead collection lines. In addition, the Project substation, Dairyland switchyard, O&M

²²⁰ Ex. PUC-EIP-8 at 79-80 (EA).

²²¹ Ex. PUC-EIP-8 at 79 (EA).

building, access roads, fencing, and gen-tie structures would present new, inharmonious visual impacts to the current rural, agricultural landscape.²²²

186. Glint and glare are common concerns surrounding PV solar facilities and have potential impacts to local residents, land users, pilots flying airplanes over the panels, and drivers in the area.²²³

187. Highly sensitive and frequent viewers would experience significant impact.²²⁴ Public comment evidences significant opposition to the Project from the local residents in Viola and Haverhill Townships. Commenters described the significant aesthetic and cultural impacts that they would suffer as a result of the Project.²²⁵ The Judge gives this evidence considerable weight because landowners and residents in the Project Area have the most expertise and knowledge of the aesthetic and cultural value impacts that would occur from the Project.²²⁶

188. Aesthetic impacts cannot be mitigated through permit conditions 4.3.8 and 5.1, which require consideration of landowner input, vegetation selection and landscape, minimization of tree removal, and development of a site-specific Visual Screening Plan (VSP) for residences.²²⁷ Applicant opposes Special Condition 5.1 of the DSP as it relates to visual screening requirements to nearby roadsides.²²⁸ EIP staff proposed that this permit condition be revised to require the permittee to provide a copy of the Visual Screening Plan to townships.²²⁹

189. In sum, the Project: (1) would fundamentally change the existing rule/farming landscape by converting nearly 2,000 acres of agricultural land into an industrial solar site; (2) would directly impact the viewshed of 68 residences; (3) would impose negative visual impacts on people living and working in the area; (4) is overwhelmingly opposed by the people who are most impacted by the Project; (5) cause impacts that are significant, unavoidable, and long-term (up to 40 years); and (6) cannot be fully mitigated through screening or other measures.

²²² Ex. PUC-EIP-8 at 79 (EA).

²²³ Ex. PUC-EIP-8 at 80-82 (EA).

²²⁴ Ex. PUC-EIP-8 at 72 (EA).

²²⁵ See Public Comment section above.

²²⁶ Ex. PUC-EIP-8 at 72-83 (EA).

²²⁷ Ex. PUC-EIP-8 at 82 (EA).

²²⁸ Applicant Response to EA (June 25, 2026) (eDocket No. 20266-233322-01).

²²⁹ PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

2. Noise

190. The ROI for noise is the local vicinity. Noise impacts would vary depending on the different phases of the Project. Noise impact intensity during construction would range from negligible to significant, depending on the activity and proximity to the activity. These impacts are intermittent and short-term. During construction, noise levels around nearby residences may exceed state noise standards at times. Operational noise impacts, however, are anticipated to be negligible to minimal.²³⁰

191. Noise standards in Minnesota are based on noise area classifications (NAC) corresponding to the location of the listener, referred to as a receptor. NACs are assigned to areas based on the type of land use activity occurring at that location. Household units, designated camping and picnicking areas, resorts and group camps are assigned to NAC 1; recreational activities (except designated camping and picnicking areas) and parks are assigned to NAC 2; agricultural and related activities are assigned to NAC 3.²³¹

192. The Project Area is classified as NAC 1. Noise receptors include individuals within their residences, working outside in the Project vicinity, and using the surrounding recreational resources.²³²

193. The primary noise receptors are the local residences. There are 68 residences within 0.6 mile (approximately 3,200 feet) of the Site. There are three residences located within the Project Site. The identified receptors were categorized by distance from the Project. Most residences are at least 200 feet away from the Project, but there is one residence within 100 feet of the Project and three residences within 50 feet of the Project.²³³

194. Construction noise impacts are expected to range from negligible to significant depending on the activity, equipment used, and distance to receptors, and the impacts would be intermittent, localized, short-term, and generally daytime-limited.²³⁴

195. Pile driving is identified as the most significant construction noise source, with an estimated sound level of approximately 101 A-weighted decibels (dBA) at 50 feet.²³⁵

196. Construction noise could exceed state noise standards at select times and at select residences if continuous for at least six minutes, and the rhythmic pile-driving noise may be disruptive even when it is within applicable noise standards.²³⁶

²³⁰ Ex. PUC-EIP-8 at 83 (EA).

²³¹ Ex. PUC-EIP-8 at 84 (EA).

²³² Ex. PUC-EIP-8 at 86 (EA).

²³³ Ex. PUC-EIP-8 at 86-87 (EA).

²³⁴ Applicant Response to EA at 4 (June 25, 2026) (eDocket No. 20266-233322-01).

²³⁵ Ex. PUC-EIP-8 at 87 (EA).

²³⁶ Ex. PUC-EIP-8 at 87 (EA).

197. Members of the public, such as Brad Nelson and Eliese Klennert, provided verbal comments at the public hearing expressing concerns about the potential of the Project's construction and operational noise to impact an equestrian riding facility near the Project. They also challenged the EA's noise impact analysis.²³⁷

198. Noise levels during operation of the Project are anticipated to be negligible but constant. The primary source of noise from the solar facility would be from inverters and transformers, typically characterized as a slight hum or buzz, as well as the rotation of the tracking system, although some minor noise may be generated from the wind blowing through the conductors and structures. Technology manufacturers conducted noise modeling to determine the distance at which the sound from inverters and the substation transformer is at 40 dBA. Operational noise levels would be less than 40 dBA at least 330 feet from an inverter. The closest receptor distance to an inverter is 578 feet in both design scenarios. Factoring in sound dissipation over distance, calculated as a six decibel decrease for every doubling in distance, the closest receptor to an inverter would experience less than 40 dBA at nighttime. This is compliant with the MPCA's noise regulations of daytime L50 dBA noise standard of 60 dBA and the nighttime standard of 50 dBA.²³⁸

199. Operational noise levels would be less than 40 dBA at least 543 feet from the Project substation. The closest receptor distance to the Project substation is 1,377 to 1,475 feet. Factoring in sound dissipation over distance, calculated as a six decibel decrease for every doubling in distance, the closest receptor to the Project substation would experience less than 34 dBA at nighttime. This is compliant with the MPCA's noise regulations of daytime L50 dBA noise standard of 60 dBA and the nighttime standard of 50 dBA.²³⁹

200. The Dairyland switchyard's final operational noise was not available at the time of development of the EA, but it is expected to be designed and operated in compliance with MPCA noise standards.²⁴⁰

201. Sections 4.3.7, 5.2, and 5.3 of the DSP address noise related impacts. Section 4.3.7 of the DSP is a standard condition that requires the permittee to comply with noise standards established under Minnesota noise standards as defined under Minn. R. 7030.010 to 7030.0080, and to limit construction and maintenance activities to daytime hours to the extent practicable.²⁴¹ Applicant does not oppose Section 4.3.7.

202. Section 5.2 of the DSP is a special condition requiring the permittee to provide information to adjacent residences detailing when major noise-producing construction activities are planned to occur and maintain a publicly available, updated webpage with pile driving information. This special condition was recommended by EIP to respond to public concerns regarding construction-related noise impacts due primarily

²³⁷ See Public Hrg Tr. Vol. 1 and II.

²³⁸ Ex. PUC-EIP-8 at 88 (EA).

²³⁹ Ex. PUC-EIP-8 at 88 (EA).

²⁴⁰ Ex. PUC-EIP-8 at 89 (EA).

²⁴¹ Ex. PUC-EIP-8 at 90 (EA).

to pile driving. According to the EA, construction noise would likely exceed state noise standards at select times and residences if it is continuous for at least six minutes. These exceedances would be short-term, confined to daytime hours, would vary based on what type of construction is occurring, and the distance from the receptor to the noise source.²⁴²

203. Applicant opposes DSP Section 5.2 but has agreed to provide notice of noise-producing construction activities via its website, as well as offered several modifications to this special condition.²⁴³ The EIP does not support Applicant's proposed modifications to Section 5.2 of the DSP. The Judge agrees with EIP and finds Section 5.2 to be reasonable and necessary. Section 5.2 is also consistent with language adopted in a prior solar permit.²⁴⁴

204. Section 5.3 of the DSP is a special condition requiring the permittee to conduct operational noise modeling based on final project design that incorporates both the Project substation and the Dairyland switchyard associated with the Project to ensure noise standards are being met for nearby residents.²⁴⁵ Applicant did not oppose Section 5.3.

3. *Cultural Values.*

205. Cultural values are intrinsically tied to the aesthetics of an area and the way an area is viewed by the residents of the local community. The ROI for cultural values is the Project Area. Development of the Project would significantly change the character of the area – an area that is historically rural and agricultural – and would likely change the residents' sense of place. These impacts are significant, unavoidable, and long-term (up to the 40-year life of the Project). Historic use of the Project Area is related to the cultural values of the people residing in the area.²⁴⁶

206. Cultural values can be defined as shared community beliefs or attitudes that define what is collectively important to the group. These values provide a framework for individuals and community thought and action. Infrastructure projects believed inconsistent with these values can deteriorate community character. Those found consistent with these values can strengthen it. Projects often invoke varying reactions and can weaken community unity.²⁴⁷

207. The EA erroneously focuses on work and recreation in its analysis of culture. Culture, however, is much broader than work and recreation. It includes living environment, social cohesion, character, identity, and sense of place and community. Minnesota farming culture is equally important as any other community culture in the

²⁴² Ex. App-2 at 40 and 87 (Application).

²⁴³ Applicant Response to EA at 4 (June 25, 2026) (eDocket No. 20266-233322-01).

²⁴⁴ PUC, Order Issuing Site Permit [Castle Rock Solar Project] (March 17, 2026) (eDocket No. 20263-229389-01), see special permit condition 5.2.

²⁴⁵ Ex. PUC-EIP-8 at 90 (EA).

²⁴⁶ Ex. PUC-EIP-8 at 90 (EA).

²⁴⁷ Ex. PUC-EIP-8 at 90 (EA).

state. Development of the Project would invariably change the Project Area's character and identity, as well as residents' sense of place and community.²⁴⁸

208. Although the EA admits that the ROI for cultural values is the entire Project Area, it attempts to minimize the cultural and land use impacts in its analysis by only focusing on the "Preliminary Development Area"²⁴⁹— the fenced-in area where Project facilities would be located but excluding the necessary setbacks, roads, ROWs, transmission lines, and connection corridors – all of which impact and encumber the Site.²⁵⁰ This is a deceptive and incorrect analysis of cultural and other impacts. The Project would impact the entire Site, and, for purposes of cultural values, impact the greater Project Area.

209. Despite the significant change of converting nearly 2,000 agricultural acres into an industrial solar facility, the EA states that impact on cultural values would be "minimal to moderate."²⁵¹ The Judge rejects EIP staff's subjective determination.

210. It is undisputed that Viola and Haverhill Townships are historically rural and agricultural-based communities.²⁵² The most persuasive evidence of change in local culture comes from the members of that affected culture – the residents of the area. The extensive public comments of the community members that would be impacted by this Project outweigh the subjective opinion of an EIP staff member who visited the area briefly one time and conducted a mostly desktop analysis. As evidenced by the public comments, the cultural impacts of the proposed Project would be significant. In addition, the cultural impacts would be long-term and unavoidable if the Project is approved.²⁵³

211. Section 4.6 of the DSP attempts to address impacts to cultural properties but cannot, in any way, mitigate the significant, long-term, and unavoidable impacts of the Project.²⁵⁴

4. *Land Use and Zoning.*

212. Land use is the characterization of land based on what is built on the land, what can be built on the land, as well as what the land is used for and what the land can be used for. Zoning is the regulatory tool used by local governments to guide specific land uses within specific geographical areas.²⁵⁵

213. According to the EA, the ROI for land use and zoning is the Land Control Area or the Project Site (all 1,956 acres). The Project would convert 1,956 acres of

²⁴⁸ Ex. PUC-EIP-8 at 90 (EA).

²⁴⁹ Ex. PUC-EIP-8 at 90 (EA).

²⁵⁰ Ex. PUC-EIP-8 at x (EA).

²⁵¹ Ex. PUC-EIP-8 at 90 (EA).

²⁵² See e.g., Haverhill Township Petition (July 22, 2025) (eDocket No. 20257-221274-01); Haverhill Township Land Use Plan (1999) referenced in the EA, which can be found at: https://tcpamn.org/wp-content/uploads/2024/06/Haverhill_LUP.pdf.

²⁵³ Ex. PUC-EIP-8 at 90 (EA).

²⁵⁴ Ex. PUC-EIP-8 at 93 (EA).

²⁵⁵ Ex. PUC-EIP-8 at 94 (EA).

agricultural land to solar energy production for a minimum of 30 years.²⁵⁶ Applicant estimates the service life of the Project to be 40 years or longer.²⁵⁷ Consequently, land use impacts of the Project would be long-term, 40 years or more.²⁵⁸

214. Construction of a solar facility and transmission lines would alter the current and future use of the land and the land cover.²⁵⁹ Currently, the Project Site is dominated by cultivated agriculture, with scattered areas of wetlands, trees, and farmsteads. The Project Site is 89.4 percent cultivated cropland and hay/pasture use; 1.11 percent developed (mostly open or low intensity, such as farmsteads), 1.1 percent wetland or open water, and 8.3 percent forest/herbaceous. Aside from a few farmsteads, the current use of the 1,956-acre Site is predominantly agriculture (cultivated cropland and hay/pasture).²⁶⁰

215. While the EA acknowledges that the ROI for land use is the Land Control Area (i.e., the entire 1,956-acre Site), EIP staff erroneously analyzed the land use and zoning impact of the Project by only evaluating the Preliminary Development Area. The Preliminary Development Area is defined in the EA as “the up to 1,067-acre area within the Land Control Area where [Applicant] proposes to build the solar facilities” but not the collection corridors and required setbacks.²⁶¹ In other words, Applicant added up the fenced-in space that each associated facility would comprise (e.g., the solar panels, substation building, etc.) in the 1,956-acre Site and then deemed that area as the Preliminary Development Area, as if that was the only area affected by the Project. In addition, Applicant excluded all collection facilities and corridors and required setbacks from that calculation.²⁶²

216. The setbacks anticipated for the Project are as follows:²⁶³

Table 24. Lemon Hill Solar Design Setback²¹⁶

Setback Type	Project Design Setback (feet) Closest to Array
Front Yard Property Line	70
Side Street Property Line	70
Rear Yard Property Line	47
Dwelling Sites	250
Cemeteries	1,435
Road ROW	70
Wetlands	13
Transmission Lines	65
Occupied Dwelling	250
Public Waters	300

217. The EA adopted the number of acres comprising the Preliminary Development Area for both the Original Design Scenario and the Alternative Design Scenario. Applicant determined that there are 963.15 acres of land in the Preliminary

²⁵⁶ Ex. PUC-EIP-8 at 94 (EA).

²⁵⁷ Ex. PUC-EIP-8 at 56 (EA).

²⁵⁸ Ex. PUC-EIP-8 at 94 (EA).

²⁵⁹ Ex. PUC-EIP-8 at 94 (EA).

²⁶⁰ Ex. PUC-EIP-8 at 94 (EA).

²⁶¹ Ex. PUC-EIP-8 at x (EA).

²⁶² Lease Agreement (Exhibit A, Part 1) (eDocket No. 20266-232909-03).

²⁶³ Ex. PUC-EIP-8 at 101 (EA).

Development Area for the Original Design Scenario and 1,067.42 acres of land in the Preliminary Development Area for the Alternative Design Scenario.²⁶⁴

218. EIP staff then took the Preliminary Development Areas for both design scenarios to analyze what portions comprised agricultural lands, developed areas, wetlands/open water; and forest/herbaceous land. EIP staff determined that of the 963.15 acres of land in the Preliminary Development Area in the Original Design Scenario, 939.36 acres (97 percent) is agricultural land; and of the 1,067.42 acres of land in the Preliminary Development Area of the Alternative Design Scenario, 1030.41 acres (97 percent) is agricultural land. EIP staff then concluded that land use impacts would only befall 939 to 1,030 acres of agricultural land for the entire Project.²⁶⁵

219. The Administrative Law Judge rejects the use of the Preliminary Development Area for analysis of aesthetics, cultural, and land use impacts.

220. According to the Application, Applicant has entered into lease agreements with landowners for the entire Land Control Area.²⁶⁶ At the public hearing, a member of the public offered into evidence one of the lease agreements that has been executed for 80 acres of property within the Site (Lease Agreement).²⁶⁷ Applicant asserted that the Lease Agreement was “confidential,” contained trade secret information, and requested that the Lease Agreement be received into the record as a Trade Secret document. The Judge allowed the Lease Agreement to enter into the record as a Trade Secret document.²⁶⁸ However, after reviewing the Lease Agreement, the Judge now removes the Trade Secret designation for the Lease Agreement.

221. The Lease Agreement contains a Confidentiality Section (Section 7.7). Section 7.7 makes accountings, information pertaining to rent and rental calculations, Tenant’s financial information, resource assessments, and specific other information about Applicant “Confidential Information.”²⁶⁹ It does not render the entire Lease Agreement as confidential. Regardless, the confidentiality clause is only enforceable between the landowner who signed the Lease Agreement and the Applicant (i.e., the parties to the agreement). Because the Lease Agreement was made public at the public hearing and placed into the public domain by a member of the public (not the landowner who executed the Lease Agreement), it lost all trade secret protection.

222. The Lease Agreement entered into the hearing record is presumably representative of the type of lease agreements used by Applicant to obtain rights to property within the Project Land Control Area/Site.²⁷⁰

²⁶⁴ Ex. PUC-EIP-8 at 100-101 (EA).

²⁶⁵ Ex PUC-EIP-8 at 100-101 (EA).

²⁶⁶ Ex. APP-2 at 7 (Application).

²⁶⁷ Lease Agreement (Exhibit A, Part 1) (eDocket No. 20266-232909-03).

²⁶⁸ See Pub. Hrg. Tr. Vols. I and II.

²⁶⁹ Lease Agreement (Exhibit A, Part 1) (eDocket No. 20266-232909-03).

²⁷⁰ Lease Agreement (Exhibit A, Part 1) (eDocket No. 20266-232909-03).

223. The Lease Agreement encumbers the entire property, not just the parts of the property that Applicant deems part of the Preliminary Development Area. The Lease Agreement defines the term “Project” as the areas where Applicant’s solar facilities, transmission facilities, equipment, transformers, roads, storage areas, buildings, signage, and tenant (Lemon Hill) improvements are located.²⁷¹

224. The “Lease Rights” in the Lease Agreement include, among other things: (1) a right of access and of ingress and egress from the “Project” (i.e., facilities), as well as a right for access to and from land adjacent to the “Project”, including all roads Applicant may construct on the property; (2) the right to install, use, repair, improve, relocate, replace, and remove Applicant’s “Transmission Facilities” in locations selected by Applicant (anywhere in the property itself); and (3) the exclusive right to access, relocate, and maintain the “Project” on the property. In other words, Applicant decides where to locate its facilities and transmission lines anywhere within the leased property and the lease encumbers the entire parcel.²⁷² Accordingly, even if a contracting landowner can continue to use portions of the leased property that are not being used by Applicant, the entire parcel is encumbered and subject to Applicant’s sole decision (exercised at any time during the lease term) on where to locate all facilities, roads, transmission lines, etc.

225. Applicant has obtained or will obtain the rights to 1,956 acres of agricultural land for the Project. That land – the Land Control Area and Site, *in its entirety* -- is the land impacted by the Project for purposes of land use analysis, not just the Preliminary Development Area. The EA acknowledges the same by stating: “[t]he ROI for land use and zoning is the [L]and [C]ontrol [A]rea” (i.e., the entire Site).²⁷³

226. The Project would change the character of the land within the Land Control Area/Site from agricultural production to energy generation for the life of the Project – 40 years or more, a significant and long-term change of use. This is true even if only 963 to 1,067 acres in the 1,956-acre Site are used to locate solar facilities and remnants of the Site theoretically remain available for green space or agricultural use.

227. In addition, there are areas within the Site, outside of the Preliminary Development Area, that will be used for the Project, including collection corridors, transmission lines, access roads, and mandatory setbacks. Consequently, far more than the Preliminary Development Area is impacted and changed by the Project. The overall character of the Site has changed, even if disbursed remnants of land remain available for agricultural use.

228. The change of overall use of the Site would have significant impact on the rural character of the surrounding area and its character. The EA erroneously deems this

²⁷¹ Lease Agreement (Exhibit A, Part 1) (eDocket No. 20266-232909-03).

²⁷² Lease Agreement (Exhibit A, Part 1) (eDocket No. 20266-232909-03).

²⁷³ Ex. PUC-EIP-8 at 94 (EA).

type of land use change “minimal to moderate.”²⁷⁴ The Judge rejects EIP staff’s subjective determination as unsupported by the facts.

229. A preponderance of the evidence establishes that the Project would result in significant and long-term land use impacts because the Project would convert 1,956 acres of agricultural land into a large electric power generating plant for 40 years or more.

230. With respect to zoning, the Site is currently subject to the Olmsted County Zoning Ordinance, the Haverhill Township Zoning Ordinance, and the Viola Township Zoning Ordinance. Haverhill and Viola Townships are also part of the Township Cooperative Planning Association (TCPA), an association formed by six Olmsted County townships that wanted more oversight in the development and land uses of their respective township, and to ensure the townships maintain control to preserve the character of their rural communities.²⁷⁵

231. Haverhill Township has its own land use plan. The Haverhill Township Land Use Plan expressly states:²⁷⁶

A major emphasis of this Land Use Plan is farm land preservation. Farm land is not an unlimited resource. The U.S. population is increasingly sprawling out into farm land in inefficient land use patterns. Conflicts over land use priorities will grow in the years ahead. This growing demand for finite resources causes disputes over such things as wildlife habitat, wetlands, farmland preservation, and preservation of the rural character of traditionally rural neighborhoods.

232. The Haverhill Township Land Use Plan sets out 13 goals to guide land use and zoning decisions. Those goals include: maintaining the traditional agricultural nature of the township; preserving the physical beauty of the township; identifying prime agricultural land within the township and discouraging further urban or suburban development of present agricultural land within the township; and discouraging development that would mix agricultural operations with non-agricultural land uses.²⁷⁷

233. Haverhill Township submitted a Petition with the signatures of 225 residents opposing the Project, precisely because it would change the agricultural character of the Project Area.²⁷⁸ Significant public comment, as set forth above, specifically opposed the Project based upon its change to the agricultural use and character of the Project Area.

²⁷⁴ Ex PUC-EIP-8 at 100 (EA).

²⁷⁵ Ex. PUC-EIP-8 at 100 (EA).

²⁷⁶ Ex. PUC-EIP-8 at 100 (EA) referencing the Haverhill Township Land Use Plan (1999), which can be found at: https://tcpamn.org/wp-content/uploads/2024/06/Haverhill_LUP.pdf.

²⁷⁷ Ex. PUC-EIP-8 at 100 (EA) referencing the Haverhill Township Land Use Plan (1999), which can be found at: https://tcpamn.org/wp-content/uploads/2024/06/Haverhill_LUP.pdf.

²⁷⁸ Ken Everson Comment (Haverhill Township Petition) (July 22, 2025) (eDocket No. 20257-221274-01).

234. The Site is currently zoned as District A1 – Agricultural Protection District. A solar energy facility is an allowed conditional use in an A1 Agricultural Protection, but a conditional use permit would be required. Both Olmsted County and Haverhill Township have specific design requirements and review criteria for solar energy far²⁷⁹ The Project is not in compliance with the Haverhill Township Land Use Plan. Therefore, it is unlikely that a conditional use permit would be granted for the Project if one was required.

235. Portions of the Project Site are within the Decorah Edge Overlay District. The Decorah Edge is a local geological feature that recharges the area’s drinking water and contains sensitive wetland features. The Olmsted County Soil & Water Conservation Districts (SWCD) administers the Wetland Conservation Ordinance, which regulates activities carried out in the Decorah Edge in Olmsted County. The ordinance requires activities in Decorah Edge sites to protect Edge Support Areas from disturbance and provide for their management through conservation easements or equivalent mechanisms.²⁸⁰

236. Because the Project is a large electric power generating plant with the capability of generating more than 50 MW of power, it would require a site permit from the Commission. Pursuant to Minn. Stat. § 216E.10, subd. 1 (2023), the site permit supersedes local zoning, building, and land-use rules.²⁸¹

237. Due to the preemption in Minn. Stat. § 216E.10, the Project would not be subject to the restrictions for the Decorah Edge Overlay District described in the Olmsted County Wetland Conservation Ordinance, the Olmsted County Zoning Ordinance, the Haverhill and Viola Township Zoning Ordinances, or the Haverhill Township Land Use Plan.²⁸²

238. Although zoning and land use ordinances are superseded, the Commission’s site permit decision must nonetheless be guided by consideration of impacts to local zoning and land use in accordance with the legislative goal to “minimize human settlement and other land use conflicts.”²⁸³

239. Based upon the Petition opposing the Project (signed by 225 residents) and the number of public comments from citizens of Viola and Haverhill Townships, it is clear that the community and its residents are overwhelmingly opposed to the Project. The Judge finds that the Project would significantly conflict with the Site’s current and historic land use and the Haverhill Township Land Use Plan. The land use conflict exemplifies the impacts to human settlement, which must be viewed as cumulative impacts.

240. The DSP contains conditions 4.3.17 (Vegetation Management Plan), 4.3.18 (Agricultural Impact Mitigation Plan), 9.0 (Decommissioning and Restoration), and 9.2 (Site Final Restoration) require that agricultural-resource impacts be mitigated through an

²⁷⁹ Ex. PUC-EIP-8 at 96 (EA).

²⁸⁰ Ex. PUC-EIP-8 at 98 (EA).

²⁸¹ Ex. PUC-EIP-8 at 94 (EA).

²⁸² Ex. PUC-EIP-8 at 103 (EA).

²⁸³ Ex. PUC-EIP-8 at 94 (EA).

Agricultural Impact Mitigation Plan (AIMP), a Vegetation Management Plan (VMP), and a decommissioning plan focused on returning the Site to agricultural use.²⁸⁴ The EA did not propose any additional mitigation.²⁸⁵

5. *Property Values.*

241. Numerous members of the public offered comments regarding the potential of the Project to impact property values. Public comment overwhelmingly expressed concern about the Project's potential to reduce the value of properties in the Project vicinity precisely because the Project would convert 1,956 acres of agricultural land, located in two rural and historically agricultural communities, into a large electric generating facility.²⁸⁶

242. The EA states that the ROI for property values is the "local vicinity," but did not define that area. The EA states that impacts to property values within the "local vicinity" could occur but are "difficult to determine." The EA made no attempt to determine what those impacts could be.²⁸⁷

243. The EA concluded that:²⁸⁸

Electrical [sic] generating facilities can impact property values. Often, negative effects result from impacts that extend beyond the project location. Examples include emissions, noise, and visual impacts. . . . Aesthetic impacts will occur, but because the project is low in height – as compared to wind turbine or a smokestack – impacts would be localized and limited in geographic scope.

244. The EA found that large solar facilities exist in Minnesota, but that limited sales information was available. Consequently, the EA looked to academic studies. One study involved over 1,500 large-scale PV solar facilities in six states, including Minnesota, to determine whether home sale prices were impacted on properties within 0.5 miles of the solar facilities. The study looked at 1.8 million home sale transactions. The study found that, in Minnesota, homes within 0.5 miles of a "large scale" solar facility had a four percent (4%) reduction in home sale prices compared to homes 2 to 4 miles away from the facility. Adverse home sale prices were most prominent when the solar facility was developed on previously agricultural land, near homes in rural areas, or involved solar facilities that comprised 12 acres or more.²⁸⁹

245. In this case, the solar facility would comprise nearly 2,000 acres of agricultural land in two historically rural communities. The Project is significantly larger than a 12-acre facility (it is a 1,956-acre facility). In addition, there are three residences

²⁸⁴ Ex. PUC-EIP-8 at 104 (EA).

²⁸⁵ Ex. PUC-EIP-8 at 105 (EA).

²⁸⁶ See Comment Section above.

²⁸⁷ Ex. PUC-EIP-8 at 105- 107 (EA).

²⁸⁸ Ex. PUC-EIP-8 at 105 (EA).

²⁸⁹ Ex. PUC-EIP-8 at 106 (EA).

located within the Project boundary and an additional 65 residences located on parcels adjacent to or near the Project (i.e., where physical structures would be constructed). Despite the cited study looking at home values within .05 miles of large solar projects, the EA did not identify how many homes are within 0.5 miles of this Project.²⁹⁰

246. The EA cited another study outside of Minnesota and found that proximity to a solar farm leads to depreciation of 1.7 to 5.4 percent in property values.²⁹¹

247. Despite this evidence, EIP staff concluded:²⁹²

*Impacts to property values within the local vicinity would occur, however, changes to a specific property's value are difficult to determine. Because of this uncertainty, impacts to specific properties in the project vicinity could be minimal to moderate and decrease with distance and over time.*²⁹³

248. The Judge rejects EIP staff's subjective conclusion that impacts would be "minimal to moderate" as being unsupported by the evidence in the record. There are at least 68 residences in or near the Project facilities.²⁹⁴ The studies cited in the EA, corroborated by public comments, establish that a large-scale, 1,956-acre solar Project would impose significant negative impacts on at least 68 residences in the Project Area and in close proximity to the Project or Project facilities.

6. Tourism and Recreation

249. The ROI for both tourism and recreation is the Project Area. Potential impacts to recreational opportunities and tourism are anticipated to be minimal.²⁹⁵

250. Recreational activities in the Project Area are mostly associated with the Rochester State Game Refuge, the Haverhill Wildlife Management Area (WMA), and Snowmobile Trail 132 (Hiawatha I and II Trails).²⁹⁶

251. The Rochester State Game Refuge is an 80-acre parcel directly within the Project Area. It is privately owned and open to small and large game hunting and trapping, but is not available for general public use. The Haverhill WMA is 0.5 miles southwest of the Project Area and provides quality wildlife habitat, hunting, and outdoor recreational opportunities. Snowmobile Trail-132 (Hiawatha I and II Trails) run approximately 0.7 miles east of the Project Area.²⁹⁷

²⁹⁰ The EA only states that three residences are in the "project boundary" and an additional 65 residences are "located on parcels adjacent to or near the project. It did not identify the number of residences within 0.5 miles of the Project. See Ex. PUC-EIP-8 at 106 (EA).

²⁹¹ The EA did not identify how many homes are within 0.5 miles of the Project.²⁹¹

²⁹² Ex. PUC-EIP-8 at 105 (EA).

²⁹³ Ex. PUC-EIP-8 at 105 (EA) (emphasis added).

²⁹⁴ Ex. PUC-EIP-8 at 106 (EA).

²⁹⁵ Ex. PUC-EIP-8 at 107 (EA).

²⁹⁶ Ex. PUC-EIP-8 at 107-108 (EA).

²⁹⁷ Ex. PUC-EIP-8 at 107-108 (EA).

252. Construction could cause temporary increases in traffic, noise, dust, and visual disruption for nearby hunting, biking, snowmobiling, and other recreational activities. Impacts to tourism are expected to be minimal.²⁹⁸

253. The Project is not expected to restrict access to the Haverhill Wildlife Management Area (WMA) or Snowmobile Trail 132 (Hiawatha I and II Trails), during construction or operation of the Project.²⁹⁹

254. The long-term impacts to recreational activities associated with the operation of the Project mostly impact the Rochester State Game Wildlife Refuge. The owner of this property has entered into a lease agreement with Applicant. As a result, this 80-acre parcel would not be available for hunting or other recreational use during the Project's lifespan. Notably, this parcel is currently used for row crop agriculture.³⁰⁰

255. Because the Rochester State Game Refuge is privately owned and not open to the general public for recreation, and because there are nominal recreational impacts to the Haverhill WMA and Snowmobile Trail 132, the EA determined that there are no significant long-term impacts to recreational activities are anticipated.³⁰¹

256. No additional mitigation is proposed in the EA.³⁰²

7. Transportation and Public Services

257. The ROI for transportation and public services is the Project Area. The EA analyzed impacts to domestic wells, electric utilities, pipelines, roads, railroads, airports, and housing.³⁰³

258. No impacts to railroads or airports are anticipated because there are no railroads in the Project Area and no airports within the Site or within three miles.³⁰⁴

259. No impacts to local housing availability are anticipated because construction workers are expected to use nearby temporary lodging, particularly in Rochester, and operation would only require approximately three to five long-term personnel.³⁰⁵

260. Potential impacts to the electrical grid and roads are anticipated to be short-term, intermittent, and localized during construction. There is potential for significant

²⁹⁸ Ex. PUC-EIP-8 at 109 (EA).

²⁹⁹ Ex. PUC-EIP-8 at 109-110 (EA).

³⁰⁰ Ex. PUC-EIP-8 at 108-110 (EA).

³⁰¹ Ex. PUC-EIP-8 at 110 (EA).

³⁰² Ex. PUC-EIP-8 at 110 (EA).

³⁰³ Ex. PUC-EIP-8 at 110-119 (EA).

³⁰⁴ Ex. PUC-EIP-8 at 114-116 (EA).

³⁰⁵ Ex. PUC-EIP-8 at 114-116 (EA).

impacts to wells and pipelines. Overall, construction-related impacts are expected to be minimal, and are associated with possible traffic delays.³⁰⁶

261. With respect to impacts on wells, most residents in the area surrounding the Project Site have private septic systems and domestic wells, consistent with the rural nature of the area. The EA located four wells on the Minnesota Well Index (MWI) and one unlocated well within the Land Control Area/Project Site, and it is possible there are more wells that have not been located. In addition, collection lines installed within the public road right of way (ROW) may pass near wells that are outside the Project Site. There are 72 wells located outside of the Land Control Area but within 0.5 miles of the Project Site. Wells within the Project Site could experience direct or indirect impacts during construction. MDH also noted that installation of electrical wiring near a well can impact well maintenance.³⁰⁷ Because of the potential for impact to these wells and underground water, these impacts will be discussed in more detail in the Groundwater section below.

262. The primary electric provider in the Project area is Dairyland Power Cooperative, with distribution provided by People's Energy Cooperative. No long-term impacts are expected due to Project operation and only short-term impacts (temporary outages) might occur during construction when Dairyland's 161 kV line is shut down for project interconnection.³⁰⁸

263. There is one hazardous liquid pipeline within the Site: the Magellan Pipeline Company's liquid petroleum pipeline runs northwest-southeast through the southeastern portion of the Site. The pipelines could be damaged or struck by construction vehicles or equipment during excavation or foundation installation. In addition, heavy vehicles driving over buried pipelines can damage the integrity of pipe over time. These construction and operation activities pose a risk of a pipeline leak or rupture and hazardous liquid spill. As a result, mitigation measures are recommended in the EA.³⁰⁹

264. There are five county roads and six township roads adjacent to or crossing through the Site. Impact to these roads would be short-term and expected mostly during construction, as opposed to operation.³¹⁰

265. Sections 4.3.5 (Public Services, Public Utilities, and Existing Easements), 4.3.22 (Roads), 5.4 (Electrical Wiring Well Buffers), 5.5 (Well Protection Plan), 5.6 (Road Use Agreement), 5.7 (Pipeline Siting and Protection Plan), and 8.12 (Emergency Response) of the DSP propose mitigating impacts to transportation and utilities through road coordination, traffic-control measures, utility locating, coordination with Dairyland and local utilities, development of an Emergency Response Plan, and required well and pipeline protection measures.³¹¹

³⁰⁶ Ex. PUC-EIP-8 at 110 (EA).

³⁰⁷ Ex. PUC-EIP-8 at 110-11, 114 (EA).

³⁰⁸ Ex. PUC-EIP-8 at 112, 115 (EA).

³⁰⁹ Ex. PUC-EIP-8 at 112 (EA).

³¹⁰ Ex. PUC-EIP-8 at 114-118 (EA).

³¹¹ Ex. PUC-EIP-8 at 116-119 (EA).

266. Applicant opposes DSP Section 5.7, which requires coordination with the Magellan Pipeline Company. Applicant contends that it has already coordinated with Magellan by entering into pipeline crossing and encroachment agreements.³¹² The EIP nonetheless supports the inclusion of Section 5.7 and Section 5.7 is consistent with language adopted in a prior solar permit.³¹³

8. Socioeconomics.

267. According to the EA, the ROI for the socioeconomic factor is the Project “region.”

268. Applicant anticipates that the Project may produce “up to” 200 temporary jobs during construction and only three to five permanent jobs during operation. Applicant has not committed to using only union labor and acknowledges that it may be necessary to import specialized labor from outside the state to fill its construction and operational needs.³¹⁴

269. Once operational, Applicant would pay property taxes and production taxes on the land and energy production to local governments. The land is currently used for homestead and agriculture, so property taxes are already being paid on the land, rendering property tax benefits nominal. Class 3a land (commercial/industrial/public utility) has a tax rate just slightly higher than homestead/agricultural land (approximately 0.5 to 0.75 percent more), rendering the net amount of the benefit minimal. The value of the generation equipment is exempt from property taxes.³¹⁵

270. The lifetime tax benefits (over 30 to 40 years) anticipated from the Project were estimated by Applicant as follows:³¹⁶

Table 29. Project Tax Allocation

Taxing District	Life of Project Total	Annual Property Tax (2026 Projected)	Annual Production Tax (2026 Projected)
Minnesota	\$5,128,814	\$104,893	N/A
Olmsted County	\$18,708,430	\$103,221	\$378,400
Haverhill Township	\$2,239,465	\$5,150	\$55,055
Viola Township	\$1,953,676	\$10,758	\$39,545
School	\$2,563,865	\$52,436	N/A
Fire District	\$55,850	\$1,142	N/A

271. It does not appear that EIP staff confirmed the accuracy of these figures.³¹⁷

272. The EA did not adequately evaluate the loss of socio-economic benefit to the Project area resulting from the removal of up to 1,956 acres of agricultural land (89 percent of which is currently being farmed) from the local economy. As members of

³¹² Applicant Response to EA at 4-5 (June 25, 2026) (eDocket No. 20266-233322-01).

³¹³ PUC, Order Issuing Site Permit [Castle Rock Solar Project] (March 17, 2026) (eDocket No. 20263-229389-01), see special permit condition 5.6.

³¹⁴ Ex. PUC-EIP-8 at 121-122 (EA).

³¹⁵ Ex. PUC-EIP-8 at 121-125 (EA).

³¹⁶ Ex. PUC-EIP-8 at 125 (EA).

³¹⁷ Ex. PUC-EIP-8 at 125 (EA).

the public explained, the loss of this land from agricultural production significantly impacts the local economy in terms of: less farmland available for farmers to farm; difficulty for farmers to find sufficient land to farm in the area; and impacts to local businesses such as equipment dealers, feed/seed/herbicide/pesticide suppliers, irrigation and application providers, insurance brokers/agents, etc.³¹⁸

273. EIP staff explained at the public hearing that she was unable to estimate those types of losses. Instead, she looked at the potential for losses to bigger retailers in the Rochester region, 10-20 miles outside of the Project Area.³¹⁹

274. Although the EA does not adequately explore the economic impacts to the local economy resulting from taking between 939 and 1,956 acres out of agricultural production for 40 years, the EA concluded that “[s]ocioeconomic impacts are anticipated to be positive overall.” The evidence in the record does not support this conclusion. The evidence indicates that socioeconomic impacts to the local economy of removing this amount of farmland from production may well outweigh the local benefits attributable to the Project (i.e., minimal job creation and temporary benefits related to construction).

275. Several sections of the DSP address socioeconomic impacts, including Sections 8.5 and 8.6. Section 8.5 requires quarterly reports concerning efforts to hire Minnesota workers; Section 8.6 requires the permittee, as well as its construction contractors and subcontractors, to pay no less than the prevailing wage rate.³²⁰

9. *Environmental Justice.*

276. The Project is not located within an environmental justice (EJ) community as defined by Minnesota law.³²¹ The EA opined that the Project would not have disproportionately high and adverse human-health or environmental effects on low-income, minority, or tribal populations.³²²

277. No additional mitigation is proposed because the Project is not sited within an EJ community and is not anticipated to create disproportionate adverse impacts.³²³

C. Human Health and Safety.

278. Minnesota law requires consideration of the Project’s potential effect on health and safety.³²⁴

³¹⁸ See e.g., Ken Everson Comments (June 30, 2026) (eDocket No. 20266-233513-01) and Wendy Jenson (June 30, 2026) (eDocket No. 20266-233517-01).

³¹⁹ Pub. Hrg. Tr. Vol. I at 50-52 (June 10, 2026).

³²⁰ Ex. PUC-EIP-8 at 127-128 (EA).

³²¹ Ex. PUC-EIP-8 at 128-130 (EA).

³²² Ex. PUC-EIP-8 at 130 (EA).

³²³ Ex. PUC-EIP-8 at 131 (EA).

³²⁴ Minn. Stat. § 216E.03, subd. 7(b)(1); Minn. R. 7850.4100, subp. B.

1. *Electric and Magnetic Fields (EMF).*

279. Human-health impacts from EMF exposure are not anticipated, and potential EMF impacts are expected to be negligible. The primary sources of EMF from the proposed Project would be from the solar arrays, electrical collection lines, the transformers installed at each inverter, and the overhead gen-tie line connecting the Project substation to Dairyland's new switchyard.³²⁵

280. EMF from solar arrays is expected to be comparable to levels near common household appliances, and measured magnetic fields at utility-scale PV projects drop to very low levels at distances of 150 feet from inverters.³²⁶

281. The nearest solar array would be approximately 247 to 250 feet from the nearest residence, the nearest inverter would be approximately 578 feet from the nearest residence, and the gen-tie line would be approximately 700 feet from the nearest residence, so the EA concludes that EMF would dissipate to background levels at residences.³²⁷

282. No health impacts from EMF are anticipated. EMF diminishes with distance from a conductor or inverter. There are no residences mapped at a distance that would create an impact from EMF from the solar facility. At the distance of all residences, both EMF would dissipate to background levels.³²⁸

283. Section 4.5.1 of the DSP requires the Project to meet or exceed all relevant local and state codes, the National Electrical Safety Code (NESC), and North American Electric Reliability Corporation (NERC) requirements. The Project would be grounded in accordance with these regulations, and should a fault occur during Project operation, it would be quickly identified by the Project's 24/7 Supervisory Control and Data Acquisition (SCADA) monitoring system and corrected. When possible, faults would be reset remotely to ensure high plant availability. No additional mitigation is proposed in the EA.³²⁹

2. *Stray and Induced Voltage.*

284. The EA identified the ROI for stray and induced voltage risk to be the Land Control Area/Project Site. Potential impacts to residences and farming operations in the Site from stray voltage are not anticipated.³³⁰

285. Solar facility components are an extremely unlikely source of stray voltage for nearby livestock operations because they do not directly connect to local distribution systems, residences, or far³³¹

³²⁵ Ex. PUC-EIP-8 at 135 (EA).

³²⁶ Ex. PUC-EIP-8 at 135 (EA).

³²⁷ Ex. PUC-EIP-8 at 137 (EA).

³²⁸ Ex. PUC-EIP-8 at 137 (EA).

³²⁹ Ex. PUC-EIP-8 at 137 (EA).

³³⁰ Ex. PUC-EIP-8 at 137 (EA).

³³¹ Ex. PUC-EIP-8 at 137 (EA).

286. Applicant provided pre-filed direct expert testimony from Douglas A. Mutcher, a licensed professional electrical engineer employed by Westwood Professional Services. Mutcher's testimony addressed public concerns that the Project could create stray voltage affecting surrounding livestock and farms. He defined stray voltage as either neutral-to-earth voltage between two contact points accessible to animals or humans, or metallic-object-to-earth voltage resulting from accidental or unintentional energization of an accessible metal object. According to Mutcher, common causes of stray voltage generally relate to design or construction flaws in on-farm or utility electrical systems, such as improper grounding, undersized or damaged neutral conductors, loose neutral connections, equipment problems, or ground faults.³³²

287. Mutcher concluded that stray voltage does not arise from electrical currents "leaking" through the earth from a neighboring solar facility, but instead, from interactions with utility infrastructure and electrical equipment on the affected property. He explained that utility-scale solar projects use three-phase DC/AC inverters and produce virtually no current imbalance, making any contribution from a properly designed and constructed solar PV facility to neutral-to-earth voltage in normal operation "almost non-existent." He further explained that properly designed solar facilities include protective systems that rapidly detect and isolate fault conditions, with plant protective equipment operating in less than approximately one-half second in the example he described. Mutcher also noted that the Project would be designed and constructed by licensed professionals, reviewed by electrical inspectors and third-party engineers, and subject to commissioning, testing, inspection, and utility verification before energization. Based on the design features of large-scale solar PV facilities, applicable electrical codes, and the professional design, review, construction, and testing process, Mutcher concluded that concerns associating solar PV facilities with increased risk of stray voltage are without merit.³³³

288. A member of the public, Noble Salisbury, offered oral comments at the public hearing where he: (1) challenged Applicant's claim that the system would produce no stray voltage; (2) questioned whether Applicant had tested for total harmonic distortion (THD) in the ground; and (3) argued that balanced phases do not address neutral and grounding current issues that can travel significant distances through the earth.³³⁴

289. During the public hearing, Mulcher responded to Salisbury's concerns regarding THD, explaining that the Project would be built to certain code and industry standards to ensure solar projects do not contribute to this issue, and that the step-up

³³² See Ex. App-34 (Direct Testimony of Douglas Mutcher).

³³³ See Ex. App-34 (Direct Testimony of Douglas Mutcher).

³³⁴ See Pub. Hrg. Tr. Vol. II at 28 and 105 (June 10, 2026).

transformers at the inverters and site substation would trap harmonics³³⁵ before they reach the grid, preventing any unwanted impacts related to harmonics.³³⁶

290. On large-scale solar projects federal transmission requirements (NERC/Federal Energy Regulatory Commission (FERC)) as well as the Commission and MISO have strict requirements for independent power producers connecting to the transmission system.³³⁷ As a part of those requirements, there are several Underwriters Laboratories (UL) and Institute of Electrical and Electronics Engineers (IEEE) standards specific to the power electronics used for large grid-connected solar project inverters.³³⁸ MISO interconnection requirements include a harmonics study as part of the design to show compliance with the IEEE 519 standard as well as testing performed with metering and in conjunction with MISO for final operational approval.³³⁹ Typical inverters on a solar project are designed to produce less than three percent THD per IEEE 1547 guide for power generation inverters that aligns with the requirements of IEEE 519 guide.³⁴⁰

291. Induced-voltage risks are also not expected from the Project because the gen-tie line would be located in the substation area, which would not contain central pivot irrigation or similar metal agricultural equipment.³⁴¹

292. Section 4.5.1 of the DSP requires the Project to meet or exceed all relevant local and state codes, the NESC, and NERC requirements. The Project would be grounded in accordance with these regulations.³⁴²

293. No impacts to metal objects from induced voltage are anticipated. The Project gen-tie line would be located in the substation area. This area would be overlain with crushed rock to host the Project substation and new Dairyland switchyard; metal agricultural equipment such as central point irrigation equipment and mobile farm equipment would not be present in the substation area. Applicant is required to ensure that the Project substation would be constructed and grounded in accordance with NESC standards and NERC requirements. Consequently, no additional mitigation is proposed in the EA.³⁴³

³³⁵ At a high level, Electrical harmonics are higher-frequency waves that distort the standard alternating current (AC) power supply. While the main power grid operates perfectly at a fundamental frequency (like 60 Hz in the U.S.), harmonics run at whole-number multiples of this frequency (e.g., 120 Hz, 180 Hz). These are created by modern electronics and how they consume or generate power. See Applicant Response to Public Comments at 14 (July 9, 2026) (eDockets No. 20267-233981-01).

³³⁶ Applicant Response to Public Comments at 12-15 (July 9, 2026) (eDockets No. 20267-233981-01).

³³⁷ See Ex. App.-24 at 6:19-24 (Mutcher Direct).

³³⁸ See Applicant Response to Public Comments at 14 (July 9, 2026) (eDockets No. 20267-233981-01).

³³⁹ See *generally* Applicant Response to Public Comments at 14 (July 9, 2026) (eDockets No. 20267-233981-01).

³⁴⁰ See Applicant Response to Public Comments at 14 (July 9, 2026) (eDockets No. 20267-233981-10).

³⁴¹ Ex. PUC-EIP-8 at 137-141 (EA).

³⁴² Ex. PUC-EIP-8 at 141 (EA).

³⁴³ Ex. PUC-EIP-8 at 141 (EA).

3. *Photovoltaic Heat.*

294. The topic of PV Heat was studied in the EA due to concerns from the public that the Project's solar panels would create a PV "heat island" (PVHI) effect that continually warms the surrounding area and impacts human health and the environment.³⁴⁴ After being raised in EA scoping comments for this Project, the topic was included in the EA Scoping Decision under the public health and safety heading.³⁴⁵

295. Impacts to human health or the surrounding environment from PV heat are not anticipated.³⁴⁶

296. Any ambient temperature increase from the Project, if it occurs, would be expected to be minimal—approximately 0.2 to 0.7°C—and to dissipate with distance from the Project.³⁴⁷ The Project's use of native perennial vegetation and graveled access roads would be expected to provide cooling effects relative to conditions that might produce stronger PV heat-island effects.³⁴⁸

297. Section 4.3.16 of the DSP requires the establishment of native, perennial vegetation within the Site, which would have a cooling effect on the ambient air temperature. Access road installation would also have a cooling effect on the ambient air temperature. No additional mitigation is proposed in the EA.³⁴⁹

4. *Panel Components.*

298. Members of the public expressed concerns that contaminants from solar panels could leak into groundwater.³⁵⁰ As such, this topic was added to the EA Scoping Decision and studied in the EA.³⁵¹

299. A common concern with solar projects is that PV panels would contaminate the soil and groundwater with toxins that endanger human health. While PV panels do contain trace amounts of potentially toxic materials, the EA explained that available research indicates that potential contamination risk occurs at the panel's end-of-life stage and are associated with extreme damage, improper disposal, and highly acidic conditions.³⁵²

300. The EA determined that potential human-health impacts from environmental contamination by PV panel components are not anticipated.³⁵³

³⁴⁴ Ex. PUC-EIP-8 at 141 (EA).

³⁴⁵ Ex. PUC-EIP-8 at Appendix A (EA).

³⁴⁶ Ex. PUC-EIP-8 at 141 (EA).

³⁴⁷ Ex. PUC-EIP-8 at 141 (EA).

³⁴⁸ Ex. PUC-EIP-8 at 141 (EA).

³⁴⁹ Ex. PUC-EIP-8 at 146 (EA).

³⁵⁰ See, Public Hrg. Tr. Vol. II at 42 and 87.

³⁵¹ See Ex. PUC-EIP-8 at Appendix A (EA) and Ex. PUC-EIP-8 at 146 (EA).

³⁵² Ex. PUC-EIP-8 at 147 (EA).

³⁵³ Ex. PUC-EIP-8 at 146 (EA).

301. Modern PV panels are primarily composed of glass, aluminum, and polymer materials, with only small amounts of semiconductor and trace heavy metals, but those materials are encapsulated in durable panel structures designed to prevent exposure to air and moisture during normal operation.³⁵⁴

302. According to the EA, field-based experiments have exposed damaged PV panels to rainwater to determine the extent of heavy metal leaching into soil and groundwater. The results of these experiments indicate that leaching is minimal and well below human health screening levels, thereby indicating that contamination risk associated with normal solar operation is very low.³⁵⁵

303. Applicant asserts that it would use solar panels that pass the Toxic Characteristic Leaching Procedure (TCLP) test, meaning they are classified as non-hazardous waste under federal regulations.³⁵⁶

304. The EA also identified improper disposal, extreme damage, and highly acidic conditions as the primary contamination-risk scenarios, rather than routine operational use.³⁵⁷ Applicant would need to mitigate these risks by operating the Project in accordance with applicable legal regulations and a safety and emergency operations plan.³⁵⁸

305. Panel-component risks would be mitigated through use of TCLP-compliant panels, routine inspections, repair or replacement of damaged components, proper waste collection and disposal, and end-of-life coordination with MPCA and appropriate agencies. No additional mitigation is proposed in the EA.³⁵⁹

5. Public Safety and Emergency Services.

306. Public-safety and emergency-services impacts within the Land Control Area are anticipated to be minimal during construction and minimal during operation.³⁶⁰

307. Construction risks include falls, equipment and vehicle use, electrical accidents, slips, trips, and other occupational hazards. Public risks are primarily associated with unauthorized entry into the facility and potential electrocution hazards.³⁶¹ However, the Project would be designed and operated in compliance with the NESC, International Building Code, and American Society of Civil Engineer requirements. The Engineering, Procurement, and Construction (EPC) and operations and maintenance teams are responsible for preparing Project specific health and safety plans and ensuring compliance by all employees and contractors. These plans would be prepared in

³⁵⁴ See Ex. PUC-EIP-8 at 146 (EA); Ex. App-30 at 3-4 (Direct Testimony of Kyra Rothwell); and Ex. App-32 at 10-11 (Direct Testimony of Evan Christianson).

³⁵⁵ Ex. PUC-EIP-8 at 150 (EA).

³⁵⁶ Ex. PUC-EIP-8 at 151 (EA).

³⁵⁷ Ex. PUC-EIP-8 at 151-152 (EA).

³⁵⁸ Ex. App-30 at 4 (Direct Testimony of Kyra Rothwell).

³⁵⁹ Ex. PUC-EIP-8 at 151-152 (EA).

³⁶⁰ Ex. PUC-EIP-8 at 152 (EA).

³⁶¹ Ex. PUC-EIP-8 at 152-155 (EA).

accordance with applicable laws governing health and safety, including OSHA requirements.³⁶²

308. The Project could increase demand for emergency and public health services during construction because of temporary construction personnel and potential construction injuries.³⁶³

309. Solar PV systems present fire risks associated with electrical arcing, faulty products, installation errors, or irregular maintenance, and native vegetation could increase fire hazard if improperly managed. However, Applicant's Vegetation Management Plan (VMP) provides additional fire risk mitigation. Vegetation would be controlled via mowing, preventing the accumulation of biomass and reducing fire hazard.³⁶⁴

310. Impacts to the Allied Radio Matrix for Emergency Response (ARMER) communications system are not anticipated because project features would not exceed the height that could interfere with the relevant microwave path.³⁶⁵

311. A Phase I Environmental Site Assessment (ESA) and Limited Phase II inspection found no documented releases with potential to impact or contaminate the Site. Any hazardous materials stored at the O&M building would be contained in compliance with applicable regulations. If necessary, Applicant would develop a Spill Prevention, Control, and Countermeasure (SPCC) Plan to address oil pollution prevention and spill response requirements for hazardous materials stored on site.³⁶⁶

312. Public-safety mitigation measures include perimeter fencing, access gates, warning signs, restriction of site access to authorized personnel, temporary construction barriers, and traffic-control measures.³⁶⁷

313. Fire and emergency risks would be mitigated through compliant installation, electrical inspections, trained technicians and electricians, routine inspection, 24/7 SCADA monitoring, vegetation mowing, coordination with local fire departments, and an emergency communication and response plan.³⁶⁸

314. Sections 4.3.30 (Public Safety), 5.8 (Emergency Response Training), 8.12 (Emergency Response), 8.13 (Extraordinary Events), and 9.1 (Decommissioning Plan) of the DSP requires coordination training meetings with local emergency responders, filing an Emergency Response Plan before operation, public-safety notifications, disclosure of

³⁶² Ex. App-30 at 4 -5 (Direct Testimony of Kyra Rothwell).

³⁶³ Ex. PUC-EIP-8 at 155-156 (EA).

³⁶⁴ Ex. PUC-EIP-8 at 156 (EA).

³⁶⁵ Ex. PUC-EIP-8 at 152-157 (EA).

³⁶⁶ Ex. PUC-EIP-8 at 157 (EA).

³⁶⁷ Ex. PUC-EIP-8 at 155-157 (EA).

³⁶⁸ Ex. PUC-EIP-8 at 155-157 (EA).

extraordinary events, and periodic decommissioning-plan updates. No additional mitigation is proposed in the EA.³⁶⁹

D. Land-Based Economics.

315. Minnesota law requires consideration of the Project's potential effect on land-based economies – specifically, agriculture, forestry, tourism, and mining.³⁷⁰

1. Agriculture.

316. Agricultural use dominates approximately 89 percent of the 1,956-acre Land Control Area/Site, with corn and soybeans as the dominant crops and other areas used for pasture and hay production.³⁷¹

317. Using just the amount of agricultural land in the Preliminary Development Area, the Project would remove between 939 and 1,030 acres³⁷² of agricultural land from production for up to 40 years.³⁷³ Of that agricultural land, between 880 and 967 acres is used for cultivated crops and is considered prime farmland.³⁷⁴ Added to this are developed portions of the Site needed for transmission lines, collection corridors, roads and setbacks, which further limit the agricultural use of the Site (areas that were not measured and quantified in the EA), leaving only small, fractured remnants of land within the Site that may or may not be able to be used for agricultural uses.³⁷⁵ However, these areas would be impacted by construction disturbances could affect soils or crops where construction access, underground collection lines, or equipment movement intersect agricultural areas.³⁷⁶

318. Subject to certain exceptions, the Prime Farmland Rule, Minn. R. 7850.4400, subp. 4 (2023), prohibits LEPGPs from being sited on more than 0.5 acre of prime farmland per MW of net generating capacity unless there is no feasible and prudent alternative to the proposed location. Economic considerations alone do not justify the use of more prime farmland.³⁷⁷ Given the 180 MW net generating capacity of the Project, the Prime Farmland Rule only allows up to 90 acres of prime farmland to be used for the Project (180 MW x 0.5 acres = 90 acres), absent an exception applying.

³⁶⁹ Ex. PUC-EIP-8 at 155-157 (EA).

³⁷⁰ Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. C.

³⁷¹ Ex. PUC-EIP-8 at 157 (EA).

³⁷² 879.57 acres in the Original Design Scenario and 966.57 acres in the Alternative Design Scenario. Ex. PUC-EIP-8 at 100 (EA).

³⁷³ Ex. PUC-EIP-8 at 100-101 (EA).

³⁷⁴ Ex. PUC-EIP-8 at 100-101, 159 (EA).

³⁷⁵ See exclusions from definition of Preliminary Development Area at Ex. PUC-EIP-8 at x (EA). Applicant asserts that landowners can continue farming operations or vegetation in the areas outside of the Preliminary Development Area in accordance with VPM. Ex. APP-5 (Prime Farmland Impact Assessment Memo). The Judge rejects this analysis because all the land in the Project Site is encumbered by land leases restricting a landowners' use of the property.

³⁷⁶ Ex. PUC-EIP-8 at 169 (EA).

³⁷⁷ Minn. R. 7850.4400, subp. 4 (2023).

319. According to Applicant's analysis, the Site is comprised of approximately **1,695 acres** of prime farmland (1,179 acres of prime farmland, 148 acres of prime farmland if drained, and 365 acres of farmland of statewide importance).³⁷⁸ Nearly all of the Preliminary Development Area is classified as prime farmland (681 acres, 75 percent), prime farmland if drained (54 acres, 6 percent), or farmland of statewide importance (185 acres, 20 percent), resulting in at least 920 acres of prime farmland being used for the Project.³⁷⁹ Consequently, the amount of prime farmland acreage used for the exceeds the acreage threshold **tenfold**.³⁸⁰

320. Applicant has the burden to establish, by a preponderance of the evidence, that there are no feasible or prudent alternatives to the Project such that the Project is excluded from the Prime Farmland Rule.³⁸¹

321. Applicant asserts that it decided to propose a solar farm in southeast Minnesota because of the "high-quality solar resources" in the region (specifically, large, open, undeveloped, flat, non-forested, agricultural land with little to no habitat for protected species), willing landowners, and a point of interconnection (POI) (specifically the Dairyland 161 kV line). Applicant evaluated an unspecified number of "alternative sites" within five miles of the chosen Site.³⁸²

322. All unspecified alternatives were ruled out because they would not comply with the Prime Farmland Rule (meaning that the alternatives, like the Site, would require using more than 90 acres of prime farmland). Applicant did not explain how much prime farmland each "alternative" would require or state that the proposed Site resulted in the least amount of prime farmland to be used. Nor did Applicant discuss whether these sites are located in areas of karst geology or along the Decorah Edge.³⁸³

323. Applicant only reviewed land within a five-mile radius of the Dairyland 161 kV line. Applicant flatly admits that the search area was "largely driven by the economics of solar construction." If a project required more than five miles of new electrical transmission infrastructure to connect to an existing grid infrastructure, it was considered "uneconomical." It would require higher costs for design, permitting, and construction; a routing study; finding landowners willing to lease land; and more operational and maintenance needs. According to Applicant, "[n]early all land in Minnesota considered highly suitable for solar energy development is also classified as prime farmland." Therefore, "[w]illing landowner participation and transmission interconnection opportunities were the most significant factors" in choosing the Site

³⁷⁸ Ex. App-2 at 10 (Application).

³⁷⁹ Ex. App-2 at 10 (Application).

³⁸⁰ Ex. PUC-EIP-8 at 158 (EA). The Prime Farmland Rule looks to the "developed portion" of the project site to determine the amount of prime farmland that will be used. Minn. R. 7850.1100, subp. 4 (2023). While Applicant parses out the Preliminary Development Area, but when collection corridors, transmission lines, and required setbacks are added to the Preliminary Development Area, nearly the entire Site is "developed," thereby removing approximately 1,695 acres of prime farmland out of production for a period of up to 40 years.

³⁸¹ Minn. R. 1400.7300, subp. 5 (2025).

³⁸² Ex. App-2 at 10 (Application); Ex. App-5 (Prime Farmland Impact Assessment Memo).

³⁸³ Ex. App-2 at 10 (Application); Ex. App-5 (Prime Farmland Impact Assessment Memo).

“verses non-prime farmland.” Applicant contends that the Site chosen was “superior to the other evaluated sites” for an unspecified “variety of reasons.” Based on this general and unspecified analysis, Applicant concluded that there were no feasible and prudent alternatives to the Project.³⁸⁴

324. Applicant’s analysis of the Prime Farmland Rule was cursory, unspecific, purposefully vague, and focused exclusively on its own economic considerations, which cannot, by the express terms of the Rule, support the use of prime farmland for utility siting.

325. The EA found that local landowners can benefit financially from the Project if they want to rent out their land to Applicant because energy companies offer competitive rents. This mostly benefits non-resident and non-farmer landowners. However, over a third of farmers in Olmsted County are tenant farmers and depend on rented land for their business. Thus, when utility companies offer higher rents, these farmers lose land to farm and it drives up the cost to rent land in the area. Consequently, when local agricultural land is leased for a solar facility, tenant farmers lose access to land needed to make a profit and can experience considerable negative economic impacts. The Project would take nearly five percent of the existing cropland in Haverhill Township and up to 2.4 percent of cropland in Viola Township out of production for up to 40 years. (This does not include the pasture land taken.)³⁸⁵

326. The Project is not expected to remove access to specialized agricultural resources such as specialty crops or apiaries, and no specialty crops or beehives were identified in the Site.³⁸⁶

327. The removal of up to nearly 2,000 acres of agricultural land from production (1,695 of that being classified as prime farmland) would also have impact on local agri-businesses, such as seed, fertilizer, and equipment dealers, agricultural service providers (e.g., applicators and haulers), and agricultural product sales. The EA looked mostly to dealers in Rochester, which most commenters disputed as not within the local area.³⁸⁷

328. The Project would take up to 930-1,030 acres of agricultural land out of production for up to 40 years. After that time, impacts to drain tile, soil structure, drainage, or managed erosion-control features could affect future agricultural production if not properly avoided, repaired, or restored.³⁸⁸

329. Given the significant loss of agricultural land that would result from the Project and the resulting losses to the local agricultural economy, the Judge finds that the

³⁸⁴ Ex. App-2 at 10 (Application); Ex. App-5 (Prime Farmland Impact Assessment Memo).

³⁸⁵ Ex. PUC-EIP-8 at 159-173 (EA).

³⁸⁶ Ex. PUC-EIP-8 at 159-173 (EA).

³⁸⁷ Ex. PUC-EIP-8 at 165-169 (EA).

³⁸⁸ Ex. PUC-EIP-8 at 159-173 (EA).

land-based economic impacts are significant, long-term, and unavoidable should the Project be permitted.

330. Sections 4.3.9 (Topsoil Protection), 4.3.10 (Soil Compaction), 4.3.11 (Soil Erosion and Sediment Control), 4.3.16 (Beneficial Habitat), 4.3.17 (Vegetation Management Plan), 4.3.18 (Agricultural Impact Mitigation Plan), 4.3.20 (Invasive Species), 4.3.21 (Noxious Weeds), 4.3.25 (Drainage Tiles), and 4.3.29 (Damages) of the DSP require mitigation through topsoil protection and segregation, minimization of soil compaction. The MPCA also recommended erosion and sediment control practices, a Construction Stormwater (CSW) Permit and Stormwater Pollution Prevention Plan (SWPPP), site restoration and management practices, a VMP, and an AIMP.³⁸⁹

331. The AIMP would address soil compaction, topsoil preservation, noxious weeds and invasive species, drain-tile maintenance and repair, vegetation establishment, and restoration so that the land can return to agricultural use.³⁹⁰ EIP staff propose that Section 4.3.18 (Agricultural Impact Mitigation Plan) be revised to require the permittee to provide a copy of the AIMP to townships.³⁹¹ No additional mitigation is proposed in the EA.³⁹²

2. *Tourism.*

332. Tourism impacts are expected to be minimal because all Project facilities would be located on privately owned land and there are no specific tourism opportunities within the Site.³⁹³

333. Local tourism is primarily associated with outdoor recreation and nearby attractions, including the Haverhill WMA, Snowmobile Trail 132, Hadley Creek Golf Course, Silver Creek Reservoir, Rochester attractions, and regional Bluff Country resources.³⁹⁴

334. Construction could temporarily affect local recreational or community activities through noise, traffic, dust, and minor travel impacts, including potential travel effects for attendees of the Viola Gopher Count³⁹⁵ if construction traffic overlaps with the event.³⁹⁶

335. Long-term operational impacts to tourism are not expected to be significant because the Project is not anticipated to cause a decline in tourism to the local area.³⁹⁷

³⁸⁹ Ex. PUC-EIP-8 at 173-175 (EA).

³⁹⁰ Ex. PUC-EIP-8 at 173-175 (EA).

³⁹¹ PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

³⁹² Ex. PUC-EIP-8 at 173-175 (EA).

³⁹³ Ex. PUC-EIP-8 at 175-176 (EA).

³⁹⁴ Ex. PUC-EIP-8 at 175-176 (EA).

³⁹⁵ The Viola Gopher Count is an annual summer festival held in Viola, MN with a variety of events including a parade, fireworks, and bingo. Ex. PUC-EIP-8 at 91 (EA).

³⁹⁶ Ex. PUC-EIP-8 at 175-176 (EA).

³⁹⁷ Ex. PUC-EIP-8 at 175-176 (EA).

336. Tourism-related traffic impacts would be mitigated through a traffic-control plan required by a special permit condition, including mitigation of traffic impacts during local events such as Viola's Gopher Count Celebration.³⁹⁸

E. Archaeological, Cultural, and Historic Resources.

337. Minnesota law requires consideration of the Project's potential effects on historic and archaeological resources.³⁹⁹

338. Potential impacts to archaeological and historic resources are anticipated to be negligible to minimal and localized.⁴⁰⁰

339. Applicant contacted federally recognized Tribal Nations in Minnesota, including THPOs. The Shakopee Mdewakanton Sioux Community requested that an Unanticipated Discovery Plan (UDP) be in place for the Project.⁴⁰¹

340. The Leech Lake Band of Ojibwe THPO commented that no recorded historic properties were known in the area, but that absence of records does not mean cultural resources are absent, and requested notification if human remains or suspected human remains are encountered.⁴⁰²

341. Literature reviews and surveys identified previously recorded historic architectural resources outside the Site, and newly identified archaeological sites were recommended not eligible for the National Register of Historic Places.⁴⁰³

342. MnSHPO concurred that no significant archaeological sites would be affected and that no National Register, State Register, or Historic Sites Network properties would be affected by the Project.⁴⁰⁴

343. No impacts to architectural resources or archaeological resources are anticipated as a result of the Project.⁴⁰⁵

344. The preferred mitigation measure for Archaeological, Cultural, and Historic Resources is prudent siting to avoid impacts to archaeological and historic resources.⁴⁰⁶

345. The DSP requires avoidance of archaeological and historic resources where possible and mitigation where avoidance is not possible.⁴⁰⁷

³⁹⁸ Ex. PUC-EIP-8 at 176 (EA).

³⁹⁹ Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. D.

⁴⁰⁰ Ex. PUC-EIP-8 at 176-180 (EA).

⁴⁰¹ Ex. PUC-EIP-8 at 176-180 (EA).

⁴⁰² Ex. PUC-EIP-8 at 176-180 (EA).

⁴⁰³ Ex. PUC-EIP-8 at 176-180 (EA).

⁴⁰⁴ Ex. PUC-EIP-8 at 176-180 (EA).

⁴⁰⁵ Ex. PUC-EIP-8 at 180 (EA).

⁴⁰⁶ Ex. PUC-EIP-8 at 180 (EA).

⁴⁰⁷ Ex. PUC-EIP-8 at 180 (EA).

346. Applicant provided an UDP for the Project, and the plan describes procedures requiring immediate notice to the Project manager, cessation of construction at the discovery location, establishment of a 50-foot buffer, and assessment by a qualified professional archaeologist.⁴⁰⁸

347. Section 5.9 of the DSP requires a UDP for previously unrecorded archaeological or historic properties, human remains, or unanticipated effects to previously identified resources, and the UDP must include accurate contact information for the Leech Lake Band of Ojibwe.⁴⁰⁹

F. Natural Resources.

348. Minnesota law requires consideration of the Project's potential effects on the natural environment, including effects on air and water quality resources and flora and fauna.⁴¹⁰

1. Air Quality.

349. Air-quality impacts during construction are expected to be intermittent, localized, short-term, and minimal.⁴¹¹

350. Construction emissions would primarily include carbon dioxide (CO₂), nitrogen oxides (NO_x), particulate matter, equipment exhaust, and fugitive dust from travel on unpaved roads, grading, excavation, and soil exposure.⁴¹²

351. Once operational, the solar array and gen-tie line would not generate criteria pollutants or CO₂, and routine maintenance would produce only negligible dust and exhaust emissions.⁴¹³ Unlike fossil-fueled electric generating facilities, this Project would not generate emissions through the energy production process.⁴¹⁴

352. Mitigation measures for air quality during construction would include watering exposed surfaces, covering haul trucks, reducing speeds on unpaved roads, containing excavated materials, stabilizing soils, maintaining equipment, minimizing unnecessary idling, and implementing a SWPPP under the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) CSW Permit.⁴¹⁵

2. Geology and Groundwater.

353. The ROI for geology and groundwater is the Land Control Area. Because of the presence of karst terrain and the proximity of the Decorah Edge within this area, there

⁴⁰⁸ Ex. PUC-EIP-8 at 180 (EA).

⁴⁰⁹ Ex. PUC-EIP-8 at 181 (EA).

⁴¹⁰ Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. E.

⁴¹¹ Ex. PUC-EIP-8 at 181-185 (EA).

⁴¹² Ex. PUC-EIP-8 at 181-185 (EA).

⁴¹³ Ex. PUC-EIP-8 at 181-185 (EA).

⁴¹⁴ Ex. PUC-EIP-8 at 105 (EA).

⁴¹⁵ Ex. PUC-EIP-8 at 185-186 (EA).

is potential for both direct and indirect impacts to groundwater related to both construction and operation of the Project. While impacts to geology are not “anticipated” (no accident is anticipated), construction and operational impacts to surface water could indirectly affect groundwater and would be exacerbated by the unique geological aspects of the Project Site.⁴¹⁶

354. The Site is located in an area with two important geographical features: karst topography and the Decorah Edge.⁴¹⁷

355. The entire Site is located squarely within Minnesota’s karst Province (Province 3), a region of the state particularly prone to surface karst development, as the figure below demonstrates:⁴¹⁸

Figure 55. Regions Prone to Surface Karst Development



356. Karst topography is a type of landscape that develops from the dissolution of underlying bedrock. The dissolution of bedrock commonly results in subsurface fractures, cavities, conduits, springs, caves, and sinkholes. Karst is common throughout southeast Minnesota. The majority of Olmsted County, approximately 83 percent, is classified by the MDNR as areas prone to surface karst development.⁴¹⁹ Construction projects in karst terrain pose a number of risks. Most specific to this Project, karst features have the potential to rapidly transmit contaminants from the land surface into the groundwater system, and the dissolution of bedrock can result in subsidence and sinkhole formation, which can pose a hazard to infrastructure. Thus, any introduction of

⁴¹⁶ Ex. PUC-EIP-8 at 186-199 (EA).

⁴¹⁷ Ex. PUC-EIP-8 at 187, 190 (EA).

⁴¹⁸ Ex. PUC-EIP-8 at 187 (EA).

⁴¹⁹ See Ex. App-32 at 2-3 (Direct Testimony of Evan Christianson) and Minnesota Geospatial Information Office. Surface Karst Feature Development Potential. State of Minnesota, <https://gisdata.mn.gov/dataset/geos-surface-Karst-feature-devel>. Accessed July 1, 2026.

contaminants onto the surface and surface waters could be quickly and widely disbursed to groundwater because of the karst topography.⁴²⁰

357. As the EA noted, the shallow depth to groundwater within the Site means that any spills on the surface would rapidly move into the aquifer. In the event of a contaminant spill or release, impacts would be significant due to the Project's location within an area prone to karst surface development and the presence of existing karst features within the Site.⁴²¹

358. A number of public commenters raised concerns regarding the risks of siting the Project in the proposed area given the area's karst terrain.⁴²² This topic was included in the EA Scoping Decision and evaluated in the EA, solely by EIP staff relying on reports submitted by Applicant.⁴²³

359. The Decorah Edge is also within the Project Site. The Decorah Edge is geological feature that provides two important functions: it is a groundwater recharge area and natural filtration system to remove pollutants from water flowing through the soils and vegetation that overlie the clay-rich shale bed in the area. The filtration that the Decorah Edge provides is a valuable economic asset for the region as approximately half of Rochester's drinking water is replenished by it, saving Rochester as much as \$5 million a year in water filtration. This geographical formation is a critical groundwater recharge area for 16 communities in southeastern Minnesota. Consequently, the Decorah Edge has regional importance. As figure below shows, the Site sits directly above the Decorah Edge.⁴²⁴

⁴²⁰ Ex. App-32 at 2-3 (Direct Testimony of Evan Christianson).

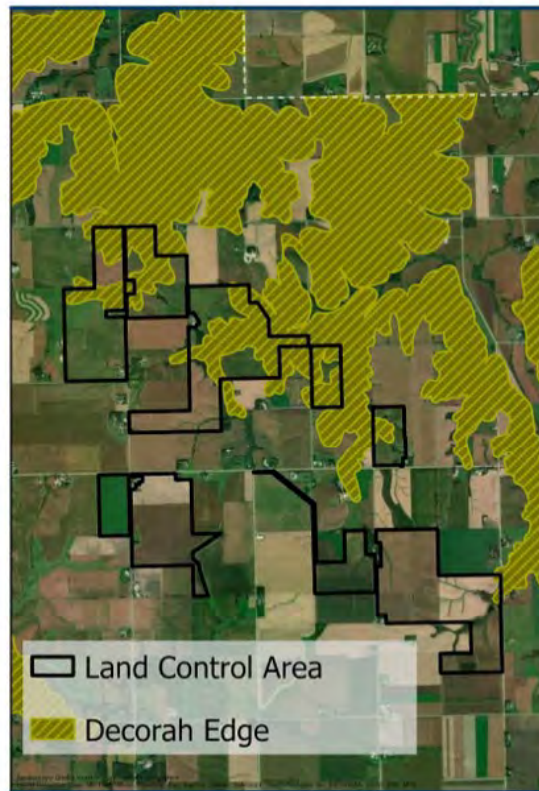
⁴²¹ Ex. PUC-EIP-8 at 194 (EA).

⁴²² See Public Comments section above.

⁴²³ Ex. PUC-EIP-8 at 186-196 (EA).

⁴²⁴ Ex. PUC-EIP-8 at 189-190 (EA).

Figure 59. Decorah Edge within the Land Control Area



360. Because the Project is in a karst region and sits along the Decorah Edge, the EA identifies potential direct and indirect groundwater impacts from construction and operation of the Project.⁴²⁵ This is particularly important given the number of private wells in the area: four documented and one undocumented in the Land Control Area; and 72 wells within 0.5-mile of the Site (62 documented and nine undocumented). These wells are particularly vulnerable to construction impacts, especially in a karst region.⁴²⁶ The Project is also within two watersheds: Greater Zumbro River Watershed and Mississippi River Winona/La Crescent Watershed.⁴²⁷

361. The Project is located in an area where groundwater is particularly vulnerable to contamination from surface pollutants. Normal methodology for assigning near-surface pollution sensitivity cannot be applied to karst because karst allows direct and very rapid exchange between surface water and ground water. Nitrate contamination is already an issue in rural Minnesota due to fertilizers. The Project is specifically within a MPCA-designated vulnerable groundwater area associated with the Minnesota Feedlot Program. The vulnerability of the area is particularly concerning due to the karst geology underlying the surface.⁴²⁸

⁴²⁵ Ex. PUC-EIP-8 at 186-196 (EA).

⁴²⁶ Ex. PUC-EIP-8 at 192-193 (EA).

⁴²⁷ Ex. PUC-EIP-8 at 194 (EA).

⁴²⁸ Ex. PUC-EIP-8 at 191-192 (EA).

362. Potential impacts to the Decorah Edge are primarily associated with activities that could alter groundwater recharge and discharge, stormwater infiltration patterns, soil stability, or water quality. Construction activities and disturbance of the land can increase erosion, cause soil compaction, affect stormwater flow, introduce pollutants, modify sediment transport, and affect groundwater movement, all reducing the effectiveness of the natural filtration provided by the Decorah Edge.⁴²⁹

363. The concern with groundwater contamination in karst areas is that, due to permeability of the ground, any contamination on the surface or in the shallow groundwater can quickly migrate from the surface to the aquifer. Because groundwater is shallow and the Site contains karst features, a spill or contamination event could be significant. Consequently, avoidance of karst features is the primary mitigation measure when it comes to projects like this.⁴³⁰

364. With respect to identifying and mitigating karst risks, the EA relied heavily on the karst assessments prepared by Applicant. Applicant completed a desktop and field survey for the Project Area to identify karst features and characterize the risk level of karst features becoming unstable or accelerating their growth.⁴³¹ Applicant later discovered that there were three project parcels that were not included in the original karst Assessment. As a result, Applicant submitted an updated karst Survey Report on June 25, 2026 (after the EA) that incorporated additional parcels and easement areas.⁴³²

365. Applicant's preliminary review identified 18 suspected karst features; whereas, the follow-up report identified only two karst features having provenance (the other 16 were dismissed as relating to drain tile or farm activities).⁴³³ The final report, combining the 2025 desktop review and field survey, and the 2026 field survey (adding new parcels), concluded that the two karst features identified present low risk.⁴³⁴

366. DNR field surveys identified one sinkhole, two drain tile outlets, one verified spring, and 12 unverified springs, for a total of 18 karst features in the Site.⁴³⁵

367. Based on its assessment reports, Applicant developed a karst Construction Management Plan for the Site.⁴³⁶

368. Because of the shallow depth-to-groundwater in some areas of the Project, dewatering may be required during construction. Dewatering would be discharged to the surface to allow it to infiltrate back into the ground, minimizing impacts. If dewatering

⁴²⁹ Ex. PUC-EIP-8 at 196 (EA).

⁴³⁰ Ex. PUC-EIP-8 at 195, 197 (EA).

⁴³¹ Ex. App-26 (Scoping Comments).

⁴³² Applicant Response to EA at Attachment A – Karst Assessment Addendum (June 25, 2026) (eDocket No. 20266-233322-01).

⁴³³ Ex. PUC-EIP-8 at 187 (EA).

⁴³⁴ Applicant Response to EA at Attachment A – Karst Assessment Addendum (June 25, 2026) (eDocket No. 20266-233322-01).

⁴³⁵ Ex. PUC-EIP-8 at 185-186 (EA).

⁴³⁶ Ex. App-26 (Scoping Comments).

exceeds 10,000 gallons of water per day, a MDNR water appropriation permit would be obtained for the Project.⁴³⁷

369. Access roads would be constructed at grade where possible, panel arrays would conform to existing topography where possible, and vegetation would be established after construction to reduce long-term disturbance to groundwater flow or recharge.⁴³⁸

370. The EA concluded that, based upon the presence of karst features and the location of the Decorah Edge, there could be direct and indirect impacts to groundwater. The bigger issue is the risk of significant groundwater contamination if a pollutant were to be introduced into the fragile karst subterrain and the Decorah Edge.⁴³⁹ Consequently, the EA advised that avoidance of karst features altogether is the primary and most effective mitigation measure. However, because of the Site's location directly above karst terrain and along the Decorah Edge, the risk to groundwater is unavoidable should the Project be approved.⁴⁴⁰

371. The EA recommended several other mitigation measures, including geotechnical investigation, stormwater management appropriate for karst, adherence to the karst Construction Management Plan, monitoring of karst features, buffers around active karst features, spill prevention, and dewatering planning.⁴⁴¹

372. Section 5.10 of the DSP requires the permittee to notify nearby domestic well users in the event of a spill or leak of potential contaminants such as fuel or oil. Applicant opposed this condition.⁴⁴² EIP staff support Section 5.10 of the DSP and Section 5.10 is consistent with language adopted in a prior solar permit.⁴⁴³

373. Section 5.11 of the DSP requires the permittee to file a geotechnical investigation report prepared by a third-party geotechnical engineer or authorized representative. Applicant requested that this permit condition be revised to conform with its karst Construction Management Plan.⁴⁴⁴ EIP staff did not support Applicant's requested revisions to Section 5.11 and noted that Section 5.11 is consistent with language adopted in a prior solar permit.⁴⁴⁵ EIP staff propose that this permit condition be revised to require the permittee to apply the distance and activity restrictions from

⁴³⁷ Ex. PUC-EIP-8 at 194-195 (EA).

⁴³⁸ Ex. PUC-EIP-8 at 196 (EA).

⁴³⁹ Ex. PUC-EIP-8 at 186 (EA).

⁴⁴⁰ Ex. PUC-EIP-8 at 197 (EA).

⁴⁴¹ Ex. PUC-EIP-8 at 196-199 (EA).

⁴⁴² See Ex. App.-32 at 8:1-4 and 9:21-25 (Christianson Direct).

⁴⁴³ PUC, Order Issuing Site Permit [Castle Rock Solar Project] (March 17, 2026) (eDocket No. 20263-229389-01), see special condition 5.10.

⁴⁴⁴ Applicant Response to EA at 6 (June 25, 2026) (eDocket No. 20266-233322-01).

⁴⁴⁵ PUC, Order Issuing Site Permit [Castle Rock Solar Project] (March 17, 2026) (eDocket No. 20263-229389-01), see special permit condition 5.11.

documented active karst features to any temporary workspaces as defined in Section 4.3.6 (Temporary Workspace) of the DSP.⁴⁴⁶

374. Section 5.12 of the DSP requires the permittee to develop a dewatering plan in the event dewatering is required for project construction; and Permittee is required to provide training to personnel directly involved with discharge activities.

375. Section 5.13 requires the permittee to provide the Commission, Olmsted County, Haverhill Township, and Viola Township with plan for the use, storage, and disposal of any chemicals used in the cleaning of panels. Applicant has committed to not using chemicals to clean solar panels at the facility and to only using organic chemicals for cleaning activities.⁴⁴⁷ EIP staff suggested that Section 5.13 be revised to document Applicant's commitment to using organic chemicals.⁴⁴⁸

376. Section 5.14 (Decorah Edge Protection Plan) of the DSP was proposed by the EIP as a means of protecting the Decorah Edge,⁴⁴⁹ but Applicant has not agreed to this condition. Instead, Applicant asserts that it would avoid wetlands and that such mitigation is sufficient to protect the Decorah Edge.⁴⁵⁰ The Judge disagrees. Should the Commission grant the permit, it is recommended that Section 5.14 be included in the site permit.

377. Section 5.15 of the DSP requires the permittee to establish baseline water quality in shallow drinking water wells (wells less than 100 feet deep) within 500 feet of the Project prior to construction.⁴⁵¹ Applicant objects to this proposed special condition because it requires access to areas where landowners may not grant access.

378. MDH also recommended baseline water quality monitoring based on the karst geological features in the area. Applicant subsequently met with MDH and provided MDH's updated recommendations via a letter dated July 7, 2026. MDH's updated letter made the following conclusions and recommendations:⁴⁵²

- The karst avoidance measures summarized in the EA, DSP, and karst Construction Management Plan are "adequate and align with" MPCA best management practices (BMPs). Consequently, MDH defers to MPCA BMPs for mitigating impacts to karst landscapes and aquifers.
- MDH continues to recommend completing groundwater sampling for nitrates, pesticides, herbicides, metals, and volatile organic

⁴⁴⁶ PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

⁴⁴⁷ Applicant Response to EA at 7-8 (June 25, 2026) (eDocket No. 20266-233322-01).

⁴⁴⁸ PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

⁴⁴⁹ Ex. PUC-EIP-8 at 199 (EA).

⁴⁵⁰ Applicant Response to EA at 8 (June 25, 2026) (eDocket No. 20266-233322-01).

⁴⁵¹ Ex. PUC-EIP-8 at 199 (EA).

⁴⁵² Updated MDH Letter (July 21, 2026) (eDocket No. 20267-234734-01).

compounds at accessible nearby wells before, during, and after construction.

- MDH expects nearby private well owners to be contacted in the event of a fuel spill or any other unexpected release.

3. *Soils.*

379. Impacts to soils would occur during construction and decommissioning of the Project, with a potential for moderate to significant impacts during high-rainfall events.⁴⁵³

380. Primary soil impacts include compaction, soil-profile mixing, sedimentation, rutting, changes to drainage, erosion and damage during heavy rainfall. Construction would disturb approximately 963 acres under the Original Design Scenario or 1,067 acres under the Alternative Design Scenario. Most of the impacted land is agricultural.⁴⁵⁴

381. Because the Site would be covered with native perennial vegetation for the life of the Project, soil health is likely to improve if vegetation establishment is successful.⁴⁵⁵

382. Sections 4.3.9, 4.3.16 (Beneficial Habitat), 4.3.17 (Vegetation Management Plan), and 4.3.18 (Agricultural Impact Mitigation Plan) of the DSP requires mitigation that includes topsoil segregation, erosion controls, a CSW Permit and SWPPP, decompaction measures, drainage-tile repair, VMP implementation, and AIMP implementation. No additional mitigation is proposed in the EA.⁴⁵⁶

4. *Topography.*

383. Topography impacts are expected to be minimal overall, but isolated moderate-to-significant impacts could occur on steeper slopes and bluffs during high-rainfall events.⁴⁵⁷

384. The Site ranges from approximately 1,160 to 1,300 feet above sea level, with generally flat terrain and elevation decreases near creek bottoms.⁴⁵⁸ While grading would occur, major topographical changes to the landscape, such as the creation of abrupt elevation changes or modifications to natural drainage patterns, are not expected. Project components should be constructed at grade to the extent possible. Appropriate permanent stormwater management measures could address drainage from the newly established impervious areas.⁴⁵⁹

⁴⁵³ Ex. PUC-EIP-8 at 199 (EA).

⁴⁵⁴ Ex. PUC-EIP-8 at 199-205 (EA).

⁴⁵⁵ Ex. PUC-EIP-8 at 199-205 (EA).

⁴⁵⁶ Ex. PUC-EIP-8 at 205-206 (EA).

⁴⁵⁷ Ex. PUC-EIP-8 at 206 (EA).

⁴⁵⁸ Ex. PUC-EIP-8 at 206 (EA).

⁴⁵⁹ Ex. PUC-EIP-8 at 210 (EA).

385. Applicant agrees to establish native, perennial vegetation within the Site to prevent erosion and stabilize soils. If bluffs or steep slopes are identified within or adjacent to the Site, the establishment of native, perennial vegetation may help stabilize slopes and minimize sediment transport.⁴⁶⁰

386. Mitigation of impacts to soil includes establishing native perennial vegetation to stabilize slopes and Section 5.16 of the DSP requiring a 30-foot minimum setback for construction activity and vegetation removal from the top of steep slopes or bluffs along stream or river valleys within 300 feet of the streambank.⁴⁶¹ Applicant noted that Section 5.16 appears to be based upon the Olmsted County Floodplain and Shoreland Ordinance (Ordinance). Applicant is concerned that, absent definitions, the language in this proposed condition is vague and ambiguous, which could hinder compliance. Applicant thus offered revisions to this permit condition to set the setback distance to 30 feet from the top of any bluff as defined by the Olmsted County Floodplain and Shoreland Ordinance.⁴⁶² EIP staff do not object to Applicant's proposed revisions to Section 5.16.

5. Surface Water and Floodplains.

387. Surface water impacts are expected to be minimal to moderate, with direct impacts not expected, but indirect impacts possible through erosion, sedimentation, runoff, or contamination.⁴⁶³

388. Drainage systems within the Site could extend impacts to the North Fork Whitewater River, Lower South Fork Zumbro River, and the main stems of the Whitewater and Zumbro Rivers.⁴⁶⁴

389. Floodplain impacts are not anticipated, but the Project has increased flood-event risk due to the presence of water features.⁴⁶⁵

390. Applicant made the following commitments regarding surface waters: preparing a safety and emergency operations plan before commercial operations; procuring PV modules from qualified vendors subject to stringent safety and onboarding standards; and designing and operating the Project in compliance with applicable safety codes, including the NESC, International Building Code, American Society of Civil Engineers requirements, and OSHA-related health and safety requirements. Applicant also commits to coordinating with local emergency responders by offering pre-construction meetings to review final site plans and the safety and emergency operations plan, offering a construction-stage walkthrough, meeting with emergency departments at least once every ten years during operations, updating the plan to reflect best practices, technological advancements, or changes in local protocols, and working

⁴⁶⁰ Ex. PUC-EIP-8 at 211 (EA).

⁴⁶¹ Ex. PUC-EIP-8 at 210-211 (EA).

⁴⁶² Ex. PUC-EIP-8 at 210-211 (EA).

⁴⁶³ Ex. PUC-EIP-8 at 211 (EA).

⁴⁶⁴ Ex. PUC-EIP-8 at 211-217 (EA).

⁴⁶⁵ Ex. PUC-EIP-8 at 211-217 (EA).

with local emergency services to provide appropriate safety equipment as needed. With respect to stormwater, Applicant agrees to manage runoff so post-construction flows would be less than or consistent with pre-construction flows, using stormwater BMPs such as permanent vegetative groundcover, preparing a professional-engineer-developed Stormwater Management Plan before construction, obtaining an NPDES permit before construction, conducting at least weekly BMP inspections and timely repairs under that permit, and preparing and complying with a SWPPP that includes temporary and permanent erosion and sediment controls, durable perennial vegetation, and accepted stormwater BMPs.⁴⁶⁶

391. Sections 4.3.11 (Soil Erosion and Sediment Control), 4.3.16 (Beneficial Habitat), 4.3.17 (Vegetation Management Plan), 4.3.25 (Drainage Tiles), and 5.17 (Fuel Storage and Spill Prevention) of the DSP requires the permittee to mitigate impacts to surface water and floodplains through containment of excavated soils, protection and stabilization of exposed soils, dust control, secondary containment of fuel, refueling and maintenance at least 100 feet from waterways where practicable, spill kits, leak monitoring, NPDES permit compliance, a SWPPP, stormwater BMPs, perennial vegetation, and boring collection-line crossings beneath watercourses.⁴⁶⁷

392. The DSP generally prohibits placement of the solar energy generating system or associated facilities in public waters and public waters wetlands, except for collector or feeder line crossings subject to required approvals. No additional mitigation is proposed in the EA.⁴⁶⁸

6. *Wetlands.*

393. Wetland impacts are anticipated to be minimal to moderate, with direct permanent impacts not anticipated and temporary or indirect impacts possible during construction.⁴⁶⁹

394. National Wetlands Inventory (NWI)-MN mapping identified 102 wetlands totaling approximately 261.28 acres within the Site, and field delineations identified approximately 97.24 acres of delineated wetlands within the Project.⁴⁷⁰

395. No solar facility components, including fence posts, would be placed in wetlands. However, parts of the below-ground collection system for the Project would be horizontally drilled under 13 wetlands.⁴⁷¹

396. Applicant submitted a No Loss Application pursuant to the Minnesota Wetland Conservation Act (WCA) on October 20, 2025, and received a notice of decision from Olmsted SWCD on April 14, 2026. The Olmsted SWCD found that the layout

⁴⁶⁶ See Ex. App-30 (Direct Testimony of Kyra Rothwell).

⁴⁶⁷ Ex. PUC-EIP-8 at 217-218 (EA).

⁴⁶⁸ Ex. PUC-EIP-8 at 217-218 (EA).

⁴⁶⁹ Ex. PUC-EIP-8 at 218 (EA).

⁴⁷⁰ Ex. PUC-EIP-8 at 218-221 (EA).

⁴⁷¹ Ex. PUC-EIP-8 at 218-221 (EA).

provided by Applicant would not impact any identified wetland within the Project Area. Olmsted SWCD recommends approval of the wetland delineation and No Loss application with certain conditions. To the extent applicable, the Project is exempt from Chapter 3706 of the County Ordinance, which includes the Decorah Edge Overlay District.⁴⁷²

397. Wetland mitigation includes agency coordination and permits as needed under Section 404 and Section 401 of the Clean Water Act and Minnesota WCA, wetland sequencing if impacts require approval, BMPs to prevent indirect impacts, and compliance with wetland-related DSP conditions.⁴⁷³

7. Vegetation.

398. The Project would convert existing row-crop farmland to perennial vegetation for the life of the Project, and vegetation impacts would be expected to be minimal to moderate, and can be mitigated through the development of a VMP.⁴⁷⁴

399. Impacts to vegetation related to the Project could be both positive and negative. Negative impacts include the removal of existing row crops and vegetation, disturbing soils, destroying existing plant communities, potential introduction of invasive species, and potential effects to adjacent conservation lands. The positive effects of the Project would be the replacement of continuously cultivated row crops with perennial vegetation, giving the soils a rest and change. This can stabilize soil, reduce erosion, increase infiltration, reduce runoff, provide pollinator habitat, reduce fertilizer use, reduce pesticide exposure, and provide more continuous ground cover.⁴⁷⁵

400. The Site is currently dominated by cultivated cropland and pastureland, with small areas of developed land, wetlands/open water, herbaceous vegetation, and deciduous forest.⁴⁷⁶

401. Construction of the Project would temporarily remove vegetation and could permanently remove some woody vegetation. However, Applicant does not anticipate clearing dense forested areas or measurable acreage of trees.⁴⁷⁷

402. Applicant plans to use three seed mixes to establish perennial vegetation within the Project. Native perennial seed mixes would stabilize soils, improve soil health, increase infiltration, reduce runoff and erosion, and provide pollinator and wildlife habitat.⁴⁷⁸

403. Applicant asserts that it would work with adjoining landowners to identify potential landscape screening needs and implement screening where appropriate. Many

⁴⁷² Ex. App-31 (Direct Testimony of Dan Flo).

⁴⁷³ Ex. PUC-EIP-8 at 221 (EA).

⁴⁷⁴ Ex. PUC-EIP-8 at 221 (EA).

⁴⁷⁵ Ex. PUC-EIP-8 at 221-227 (EA).

⁴⁷⁶ Ex. PUC-EIP-8 at 221-226 (EA).

⁴⁷⁷ Ex. PUC-EIP-8 at 221-226 (EA).

⁴⁷⁸ Ex. PUC-EIP-8 at 221-226 (EA).

of the woody species that Applicant identified in the VMP as potential screening options are consistent with both the Haverhill and Viola Township zoning ordinances lists of suitable tree and shrub species for screening buffer yards.⁴⁷⁹

404. The MDNR recommended the Applicant increase the minimum panel height to incorporate taller stature grasses and forbs, resulting in a more resilient and diverse native seed mix.⁴⁸⁰ Applicant rejects that recommendation, asserting that increasing the height of the panels would increase the length of mounting piles, significantly increasing the amount of steel required for the Project. Higher panels would also increase torque on the posts from wind loads on the racking system, adding complexity and additional safety risks during construction and operation due to higher working heights. Lastly, higher panels would result in more grading because the pile height tolerance would be narrower, meaning the ground would need to be more level to accommodate the racking. For these reasons, Applicant refuses to increase the height of the solar panels in response to the MDNR's recommendation.⁴⁸¹

405. The EIP Staff, on behalf of the VMPWG, reviewed the Project's VMP and found it generally workable but requiring additional detail and refinement before approval. While the plan's goals—such as establishing perennial vegetation, supporting pollinators, and minimizing invasive species—are supported, the group recommends improvements including clearer site descriptions, more detailed vegetation management units, defined contractor qualifications, and a comprehensive schedule for planting and maintenance activities. The VMPWG also calls for stronger guidance on soil testing, seed selection and installation methods, weed and herbicide control, grazing practices, and adaptive management strategies, along with robust monitoring, reporting, and performance standards.⁴⁸²

406. Sections 4.3.17 (Vegetation Management Plan), 4.3.18 (Agricultural Impact Mitigation Plan), and 5.1 (Visual Screening Plan) of the DSP require mitigation measures to include minimizing tree removal, preserving windbreaks and shelterbelts to the extent practicable, developing a VMP, monitoring vegetation, using appropriate seed mixes, and controlling invasive species and noxious weeds. No additional mitigation is proposed in the EA.⁴⁸³

8. *Wildlife and Habitat.*

407. Wildlife and habitat impacts are expected to be minimal overall, but impacts may be positive or negative depending on species and timing.⁴⁸⁴

408. Long-term, positive impacts to small mammals, insects, snakes, etc. would likely occur due to the change in vegetation. The impact intensity would depend on the

⁴⁷⁹ Ex. PUC-EIP-8 at 221-226 (EA).

⁴⁸⁰ DNR Public Hearing Comments (June 25, 2026) (eDocket No. 20266-233340-01).

⁴⁸¹ Ex. App-31 (Direct Testimony of Dan Flo).

⁴⁸² Ex. App-31 at 7 (Direct Testimony of Dan Flo).

⁴⁸³ Ex. PUC-EIP-8 at 227 (EA).

⁴⁸⁴ Ex. PUC-EIP-8 at 227-228 (EA).

amount and quality of habitat created by the Project and the vegetation selected. Impacts to large wildlife species would be minimal. Project fence design has the potential to impact deer but can be mitigated through proper fencing.⁴⁸⁵

409. There are several aquatic ecosystems within the Site, some of which connect to the North Branch Whitewater River, that have the potential for downstream impacts from dust or erosion control. Potential impacts can be mitigated by prudent design, and adherence to MDNR recommendations.⁴⁸⁶

410. Once restored in 40 years, the Site may provide native habitat for the life of the Project. The Project does not contribute to significant habitat loss or degradation or create new habitat edge effects. The introduction of PV panels and fencing creates the potential for bird collisions, deer injury or entrapment, and funneling wildlife towards roads in certain areas. Potential impacts can be mitigated in part through project design and BMPs.⁴⁸⁷

411. Panel collision and echolocation interference are discussed as potential risks, though significant bat impacts are not anticipated because PV facilities have low reported bat mortality rates.⁴⁸⁸

412. Wildlife mitigation measures include native perennial vegetation, wildlife-friendly fencing coordination with the MDNR, chloride-free dust suppression, erosion-control materials without plastic or synthetic fibers or malachite green dye, down-lit and shielded lighting, habitat features, and a 50-foot minimum setback from perimeter fencing to road ROWs. No additional mitigations measures were proposed in the EA.⁴⁸⁹

413. Section 5.18 of the DSP requires the permittee to use down-lit, shielded lighting with a nominal color temperature that does not exceed 4,000 kelvin around and within the project.

414. Section 5.19 of the DSP requires the permittee to use dust suppression agents that do not contain chloride.

415. Section 5.20 of the DSP requires the permittee to use erosion control materials that do not contain plastic or synthetic fibers or malachite green dye. Applicant expressed concern that this special condition limits its ability to use BMPs to control erosion. Applicant agreed to implement stormwater controls that limit the use of plastic or synthetic fiber; however, Applicant contends that there may be instances where use of these materials is necessary to comply with industry best practices and Applicant's obligations under the SWPPP. Based upon these concerns, Applicant proposed to revise the special condition to require the use of erosion control materials that do not contain

⁴⁸⁵ Ex. PUC-EIP-8 at 227-228 (EA).

⁴⁸⁶ Ex. PUC-EIP-8 at 227-228 (EA).

⁴⁸⁷ Ex. PUC-EIP-8 at 227-228 (EA).

⁴⁸⁸ Ex. PUC-EIP-8 at 227-240 (EA).

⁴⁸⁹ Ex. PUC-EIP-8 at 240-241 (EA).

plastic or synthetic fibers or malachite green dye to the extent practicable.⁴⁹⁰ EIP staff do not support Applicant's proposed revisions to Section 5.20 of the DSP, noting that Section 5.20 is consistent with language adopted for prior solar permits.⁴⁹¹ Section 5.20 is supported by the MDNR, which rejects Applicant's revisions.⁴⁹²

416. Section 5.21 of the DSP requires the permittee to coordinate with the MDNR on the design and use of small- to medium-sized animal permeable fencing around the Project. Applicant requested the removal of this permit condition because it is duplicative of the standard permit condition 4.3.32 regarding fencing.⁴⁹³ EIP staff do not support the removal of Section 5.21 of the DSP, noting that Section 5.21 is consistent with language adopted in a prior solar permit.⁴⁹⁴ Section 5.21 is supported by the MDNR.⁴⁹⁵

417. MDNR conducted a review of the Minnesota Natural Heritage Information System to determine if the Project has the potential to impact any rare species or other significant natural features. As stated in the Natural Heritage Review letter: "Loggerhead Shrikes have been documented historically in the vicinity of the Project site . . . The presence of this bird is unlikely therefore, we do not anticipate any impacts."⁴⁹⁶ Additionally, the MDNR notes that all of Minnesota bat species can be found throughout the state even if there are no bat records nearby. However, the MDNR did not recommend the installation of any habitats and the agency's comments do not identify any particular species or rare and unique resources within the vicinity of the Project.⁴⁹⁷

418. Section 5.22 of the DSP requires the permittee to install appropriate habitat features that adhere to MDNR guidance within the Project and to file a Habitat Plan describing the features planned for the Project and how they would be maintained. Applicant requested the removal of this permit condition because the MDNR found that no state listed bat species were documented within the vicinity of the Project, and no additional species or rare and unique resources were otherwise included or observed.⁴⁹⁸ EIP staff do not support the removal of Section 5.22 of the DSP. Section 5.22 is supported by the MDNR.⁴⁹⁹

⁴⁹⁰ Applicant Response to EA at 9 (June 25, 2026) (eDocket No. 20266-233322-01).

⁴⁹¹ PUC, Order Issuing Site Permit [Castle Rock Solar Project] (March 17, 2026) (eDocket No. 20263-229389-01), see special permit condition 5.18; PUC, Order Issuing Site Permit [Benton Solar Project] (January 28, 2026) (eDocket No. 20261-227512-01), see special permit condition 5.8; PUC, Order Issuing Site Permit [Solway Solar Project] (September 12, 2025) (eDocket No. 20259-222929-01), see special permit condition 5.6; PUC, Order Issuing Site Permit [Coneflower Solar Project] (August 25, 2025) (eDocket No. 20258-222368-01), see special permit condition 5.12.

⁴⁹² DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

⁴⁹³ Applicant Response to EA at 11 (June 25, 2026) (eDocket No. 20266-233322-01).

⁴⁹⁴ PUC, Order Issuing Site Permit [Coneflower Solar Project] (August 25, 2025) (eDocket No. 20258-222368-01), see special permit condition 5.13.

⁴⁹⁵ DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

⁴⁹⁶ DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

⁴⁹⁷ See Applicant Response to Public Comments at Attachment A (July 9, 2026) (eDockets No. 20267-233981-01; DNR Public Hearing Comments (July 25, 2026) (eDocket No. 20266-233340-01).

⁴⁹⁸ Applicant Response to EA at 11-12 (June 25, 2026) (eDocket No. 20266-233322-01).

⁴⁹⁹ DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

419. Section 5.23 of the DSP requires the permittee to apply a minimum setback of 50 feet from the perimeter fence to all road ROWs to reduce the risk of vehicle collisions with wildlife. Applicant requested reduction in the setback from 50 feet to 45 feet, because it could materially impact Project designs.⁵⁰⁰ EIP staff did not object to Applicant's request regarding Section 5.23 of the DSP.

9. *Climate Change.*

420. Solar energy is not free from creating greenhouse gas (GHG) emissions. Manufacturing panels, constructing the facility, operating and maintaining the facilities, and eventually decommissioning the Project all produce GHG. The EA cited NREL research that estimates that approximately 60-70 percent of lifecycle GHG emissions come from upstream manufacturing and construction; 21-26 percent come from operation and maintenance; and 5-20 percent come from decommissioning and disposal.

421. Construction of the Project would create short-term greenhouse gas (GHG) emissions, estimated at approximately 3,635 tons of CO₂. At the same time, operation of the Project would generate approximately 16 tons of CO₂ annually from commuter vehicles, maintenance trucks, and electricity use.⁵⁰¹ Applicant contends that these emissions would be offset by displacing fossil fuel generation.⁵⁰² Applicant expects that total GHG emissions from construction and operation of the Project would be less than the potential long-term GHG reductions facilitated by the Project.⁵⁰³

422. Relying on climate projections, the EA anticipates mid-century and late-century temperature increases in Olmsted County with variation in precipitation possible as a result. Warmer climate throughout the globe can mean greater risks from extreme rainfall, flooding, erosion, stronger storms, high winds, higher heat indexes, drought, and potential infrastructure damage to a solar farm.⁵⁰⁴

423. Climate mitigation and resiliency measures include using maintaining equipment, reducing emissions during construction, designing panels and arrays for stronger storms and winds, planning for repair or replacement after storm damage, designing stormwater systems for heavy rainfall, designing electrical systems to resist flood damage, and using vegetation to reduce runoff, soil compaction controls, AIMP measures, and VMP measures.⁵⁰⁵

G. Rare and Unique Resources.

424. Minnesota law requires consideration of the Project's potential effects on rare and unique natural resources.⁵⁰⁶

⁵⁰⁰ Applicant Response to EA at 12 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁰¹ Ex. PUC-EIP-8 at 257-263 (EA).

⁵⁰² Ex. PUC-EIP-8 at 257-263 (EA).

⁵⁰³ Ex. PUC-EIP-8 at 257-263 (EA).

⁵⁰⁴ Ex. PUC-EIP-8 at 260-263 (EA).

⁵⁰⁵ Ex. PUC-EIP-8 at 263-264 (EA).

⁵⁰⁶ Minn. Stat. § 216E.03, subd. 7(b); Minn. R. 7850.4100, subp. F.

425. Rare and unique resource impacts are anticipated to be minimal to moderate during construction and minimal during operation of the Project.⁵⁰⁷

426. Watercourses within the Project drain to Silver Creek Reservoir, a Lake of Biological Significance with an outstanding biological significance class for fish community, so increased sedimentation would harm that aquatic habitat.⁵⁰⁸

427. No calcareous fens, native prairie, or conservation easements are located within the Site, although two Reinvest in Minnesota (RIM) easements are immediately adjacent to the Project.⁵⁰⁹

428. The federally listed Northern Long-eared Bat (NLEB) could be affected if tree clearing or construction occurs when bats are roosting in summer habitat, but forested habitat is limited within the mostly agricultural Site.⁵¹⁰

429. Bald eagles may be affected if construction noise, particularly pile driving, disrupts nesting during the breeding season, and Applicant has not conducted eagle nest surveys. Applicant agrees to coordinate with U.S. Fish and Wildlife Service (USFWS) on whether surveys are needed and this issue should be addressed with a permit condition should the Commission approve the Project.⁵¹¹

430. Loggerhead shrike, a state-listed endangered species, may exist in the area, and the EA notes that thorny or prickly trees or shrubs outside the Project fencing could benefit the species by providing nesting and prey-impaling habitat.⁵¹²

431. Mitigation includes avoiding identified species occurrence areas and preferred habitat, implementing SWPPP erosion and sediment controls, coordinating with USFWS and MDNR, following NLEB guidance and tree-clearing restrictions, and avoiding tree and shrub removal during the Loggerhead Shrike breeding season unless surveys are completed.⁵¹³

432. Section 5.24 of the DSP requires the permittee to comply with state and federal guidance and requirements in effect regarding the Northern Long-eared Bat. The MDNR proposed revising Section 5.24 to include language requiring adherence to recommended tree clearing timeframes.⁵¹⁴ As a result, EIP staff proposed that this permit condition be modified to clarify the scope of tree clearing restrictions.⁵¹⁵ Modifications to Section 5.24, as proposed by the MDNR and EIP staff, are reasonable should the Commission approve a site permit.

⁵⁰⁷ Ex. PUC-EIP-8 at 243 (EA).

⁵⁰⁸ Ex. PUC-EIP-8 at 243-255 (EA).

⁵⁰⁹ Ex. PUC-EIP-8 at 243-255 (EA).

⁵¹⁰ Ex. PUC-EIP-8 at 243-255 (EA).

⁵¹¹ Ex. PUC-EIP-8 at 243-255 (EA).

⁵¹² Ex. PUC-EIP-8 at 243-255 (EA).

⁵¹³ Ex. PUC-EIP-8 at 256 (EA).

⁵¹⁴ DNR Comments (June 25, 2026) (eDocket No. 20266-233340-01).

⁵¹⁵ PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

433. Section 5.25 requires the permittee to avoid tree and shrub removal during the Loggerhead Shrike breeding season, April through July. Applicant requested the removal of this permit condition because, while Loggerhead shrikes have been documented in the area around the Site, there have not been recent breeding observations in Olmsted County.⁵¹⁶ Section 5.25 is reasonable and should be included in any site permit should the Commission approve a site permit.

H. Application of Various Design Considerations.

434. Minnesota law requires consideration of the application of design options that maximize energy efficiencies, mitigate adverse environmental effects, and can accommodate expansion of transmission or generating capacity.⁵¹⁷

435. Equipment for the Project has not been finalized. Applicant used the Meyer Burger Glass Utility (550-to-565-watt peak [WP]) solar module for the proposed design, which is for ground-mounted solar power plants. The Meyer Burger solar module consists of 144 half cells with bifacial technology, which Applicant asserts yields more energy over the same area even on cloudy or hot days. While the current design anticipates Meyer Burger technology, other panels and manufactures are under consideration. Any changes in technology moving forward are anticipated to build upon current Project efficiencies presented in the Application.⁵¹⁸

436. Applicant has not finalized design details, including the selection of equipment. The Application notes that it is possible that new solar module designs could be introduced to the market prior to construction and those modules could increase the efficiency or cost effectiveness of the Project (e.g., higher efficiency or higher wattage per module options). Applicant seeks to maintain as much flexibility in the individual supplier and technology choice as possible to ensure selection of the best equipment to fit the Project at the time of procurement. Selection of newer, higher wattage equipment that may become available before the Project begins construction could potentially reduce the overall footprint of the Project while increasing efficiency and performance. Applicant would consider the costs and performance of each technology option, as well as environmental and safety standards, when making its final selection. This process has been included in the proposed Project timeline, and the final selection should not alter the Project scope, timeframe, or budget.⁵¹⁹

437. The Application notes that, as the solar market continues to produce less expensive and more efficient solar modules, repowering the Project may be a viable option as the Project ages. Potential triggers for initiating a repower may be aging or faulty equipment, maintenance costs, extending the useful life of the Project, or increasing the

⁵¹⁶ See Applicant Response to Public Comments at Attachment A (July 9, 2026) (eDockets No. 20267-233981-01); DNR Public Hearing Comments (July 25, 2026) (eDocket No. 20266-233340-01); DNR Natural Heritage Review Letter at 1 (Dec. 8, 2026) (eDocket No. 202512-225633-02) and Applicant Response to EA at 13 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵¹⁷ Minn. R. 7850.4100, subp. G (2023).

⁵¹⁸ Ex. App-2 at 7 (Application).

⁵¹⁹ Ex. App-2 at 13 (Application).

generation output of the Project. Applicant states that it would continually evaluate the Project's generation output, maintenance costs, and other contributing factors in conjunction with available technology upgrades to determine if repowering the Project is a worthwhile investment. Any proposed repowering of the Project must abide by all local, state, and federal regulations. A new or amended Site Permit may be necessary would be sought if required.⁵²⁰

438. Applicant does not plan to expand the proposed Project at this time. Land that is proposed for development has been leased from landowners for a term of 40 years.⁵²¹

439. Applicant is not required to analyze alternative sites under the alternative review process set forth in Minn. Stat. § 216E.04, subd. 4 (2023) and Minn. R. 7850.3100 (2023).⁵²² However, Applicant *is* required to analyze alternative sites under Minn. R. 7850.4400, subp. 4, if it is proposing an exception from the Prime Farmland Rule (which it is). Applicant states that it reviewed alternative sites for the Project but did not specifically identify those sites in its Prime Farmland Rule analysis. Minn. R. 7850.3100 provides that, if the applicant has rejected alternative sites, the applicant shall include in the application *the identity of the rejected sites* and an explanation of the reasons for rejecting them.⁵²³

440. Applicant did not provide the identity of the rejected sites in the Application and yet the Commission approved the Application as complete, thereby not requiring the identity of the alternative sites *for purposes of the alternative site approval process*. However, approval of the Application as complete does not exempt Applicant from its burden of proof under Minn. R. 7850.4400, subp. 4, to show by a preponderance of the evidence that there are no feasible or prudent alternatives. Thus, Applicant is not exempt from the Prime Farmland Rule and its burden of proof thereunder simply because the alternative site approval process does not require analysis of alternative sites. This circular analysis is rejected as it would essentially exempt all solar projects from the Prime Farmland Rule, something that neither the legislature nor the PUC has done by statute or rule.

I. Use of Existing Large Electric Power Generating Plant Sites.

441. Minnesota law requires consideration of the use of existing LEPGP.⁵²⁴

442. There are no LEPGP sites in the Project Area.⁵²⁵

⁵²⁰ Ex. App-2 at 30 (Application).

⁵²¹ Ex. App-2 at 11 (Application).

⁵²² See Minn. Stat. 216E.03, subd. 5(a); see also Ex. App-2 at 10-11 (Application).

⁵²³ Emphasis added.

⁵²⁴ Minn. R. 7850.4100(I).

⁵²⁵ Ex. PUC-EIP-8 at 11 (EA).

J. Use of Existing Rights-of-Way.

443. Minnesota law requires consideration of the use of existing ROWs.⁵²⁶

444. The Project is adjacent to the existing Dairyland rerouted LQ34 161 kV transmission line which would be the point of interconnection to the grid for the Project. Existing infrastructure in the Project Area and vicinity includes an overhead electric transmission line and one natural gas transmission pipeline.⁵²⁷

K. Electrical System Reliability.

445. Minnesota law requires consideration of electrical system reliability.⁵²⁸

446. The Project is designed to generate up to 180 MW Peak, which is enough to power approximately 36,700 homes per year.⁵²⁹

447. Following a competitive bid process, Xcel Energy selected the Lemon Hill Project to provide additional renewable generation identified through its Minnesota integrated resource plan to meet customer needs. Xcel Energy and Applicant have negotiated a PPA for the sale of power from the Project, and the Commission has approved that PPA.⁵³⁰

448. The proposed Project has been planned, sited, and designed to allow for reliable energy generation. The Project is designed to minimize outages or interruptions through 24/7 SCADA monitoring, problem identification, and preventative maintenance scheduling. The local O&M team would be supported by a remote monitoring team. Project components are designed to withstand extreme weather events, and the tracking system allows panels to follow the sun and improve generation.

449. The Project's proximity to Dairyland's rerouted LQ34 161 kV line and the new Dairyland switchyard would reduce transmission distance and associated power losses because only a short gen-tie line is needed. Applicant executed a Provisional GIA with MISO and Dairyland in February 2026 governing the interconnection of the Project to the transmission system.⁵³¹

⁵²⁶ Minn. R. 7850.4100(H) and (J).

⁵²⁷ Ex. PUC-EIP-8 at 114-115 (EA).

⁵²⁸ Minn. R. 7850.4100(K).

⁵²⁹ Ex. PUC-EIP-8 at 264 (EA).

⁵³⁰ *In the Matter of Northern States Power Company's, d/b/a Xcel Energy, Petition for Approval of a Solar and Storage Portfolio*, MPUC Docket No. E-002/M-24-230, [Order Approving Solar and Storage Portfolio and Associated Cost Recovery](#) at 5 (Mar. 25, 2026).

⁵³¹ Ex. App-29 at 4 (Direct Testimony of Sergio Trevino).

L. Cost of Constructing, Operating, and Maintaining the Facility.

450. Minnesota law requires consideration of the costs of constructing, operating, and maintaining a facility which are dependent on design and route.⁵³²

451. Applicant estimates the total cost to construct the Project to be in the range of \$187.5 million to \$252 million, as set forth below:⁵³³

TABLE 2.6-1	
Estimated Project Costs	
Task	Cost*
Planning and Permitting	\$0.5-1 million
Development, Financing, Engineering, Procurement & Construction (Panels, Panel Racking, Cabling, Inverters, Fencing, Transformers, Construction Contractor/Labor)	\$160-200 million
Operation (Vegetation Management, Insurance, Remote Monitoring, Equipment Maintenance and/or Replacement)	\$1-2 million \$1-4 million
Decommissioning	
Interconnection	\$5-10 million
Project Substation & Gen-Tie Line	\$20-35 million
TOTAL	\$187.5-252 million
* All costs are subject to change. Costs are presented as a range to reflect the contingency, or variability, built into the estimates.	

452. The EA changed the operation costs to \$2 to \$3 million annually and included a salvage value estimate of \$5,854,203, as set forth below:⁵³⁴

Table 10. Estimated Project Cost Ranges^{141, 142}

Project Component	Estimated Cost
Planning and Permitting	\$0.5-1 million
Development, Financing, Engineering, Procurement & Construction (Panels, Panel Racking, Cabling, Inverters, Fencing, Transformers, Construction Contractor/Labor)	\$160-200 million
Interconnection	\$5-10 million
Operation (Vegetation Management, Insurance, Remote Monitoring, Equipment Maintenance and/or Replacement)	\$2-3 million (annual)
Project Substation and Gen-Tie Line	\$20-35 million
Decommissioning	\$7,756,165 million
Total Project Cost	\$187.5-252 million
Salvage Value	(\$5,854,203)

453. Actual costs would depend on final material and labor costs, and salvage value from decommissioning.⁵³⁵

454. Applicant confirmed that the estimated annual operation and maintenance cost is \$1.5 to \$2 million per year.⁵³⁶

⁵³² Minn. Stat. § 216E.03, subd. 7(b)(10); Minn. R. 7850.4100, subp. K.

⁵³³ Ex. App-2 at 11 (Application).

⁵³⁴ Ex. PUC-EIP-1 at 64 (EA).

⁵³⁵ Ex. PUC-EIP-8 at 64 (EA).

⁵³⁶ Ex. PUC-EIP-8 at 64 (EA).

M. Adverse Human and Natural Environmental Effects that Cannot be Avoided.

455. The EA defines unavoidable impacts as resource impacts that cannot be avoided even with mitigation strategies.⁵³⁷

456. The Project poses numerous and significant unavoidable impacts to humans and the natural environment.

457. Unavoidable adverse effects associated with construction of the Project include dust, noise, visual disturbance, soil compaction and erosion, vegetative clearing, disturbance, displacement, and death of wildlife, habitat loss, traffic delays, and GHG emissions. These unavoidable impacts are largely temporary.⁵³⁸

458. However, the adverse unavoidable impacts associated with operation would be substantial and long term (lasting the life of the Project, up to 40 years). These unavoidable adverse impacts include: aesthetic and visual impacts; cultural change to the area from agricultural to industrial; loss of agricultural land and impacts on agri-economies; injury or death of birds and wildlife from PV panels and fencing; marginal habitat loss; decrease in property values, and substantial risk to groundwater due to the geological features of the area (karst terrain and Decorah Edge).⁵³⁹

459. The unavoidable impacts to animals and habitat can be minimized through mitigation.⁵⁴⁰ However, the impacts to humans and the environment cannot. As the EA noted, avoidance of karst features is a primary mitigation measure. However, given that the Site is located entirely within known karst topography *and* along the Decorah Edge, the risks to groundwater contamination that the Project poses cannot be mitigated. While the risk of a contamination event may be low, should a contamination event occur, the groundwater impact would be substantial and widespread, potentially affecting the entire region. Consequently, this risk cannot be fully mitigated.⁵⁴¹

460. Moreover, the long-term unavoidable impacts associated with the loss of nearly 2,000 acres of agricultural land cannot be understated. Minnesota has the Prime Farmland Rule for a reason – to protect Minnesota’s valuable agricultural land and resources from the impacts caused by utility proliferation. This Project violates the Prime Farmland Rule by converting more than ten times the amount of prime farmland allowed by law. This, in turn, negatively impacts the entire Project Area in permanent ways: it substantially changes the viewshed and landscape of the area from rural, agricultural to industrial; it changes the culture of a historically agricultural community (as well as the residents’ sense of place); it causes substantial land use conflicts, particularly with

⁵³⁷ Ex. PUC-EIP-8 at 264 (EA).

⁵³⁸ Ex. PUC-EIP-8 at 264-265 (EA).

⁵³⁹ Ex. PUC-EIP-8 at 186-199, 264-265 (EA).

⁵⁴⁰ Ex. PUC-EIP-8 at 265 (EA).

⁵⁴¹ Ex. PUC-EIP-8 at 186-199 (EA).

Haverhill's long-established land use and zoning regulation; and it decreases property values.

461. The analysis of cumulative unavoidable impacts to human settlement and the environment weigh against approval of the Application.

N. Irreversible and Irretrievable Commitments of Resources.

462. Minnesota law requires consideration of the irreversible and irretrievable commitments of resources that are necessary for the Project.⁵⁴² Resource commitments are irreversible when it is impossible or very difficult to redirect that resource to a different future use; an irretrievable commitment of resources means the resource is not recoverable for later use by future generations.⁵⁴³

463. Irreversible and irretrievable commitments are primarily tied to construction and include the use of water, aggregate, hydrocarbons, steel, concrete, wood, and other consumable resources.⁵⁴⁴

464. Fossil fuel use is identified as irretrievable, while water use is identified as irreversible. Raw materials used to construct PV panels are treated as an irretrievable commitment, except to the extent some materials may be recycled at the end of panel life. Labor and fiscal resources used to develop, construct, and operate the Project are also considered irretrievable commitments.⁵⁴⁵

O. Cumulative Impacts and Cumulative Potential Impacts

465. The Commission must consider the cumulative impacts and cumulative potential effects of the Project.⁵⁴⁶

466. The Commission did not require that cumulative impacts be analyzed in the EA.⁵⁴⁷ It is unclear in the record why this was omitted from the Scoping Decision. These impacts are required and must be considered by the Commission.

467. Cumulative potential effects are impacts to the environment that result from:

the incremental effects of a project in addition to other projects in the environmentally relevant area that might reasonably be expected to affect the same environmental resources, including future projects actually planned or for which a basis of expectation has been laid regardless of what

⁵⁴² Minn. Stat. § 216E.03, subd. 7(b)(11); Minn. R. 7850.4100, subp. N.

⁵⁴³ Ex. PUC-EIP-8 at 265-266 (EA).

⁵⁴⁴ Ex. PUC-EIP-8 at 265-266 (EA).

⁵⁴⁵ Ex. PUC-EIP-8 at 265-266 (EA).

⁵⁴⁶ See Minn. R. 4410.1000, 7850.3700, subp. 3 (2023).

⁵⁴⁷ Ex. PUC-EIP-6 (Scoping Decision).

person undertakes the other projects or what jurisdictions have authority over the projects.⁵⁴⁸

468. The “environmentally relevant area” includes locations where the potential effects of the project coincide with the potential effects of other projects to impact the elements studied in this EA. Generally, this area includes the ROI for the different resource elements.⁵⁴⁹

469. Consideration of cumulative potential effects is intended to aid decision-makers so that they do not make decisions about a specific project in a vacuum. Effects that may be minimal in the context of a single project may accumulate and become significant when all projects are considered.⁵⁵⁰

470. Within the next five years, the current and reasonably foreseeable future projects include: (1) Dairyland’s Wabasha 161 kV Relocation Project (2026-2028), the relocation of approximately 13.3 miles of Dairyland’s rerouted LQ34 161 kV transmission line (the line to which the Project seeks to interconnect); (2) the Hadley Valley Subdivision (2026-2029), a residential development; (3) Dairyland’s Gopher to Badger Link 765 kV Transmission Line (2031-2034), construction of approximately 34 miles of a new 765 kV transmission line from Rochester to Marion, Minnesota; and (4) Dairyland’s Switchyard (timeline unknown), construction of a 161 kV switchyard within the Project Site, adjacent to the Project substation (a required element of this the proposed Project).⁵⁵¹

471. It is unlikely that that Dairyland Wabasha Project would result in cumulative impacts with the proposed Project because of its distance. However, the other three projects are likely to result in significant cumulative potential impacts for the surrounding area. If the proposed Project, the Hadley Valley Subdivision, the Gopher to Badger 765 kV Line, and the Dairyland Switchyard are all permitted, the Project Area and surrounding landscape would experience significant change. The most significant impacts include: (1) substantial change in aesthetics (the introduction of a solar farm, large 765 kV transmission lines and towers, and all associated facilities in an area that is currently predominantly rural and agricultural); (2) decrease in property values; (3) cultural change (due to the substantial change in character of the land from agricultural to more industrial/utility); (4) agricultural loss (the conversion of even more agricultural land to utility use); and (5) surface water changes (increase in impervious surface area and runoff rate).⁵⁵²

472. Given that the Project already violates the Prime Farmland Rule, the Commission should more carefully consider the cumulative impacts of these four projects. Because the Scoping Decision did not require the EIP to evaluate these cumulative

⁵⁴⁸ Minn. R. 4410.0200, subp. 11a (2023).

⁵⁴⁹ Ex. PUC-EIP-8 at 268 (EA).

⁵⁵⁰ Ex. PUC-EIP-8 at 268 (EA).

⁵⁵¹ Ex. PUC-EIP-8 at 268-269 (EA).

⁵⁵² Ex. PUC-EIP-8 at 269-274 (EA).

impacts, the EA did a cursory evaluation of these impacts. Additional environmental review is necessary regarding these impacts.

XI. SITE PERMIT CONDITIONS

473. The DSP includes a number of proposed permit conditions, many of which have been discussed above. The conditions apply to site preparation, construction, cleanup, restoration, operation, decommissioning, and other aspects of the Project.

474. EIP staff proposes modifying Section 4.3.18 (Agricultural Impact Mitigation Plan) of the DSP to require providing the Agricultural Impact Mitigation Plan to the townships, as follows:

4.3.18 Agricultural Impact Mitigation Plan

The Permittee shall develop an agricultural impact mitigation plan (AIMP) in coordination with the Minnesota Department of Agriculture (MDA). The Permittee shall provide landowners within the Designated Site a copy of the AIMP. The Permittee shall provide the townships where the Project will be constructed a copy of the AIMP. The Permittee shall file with the Commission the AIMP and an affidavit of the AIMP distribution to landowners and townships at least 14 days prior to the pre-construction meeting.⁵⁵³

475. The record supports EIP staff's proposed revisions to Section 4.3.18 of the DSP.

476. The EA and DSP included various recommendations and potential site permit conditions related to the Project, to which Lemon Hill responded in its written comments.⁵⁵⁴ Lemon Hill agreed with EIP Staff's recommended DSP conditions 5.3, 5.4, 5.5, 5.6, 5.8, 5.9, 5.12, 5.17, 5.18, 5.19, and 5.24.

477. Applicant generally supports Section 5.1 (Visual Screening Plan) of the DSP as it relates to screening nearby residences but opposes extending visual screening requirements to nearby roadsides. Applicant argues that it imposes undue burden and expense without a clear corresponding benefit.⁵⁵⁵ Therefore, Applicant proposes that Section 5.1 of the DSP be modified as follows:

5.1 Visual Screening Plan

The Permittee shall develop a site-specific Visual Screening Plan. The Visual Screening Plan shall be designed and managed to mitigate visual

⁵⁵³ See PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

⁵⁵⁴ See Applicant Response to EA (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁵⁵ Ex. PUC-EIP-8 at 227 (EA).

impacts to adjacent residences and roadsides. The Visual Screening Plan shall at a minimum include:

- (a) objectives for screening of nearby residences and roadsides;
and
- (b) a description of the types of trees and shrub species to be used, the location of plantings, and plans for installation, establishment, and maintenance.

The location of trees and shrubs included in the Visual Screening Plan that are located within the Permittee's site control shall be included in the Site Plan filed under Section 8.3. The Permittee is required to maintain and ensure the successful growth, health, and maintenance of the vegetation for 3 years.

At least 14 days prior to the pre-construction meeting, the Permittee shall file:

- (a) the Visual Screening Plan;
- (b) documentation of coordination with adjacent landowners; and
- (c) an affidavit of its distribution of the Visual Screening Plan to adjacent landowners.⁵⁵⁶

478. The record does not support Applicant's proposed revisions to Section 5.1 of the DSP and, given the impacts to the general area, it is recommended that Applicant's revisions be rejected by the Commission.

479. EIP staff proposes modifying Section 5.1 of the DSP to require providing the Visual Screening Plan to the townships, as follows:

5.1 Visual Screening Plan

The Permittee shall develop a site-specific Visual Screening Plan. The Visual Screening Plan shall be designed and managed to mitigate visual impacts to adjacent residences and roadsides. The Visual Screening Plan shall at a minimum include:

- (a) objectives for screening of nearby residences and roadsides;
and

⁵⁵⁶ See Applicant Response to EA at 3 (June 25, 2026) (eDocket No. 20266-233322-01).

(b) a description of the types of trees and shrub species to be used, the location of plantings, and plans for installation, establishment, and maintenance.

The location of trees and shrubs included in the Visual Screening Plan that are located within the Permittee's site control shall be included in the Site Plan filed under Section 8.3. The Permittee is required to maintain and ensure the successful growth, health, and maintenance of the vegetation for 3 years.

At least 14 days prior to the pre-construction meeting, the Permittee shall file with the Commission and provide the townships where the Project will be constructed:

- (a) the Visual Screening Plan;
- (b) documentation of coordination with adjacent landowners; and
- (c) an affidavit of its distribution of the Visual Screening Plan to adjacent landowners.⁵⁵⁷

480. The record supports EIP staff's proposed revisions to Section 5.1 of the DSP.

481. Applicant proposes several modifications to Section 5.2 (Noise Notification for Adjacent Residences) to better define the obligation without being overly restrictive.⁵⁵⁸ Applicant claims the condition places an excessive burden on the Applicant, limiting flexibility to adjust to different needs during construction. Additionally, Applicant argues that the term "adjacent residences" is undefined and vague, which may lead to ambiguity in complying with this condition. Instead, Applicant prefers using the term "affected landowner" as defined in Section 4.1 of the DSP. Notwithstanding these concerns, Applicant commits to maintaining and updating a website to keep affected landowners informed of planned construction activities.⁵⁵⁹ Applicant proposes Section 5.2 of the DSP be modified as follows:

5.2 Noise Notification for Adjacent Residences

~~The Permittee shall provide notice to adjacent residences detailing when major noise-producing construction activities are planned to occur. The Permittee shall maintain a webpage identifying estimated days and locations, times, and areas where when construction crews will be doing pile driving during construction. The Permittee shall provide notice of this website to Affected Landowners at least 14 days prior to the start of~~

⁵⁵⁷ See PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

⁵⁵⁸ See Applicant Response to EA at 4 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁵⁹ See Applicant Response to EA at 4 (June 25, 2026) (eDocket No. 20266-233322-01).

~~construction. The Permittee shall provide all neighboring landowners and the townships a link to the website prior to construction and shall update the website frequently during construction to keep landowners informed where pile driving will be occurring.~~⁵⁶⁰

482. EIP staff do not support Applicant's proposed revisions to Section 5.2. The language in Section 5.2 of the DSP has been adopted in a prior solar project site permit granted by the Commission.⁵⁶¹ The record supports Section 5.2 of the DSP as originally proposed by EIP staff. EIP staff recommend that notice of the website be provided to townships if Applicant's proposed modifications to Section 5.2 of the DSP are adopted.

483. The record supports Section 5.2 as written in the DSP and it is recommended that the Commission reject Applicant's modifications to Section 5.2.

484. Applicant opposes the inclusion of Section 5.7 (Pipeline Siting and Protection Plan) of the DSP requiring coordination with the Magellan Pipeline Company because Applicant already obtains and maintains title and other relevant insurance policies that require pipeline crossing and encroachment coordination. Applicant maintains that a Pipeline Siting and Protection Plan is unnecessary and supports removing this condition in its entirety.⁵⁶² EIP staff do not support the removal of Section 5.7 of the DSP. The language in Section 5.7 of the DSP has been adopted in a prior solar project site permit granted by the Commission.⁵⁶³

485. The record supports the inclusion of Section 5.7 in the final site permit.

486. Applicant opposes the inclusion of Section 5.10 (Spill Notification) of the DSP because it claims construction is not likely to affect the use of existing water wells. Additionally, Applicant argues that it has a karst Construction Management Plan for the Project and that Plan is sufficient. Applicant asserts that this condition should be struck in its entirety.⁵⁶⁴ EIP staff do not support the removal of Section 5.10 from the site permit. The language in Section 5.10 of the DSP has been adopted in a prior solar project site permit granted by the Commission.⁵⁶⁵

487. The record supports the inclusion of Section 5.10 in the final site permit.

488. Applicant proposes to revise Section 5.11 (karst Geology) of the DSP as follows:⁵⁶⁶

⁵⁶⁰ See Applicant Response to EA at 4 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁶¹ PUC, Order Issuing Site Permit [Castle Rock Solar Project], March 17, 2026, eDocket No. [20263-229389-01](#), see special permit condition 5.2.

⁵⁶² Applicant Response to EA at 4-5 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁶³ PUC, Order Issuing Site Permit [Castle Rock Solar Project], March 17, 2026, eDocket No. [20263-229389-01](#), see special permit condition 5.6.

⁵⁶⁴ Applicant Response to EA at 5 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁶⁵ PUC, Order Issuing Site Permit [Castle Rock Solar Project], March 17, 2026, eDocket No. [20263-229389-01](#), see special permit condition 5.10.

⁵⁶⁶ Applicant Response to EA at 6 (June 25, 2026) (eDocket No. 20266-233322-01).

5.11 Karst Geology

The Permittee shall file a geotechnical investigation report prepared for the Project by a third-party geotechnical engineer or authorized representative. The report shall include methodology, results, and conclusions drawn from the geotechnical investigation with recommendations on project design and construction. The Permittee shall file the geotechnical report with the Commission at least 14 days prior to the pre-construction meeting.

~~If any updates are made to the existing~~ The Permittee shall conduct a survey for surface Karst features within areas mapped by the DNR as Minnesota Regions Prone to Surface Karst Feature Development. ~~The Permittee shall file the updated survey results with the Commission. and~~ The Permittee shall report any new features to MNKarstfeaturesinventory.dnr@state.mn.us at least 14 days prior to the pre-construction meeting.

The Permittee shall not locate project infrastructure within 450 feet of documented active Karst features, such as sinkholes. The Permittee shall implement Minnesota Pollution Control Agency's current guidance for Best Management Practices (BMPs). The Permittee shall direct stormwater away from Karst features and maintain a 150-foot buffer.

The Permittee shall not store fuel, chemicals, or other hazardous materials, conduct fueling, or store or maintain vehicles or construction equipment within 150 feet of documented active Karst features. The Permittee shall avoid all construction activity within 450 feet of documented active Karst features.

Construction activities shall not impact surface Karst features unless addressed in a Karst protection and management plan. If active surface Karst features have the potential to be impacted by construction activities, the Permittee shall, in consultation with the Commission, prepare and file a Karst protection and management plan at least 30 days prior to the pre-construction meeting.

The Permittee shall clearly note all Karst features and associated buffers on the Project Site Plan.

~~As part of Project operations, the Permittee shall conduct site walks to look for new Karst features after large rainfall/snowmelt events and/or when conducting vegetation management activities.~~⁵⁶⁷

489. EIP staff do not support Applicant's proposed revisions to Section 5.11. The language in Section 5.11 of the DSP is needed, given the particular risk that karst poses to the Site and this condition has been adopted in a prior solar project site permit granted

⁵⁶⁷ Applicant Response to EA at 6 (June 25, 2026) (eDocket No. 20266-233322-01).

by the Commission.⁵⁶⁸ Section 5.11 is also supported by the MDNR.⁵⁶⁹ In response to MDH's comments, EIP staff proposes modifying Section 5.11 of the DSP to apply the karst buffer to the temporary workspace:

5.11 Karst Geology

The Permittee shall file a geotechnical investigation report prepared for the Project by a third-party geotechnical engineer or authorized representative. The report shall include methodology, results, and conclusions drawn from the geotechnical investigation with recommendations on project design and construction. The Permittee shall file the geotechnical report with the Commission at least 14 days prior to the pre-construction meeting.

The Permittee shall conduct a survey for surface Karst features within areas mapped by the [MDNR] as Minnesota Regions Prone to Surface Karst Feature Development. The Permittee shall file the survey results with the Commission. and report any new features to MNKarstfeaturesinventory.dnr@state.mn.us at least 14 days prior to the pre-construction meeting.

The Permittee shall not locate project infrastructure within 150 feet of documented active Karst features. The Permittee shall implement Minnesota Pollution Control Agency's current guidance for Best Management Practices (BMPs). The Permittee shall direct stormwater away from Karst features and maintain a 150-foot buffer.

The Permittee shall not store fuel, chemicals, or other hazardous materials, conduct fueling, or store or maintain vehicles or construction equipment within 150 feet of documented active Karst features. The Permittee shall avoid all construction activity within 150 feet of documented active Karst features.

The distance and activity restrictions from documented active Karst features shall apply within the project boundary and within any temporary workspaces as defined in Section 4.3.6.

Construction activities shall not impact surface Karst features unless addressed in a Karst protection and management plan. If active surface Karst features have the potential to be impacted by construction activities, the Permittee shall, in consultation with the Commission, prepare and file a Karst protection and management plan at least 30 days prior to the pre-construction meeting.

⁵⁶⁸ PUC, Order Issuing Site Permit [Castle Rock Solar Project], March 17, 2026, eDocket No. [20263-229389-01](#), see special permit condition 5.11.

⁵⁶⁹ DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

The Permittee shall clearly note all Karst features and associated buffers on the Project Site Plan.

As part of Project operations, the Permittee shall conduct site walks to look for new Karst features after large rainfall/snowmelt events and/or when conducting vegetation management activities.

490. The record supports EIP staff's proposed revisions to Section 5.11 and recommends that EIP's revisions be adopted should a site permit be issued.

491. Applicant proposes to revise Section 5.13 (Panel Cleaning Plan) of the DSP because Applicant is committed to not using chemicals to clean solar panels at the facility and to only using organic chemicals for any cleaning activities. Applicant proposes the following limited revisions to this permit condition:⁵⁷⁰

5.13 Panel Cleaning Plan

To the extent Permittee plans to use chemicals to clean the solar panels,
~~¶~~the Permittee shall file with the Commission, and provide the county and townships where the Project will be constructed, a plan for the use, storage, and disposal of any cleaning chemicals. used in the cleaning of panels. The plan shall be filed with the Commission and provided to the county and townships where the Project will be constructed at least 14 days prior to utilizing cleaning chemicals at the site ~~the pre-construction meeting.~~⁵⁷¹

492. EIP staff proposes modifying Section 5.13 of the DSP to include Applicant's commitment to use organic chemicals, as follows:

5.13 Panel Cleaning Plan

The Permittee shall only use organic chemicals to clean the solar panels.
To the extent Permittee plans to use chemicals to clean the solar panels,
~~¶~~the Permittee shall file with the Commission, and provide the county and townships where the Project will be constructed, a plan for the use, storage, and disposal of any organic cleaning chemicals used in the cleaning of panels. The plan shall be filed with the Commission and provided to the county and townships where the Project will be constructed at least 14 days prior to utilizing organic cleaning chemicals at the site ~~the pre-construction meeting.~~⁵⁷²

493. The record supports EIP staff's proposed revisions to Section 5.13 of the DSP.

⁵⁷⁰ Applicant Response to EA at 7-8 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁷¹ Applicant Response to EA at 7-8 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁷² See PUC EIP Response to Hearing Comments (July 23, 2026) (eDocket No. 20267-234568-01).

494. Applicant objects to the inclusion of Section 5.14 (Decorah Edge Protection Plan) of the DSP because it is “overly burdensome” and extends requirements that would exceed anything otherwise required by Olmsted County in light of the existing no-loss determination for the Project.⁵⁷³ As such, Applicant maintains that this permit condition should be removed entirely from the DSP.

495. The record supports the inclusion of Section 5.14 in the DSP. The Decorah Edge is an important geological feature that needs protection.

496. Applicant objects to the inclusion of Section 5.15 (Baseline Well Water Quality) because Applicant’s pre-construction surveying confirms there are two wells that satisfy the criteria established by this draft special condition. As drafted, this special condition requires access to these areas, which may not be granted by the landowners.

497. MDH recommends baseline water quality monitoring based on the karst geological features in the area.

498. The record supports the inclusion of Section 5.15 should a site permit be issued, given the risk to private wells in the Project Area.

499. Applicant proposes to revise Section 5.16 (Bluff Setbacks) of the DSP, arguing that the language in this condition is vague and ambiguous. Applicant offers revisions to this permit condition to include a setback distance of 30 feet from the top of any bluff, as defined by the Olmsted County Floodplain and Shoreland Ordinance.⁵⁷⁴ Lemon Hill suggests the following revisions:⁵⁷⁵

5.16 Bluff Setbacks

The Permittee shall implement a 30-foot minimum setback for all construction activity, including vegetation removal, from the top of any bluff as defined by the Olmsted County Floodplain and Shoreland Ordinance ~~steep hill along a stream or river valley~~ that is within 300 feet of the ordinary high water level of a Public Water Inventory river or stream ~~top of the streambank~~.⁵⁷⁶

500. EIP staff do not object to Applicant’s proposed revision to Section 5.16 of the DSP.

501. Applicant argues that Section 5.20 (Wildlife-Friendly Erosion Control) of the DSP limits its ability to use BMPs to control erosion. Applicant states that there may be instances where use of certain materials is necessary to comply with industry best practices and Applicant’s obligations under the SWPPP. Applicant proposes to revise this

⁵⁷³ Applicant Response to EA at 8 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁷⁴ Applicant Response to EA at 9-10 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁷⁵ Based upon Applicant’s proposed revisions, which suggest application of the Olmsted County Floodplain and Shoreland Ordinance to define Bluffs, Applicant is currently unaware of an existing bluff requiring a setback.

⁵⁷⁶ Applicant Response to EA at 10 (June 25, 2026) (eDocket No. 20266-233322-01).

special condition to require the use of erosion control materials that do not contain plastic or synthetic fibers or malachite green dye “to the extent practicable.”⁵⁷⁷ Applicant proposes the following revision to this special condition:

5.20 Wildlife-Friendly Erosion Control

To the extent practicable, the Permittee shall use erosion control materials that do not contain plastic or synthetic fibers or malachite green dye.⁵⁷⁸

502. EIP staff do not support Applicant’s proposed revisions to Section 5.20. The language in Section 5.20 of the DSP is needed, reasonable, and has been adopted for prior solar permits.⁵⁷⁹ In addition, this condition is supported by the MDNR.⁵⁸⁰ The record supports Section 5.20 as originally proposed by EIP staff.

503. Applicant objects to the inclusion of Section 5.21 (Wildlife-Permeable Fencing) in the DSP because it claims the condition is duplicative of the standard permit condition 4.3.32 (Security Fencing), which also addresses fencing.⁵⁸¹ Applicant requests this special condition be removed entirely from the DSP.⁵⁸²

504. EIP staff do not support the removal of Section 5.21. The language in Section 5.21 of the DSP is need, reasonable, and has been adopted in a prior solar project site permit granted by the Commission.⁵⁸³ It is also supported by the MDNR.⁵⁸⁴ The record supports the inclusion of Section 5.21 should a site permit be granted.

505. Applicant objects to the inclusion of Section 5.22 (Facility Habitat Features) in the DSP because the MDNR and USFWS found that no-state listed bat species were documented within the vicinity of the Project, and no additional species or rare and unique resources were otherwise included/observed.⁵⁸⁵ Applicant requests this special condition be removed entirely from the DSP.⁵⁸⁶

⁵⁷⁷ Applicant Response to EA at 9 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁷⁸ Applicant Response to EA at 9-10 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁷⁹ PUC, Order Issuing Site Permit [Castle Rock Solar Project] (March 17, 2026) (eDocket No. 20263-229389-01), see special permit condition 5.18; PUC, Order Issuing Site Permit [Benton Solar Project] (January 28, 2026) (eDocket No. 20261-227512-01), see special permit condition 5.8; PUC, Order Issuing Site Permit [Solway Solar Project] (September 12, 2025) (eDocket No. 20259-222929-01), see special permit condition 5.6; PUC, Order Issuing Site Permit [Coneflower Solar Project] (August 25, 2025) (eDocket No. 20258-222368-01), see special permit condition 5.12.

⁵⁸⁰ DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

⁵⁸¹ Applicant Response to EA at 11 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁸² Applicant Response to EA at 11 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁸³ PUC, Order Issuing Site Permit [Coneflower Solar Project], August 25, 2025, eDocket No. [20258-222368-01](#), see special permit condition 5.13.

⁵⁸⁴ DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

⁵⁸⁵ See Applicant Response to EA at 11-12 (June 25, 2026) (eDocket No. 20266-233322-01); Ex. App.-2 at 87 (Site Permit Application); and Ex. App.-14 (SPA Appendix K – Protected Species Documentation).

⁵⁸⁶ Applicant Response to EA at 11-12 (June 25, 2026) (eDocket No. 20266-233322-01).

506. EIP staff do not support the removal of Section 5.22 of the DSP. Section 5.22 is supported by the MDNR because bat species are commonly found across the state.⁵⁸⁷

507. The record supports the inclusion of Section 5.22 should a site permit be issued.

508. Applicant proposes to revise Section 5.23 (Fencing ROW Setbacks) of the DSP to reduce setback from 50 feet to 45 feet because Applicant claims it could materially impact Project designs.⁵⁸⁸ Applicant requests the following modifications to this condition:

5.23 Fencing ROW Setbacks

The Permittee shall apply a minimum setback of ~~50~~ 45 feet from the perimeter fence to all road ROWs to reduce the risk of vehicle collision with wildlife.⁵⁸⁹

509. EIP staff did not object to Applicant's proposed revisions to Section 5.23.

510. MDNR proposed revisions to Section 5.24 (Northern Long-eared Bat) of the DSP to include language requiring adherence to recommended tree clearing timeframes.⁵⁹⁰ MDNR proposed the following modifications to this condition:

5.24 Northern Long-eared Bat

The Permittee shall comply with ~~UFSWS and Minnesota~~ the DNR's tree clearing recommendation from June 1 to August 15 to minimize impacts to roosting bats and nesting birds ~~guidance and requirements in effect regarding the Northern Long-eared Bat, including tree clearing restrictions if applicable.~~

511. In response, EIP staff proposed modifying Section 5.24 to clarify the scope of tree clearing restrictions:

5.24 Northern Long-eared Bat Tree Clearing Restrictions

The Permittee shall comply with UFSWS and Minnesota DNR's tree clearing recommendations to minimize impacts to roosting bats and nesting birds, including the DNR's recommendation to avoid tree clearing from June 1 to August 15 ~~guidance and requirements in effect regarding the Northern Long-eared Bat, including tree clearing restrictions if applicable.~~

512. The record supports EIP staff's proposed revisions to Section 5.24.

⁵⁸⁷ DNR Public Hearing Comments (June 30, 2026) (eDocket No. 20266-233340-01).

⁵⁸⁸ Applicant Response to EA at 12 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁸⁹ Applicant Response to EA at 12 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁹⁰ DNR Comments (June 25, 2026) (eDocket No. 20266-233340-01).

513. Applicant objects to the inclusion of Section 5.25 (Loggerhead Shrike) in the DSP because Applicant claims that it is unlikely the bird would be present at the Site. The MDNR does not anticipate any impacts to the Loggerhead shrike.⁵⁹¹ Applicant requests this special condition be removed entirely from the DSP.⁵⁹²

514. While Loggerhead shrikes have been sighted in the area, impacts to the bird are not expected according to the MDNR. Therefore, inclusion of Section 5.25 would not be necessary.

XII. NOTICE

503. Minnesota statutes and rules require applicants to provide certain notice to the public and local governments before and during the application process.⁵⁹³ Applicant provided the required notices to the public and local governments in satisfaction of Minnesota statutory and rule requirements.⁵⁹⁴

504. Minnesota statutes and rules also require the EIP and the Commission to provide certain notice to the public throughout the site and route permit application processes.⁵⁹⁵ The EIP and the Commission provided the notices in satisfaction of Minnesota statutes and rules.⁵⁹⁶

XIII. ENVIRONMENTAL REVIEW

505. The EA process is the alternative environmental review approved by the Minnesota Environmental Quality Board for solar energy generation facilities. The Commission is required to determine the completeness of the EA. An EA is complete if it and the record address the issues and alternatives identified in the Scoping Decision.⁵⁹⁷

506. Public commenter, Darrell Richardson and others raised challenges to the completeness of the EA for the Project. Specifically, Richardson argues that the existing EA contains fails to adequately analyze significant impacts to rare and unique resources,

⁵⁹¹ See DNR Public Hearing Comments (July 25, 2026) (eDocket No. 20266-233340-01); DNR Natural Heritage Review Letter at 1 (Dec. 8, 2026) (eDocket No. 202512-225633-02) and Applicant Response to EA at 13 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁹² Applicant Response to EA at 13 (June 25, 2026) (eDocket No. 20266-233322-01).

⁵⁹³ Minn. Stat. § 216E.03, subds. 3a, 4; Minn. R. 7850.2100, subps. 2, 4.

⁵⁹⁴ Exs. App-1 (Notice of Intent to File Site Permit Application Under Alternative Process) and App-16 (7850.2100 Project Notice for the Applicant Solar Project).

⁵⁹⁵ Minn. Stat. § 216E.03, subps. 3a, 4; Minn. R. 7850.3300; Minn. R. 7850.2100, subps. 2, 4.

⁵⁹⁶ Exs. PUC-1 (Notice of Comment Period on Application Completeness), PUC-2 (Notice of Commission Meeting), PUC-6 (Notice of Public Information and Environmental Assessment Scoping Meetings), PUC-10 (EQB Monitor – Scoping Meeting Notice), PUC-12 (Notice of Public Hearings and Availability of Environmental Assessment); PUC-EIP-5 (Notice of Environmental Assessment Scoping Decision); PUC-EIP-7 (EQB Monitor – Environmental Assessment Scoping Decision Notice), PUC-EIP-11 (EQB Monitor – Public Hearings and Environmental Assessment Availability Notice),

⁵⁹⁷ Minn. R. 4410.4400, subp. 6; Minn. R. 7850.3900, subp. 2.

groundwater, and noise, among other claims. Richardson asks the Commission to require the EIP to complete a supplemental EA or an Environmental Impact Statement.⁵⁹⁸

507. Under Minn. Stat. § 216E.04, subd. 5 (2023), an EA is the only state environmental review document required to be prepared on this Project. Minn. R. 7850.3700, subp. 8 (2023) states that an EA “must be the only state environmental review document required . . . on a project qualifying for review under the alternative review process. No environmental assessment worksheet or environmental impact statement shall be required.”⁵⁹⁹

508. The scope of the EA is determined by the Commission’s Scoping Decision. Furthermore, the scope of the EA “shall not be changed except upon a decision by [the Commission/EIP]⁶⁰⁰ that substantial changes have been made or substantial new information has arisen...”⁶⁰¹ Here, the EIP has not determined further environmental review is needed. The EIP complied with the relevant legal directives by preparing an EA that is consistent with both Minn. Stat. § 216E.04 and the Commission’s Scoping Decision. The EA analyzed all subjects contained in the Scoping Decision.

509. The Commission omitted from the Scoping Decision cumulative impacts or potential cumulative impacts of the Project, which is unfortunate. The Judge recommends that the Commission consider ordering additional environmental review of the cumulative impacts, particularly in light of the other utility project planned, the impacts to human settlement and agriculture, and the special risks posed by the Site’s location above karst terrain and on the Decorah Edge.

510. Any of the foregoing Findings more properly designated Conclusions of Law are hereby adopted as such.

Based on the foregoing Findings of Fact and the record in this proceeding, the Judge recommends that the Commission make the following:

CONCLUSIONS OF LAW

1. The Commission and the Administrative Law Judge have jurisdiction over the Application for a site permit for the Project pursuant to Minn. Stat. §§ 216E.02 and 216E.03 (2023).

⁵⁹⁸ See Public Hrg. Tr. Vol. I at 40-47 (June 10, 2026) and Darrell Richardson Comments (June 8, 2026) (eDocket No. 20266-232601-01) and Darrell Richardson Comments (June 22, 2026) (eDocket No. 20266-233124-01).

⁵⁹⁹ Minn. R. 7850.3700, subp. 8 (2023).

⁶⁰⁰ On July 1, 2025, the Department of Commerce (Commerce) Energy Environmental Review and Analysis (EERA) unit staff moved to the Commission EIP unit as directed by state law (Laws of Minn. 2024, ch.126, art. 7).

⁶⁰¹ Minn. R. 7850.3700, Subp. 3 (2024).

2. The Applicant, Commission, and EIP have substantially complied with the procedural requirements of Minn. Stat. Ch. 216E (2023) and Minn. R. Ch. 7850 (2023).

3. The EIP conducted the type of environmental analysis required for a solar project under Minn. Stat. § 216E.03 (2023) and Minn. R. 7850.3700 (2023).

4. The Power Plant Siting Act (PPSA), Minn. Stat. Ch. 216E (2023), requires that site permit determinations “be guided by the state’s goals to conserve resources, minimize environmental impacts, minimize human settlement and other land use conflicts, and ensure the state’s electric energy security through efficient, cost-effective power supply and electric transmission infrastructure.”⁶⁰²

5. Under Minn. Stat. § 216E.04, subd. 9(a) (2023), the Commission is prohibited from issuing a site permit in violation of the site selection standards and criteria established in chapter 216E and in the rules adopted by the Commission, including Minn. R. 7850.4400 and .3700.

6. Applicant bears the burden of proof to establish by a preponderance of the evidence that it has complied with all applicable laws and rules, that the Project satisfies the factors and criteria for a large energy generating facility under Minn. Stat. § 216E.03 (2023) and Minn. R. 7850.4100 (2023), and that the Project does not violate Minnesota law.⁶⁰³

7. The Project violates Minnesota’s Prime Farmland Rule, Minn. R. 7850.4400, subp. 4 (2023), by using more than 0.5 acres of prime farmland for every megawatt of net generating capacity. Under the Rule, and based upon a net generating capacity of 180 MW, the Project can only use up to 90 acres of prime farmland unless there is no feasible and prudent alternative.⁶⁰⁴ Economic considerations alone do not justify the use of more prime farmland.⁶⁰⁵

8. The Project would use more than ten times the amount of prime farm allowed by law (between 939 and 1,030 acres of prime farmland) and would effectively convert 1,956 acres of agricultural property into an industrial solar farm. Applicant has failed to establish that there is no feasible and prudent alternative to the Project Site. All of Applicant’s explanations for selecting the Site were ultimately based on economical consideration alone and only Applicant’s economic benefit. Because economic considerations alone do not justify the use of prime farmland, this explanation is legally insufficient. The Project violates the Rule, thereby prohibiting approval.

9. In addition, based upon the record of this proceeding, Applicant has not satisfied the criteria for the issuance of a site permit for the Project, as set forth in Minn. Stat. § 216E.03 (2023) and Minn. R. 7850.4100 (2023).

⁶⁰² Minn. Stat. § 216E.03, subd. 7.

⁶⁰³ Minn. R. 1400.7300, subp. 5 (2025).

⁶⁰⁴ Minn. R. 7850.4400, subp. 4 (2023).

⁶⁰⁵ *Id.*

10. The Commission must be guided by consideration of impacts to local zoning and land use in accordance with the legislative goal to “minimize human settlement and other land use conflicts.”⁶⁰⁶

11. The record establishes that the Project would cause significant negative impacts to human settlement and agricultural resources and economies, and that the Project has the potential for significant adverse environmental effects due to the sensitive and unique geographic features within the Site and Project Area.

12. Finally, the Commission has authority under Minn. Stat. § 216E.03 (2022) to place conditions on Site Permits. The Draft Site Permit, with the permit conditions revised as set forth above, contain important mitigation measures, reasonable conditions, and special conditions, permissible under Minn. R. 7850.4000 (2023) and related laws. Should a permit be granted, the Commission should include the changes proposed by the EIP and other state agencies, as described above.

13. Any of the foregoing Conclusions of Law which are more properly designated Findings of Fact are hereby adopted as such.

RECOMMENDATIONS

The Commission should **DENY** Applicant a site permit for the proposed Project because it violates Minn. R. 7850.4400, subd. 4 and the required legal criteria have not been met.

If the Commission does not deny the permit application, then the Commission should require further environmental review specifically focused on the cumulative impacts or potential cumulative impacts of the Project, including to human settlement (specifically, aesthetics, cultural values/character, and property values), land use conflicts, loss of agricultural resources, and groundwater risks associated with the karst terrain and the location of the Site.

If the Commission grants a site permit, the Commission should adopt the conditions recommended above and incorporate them into the final site permit.

Dated: September 8, 2026



ANN C. O'REILLY
Administrative Law Judge

Reported: Shaddix & Associates

⁶⁰⁶ Ex. PUC-EIP-8 at 94 (EA).

NOTICE

Notice is hereby given that exceptions to this Report, if any, by any party adversely affected must be filed under the time frames established in the Commission's rules of practice and procedure, Minn. R. 7829.1275, .2700 (2025), unless otherwise directed by the Commission. Exceptions should be specific and stated and numbered separately. Oral argument before a majority of the Commission will be permitted pursuant to Minn. R. 7829.2700, subp. 3. The Commission will make the final determination of the matter after the expiration of the period for filing exceptions, or after oral argument, if an oral argument is held.

The Commission may, at its own discretion, accept, modify, or reject the Administrative Law Judge's recommendations. The recommendations of the Administrative Law Judge have no legal effect unless expressly adopted by the Commission as its final order.

September 8, 2026

See Attached Service List

Re: *In the Matter of the Application of Lemon Hill Solar, LLC for a Site Permit for the up to 180 MW Lemon Hill Solar Project in Olmsted County, MN*

**CAH 65-2500-41406
MPUC No. IP-7156/GS-25-126**

To All Persons on the Attached Service List:

Enclosed and served upon you is the Administrative Law Judge's **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS** in the above-entitled matter. The Court of Administrative Hearings' file is now closed.

If you have any questions, please contact me at (651) 361-7845, samantha.cosgriff@state.mn.us, or via facsimile at (651) 539-0310.

Sincerely,


SAMANTHA COSGRIFF
Legal Assistant

Enclosure

cc: Docket Coordinator

STATE OF MINNESOTA
COURT OF ADMINISTRATIVE HEARINGS
PO BOX 64620
600 NORTH ROBERT STREET
ST. PAUL, MINNESOTA 55164

CERTIFICATE OF SERVICE

In the Matter of the Application of Lemon Hill Solar, LLC for a Site Permit for the up to 180 MW Lemon Hill Solar Project in Olmsted County, MN	CAH Docket No.: 65-2500-41406 MPUC No. IP-7156/GS-25-126
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On September 8, 2026, a true and correct copy of the **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS** was served by eService, and United States mail, (in the manner indicated on the attached service list) to the following individuals:

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
1	Lauren	Agnew	lauren.agnew@state.mn.us		Public Utilities Commission	85 7th Place East, Suite 280 Saint Paul MN, 55101 United States	Electronic Service		No	25-126 Official CC Service List
2	Sasha	Bergman	sasha.bergman@state.mn.us		Public Utilities Commission	121 7th Pl E Ste 350 St. Paul MN, 55101 United States	Electronic Service		Yes	25-126 Official CC Service List
3	Christina	Brusven	cbrusven@fredlaw.com	Fredrikson Byron		60 S 6th St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	25-126 Official CC Service List
4	Mike	Bull	mike.bull@state.mn.us		Public Utilities Commission	121 7th Place East, Suite 350 St. Paul MN, 55101 United States	Electronic Service		Yes	25-126 Official CC Service List
5	Generic	Commerce Attorneys	commerce.attorneys@ag.state.mn.us		Office of the Attorney General - Department of Commerce	445 Minnesota Street Suite 600 St. Paul MN, 55101 United States	Electronic Service		Yes	25-126 Official CC Service List
6	Ryan	Cox	rcox@fredlaw.com	Fredrikson & Byron, P.A.		60 S Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	25-126 Official CC Service List
7	Martin	Donovan	martin.donovan@state.mn.us		Department of Natural Resources	500 Lafayette Road St Paul MN, 55155 United States	Electronic Service		No	25-126 Official CC Service List
8	Steve	Drazkowski	sen.steve.drazkowski@mnsenate.gov		Minnesota Senate	Minnesota Senate Building 2411 95 Universite Ave W St. Paul MN, 55155-1606 United States	Electronic Service		No	25-126 Official CC Service List
9	Sharon	Ferguson	sharon.ferguson@state.mn.us		Department of Commerce	85 7th Place E Ste 280 Saint Paul MN, 55101-2198 United States	Electronic Service		No	25-126 Official CC Service List
10	Craig	Janezich	craig.janezich@state.mn.us		Public Utilities Commission	121 7th Pl E #350 St. Paul MN, 55101 United States	Electronic Service		No	25-126 Official CC Service List
11	Rosanne	Koneval	rosanne@rangerpower.com	Gopher State Solar, LLC		320 N Sangamon Street, Suite 1025 Chicago IL, 60607 United States	Electronic Service		No	25-126 Official CC Service List
12	Alicia	LaValla	alavalla@fredlaw.com	Fredrikson & Byron, P.A.		60 South Sixth St Ste 1500 Minneapolis MN, 55402-4400 United States	Electronic Service		No	25-126 Official CC Service List
13	Ann	O'Reilly	ann.oreilly@state.mn.us		Office of Administrative	PO Box 64620 St. Paul MN,	Electronic Service		Yes	25-126 Official CC

#	First Name	Last Name	Email	Organization	Agency	Address	Delivery Method	Alternate Delivery Method	View Trade Secret	Service List Name
					Hearings	55101 United States				Service List
14	Kevin	Pranis	kpranis@liunagroc.com	Laborers' District Council of MN and ND		81 E Little Canada Road St. Paul MN, 55117 United States	Electronic Service		No	25-126 Official CC Service List
15	Generic Notice	Residential Utilities Division	residential.utilities@ag.state.mn.us		Office of the Attorney General - Residential Utilities Division	1400 BRM Tower 445 Minnesota St St. Paul MN, 55101-2131 United States	Electronic Service		Yes	25-126 Official CC Service List
16	Stephan	Roos	stephan.roos@state.mn.us		Minnesota Department of Agriculture	625 Robert Street North St. Paul MN, 55155 United States	Electronic Service		No	25-126 Official CC Service List
17	Janet	Shaddix Elling	jshaddix@janetshaddix.com	Shaddix & Associates		7400 Lyndale Avenue South Suite 190 Richfield MN, 55423 United States	Electronic Service		Yes	25-126 Official CC Service List
18	Emily	Straka	emily@rangerpower.com	Ranger Power		320 N Sangamon Street, Suite 1025 Chicago IL, 60607 United States	Electronic Service		No	25-126 Official CC Service List
19	Sergio	Trevino	sergio@rangerpower.com	Lemon Hill Solar, LLC		320 N Sangamon Street, Suite 1025 Chicago IL, 60607 United States	Electronic Service		No	25-126 Official CC Service List