

## September 11, 2018



Agency Address 1 Address 2 Address 3

RE: Requesting Comments on Regal Solar in Benton County, Minnesota

To whom it may concern:

Regal Solar, LLC ("Regal"), a wholly owned subsidiary of Geronimo Energy, LLC, is gathering information and requesting agency comments for a proposed utility-scale solar-energy project in Benton County, Minnesota.

Regal will be submitting a Site Permit Application for a solar project to the Minnesota Public Utilities Commission ("PUC"). The planned output for the project is up to 100 megawatts of nameplate solar-energy capacity. The project's permanent facilities will include:

- Solar modules, inverters, and racking;
- Fencing;
- Access roads as required;
- Operations and maintenance (O&M) building;
- Substation facility;
- On-site underground electrical collection lines; and
- Up to two weather stations (up to 20 feet tall).

Regal will interconnect to a 115-kV substation directly east of the project via a 34.5-kV transmission line. The transmission line route has not yet been determined; however, it will be under one mile in length and therefore will not be reviewed by the PUC.

The racking layout, access roads, and electrical connections have not been finalized at this time. Table 1 provides the sections of land Regal is evaluating for siting the solar energy project. Land use within the project area is currently center-pivot-irrigated farmland.

Table 1: Sections within the Regal Project Boundary

State	County	Civil Township Name	Township	Range	Sections
MN	Benton	Langola	38	32	12, 13
MN	Benton	Langola	38	31	18, 19

To facilitate your review, we have enclosed a map of Regal's location and the associated project boundary.

Regal will seek a Certificate of Need and siting permit from the Minnesota Public Utilities Commission. Construction is anticipated to begin as early as spring of 2020 with intended completion by the end of 2020.

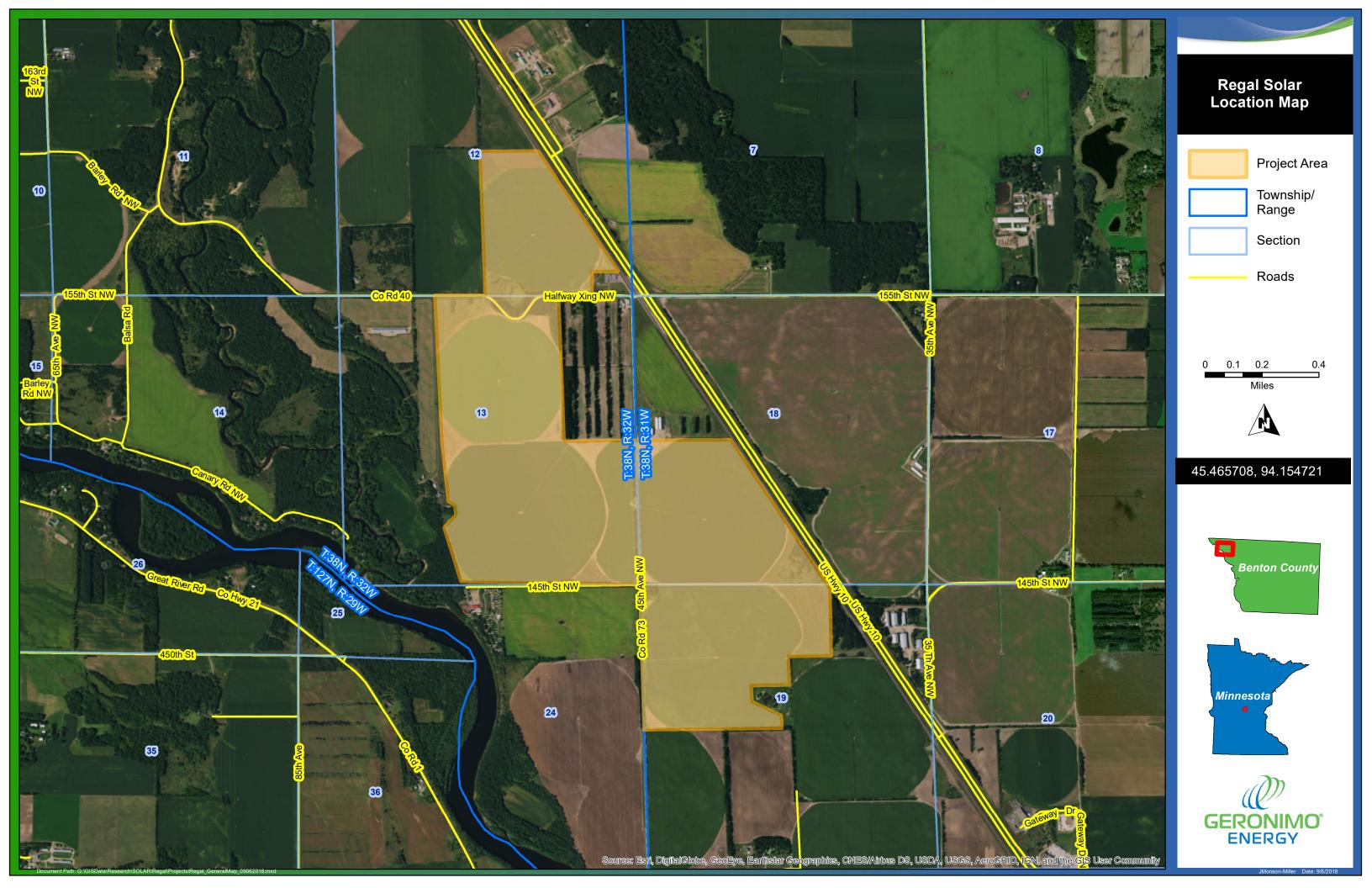
The purpose of this letter is to inform your organization of the proposed Project, seek your input regarding any permits and approvals that may be required, and identify interests your organization may have in the Project site or associated study area. We welcome any comments your agency may have at this time and throughout the permit application process. Any written agency comments provided in response to this letter will be incorporated into the PUC's review process.

If you require further information or have questions regarding this matter, please contact me at 952-988-9000 or at jenny@geronimoenergy.com.

Sincerely,

Jenny Monson-Miller Permitting Specialist Geronimo Energy 7650 Edinborough Way, Suite 750 Edina, MN 55435

Enclosure: Regal Location Map





#### **DEPARTMENT OF THE ARMY**

ST. PAUL DISTRICT, CORPS OF ENGINEERS 180 FIFTH STREET EAST, SUITE 700 ST. PAUL, MN 55101-1678

October 22, 2018

REPLY TO ATTENTION OF REGULATORY BRANCH

Regulatory File No. MVP-2018-02800-KBH

Geronimo Energy c/o Jenny Monson-Miller 7650 Edinborough Way, Suite 750 Edina. Minnesota 55435

Dear Ms. Monson-Miller:

We have received the document entitled "Requesting Comments on Regal Solar in Bendon County, Minnesota" dated 9/11/2018. The U.S. Army Corps of Engineers (Corps) has not received a request for a jurisdictional determination, pre-application consultation meeting, and/or a Department of the Army (DA) permit application associated with the submitted document. Please consider the following general information concerning our regulatory program that may apply to the proposed project. If no impacts to aquatic resources are proposed, a DA permit from the Corps would not be necessary.

If the proposed solar-energy project involves activities in navigable waters of the United States, it may be subject to the Corps jurisdiction under Section 10 of the Rivers and Harbors Act of 1899 (Section 10). Section 10 prohibits the construction, excavation, or deposition of materials in, over, or under navigable waters of the United States, or any work that would affect the course, location, condition, or capacity of those waters, unless the work has been authorized by a DA permit.

If the proposed solar-energy project involves the discharge of dredged or fill material into waters of the United States, it may be subject to the Corps jurisdiction under Section 404 of the Clean Water Act (CWA Section 404). Waters of the United States include navigable waters, their tributaries, and adjacent wetlands (33 CFR § 328.3). CWA Section 301(a) prohibits discharges of dredged or fill material into waters of the United States, unless the work has been authorized by a DA permit under Section 404. Information about the Corps permitting process can be obtained online at <a href="http://www.mvp.usace.army.mil/missions/regulatory/Permitting-Process-Procedures/">http://www.mvp.usace.army.mil/missions/regulatory/Permitting-Process-Procedures/</a>. Construction of solar-energy projects often require temporary access roads, excavation, and backfill of ditches for placing cables. If these activities occur in waters of the US, including wetlands, a DA permit may be necessary.

A solar-energy project may fall under the Utility Regional General Permit (RGP) or Nationwide 51 Land-Based Renewable Energy. Information regarding the St. Paul District General Permits can be obtained online at http://www.mvp.usace.army.mil/Missions/Regulatory/Permitting-Process-Procedures/.

To determine if aquatic resources are present at your site, a review of geographic and ecological off-site and on-site information would be needed. A wetland delineation can aid in this evaluation. Specific expectations for conducting wetland delineations and reports for regulatory purposes in Minnesota can be found in our guidance document at http://www.mvp.usace.army.mil/Portals/57/docs/regulatory/RegulatoryDocs/Minnesota%20Special%20Public%20Notice%20-%203-4-2015.pdf.

The Corps evaluation of a Section 10 and/or a Section 404 permit application involves multiple analyses, including (1) evaluating the proposal's impacts in accordance with the National Environmental Policy Act (NEPA) (33 CFR part 325), (2) determining whether the proposal is contrary to the public interest (33 CFR § 320.4), and (3) in the case of a Section 404 permit, determining whether the proposal complies with the Section 404(b)(1) Guidelines (Guidelines) (40 CFR part 230).

If the proposal requires a Section 404 permit application, the Guidelines specifically require that "no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences" (40 CFR § 230.10(a)). Time and money spent on the proposal prior to applying for a Section 404 permit cannot be factored into the Corps decision whether there is a less damaging practicable alternative to the proposal.

If an application for a Corps permit has not yet been submitted, the project proposer may request a pre-application consultation meeting with the Corps to obtain information regarding the data, studies or other information that will be necessary for the permit evaluation process. A pre-application consultation meeting is strongly recommended if the proposal has substantial impacts to waters of the United States, or if it is a large or controversial project.

If you have any questions, please contact me in our St. Paul office at (651) 290-5249 or Kendra.Holman@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

Kendra Holman Project Manager



#### **DEPARTMENT OF THE ARMY**

ST. PAUL DISTRICT, CORPS OF ENGINEERS 180 FIFTH STREET EAST, SUITE 700 ST. PAUL, MN 55101-1678 May 13th, 2019

Regulatory File No. MVP-2018-02800-EJW

Regal Solar, LLC c/o Melissa Schmit 7650 Edinborough Way, Suite 725 Edina, MN 55435

Dear Ms. Schmit:

This letter is in response to correspondence, submitted by HDR on your behalf, requesting Corps of Engineers (Corps) concurrence with the delineation of aquatic resources completed on the 812 acre Regal Solar site in the City of Rice. The project site is in Benton County, Minnesota. The table below lists the Townships, Ranges, and Sections in which the site is located.

Township	Range	Sections
38	32	12, 13
38	31	18, 19

We have reviewed the wetland delineation report dated May 3, 2019, and determined that the limits of the aquatic resources have been accurately identified in accordance with current agency guidance including the *Corps of Engineers Wetland Delineation Manual* (1987 Manual) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Regions. This concurrence is only valid for the review area shown on the enclosed figures labeled MVP-2018-02800-EJW Page 1 of 5 through Page 5 of 5. The boundaries shown on the enclosed figures accurately reflect the limits of the aquatic resources in the review area.

This concurrence may generally be relied upon for five years from the date of this letter. However, we reserve the right to review and revise our concurrence in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. Our concurrence may be renewed at the end of this period provided you submit a written request and our staff are able to verify that the determination is still valid.

No jurisdictional determination was prepared for this project. While not required, you may request a jurisdictional determination from the Corps contact indicated below.

Please note that the discharge of dredged or fill material into waters of the United States without a Department of the Army permit could subject you to an enforcement action. Receipt of a permit from a state or local agency does not obviate the requirement for obtaining a Department of the Army permit.

## Regulatory Branch (File No. MVP-2018-02800-EJW)

If you have any questions, please contact me in our St. Paul office at (651) 290-5357 or Eric.j.white@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

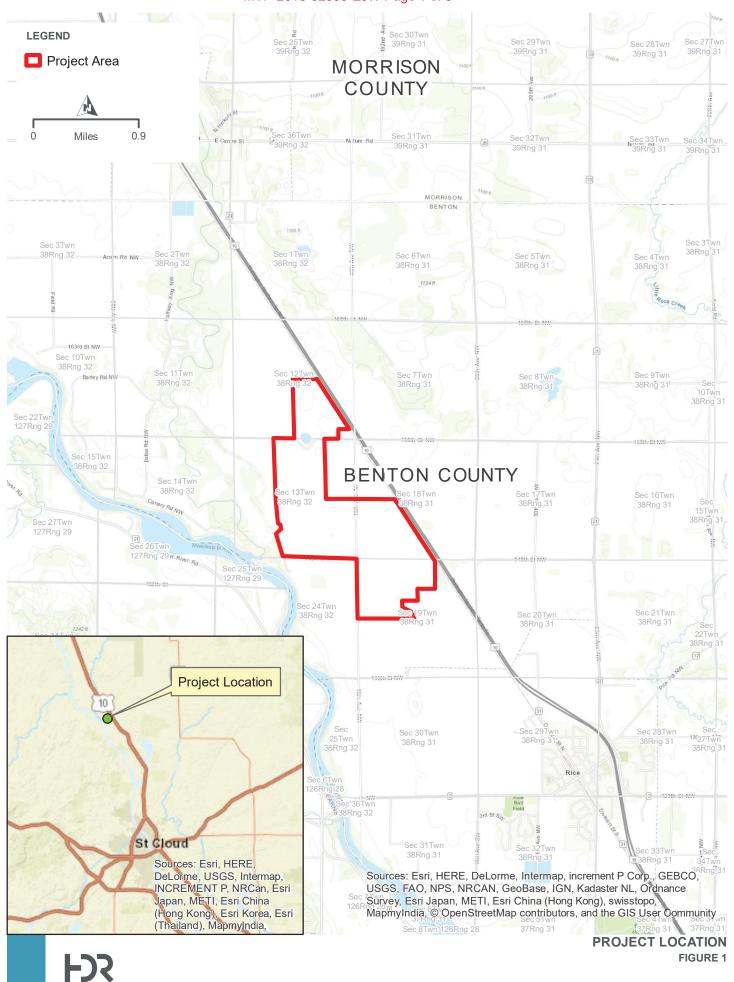
Eric White

Project Manager

CC:

Mark McNamara (LGU) Cade Steffenson (BWSR) Travis Janson (SWCD) Michael Swenson (Agent)

### MVP-2018-02800-EJW Page 1 of 5



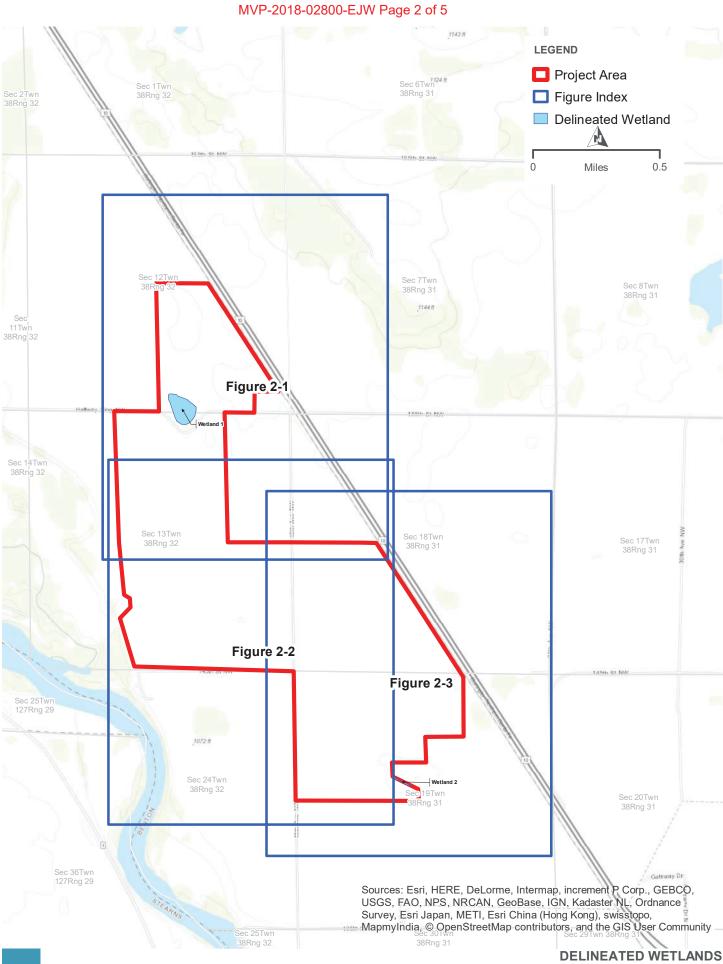
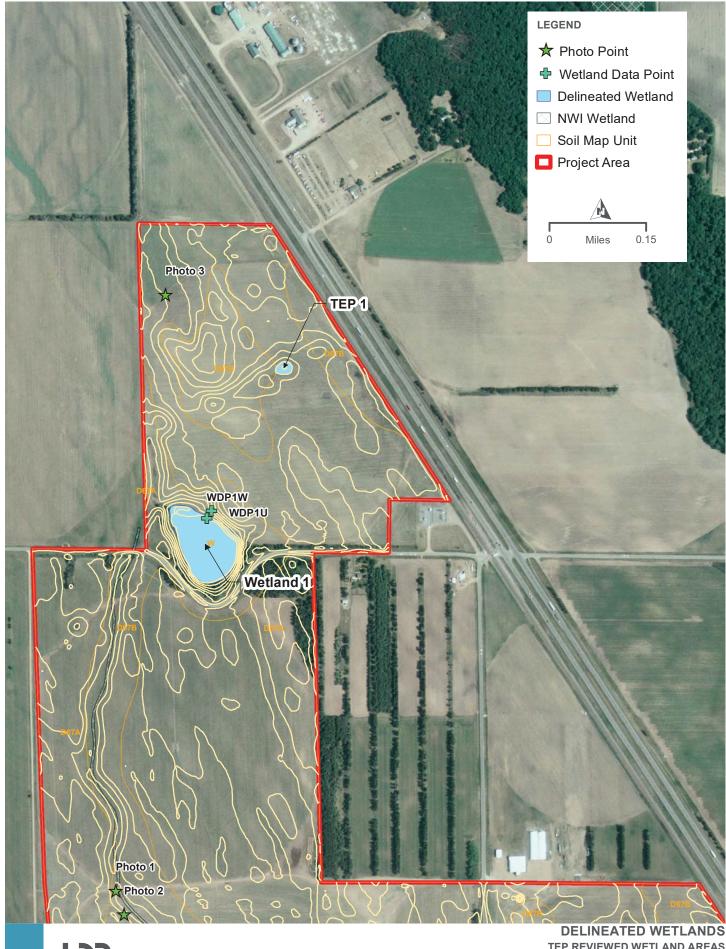
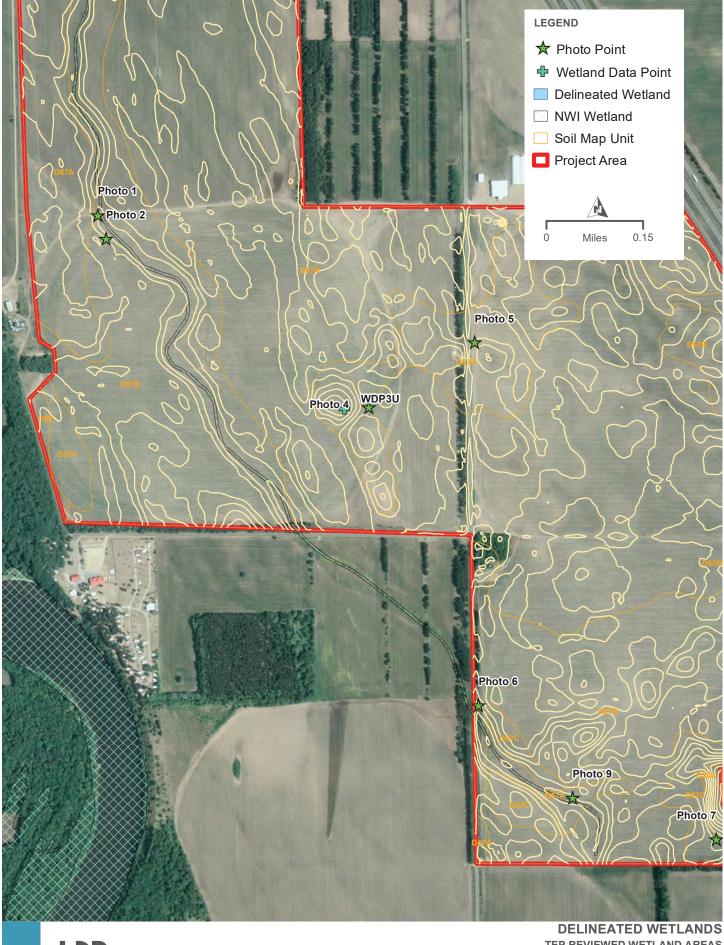




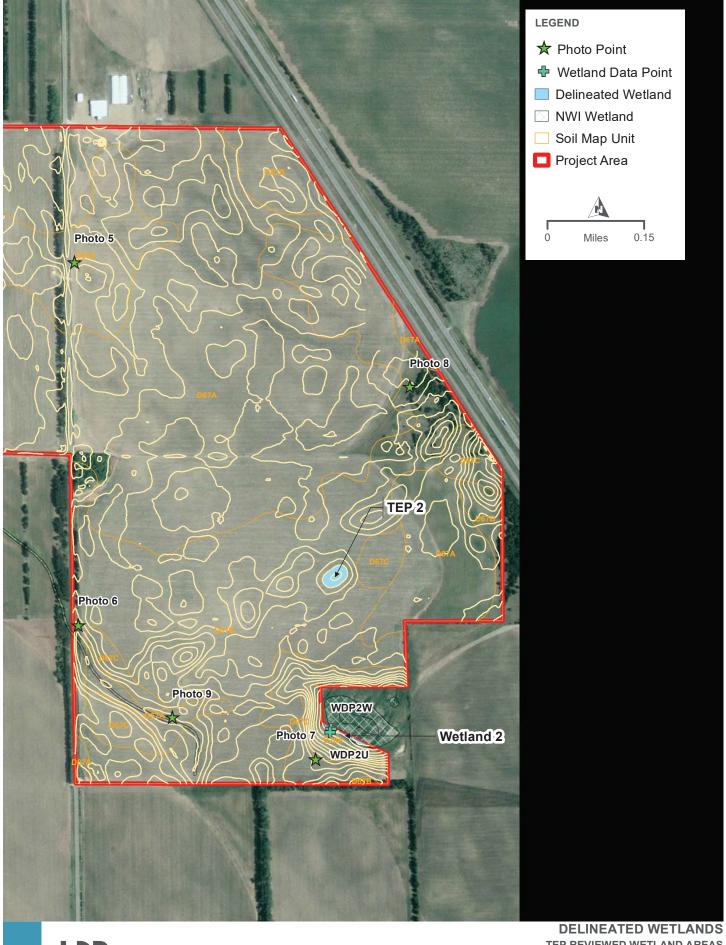
FIGURE 2 - INDEX



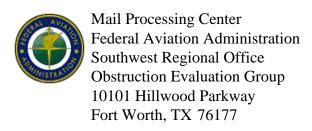
TEP REVIEWED WETLAND AREAS APRIL 22, 2019



TEP REVIEWED WETLAND AREAS APRIL 22, 2019



TEP REVIEWED WETLAND AREAS APRIL 22, 2019



Issued Date: 10/12/2018

Jenny Monson-Miller Regal Solar, LLC 7650 Edinborough Way, Suite 725 Minneapolis, MN 55435

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Solar Panel Corner1

Location: Rice, MN

Latitude: 45-48-03.02N NAD 83

Longitude: 94-16-35.72W

Heights: 1072 feet site elevation (SE)

15 feet above ground level (AGL)

1087 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

	At least 10 days prior to start of construction (7460-2, Part 1)
X	Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 04/12/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AGL-17261-OE.

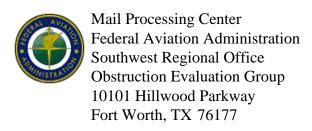
Signature Control No: 385045310-387338856 (DNE)

Fred Souchet Specialist

Attachment(s) Map(s)

# TOPO Map for ASN 2018-AGL-17261-OE





Issued Date: 10/12/2018

Jenny Monson-Miller Regal Solar, LLC 7650 Edinborough Way, Suite 725 Minneapolis, MN 55435

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Solar Panel Corner2

Location: Rice, MN

Latitude: 45-48-03.10N NAD 83

Longitude: 94-16-01.71W

Heights: 1080 feet site elevation (SE)

15 feet above ground level (AGL)

1095 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

	At least 10 days prior to start of construction (7460-2, Part 1)
X	Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 04/12/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
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This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

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This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

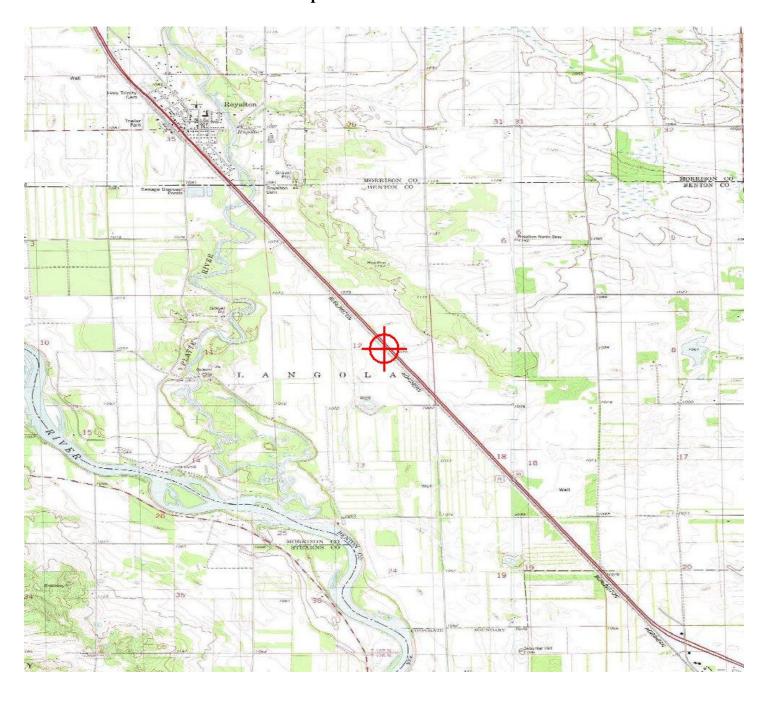
If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AGL-17262-OE.

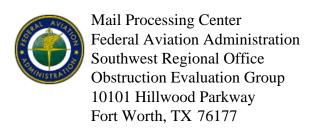
Signature Control No: 385045311-387338857 (DNE)

Fred Souchet Specialist

Attachment(s) Map(s)

# TOPO Map for ASN 2018-AGL-17262-OE





Issued Date: 10/12/2018

Jenny Monson-Miller Regal Solar, LLC 7650 Edinborough Way, Suite 725 Minneapolis, MN 55435

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Solar Panel Corner4

Location: Rice, MN

Latitude: 45-46-15.88N NAD 83

Longitude: 94-15-34.37W

Heights: 1066 feet site elevation (SE)

15 feet above ground level (AGL)

1081 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

	At least 10 days prior to start of construction (7460-2, Part 1)
X	Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 04/12/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

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This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

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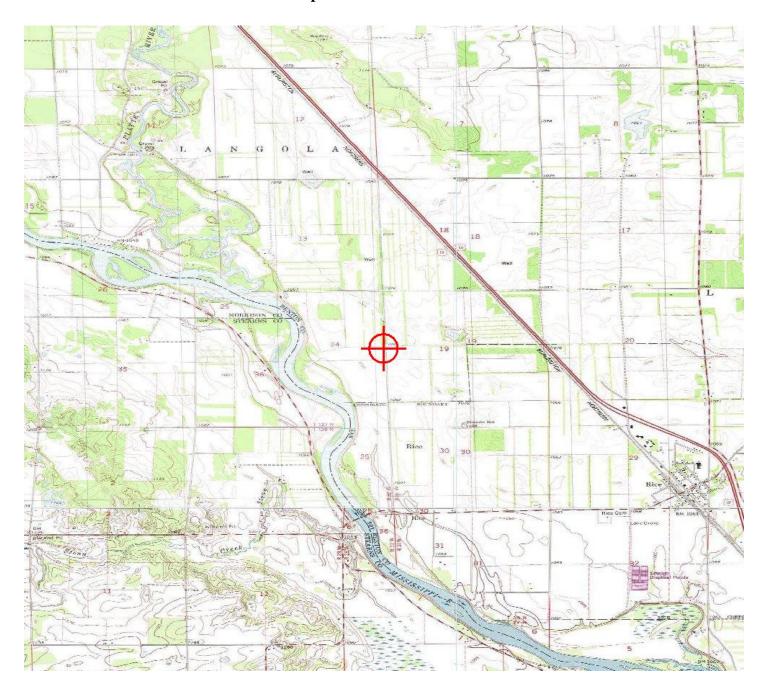
If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AGL-17264-OE.

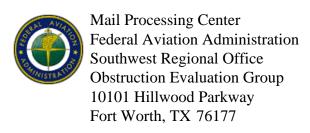
Signature Control No: 385045314-387338858 (DNE)

Fred Souchet Specialist

Attachment(s) Map(s)

# TOPO Map for ASN 2018-AGL-17264-OE





Issued Date: 10/12/2018

Jenny Monson-Miller Regal Solar, LLC 7650 Edinborough Way, Suite 725 Minneapolis, MN 55435

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Solar Panel Corner5

Location: Rice, MN

Latitude: 45-46-42.45N NAD 83

Longitude: 94-16-31.08W

Heights: 1038 feet site elevation (SE)

15 feet above ground level (AGL)

1053 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

	At least 10 days prior to start of construction (7460-2, Part 1)
X	Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 04/12/2020 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
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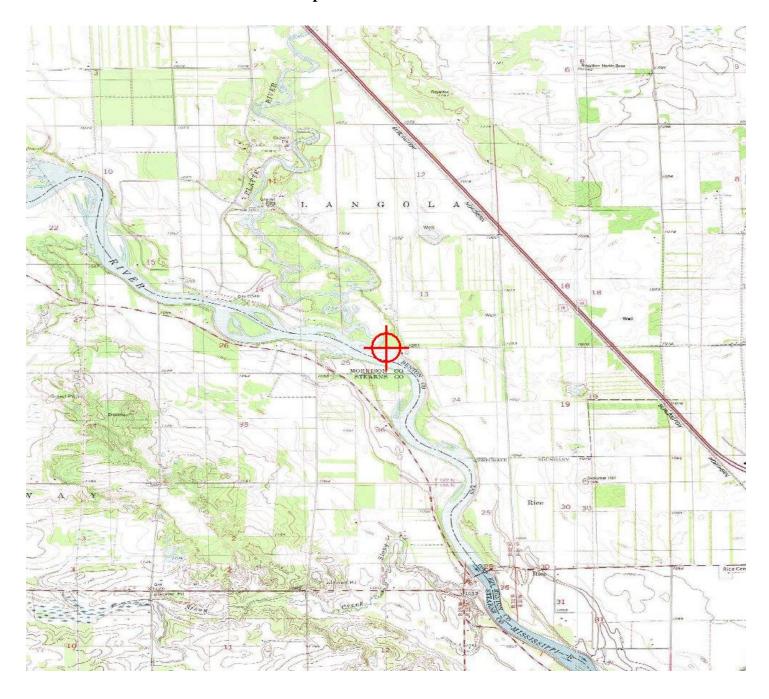
If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AGL-17265-OE.

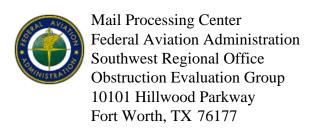
Signature Control No: 385045315-387338860 (DNE)

Fred Souchet Specialist

Attachment(s) Map(s)

# $TOPO\ Map\ for\ ASN\ 2018\text{-}AGL\text{-}17265\text{-}OE$





Issued Date: 10/12/2018

Jenny Monson-Miller Regal Solar, LLC 7650 Edinborough Way, Suite 725 Minneapolis, MN 55435

#### \*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\*

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Solar Panel Corner3

Location: Rice, MN

Latitude: 45-46-15.77N NAD 83

Longitude: 94-14-18.70W

Heights: 1074 feet site elevation (SE)

15 feet above ground level (AGL)

1089 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

	At least 10 days prior to start of construction (7460-2, Part 1)
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- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

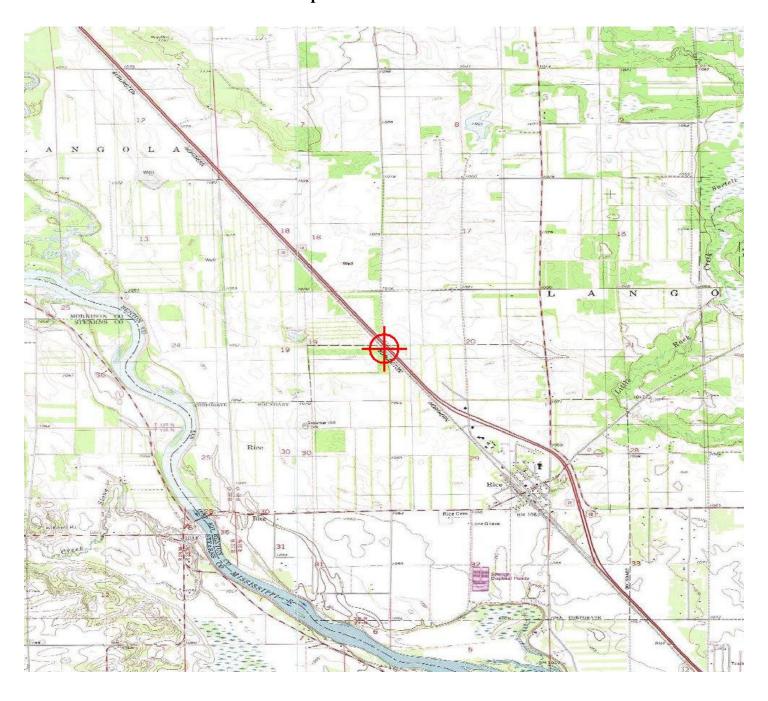
If we can be of further assistance, please contact our office at (847) 294-7458, or fred.souchet@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2018-AGL-17263-OE.

Signature Control No: 385045312-387338861 (DNE)

Fred Souchet Specialist

Attachment(s) Map(s)

# TOPO Map for ASN 2018-AGL-17263-OE





April 18, 2019

Ms. Jenny Monson-Miller Geronimo Energy 7650 Edinborough Way, Suite 750 Edina, MN 55435

RE: Regal Solar Energy Project - Installation of ground-mounted solar arrays, fencing, roads, and

associated utilities and equipment T38 R31 S18-19; T38 R32 S12-13 Langola Twp., Benton County SHPO Number: 2018-3083

Dear Ms. Monson-Miller:

Thank you for the opportunity to comment on the above project. It has been reviewed pursuant to the responsibilities given the State Historic Preservation Office by the Minnesota Historic Sites Act and the Minnesota Field Archaeology Act.

We have reviewed the cultural resources survey report that was prepared for this project. Based on the results of the survey, we conclude that there are no properties listed in the National or State Registers of Historic Places, and no known or suspected archaeological properties in the area that will be affected by this project.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

Please contact our Environmental Review Program at (651) 201-3285 if you have any questions on our review of this project.

Sincerely,

Sarang Banus

Sarah J. Beimers Environmental Review Program Manager

cc: Garett Knudsen, Area M Consulting



October 12, 2018

Jenny Monson-Miller Permitting Specialist, Geronimo Energy 7650 Edinborogh Way Suite 750 Edina, MN 55435

RE: Regal Solar

Dear Jenny Monson-Miller,

The Minnesota Department of Natural Resources (DNR) appreciates the opportunity to review and comment on the proposed "Regal Solar," a utility-scale solar-energy project located in Benton County. The DNR has developed two guidance documents related to commercial solar projects. These documents, "Commercial Solar Siting Guidance" and "Prairie Establishment and Maintenance Technical Guidance for Solar Projects" discuss our standard recommendations for these types of projects. These documents should be reviewed and considered throughout project development. Weblinks for both of these documents are provided below.

Mississippi River corridor and the Platte River are located within about a half mile west of the project site; these rivers provide important habitat for wildlife in this area. Of particular note is habitat for birds, both during the migration and nesting seasons. We recommend that any new utility lines that are constructed for this project be placed below ground, in order to mitigate/minimize bird-strike collisions. If underground lines are not feasible, then we recommend that any new overhead lines related to this project be placed away from these resources, in order to minimize potential bird-strike collisions. Utilizing existing right-of-way corridors may be a way to minimize impacts to corridors and habitat. Should any overhead transmission lines need to be constructed due to this project, then we recommend that "swan type" bird diverters be placed according to manufactures guidelines on these lines. Once the transmission line route and design have been determined, the DNR would appreciate the opportunity to review and comment on these locations.

The DNR Division of Lands & Minerals is responsible for granting permission to companies that propose to cross public lands and waters with utility infrastructure projects. If any activities associated with this project require installation of utilities crossing public lands or waters, a utility license will be required from the DNR. For more information, please go to DNR's Utility Crossing License webpage.

I understand that the project has submitted a request for a Natural Heritage Information System (NHIS) data review to determine if any records of rare species or rare natural resource features are located in proximity to the project. Please continue to work with DNR's NHIS staff regarding this submittal and the subsequent response to any adverse impacts determined by their review.

On behalf of the DNR, thank you for your consideration of these comments.

Sincerely,

/s/ Rebecca Horton
Region Environmental Assessment Ecologist

#### CC:

Cynthia Warzecha, Principal Planner

#### Websites:

- Commercial Solar Siting Guidance website: https://files.dnr.state.mn.us/publications/ewr/commercial\_solar\_siting\_guidance.pdf
- Prairie Establishment and Maintenance Technical Guidance for Solar Projects website: https://files.dnr.state.mn.us/publications/ewr/prairie\_solar\_tech\_guidance.pdf
- DNR Utility Crossing Webpage: <a href="https://www.dnr.state.mn.us/permits/utility">https://www.dnr.state.mn.us/permits/utility</a> crossing/index.html



Minnesota Department of Natural Resources Division of Ecological & Water Resources 500 Lafayette Road, Box 25 St. Paul, MN 55155-4025

October 11, 2018

Correspondence # ERDB 20190082-0002

Mr. Michael Swenson HDR Engineering, Inc. 701 Xenia Avenue South, Suite 600 Minneapolis, MN 55416

RE: Natural Heritage Review of the proposed Regal Solar, T38N R32/31W Sections 12 &13/18 & 19; Benton County

Dear Mr. Swenson,

As requested, the Minnesota Natural Heritage Information System has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, rare features have been documented within the search area (for details, please visit the <a href="Rare Species Guide Website">Rare Species Guide Website</a> for more information on the biology, habitat use, and conservation measures of these rare species). Please note that the following rare features may be adversely affected by the proposed project:

- The Loggerhead Shrike (Lanius Iudovicianus), a state-listed endangered bird and Lark Sparrow (Chondestes grammacus), a state-listed bird species of special concern, have been documented in the vicinity of the project site. These bird species are found in open, grass land areas with scattered trees and shrubs. Loggerhead Shrike nest in small trees or shrubs, while the Lark Sparrow typically nests on the ground. If the project boundary contains undisturbed grass land, then it is possible that these birds may breed in the area. Recommendations to minimize potential impacts include the following:
  - Avoid tree and shrub removal within suitable habitat during the breeding season, typically April through July,
  - o Report any loggerhead shrike sightings to the DNR,
  - Please reference the attached fact sheet and the DNR Rare Species Guide for additional recommendations.
- Please include a copy of this letter in any state or local license or permit application. Please note that
  measures to avoid or minimize disturbance to the above rare features may be included as restrictions or
  conditions in any required permits or licenses.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location (noted above) and the project description provided on the NHIS Data Request Form. Please contact me if project details change or for an updated review if construction has not occurred within one year.

The Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. If needed, please contact your <a href="DNR Regional Environmental Assessment Ecologist">DNR Regional Environmental Assessment Ecologist</a> to determine whether there are other natural resource concerns associated with the proposed project. Please be aware that additional site assessments or review may be required.

Thank you for consulting us on this matter, and for your interest in preserving Minnesota's rare natural resources. An invoice will be mailed to you under separate cover.

Sincerely,

Samantha Bump

Natural Heritage Review Specialist

Samantha Bump

Samantha.Bump@state.mn.us

Enc. Loggerhead Shrike Fact Sheet

Links: Rare Species Guide

http://www.dnr.state.mn.us/rsg/index.html

DNR Regional Environmental Assessment Ecologist Contact Info http://www.dnr.state.mn.us/eco/ereview/erp\_regioncontacts.html

Cc: Becky Horton

Leslie Parris

#### **Brie Anderson**

Horton, Becky (DNR) <becky.horton@state.mn.us> From:

Sent: Thursday, April 18, 2019 10:41 AM

To: Melissa Schmit

Cc: Warzecha, Cynthia (DNR) Subject: **RE: Regal Solar Seed Mixes** 

Hi Melissa,

Ideally, there'd be a bit more spring/fall blooming plants added to the seed mix, so that there is a diverse mix of blooming species early and late in the growing season. However, I respect that native prairie specialists took many things into consideration when designing these mixes, and many of the local companies are aware of what is most likely to have success in growing within these disturbed areas. With that said, the mixes as proposed are acceptable.

Please keep in mind that we recommend that seeds come from a local source.

Becky

#### **Rebecca Horton**

Region Environmental Assessment Ecologist | Ecological and Water Resources

### **Minnesota Department of Natural Resources**

1200 Warner Road St. Paul, MN 55404 Phone: 651-259-5755

Fax: 651-772-7977

Email: becky.horton@state.mn.us

mndnr.gov









From: Melissa Schmit [mailto:melissa@geronimoenergy.com]

Sent: Tuesday, April 02, 2019 11:23 AM

To: Horton, Becky (DNR) <becky.horton@state.mn.us>

Cc: Warzecha, Cynthia (DNR) <cynthia.warzecha@state.mn.us>

**Subject:** Regal Solar Seed Mixes

Hello Becky,

I am writing in regards to the proposed Regal Solar Project located in Benton County (map attached for your reference). You provided the attached comments back in October and we have since developed proposed seed mixes for the Project utilizing the guidance referenced in your letter (proposed seed mixes also attached). Typically our sites have a shorter prairie mix within the panel footprint, taller prairie plantings in the open space between the fence and array, and a wet seed mix for any wetlands or areas anticipated to hold water. Our mixes are designed to be native and promote pollinator habitat - and we work with native prairie specialists to develop our seed mixes. Their expertise helps design a mix that will achieve our goals for operating the solar facility, promote pollinator habitat, establish stable ground cover successfully, reduce erosion, reduce runoff, and improve infiltration.

When you are able, can you please review the attached lists and let me know if the DNR concurs the mixes are acceptable?

Thank you,

# **Melissa Schmit**

Permitting Manager 7650 Edinborough Way, Suite 725 Edina, MN 55435 Main: 952.988.9000

Direct: 612.259.3095 Geronimo Energy



 From:
 Roos, Stephan (MDA)

 To:
 Jenny Monson-Miller

 Cc:
 Patton, Bob (MDA)

Subject: Royal Solar and Regal Solar Proposals

Date: Friday, October 5, 2018 2:36:15 PM

Attachments: <u>image001.jpg</u>

#### Hi Jenny,

Thank you for reaching out to us. We appreciate the chance to be involved early in the proposal process.

In order to provide meaningful and useful comment on the proposals we would need to understand the siting decision process that led to these sites and to discuss components of an Agricultural Impact Mitigation Plan.

I'd like to propose that we meet together to discuss these topics and any others that may come up. Please let me know when you and your staff could meet and I'll set it up with my section supervisor, Bob Patton.

Again, thank you for reaching out to us this early in the process. We recognize the value that renewable energy brings to Minnesota and are happy to assist you in the aspects of the permitting process that involve MDA.

Sincerely, Steve Roos

## Steve Roos, PLA, ASLA

### **Environmental Planner**

Energy and Environment Section
Agricultural Marketing and Development Division
Minnesota Department of Agriculture
625 Robert Street North
Saint Paul, MN 55155-2538
Ph: 651-201-6631



www.mda.state.mn.us

From: Roos, Stephan (MDA)
To: Melissa Schmit

**Subject:** RE: Regal Solar Draft AIMP

**Date:** Thursday, June 27, 2019 4:26:22 PM

Attachments: <u>image001.png</u>

Regal draft AIMP to DOA 05232019 SR edits.docx

#### Hi Melissa,

I have attached a copy of the AIMP for Regal Solar with my comments. There are only a few and, hopefully, only minor. On the whole, it is very nicely done especially in the way it addresses the specific site.

We would like the opportunity to review the vegetation management plan as well when you have it ready. Our interest is mainly in the way it addresses noxious weed control and vegetation reestablishment as both topics are related to agriculture.

Thanks for the opportunity to check this over and, especially, for your willingness to be involved in the siting workgroup.

If you have any questions don't hesitate to get in touch with me, Steve

## Steve Roos, PLA, ASLA

### **Environmental Planner**

Energy and Environment Section
Agricultural Marketing and Development Division
Minnesota Department of Agriculture
625 Robert Street North
Saint Paul, MN 55155-2538

Ph: 651-201-6631



www.mda.state.mn.us

From: Melissa Schmit <melissa@geronimoenergy.com>

**Sent:** Friday, June 21, 2019 3:28 PM

**To:** Roos, Stephan (MDA) <stephan.roos@state.mn.us>; Patton, Bob (MDA)

<bob/>bob.patton@state.mn.us>

Subject: RE: Regal Solar Draft AIMP

Good afternoon Steve and Bob,

I apologize for being the squeaky wheel but I was hoping you could provide me with an update on

when you anticipate completing your review of the Regal Solar AIMP?

Thank you and I will see you next week.

## **Melissa Schmit**

Permitting Manager Main: 952.988.9000 Direct: 612.259.3095 Geronimo Energy



From: Melissa Schmit

Sent: Wednesday, June 5, 2019 2:32 PM

**To:** Roos, Stephan (MDA) < stephan.roos@state.mn.us >; Patton, Bob (MDA)

<br/><bob.patton@state.mn.us>

Subject: RE: Regal Solar Draft AIMP

Hello Steve and Bob,

I hope all is well. I wanted to check in with you on the Regal Draft AIMP. Do you have an anticipated timeline for completing your review? Please let me know if you need additional information or I can assist in any way.

Thanks,

## **Melissa Schmit**

Permitting Manager Main: 952.988.9000 Direct: 612.259.3095 Geronimo Energy



From: Melissa Schmit

**Sent:** Thursday, May 23, 2019 3:44 PM

**To:** Roos, Stephan (MDA) <<u>stephan.roos@state.mn.us</u>>; Patton, Bob (MDA)

<br/>
<bobserved>bob.patton@state.mn.us<br/> **Subject:** Regal Solar Draft AIMP

Steve and Bob,

Please see the attached draft AIMP for our Regal Solar Project in Benton County. I have also included the draft figures and Appendix B, the NRCS soil map. Feel free to use track changes and insert any comments you may have directly into the document.

Please let me know if you have any questions as you dive in. Thank you again for your review and I hope you both have a nice holiday weekend!

## **Melissa Schmit**

Permitting Manager 7650 Edinborough Way, Suite 725 Edina, MN 55435

Main: 952.988.9000 Direct: 612.259.3095 <u>Geronimo Energy</u>



From: Roos, Stephan (MDA)
To: Melissa Schmit

Subject: RE: Final Regal Solar AIMP

**Date:** Tuesday, July 16, 2019 10:13:55 AM

Attachments: image001.png image002.png

image002.png image003.png image004.png

Thanks Melissa.

From: Melissa Schmit <melissa@geronimoenergy.com>

Sent: Tuesday, July 16, 2019 10:08 AM

To: Roos, Stephan (MDA) <stephan.roos@state.mn.us>

Subject: Final Regal Solar AIMP

## Hello Steve,

Thank you again for your review of the Regal AIMP. For your records I have attached a copy of the plan with track changes that address your comments. This is the final document that will be submitted with our site permit application.

## Thank you,



## Melissa Schmit

Permitting Manager

E: melissa@geronimoenergy.com

**P:** 612-259-3095







7650 Edinborough Way, Ste. 725, Edina, MN 55435 952-988-9000 From: Kotch Egstad, Stacy (DOT)

To: Melissa Schmit

**Subject:** RE: Geronimo Energy - Regal, Royal and Elk Creek Solar

**Date:** Tuesday, March 5, 2019 11:45:36 AM

Attachments: image001.png

image002.png

Melissa,

Early review of the above-mentioned solar projects shows the following comments/concerns:

- 1. Access will need to be from county and township roads no direct access will be allowed from US 10
- 2. Screens (tree plantings) are requested by District staff to block potential glare from traveling motorists
- 3. Roadside Vegetation Management will need to review permit applications due to the presence of mesic prairie along SW portions of US 10 within the project area(s)
- 4. Permit applications and instructions are located here:
  <a href="http://www.dot.state.mn.us/utility/index.html">http://www.dot.state.mn.us/utility/index.html</a> keeping in mind that you may need more than one type of permit from MnDOT
- 5. MnDOT views solar generating projects as it would any other private commercial venture and does not consider a solar generating project to be a public utility for transportation purposes and therefore, any MnDOT land that these projects may wish to occupy would need to be leased (in the areas where a lease is feasible)
- 6. Any associated electric cable/feeder lines that run **along** a trunk highway right of way would need to permitted through a municipal, cooperative or investor-owned electric service provider

Elk Creek Solar looks to not have proximity to a state trunk highway. Only concerns about OSOW permitting apply to this project. Please advise if I am incorrect about this information.

Thank you for the opportunity to provide early feedback on these projects. Please contact me with any questions.

## Stacy Kotch Egstad

Utility Routing and Siting Coordinator Minnesota Department of Transportation Office of Land Management 651-366-4635



**From:** Melissa Schmit [mailto:melissa@geronimoenergy.com]

Sent: Thursday, February 28, 2019 11:13 AM

**To:** Kotch Egstad, Stacy (DOT) <stacy.kotch@state.mn.us> **Subject:** Geronimo Energy - Regal, Royal and Elk Creek Solar

Hi Stacy,

Thank you for the call today. As we discussed, I have attached project notification letters and associated maps for Regal Solar, Royal Solar, and Elk Creek Solar for you to provide to the district office(s) for review and comment.

As I mentioned I will be the point of contact for these projects – please feel free to reach out with any questions. I look forward to our continued coordination!

Thank you,

## **Melissa Schmit**

Permitting Manager 7650 Edinborough Way, Suite 725 Edina, MN 55435

Main: 952.988.9000 Direct: 612.259.3095 Geronimo Energy



 From:
 Fyock, Brittany (MPCA)

 To:
 Jenny Monson-Miller

 Subject:
 Royal Solar

**Date:** Thursday, December 6, 2018 10:46:37 AM

Attachments: image001.png

Hi Jenny,

I am in receipt of a notice from you for the proposal of solar-energy projects in Morrison County and in Benton County. Provided is the link to the Minnesota Pollution Control Agency (MPCA) construction stormwater (CSW) website and the CSW General Permit (Permit) which coverage under is needed when a project disturbs one acre or greater of earth. The website provides guidance for the construction sites along with access to the application for each site's coverage under the Permit via e-services. Please note, that coverage under the Permit must not be obtained until a site's Stormwater Pollution Prevention Plan (SWPPP) has been designed by an individual trained per the requirements of the Permit. Furthermore, coverage under the Permit must also not be obtained until the permittees have determined that the sites do not need to go through the environmental assessment worksheet (EAW) process. Please contact the MN Environmental Quality Board with questions you may have with the EAW process, etc. Also, a permanent stormwater treatment system is required when one acre or greater of impervious surface is added to a site, and the guidance for solar-energy sites to determine the amount of added impervious surface they will create is provided, as well. Our engineers in the Municipal Stormwater Division may be able to assist you with that information if needed.

I apologize if you've already obtained this information, making it redundant, as the letters I received were originally delivered to an individual who no longer works in our CSW unit. Please feel free to contact me with any questions you may have in regards to the Permit.

https://www.pca.state.mn.us/water/construction-stormwater

https://www.pca.state.mn.us/sites/default/files/wq-strm2-80a.pdf

https://stormwater.pca.state.mn.us/index.php?

title=Stormwater\_management\_for\_solar\_projects\_and\_determining\_compliance\_with\_the\_NPDES\_construction\_stormwater\_permit https://www.egb.state.mn.us/content/eaw-process

#### Best Regards, Brittany Fyock

Environmental Specialist
Construction Stormwater Inspector
Minnesota Pollution Control Agency
7678 College Road, Suite 105 | Baxter, MN | 56425

218-316-3862 | www.pca.state.mn.us



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## Providing excellent customer service in a fiscally responsible manner.

May 7, 2019

Minnesota Public Utilities Commission 121 7<sup>th</sup> Pl E #350 St. Paul, MN 55101

Re: Letter of Support for the Regal Solar Project in Benton County

Dear Commissioners,

I am writing on behalf of the Benton County Board of Commissioners to express the County's support for the 100 megawatt (MW) Regal Solar Project, which is currently being developed by Geronimo Energy in Benton County, Minnesota. We believe the Regal Solar Project represents cost effective renewable energy generation, and we look forward to the project adding economic development to our region.

We believe this project will bring significant economic development and will have a long-term financial benefit to the area. Once constructed, the Regal Solar Project will provide a boost in the local economy including production tax payments to Benton County and Langola Township, to the local school districts through the Education Fund, and full-time jobs.

Overall, we are excited about the economic benefits of the Regal Solar Project, as well as the beneficial community impact the project will have while providing clean renewable energy.

Sincerely,

A. Jake Bauerly, Chair

Benton County Board of Commissioners

ATTEST:

Montgomery Headley

Benton County Administrator

# Minnesota Wetland Conservation Act Notice of Decision

Local Government Unit (LGU)  Benton County Department of Development			Address 531 Dewey St PO Box 129 Foley MN 56329		
	1. PROJECT INFORMATION				
Applicant Name Walter Parkins Melissa Schmidt		Project Name Regal Solar LLC		Date of Application 3/15/19	Application Number
Attach site locat	or map.				
Type of Decision:				٠	
⊠ Wetland Boundary or Type					
	Replaceme	nt Plan		Banking Plan	
Technical Evaluation	n Panel Finding	s and Recommendation	on (if a	any):	
☐ Approve	П Ар	prove with conditions	•	De	ny
	2. LOCAL	GOVERNMENT UN	IT DE	CISION	•
Date of Decision: 5	/6/19				
☐ Approved		d with conditions (incl	ude b	elow)	☐ Denied
LGU Findings and	Conclusions (atta	ach additional sheets a	as nec	cessary):	
Wetland Boundary and Type approved per attached Letter dated 5/6/19, Amended Wetland Delineation Report and Exhibits 1, 2 & 3, for development of a 100 megawatt solar energy production facility on 812 acres in Sections 12 and 13, West Langola Twp. and Sections 18 and 19, East Langola Twp.					
For Replacement Plans using credits from the State Wetland Bank:					
Bank Account #	Bank Service Area	County		Credits Approve Withdrawal (sq. .01 acre)	

BWSR Forms 7-1-10

Replacement Plan Approval Conditions. In the approval of a <u>Wetland Replacement Plan</u> is					
Financial Assurance: For project-speci assurance specified by the LGU must be su 8420.0522, Subp. 9 (List amount and type in	ubmitted to th	ne LGU in accordance with MN Rule			
Deed Recording: For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.					
	☐ Credit Withdrawal: For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.				
Wetlands may not be impacted until a	ll applicable	conditions have been met!			
LGU Authorized Signature:					
Signing and mailing of this completed form to the ap Subp. 5 provides notice that a decision was made by specified above. If additional details on the decision are available from the LGU upon request.	the LGU und	er the Wetland Conservation Act as			
Name Mark McNamara	Title Wetland Pr	ogram Lead/Solid Waste			
Signature	Date	Phone Number and E-mail <b>320/968-5074</b>			
Mand Myann	5-6-19	mark.mcnamara@co.benton.mn.us			
THIS DECISION ONLY APPLIES TO THE M Additional approvals or permits from local, state with all appropriate authorities before commence	e, and federa	l agencies may be required. Check			
Applicants proceed at their own risk if work author for appeal (30 days) has expired. If this decision is r responsible for restoring or replacing all wetland imp	eversed or rev				
This decision is valid for three years from the d by the TEP and specified in this notice of decision		on unless a longer period is advised			
2 ADDEAL OF	THIC DECI	CION			
3. APPEAL OF Pursuant to MN Rule 8420.0905, any appeal of the petition for appeal, including applicable fee, within this Notice to the following as indicated:	his decision o	can only be commenced by mailing a			
Check one:	<del></del>				
☐ Appeal of an LGU staff decision. Send petition and \$954 fee (if applicable) to: Benton County Department of Development 531 Dewey St, PO Box 129 Foley MN 56329	Send petitic Executive Minnesota 520 Lafa	of LGU governing body decision. on and \$500 filing fee to: Director a Board of Water and Soil Resources yette Road North			

BWSR Forms 7-1-10 2

## 4. LIST OF ADDRESSEES

_				
	SWCD TEP member:	: Travis Janson Soil & Water C 14 2 <sup>nd</sup> Ave W Foley MN 5632	Conservation	District
	BWSR TEP member:	: Cade Steffenso MN Board of W 110 2 <sup>ND</sup> St S St Waite Park MN	Vater and Soi uite 307	il Resources
	LGU TEP member (if	different than LC	3U Contact):	Mark McNamara Benton County Department of Development 531 Dewey St PO Box 129 Foley MN 56329
	DNR TEP member:	Nicola Blake-B MN DNR 1035 S Benton Sauk Rapids M	Dr	
	DNR Regional Office	(if different than	DNR TEP me	ember)
	Wetland Enforcemen	Wate MN D 1200		
Applicant and Landowner (if different): Regal Solar LLC  Melissa Schmit  7650 Edinborough Way Suite 725  Edina MN 55435				nmit orough Way Suite 725
		Michael Swenson HDR 701 Xenia Ave Suite 600 Minneapolis MN 55416		
			Walter & Bo 28274 Natur Royalton, M	
	Members of the public	who requested	notice:	
	Corps of Engineers Pr	roject Manager:	Lead Project U.S. Army C St. Paul Dist	Corps of Engineers trict, Regulatory Branch reet East, Suite 700
	BWSR Wetland Bank	Coordinator (we	tland bank pl	an decisions only): <b>Ken Powell</b>

BWSR Forms 7-1-10

## 5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives:

www.bwsr.state.mn.us/aboutbwsr/workareas/WCA areas.pdf

➤ For a list of DNR TEP representatives:

www.bwsr.state.mn.us/wetlands/wca/DNR TEP contacts.pdf

➤ Department of Natural Resources Regional Offices:

DNR Regional Environmental Assessment Ecologist (REAE)

Ecological and Water Resources Division:

NW Region:	NE Region:	Central Region:	Southern Region:
2115 Birchmont Beach Rd NE	1201 E. Hwy. 2	1200 Warner Rd	261 Hwy. 15 South
Bemidji, MN 56601	Grand Rapids, MN 55744	St. Paul, MN 55106	New Ulm, MN 56073

For a map of DNR Administrative Regions, see:

http://files.dnr.state.mn.us/aboutdnr/dnr regions.pdf

➤ For a list of Corps of Project Managers:

www.mvp.usace.army.mil/regulatory/default.asp?pageid=687 or send to:

US Army Corps of Engineers St. Paul District, ATTN: OP-R 180 Fifth St. East, Suite 700 St. Paul, MN 55101-1678

For Wetland Bank Plan applications, also send a copy of the application to:

Minnesota Board of Water and Soil Resources

Wetland Bank Coordinator 520 Lafayette Road North

St. Paul, MN 55155

## 6. ATTACHMENTS

In addition to the site locator map, list any other attachments:	
□ Letter dated 5/6/19	
Amended Wetland Delineation Report	

BWSR Forms 7-1-10



**ENVIRONMENTAL SERVICES** 

LAND USE

May 6, 2019

SSTS WETLANDS/SOLID WASTE

Michael Swenson HDR

701 Xenia Ave. Suite 600

Mpls. MN 55416

**Government Center** 531 Dewey Street PO Box 129 Foley, MN 56329

Re: Wetland Boundary and Typing Application for proposed Regal Solar Garden 812 acres parcel located parts of Sections 12-13 T.38N.-R.32W. West Langola and parts of Sections 18-19 T.38N,-

R.31W. East Langola Townships, Benton County Minnesota.

(320) 968-5065 (320) 968-5351 FAX

Dear Mr. Swenson:

www.co.benton.mn.us

Thank you for taking the time to meet with Benton County on-site April 17th, 2019. After conducting our site review and amending the wetland boundaries on-site Benton County has reviewed the submitted revised delineation report and maps and per the attached amended aerial photos (Exhibits 1-2-3 dated 4/22/19) and other supporting documentation, Benton County concurs with the wetland boundary and type as submitted. As identified in the report the area of review is comprised of four wetland areas two Type I Seasonally flooded basins, and two Type 3 Shallow Marsh wetlands with fringes of Type II Fresh wet Meadows totaling approximately 6.5 acres. Be advised this concurrence pertains only to the wetland delineation for the approximately 812 acre "area of review" as shown on the attached Exhibits. If additional work is proposed outside this boundary then additional wetland delineation work will be required.

Per the Wetland Conservation Act part 8420.0255 Subpart 4; this decision is valid for five years unless the technical evaluation panel determines that natural or artificial changes to the hydrology, soils, or vegetation of the area have been sufficient to alter the wetland boundary, number or type.

Be advised, this letter does not allow for any wetland impacts. Per 8420,0520 Subp.1 Item A. the Local Governing Unit administering the Wetland Conservation Act must review all project proposals to assure compliance with the sequencing requirements as stated in this part.

Please feel free to contact this office with any questions or concerns regarding this matter.

Sincerely,

Mand M'

Mark McNamara

Wetland Program Lead

Cc:

Travis Janson, SWCD

Cade Steffenson, BWSR Wetland Specialist

Brian Yagle, ACOE

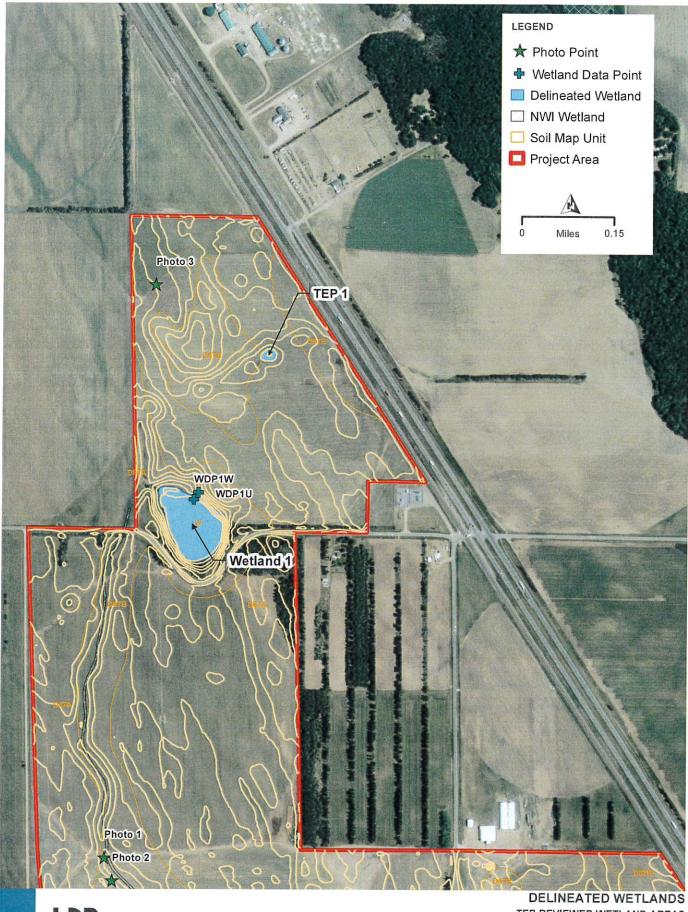
Melissa Schmit, Regal Solar applicant

Walter Parkins, Landowner





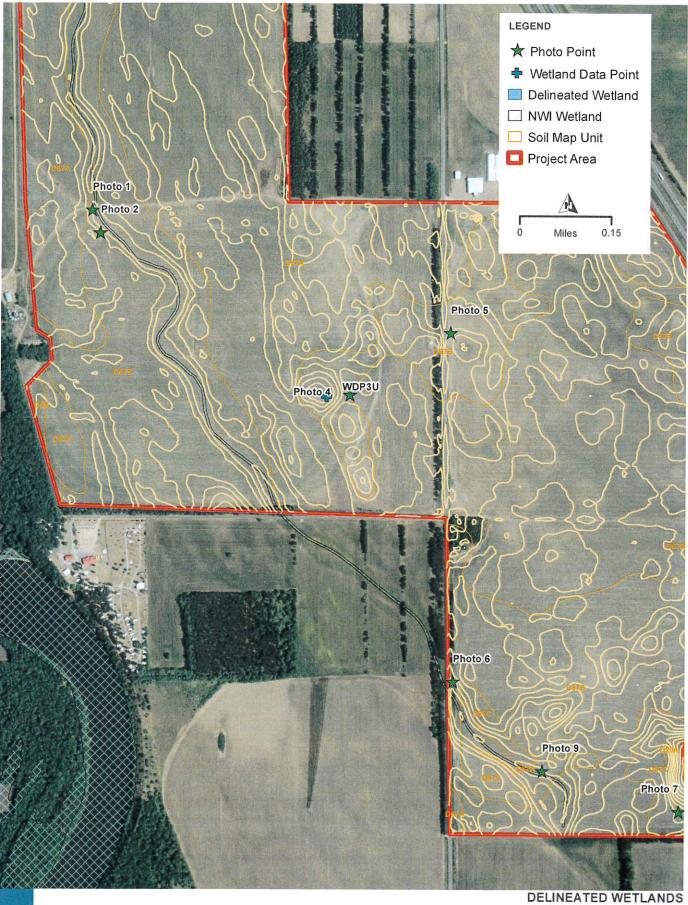
Benton County is an Equal Opportunity Employer, Provider and Lender



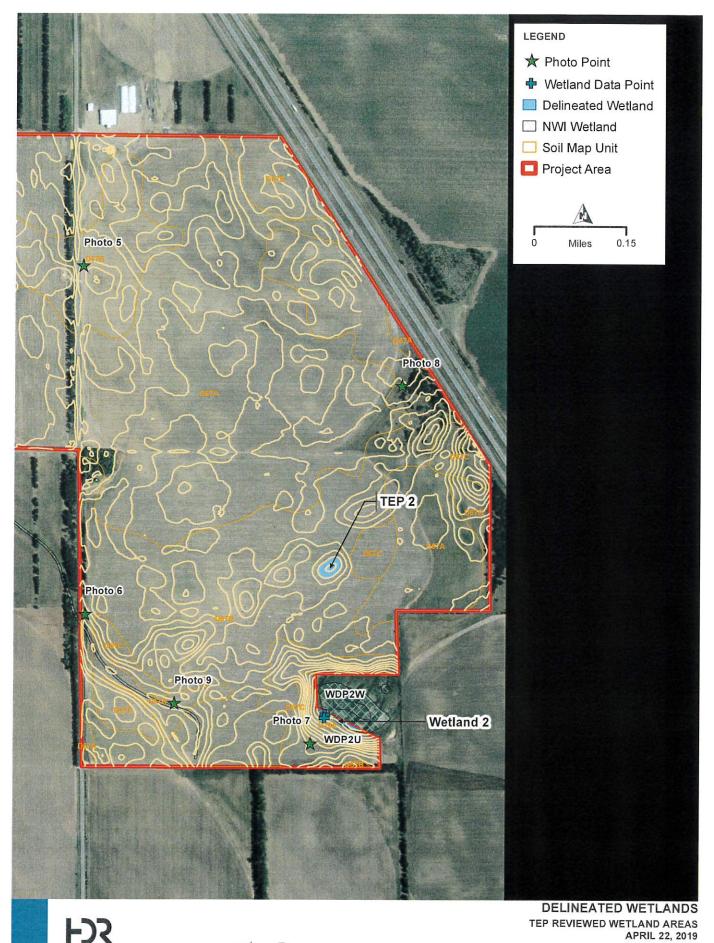
**FDS** 

EXHIBIT 1

TEP REVIEWED WETLAND AREAS APRIL 22, 2019



DELINEATED WETLANDS TEP REVIEWED WETLAND AREAS APRIL 22, 2019



**FDS** 

EXHIBIT 3



## LANGOLA TOWNSHIP BENTON COUNTY STATE OF MINNESOTA

PO BOX 243, RICE MINNESOTA, 56367 PHONE: 320-266-5324

MARK PETRON CHAIRMAN, SUPERVISOR GREG BRUESTLE SUPERVISOR DAN SCHLICHTING SUPERVISOR

FRANK HARD, TREASURER

ANITA SEVIOLA, CLERK

May 1st, 2019

Melissa Schmit

Re: Letter of Support for the Regal Solar Project in Langola Township, Benton County MN

The 100 Megawatt (MW) Regal Solar Project was the topic of discussion at the last Board of Supervisors Meeting. It is exciting for Benton County as well as Langola Township that we are moving in such positive ways toward renewable energy solutions for the future.

This project we believe will have lasting economic benefits for our community with the future production tax payments to Benton County and Langola Township. It will also have a positive impact on our local school district and future job opportunities.

It truly is an exciting time to be a part of something that brings such positive energy changes to the community.

Sincerely.

Langola Board Of Supervisors

Langola Township Benton County MN

PO Box 243

Rice, MN 56367

Mark Petron, Greg Bruestle, Dan Schlichting, Frank Hard