



BENTON COUNTY

DEPARTMENT OF DEVELOPMENT

ENVIRONMENTAL SERVICES

LAND USE

SSTS

WETLANDS/SOLID WASTE

GIS

Government Center

531 Dewey Street

PO Box 129

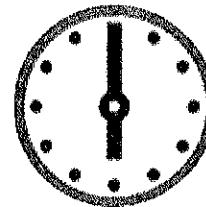
Foley, MN 56329

(320) 968-5065

(320) 968-5351 FAX

www.co.benton.mn.us

*Due to this document being posted online, certain contact information has been redacted from this packet to protect against malicious emails, calls or texts.



PLANNING COMMISSION

January 8th, 2026

6:00 p.m.*

Commissioner's Room
Government Center, Foley

AGENDA:

1. Call meeting to order followed by the Pledge of Allegiance.
2. Election of Officers.
3. Appoint Planning Commission member to Board of Adjustment.
4. Approve/Amend agenda.
5. Approve/Amend minutes and findings from the December 11th, 2025, meeting.

PUBLIC HEARING:

6. File #25-381, ALLETE Inc., dba MN Power requesting a conditional use permit for a substation with nominal voltage of 100kv or more in the Agricultural District. Pursuant to Sections 7.2.4(MM), 9.11 and 11.6 of the Benton County Development Code. The affected property is described as follows: part of the N1/2 SW1/4, Section 3, West Langola Township.
7. Other business
8. Adjourn

Next scheduled meeting: February 12th, 2026



Planning Commission - AGENDA
January 8th, 2026
6:00 p.m.

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Planning Commission

MINUTES

December 11th, 2025

PRESENT: Chris Vannurden, Mary Jo Holewa, Kevin Renslow, Scott Johnson, Dan Gottwalt, Warren Peschl

Staff: Roxanne Achman, Karen Loehrer

1. Scott called the meeting to order followed by the Pledge of Allegiance.
2. Roxanne added an item to the end of the agenda. Warren moved to approve the agenda as amended. Chris seconded and the motion carried.
3. Kevin moved to approve the minutes from the November 13th, 2025 meeting. Mary Jo seconded and the motion carried.
4. File #25-364, Bryan and Meghan Carstensen and LC Events, LLC, requesting an interim use permit to operate a Rural Event Venue in the Agricultural District. Pursuant to Sections 7.2.5(D), 9.17 and 11.7 of the Benton County Development Code. The affected property is described as follows: part of the NW1/4 NW1/4, Section 31, Gilmanton Township.

Roxanne showed an aerial photo of the property. This venue has been in operation since 2017 with a conditional use permit. This use has changed to an interim use permit. The establishment of the venue occurred differently than what was approved with the CUP. A permanent structure was not established and the location of the event on the property is different than what was permitted. The venue site and 10 acres are being split from the 40 acre parcel. This will be sold to LC Events LLC. LC Events LLC is proposing to continue operating the rural event venue in the same manner as the previous owner. Events will occur June through October. Hours of operation are limited to 8:00 am to 10:00 pm. The Planning Commission may grant approval for modified hours of operation. The applicants are asking for 8:00 am to 12:30 am as allowed with the approved CUP. The applicants are asking to host a farmers' market once per month, June through October from 3:00 pm to 7:00 pm.



Bryan Carstensen stated that they are selling the venue with 10 acres to LC Events LLC. The request is for an interim use permit to operate the venue.

Jackie and Patrick Kuehn, 7955 65 St NE, stated that they are in favor and were married at the site.

Levi Dunlap, 6580 75th Ave NE stated that he lives directly across the street. He said he can't tell when an event is being held because the site is back from the road and down the hill.

The public hearing was closed.

Mary Jo moved that the request meets Section 7.2.5(D), page 8, Section 9.17 pages 51-52 and Section 11.7, pages 12-16. Chris seconded and the motion carried.

In reviewing Section 11.7 the vote was as follows:

- 1) Warren stated that the interim use meets the requirements of Section 7.2.5 and 9.17 of the development code. According to Section 9.17(H), Hours of operation shall be limited to 8 a.m. to 10 p.m. The Planning Commission may grant approval for modified hours of operation. The applicants are requesting to be allowed to have music play until midnight and guests be gone by 12:30 AM. The vote was unanimous that the interim use conforms to the zoning regulations of the County.
- 2) Dan stated that the site is unlikely to be a cost burden to the public should it be necessary for the public to take the property in the future. Everything is running smoothly. They are just updating the permit. The vote was unanimous that there will be no additional cost imposed on the public if the interim use is approved if it is necessary for the public to take the property in the future.
- 3) Mary Jo stated that the use will not create an excessive burden on existing parks, schools or public utilities and facilities. It will not bring additional residents to the area and traffic will be minimal. The vote was unanimous that the interim use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
- 4) Kevin stated that the rural event venue is located on a 10-acre parcel of land with minimal improvements. The property surrounding this parcel is primarily used for agricultural purposes. The vote was unanimous that the interim use will not impede the normal and orderly development and/or improvement of surrounding vacant property.
- 5) Chris stated that the site is not visible from County Road 4 due to the topography of the area. The vote was unanimous that the interim use, including any structures utilized for the use, are sufficiently compatible or separated by distance and/or screening from adjacent land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

- 6) Warren cited A & C under Section 2.1.1. He moved to include the development conditions for File #25-364 with H amended to allow hours of operation to be from 8am to 12:30 am. Chris seconded. The vote was unanimous that the interim use is consistent with the purpose and intent of the Development Code and purposes of the zoning district.
- 7) Mary Jo stated that the use is consistent. The site is planned agricultural for farming and low density non-farm housing. The proposed use of a rural event venue is allowed in the agricultural district with an interim use permit. She cited Economic Development Goal #1 Resources Policy #6: Entrepreneurship. The vote was unanimous that the interim use is consistent with the Comprehensive Plan of the County.
- 8) Dan stated that the new owners will continue to have guests use the access that was approved for the rural event venue in 2017. Access will be off County Road 4. Nothing is changing. The vote was unanimous that the interim use will provide adequate access to a public road to not cause traffic hazards or congestion on the adjacent public roads and that there are sufficient off-street parking and loading space to serve the proposed use.
- 9) Scott stated that neighbors have testified that they hardly know the event venue is there. The vote was unanimous that the interim use will not create a negative environmental impact, including but not limited to impacts on wetlands and water bodies. Including that adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance.

Roxanne read the findings and conditions.

Findings

Criteria 1: The interim use conforms to the zoning regulations of the County.

The interim use meets the requirements of Section 7.2.5 and 9.17 of the development code. According to Section 9.17(H), Hours of operation shall be limited to 8 a.m. to 10 p.m. The Planning Commission may grant approval for modified hours of operation.

The applicants are requesting to be allowed to have music play until midnight and guests be gone by 12:30 AM.

Criteria 2: There will be no additional cost imposed on the public if the interim use is approved if it is necessary for the public to take the property in the future.

The site is unlikely to be a cost burden to the public should it be necessary for the public to take the property in the future. Everything is running smoothly. They are just updating the permit.

Criteria 3: The interim use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

The use will not create an excessive burden on existing parks, schools or public utilities and facilities. It will not bring additional residents to the area and traffic will be minimal.

Criteria 4: The interim use will not impede the normal and orderly development and/or improvement of surrounding vacant property.

The rural event venue is located on a 10-acre parcel of land with minimal improvements. The property surrounding this parcel is primarily used for agricultural purposes.

Criteria 5: The interim use, including any structures utilized for the use, are sufficiently compatible or separated by distance and/or screening from adjacent land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

The site is not visible from County Road 4 due to the topography of the area.

Criteria 6: The interim use is consistent with the purpose and intent of the Development Code and purposes of the zoning district.

In accordance with the following items in Section 2.1.1:

- (A) To promote and protect the public health, safety, comfort, convenience, and general welfare of the people.
- (C) To promote the orderly development of residential, business, industrial, recreational and public areas.

The Development Conditions for File No. 25-364 criteria H is amended to allow hours of operation to be from 8am to 12:30am and are further adopted.

Criteria 7: The interim use is consistent with the Comprehensive Plan of the County.

The use is consistent. The site is planned agricultural for farming and low density non-farm housing. The proposed use of a rural event venue is allowed in the agricultural district with an interim use permit.

Economic Development

Goal #1 Resources

Policy #6: Entrepreneurship: Support entrepreneurship through small business retention and expansion, and home based occupations that are not in conflict with the Benton County Development Code.

Criteria 8: The interim use will provide adequate access to a public road to not cause traffic hazards or congestion on the adjacent public roads and that there are sufficient off-street parking and loading space to serve the proposed use.

The new owners will continue to have guests use the access that was approved for the rural event venue in 2017. Access will be off County Road 4. Nothing is changing.

Criteria 9: The interim use will not create a negative environmental impact, including but not limited to impacts on wetlands and water bodies. Including that adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance.

The neighbors have testified that they hardly know the event venue is there.

Conditions:

1. This Interim Use Permit is granted for the land indicated in this application and is not transferable to other land.
2. This Interim Use Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the parcel approved with the application, as qualified by these development conditions. The applicant shall undertake the project according to the plans and specifications submitted to the County with the application.
3. A Land Use Permit and Building Permit from the County shall be obtained prior to any construction and shall be consistent with the plans and specifications submitted with the interim use permit application.
4. Pursuant to Section 11.7.3 of the Development Code, this interim use permit shall automatically expire, without notice, within one year after the date of approval unless the applicant has substantially proceeded on the work. To proceed substantially means to make visible improvements to the property and to have had applied to the property at least 40% of the man hours which it is reasonably estimated will be necessary for completion of the project. The Planning Commission may grant an extension of one year to complete the project if a written request for additional time is filed with the Planning Commission prior to the date of expiration of the interim use permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is

required.

5. The applicant shall permit reasonable access for the County to periodically inspect the site at reasonable times and in a reasonable manner to ensure that the permit holder is in compliance with the conditions of approval and all other applicable statutes, rules and ordinances.
6. Applicant shall comply with all requirements of Benton County Development Code Section 9.17 or successor ordinance.
 - A. If the owner of the rural event venue use is not the owner of the property on which it is operated, then the owner of the property shall be a consenter to the interim use permit application and have a letter on file with Benton County stating her/his permission for the use to occur and her/his acknowledgement of the standards required for the use.
PROVIDED
 - B. The responsible road authority shall grant written permission for such use at the proposed location. PROVIDED
 - C. All structures and portions of the parcel used for the rural event venue, including temporary structures, shall meet the minimum setback requirements of the district in which it is located.
 - D. Adequate parking for employees and customers shall be provided on site and shall meet parking standards of Section 8.2.
 - E. If there is a commercial kitchen on-site or if the facility has its own liquor license, an individual sewage treatment system shall be provided that complies with Section 9.22 and regulations from the Minnesota Pollution Control Agency (PCA). If food and/or alcohol are provided by a caterer, the site, at the discretion of the Planning Commission, may permit the use of a holding tank or provide restroom facilities via portable toilets.
 - F. All buildings used in conjunction with the use shall meet the requirements of the state building code, including state mandated accessibility requirements.
 - G. Local and state health and liquor regulations shall be met if food or beverages are served.
 - H. Hours of operation shall be limited to 8 a.m. to 12:30 a.m.
 - I. Any outdoor lighting shall be arranged so as to reflect the light away from adjoining property and right-of-way.
 - J. Local law enforcement shall be notified prior to event.

Chris moved to accept the findings and conditions and grant File #25-364. Dan seconded and the motion carried. The applicant was given a copy of the findings, conditions and decision.

5. File #25-366, Dan and Kim Reberg requesting to amend conditional use permit #13-332 to construct an addition to an existing light manufacturing and open sales operation in the B-1, Business District. Pursuant to Sections 7.8.4(S) & (V) and 11.6 of the Benton County Development Code. The affected property is described as follows: Lot 1, Block 1, Kampa Corner, Section 21, St. George Township.

Roxanne showed an aerial photo of the site pointing out the location of the proposed addition. This property is at the intersection of Hwy 95 and County Road 62. This property is zoned B-1. A conditional use permit was granted in 2013 to allow for an existing structure to be used as a metal fabrication shop and to allow for the open sales of fabricated items. The CUP was amended in 2014. The lot was platted in 2014 as a 7.41 acre parcel. Customer traffic is minimal. Most orders are submitted online. Hours of operation will remain Monday – Friday, 7am to 5pm. This is a well maintained site. There have been no issues with this site.

Dan Reberg, 1541 105th Ave NE, Foley, stated that they are requesting to amend their CUP to construct an 66ft x 70ft addition on to the west side of the existing structure.

No one spoke in favor, opposition or with general comments.

Roxanne stated that she did receive comments from MnDOT requesting a copy of the construction plans for review to confirm no additional stormwater is directed to the state right of way and there are no encroachments to state property.

The public hearing was closed.

Mary Jo moved that the request meets Section 7.8.4(S) & (V), page 48 and Section 11.6 page 9-12. Chris seconded and the motion carried.

In reviewing section 11.6 the vote was as follows

- 1) Warren stated that the proposed addition will have minimal or no effects on existing parks, schools, streets, utilities and other public facilities. The addition to the business will increase the staff by 2-3 people. The vote was unanimous that the use will not create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.
- 2) Dan stated that the business is currently in operation and is adjacent to a state highway. An expansion of the business will have minimal effect on surrounding properties. The vote was unanimous that the use is sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be

depreciated in value and there will be no deterrence to development of vacant land.

- 3) Mary Jo stated that the building is existing. The addition will be a similar color and using similar materials. Scott added that the site is well maintained. The vote was unanimous that the structure and site will have an appearance that will not have an adverse effect upon adjacent properties.
- 4) Kevin stated that the property is zoned business and is currently being used for business related operations. The use of the property for light manufacturing and open sales is permitted with a conditional use permit. The vote was unanimous that the use, in the opinion of the Planning Commission, is reasonably related to the existing land use.
- 5) Chris cited C under Section 2.1.1. He moved to include the development conditions to File #25-366 as amended, with the addition of #7, that construction plans are submitted to MN DOT for review. Dan seconded. The vote was unanimous that the use is consistent with the purposes of the Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.
- 6) Warren stated that it is in conformance with the Land Use Plan. The site is planned Agricultural: Farming and low-density non-farm housing. This parcel was zoned business in 2007. Light Manufacturing is allowed in both the Agricultural District and Business District with a Conditional Use Permit. He cited Land Use Goal #3 Commercial and Industrial Development Policy #1: Commercial and Industrial Development and Economic Development Goal #1 Resources Policy #2: Business retention. The vote was unanimous that the use is not in conflict with the Land Use Plan of the county.
- 7) Dan stated that the use will not cause traffic hazards. Access to the site exists from County Road 62. There will be a minimal increase in traffic. Generally, deliveries arrive 3 times per week. The vote was unanimous that the use will not cause traffic hazards or congestion.
- 8) Mary Jo stated that the proposed addition avoids any potential wetland impacts. The vote was unanimous that the use will not violate the wetland provisions of MN Statutes Chapter 103G.

Roxanne read the findings and conditions.

Findings

- (1) Will the use create an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area?

The proposed addition will have minimal or no effects on existing parks, schools, streets, utilities and other public facilities. The addition to the business will increase the staff by 2-3 people.

(2) Is the use sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land?

The business is currently in operation and is adjacent to a state highway. An expansion of the business will have minimal effect on surrounding properties.

(3) Does the structure and site have an appearance that will not have an adverse effect upon adjacent properties?

The building is existing. The addition will be a similar color and using similar materials. The site is well maintained.

(4) Is the use, in the opinion of the Planning Commission, reasonably related to the existing land use?

The property is zoned business and is currently being used for business related operations. The use of the property for light manufacturing and open sales is permitted with a conditional use permit.

(5) Is the use consistent with the purposes of the Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use?

In accordance with the following Sections:

(C) To promote the orderly development of residential, business, industrial, recreational and public areas.

The development conditions for file no. 25-366 are adopted with the addition of criteria #7.

(6) Is the use in conflict with the Land Use Plan of the county?

It is in conformance with the Land Use Plan. The site is planned Agricultural: Farming and low-density non-farm housing. This parcel was zoned business in 2007. Light Manufacturing is allowed in both the Agricultural District and Business District with a Conditional Use Permit.

Land Use

Goal #3 Commercial and Industrial Development

Policy #1: Commercial and Industrial Development: Encourage the majority of new commercial and industrial developments to locate within Benton County cities in accordance with their comprehensive plans.

Commercial and industrial development that does not need public sewer and

water services should be located within planned areas with adequate road service and regulated through Conditional Use Permits.

Economic Development

Goal #1 Resources

Policy #2: Business Retention: Continue to support efforts to retain and expand existing businesses.

(7) Will the use cause traffic hazards or congestion?

No, it will not. Access to the site exists from County Road 62. There will be a minimal increase in traffic. Generally, deliveries arrive 3 times per week.

(8) Will the use violate the wetland provisions of Minnesota Statutes Chapter 103G?

The proposed addition avoids any potential wetland impacts.

Conditions:

1. This Conditional Use Permit is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Conditional Use Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the parcel approved with the application, as qualified by these development conditions. The applicant shall undertake the project according to the plans and specifications submitted to the County with the application.
3. Pursuant to Section 11.6.1 of the Development Code, this conditional use permit shall automatically expire, without notice, within one year after the date of approval unless the applicant has substantially proceeded on the work. To proceed substantially means to make visible improvements to the property and to have had applied to the property at least 40% of the man hours which it is reasonably estimated will be necessary for completion of the project. The Planning Commission may grant an extension of one year to complete the project if a written request for additional time is filed with the Planning Commission prior to the date of expiration of the conditional use permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.
4. The applicant shall permit reasonable access for the County to periodically inspect the site at reasonable times and in a reasonable manner to ensure that the permit holder is in compliance with the conditions of approval and all other applicable statutes, rules and ordinances.

5. The applicant shall obtain proper permits necessary to operate said business at the property including but not limited to a Land Use Permit and a Building Permit from the County.
6. The Conditions of CUP 13-332 and 14-200 shall continue to be valid.
7. There shall be no additional stormwater directed to the state right of way and no encroachments to state property. Construction plans must be submitted to the Minnesota Department of Transportation for review prior to approval of the building permit.

Warren moved to accept the findings and conditions and grant File #25-366. Kevin seconded and the motion carried. The applicant was given a copy of the findings, conditions and decision.

6. Transfer of IUP #16-576, Corrigan to Burski. Roxanne stated that interim use permit #16-576 for a gravel pit was approved for Charles and Donald Corrigan. The Corrigan's have sold the pit to Burski Land Company. Burski's need to be listed as the permit holder and agree to the terms and conditions of IUP #16-576.

Warren moved to accept the transfer of IUP#16-576 to Burski Land Company, LLC. Dan seconded and the motion carried.

7. Murray/Knife River Gravel Pit 5-year IUP #20-644 Renewal. Roxanne stated that she and Luke Edlund visited the mining site and reviewed the IUP for compliance. She stated that this is a very clean pit. She showed pictures from the site. The pit meets all criteria of the IUP.
8. Roxanne stated that Dan Gottwalt has been on the Planning Commission for the maximum three 3-year terms (9years) so this would be his last meeting. Scott thanked Dan for his years of service to the county.
9. Meeting adjourned at 6:44 p.m. Next meeting January 8th, 2026.

Respectfully submitted,



Karen E Loehrer
Administrative Assistant



APPLICATION FILED: November 25, 2025
PLANNING COMMISSION: January 8, 2026

STAFF REPORT SUMMARY

FILE NO. 25-381

| | |
|-------------------------------------|---|
| APPLICANT/OWNER: | ALLETE Inc. dba Minnesota Power |
| ZONING: | Agricultural |
| PARCEL: | 06.00424.01 |
| ACREAGE: | 40-acre parcel, Project Site: 3.4 acres |
| PLAN MAP: | Agricultural |
| DEVELOPMENT CODE PROVISIONS: | Substation (Section 7.2.4(MM)) Performance Standards (Section 9.11) Conditional Use Permit (Section 11.6) |
| PROPOSAL: | To construct a substation with a nominal voltage of 100kV or more in the Agricultural District. |

It should be noted that the content of this report reflects the analysis of staff; it does not reflect the position of the Planning Commission.

For information, contact the Planning & Zoning Department, Government Center, 531 Dewey Street, PO Box 129, Foley, MN 56329-0129, (320) 968-5065.



Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (320) 968-5065.

DESCRIPTION OF THE APPLICATION

The applicant, ALLETE Inc. dba Minnesota Power, are requesting to construct a 115kV substation in accordance with Section 7.2.4(MM) & 9.11 of the Development Code.

Copies of the proposed conditions for approval and application are contained in Appendixes 1 and 2, respectively.

SITE INFORMATION

Location: xxxx Acorn Rd NW Royalton

Legal Description: part of the N1/2 of the SW1/4, Section 3, West Langola Township.

Septic System Status: There is no septic system on site, nor is one planned.

BACKGROUND

ALLETE Inc dba Minnesota Power received approval in 2021 by the state to construct a 119.5MW solar project, Regal Solar, to be constructed on approximately 800 acres in West Langola Township, west of State Highway 10. Construction is set to begin in early 2026 and the project is expected to be online in mid-2027.

An Environmental Assessment (EA) was completed and accepted for the entire solar project, to include the construction of the substation and transmission lines. An environmental assessment provides an overview of the affected resources and discusses potential human and environmental impacts and mitigation measures. The EA summary is provided in the packet. A copy of the full EA will be made available at the Planning Commission meeting. A digital copy can also be requested from the Planning & Zoning office.

DESCRIPTION OF THE CONDITIONAL USE REQUEST

The applicants are requesting to construct the Two Rivers Substation. A 115kV electrical facility designed to replace the existing Langola Switch and serve as the interconnection point for the Regal Solar project.

The site is currently an agricultural field with a transmission line running north and south along the western property line. The property is the location of the Langola Switch that interconnect three different transmission lines to the power grid.

While the Project is on a 40-acre parcel, it will be within a 3.4-acre area secured by an 8-foot-high chain link fence topped with one-foot of barbed wire. The Project will be located in the northwest corner of the parcel and will be accessed from Acorn Road NW. There is no setback requirement outlined in the development code for substations. The Project fence is approximately 326ft from the nearest point of the dwelling directly to the north.

The project will be composed of a transformer, bus bar, switchgear, electronic equipment enclosure, and an 8-foot security fence topped with one-foot barbed wire and other necessary equipment. Some of the equipment/structures within the Project area may be as tall as 50 feet in height, however, the majority of structures will be less than 25 feet in height. The Project will include a 46ft x 26ft Electronic Equipment Enclosure.

The applicants are not proposing any screening of the project.

The Minnesota Public Utilities Commission (PUC) granted a site and route permit for all components of the Regal Solar project, to include the substation, based on the Environmental Assessment that was completed along with the material provided as part of the project application. The PUC is responsible for the review and issuance of permits for utility scale projects in Minnesota.

ANALYSIS

In granting a conditional use permit, the Planning Commission shall consider the effect of the proposed use upon the health, safety, morals, and general welfare of occupants of surrounding lands and water bodies. Among other things, the Planning Commission shall make the following findings where applicable:

Criteria 1 the Planning Commission shall determine if the use creates an excessive burden on existing parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area.

The proposed use will have no impact on parks and schools. Local roads will see a temporary increase in traffic. It will have a positive impact on other public facilities and utilities which serve or are proposed to serve the area by increasing the electrical capacity of the area.

Criteria 2 the Planning Commission shall determine if the use sufficiently compatible or separated by distance or screening from adjacent agricultural or residentially zoned or used land so that existing homes will not be depreciated in value and there will be no deterrence to development of vacant land.

The development code does not outline specific requirement for substations, primarily due to the necessity of such facilities. The applicant states that the Environment Assessment for the entire solar project may have moderate to significant impacts to properties to the nearest parcels, but that the impacts, if they occur, are expected to decay over time.

Criteria 3 the Planning Commission shall determine if the structure and site have an appearance that will not have an adverse effect upon adjacent properties.

The project will have an industrial look to it. However, substations and transmission lines are generally located and permitted in rural areas out of necessity to provide

utilities to the public. The appearance of the site could be improved with screening on portions of the project most visible to nearby residents.

Criteria 4 the Planning Commission shall determine if the use is reasonably related to the existing land use.

The property is currently zoned Agricultural and is being used for general farming purposes, in addition to supporting a switching station and several transmission lines. The use of a portion of this parcel for a substation would be consistent with the existing land uses.

Criteria 5 the Planning Commission shall determine if the use is consistent with the purposes of the Development Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.

In accordance with the following Sections:

- (A) To promote and protect the public health, safety, comfort, convenience, and general welfare of the people.
- (B) To divide the unincorporated areas of the county into zones and districts restricting and regulating therein the location, construction, reconstruction, alteration, and the use of structures and land.
- (C) To promote the orderly development of residential, business, industrial, recreational and public areas.
- (D) To provide for adequate light, air and convenience of access to property by regulating the use of land, buildings and the bulk of structure.
- (E) To prohibit uses, buildings or structures which are incompatible with the character of development or the permitted uses within specified zoning districts.
- (F) To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed hereunder.
- (G) To limit congestion in the public right-of-way by providing for the off-street parking and loading of motor vehicles.
- (H) To provide for the gradual elimination of those uses of land, buildings and structures, which do not conform to the standards of the district in which they are located.
- (I) To preserve a maximum amount of the prime agricultural land for the assurance of adequate, healthful and nutritious food for future residents of the state and nation.

- (J) To discourage the premature and unnecessary conversion of prime agricultural land to urban uses.
- (K) To discourage noncontiguous urban development patterns which unnecessarily increase the costs of community services.
- (L) To further the appropriate use of land, and conserve and protect the natural resources of the county for present and future generations.
- (M) To avoid the creation of substandard lots whereby uniform setback requirements cannot be complied with.

Criteria 6 the Planning Commission shall determine the use is in conflict with the Land Use Plan of the County.

If is not in conflict with the Comprehensive Plan. The site is planned agricultural for farming and low density non-farm housing. The proposed use of a substation with a nominal voltage of 100kV or greater is allowed in the agricultural district with the completion of an Environmental Assessment and approval of a conditional use permit.

Environment & Natural Resources

Goal #4 Energy: Explore new opportunities for clean, affordable and sustainable energy throughout the County.

Policy #1: Clean Energy: Encourage businesses and residents to utilize clean energy, including solar and wind power in permitted areas.

Criteria 7 the Planning Commission shall determine if the use causes traffic hazards or congestion.

There will be an increase in traffic during the construction of the project. Once the project is operational, traffic will be minimal.

Criteria 8 the Planning Commission shall determine if the use violates the wetland provisions of Minnesota Statutes Chapter 103G.

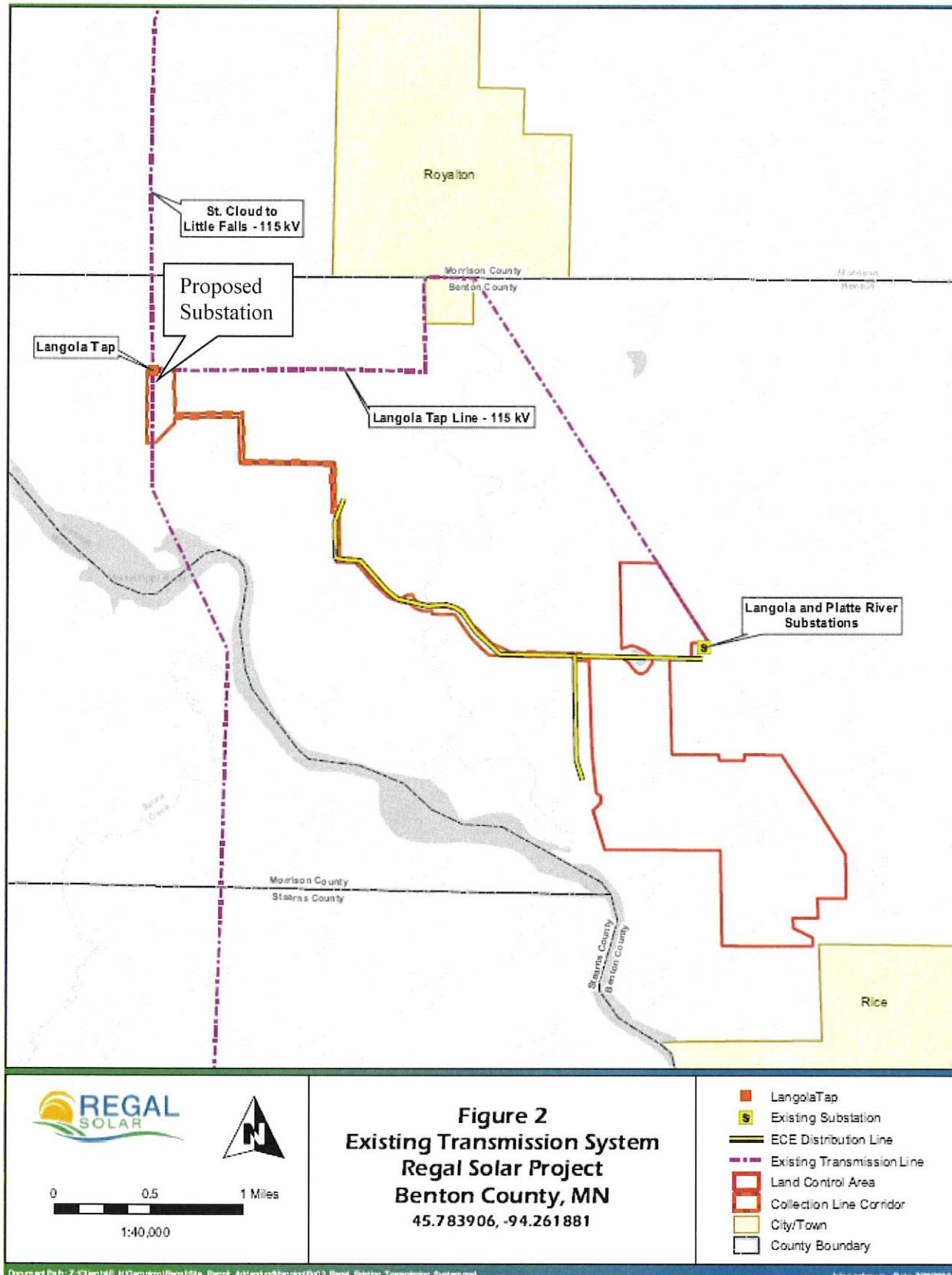
A wetland delineation was completed in 2023 as part of the overall Regal Solar project. There is no wetland within the project area that would be affected by this project.

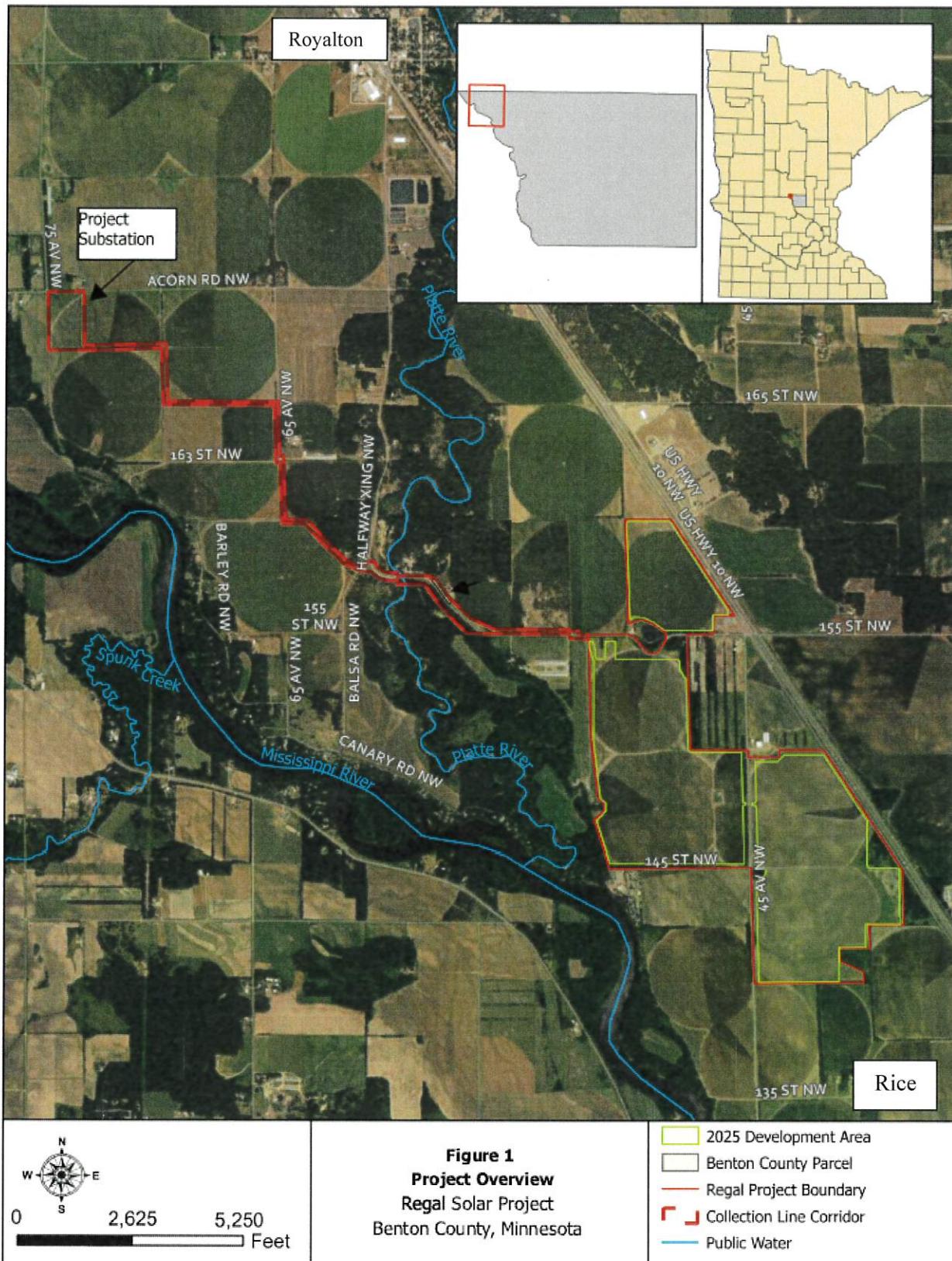
CONCLUSION

If it is the intent of the Planning Commission to approve the subject application staff recommends that the Planning Commission condition the approval by requiring conformance with the development conditions contained in Appendix 1.

APPENDICES

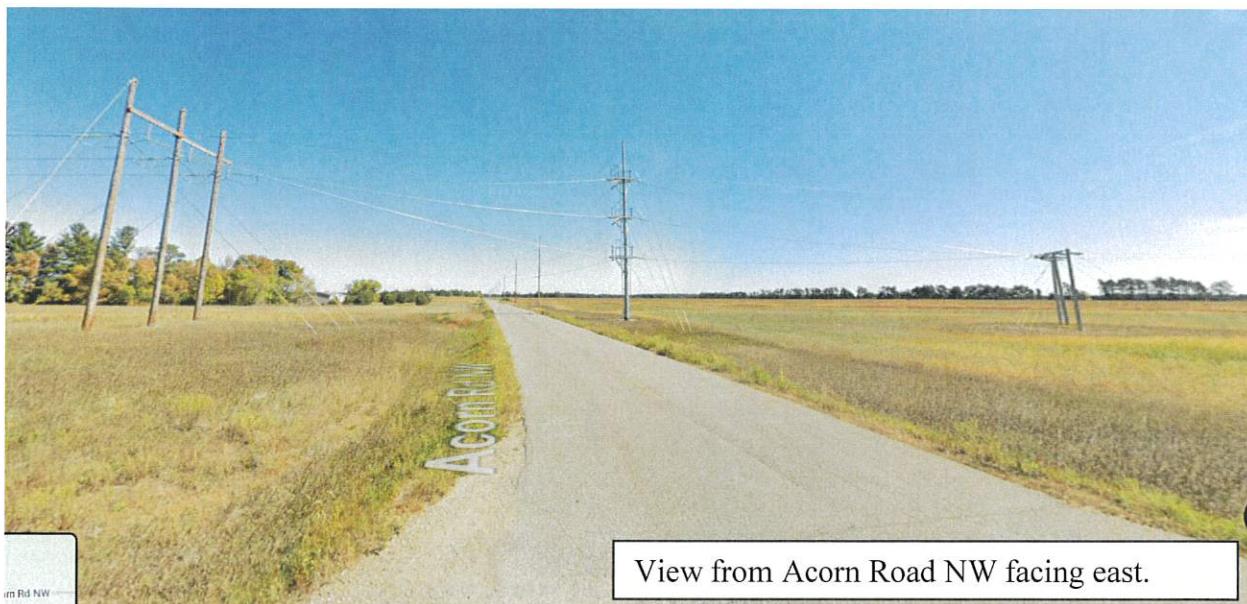
1. Proposed Development Conditions
2. Copy of the Application





Map retrieved from: <https://puc.eip.mn.gov/web/project/13656>, 12/23/2025, filed as part of
Amended Site permit Sept. 30, 2025.





PROPOSED DEVELOPMENT CONDITIONS
File No. 25-381

If it is the intent of the Planning Commission to approve request for the construction of a substation with a nominal voltage of 100kV or more on PID 06.00424.01 pursuant to Sections 7.2.4(MM and 9.11 and 11.6 of the Benton County Development Code, the staff recommends that the Planning Commission condition the approval by requiring conformance with the following development conditions:

1. This Conditional Use Permit is granted for and runs with the land indicated in this application and is not transferable to other land.
2. This Conditional Use Permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the parcel approved with the application, as qualified by these development conditions. The applicant shall undertake the project according to the plans and specifications submitted to the County with the application.
3. Pursuant to Section 11.6.1 of the Development Code, this conditional use permit shall automatically expire, without notice, within one year after the date of approval unless the applicant has substantially proceeded on the work. To proceed substantially means to make visible improvements to the property and to have had applied to the property at least 40% of the man hours which it is reasonably estimated will be necessary for completion of the project. The Planning Commission may grant an extension of one year to complete the project if a written request for additional time is filed with the Planning Commission prior to the date of expiration of the conditional use permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.
4. The applicant shall permit reasonable access for the County to periodically inspect the site at reasonable times and in a reasonable manner to ensure that the permit holder is in compliance with the conditions of approval and all other applicable statutes, rules and ordinances.
5. The applicant shall obtain proper permits necessary to operate said business at the property including but not limited to a Land Use Permit and a Building Permit from the County prior to beginning work.
6. Signage shall be installed on the perimeter fence to display contact information, electrical hazard warnings and other safety related notices.
7. Any security lighting install shall be shielded and directed downwards to minimize light spill and reduce impacts on neighboring properties.
8. The applicant shall work with the road authority on any necessary permits needed during construction of the project.

The above proposed conditions are staff recommendations and do not reflect the position of the Planning Commission unless and until adopted by the Planning Commission.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Land Use Permit through established procedures, and this Conditional Use Permit shall not be valid until this has been accomplished.



BENTON COUNTY PLANNING & ZONING DEPARTMENT
531 DEWEY STREET, PO BOX 129
FOLEY, MN 56329-0129
PHONE: (320) 968-5065 FAX: (320) 968-5351

Conditional Use Permit Application

Application Fee: \$500 (\$954 if it is an after the fact application) File No. 25-381

As set forth in Section 11.6 of the Benton County Development Code.

Benton County strongly recommends that you discuss your proposal with the adjacent property owners before a formal application is made. Any conflicts you can resolve ahead of time will make it easier and faster for the County to process your application.

Proposed Use Electrical Substation

It is the burden of the applicant to demonstrate satisfaction of the criteria for granting a conditional use permit stated in Section 11.6 of the Development Code (attached).

Provide a detailed description and reason for the request on a separate piece of paper. Items 1-12 below are not meant to be all encompassing. Please provide a narrative that addresses all of the items listed below and any other significant details that will help outline the request and provide the Planning Commission with a full picture of the requested use. Failure to provide a full description may result in your request being considered incomplete.

- 1) Indicate any impacts on parks, schools, streets and other public facilities and utilities which serve or are proposed to serve the area. Please explain why there will be no excessive burden on these uses.
- 2) Describe how the use is compatible or separated by distance or screening (landscaping, fences, etc) from adjacent agricultural or residentially zoned or used land (show on site plan). Explain why the proposed use will not depreciate the value or deter development of adjacent parcels.
- 3) Describe the appearance of any proposed structures. Explain why they will not have an adverse effect upon adjacent properties.
- 4) Explain how the proposed use is related to the existing land use.

- 5) Explain how the proposed use is consistent with the purpose and intent of the Development Code and the purposes of the zoning district.
- 6) Explain how the proposed use is in harmony with the Land Use Plan of the county.
- 7) Describe the anticipated traffic impact for the proposed use. Describe the road access and visibility (show on site plan). Type and number of parking and loading spaces to be provided (show on site plan). Explain why there will be no traffic hazards or congestion.
- 8) Describe any wetland impacts. If wetlands are impacted explain how the proposed project will respond to the wetland provisions of Minnesota Statutes Chapter 103G.
- 9) Describe the number of employees and proposed hours of operation for the proposed use.
- 10) Describe how erosion and stormwater will be managed and amount of area to be disturbed.
- 11) Describe any signage and/or lighting that will be located on the property.
- 12) Describe the use and type of hazardous materials on site and their storage and disposal plan.

Building and Setbacks (As shown on site plan)

| | | | |
|--------------------|-----------------------|---------------|-----------|
| Structure Size | 3.4 acres | Dimensions | 3.4 acres |
| Lot Size | 39.98 | Lot Coverage | 0.0947% |
| Height | 50 feet | Front Setback | 110 feet |
| Road type | Township | OHWL Setback | N/A |
| ROW Setback | Approximately 70 Feet | Rear Setback | 867 feet |
| Centerline Setback | 110 feet | Side Setback | 707 feet |
| Feedlot Setback | N/A | Side Setback | 223 feet |

Note: In order to fully evaluate the proposed use, please supply a site plan map that shows all applicable distances, setbacks, buildings, roads, wetlands, etc.

I hereby swear and affirm that the information supplied to the Benton County Planning & Zoning Department is accurate and true. I acknowledge that this application is rendered invalid and void should the County determine that information supplied by me, the applicant, in applying for this conditional use permit, is inaccurate or untrue.

Applicant's Signature Alexander Lunn Date 11/13/2025

Land Owner's Signature Alexander Lunn Date 11/13/2025

Planning & Zoning Department Office Use only:

| | |
|---|---|
| Zoning District: <u>Aa</u> | Section of Ordinance: <u>7.2.4(m), 9.11 & 11.0</u> |
| Proposed Use <u>Substation w/nominal voltage of 100kV or more</u> | |
| Meeting Date: <u>11/01/2024</u> | (Date shall not be scheduled until staff confirms receipt of all materials) |
| Reviewed for Accuracy: <u>RMA</u> | |



Applicant Information

Property Owner:
ALLETE inc DBA Minnesota Power

Applicant:
Alexander Luman
Minnesota Power
[REDACTED]

Mailing Address:
30 E Superior Street
Duluth, Minnesota 55811

Phone Number:
[REDACTED]

Property Information

Property Address:
No site address.

Parcel ID Number:
060042401

Legal Description:
NW ¼ SW ¼ Section 3, Township 38N, Range 32W



November 13, 2025

Roxanne Achman
Land Services Director
531 Dewey Street
Foley, MN 56329

RE: Minnesota Power Two Rivers Substation CUP Application

Dear Ms. Achman

Minnesota Power is proposing to construct the Two Rivers Substation (Project), a 115 kV electrical facility designed to replace the existing Langola Switch and serve as the interconnection point for the Regal Solar Project.

The Project is considered an associated facility under the Minnesota Public Utilities Commission (MPUC) Site Permit, and Minnesota Power would obtain permits separate from the Regal Solar Project. An Environmental Assessment was prepared for the entire project under Minnesota statute 216E.04 and is included in this application as Attachment C. The Project's size is approximately 3.4 acres 360 feet by 349 feet. The MPUC approved a total overall area for the Project of 10.4 acres. The Project is sited next to an existing transmission switch that interconnects three different transmission lines, connecting to the local power grid. Construction would begin in Spring of 2026, and it is planned to be in operation by the Fall of 2027. Minnesota Power completed an application for a Conditional Use Permit for the Project that meets all County standards.

Minnesota Power appreciates Benton County's consideration of this request. Should there be any questions concerning this matter, please contact Alexander Luman at [REDACTED] or [REDACTED]

Sincerely,

Alexander Luman

Alexander Luman
Environmental Compliance Specialist
Minnesota Power

Enclosure

- Attachment A - Conditional Use Permit Application
- Attachment B - Additional Information
- Attachment C - Figures and Site Plan
- Attachment D - Environmental Assessment



Attachment A

Conditional Use Permit Application



Attachment B

Additional Information

Introduction

Minnesota Power is proposing to construct the Two Rivers Substation (Project), a 115 kV electrical facility designed to replace the existing Langola Switch and serve as the interconnection point for the Regal Solar project. The Project's size is approximately 3.4 acres 360 feet by 349 feet, and positioned next to three existing transmission lines. The largest structure is approximately 50 feet tall, while most other structures will be below, approximately 25 feet. Construction would begin in the Spring of 2026 and be in operation by the Fall of 2027. A boundary has been established by the Minnesota Public Utilities Commission (MPUC) siting 10.4 acres to site the Project. An Environmental Assessment (EA) was prepared for the entire project under Minnesota statute 216E.04 and is included in this application as Attachment C.

1. Impact

The Project is not anticipating impacts within the area. Local roads and highways may be impacted by increased traffic and heavy haul loads during construction. Potential impacts to local roads and highways from increased travel while under construction, for instance this Project is nearby U.S. Highway 10 resulting in short trips on local roads.

Police and fire services are provided by Benton County and cities of Rice and Royalton. The nearest ambulance service is in Little Falls. The City of Rice is the closest municipality to the Regal Solar project, while the City of Royalton will be closer to the Project. During construction, localized traffic delays could interrupt or delay emergency vehicles. Any potential delays to emergency services would be intermittent and short-term in nature. Minnesota Power will coordinate with local emergency responders to mitigate these impacts. Notifying emergency responders of traffic interruptions can mitigate impacts on emergency response. Road mitigations can indirectly mitigate impacts on emergency services. Long-term impacts are not anticipated. An Emergency Response Plan is being developed and will be shared with Benton County Public Safety Answering Point for review. No additional mitigation is proposed. Utilities within the project area are typical of rural areas across central Minnesota.

The project area is not serviced by city water supply or sanitary sewer. No parks are located within five miles of the project. The closest educational facility, The Early Childhood Center in the City of Royalton, is approximately two miles away from the Project. The Project siting location has been approved by the MPUC.

2. Compatible Use

The Project complies with Benton County's required setback distances for electrical substations, see Attachment A. Because this would be constructed on farmland, the Project will result in a minor reduction in agricultural land use, consistent with typical infrastructure siting. The site is not classified

as prime farmland or farmland of statewide importance. Neighboring parcels are agricultural uses, and the Project does not impact their use. The closest property zoned residential is on Acorn Road Northeast Parcel ID 060042000, the property line is approximately 110 feet from Project fence, and the residence is approximately 326 feet away from project fence. The local vicinity is impacted by power lines. The impact to property values from these existing facilities is unknown.

The EA reviewed impacts on property values for the entire Regal Solar project under Minnesota Statute 216E.04. The EA described the project as not anticipating widespread negative impacts to property values. Impacts, if they occur, are expected to decay over time. Property value impacts tend to fall off rapidly over distance; therefore, potential impacts are anticipated to be localized. On a whole, impacts in the local vicinity are anticipated to be minimal and dissipate at distance. Impacts to specific properties could be moderate to significant. Long-term impacts might or might not occur.

3. Appearance

The Project will consist of a standard electrical substation featuring a transformer, bus bar, switchgear, electronic equipment enclosure, and an 8-foot security fence topped with one foot barbed wire and other necessary equipment. Prior to acquisition by Minnesota Power, the site was used for agricultural purposes and was intersected by transmission lines from the north, south, and east. Sound levels generated by the Project are expected to remain below the Minnesota Pollution Control Agency's (MPCA) limits for Noise Area Classification 1 (NAC-1), which apply to residential areas. These limits are 60 dBA (L50) during daytime hours and 50 dBA (L50) during nighttime hours. Screening is not proposed for the Project.

4. Related Land Use

The Project is consistent with the Benton County Development Code and aligns with the intended use of the zoning district, which accommodates utility infrastructure. The site previously hosted a switching pole and was intersected by three transmission lines, indicating a longstanding utility-related use that supports the proposed substation's compatibility.

5. Proposed Use Consistency

The Project qualifies as an Essential Service under Benton County's Land Use Code and is permitted as a Conditional Use in agricultural and all zoning districts. Although Section 9.11.1 of the Benton County Land Use Code exempts Essential Services from standard setback requirements, the Project will voluntarily adhere to all applicable setbacks to minimize potential impact. The Project complies with Section 9.11.8 of the Benton County Land Use Code, which requires an EA in accordance with Minnesota Statutes Chapter 216E. The EA has been completed and is included in this application.

6.

7. Traffic

Construction activities will result in elevated traffic volumes, including the movement of heavy equipment and materials to and from the site. Once operational, traffic to the site will be minimal and limited to periodic maintenance and inspection visits. Any traffic permits required will be coordinated with Benton County Public Works.

8. Wetland Impacts

The Project will not impact any wetlands, as none were identified within the Project area. A formal wetland delineation was conducted in 2023, confirming that no wetlands are present within the Project boundary. The 2023 Wetland Delineation Report can be supplied upon request.

9. Construction Information

Minnesota Power plans to begin construction of the Project in 2026. Approximately 40% of the total labor hours are anticipated to occur prior to December 2026, coinciding with peak construction activity. During this period, the site is expected to host up to 50 workers. The Project is being developed in coordination with the Regal Solar project and is targeting operational status by the third quarter of 2027.

10. Erosion

A National Pollution Discharge Elimination System permit from the MPCA is required for the project to construct the Project, as it's impacting greater than one acre of ground disturbance. A Storm Water Pollution Prevention Plan (SWPPP) is being developed to reduce the impact of erosion from the project during construction. The Project will have engineered erosion control best management practices. Is this an Attachment that should be referenced here?

11. Signage and Lighting

Minnesota Power does not plan to install permanent signage facing public roadways for the Project. During construction, temporary signage may be used to indicate safety hazards (e.g., overhead power lines), designate meeting areas, and provide general construction information. Once operational, signage will be installed on the perimeter fence to display contact information, electrical hazard warnings, and other safety-related notices. Lighting, if installed, will be limited to security and operational needs and will be shielded and directed downward to minimize light spill and reduce impacts on neighboring properties.

12. Hazardous materials

No hazardous waste will be stored on-site at the Two Rivers Substation. If any hazardous materials are generated during construction or operation, such as from equipment maintenance or accidental spills they will be properly managed and transported off-site in accordance with applicable state and federal

regulations, including those enforced by the MPCA. Minnesota Power is committed to ensuring that all waste handling complies with environmental standards and does not pose a risk to public health or the surrounding environment.

13. Additional Permits

Additional permits for the Project are on Table One. The table also lists other permits required for the Regal Solar Project. These Regal Solar required permits are noted to ensure clear communication.

Table One. Additional Permits

| Agency | Permit | Applicability | Permit Status and Timing |
|--|--|--|---|
| Federal | | | |
| U.S. Army Corps of Engineers (USACE) | Section 404 Permit for wetland impacts. | Dredging or filling jurisdictional waters of the United States | To be obtained prior to construction, if necessary |
| U.S Environmental Protection Agency | Spill Prevention, Control, and Countermeasures Plan* | Required if any facility associated with the Project (O&M building or substation) has oil storage of more than 1,320 gallons | To be obtained prior to construction, if necessary |
| State | | | |
| Minnesota Public Utilities Commission | Site Permit Amendment* | Construction of energy conversion facility | Site Permit issued April 26, 2021. Second Site Permit Amendment Issued September 30, 2025. |
| | Certificate of Need* | Required for generating plants larger than 50 MW | Certificate of Need issued April 26, 2021 |
| Minnesota Pollution Control Agency | Section 401 Certification | Required for filling in jurisdictional waters of the United States and if a Section 404 permit is required from the USACE | To be obtained prior to construction, if necessary |



AN ALLETE COMPANY

| Agency | Permit | Applicability | Permit Status and Timing |
|--|--|--|---|
| | National Pollutant Discharge Elimination System General Permit (includes Stormwater Pollution Prevention Plan) * | For stormwater discharges from construction activities with disturbances greater than one acre | To be obtained prior to construction |
| Minnesota Department of Health | Well construction permit | Required for installation of a well | To be obtained prior to construction of low volume well at O&M building |
| Minnesota Department of Labor and Industry | Request for Electrical Inspection | Required to comply with the state electrical code | To be obtained during construction. |
| Minnesota Department of Natural Resources | Utility Crossing License | Required to cross Public Waters and Lands | To be obtained prior to construction |
| | Water Appropriation Permit | Required if trench dewatering is needed | To be obtained prior to construction, if necessary |
| State Historic Preservation Office | Review and Coordination | Provide concurrence on Phase I inventory | Completed |
| County/Local | | | |
| Benton County | Utility Crossing Agreement | Required for crossing County Roadways | To be obtained prior to construction, if necessary |
| | Conditional Use Permit* | Required for the Project Substation | To be obtained prior to construction for the Substation. |

| Agency | Permit | Applicability | Permit Status and Timing |
|---|--|--|---|
| | Subsurface Sewage Treatment System Permit | Required prior to installation of any septic system in Benton County | To be obtained prior to construction for the O&M building |
| | Floodplain Development Permit | Required for development within a floodplain | Not applicable. There are no FEMA mapped floodplains in the Land Control Area |
| | Building Permit | Required for construction within Benton County | To be obtained prior to construction for the O&M Facility, if required |
| | Local Government Unit for Minnesota Wetland Conservation Act | Required for wetland impacts | To be obtained prior to construction, if necessary |
| | County Entrance Permit | Required for access from County roads | To be obtained prior to construction |
| Langola Township | Utility Crossing Permit | Required for crossing Township Roadways | To be obtained prior to construction |
| | Entrance Permit* | Required for access from Township roads | To be obtained prior to construction |
| The * symbol represents permits that are required for the substation. | | | |

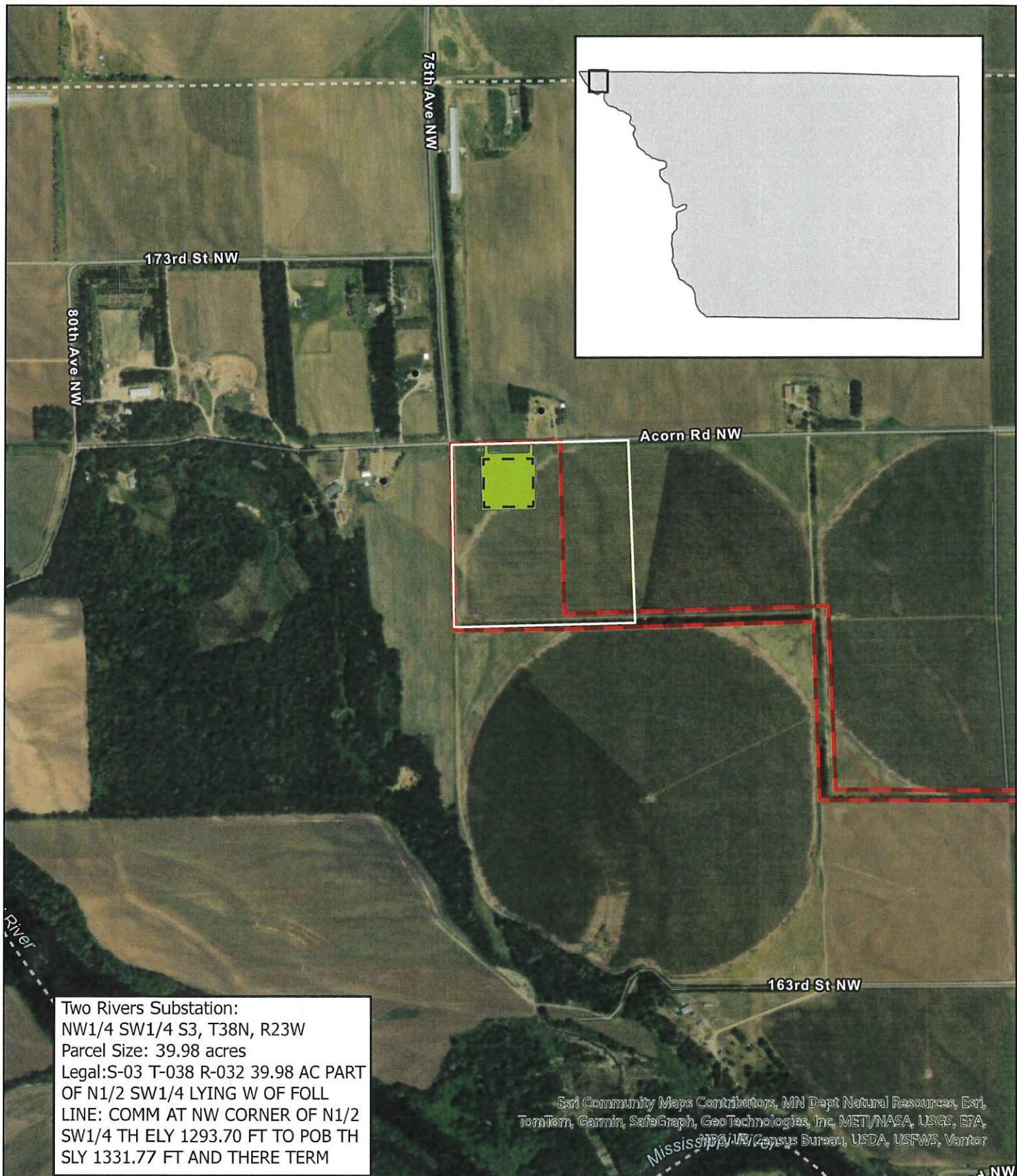
Attachments

- Attachment C - Figures and Site Drawing
- Attachment D - Environmental Assessment



Attachment C

Figures and Site Drawing



0 375 750 1,500
Feet



AN ALLETE COMPANY

For Environmental Review Purposes Only



Figure One
Two Rivers Substation
ALLETE - Minnesota Power
Benton County, Minnesota

- Project Fence
- Two Rivers Substation
- Collection Line Corridor
- Two Rivers Substation Parcel



Figure Two
Two Rivers Substation
 ALLETE - Minnesota Power
 Benton County, Minnesota

-  Project Fence
-  Two Rivers Substation
-  Collection Line Corridor
-  Two Rivers Substation Parcel

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Acorn Rd NW

350 Feet

360 Feet

0 37.5 75 150
Feet



AN ALLETE COMPANY

For Environmental Review Purposes Only

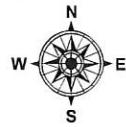
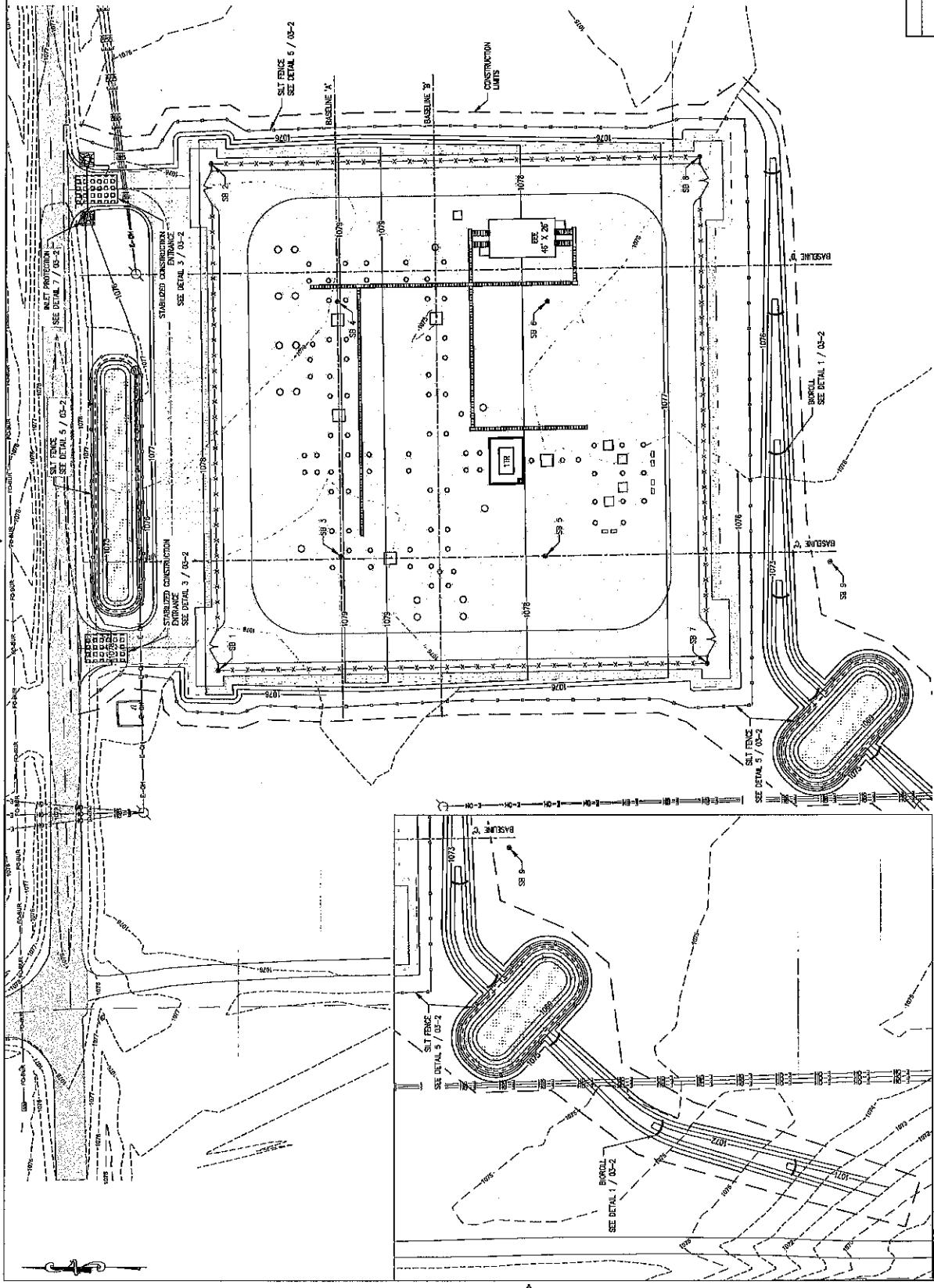


Figure Three
Two Rivers Substation
ALLETE - Minnesota Power
Benton County, Minnesota

- Project Fence
- Two Rivers Substation
- Collection Line Corridor
- Two Rivers Substation Parcel

Microsoft, Vantor, Esri Community Maps Contributors, MN Dept Natural Resources, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

SHEET LEGEND



EROSION CONTROL PLAN

REFERENCE NOTES LISTED ON DRAWING
ME-36238-03 SH. 2.
REFER TO CHG 1CS SUBSTATION SITE
SPECIFICATION FOR SUBGRADE
PREPARATION AND MATERIAL.

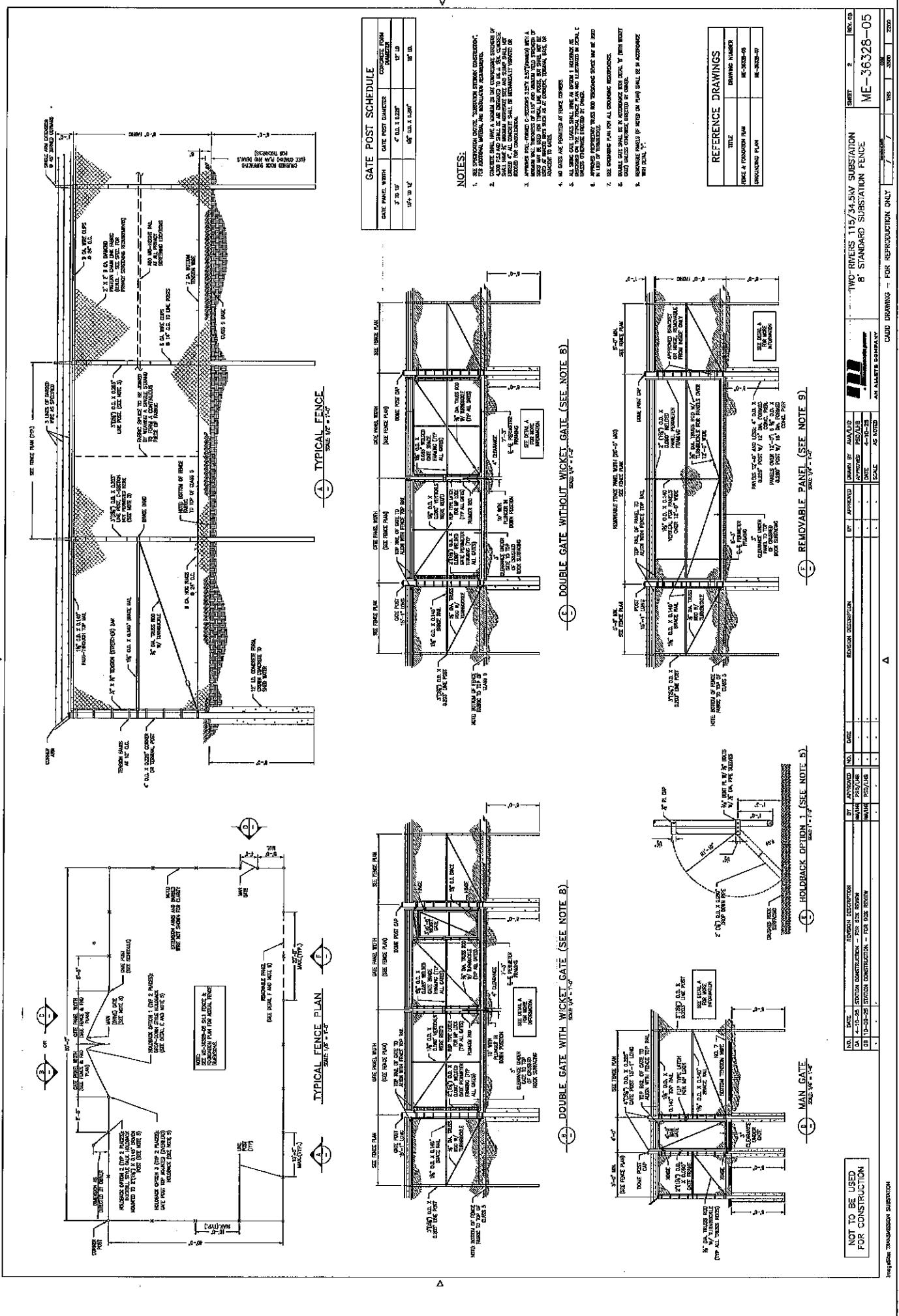
NOT TO BE USED
FOR CONSTRUCTION

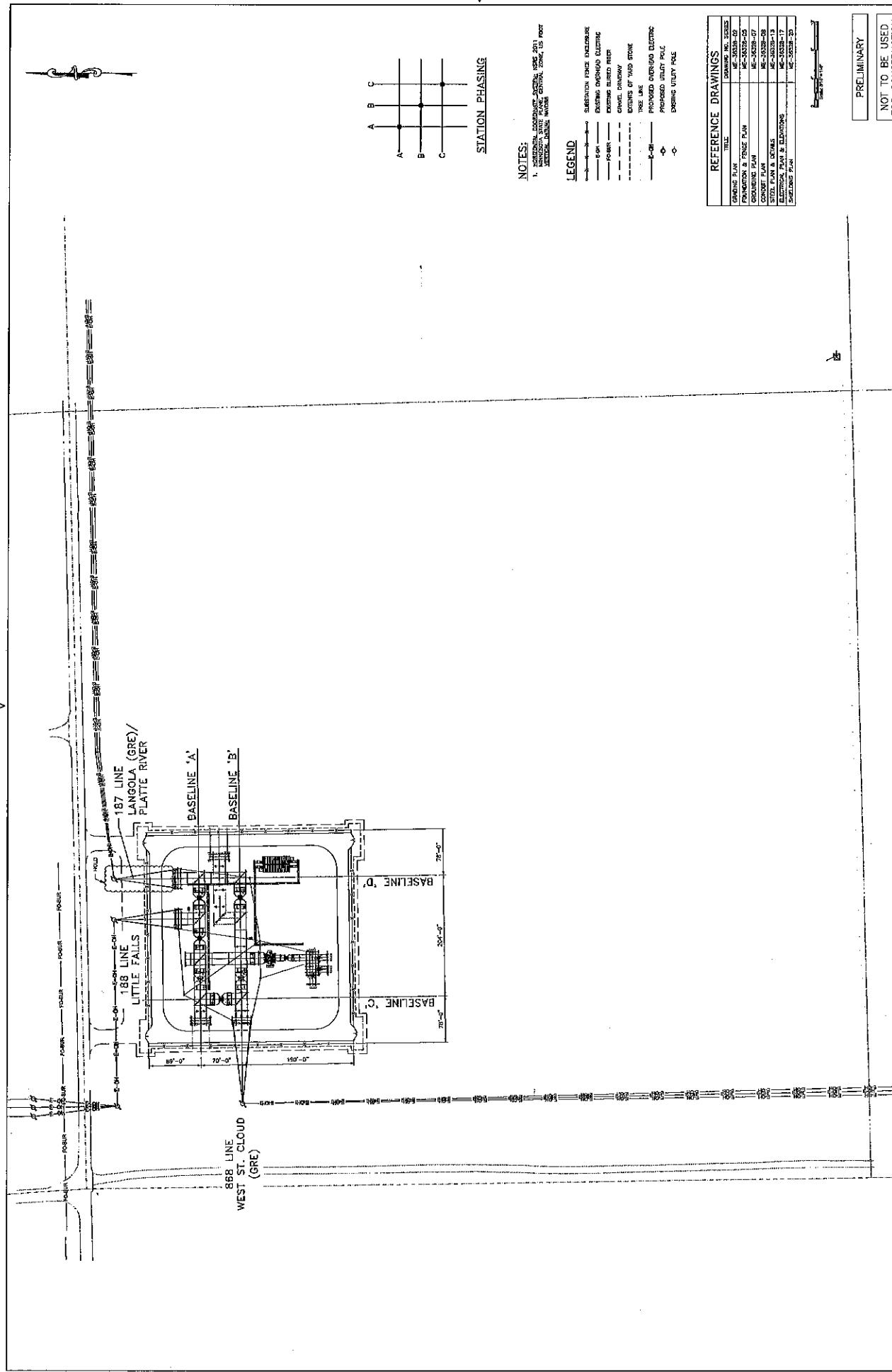
REV
REVIEW

| ITEM | DESCRIPTION | NO. OF LINES |
|--------------------------|--------------|--------------|
| GRADING PLAN | HE-345220-02 | SH1 |
| GRADING DETAILS | HE-355220-02 | SH2 |
| EROSION CONTROL DETAILS | HE-355220-02 | SH2 |
| SWEEP VARIABLE | HE-355220-03 | SH3 |
| TRINCE & FOUNDATION PLAN | HE-345220-02 | SH4 |
| GENERAL SUBSTATION FENCE | HE-365220-10 | SH4 |
| GENERAL SPEC PLAN | HE-365220-10 | SH4 |

EROSION & SEDIMENT CONTROL
EROSION CONTROL PLAN
ME-36328-03

△





111

NOTES:

1. CONTRACTOR TO INSURE DUE TRENCH PER MANUFACTURER'S INSTRUCTIONS.
2. IF TRENCH IS TO EXCAVATE DEEP, WE RECOMMEND THAT THE EXCAVATION SHALLOW, AS DEEP AS POSSIBLE, AND THEN, DUE TO THE NATURE OF THE SOIL, TRENCH SHOULD BE INSTALLED WITH THE USE OF A SLOPED ROCK SURFACE, AS FURTHER DESCRIBED IN THE CONTRACTOR'S INSTRUCTIONS.
3. CONTRACTOR TO PROVIDE DRAINS SUPPORT AT LOCATING POINTS.
4. CONTRACTOR TO PAY FOR DAMAGE TO PROPERTY OR PERSONS BY A HAMMER DUE TO THE CONTRACTOR'S NEGLIGENCE.

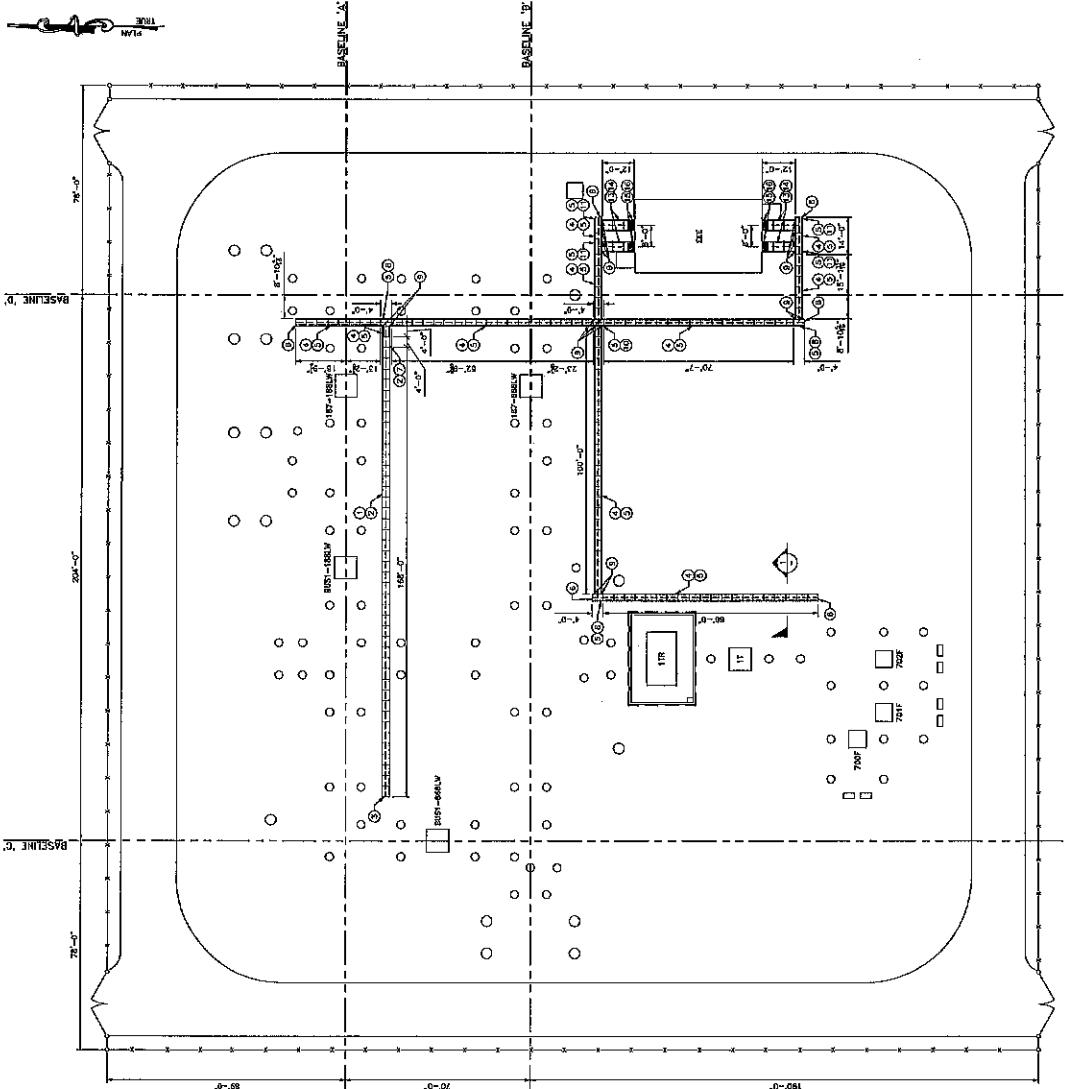
LEGEND

| REFERENCE DRAWINGS | | DRAWING NO. |
|------------------------------|------|--------------|
| DRAWING | NAME | SERIES |
| GRADE PLAN | | ME-360309-02 |
| SITE PLAN | | ME-290208-04 |
| FOUNDATION PLAN | | ME-360309-03 |
| ROOFING PLAN | | ME-360309-07 |
| ELECTRICAL PLAN & ELEVATIONS | | ME-360308-17 |

NOT TO BE USED
FOR CONSTRUCTION

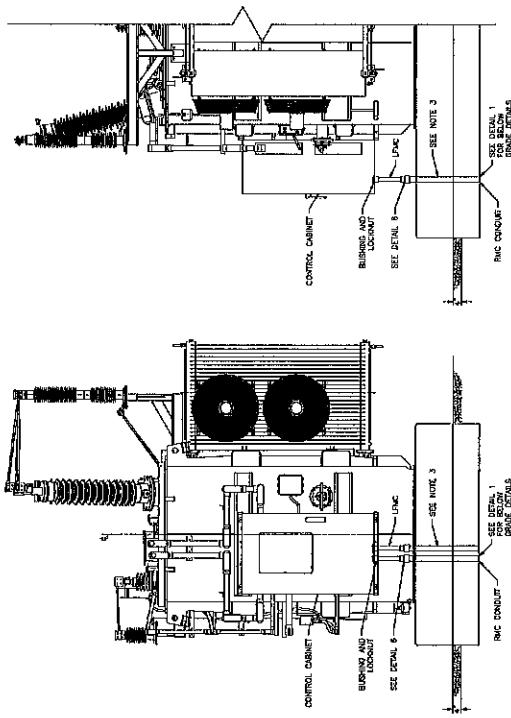
5/34.5kV SUBSTATION TRENCH PLAN

CADD DRAWING - FOR REPRODUCTION ONLY



NOTES:

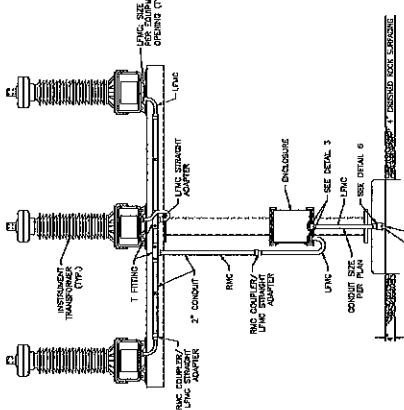
1. IF USING PRO CONDUIT SHEET INTO CONTROL CABINET, USE CABINET SUP IT. SEE DETAIL 4.
2. MIN. 3" CONDUITS ARE REQUIRED. QUANTITY DETERMINED BY CONDUIT FILL CALCULATIONS. LOCATION AND QUANTITY OF CONDUIT MINISTRATIONS FROM CABINET PLATE.
3. COORDINATE WITH TRANSFORMER FOUNDRY FOR LOCAL BORING SO THAT CONDUIT DRAWS STRAIGHT INTO OEM'S INLET OF CONTROL CABINET.



ETAIL 13 - TRANSFORMER

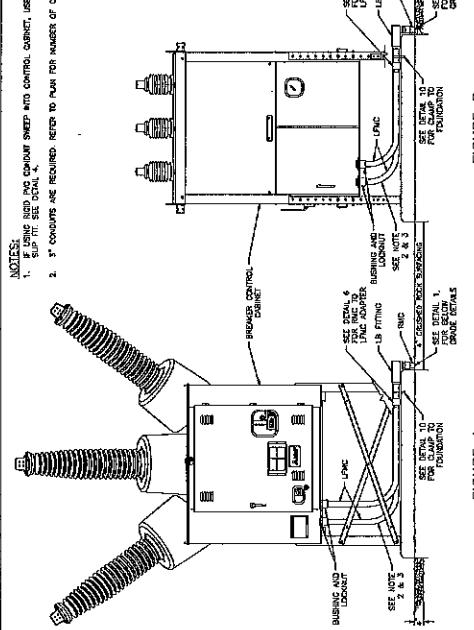
NOTES:

1. FIELD TO INSTALL CONDUIT SUPPORTS AS REQUIRED, SO THAT UNSUPPORTED LENGTHS DO NOT EXCEED 48".

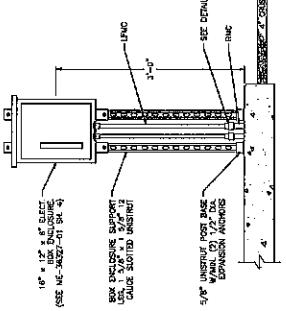


DETAIL 16 - INSTRUMENT TRANSFORMER

DETAIL 14 - SATELLITE MAT AC ENCLOSURE



DETAIL 17 ... CIRCUIT BREAKER



DETAIL 14 - SATELLITE MAT AC ENCLOSURE

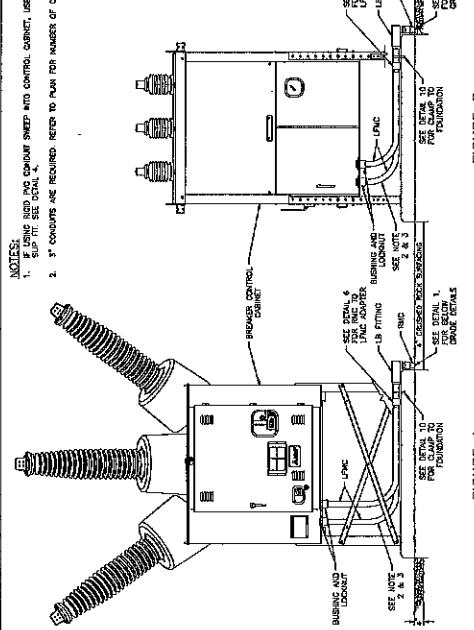


FIGURE B
TESTSHEET BREAKER
DETAIL 17 ... CIRCUIT BREAKER
SCALE 1/8

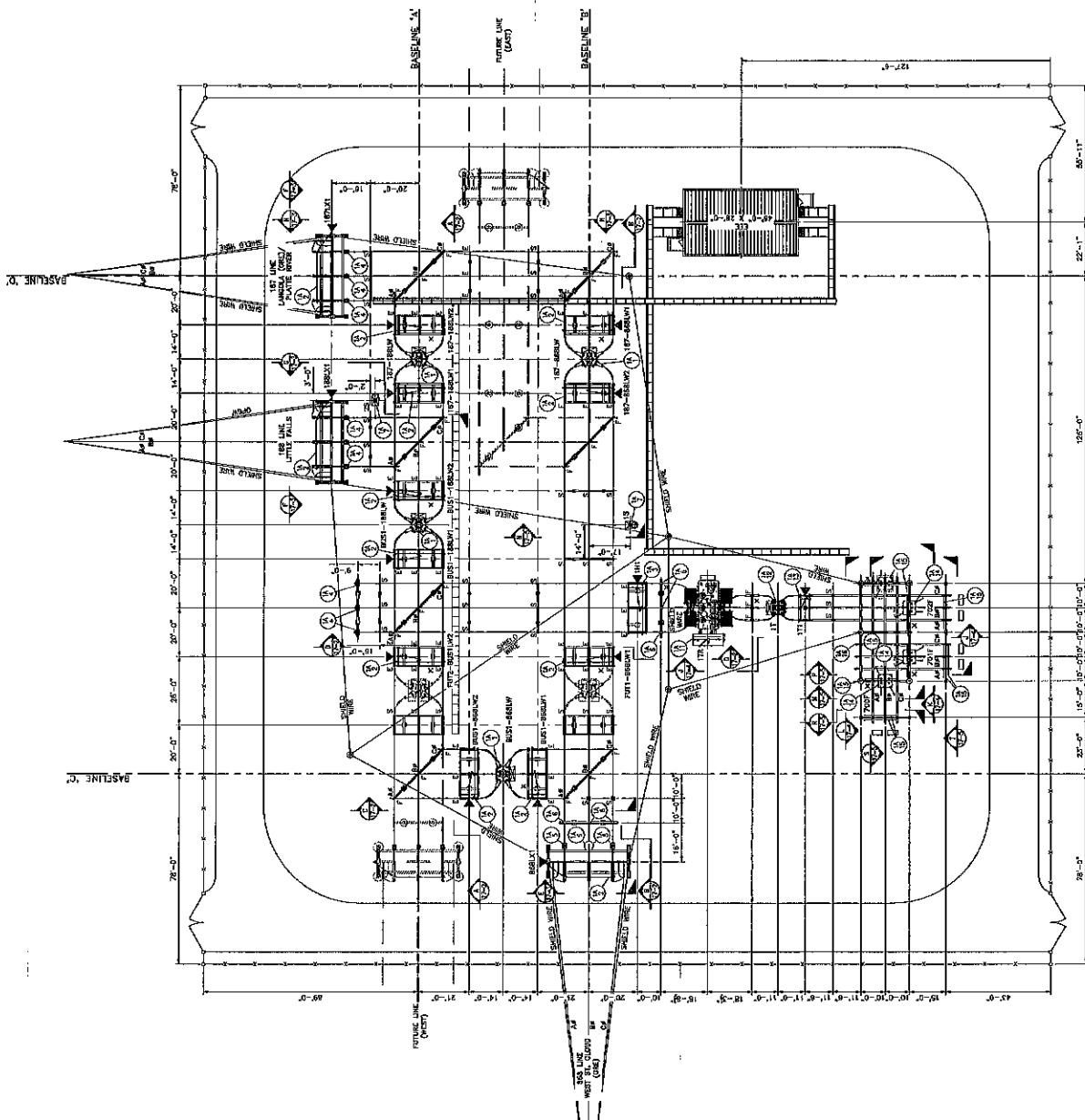
DETAIL 15 - DISTRIBUTION STATION SERVICE XFM
- NOT USED
SCALE: MTS

104

PRELIMINARY
NOT TO BE USED
FOR CONSTRUCTION

| | |
|---|-----|
| TWO RIVERS 115/734 SAV SUBSTATION | |
| CONDUIT DETAILS | |
| SHEET 2 | |
| ME-36378-08 | |
| CADD DRAWING - FOR REPRODUCTION ONLY | |
| ALL DRAWINGS ARE UNLESS OTHERWISE SPECIFIED | |
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LEGEND

- ▼ OPERATOR MECHANISM
- ✖ CONTOUR LINE (400')
- REFER TO MINNESOTA POWER
- REF. TO MATERIALS
- E EXPANSION
- F PILED
- S SUP

STATION PHASING

| REFERENCE DRAWINGS | |
|--------------------|--------------------------|
| DRAWING NO. 3000 | TITLE |
| ME-36328-01 | GROUND PLAN |
| ME-36328-02 | GENERAL SITE ARRANGEMENT |
| ME-36328-03 | FOOTER & FOUNDATION PLAN |
| ME-36328-04 | STRUCTURE PLAN |
| ME-36328-05 | STRUCTURE ELEVATION |
| ME-36328-06 | STRUCTURE FLOOR PLAN |
| ME-36328-07 | STRUCTURE ROOF PLAN |
| ME-36328-08 | STRUCTURE SIDE PLAN |
| ME-36328-09 | STRUCTURE ELEVATION |
| ME-36328-10 | STRUCTURE FLOOR PLAN |
| ME-36328-11 | STRUCTURE ROOF PLAN |
| ME-36328-12 | STRUCTURE SIDE PLAN |
| ME-36328-13 | STRUCTURE ELEVATION |
| ME-36328-14 | STRUCTURE FLOOR PLAN |
| ME-36328-15 | STRUCTURE ROOF PLAN |
| ME-36328-16 | STRUCTURE SIDE PLAN |
| ME-36328-17 | STRUCTURE ELEVATION |

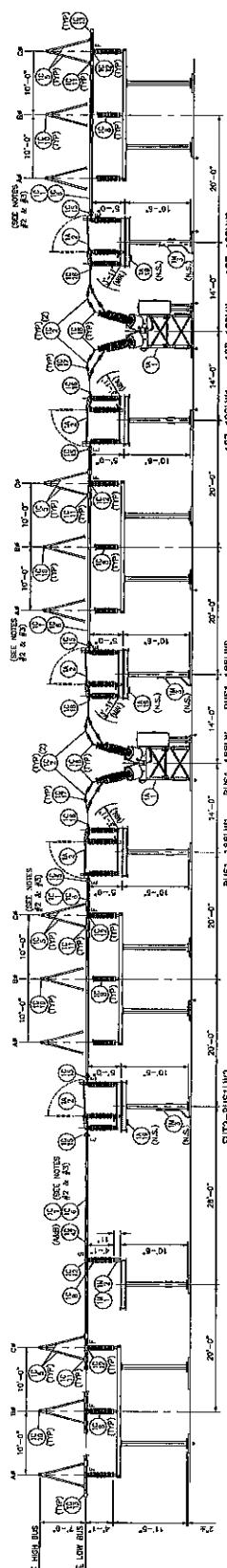
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| NOT TO BE USED FOR CONSTRUCTION | |
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| REV. 0 | ME-36328-17 |

Imperial TRANSFORMER SUBSTATION

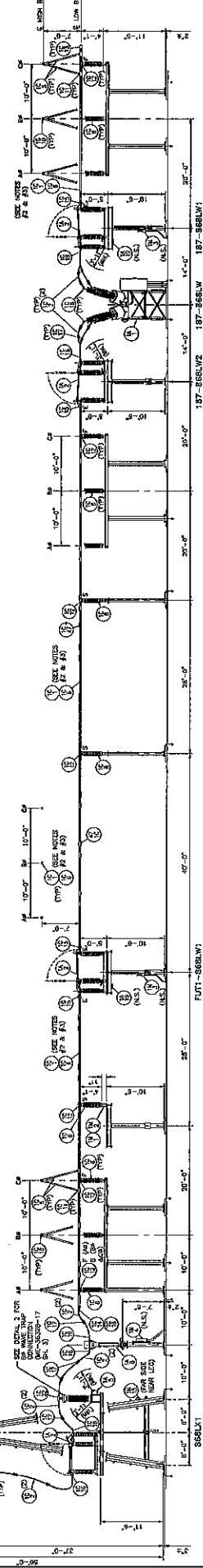
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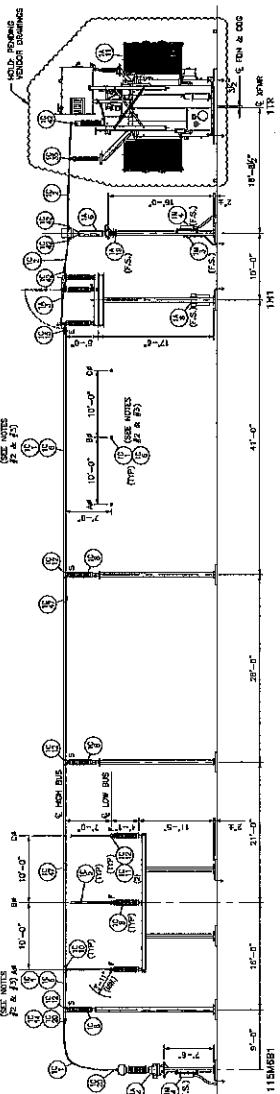


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The Planning & Zoning Office has a full copy of the Environmental Assessment completed in November 2020 on file for public viewing. A hard copy will be available at the public hearing.

Attachment D

Environmental Assessment

Environmental Assessment: Regal Solar Project

Human and Environmental Impacts of Constructing and Operating this
100 MW Solar Energy Generating System and Associated Facilities

November 2020

PUC Docket No. IP7003/CN-19-223

PUC Docket No. IP7003/GS-19-395

OAH Docket No. 71-2500-36480



Project Contacts

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Preparer
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Commerce Representative
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Regal Solar Representative
Melissa Schmit
[REDACTED]

Sources

Much of the information used to prepare this environmental assessment comes from the certificate of need and site permit applications and addendums. Additional sources include new information provided by the applicant, as well as information from relevant federal and state environmental review documents for similar projects. Spatial data was used. Information was gathered from multiple site visits. Unless otherwise noted url addresses were current as of October 31, 2020.

Project Mailing List

To place your name on the project mailing list contact [REDACTED] or [REDACTED] and provide the docket number (19-223 or 19-395), your name, email address, and mailing address. Please indicate whether you would like to receive notices by email or U.S. mail.

Alternative Formats

This document can be made available in alternative formats, that is, large print or audio, by calling [REDACTED]

Additional Information



Scan QR code to view
project webpage.



Scan QR code to
view project map.

Coronavirus Pandemic

The descriptions and analyses provided herein do not account for uncertainties associated with the coronavirus pandemic. Impacts from the pandemic are anticipated to be primarily socioeconomic in nature, but impacts could occur to other resources.

Summary

Regal Solar, LLC (“applicant”), an affiliate of National Grid Renewables, must obtain a certificate of need and site permit from the Public Utilities Commission (“commission”) before it can construct the proposed Regal Solar Project (“project”). The project would interconnect to the electrical grid at a new switching station to be constructed and operated by Minnesota Power.

The applicant filed separate certificate of need and site permit applications on July 22, 2019. Based on comments received, the commission required updated and corrected applications. Per commission order, these revised applications were deemed substantially complete upon their submittal on September 6, 2019. On May 8, 2020, at the request of the applicant, the permitting process was suspended to revise the project’s interconnection point with the electrical grid. The applicant filed an addendum to its site permit and certificate of need applications on August 4, 2020, and August 12, 2020, respectively.

What is this document?

This document is an environmental assessment. The commission will use the information in this document to inform their decisions about issuing permits for the project.

This environmental assessment (“EA”) contains an overview of affected resources, and discusses potential human and environmental impacts and mitigation measures. Energy Environmental Review and Analysis staff within the Commerce Department (“commerce”) was responsible for preparing this document as part of the environmental review process. Scoping was the first step in the process. It provided opportunities to provide comments on the content of this environmental assessment (“EA”) and suggest alternatives to mitigate potential impacts.

Where do I get more information?

For additional information contact commission or commerce staff.

If you would like more information or if you have questions, please contact commerce staff: Andrew Levi [REDACTED] or the commission public advisor: Charley Bruce [REDACTED]

Additional documents and information, including the revised certificate of need and site permit applications, can be found on eDockets: <https://www.edockets.state.mn.us/EFiling/search.jsp> by searching “19” for year either “223” (certificate of need) or “395” (site permit) for number. Information is also available on the commerce webpage: <https://mn.gov/eera/web/project/13656/>.

What is the applicant proposing to construct?

A 100-megawatt solar energy generating system and associated facilities.

The project’s primary components include photovoltaic panels affixed to linear ground-mounted single-axis tracking systems, inverters and transformers housed in electrical cabinets, electrical collection system, collection line, project substation, and supervisory control and data acquisition (“SCADA”) systems and metering equipment. It also requires fencing, access roads, laydown areas, weather stations, and an operation and maintenance facility. The project would interconnect to the

Summary

electrical grid at a new switching station through a new 115 kV overhead gen-tie transmission expected to be 700 feet long.

What is the project's purpose?

To increase solar generating capacity in Minnesota.

The applicant indicates the project "would install . . . solar generating capacity in Minnesota that can contribute to satisfying utilities' and consumers' demands for renewable energy, and potentially meet utility renewable requirements or individual sustainability goals, depending on the ultimate power purchaser." The applicant has not secured a power purchase agreement at this time.

Where is the project located?

The project is located entirely within Langola Township in Benton County, Minnesota.

Located directly west of U.S. Highway 10, approximately 230 feet west of Rice and one and one-half miles southeast of Royalton, the project is entirely within Langola Township in Benton County on approximately 800 acres of land that is currently center pivot irrigated farmland.

What permits are needed?

A certificate of need and site permit from the commission are required. Also, various federal, state, and local permits might be required.

The project requires a certificate of need from the commission because it meets the definition of *large energy facility* in Minnesota statute, which is any electric power generating plant with a capacity of 50 megawatts ("MW") or more.

The project also requires a site permit from the commission because it meets the definition of *large electric power generating plant* in Minnesota statute, which is any electric power generating equipment designed for or capable of operation at a capacity of 50 MW or more.

The project substation and gen-tie line are associated facilities and, as a result, will be permitted as part of the project. Therefore, they are analyzed in this EA.

Various federal, state, and local approvals will be required for activities related to the construction and operation of the project. These subsequent permits are referred to as downstream permits, and must be obtained by the applicant prior to constructing the project.

What potential impacts were identified?

The project will impact human and environmental resources. Distinct impacts will occur during construction and operation.

A potential impact is the anticipated change to an existing condition caused either directly or indirectly by the project. Potential impacts can be positive or negative, short- or long-term, and, in certain circumstances, can accumulate incrementally. Impacts vary in duration and size, by resource, and across locations.

Some impacts can be avoided or minimized; some might be unavoidable but can be minimized; others might be unavoidable and unable to be minimized, but can be compensated for or corrected. Collectively, this is referred to as mitigation.

The context of an impact—in combination with its anticipated on-the-ground effect and mitigation measures—is used to determine an impact intensity level, which can range from highly beneficial to highly harmful. Impacts are grouped: archeological and historic resources, human settlement, human health and safety, public services, land-based economies, and natural resources.

Select resource topics received abbreviated study because they were deemed to be of minor importance to the commission’s site permit decision. Potential impacts are anticipated to be negligible to airports, displacement, electronic interference, emergency services, floodplains, forestry, geology, implantable medical devices, stray voltage, topography, and wetlands.

Human Settlement

Large energy projects can impact human settlement. Impacts might be short-term, for example, increased local expenditures during construction, or long-term, for example, changes to viewshed.

Aesthetics The impact intensity level is expected to be minimal to moderate for those with low viewer sensitivity, for example, passing motorists along U.S. Highway 10. For those with high viewer sensitivity, for example, neighboring landowners or recreationalists, the impact intensity level is anticipated to be moderate to significant. Impacts will be short- and long-term, and localized. They will be subjective to the individual. Impacts will be greater if the above-ground electrical collection system is used. Potential impacts are unavoidable, but can be mitigated in part.

Cultural Values The impact intensity level is anticipated to be minimal. The project is not anticipated to impact or alter the work and leisure pursuits of residents or land use in such a way as to impact the underlying culture of the area. Tension between cultural values related to renewable energy and rural character has the potential to create tradeoffs that cannot be addressed in the site permit.

Land Use and Zoning The impact intensity level is anticipated to be minimal. Potential impacts to zoning are anticipated to be long-term and localized. Constructing the project will change land use from agricultural to industrial for at least 30 years. After the project’s useful life, the land control area could be restored to agricultural or other planned land uses by implementing appropriate restoration measures. Impacts can be minimized.

Noise Specific impacts are associated with construction and operation. The impact intensity level during construction is anticipated to range from negligible to significant depending on the activity. Potential impacts are anticipated to be intermittent and short-term. These localized impacts will affect unique resources (residences, campground), and might exceed state noise standards. Impacts are unavoidable, but can be minimized. Operational impacts are anticipated to be negligible.

Property Values Impacts to property values within the local vicinity could occur; however, changes to a specific property’s value are difficult to determine. On whole, impacts in the local vicinity are anticipated to be minimal and dissipate at distance. Impacts to specific properties could be moderate to significant. Long-term impacts might or might not occur. Potential impacts can be minimized.

Summary

Recreation During construction the impact intensity level is anticipated to be moderate to significant. Potential impacts will be intermittent and occur over the short-term. These localized impacts will affect a unique resource. Impacts can be minimized or avoided. Operational impacts will be long-term, unavoidable, and subjective to the individual.

Socioeconomics The impact intensity level is anticipated to be minimal to significant and positive. Effects associated with construction will, overall, be short-term and minimal. Significant positive effects might occur for individuals. Impacts from operation will be long-term and significant. Adverse impacts are not anticipated.

Human Health and Safety

Large energy projects have potential to impact human health and safety.

Electronic and Magnetic Fields The impact intensity level is anticipated to be negligible, and are not expected to negatively affect human health. Impacts will be long-term and localized, but can be minimized.

Worker and Public Safety The impact intensity level is minimal. Potential impacts would be short-and long-term, and can be minimized. Worker safety issues are primarily associated with construction. Public safety concerns would be most associated with unauthorized entry to the project.

Public Services

Large energy projects can impact public services, such as buried utilities or roads. These impacts are usually temporary, for example, road congestion associated with material deliveries. Impacts can be long-term if they change the area in a way that precludes or limits public services.

Roads and Highways Potential impacts associated with construction are anticipated to be short-term, intermittent, and localized. The impact intensity level is expected to be minimal to moderate. During operation, no impacts to roads are anticipated; negligible traffic increases would occur for maintenance. Impacts are unavoidable, but can be minimized.

Utilities The impact intensity level is anticipated to be minimal. Impacts should be limited to a single electrical outage. Potential impacts can be minimized.

Land-based Economies

Large energy projects can impact land-based economies by limiting land use for other purposes.

Agriculture The impact intensity level is anticipated to be minimal. Potential impacts are localized and unavoidable, but can be minimized. Minimizing impacts requires special mitigation. The site permit could require the applicant to work with the landowner to ensure agreement concerning continued access along the existing farm road.

Mining The impact intensity level is anticipated to be negligible. Should the location of the collection line shift to the north side of the road additional mitigation is proposed.

Tourism The impact intensity level is anticipated to be minimal to moderate during construction. Impacts will be localized and affect a unique resource. Impacts will be unavoidable, but minimal during operation. Potential impacts can be mitigated.

Archeological and Historic Resources

The impact intensity level is anticipated to be negligible to minimal. Impacts, should they occur, will be localized and affect a unique resource. Impacts can be mitigated through prudent routing of the project's collection line.

Natural Resources

Large energy projects can impact the natural environment. Impacts are dependent upon many factors, such as how the project is designed, constructed, maintained, and decommissioned. Other factors, for example, the environmental setting, influence potential impacts. Impacts can and do vary significantly both within, and across, projects.

Air Quality The impact intensity level is anticipated to be minimal. Intermittent localized impacts will occur during construction. Once operational, the solar array will not generate criteria pollutants or carbon dioxide. Impacts related to operation of the collection line are anticipated to be long-term, localized, and negligible. Impacts are unavoidable and do not affect a unique resource. Impacts can be minimized.

Groundwater The impact intensity level is anticipated to be minimal. Localized impacts, should they occur, would be intermittent, but have the potential to occur over the long-term. Impacts can be mitigated.

Rare and Unique Resources The impact intensity level is anticipated to be minimal. Impacts could be positive or negative, short- and long-term. Impacts can be mitigated.

Soils The impact intensity level is expected to be minimal. Potentials impacts will both positive and negative, and short- and long-term. Isolated moderate to significant negative impacts associated with high rainfall events could occur. Impacts to soils are greatest with the below-ground electrical collection system. Impacts can be mitigated.

Surface Water The impact intensity level is anticipated to be minimal. Direct impacts to surface waters are not expected. Indirect impacts to surface waters might occur. These impacts will be short-term, of a small size, and localized. Impact can be mitigated.

Vegetation Within the land control area, the impact intensity level is anticipated to be long-term and positive. Minimal negative impacts would occur along the collection line. Additional mitigation is proposed.

Wildlife and Habitat Potential impacts are positive or negative, and are species dependent. Long-term, minimal positive impacts to birds, small mammals, insects, snakes, etc. would occur. Impacts to large wildlife species, for example, deer, will be negligible. Significant negative impacts could occur to individuals during construction and operation of the project. Once restored, the land control area will provide native grassland habitat for the life of the project. The project does not contribute to significant habitat loss or degradation, or create new habitat edge effects. Potential impacts can be mitigated in part. The impact intensity level is expected to be minimal.

What's next?

A public hearing will be held in the project area; you can provide comments at the hearing. The commission will then review the record and decide whether to grant a certificate of need and issue a site permit.

An administrative law judge ("ALJ") from the Office of Administrative Hearings will hold a public hearing after the EA is complete and available. At the hearing you may speak, ask questions, and submit comments about the project. After the public comment period is over, the ALJ will provide a written report to the commission summarizing the public hearing and comment period, and any spoken or written comments received. The ALJ will also provide the commission with proposed findings and a recommendation whether to issue a certificate of need and site permit.

The commission then reviews the record and decides whether to grant a certificate of need and issue a site permit. If the commission issues a certificate and site permit for the project it may identify measures to mitigate potential impacts. The commission is expected to make a decision by spring 2021.