

Appendix A

Scoping Decision

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In the Matter of the Application of Enbridge Solar (Plummer), LLC for a Site Permit for the up to 130 MW Plummer Solar Project in Red Lake County, Minnesota

**ENVIRONMENTAL ASSESSMENT
SCOPING DECISION**

DOCKET NO. IP-7103/GS-22-451

The above matter has come before the Commissioner of the Department of Commerce (Department) for a decision on the scope of the environmental assessment (EA) to be prepared for Enbridge Solar (Plummer) LLC's proposed 130 megawatt (MW) solar energy project in Emardville Township, Red Lake County, Minnesota.

Project Description

On April 2, 2024, Enbridge Solar (Plummer), LLC (Plummer Solar) submitted a site permit application to the Minnesota Public Utilities Commission (Commission) to construct the Plummer Solar Project – an up to 130 MW alternating current photovoltaic solar energy generating facility.¹

The project will occupy approximately 855 acres in Emardville Township, southeast of the city of Plummer, Minnesota. The project will use photovoltaic solar panels mounted on single axis tracking systems. Underground collection cables will gather and send the electric power generated by the solar panels to a project substation. The substation will interconnect with the electrical grid through an existing Otter Tail Power 115 kV transmission line immediately adjacent to the Project Site, via a short (<1,500 ft) aboveground 115 kV transmission line.²

Plummer Solar indicates that a generator interconnection agreement (GIA) for the project has been filed with the Midcontinent Independent System Operator. Plummer Solar expects to sign a GIA in January 2025. Construction is anticipated to begin in 2026 with completion and operation anticipated in late 2027 or early 2028.³

Project Purpose

Plummer Solar states that the project will assist the State of Minnesota in meeting its renewable energy objectives, diversify electricity sources, meet anticipated growth in electricity demand, and meet consumers' growing demand for renewable energy.⁴ Plummer Solar is working to secure a power purchase agreement with wholesale customers (e.g., Minnesota utilities and cooperatives) or commercial and industrial customers to sell the electric power generated by the project.

Regulatory Background

In Minnesota, no person may construct a large electric power generating plant without a site permit from the Minnesota Public Utilities Commission (Commission).⁵ A large electric power generating plant

¹ Plummer Solar Project, Application to the Minnesota Public Utilities Commission for a Site Permit for a Large Electric Generating Facility, April 2nd, 2024, eDockets Numbers [20244-204981-01](#) (through -10), [20244-204920-01](#) (through -09).

² Site Permit Application, Section 2.1.

³ Id.

⁴ Minnesota Statute 216B.1691.; Site Permit Application, Section 1.1.

⁵ Minnesota Statute 216E.03.

is defined as a facility capable of operating at a capacity of 50 MW or more.⁶ The Plummer Solar project will be capable of producing up to 130 MW and therefore requires a site permit from the Commission. Because the project is powered by solar energy, the site permit application qualifies for Commission review under the alternative permitting process described in Minnesota Statute 216E.04, Subd. 2.

As Plummer Solar is an independent power producer, a certificate of need (CN) is not required for the project. The project is exempt under Minnesota Statute 216B.243, subd. 8(a)(8), which provides that a CN is not required for a “solar energy generating system, as defined in section 216E.01, subdivision 9a, for which a site permit application is submitted by an independent power producer under chapter 216E.”⁷

Department of Commerce, Energy Environmental Review and Analysis (EERA) staff is responsible for conducting environmental review for site permit applications submitted to the Commission.⁸ EERA staff will prepare an environmental assessment (EA) for the project. An EA contains an overview of the resources affected by the project. It also discusses potential human and environmental impacts and possible mitigation measures.⁹ Under the alternative permitting process, an EA is the only required state environmental review document.

Scoping Process

Scoping is the first step in the environmental review process. The scoping process has two primary purposes: (1) to gather public input as to the impacts and mitigation measures to study in the EA and (2) to focus the EA on those impacts and mitigation measures that will aid in the Commission’s decision on the site permit application.

Staff use the information gathered during scoping to inform the content of the EA. EERA staff gathered input on the scope of the EA through public meetings and an associated comment period. This scoping decision identifies the impacts and mitigation measures that will be analyzed in the EA.

Public Information and Scoping Meetings

On May 29, 2024, Commission and EERA staff jointly held a public meeting in Plummer, Minnesota. Approximately 15 people attended this meeting; one attendee provided public comment expressing concern for setbacks related to the project for adequate road snow removal.¹⁰ Other attendees asked questions relating to tax revenues generated by the project, potential impacts of recreational activities such as hunting, changes in aesthetics, and the proposed disposal of solar panel materials.¹¹ The following evening, May 30, 2024, Commission and EERA staff held a remote-access public meeting. No individuals from the public attended this meeting, and there were no comments.

⁶ Minnesota Statute 216E.01.

⁷ Minnesota Statute 216B.243, Subd. 8(a)(8)

⁸ Minnesota Rule 7850.3700.

⁹ Minnesota Statute 216E.04, subd. 5; Minn. Rule 7850.3700, subp. 4.

¹⁰ Plummer Solar Project, Oral Comments on the Scope of Environmental Assessment, eDockets Number [20246-207968-01](#)

¹¹ Id.

Written Public Comments

A comment period ending on June 13, 2024, provided the public with an opportunity to provide input on the scope of the EA. Written comments were received from four local labor unions.

The International Brotherhood of Electrical Workers, Local No. 1426, supports the project because it contributes to advancing clean energy and economic prosperity and is crucial for meeting federal and state energy targets. They also commended the environmental consideration undertaken for the project development and outlined potential benefits for Tribes and local communities through economic growth and sustainable development. The union emphasizes the importance of supporting a project with a Project Labor Agreement.¹²

The International Union of Operating Engineers, Local 49, supports the project and provided positive affirmation for Enbridge's intention to utilize local union labor and commitment to use best efforts to support and deploy Native American, veteran, and diverse business for the project. The union also identified potential positive human impacts of the project that should be included in the scope of the EA, including socio-economic and environmental benefits.¹³

Laborers' International Union of North America (Minnesota & North Dakota) supports the project and provided positive affirmation for Enbridge's intention to work with organized labor to maximize the local socioeconomic benefits. The union stated that the scope of the EA should include the project's interconnection status, the proposed addition of battery storage's impact on the electric grid and associated economic benefits, and benefits to local workers and communities.¹⁴

Minnesota Tribal Contractors Council supports the project and provided positive affirmation for the creation of local job opportunities for tribal members, as it is near the Red Lake reservation and falls into the 1863 ceded territory. The union also positively affirms Enbridge's commitment to use best efforts to support and deploy union, Tribal, local, veteran, and diverse business and workforces for this project, and supports the project due to potential economic and relational developments within nearby communities.¹⁵

HAVING REVIEWED THE MATTER, consulted with EERA staff, and in accordance with Minnesota Rule 7850.3700, I hereby make the following scoping decision:

MATTERS TO BE ADDRESSED

The EA will describe the project and the human and environmental resources of the project area. It will provide information on the potential impacts of the project as they relate to the topics outlined in this scoping decision and possible mitigation measures. It will identify impacts that cannot be avoided and irretrievable commitments of resources, as well as permits from other government entities that may be

¹² Plummer Solar Project, Written Public Comments on the Scope of Environmental Assessment, eDockets Number [20246-207968-02](#)

¹³ Id.

¹⁴ Id.

¹⁵ Id.

required for the project. The EA will discuss the relative merits of the proposed project site with respect to the siting factors in Minnesota Rule 7850.4100.

The issues outlined below will be analyzed in the EA for the project. This outline is not intended to serve as a table of contents for the document itself.

I. GENERAL DESCRIPTION OF THE PROJECT

- A. Project Description
- B. Project Purpose
- C. Project Costs

II. REGULATORY FRAMEWORK

- A. Site Permit
- B. Environmental Review
- C. Grid Interconnection
- D. Other Permits and Approvals

III. ENGINEERING, DESIGN, AND CONSTRUCTION

- A. Solar Arrays
- B. Electrical Collection Systems
- C. Substation
- D. Associated Facilities

IV. OPERATION AND DECOMMISSIONING

- A. Maintenance
- B. Vegetation Management
- C. Repowering and Decommissioning

V. AFFECTED ENVIRONMENT, POTENTIAL IMPACTS AND MITIGATIVE MEASURES

The EA will include a discussion of the human and environmental resources potentially impacted by the project. Potential impacts of the project will be described and characterized. Based on the impacts identified, the EA will describe mitigation measures that could reasonably be implemented to reduce or eliminate the identified impacts. The EA will describe any unavoidable impacts resulting from implementation of the project.

Data and analyses will be commensurate with the level of impact for a given resource and the relevance of the information to consider mitigation measures. EERA staff will consider the relationship between the cost of data and analyses and the relevance and importance of the information in determining the level of detail of information to be prepared for the EA. Less important material may be summarized, consolidated, or simply referenced.

If relevant information cannot be obtained within timelines prescribed by statute and rule, the costs of obtaining such information is excessive, or the means to obtain it is unknown, EERA staff will include in the EA a statement that such information is incomplete or unavailable and the relevance of the information in evaluating potential impacts or alternatives.

- A. Environmental Setting
- B. Human Settlements
 - 1. Noise
 - 2. Aesthetics
 - 3. Displacement
 - 4. Property Values
 - 5. Zoning and Land Use Compatibility
 - 6. Cultural Values
 - 7. Transportation and Public Services
- C. Socioeconomics
 - 1. Environmental Justice
 - 2. Local Economies
- D. Public Health and Safety
 - 1. Electric and Magnetic Fields
 - 2. Emergency Services
- E. Land Based Economies
 - 1. Agriculture
 - 2. Forestry
 - 3. Mining
 - 4. Recreation and Tourism
- F. Archaeological and Historic Resources
- G. Natural Environment
 - 1. Water Resources
 - 2. Soils
 - 3. Geology
 - 4. Flora
 - 5. Fauna
 - 6. Air Quality
 - 7. Climate Change / Climate Resiliency
- H. Threatened / Endangered / Rare and Unique Natural Resources
- I. Electric System Reliability
- J. Adverse Impacts that Cannot be Avoided
- K. Irreversible and Irretrievable Commitments of Resources

ISSUES OUTSIDE THE SCOPE OF THE EA

The EA will not address following topics:

- Any site other than the project site proposed by the applicant.
- The manner in which landowners are compensated for the project.

SCHEDULE

The EA is anticipated to be completed and available in October 2024. Upon completion, it will be noticed and made available for review. Public hearings will be noticed and held in the project area after issuance of the EA. Comments on the EA may be submitted into the hearing record.

Signed this 3rd day of July, 2024

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

A handwritten signature in black ink that reads "Michelle Joy Gransee". The signature is written in a cursive style with a small star above the 'i' in Michelle.

MICHELLE GRANSEE
Deputy Commissioner

