

Appendix B:

Site Permit Template

Attachment A - **Revised** Generic Template

This version replaces the template attached to staff's briefing paper submitted on June 11. This revised version is the version attached to the North Star Solar briefing paper.

Minor corrections have been made to the solar site permit template to fix incorrect language, typos, and omit a repetitive statement. No substantive changes have been made.

**ATTACHMENT A**

**STATE OF MINNESOTA PUBLIC UTILITIES COMMISSION**

**SITE PERMIT FOR A  
SOLAR ENERGY GENERATING SYSTEM**

**IN**  
**[COUNTY]**

**ISSUED TO**  
**[PERMITTEE]**

**PUC DOCKET NO. [Docket Number]**

In accordance with the requirements of Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850 this site permit is hereby issued to:

**[PERMITTEE]**

The Permittee is authorized by this site permit to construct and operate *[Provide a description of the project authorized by the Minnesota Public Utilities Commission]*.

The solar energy generating system and associated facilities shall be built within the site identified in this permit and as portrayed in the official site map(s) and in compliance with the conditions specified in this permit.

This site permit shall expire [xx] years from the date of this approval.

Approved and adopted this \_\_\_\_ day of [Month, Year]

**BY ORDER OF THE COMMISSION**

\_\_\_\_\_  
Daniel P. Wolf,  
Executive Secretary

**ATTACHMENT A**

**CONTENTS**

1.0 SITE PERMIT ..... 1

    1.1 Pre-emption..... 1

2.0 PROJECT DESCRIPTION..... 1

3.0 DESIGNATED SITE..... 1

    3.1 Project Location ..... 1

    3.2 Project Boundary ..... 1

4.0 GENERAL CONDITIONS ..... 2

    4.1 Notification ..... 2

    4.2 Construction and Operation Practices..... 2

        4.2.1 Field Representative ..... 2

        4.2.2 Site Manager ..... 3

        4.2.3 Employee Training and Education of Permit Terms and Conditions ..... 3

        4.2.4 Temporary Work Space ..... 3

        4.2.5 Noise..... 3

        4.2.6 Aesthetics ..... 4

        4.2.7 Soil Erosion and Sediment Control..... 4

        4.2.8 Public Lands..... 4

        4.2.9 Wetlands and Shoreland..... 5

        4.2.10 Native Prairie..... 5

        4.2.11 Vegetation Management ..... 6

        4.2.12 Application of Herbicides ..... 6

        4.2.13 Noxious Weeds ..... 6

        4.2.14 Invasive Species ..... 7

        4.2.15 Roads..... 7

        4.2.16 Archaeological and Historic Resources ..... 7

        4.2.17 Interference with Communication Devices..... 8

        4.2.18 Restoration ..... 8

        4.2.19 Cleanup..... 8

        4.2.20 Pollution and Hazardous Wastes..... 8

        4.2.21 Damages ..... 9

        4.2.22 Public Safety ..... 9

        4.2.23 Site Identification ..... 9

**ATTACHMENT A**

- 4.3 Feeder Lines ..... 9
- 4.4 Other Requirements ..... 9
  - 4.4.1 Safety Codes and Design Requirements ..... 9
  - 4.4.2 Other Permits and Regulations..... 10
- 5.0 SPECIAL CONDITIONS ..... 10
- 6.0 DELAY IN CONSTRUCTION ..... 11
- 7.0 COMPLAINT PROCEDURES ..... 11
- 8.0 COMPLIANCE REQUIREMENTS ..... 11
  - 8.1 Pre-Construction Meeting ..... 11
  - 8.2 Pre-Operation Compliance Meeting ..... 11
  - 8.3 Site Plan ..... 12
  - 8.4 Periodic Status Reports ..... 12
  - 8.5 Notification to Commission ..... 12
  - 8.6 As-Builts ..... 12
  - 8.7 GPS Data..... 12
  - 8.8 Project Energy Production ..... 13
  - 8.9 Emergency Response ..... 13
  - 8.10 Extraordinary Events ..... 14
  - 8.11 Wildlife Injuries and Fatalities..... 14
- 9.0 DECOMMISSIONING AND RESTORATION ..... 14
  - 9.1 Decommissioning Plan ..... 14
  - 9.2 Site Restoration..... 14
  - 9.3 Abandoned Solar Installations ..... 15
- 10.0 COMMISSION AUTHORITY AFTER PERMIT ISSUANCE..... 15
  - 10.1 Final Boundaries ..... 15
  - 10.2 Expansion of Site Boundaries ..... 15
  - 10.3 Periodic Review ..... 15
  - 10.4 Modification of Conditions..... 15
  - 10.5 More Stringent Rules ..... 16
- 11.0 PERMIT AMENDMENT ..... 16
- 12.0 TRANSFER OF PERMIT ..... 16
- 13.0 REVOCATION OR SUSPENSION OF THE PERMIT ..... 16

# ATTACHMENT A

## FIGURES

Official Site Maps

## ATTACHMENTS

Attachment A – Complaint Procedures for a Large Electric Generating Plant

Attachment B – Compliance Filing Procedures for Permitted Energy Facilities

GENERIC TEMPLATE

**1.0 SITE PERMIT**

The Minnesota Public Utilities Commission (Commission) hereby issues this site permit to [Permittee Name] (Permittee) pursuant to Minnesota Statutes Chapter 216E and Minnesota Rules Chapter 7850. This permit authorizes the [Permittee Name] to construct [Provide a description of the project as authorized by the Minnesota Public Utilities Commission], and as identified in the attached site permit map(s), hereby incorporated into this document as Attachment [X].

**1.1 Pre-emption**

Pursuant to Minn. Stat. § 216E.10, this site permit shall be the sole approval required for the construction of the solar energy generating system and this permit shall supersede and preempt all zoning, building, or land use rules, regulations, or ordinances promulgated by regional, county, local and special purpose government.

**2.0 PROJECT DESCRIPTION**

[Provide a description of the project as authorized by the Minnesota Public Utilities Commission]

**3.0 DESIGNATED SITE**

The site designated by the Commission in this permit is the site described below and shown on the site maps attached to this permit (Attachment [X]).

[As applicable, provide a detailed description of the authorized site.]

**3.1 Project Location**

The project is located in the following:

County	Township Name	Township	Range	Section

**3.2 Project Boundary**

The preliminary project layout is shown on the official site map(s). The preliminary layout represents the approximate location of photovoltaic tracker rows and associated facilities within the project boundary and identifies a layout that seeks to minimize the overall potential human and environmental impacts of the project, which were evaluated in the permitting process. The

project boundary serves to provide the Permittee with the flexibility to make minor adjustments to the preliminary layout to accommodate requests by affected landowners, local government units, unforeseen conditions encountered during the detailed engineering and design process, and federal and state agency requirements. Any modification to the location of a photovoltaic tracker row and associated facility depicted in the preliminary layout shall be done in such a manner to have comparable overall human and environmental impacts and shall be specifically identified in the site plan pursuant to Section 8.3.

#### **4.0 GENERAL CONDITIONS**

The Permittee shall comply with the following conditions during construction and operation of the solar energy generating system and associated facilities over the life of this permit.

##### **4.1 Notification**

Within 14 days of issuance of this permit, the Permittee shall send a copy of the permit to any regional development commission, county, city, and township in which any part of the site is located.

The Permittee shall provide all affected landowners with a copy of this permit and, as a separate information piece, the complaint procedures at the time of the first contact with the affected landowners after issuance of this permit. The Permittee shall contact landowners prior to entering the property or conducting maintenance within the site, unless otherwise negotiated with the affected landowner.

##### **4.2 Construction and Operation Practices**

The Permittee shall follow those specific construction practices, operation practices, and material specifications described in [Permittee Name and Title of Application] to the Commission for a site permit for the [Project Name], dated [Date], unless this permit establishes a different requirement in which case this permit shall prevail.

###### **4.2.1 Field Representative**

The Permittee shall designate a field representative responsible for overseeing compliance with the conditions of this permit during construction of the project. This person shall be accessible by telephone or other means during normal business hours throughout site preparation, construction, cleanup, and restoration.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the field representative 14 days prior to commencing construction. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons. The Permittee may change the site manager at any time upon notice to the Commission, affected landowners, residents, local government units and other interested persons.

#### 4.2.2 Site Manager

The Permittee shall designate a site manager responsible for overseeing compliance with the conditions of this permit during the commercial operation and decommissioning phases of the project. This person shall be accessible by telephone or other means during normal business hours for the life of this permit.

The Permittee shall file with the Commission the name, address, email, phone number, and emergency phone number of the site manager 14 days prior to placing the facility into commercial operation. The Permittee shall provide the field representative's contact information to affected landowners, residents, local government units and other interested persons. The Permittee may change the site manager at any time upon notice to the Commission, affected landowners, residents, local government units and other interested persons.

#### 4.2.3 Employee Training and Education of Permit Terms and Conditions

The Permittee shall inform all employees, contractors, and other persons involved in the construction and ongoing operation of the solar facility of the terms and conditions of this permit.

#### 4.2.4 Temporary Work Space

Temporary work space and equipment staging areas shall be selected to limit the removal and impacts to vegetation. Temporary work space shall not be sited in wetlands or native prairie as defined in sections 4.2.9 and 4.2.10. Temporary work space shall be sited to comply with standards for development of the shorelands of public waters as defined in Section 4.2.9. Temporary easements outside of the authorized site boundary will be obtained from affected landowners through rental agreements and are not provided for in this permit.

#### 4.2.5 Noise

Construction and routine maintenance activities shall be limited to daytime working hours, as defined in Minn. R. 7030.0020, to ensure nighttime noise level standards will not be exceeded.

#### 4.2.6 Aesthetics

The Permittee shall consider input pertaining to visual impacts from landowners or land management agencies prior to final location of structures with the potential for visual disturbance.

#### 4.2.7 Soil Erosion and Sediment Control

The Permittee shall implement those erosion prevention and sediment control practices recommended by the Minnesota Pollution Control Agency (MPCA) Construction Stormwater Program.

The Permittee shall implement reasonable measures to minimize erosion and sedimentation during construction and shall employ perimeter sediment controls, protect exposed soil by promptly planting, seeding, using erosion control blankets and turf reinforcement mats, stabilizing slopes, protecting storm drain inlets, protecting soil stockpiles, and controlling vehicle tracking. Contours shall be graded as required so that all surfaces provide for proper drainage, blend with the natural terrain, and are left in a condition that will facilitate re-vegetation and prevent erosion. All areas disturbed during construction of the facilities shall be returned to pre-construction conditions.

Where larger areas of one acre or more are disturbed or other areas designated by the MPCA, the Permittee shall obtain a National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Construction Stormwater permit from the MPCA that provides for development of a stormwater pollution prevention plan (SWPPP) that describes methods to control erosion and runoff.

#### 4.2.8 Public Lands

In no case shall photovoltaic tracker rows and associated facilities including foundations, access roads, underground cable, and transformers, be located in the public lands identified in Minn. R. 7850.4400, subp. 1, or in federal waterfowl production areas. Photovoltaic tracker rows and associated facilities shall not be located in the public lands identified in Minn. R. 7850.4400, subp. 3, unless there is no feasible and prudent alternative.

#### 4.2.9 Wetlands and Shoreland

Photovoltaic tracker rows and associated facilities, including access roads, underground cable and transformers shall not be placed in public waters and public waters wetlands, as shown on the public water inventory maps prescribed by Minn. Stat. § 103G, except that electric collector or feeder lines may cross or be placed in public waters or public waters wetlands subject to permits and approvals by the Minnesota Department of Natural Resources (DNR) and the United States Army Corps of Engineers (USACE), and local units of government as implementers of the Minnesota Wetlands Conservation Act. Photovoltaic tracker rows and associated facilities including foundations, access roads, underground cable and transformers, shall be located in compliance with the standards for development of the shorelands of public waters as identified in Minn. R. 6120.3300, and as adopted, Minn. R. 6120.2800, unless there is no feasible and prudent alternative.

Construction in wetland areas shall occur during frozen ground conditions to minimize impacts. When construction during winter is not possible, wooden or composite mats shall be used to protect wetland vegetation. Soil excavated from the wetlands and riparian areas shall be contained and not placed back into the wetland or riparian area. Wetlands and riparian areas shall be accessed using the shortest route possible in order to minimize travel through wetland areas and prevent unnecessary impacts.

Wetland and water resource areas disturbed by construction activities shall be restored to pre-construction conditions. Restoration of the wetlands will be performed by Permittee in accordance with the requirements of applicable state and federal permits or laws and landowner agreements.

#### 4.2.10 Native Prairie

The Permittee shall prepare a prairie protection and management plan in consultation with the DNR if native prairie, as defined in Minn. Stat. § 84.02, subd. 5, is identified within the site boundaries. The Permittee shall file the plan 30 days prior to submitting the Site Plan required by Section 8.3 of this permit. The plan shall address steps that will be taken to avoid impacts to native prairie and mitigation to unavoidable impacts to native prairie by restoration or management of other native prairie areas that are in degraded condition, by conveyance of conservation easements, or by other means agreed to by the Permittee, DNR and the Commission.

Solar panels and associated facilities including foundations, access roads, collector and feeder lines, underground cable, and transformers shall not be placed in native prairie unless addressed in a prairie protection and management plan and shall not be located in

areas enrolled in the Native Prairie Bank Program. Construction activities, as defined in Minn. Stat. § 216E.01, shall not impact native prairie unless addressed in a prairie protection and management plan.

#### 4.2.11 Vegetation Management

The Permittee shall disturb or clear the site only to the extent necessary to assure suitable access for construction, safe operation and maintenance of the project.

The Permittee shall minimize the number of trees to be removed in selecting the site layout specifically preserving to the maximum extent practicable windbreaks, shelterbelts, living snow fences, and vegetation, to the extent that such actions do not violate sound engineering principles.

The Permittee shall work with the DNR to establish and manage vegetation that will benefit pollinators and other wildlife, to the extent that the vegetation will not interfere with the operation of the facility.

#### 4.2.12 Application of Herbicides

The Permittee shall restrict herbicide use to those herbicides and methods of application approved by the Minnesota Department of Agriculture and the U.S. Environmental Protection Agency. Selective foliage or basal application shall be used when practicable. All herbicides shall be applied in a safe and cautious manner so as not to damage adjacent properties including crops, orchards, tree farms, apiaries, or gardens. The Permittee shall contact the landowner or designee to obtain approval for the use of herbicide at least 14 days prior to any application on their property. The landowner may request that there be no application of herbicides on any part of the site within the landowner's property. The Permittee shall provide notice of herbicide application to known beekeepers operating apiaries within one mile of the project site at least 14 days prior to such application.

#### 4.2.13 Noxious Weeds

The Permittee shall take all reasonable precautions against the spread of noxious weeds during all phases of construction. When utilizing seed to establish temporary and permanent vegetative cover on exposed soil the Permittee shall select site appropriate seed certified to be free of noxious weeds. To the extent possible, the Permittee shall use native seed mixes. The Permittee shall consult with landowners on the selection and use of seed for replanting.

#### 4.2.14 Invasive Species

The Permittee shall employ best management practices to avoid the potential spread of invasive species on lands disturbed by project construction activities.

#### 4.2.15 Roads

The Permittee shall advise the appropriate governing bodies having jurisdiction over all state, county, city or township roads that will be used during the construction phase of the project. Where practical, existing roadways shall be used for all activities associated with construction of the solar facility. Oversize or overweight loads associated with the facility shall not be hauled across public roads without required permits and approvals.

The Permittee shall locate all perimeter fencing and vegetative screening in a manner that does not interfere with routine maintenance activities and allows for continued safe travel on public roads.

The Permittee shall construct the least number of site access roads it can. Access roads shall not be constructed across streams and drainage ways without the required permits and approvals. Access roads shall be constructed in accordance with all necessary township, county or state road requirements and permits.

The Permittee shall promptly repair private roads or lanes damaged when moving equipment or when obtaining access to the site, unless otherwise negotiated with the affected landowner.

#### 4.2.16 Archaeological and Historic Resources

The Permittee shall make every effort to avoid impacts to identified archaeological and historic resources when constructing the solar facility. The Permittee shall consult the State Historic Preservation Office (SHPO) on the need to conduct a survey of the project site. If a survey is required, the results shall be submitted to the Commission with the site plan pursuant to Section 8.3.

In the event that a resource is encountered, the Permittee shall contact and consult with SHPO and the State Archaeologist. Where feasible, avoidance of the resource is required. Where not feasible, mitigation must include an effort to minimize project impacts on the resource consistent with SHPO and State Archaeologist requirements.

Prior to construction, workers shall be trained about the need to avoid cultural properties, how to identify cultural properties, and procedures to follow if undocumented cultural properties, including gravesites, are found during construction. If human remains are encountered during construction, the Permittee shall immediately halt construction and promptly notify local law enforcement and the State Archaeologist. Construction at such location shall not proceed until authorized by local law enforcement or the State Archaeologist.

#### 4.2.17 Interference with Communication Devices

If interference with radio or television, satellite, wireless internet, GPS-based agriculture navigation systems or other communication devices is caused by the presence or operation of the project, the Permittee shall take whatever action is feasible to restore or provide reception equivalent to reception levels in the immediate area just prior to the construction of the project.

#### 4.2.18 Restoration

The Permittee shall restore the areas affected by construction of the solar facility to the condition that existed immediately before construction began to the extent possible. The time period to complete restoration may be no longer than 12 months after completion of the construction, unless otherwise negotiated with the affected landowner. Restoration shall be compatible with the safe operation, maintenance and inspection of the project. Within 60 days after completion of all restoration activities, the Permittee shall advise the Commission in writing of the completion of such activities.

#### 4.2.19 Cleanup

All waste and scrap that is the product of construction shall be removed from the site and all premises on which construction activities were conducted and properly disposed of upon completion of each task. Personal litter, including bottles, cans, and paper from construction activities shall be removed on a daily basis.

#### 4.2.20 Pollution and Hazardous Wastes

All appropriate precautions to protect against pollution of the environment shall be taken by the Permittee. The Permittee shall be responsible for compliance with all laws applicable to the generation, storage, transportation, clean up and disposal of all wastes generated during construction and restoration of the site.

#### 4.2.21 Damages

The Permittee shall promptly repair or fairly compensate landowners for damage to crops, fences, private roads and lanes, landscaping, drain tile, or other damages sustained during construction and operation unless otherwise negotiated with the affected landowner.

#### 4.2.22 Public Safety

The Permittee shall provide educational materials to landowners adjacent to the site and, upon request, to interested persons about the project and any restrictions or dangers associated with the project. The Permittee shall also provide any necessary safety measures such as warning signs and gates for traffic control or to restrict public access. The Permittee shall submit the location of all underground facilities, as defined in Minn. Stat. § 216D.01, subd. 11, to Gopher State One Call following the completion of construction at the site.

#### 4.2.23 Site Identification

The solar site shall be marked with a visible identification number and or street address.

### **4.3 Feeder Lines**

Feeder lines that carry power from an internal project interconnection point to the project substation or interconnection point on the electrical grid may be overhead or underground. Overhead and underground feeder lines that parallel public roads shall be placed within the public right-of-way or on private land immediately adjacent to the road. The Permittee shall obtain approval from the private landowner or government unit responsible for the affected right-of-way.

Feeder line locations shall be located in such a manner as to minimize interference with agricultural operations including, but not limited, to existing drainage patterns, drain tile, future tiling plans, and ditches. Safety shields shall be placed on all guy wires associated with overhead feeder lines. The Permittee shall submit the engineering drawings of all collector and feeder lines with the site plan pursuant to Section 8.3.

### **4.4 Other Requirements**

#### 4.4.1 Safety Codes and Design Requirements

The solar energy generating system and associated facilities shall be designed to meet or exceed all relevant local and state codes, Institute of Electrical and Electronics Engineers, Inc. (IEEE) standards, the National Electric Safety Code (NESC), and North American Electric Reliability Corporation (NERC) requirements.

#### 4.4.2 Other Permits and Regulations

The Permittee shall comply with all applicable state rules and statutes. The Permittee shall obtain all required permits for the project and comply with the conditions of these permits. A list of the permits known to be required is included in the permit application. The Permittee shall submit a copy of such permits to the Commission upon request.

### **5.0 SPECIAL CONDITIONS**

The Permittee shall provide a report to the Commission as part of the site plan submission required under Section 8.3 that describes the actions taken and mitigative measures developed regarding the project and the following special conditions. Special conditions shall take precedence over other conditions of this permit should there be a conflict.

[Describe any special conditions]

*Examples of special conditions included in permits:*

- *Avian Mitigation Plan*
- *Environmental Control Plan*
- *Agriculture Mitigation Plan*
- *Vegetation Management Plan*
- *Property Restrictions*
- *Minnesota Department of Natural Resources Requirements*
- *Minnesota Pollution Control Requirements*
- *Minnesota State Historical Preservation Office Requirements*
- *Minnesota Department of Transportation Requirements*

*For example:*

#### ***Demonstration of Compliance with Shoreland Standards***

*The Permittee shall demonstrate compliance with the minimum standards for development of shoreland areas as specified in Section 4.2.9 of this permit.*

#### ***Security Fence Design***

*The security fence surrounding the site shall be comprised of a chain link fence of up to seven feet topped by a 1- to 2-foot extension tilted 45 degrees outward from the vertical plane of the chain link portion and carrying monofilament cables or barbless wire.*

## **6.0 DELAY IN CONSTRUCTION**

If the Permittee has not commenced construction or improvement of the site within four years after the date of issuance of this permit the Permittee shall file a report on the failure to construct and the Commission shall consider suspension of the permit in accordance with Minn. R. 7850.4700.

## **7.0 COMPLAINT PROCEDURES**

Prior to the start of construction, the Permittee shall submit to the Commission the procedures that will be used to receive and respond to complaints. The procedures shall be in accordance with the requirements of Minn. R. 7829.1500 or Minn. R. 7829.1700, and as set forth in the complaint procedures attached to this permit.

Upon request, the Permittee shall assist the Commission with the disposition of unresolved or longstanding complaints. This assistance shall include, but is not limited to, the submittal of complaint correspondence and complaint resolution efforts.

## **8.0 COMPLIANCE REQUIREMENTS**

Failure to timely and properly make compliance filings required by this permit is a failure to comply with the conditions of this permit. Compliance filings must be electronically filed with the Commission.

### **8.1 Pre-Construction Meeting**

Prior to the start of any construction, the Permittee shall participate in a pre-construction meeting with the Department of Commerce and Commission staff to review pre-construction filing requirements, scheduling, and to coordinate monitoring of construction and site restoration activities. Within 14 days following the pre-construction meeting, the Permittee shall file with the Commission, a summary of the topics reviewed and discussed and a list of attendees. The Permittee shall indicate in the filing the construction start date.

### **8.2 Pre-Operation Compliance Meeting**

At least 14 days prior to commercial operation of the facility, the Permittee shall participate in a pre-operation compliance meeting with the Department of Commerce and Commission staff to coordinate field monitoring of operation activities for the project. Within 14 days following the pre-operation meeting, the Permittee shall file with the Commission, a summary of the topics reviewed and discussed and a list of attendees.

### **8.3 Site Plan**

At least 14 days prior to the pre-construction meeting, the Permittee shall provide the Commission with a site plan that includes specifications and drawings for site preparation and grading; specifications and locations of photovoltaic panels and other structures to be constructed including all electrical equipment, pollution control equipment, fencing, roads, and other associated facilities; and procedures for cleanup and restoration. The documentation shall include maps depicting the site boundary and layout in relation to that approved by this permit.

The Permittee may not commence construction until the 30 days has expired or until the Commission has advised the Permittee in writing that it has completed its review of the documents and determined that the planned construction is consistent with this permit. If the Permittee intends to make any significant changes to its site plan or the specifications and drawings after submission to the Commission, the Permittee shall notify the Commission at least five days before implementing the changes. No changes shall be made that would be in violation of any of the terms of this permit.

### **8.4 Periodic Status Reports**

The Permittee shall report to the Commission on progress regarding site construction. The Permittee need not report more frequently than monthly.

### **8.5 Notification to Commission**

At least three days before the solar facility is to be placed into service, the Permittee shall notify the Commission of the date on which the facility will be placed into service and the date on which construction was complete.

### **8.6 As-Builts**

Within 60 days after completion of construction, the Permittee shall submit copies of all final as-built plans and specifications developed during the project.

### **8.7 GPS Data**

Within 60 days after completion of construction, the Permittee shall submit to the Commission, in the format requested by the Commission, geo-spatial information (e.g., ArcGIS compatible map files, GPS coordinates, associated database of characteristics) for all structures associated with the solar energy generating system.

### **8.8 Project Energy Production**

The Permittee shall, by February 1st following each complete or partial year of project operation, file a report with the Commission on the monthly energy production of the facility including:

- (a) the installed nameplate capacity of the permitted facility;
- (b) the total daily energy generated by the facility in MW hours;
- (c) the total monthly energy generated by the facility in MW hours;
- (d) the monthly capacity factor of the facility;
- (e) yearly energy production and capacity factor for the facility;
- (f) the average monthly and average annual solar strength gradient measured in kWh/m<sup>2</sup>/Day observed at the facility;
- (g) the operational status of the facility and any major outages, major repairs, or performance improvements occurring in the previous year; and
- (h) any other information reasonably requested by the Commission.

This information shall be considered public and must be filed electronically.

### **8.9 Emergency Response**

The Permittee shall prepare an Emergency Response Plan in consultation with the emergency responders having jurisdiction over the facility prior to project construction. The Permittee shall submit a copy of the plan, along with any comments from emergency responders, to the Commission at least 14 days prior to the pre-construction meeting and a revised plan, if any, at least 14 days prior to the pre-operation compliance meeting. The Permittee shall provide as a compliance filing confirmation that the Emergency Response Plan was provided to the emergency responders and Public Safety Answering Points (PSAP) with jurisdiction over the

facility prior to commencement of construction. The Permittee shall obtain and register the facility address or other location indicators acceptable to the emergency responders and PSAP having jurisdiction over the facility.

### **8.10 Extraordinary Events**

Within 24 hours of discovery of an occurrence, the Permittee shall notify the Commission of any extraordinary event. Extraordinary events include but shall not be limited to: fires, solar panel collapse, acts of sabotage, collector or feeder line failure, and injured worker or private person. The Permittee shall, within 30 days of the occurrence, file a report with the Commission describing the cause of the occurrence and the steps taken to avoid future occurrences.

### **8.11 Wildlife Injuries and Fatalities**

The Permittee shall report any wildlife injuries and fatalities to the Commission quarterly.

## **9.0 DECOMMISSIONING AND RESTORATION**

### **9.1 Decommissioning Plan**

The Permittee shall submit a decommissioning plan to the Commission at least fourteen 14 days prior to the pre-operation compliance meeting documenting the manner in which the Permittee anticipates decommissioning the project. The Permittee shall also submit the decommissioning plan to the local unit of government having direct zoning authority over the project. The Permittee shall ensure that it carries out its obligations to provide for the resources necessary to fulfill its requirements to properly decommission the project at the appropriate time. The Commission may at any time request the Permittee to file a status report with the Commission describing how the Permittee is fulfilling this obligation.

### **9.2 Site Restoration**

Upon expiration of this permit or upon termination of operation of the project, the Permittee shall have the obligation to dismantle and remove from the site all solar panels, mounting steel posts and beams, inverters, transformers, overhead and underground cables and lines, foundations, buildings, and ancillary equipment. To the extent feasible, the Permittee shall restore and reclaim the site to pre-project topography and topsoil quality. All access roads shall be removed unless written approval is given by the affected landowner requesting that one or more roads, or portions thereof, be retained. All such agreements between the Permittee and the affected landowner shall be submitted to the Commission prior to completion of restoration activities.

The site shall be restored in accordance with the requirements of this condition within 18 months of termination.

### **9.3 Abandoned Solar Installations**

The Permittee shall advise the Commission of any solar facilities that are abandoned prior to termination of operation of the project. The project, or any equipment within the project, shall be considered abandoned after one year without energy production and the land restored pursuant to Section 9.2 unless a plan is developed and submitted to the Commission outlining the steps and schedule for returning the project, or any equipment within the project, to service.

## **10.0 COMMISSION AUTHORITY AFTER PERMIT ISSUANCE**

### **10.1 Final Boundaries**

After completion of construction the Commission shall determine the need to adjust the final site boundaries required for the project. This permit may be modified, after notice and opportunity for public hearing, to represent the actual site boundary required by the Permittee to operate the project authorized by this permit.

### **10.2 Expansion of Site Boundaries**

No expansion of the site boundary described in this permit shall be authorized without the approval of the Commission. The Permittee may submit to the Commission a request for a change in the boundary of the site for the project. The Commission will respond to the requested change in accordance with applicable statutes and rules.

### **10.3 Periodic Review**

The Commission shall initiate a review of this permit and the applicable conditions at least once every five years. The purpose of the periodic review is to allow the Commission, the Permittee, and other interested persons an opportunity to consider modifications in the conditions of this permit. No modification may be made except in accordance with applicable statutes and rules.

### **10.4 Modification of Conditions**

After notice and opportunity for hearing this permit may be modified or amended for cause, including but not limited to the following:

- (a) violation of any condition in this permit;

- (b) endangerment of human health or the environment by operation of the Project; or
- (c) existence of other grounds established by rule.

### **10.5 More Stringent Rules**

The issuance of this permit does not prevent the future adoption by the Commission of rules or orders more stringent than those now in existence and does not prevent the enforcement of these more stringent rules and orders against the Permittee.

### **11.0 PERMIT AMENDMENT**

This permit may be amended at any time by the Commission. Any person may request an amendment of the conditions of this permit by submitting a request to the Commission in writing describing the amendment sought and the reasons for the amendment. The Commission will mail notice of receipt of the request to the Permittee. The Commission may amend the conditions after affording the Permittee and interested persons such process as is required.

### **12.0 TRANSFER OF PERMIT**

The Permittee may request at any time that the Commission transfer this permit to another person or entity. The Permittee shall provide the name and description of the person or entity to whom the permit is requested to be transferred, the reasons for the transfer, a description of the facilities affected, and the proposed effective date of the transfer.

The person to whom the permit is to be transferred shall provide the Commission with such information as the Commission shall require to determine whether the new Permittee can comply with the conditions of the permit. The Commission may authorize transfer of the permit after affording the Permittee, the new Permittee, and interested persons such process as is required.

### **13.0 REVOCATION OR SUSPENSION OF THE PERMIT**

The Commission may initiate action to revoke or suspend this permit at any time. The Commission shall act in accordance with the requirements of Minn. R. 7850.5100, to revoke or suspend the permit.

**MINNESOTA PUBLIC UTILITIES COMMISSION  
COMPLAINT HANDLING PROCEDURES FOR  
PERMITTED ENERGY FACILITIES**

**A. Purpose**

To establish a uniform and timely method of reporting complaints received by the permittee concerning permit conditions for site preparation, construction, cleanup and restoration, operation, and resolution of such complaints.

**B. Scope**

This document describes complaint reporting procedures and frequency.

**C. Applicability**

The procedures shall be used for all complaints received by the permittee and all complaints received by the Minnesota Public Utilities Commission (Commission) under Minn. R. 7829.1500 or Minn. R. 7829.1700 relevant to this permit.

**D. Definitions**

**Complaint:** A verbal or written statement presented to the permittees by a person expressing dissatisfaction or concern regarding site preparation, cleanup or restoration or other route and associated facilities permit conditions. Complaints do not include requests, inquiries, questions or general comments.

**Substantial Complaint:** A written complaint alleging a violation of a specific permit condition that, if substantiated, could result in permit modification or suspension pursuant to the applicable regulations.

**Unresolved Complaint:** A complaint which, despite the good faith efforts of the permittee and a person, remains to both or one of the parties unresolved or unsatisfactorily resolved.

**Person:** An individual, partnership, joint venture, private or public corporation, association, firm, public service company, cooperative, political subdivision, municipal corporation, government agency, public utility district, or any other entity, public or private, however organized.

**E. Complaint Documentation and Processing**

1. The permittee shall designate an individual to summarize complaints for the Commission. This person's name, phone number and email address shall accompany all complaint submittals.
2. A person presenting the complaint should to the extent possible, include the following information in their communications:
  - a. name, address, phone number, and email address;
  - b. date of complaint;
  - c. tract or parcel number; and
  - d. whether the complaint relates to a permit matter or a compliance issue.
3. The permittee shall document all complaints by maintaining a record of all applicable information concerning the complaint, including the following:
  - a. docket number and project name;
  - b. name of complainant, address, phone number and email address;
  - c. precise description of property or parcel number;
  - d. name of permittee representative receiving complaint and date of receipt;
  - e. nature of complaint and the applicable permit condition(s);
  - f. activities undertaken to resolve the complaint; and
  - g. final disposition of the complaint.

**F. Reporting Requirements**

The permittee shall commence complaint reporting at the beginning of project construction and continue through the term of the permit. The permittee shall report all complaints to the Commission according to the following schedule:

**Immediate Reports:** All substantial complaints shall be reported to the Commission the same day received, or on the following working day for complaints received after working hours. Such reports are to be directed to the Commission's Consumer Affairs Office at 1-800-657-3782 (voice messages are acceptable) or [consumer.puc@state.mn.us](mailto:consumer.puc@state.mn.us). For e-mail reporting, the email subject line should read "PUC EFP Complaint" and include the appropriate project docket number.

**Monthly Reports:** By the 15th of each month, a summary of all complaints, including substantial complaints received or resolved during the preceding month, shall be filed to Daniel P. Wolf, Executive Secretary, Public Utilities Commission, using the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

If no complaints were received during the preceding month, the permittee shall file a summary indicating that no complaints were received.

**G. Complaints Received by the Commission**

Complaints received directly by the Commission from aggrieved persons regarding site preparation, construction, cleanup, restoration, operation and maintenance shall be promptly sent to the permittee.

**H. Commission Process for Unresolved Complaints**

Commission staff shall perform an initial evaluation of unresolved complaints submitted to the Commission. Complaints raising substantial permit issues shall be processed and resolved by the Commission. Staff shall notify the permittee and appropriate persons if it determines that the complaint is a substantial complaint. With respect to such complaints, each party shall submit a written summary of its position to the Commission no later than ten (10) days after receipt of the staff notification. The complaint will be presented to the Commission for a decision as soon as practicable.

**I. Permittee Contacts for Complaints and Complaint Reporting**

Complaints may filed by mail or email to:

[Name]

[Mailing Address]

[Phone]

[Email]

This information shall be maintained current by informing the Commission of any changes by eFiling, as they become effective.

**MINNESOTA PUBLIC UTILITIES COMMISSION  
COMPLIANCE FILING PROCEDURE FOR  
PERMITTED ENERGY FACILITIES**

**A. Purpose**

To establish a uniform and timely method of submitting information required by the Commission energy facility permits.

**B. Scope and Applicability**

This procedure encompasses all compliance filings required by permit.

**C. Definitions**

**Compliance Filing:** A filing of information to the Commission, where the information is required by a Commission site or route permit.

**D. Responsibilities**

1. The permittee shall eFile all compliance filings with Daniel P. Wolf, Executive Secretary, Public Utilities Commission, through the eDockets system. The eDockets system is located at: <https://www.edockets.state.mn.us/EFiling/home.jsp>

General instructions are provided on the eDockets website. Permittees must register on the website to eFile documents.

2. All filings must have a cover sheet that includes:
  - a. Date
  - b. Name of submitter/permittee
  - c. Type of permit (site or route)
  - d. Project location
  - e. Project docket number
  - f. Permit section under which the filing is made
  - g. Short description of the filing

3. Filings that are graphic intensive (e.g., maps, engineered drawings) must, in addition to being eFiled, be submitted as paper copies and on CD. Paper copies and CDs should be sent to: 1) Daniel P. Wolf, Executive Secretary, Minnesota Public Utilities Commission, 121 7th Place East, Suite 350, St. Paul, MN 55101-2147, and 2) Department of Commerce, Energy Environmental Review and Analysis, 85 7th Place East, Suite 500, St. Paul, MN 55101-2198.

The Commission may request a paper copy of any eFiled document.

GENERIC TEMPLATE

