



Le Sueur County, MN

Thursday, June 9, 2016

Regular session

Item 2

Lyra Community Solar Garden Packet

Staff Contact: Kathy Brockway or Michelle Mettler

STAFF REPORT

GENERAL INFORMATION

APPLICANT: LYRA COMMUNITY SOLAR GARDENS, LLC
LANDOWNER: LARRY & SOLVEIG THEIS

911 ADDRESS: New off State Hwy 13

PROJECT DESCRIPTION: Establish up to 3MW Solar Farm on approximately in a Special Protection "SP" District.

ZONING ORDINANCE SECTIONS: Section 13.1

GOALS & POLICIES: The current Land Use Plan as adopted in 2009, does not make reference to the use of solar energy or any other type of renewable energy in Le Sueur County.

SITE INFORMATION

LOCATION: SW 1/4 SW 1/4 Section 10, Waterville Township

ZONING & PURPOSE: Special Protection, Shoreland District

The intent of the **Special Protection (SP) District** is to guide the wise development and utilization of shorelands of public waters for the preservation of water quality, natural characteristics, economic values and the general health, safety and welfare of all public waters in the unincorporated areas of the County. Further, the purpose of this district is to manage areas unsuitable for development due to wet soils, steep slopes or large areas of exposed bedrock; and to manage areas of unique natural and biological characteristics in accordance with compatible uses.

GENERAL SITE DESCRIPTION: Rural, Shoreland

ACCESS: New off State Highway 13-MN DOT Approval

LAKE: Quiram's Slough, Natural Environment Lake

Natural Environment Lake - Lakes that usually have less than one hundred fifty (150) total acres, less than sixty (60) acres per mile of shoreline, and less than three (3) dwellings per mile of shoreline. They may have some winterkill of fish; may have shallow, swampy shoreline; and are less than fifteen (15) feet deep.

EXISTING LAND USE WITHIN ¼ MILE:

North: Ag land	South: Ag Land/Cemetery
West: Ag land/Wetland	East: Shoreland/Ag Land

TOWNSHIP BOARD NOTIFICATION

The applicants contacted Judy Hering, Waterville Township Board member December 16,18,2015 (phone,letter) January 19, 2016 phone.

NATURAL RESOURCES INFORMATION

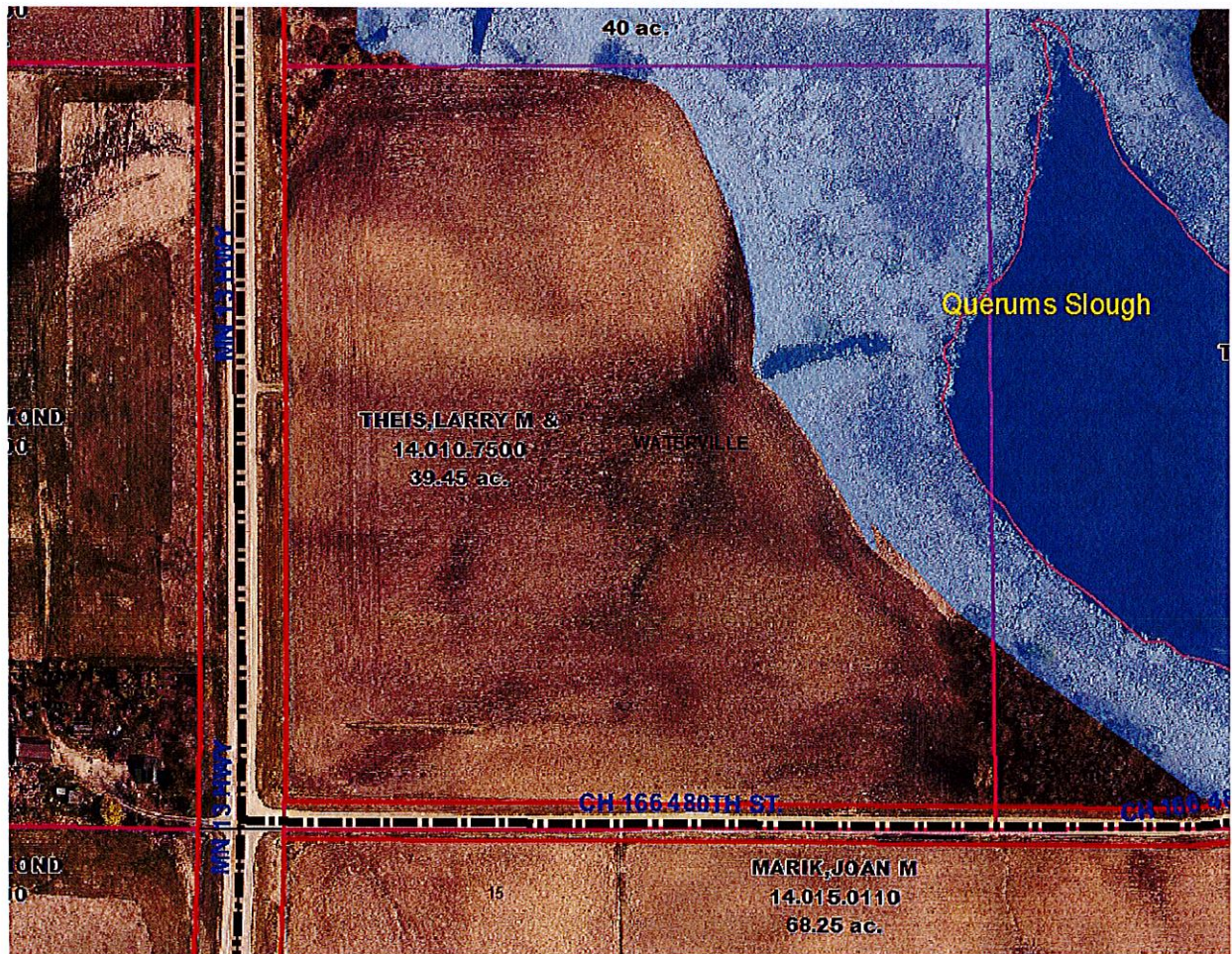
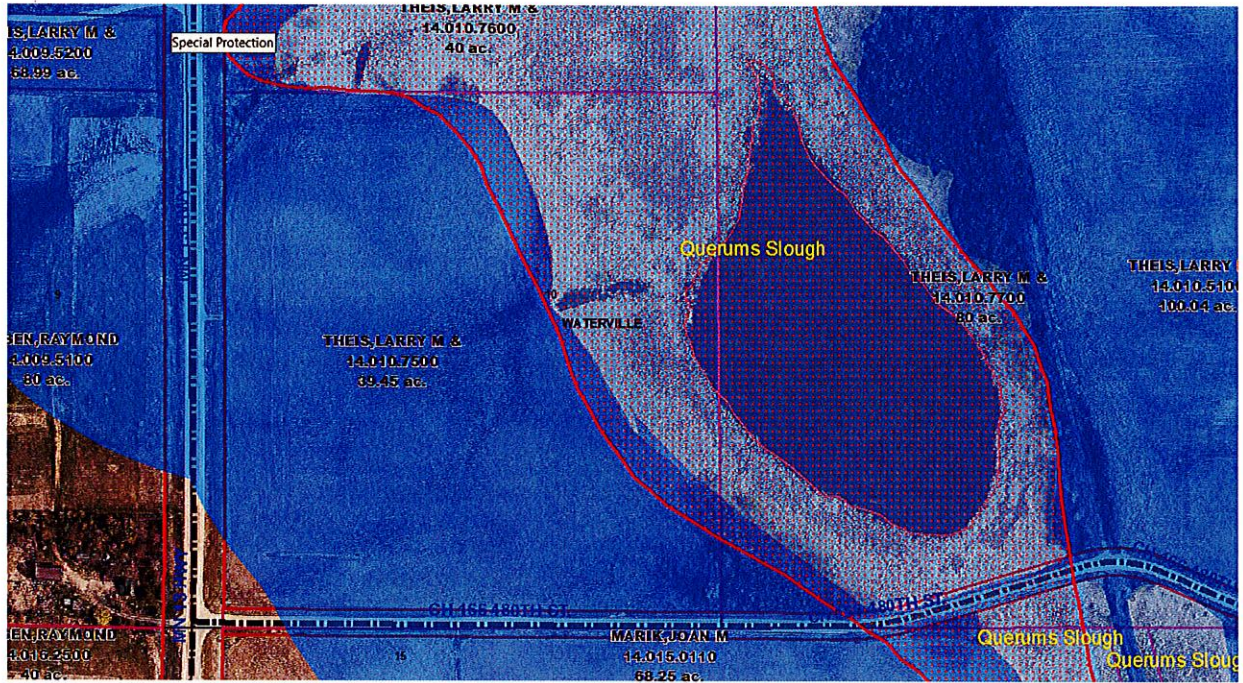
SHORELAND: The proposal is located within the Shoreland District.

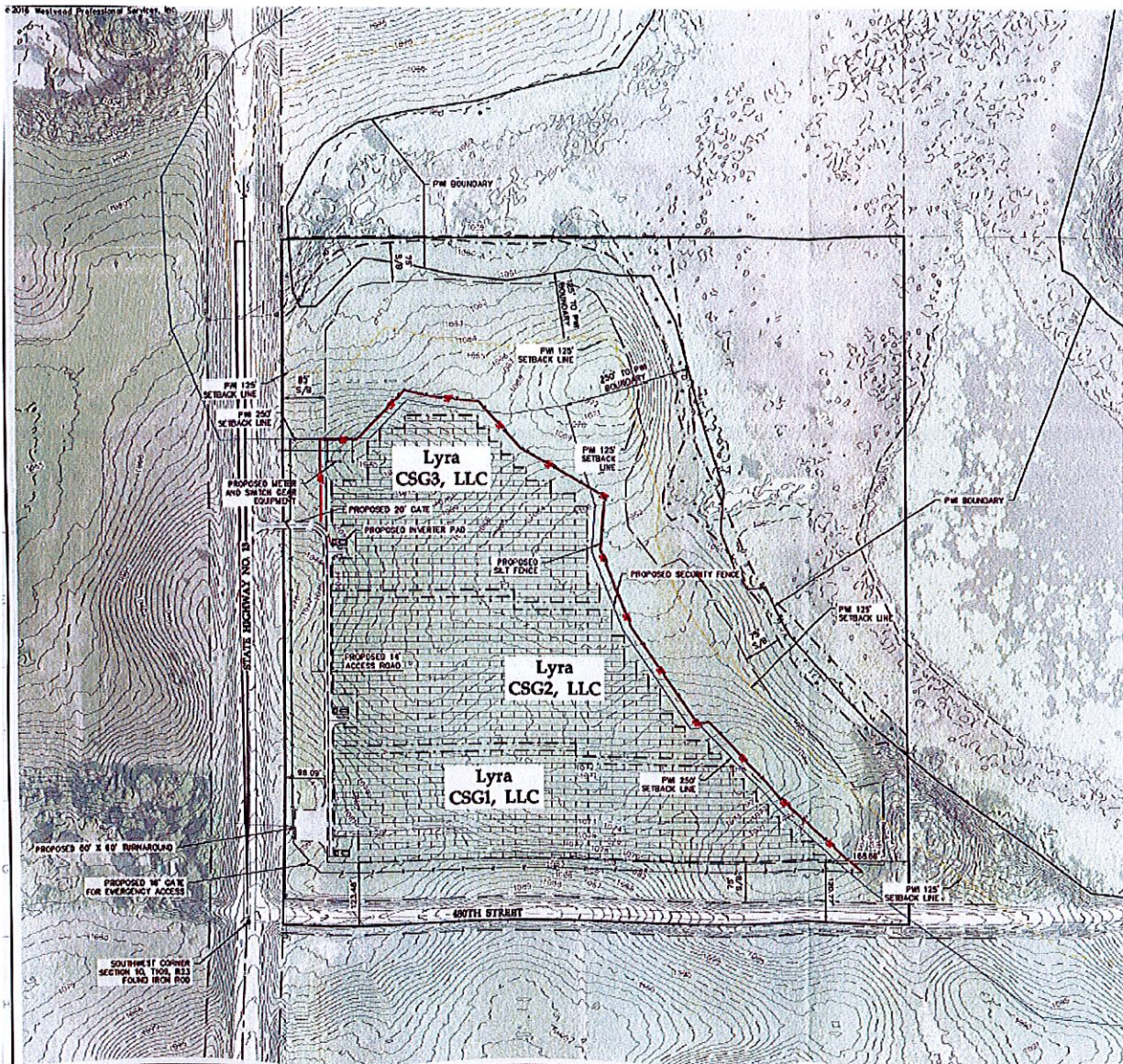
WETLANDS: According to the National Wetlands Inventory, Type 3 wetlands located in the quarter-quarter section where the project is proposed.

ATTACHMENTS

Application, Narrative, Site Plan, Wetland Delineation Report, Interconnection Agreement, Certificate of Insurance

AERIAL PHOTO/SITE PLAN





PLANNING AND ZONING COMMISSION CONSIDERATIONS

The Planning Commission and staff shall consider possible adverse effects of the proposed conditional use and what additional requirements may be necessary to reduce such adverse effects. Its judgment shall be based upon the following factors to include, but not limited to:

1. Relationship to County plans.
2. The geographical area involved.
3. Whether such use will negatively affect surrounding properties in the area in which it is proposed.
4. The character of the surrounding area.
5. The demonstrated need for such use.
6. Whether the proposed use would cause odors, dust, flies, vermin, smoke, gas, noise, or vibration or would impose hazards to life or property in the neighborhood.
7. Whether such use would inherently lead to or encourage disturbing influences in the neighborhood.
8. Whether stored equipment or materials would be screened and whether there would be continuous operation within the visible range of surrounding residences.
9. Abatement of Environmental Hazards as regulated in this Ordinance
10. Other factors impacting the public health, safety and welfare.

CONDITIONS

The Planning Commission shall recommend such conditions relating to the granting of said Conditional Use Permit, as they deem necessary to carry out the intent and purpose of this Ordinance or recommend that the request be denied. Such recommendation shall be in writing. The conditions may include, but are not limited to the following:

1. Increasing the required lot size or yard dimension.
2. Limiting the height, size, or location of the structures.
3. Controlling the location, size, and number of vehicle access points.
4. Increasing the street width.

5. Increasing the number of required off-street parking space.
6. Limiting the number, size, location, or lighting of signs.
7. Requiring diking, **fencing**, screening, **landscaping** or other facilities to protect adjacent or nearby property.
 - *Although the project proposes natural groundcover beneath the solar arrays, the applicant must maintain this area and remove all noxious weeds on a regular basis.*
8. Designating sites for open space.

PLANNING AND ZONING COMMISSION FINDINGS
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Based on the information submitted by the applicant, contained in this report, and as required by the Le Sueur County Zoning Ordinance, the following findings have been developed for this request:

(Please circle one for each item: Agree, Disagree, Not Applicable.)

1. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.*
2. *The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.*
3. *Adequate utilities, access roads, drainage and other facilities have been or are being provided.*
4. *Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.*
5. *Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.*
6. *Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goals and objectives in the Ordinance?*
7. *Is the Conditional Use Permit consistent with the Comprehensive Land Use Plan?*

Recommend (circle one) approval / denial / table / of Conditional Use Permit.

LE SUEUR COUNTY CONDITIONAL USE PERMIT CRITERIA

Permit # 16063

Name of Applicant: LYRA COMMUNITY SOLAR GARDENS L Conditional Use Permit #: 16063

Name of Property Owner: LARRY & SOLVEIG THEIS

Conditional Use Permit Request: O ALLOW THE APPLICANT TO CONSTRUCT A 3 MW SOLAR GARDEN ON 16 ACRES OF A 39.45 ACRE PARCEL

1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.

CR AG PT DR BB JD SO SK DK DRY TOTAL

1.

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Explain _____

2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.

CR AG PT DR BB JD SO SK DK DRY TOTAL

2.

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Explain _____

3. Adequate utilities, access roads, drainage and other facilities have been or are being provided.

CR AG PT DR BB JD SO SK DK DRY TOTAL

3.

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Explain _____

4. Adequate measures have been or will be taken to provide sufficient off-street parking and loading space to service the proposed use.

CR AG PT DR BB JD SO SK DK DRY TOTAL

4.

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Explain _____

5. Adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

CR AG PT DR BB JD SO SK DK DRY TOTAL

5.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

6. Is the Conditional Use Permit consistent with and supported by the statement of purposes, policies, goal and objectives in the Ordinance?

CR AG PT DR BB JD SO SK DK DRY TOTAL

6.

--	--	--	--	--	--	--	--	--	--	--	--

Explain _____

7. Is the Conditional use permit consistent with the Comprehensive Plan?

CR AG PT DR BB JD SO SK DK DRY TOTAL

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Explain _____

If all answers are "YES" by a majority of the Planning Commission, the criteria for granting of the Conditional Use Permit request have been met. The Conditional Use Permit will main the goals of safety, health and the general welfare of the public.

Date: _____ APPROVED _____ DENIED _____ PZ Chairperson _____

COUNTY BOARD MEETING DATE _____

Lyra Community Solar Gardens, LLC
Application for a Conditional Use Permit

Applicant:

Lyra Community Solar Gardens, LLC

Application Prepared by Geronimo Energy on behalf of Lyra Community Solar Gardens, LLC, a wholly owned subsidiary of BHE Solar, LLC.

Application fee: \$750.00

Lyra Community Solar Gardens, LLC | 7650 Edinborough Way, Ste 725, Edina, MN 55435 | P 952.988.9000 | F 952.988.9001

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May 16, 2016

Conditional Use Permit Application

1 Introduction

Lyra Community Solar Gardens, LLC (“The Project” or “Lyra”) respectfully submits this application to Le Sueur County’s Board of Commissioners for a Conditional Use Permit (CUP) as required under the Le Sueur County Zoning Ordinance. Lyra respectfully requests that the County Board of Commissioners issues a CUP for the Lyra Community Solar Gardens to be permitted, constructed, owned, and operated by Lyra Community Solar Gardens, LLC. Lyra has completed the County’s CUP application form and attached it to this application text as Appendix A. The Project has included the Site Plan in Appendix B for review.

The Project will be located in Waterville Township in the SW ¼ of SW ¼ of Section 10, Township 109 North, Range 23 West, Le Sueur County, Minnesota. The Project will consist of up to 3, 1 megawatt (MW) solar gardens that will generate enough energy to power 600 homes annually and avoid the emission of 3,635 metric tons of carbon annually.¹ The Project plans to interconnect to Xcel Energy’s existing distribution system near the Project.

The Project will be marketed as a host for Xcel Energy’s Solar Rewards Community program. Under the program, Xcel Energy customers may subscribe to a solar garden and receive a credit on their monthly Xcel Energy bill based upon the production of their garden subscription. The final size of the facility will be dependent upon final interconnection parameters, final equipment design and demand for garden subscriptions. The project as proposed in this application represents what Lyra anticipates building. See Appendix C for additional information. Because of the newness of Xcel’s Energy’s program Lyra anticipates that we may need to extend the development cycle into a second year and require a permit extension.

Lyra is being developed by Geronimo Energy, a renewable energy developer based in Edina, Minnesota. Geronimo Energy is a North American utility-scale renewable energy development company headquartered in Edina, Minnesota. Geronimo has developed multiple operating wind farms and solar projects throughout the United States. Approximately 1,300 MW of wind projects and 200 MW of solar projects developed by Geronimo are either operational or are expected to be constructed by the end of 2016. Geronimo has a multi-gigawatt development pipeline of wind and solar projects in various stages of development throughout the United States. Geronimo provides custom renewable energy development solutions for utilities, independent power purchasers and corporations looking to harness renewable energy for business growth. With deep roots in agriculture, Geronimo prides itself on developing wind farms that are farmer-friendly, community-driven, and beneficial for rural communities.

¹ Based on EPA Greenhouse Gas Equivalencies Calculator and 1,757,000 kWh annual production PVSYST model

2 Project Description

2.1 SUMMARY AND LOCATION

The Project will be located in Waterville Township in the SW ¼ of SW ¼ of Section 10, Township 109 North, Range 23 West, Le Sueur County, Minnesota. The Project area lies in the Special Protection District within Waterville Township. The planned project design will be a 3 MW solar facility consisting of 3, 1 MW solar gardens each owned as described in section 2.2 of this application. Final design will be dictated by interconnection study results. It is proposed to utilize typical photovoltaic panels, central inverters and a fixed-tilt racking system for the site. The parcel is approximately 37.59 acres with a total fenced area of approximately 16 acres.

The estimated start date will be fall 2016 and completion before December 2017.

2.2 PROJECT OWNERSHIP

Lyra Community Solar Gardens, LLC (Lyra) has a lease agreement with the landowner for The Project site consisting of approximately 30.8 acres. A copy of the recorded memorandum of the lease agreement has been provided in Appendix D. An ALTA Survey for the parcel has been provided in Appendix E. Lyra Community Solar Gardens, LLC is the CUP applicant.

Additional related Special Purpose Vehicle LLCs that will be part of the project are Lyra CSG1, LLC, Lyra CSG2, LLC, and Lyra CSG3, LLC. These are required for the Xcel Program and financing purposes. Enforcement will be through the parent LLC of Lyra Community Solar Gardens, LLC.

Lyra Community Solar Gardens, LLC is a wholly owned subsidiary of BHE Solar, LLC. Geronimo Energy is providing the development services as its authorized agent.

2.3 PROJECT CONSULTANTS

Surveying/ Solar Array Design & Civil Engineering:

Westwood Professional Services

7699 Anagram Drive, Eden Prairie, MN 55344

Interconnection Design & Engineering:

Leidos Engineering, LLC

60 Plato Blvd., Ste 300, St. Paul, MN 55107

2.4 SOLAR PROJECT FACILITY

The Project's facilities will include:

- Solar modules, inverters and racking;

- Fencing;
- Access roads as required;
- On-site underground electrical collection lines;
- Up to two weather stations (up to 20 feet tall);

The Project covers approximately 16 acres of one privately owned parcel. Lyra selected the specific development area based on County land use guidance, significant landowner interest, interconnection suitability, optimal solar resource, and minimal environmental impact.

Lyra provides a site plan of existing conditions and a site plan of proposed conditions for the solar gardens in Appendix B. This site plan denotes the general footprint and layout of the Project including proposed locations of facilities. The Project's final layout will optimize electrical generation and efficiency of the solar resource while avoiding and minimizing environmental, cultural, and economic impacts. The Project's facilities will be sited so as to comply with the county's setback requirements, where applicable, as well as other voluntarily-imposed setbacks. Further discussion on setback compliance of the solar facility can be found in Section 3.1 of this application. To the extent applicable, the Project will also comply with all other local, state, and federal regulatory standards.

The Project's proposed components include PV modules mounted on a fixed-tilt racking system and a centralized inverter(s). The modules will have approximate dimensions of 4 to 6.5 feet long by 2 to 3.5 feet wide, and 1 to 2 inches thick. The foundations of the racking system will likely be a driven steel pier and will not likely require concrete, although some concrete foundations may be required. Geotechnical soil testing will determine final installation process. Areas of bare ground at the facility will be re-vegetated with a low-growing seed mix. Lyra has provided typical equipment specifications for various manufactures in Appendix F.

The modules will be electrically strung together to meet at one of the central inverters. The inverters will convert the DC power from the modules to AC power. Additionally, a transformer will step up the voltage to meet the local interconnection voltage of Xcel's distribution grid. From the inverters, the cable will be buried underground to the Point of Interconnection. Here the system will interconnect to the existing distribution infrastructure. Lyra will secure all private easements for its facilities and will secure permits and other authorizations from the state, county and township governments as needed.

An interconnection agreement (IA) with Xcel Energy is provided as Appendix G. The IA process is built in with the Solar*Rewards Community program. Pursuant this IA, the Project will use a Supervisory Control and Data Acquisition (SCADA) system, which allows remote control and monitoring of the status of The Project. The monitoring system provides status views of electrical and mechanical data, operation and fault status, meteorological data, and grid station data. For security The Project will be fenced and have site security cameras. Access to the Project area is through lockable gates.

2.5 ENVIRONMENTAL CONDITIONS

Lyra has completed environmental due diligence on the project including field surveys for wetlands, archaeological resources, and natural communities. Lyra's design reflects avoidance

and minimization of impacts to resources identified in these surveys. Wetland boundaries are shown on the site plans. A wetland delineation and natural communities report is provided as Appendix H. As a practice, Lyra, does not provide archaeological resource results in public documents in order to avoid unwanted attention to these resources should they be present. Lyra's surveys did not identify any natural communities of high integrity that required avoidance.

2.6 CONSTRUCTION

Construction of the solar gardens will begin starting as early as spring of 2016. The intended completion of the Project is the end of 2016.

Traffic during construction is estimated to be 25-35 trucks daily. Traffic will include pickup trucks, semi-trailers for delivery of equipment, and other machinery. Lyra does not anticipate overweight or oversize loads will be required during Project construction or operation.

2.7 STORMWATER

The existing natural drainage patterns on this site are towards the north and east sides of the site. In this application, the design anticipates some site preparation work and grading activities but no alteration to the overall existing drainage patterns is expected. The site preparation work, including grading activities, may require a separate Conditional Use Permit. Lyra anticipates submitting a grading CUP application once final proposed grading amounts are determined.

The Project site is currently an agricultural use. With the proposed community solar garden there will be a small amount of additional impervious surface associated with a rock access road providing access to the site. Lyra's final design will not cover more than 50% of the lot with impervious surface and infiltration will be provided as needed under the State of Minnesota's General Construction Stormwater Permit. Drainage patterns will remain consistent with the existing natural conditions.

The project will require a Construction Stormwater Permit from the Minnesota Pollution Control Agency and will comply with the requirements of the MPCA's general permit. The project will maintain a Stormwater Pollution Prevention Plan (SWPPP) through construction and will maintain appropriate erosion controls through construction. Once construction is complete the vegetation at the site will appropriately mitigate any stormwater run-off. The plans provided in Appendix B show the proposed stormwater management efforts during construction.

2.7.1 Drainage Tile

Lyra's review of the site has not identified any privately or publicly owned drain tile. Any drainage tile damaged during construction of The Project will be repaired at the cost of Lyra.

2.8 PROJECT COMPONENTS

- Panel Type-
 - Photovoltaic panels
- Racking Type-
 - Fixed-tilt racking system
 - Utilizes galvanized steel for foundations and frame
- Panel Height-
 - Fixed-tilt: up to 15 feet
- Panel Material-

- Aluminum frame
- Silicon
- Weatherized plastic backing
- Central Inverter Skid and electrical cabinets
 - Enclosed central inverters and transformers
 - Overhead shade will be 10 to 12 feet tall and the equipment enclosure, if used, will be up to approximately 45 feet long by 10 feet wide by 10 feet tall.
- Metering and Switching Gear
 - Electrical equipment required to connect to Xcel's system
- Access roads
 - Gravel roads within the fenced area leading to the inverter skids for repair
- Rated Power & Performance-
 - 1000-1500 volt system that steps up to 12.47 kV local distribution
- Safety-
 - Tempered glass, security fence (6 foot woven wire, 1 foot barbed wire), security cameras, on-site cables buried underground.

2.9 AESTHETICS

To limit reflection, solar PV panels are constructed of dark, light-absorbing materials and covered with an anti-reflective coating. Today's panels reflect as little as two percent of the incoming sunlight depending on the angle of the sun and assuming use of anti-reflective coatings.

The solar array will occupy most of The Project site for the solar facilities. The electrical transformers and inverters, and access roads complete the solar project. Most of the facility, including the solar field, will be low-profile. Currently, the proposed generation tie line will be built underground to the edge of the parcel.

Lyra may have security lighting at the entrance that will be down lit and manually controlled. There may be lights at each inverter that will be down lit and switch controlled for repair purposes. Lighting will be designed and constructed to meet or exceed the Outdoor Lighting Standards in Section 19 Subdivision 8 of the Le Sueur County Zoning Ordinance. Any signage such will comply with the Le Sueur County Zoning Ordinance Section 19 Subdivision 7.

Images 1-6 below visually show the general racking equipment and dimensions of a fixed-tilt racking system, fencing specifications, and lighting specifications.

Image 1- Fixed-Tilt System Racking



Image 2- Fixed-Tilt System Dimensions

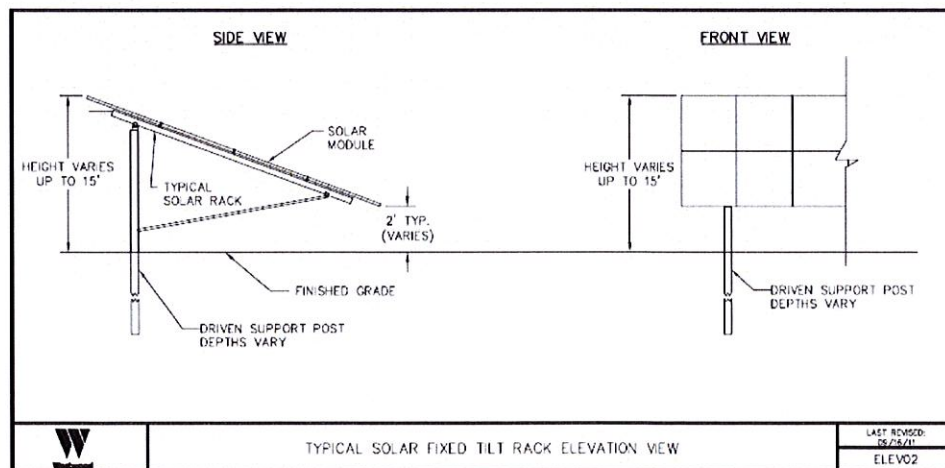


Image 3 – Standard Steel Pier Foundations



Image 4 – Barbless Wire Fence Specifications

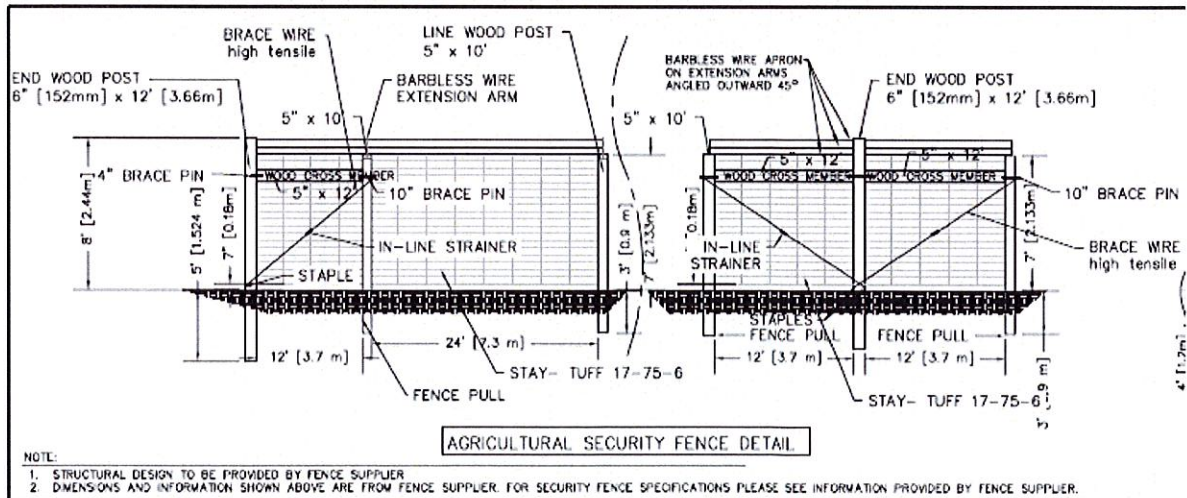


Image 4 – Fence Gate Specifications

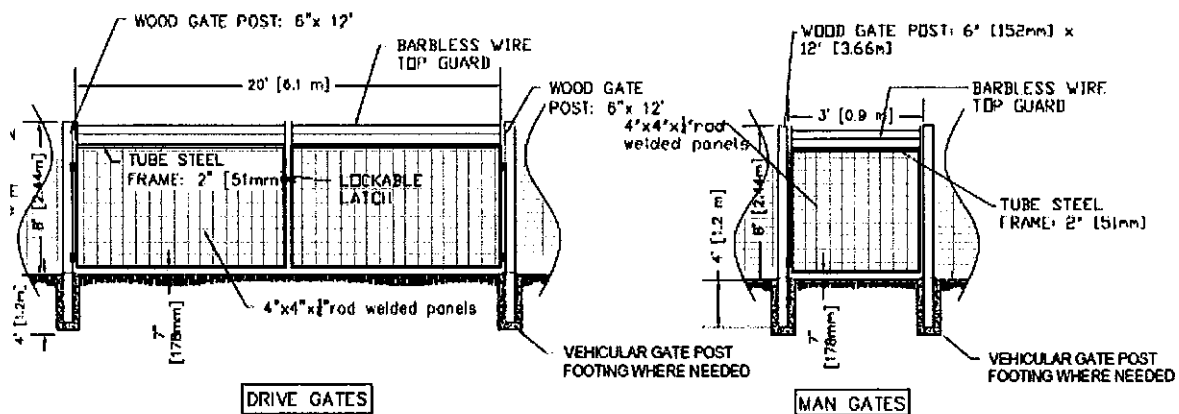
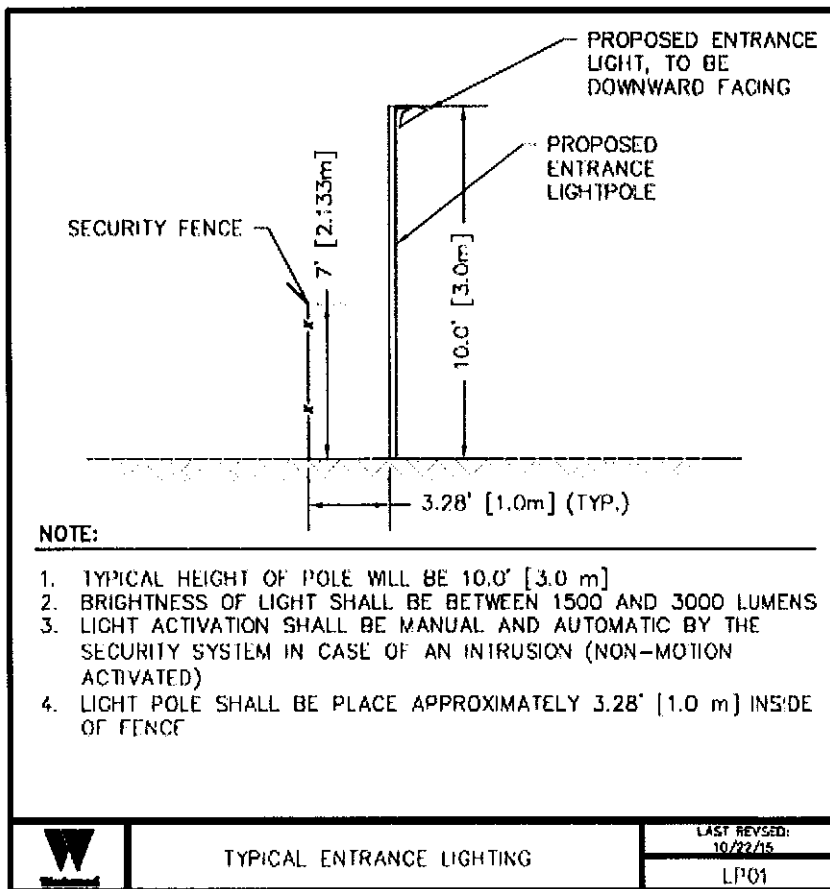


Image 6 – Lighting Specifications



2.10 OPERATIONS AND MAINTENANCE

Lyra will be professionally maintained and operated. Primary tasks include scheduled monthly and quarterly inspection(s) of electrical equipment, vegetation management as well as snow removal on access drives.

2.10.1 Vegetation Maintenance and Management:

Lyra will monitor and manage the vegetation for the first 3 years to ensure establishment of the seed mix and eradicate noxious weeds.

Vegetation maintenance during operation of the Project will include mowing the ground cover that is planted under the arrays at each facility on a bi-annual basis, or potentially more frequently if necessary. Vegetation will be managed such that it allows for safe and reliable operation of the facility while ensuring an aesthetically pleasing ground cover.

Major infestation areas identified during the first growing season will be treated primarily by mechanical methods. Should the facility require an herbicide treatment the facility or its subcontractors will obtain any necessary permits and/or certifications prior to application. Herbicides will be used in accordance with manufacturer's specifications and all applicable federal and state regulations. The contractor applying herbicide will keep proper documentation of location and timing of herbicide use and be prepared to provide such documentation to the County and Applicant upon request as required under federal law.

A sample seed mix has been provided in Appendix I. Final seed mix will be submitted prior to construction.

2.11 DECOMMISSIONING

Lyra has provided a decommissioning plan in Appendix J to provide assurance that funds will be available for the necessary decommissioning of the solar facility at the end of its useful life.

2.12 ACCESS

An access permit application with Mn/DOT has been submitted and an approved access permit is attached as Appendix K. The project has been designed to meet Section 8 Subdivision 7 of the County's Ordinance and is shown on the plans in Appendix B.

3 Compliance with Le Sueur County's Zoning Ordinance

Lyra has provided information in this application to make it complete under the requirements of the Le Sueur County Zoning Ordinance and demonstrate compliance of the requirements of the County's ordinance. Table 2 summarizes this compliance.

3.1 TABLE 1: COMPLIANCE WITH LE SUEUR COUNTY ORDINANCE

	Requirements per Subdivision 2 of the Le Sueur County Ordinance for Conditional Use Applications	Lyra response in fulfilling ordinance requirements
1.	Include the name and address of the applicant and/or landowner of the site and any architect, professional engineer and contractor employed by the applicant.	See Cover Page and Appendix A (Conditional Use Application Form)
2.	Shall be accompanied by such plans, elevations and site plans as prescribed by the Planning Commission and shall be filed at least twenty (20) days prior to the hearing.	See Site Plan in Appendix B
3.	Include any copies of any necessary State and Federal Permits.	To the extent applicable, the Project will comply with all other local, state, and federal regulatory standards and obtain any necessary permits.
4.	Setbacks	See Table 2 for a list of setbacks.
5.	Vegetation Management pursuant Sec. 13 Subd. 5.B.2	See Section 2.4.2 and Section 2.5 for discussion of vegetation management.
6.	A certificate of insurance, if applicable, shall be filed with the department prior to the issuance of the conditional use permit.	See Certificate of Insurance in Appendix L

3.2 COUNTY STRUCTURE SETBACKS

The County structure setback in the Shoreland and Special Protection District and our proposed setbacks are provided in Table 2. Final site plan setbacks will depend on final design; however,

they will not encroach on the Ordinance setback requirements. Final site plan setbacks will be submitted prior to construction.

TABLE 2: SETBACK TABLE

Yard Setback for Structures	County Setback Requirements (minimum)	Proposed Setbacks on Site Plan
Front Yard: State-Federal truck arterials (State Hwy 13)	85'	100.66'
Front Yard: Township or any other public right-of-way (County Rd. 166/480 th St.)	65'	131.28
Side Yard	50'	128.73' & 80.91'
Rear Yard	50'	N/A
Quiram's Slough Boundary	250'	250'

3.3 CONDITIONAL USE FINDINGS RESPONSES

Lyra is providing proposed responses to the Ordinance requirement of Conditional Use Findings found in Section 3-6, Subsection E.

- 1. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminishes and impairs property values within the immediate vicinity.**

Lyra will not be injurious to the neighboring properties as permitted. Lyra is low profile, does not create odors and virtually noiseless. Lyra is setback approximately 330 feet from the nearest resident, allowing substantial buffer to mitigate visual impacts. Additionally, the drainage of the property will be improved with the conversion of tillable acreage to a stable habitat.

- 2. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant in the area.**

Lyra does not impede the development and improvement of surrounding vacant property for uses predominant in the area.

- 3. The adequate utilities, access roads, drainage and other facilities have been or are being provided.**

The Project does not require water or other utilities. All electrical connections will be completed by the Project and Xcel Energy to the standards that are required to connect into the grid. Gravel access roads will be required to access inverters for repair. Best Management Practices (BMPs) and industry standard practices will be implemented for drainage and soil erosion control. Permits for construction, including NPDES, and SWPPP plans will be completed prior to construction.

Drainage will be improved on site and soil erosion control measures are outlined in the Plan set provided, which includes the use of silt fences and composite matting. Management of stormwater during operations will occur on site and will not require ponding.

- 4. The adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.**

Lyra will have a laydown area during construction that will provide off-street parking for employees on site and off-loading space for the delivery of equipment. During the operational phase of the project, parking is not needed outside of the fenced area due to the low traffic nature of the project. Vehicles servicing the area will be able to park inside the fence.

- 5. The adequate measures have been or will be taken to prevent and control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.**

During the operational phase of the project, Lyra will not produce odor, fumes, dust, vibration and virtually no noise. Inverters will produce sound and on average, inverter sound will be reduced to 50 dB(a) at approximately 100 feet. The inverters, as proposed, will be located away from any neighboring residents. Lyra may have security lighting at the entrance that will be down lit and manually controlled. There may be lights at each inverter that will be down lit and switch controlled for repair purposes. Lighting will be designed and constructed to meet or exceed the Outdoor Lighting Standards in Section 19 Subdivision 8 of the Le Sueur County Zoning Ordinance.

4 Conclusion

The Project as designed and planned complies with Le Sueur County's CUP process and the Zoning Ordinance. Lyra is working in close coordination with the landowner of the Project site, and will continue to engage the surrounding neighbors and the community as the Project develops. Lyra Community Solar Gardens, LLC respectfully requests that the Board of Commissioners approve the Project's conditional use permit.

Appendix A
Conditional Use Permit Application Form

May 16, 2016

Conditional Use Permit Application

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Le Sueur County

Conditional Use Permit Application

I. Applicant:

Name Lyra Community Solar Gardens, LLC
Mailing Address 7650 Edinborough Way, STE 725
City Edina State MN Zip 55435
Phone # 952-988-9000 Phone # _____

II. Landowner:

Name Larry & Solveig Theis
Mailing Address 3412 Westbridge Drive
City Shakopee State MN Zip 55379

Property Address _____
City _____ State _____ Zip _____
Phone # _____ Phone # _____

III. Parcel Information:

Parcel Number 14.010.7500 Parcel Acreage 39.45 (County records)
37.6 (ALTA Survey)
Attach Full Legal Description (NOT abbreviated description from tax statement)
Township Waterville (T109N, R23W) Section 10
Subdivision _____ Lot _____ Block _____

IV. Township Notification: Township must be notified of proposed use prior to application.

Waterville Township notified on 12/16/2015 (via phone); 12/18/2015 (Letter);
(Township Name) (Date) 1/9/2016 (via phone)
Board Member Judy Hering regarding the proposed use.
(Name)

V. Quantities and Submittal Formats:

- One (1)** reproducible 8.5" x 11" copy of the request and all other supporting documents.
- If any documentation is in color, an aerial photo, photographs, or larger than 8 ½ x 11, then **twenty three (23)** copies must be submitted.
- Electronic version of any supporting documents *if available*.
- Additional copies may be requested as deemed necessary by the Department.
- Application must be made **in person** by the applicant and/or landowner no later than 12 P.M. on the date of application deadline.
- Appointment is necessary.**
- Applications will not be accepted by mail.**

VI. Fees: Must be paid at the time of application.

Conditional Use Permit \$ 750 After-The-Fact fee is **doubled**
Filing Fee \$ 46
Additional Fees:
Special Meeting \$ 2,000 (**Additional fee**)
After-The-Fact Penalty \$1500 OR 10% of the improvement whichever is greater.

VII. Type of Request:

- | | |
|---|--|
| <input type="checkbox"/> Self Service Storage | <input type="checkbox"/> Value Added Agriculture |
| <input type="checkbox"/> School/Church/Cemetery | <input type="checkbox"/> Antique Sales/Service/Repair |
| <input type="checkbox"/> Retail Nursery/Greenhouse | <input type="checkbox"/> Substation/Transmission Line etc. |
| <input checked="" type="checkbox"/> Other <u>Community Solar Garden</u> | |

VIII. Description of Request:

- a. A full description of request with detailed information must be attached. See Attached
- b. Complete the following in relationship to the proposed Conditional Use Permit. See Attached
1. PROPOSED DAYS AND HOURS OF OPERATION: _____
 2. ESTIMATED NUMBER OF PERSONS TO ATTEND PLACE OF BUSINESS/LOCATION ON A DAILY OR WEEKLY BASIS: _____
 3. LIST OF PUBLIC HEALTH PLANS:
 - i. Water Supply: _____
 - ii. Toilet facilities: _____
 - iii. Solid Waste Collection: _____
 4. FIRE PREVENTION: _____
 5. SECURITY PLANS: _____
 6. RETAIL SALES: _____
 7. FOOD OR ALCOHOL SERVED OR FOR SALE: _____
 8. DESCRIBE IF THE APPLICANT REQUESTS THE COUNTY TO PROVIDE ANY SERVICES OR COUNTY PERSONNEL: (For example, pedestrian and/or vehicular traffic control.) _____
 9. SOUND AMPLIFICATION, PUBLIC ADDRESS SYSTEM, PLAYING OF MUSIC: _____
 10. EXTERIOR LIGHTING: _____
 11. PARKING AND LOADING: _____
 12. SIGNAGE: _____
 13. ROAD ACCESS: (Approved by the road authority) _____
 14. CERTIFICATE OF INSURANCE: _____
 15. MEET ALL APPLICABLE COUNTY STATE & FEDERAL REGULATIONS: (For example additional licensing and/or permitting) _____

IX. Site Plan: Shall include but not limited to the following:

- | | | | |
|---------------------|-----------|-----------------------|----------------------------|
| • North point | • Lake | • Existing Structures | • Septic system |
| • Setbacks | • River | • Proposed Structures | • Well |
| • Property Lines | • Wetland | • Lot Dimensions | • Access (size & location) |
| • Road Right-Of-Way | • Stream | • Ponds | • Easements |
- Parking (Size & location-if applicable to application)
- Landscape, screening and buffering (if applicable to application)
- Location of significant trees to be removed (if applicable to application)

X. Attachments: shall include but not limited to:

- ☒ a. **Description of Request**-See Part VIII for full details and requirements.
- ☒ b. **Site Plan**-See Part IX for full details and requirements.
- ☒ c. **Full legal description**-Not abbreviated description from tax statement.
- ☒ d. **Access approval**-Attach approval in writing from proper road authority.
- ☒ e. **Township Notification**-See Part IV for details and requirements.
- ☐ f. **Septic System Compliance Inspection** *N/A*
- ☒ g. **Erosion control plan**-Attach completed and signed plan including map.
- ☐ h. **Floor plans and/or blue prints** *N/A*

XI. Procedure:

The Planning & Zoning Commission shall hold a public hearing on the proposed Conditional Use Permit at a scheduled Planning and Zoning Commission meeting.

The Planning and Zoning Commission is an advisory board to the County Board of Commissioners and will make a recommendation to the County Board.

The Department shall report the findings and the recommendations of the Planning Commission to the County Board for final decision.

Action by the County Board shall be a majority vote of its members.

The Department shall notify the applicant and/or landowner in writing of the County Board decision.

A certified copy of the Conditional Use Permit shall be filed with the Le Sueur County Recorder by the Department.

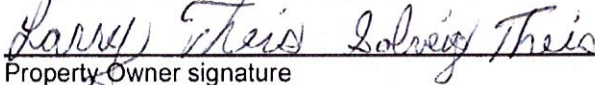
XII. Signatures:

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.


Applicant signature

1/9/16
Date

I hereby certify with my signature that all data contained herein as well as all supporting data are true and correct to the best of my knowledge.


Property Owner signature

1-7-16
Date

OFFICE USE ONLY

Request:

Pre-App Date _____	Lake Classification _____	Feedlot	500'	1000'	N
Meeting Date _____	Lake _____	Wetland Type	1-2	3-8	N
60 Day _____	FEMA Panel # 27079C0 _____	Water courses		Y	N
Zoning District _____	Flood Zone _____	Bluff		Y	N
<input type="checkbox"/> Request Description	<input type="checkbox"/> Access Approval	<input type="checkbox"/> Septic	Comp Insp / Design		
<input type="checkbox"/> Site Plan	<input type="checkbox"/> Erosion Control Plan	<input type="checkbox"/> Meeting	Reg / ATF / Spec		
<input type="checkbox"/> Full Legal	<input type="checkbox"/> Blue Prints	<input type="checkbox"/> Fee	\$ _____		
<input type="checkbox"/> Ordinance	<input type="checkbox"/> Other _____	<input type="checkbox"/> Penalty	\$ _____		

☐ Application Complete

Planning & Zoning Department Signature

Date

Permit #

LYRA COMMUNITY SOLAR GARDENS

DESCRIPTION OF PROPERTY

Tax Parcel Identification No.: 14.010.7500

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10, Township 109, Range 23, Le Sueur County, Minnesota.

The Premises contains approximately 39.45 acres.



December 18, 2015

Judy Hering, Clerk
48144 151st Ave
Waterville, MN 56096

Re: Solar Project Development

To Whom It May Concern:

We are writing to introduce ourselves and to inform you of a solar energy project called Lyra Community Solar Gardens, which we are developing in Waterville Township near the City of Waterville.

About Geronimo Energy

Geronimo Energy is a utility-scale renewable energy development firm operating primarily in the Midwest, with offices in North Dakota, Minnesota, Illinois and Michigan. We currently have projects in various stages of development, construction and operation in North Dakota, South Dakota, Minnesota, Michigan, Illinois and Nebraska. Our founder, Noel P. Rahn, grew up on a farm in southwest Minnesota, and many of our employees come from similar rural backgrounds. This rural and agricultural foundation drives us to partner with communities such as yours to help advance the community benefits of renewable energy.

About Lyra Community Solar Gardens

Lyra Community Solar Gardens (Lyra CSG or Project) is a proposed Community Solar Garden facility located in Waterville Township, Section 10 (see enclosed map). Similar to a newly constructed home or business, the solar facility is proposed to interconnect directly to the local distribution system and does not require transmission facilities. The Project is expected to be up to three individual one megawatt (MW) ground-mount solar gardens and encompass up to approximately 30 acres. Depending upon the Project's final size, it will generate enough energy to power up to 500 homes annually and decrease carbon dioxide emissions by 3,635 metric tons annually.

At this time, the solar array layout, access roads and electrical connections have not been finalized. The enclosed map identifies the proposed location of the solar facility, as well as the project boundary. For your reference, we have also included photographs of solar farms that utilize technology similar to what is being proposed for the Project.

In addition to the considerable environmental benefits Lyra CSG will provide, the project will also deliver significant economic benefits to Le Sueur County and Waterville community. These benefits include increased income to the county and township in the form of tax revenue, job creation and increased local spending during both construction and on-going operations.

About the Permit Process for Lyra CSG

Geronimo will soon begin the Conditional Use Permitting process for the Project. Permitting is expected to last up to three months. As such, we currently anticipate we will receive our permit for the Project sometime in March 2016. We plan to begin construction in the spring of 2016. Construction will likely

7650 EDINBOROUGH WAY, STE 725, EDINA, MN 55435 | P 952.988.9000 | F 952.988.9001
www.geronimoenergy.com



require five to nine months for completion. Our goal is to start operations at Lyra CSG sometime in 2016.

As with all of our projects, Geronimo encourages and actively seeks public feedback. Geronimo is in the process of coordinating permitting with Le Sueur County for a Conditional Use Permit. Once our application has been submitted to the County, further information on a public hearing date for the Conditional Use Permit will be included in a notice letter as part of the CUP process. We would welcome your participation in this hearing. However, in the meantime, if you have any questions regarding Geronimo Energy or the Lyra Community Solar Gardens, please contact me using the information below.

We look forward to working with you and your community.

Sincerely,

A handwritten signature in black ink, appearing to read "Jordan Burmeister".

Jordan Burmeister
Project Manager
jordan@geronimoenergy.com
952-641-4044

Appendix B

Site Plan

May 16, 2016

Conditional Use Permit Application

Page 20 of 159

Lyra Community Solar Garden

3 MW-AC Solar Array Project Le Sueur County, Minnesota Civil Permitting Plans

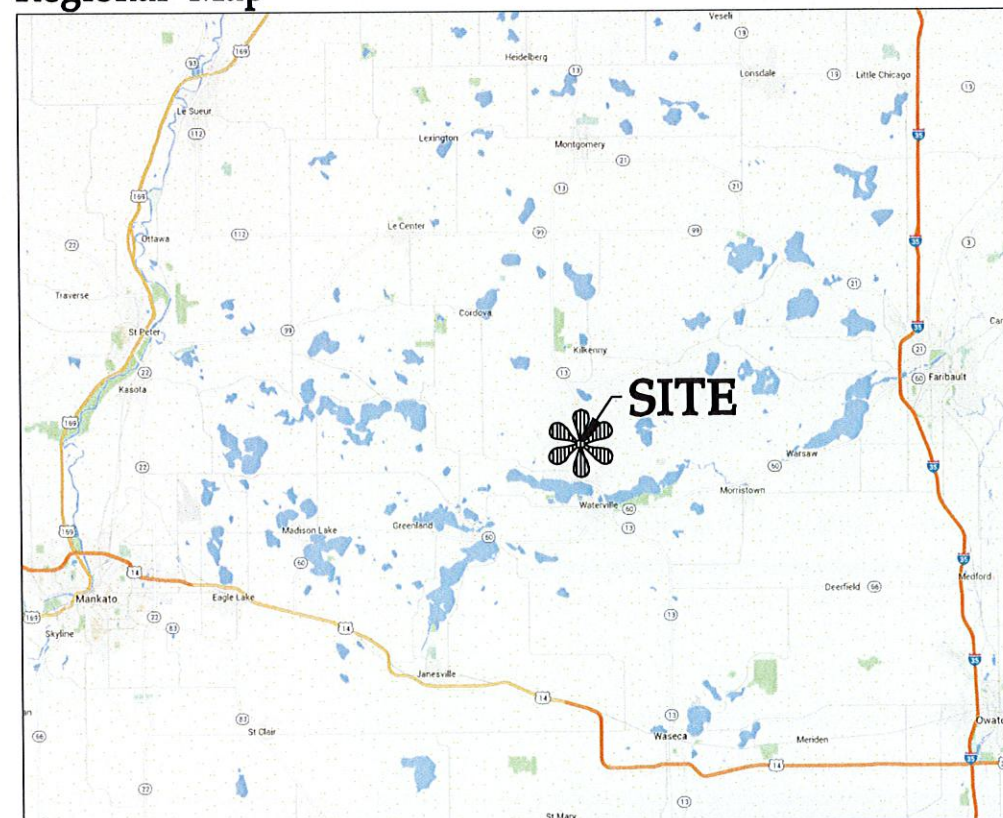
Project Contact Information

Consultant	Company	Name	Phone No.
Developer	Geronimo Energy	Nathan Franzen	(952) 358-5683
Civil Engineer	Westwood	Jim Campbell	(480) 747-6558

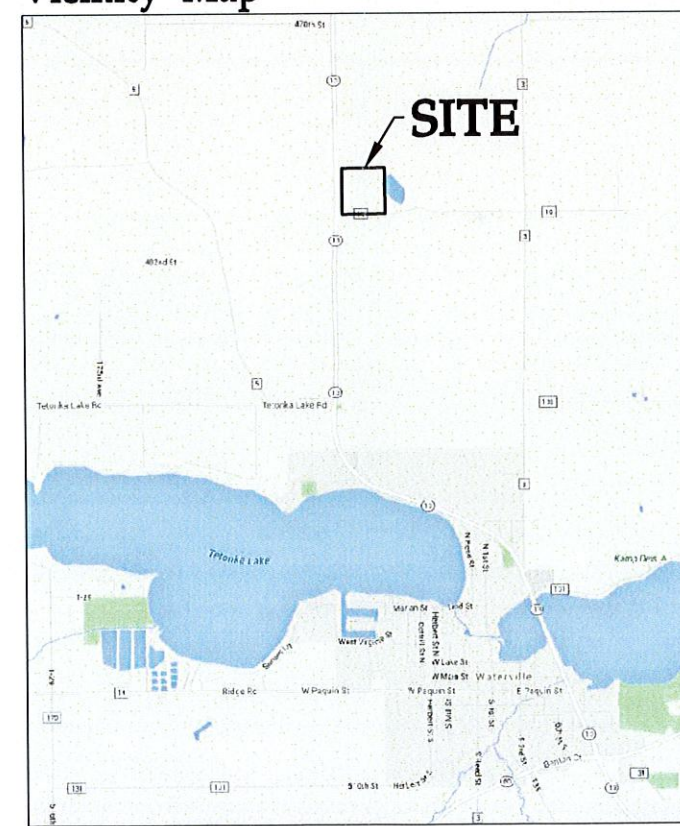
Data Set Information

Base File	File Name	Provider	Date
PV Array	0007452PVSITE.dwg	Westwood	01/19/2016
Topo	0007452DTM.dwg	MN Lidar	11/02/2015

Regional Map



Vicinity Map



Legal Description

he Southwest 1/4 of the Southwest 1/4 of Section 10, Township 109, Range 23, Le Sueur County, Minnesota, EXCEPT all that part of the following described tract:

The Southwest Quarter of the Southwest Quarter of Section 10, Township 109 North, Range 23 West, which lies westerly of a line run parallel with and distant 75 feet easterly of the following described line: Beginning at a point on the south line of Section 16, Township 109 North, Range 23 West, distant 23.1 feet west of the southeast corner thereof; thence run northerly at an angle of 92 degrees 04' with said south section line (measured from west to north) for 1139.2 feet; thence deflect to the left at an angle of 3 degrees 41' for 2475.8 feet; thence deflect to the right at an angle of 4 degrees 30' for 1371.8 feet; thence deflect to the left on a 0 degrees 30' curve (delta angle 3 degrees 40') for 733.3 feet; thence on tangent to said curve for 1000 feet and there terminating.

(Description leaves a noncontiguous strip of land on west side of parcel.)

Project Description

3 MW-AC Single Axis Tracker Solar Array Project

Sheet Index

Dwg. No.	Sheet Title
T.100	Cover Sheet
C.100	Overall Site Plan
C.101	Existing Conditions
C.102	Civil Site Plan
C.103	Civil Site Plan
C.104	Drainage Plan
C.200	Construction Details
C.201	Construction Details

Westwood

Phone (480) 747-6558 6906 East Greenway Parkway, Suite 250
Fax (480) 376-8025 Scottsdale, AZ 85254
westwoodps.com
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name August Dean Christensen

Signature

Date 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:

Revisions: # DATE DESCRIPTION

Prepared for:



Geronimo Energy,
7650 Edinborough Way, Suite 725
Edina, MN 55435

Lyra Community Solar Garden

Le Sueur County, Minnesota

Cover Sheet

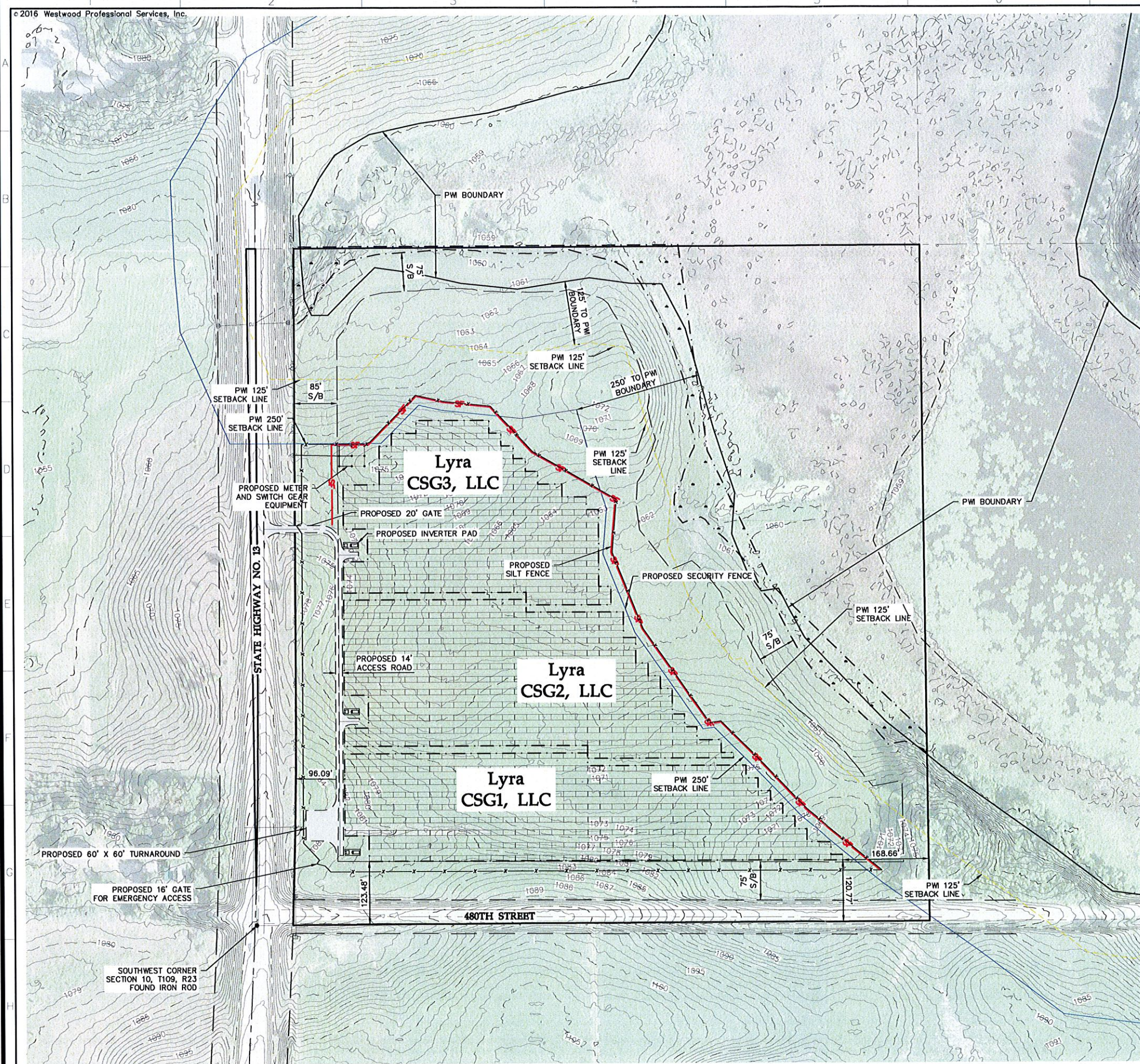
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47857 State Highway 13
Waterville, MN 56096

Preliminary
Not For Construction

Date: 04/11/2016

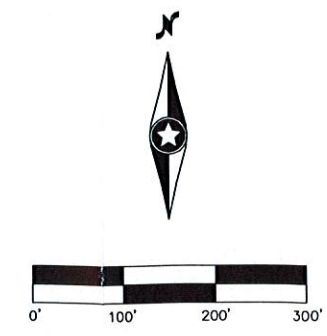
Drawing No: T.100

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- LEGEND & ABBREVIATIONS**
- EX. PROJECT BOUNDARY LINE
 - EX. SECTION LINE
 - EX. EASEMENT LINE
 - EX. RIGHT-OF-WAY LINE
 - EX. OVERHEAD POWERLINE
 - EX. INDEX CONTOUR LINE
 - EX. INTERVAL CONTOUR LINE
 - EX. WETLAND
 - EX. PAVED ROAD
 - EX. GRAVEL ROAD
 - EX. STORM DRAIN PIPE
 - PROPOSED SECURITY FENCE LINE
 - PROPOSED SETBACK LINE
 - PROPOSED SILT FENCE LINE
 - PROPOSED INDEX CONTOUR LINE
 - PROPOSED INTERVAL CONTOUR LINE
 - PROPOSED ACCESS ROAD
 - FOUND MOUNDMENT
 - EX. POWER POLE
 - EXISTING
 - SETBACK

Building Setbacks	
North Wetlands Line	75'
West Property Boundary	85'
East Wetlands Line	75'
South Right-of-Way Line	75'



Westwood
Phone (480) 747-6058 6909 East Greenway Parkway, Suite 250
Fax (480) 378-6025 Scottsdale, AZ 85254
westwoodps.com
Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name: August Dean Christensen
Signature:
Date: 04/11/2016
Plate No. 47173

Designed: WPS
Checked: WPS
Drawn: WPS

Record Drawing by/date:

Revisions:
DATE DESCRIPTION

Prepared for:

Geronimo Energy,
7650 Edinborough Way, Suite 725
Edina, MN 55435

Lyra Community Solar Garden
Le Sueur County, Minnesota

Overall Site Plan

Project Address:
47857 State Highway 13
Waterville, MN 56096
Preliminary
Not For Construction

Date: 04/11/2016
Drawing No: C100

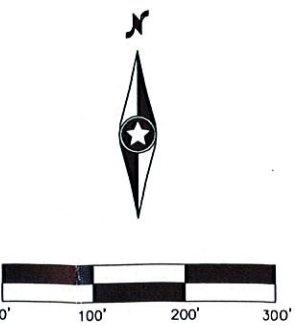
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LEGEND & ABBREVIATIONS

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- EX. POWER POLE
- EXISTING
- S/B
- SETBACK

Existing Land Use	
Agriculture	100%



Westwood

Phone (480) 747-6558 6906 East Greenway Parkway, Suite 250
Fax (480) 376-8025 Scottsdale, AZ 85254
westwoodps.com
Westwood Professional Services, Inc.

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Print Name: August Dean Christensen

Signature:

Date: 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:

Revision	DATE	DESCRIPTION

Prepared for:

Geronimo Energy,
7650 Edinborough Way, Suite 725
Edina, MN 55435

Lyra Community Solar Garden

Le Sueur County, Minnesota

Existing Conditions

Project Address:
47857 State Highway 13
Waterville, MN 56096

Preliminary
Not For Construction

Date: 04/11/2016

Drawing No: C.101

0007452EXP01.dwg

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name August Dean Christensen

Signature 

Date 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:

Revisions: # DATE DESCRIPTION

Prepared for:



Geronimo Energy,
7650 Edinborough Way, Suite 725
Edina, MN 55435

Lyra Community Solar Garden

Le Sueur County, Minnesota

Civil Plan

Project Address:
47857 State Highway 13
Waterville, MN 56096



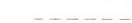





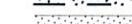













Preliminary
Not For Construction

Date: 04/11/2016

Drawing No: C.102

00074520PP01.dwg

LEGEND & ABBREVIATIONS

	EX. PROJECT BOUNDARY LINE
	EX. SECTION LINE
	EX. EASEMENT LINE
	EX. RIGHT-OF-WAY LINE
	EX. OVERHEAD POWERLINE
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	EX. GRAVEL ROAD
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	PROPOSED SETBACK LINE
	PROPOSED SILT FENCE LINE
	PROPOSED INDEX CONTOUR LINE
	PROPOSED INTERVAL CONTOUR LINE
	PROPOSED ACCESS ROAD
	FOUND MOUNDMENT
	EX. POWER POLE
	EXISTING
	S/B
	SETBACK

GENERAL NOTES:

- MINOR SURFACE SMOOTHING OUTSIDE OF THE WETLAND AREA MAY OCCUR FOR SOLAR PANEL INSTALLATION.
- CONTRACTOR SHALL INSTALL ALL PERIMETER EROSION AND SEDIMENT CONTROL DEVICES PRIOR TO UPSLOPE DISTURBANCE ACTIVITIES.
- SITE PREPARATION OUTSIDE OF WETLAND AREA INCLUDES BUT IS NOT LIMITED TO CLEARING/GRUBBING, MINOR GRADING, COMPACTION, MOWING OF VEGETATION, AND RESTABILIZATION OF DISTURBED AREA.
- ALL TEMPORARILY DISTURBED WETLAND AREAS WILL BE RESTORED BACK TO PRE-CONSTRUCTION CONTOURS AND SEEDED WITH A WETLAND MIX.
- INTERNAL ROADS WILL BE CONSTRUCTED TO MATCH THE SURROUNDING EXISTING GROUND ELEVATIONS TO ALLOW EXISTING DRAINAGE PATTERNS TO PERSIST.
- OVERALL DRAINAGE PATTERNS WILL NOT BE ALTERED WITH SOLAR DEVELOPMENT.
- A TEMPORARY STORAGE POND WILL BE REQUIRED DURING THE DURATION OF CONSTRUCTION IN ACCORDANCE TO PROJECT SWPPP.
- THE GROUND BENEATH THE RAISED SOLAR PANELS ALLOWS RUNOFF TO INFILTRATE, THE AREA BENEATH THE PANELS IS NOT CONSIDERED IMPERVIOUS.



SEE SHEET C.103

Lyra
CSG3, LLC

PROPOSED 20' GATE

PROPOSED INVERTER PAD

PROPOSED 14' ACCESS ROAD

PROPOSED SECURITY FENCE

PROPOSED SILT FENCE

PROPOSED METER AND SWITCH GEAR EQUIPMENT

PW 125' SETBACK LINE

85' S/B

PW 250' SETBACK LINE

82.00'

R20'

R30'

R15'

1075

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under my direct supervision and that I am a duly
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of the State of Minnesota.

Print Name August Dean Christensen

Signature 

Date 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date

Revisions: # DATE DESCRIPTION

Prepared for:

Geronimo Energy,
7650 Edinborough Way, Suite 725
Edina, MN 55435**Lyra Community
Solar Garden**

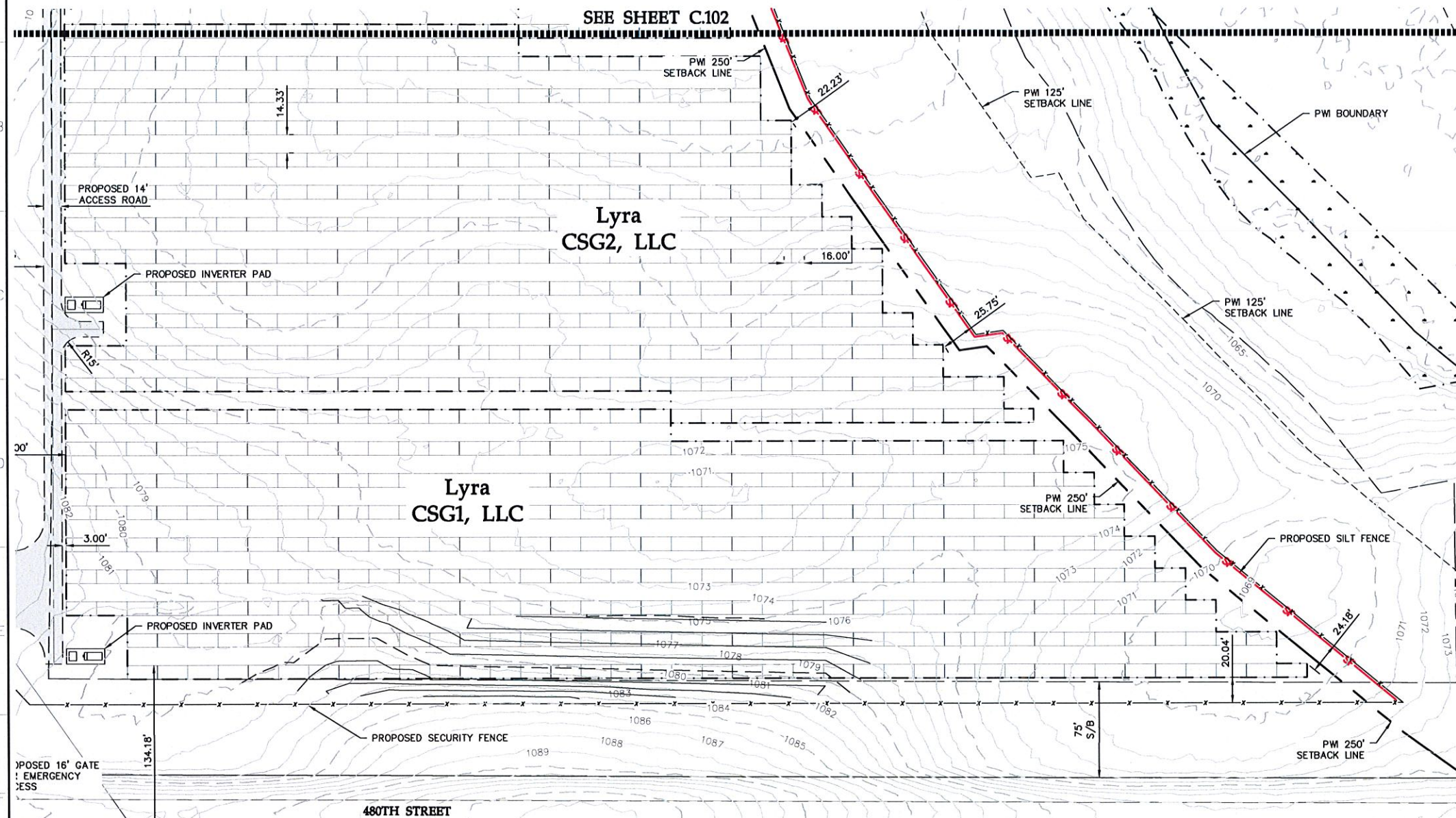
Le Sueur County, Minnesota






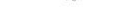















Civil PlanProject Address:
47857 State Highway 13
Waterville, MN 56096**Preliminary
Not For Construction**

Date: 04/11/2016

Drawing No: C.103

0007452OPP01.dwg

**LEGEND & ABBREVIATIONS**

	EX. PROJECT BOUNDARY LINE
	EX. SECTION LINE
	EX. EASEMENT LINE
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	EXISTING
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Phone (480) 747-6558 6909 East Greenway Parkway, Suite 25
Fax (480) 376-9025 Scottsdale, AZ 85254
westwoodos.com

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name **August Dean Christensen**

Signature _____

04/11/2016

Date: 11/11/73
 Accession No: 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:

Revisions:

#	DATE	DESCRIPTION
1	1/1/20	Initial deposit
2	1/15/20	Withdrawal
3	2/1/20	Deposit
4	2/15/20	Withdrawal
5	3/1/20	Deposit
6	3/15/20	Withdrawal
7	4/1/20	Deposit
8	4/15/20	Withdrawal
9	5/1/20	Deposit
10	5/15/20	Withdrawal
11	6/1/20	Deposit
12	6/15/20	Withdrawal
13	7/1/20	Deposit
14	7/15/20	Withdrawal
15	8/1/20	Deposit
16	8/15/20	Withdrawal
17	9/1/20	Deposit
18	9/15/20	Withdrawal
19	10/1/20	Deposit
20	10/15/20	Withdrawal
21	11/1/20	Deposit
22	11/15/20	Withdrawal
23	12/1/20	Deposit
24	12/15/20	Withdrawal
25	1/1/21	Deposit
26	1/15/21	Withdrawal
27	2/1/21	Deposit
28	2/15/21	Withdrawal
29	3/1/21	Deposit
30	3/15/21	Withdrawal
31	4/1/21	Deposit
32	4/15/21	Withdrawal
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96	12/15/23	Withdrawal
97	1/1/24	Deposit
98	1/15/24	Withdrawal
99	2/1/24	Deposit
100	2/15/24	Withdrawal

Prepared for:



Geronimo Energy,
7650 Edinborough Way, Suite 725
Edina, MN 55435

Le Sueur County, Minnesota

Drainage Plan

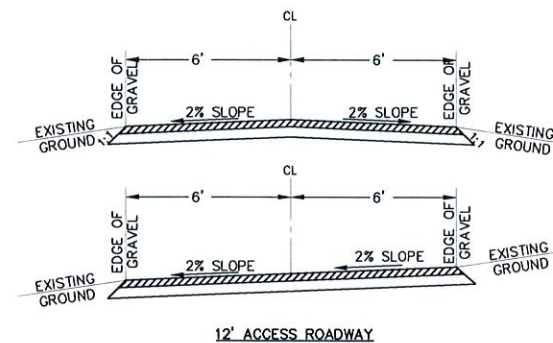
Project Address:
47857 State Highway 13
Waterville, MN 56096

**Preliminary
Not For Construction**

Date: 04/11/2016

Drawing No: **C.104**

0007452DRP01.d



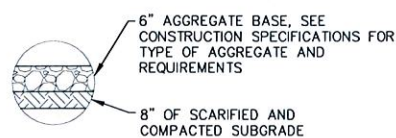
NOTES:

- CONTRACTOR SHALL CONSTRUCT CROSS-SLOPE ROAD SECTION WHERE ACCESS ROADS ARE CONSTRUCTED ON A SIDE SLOPE, AND WHERE OTHERWISE NOTED ON PLANS, TO ENSURE THAT ROADS AND SHOULDERS REMAIN WELL DRAINED AT ALL TIMES.

12' ACCESS ROADWAY



TYPICAL SOLAR ACCESS ROAD

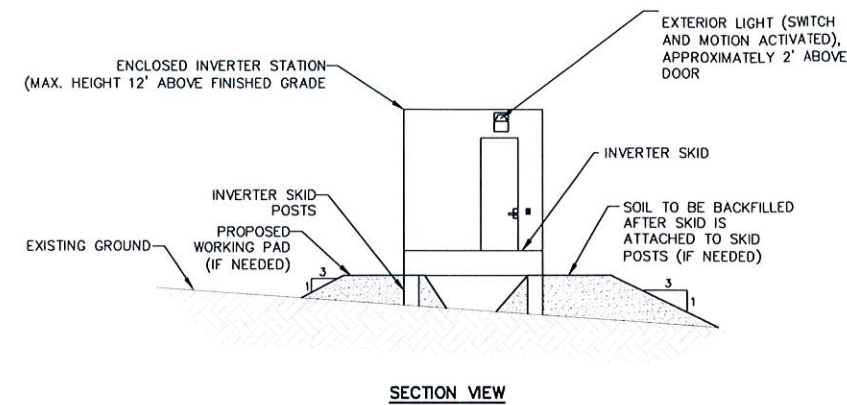
LAST REVISED:
11/27/14
RD01

12' ACCESS ROAD CROSS SECTION

NOTE:
STRUCTURAL SECTIONS SHOWN ARE THE MINIMUM THICKNESS REQUIREMENTS DURING NORMAL FIELD CONDITIONS. THE SECTIONS MAY NEED TO BE INCREASED BASED ON ACTUAL FIELD CONDITIONS AT THE TIME OF CONSTRUCTION. CONDITIONS INCLUDE BUT ARE NOT LIMITED TO CONSTRUCTION DURING UNUSUALLY WET PERIODS, OR IN LOW/WET AREAS.



TYPICAL STRUCTURAL CROSS SECTIONS

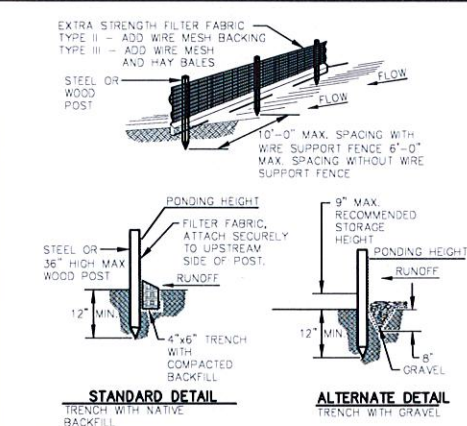
LAST REVISED:
11/27/14
RD02

SECTION VIEW

NOTE:
1. SOIL SHALL BE BACKFILLED AROUND INVERTER PAD IF A WORKING SURFACE IS NEEDED FOR ELECTRICAL EQUIPMENT



TYPICAL SOLAR INVERTER ON DRIVEN PILES

LAST REVISED:
08/20/13
INV01

ALTERNATE DETAIL

NOTE:

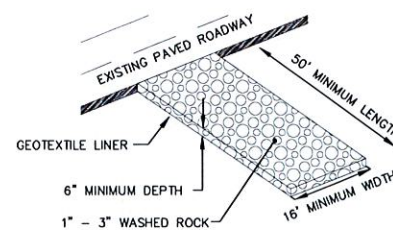
- INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY.
- REMOVED SEDIMENT SHALL BE DEPOSITED TO AN AREA THAT WILL NOT CONTRIBUTE SEDIMENT OFF-SITE AND CAN BE PERMANENTLY STABILIZED.
- SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.



SILT FENCE

LAST REVISED:
03/23/09
GD02

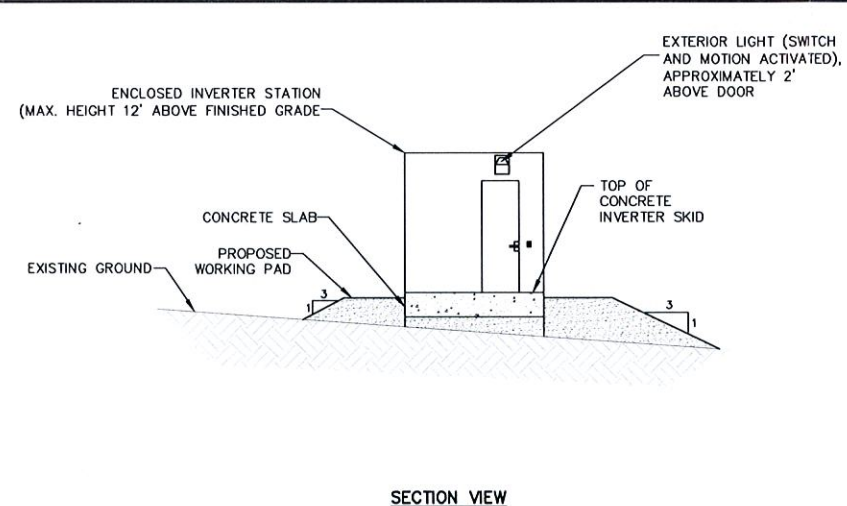
USED IF NEEDED



NOTE:
ROCK CONSTRUCTION ENTRANCE SHOULD BE A MINIMUM THICKNESS OF 1.0' AND CONTAIN MAXIMUM SIDE SLOPES OF 4:1. ROCK ENTRANCE SHOULD BE INSPECTED AND MAINTAINED REGULARLY. ROCK ENTRANCE LENGTH MAY NEED TO BE EXTENDED IN CLAY SOILS.



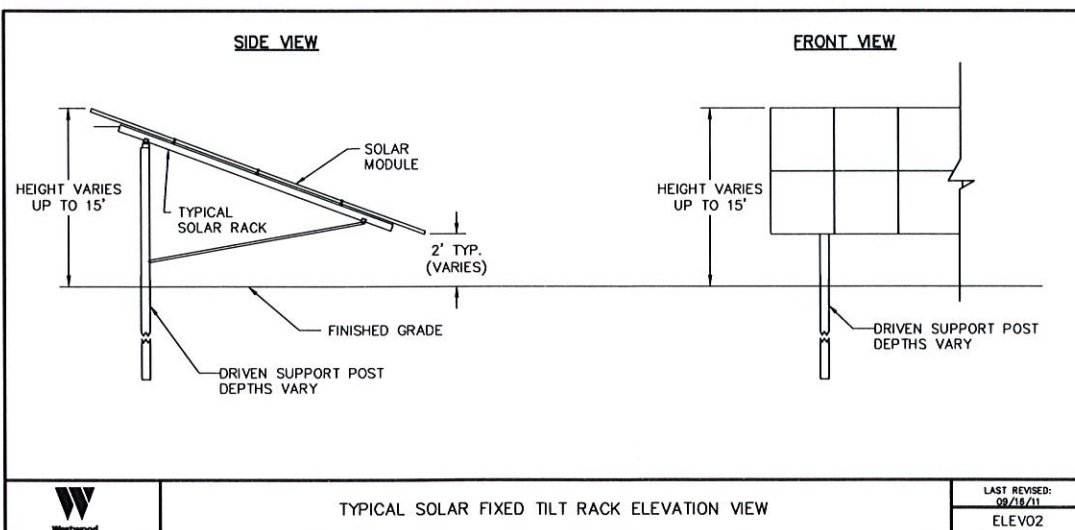
ROCK CONSTRUCTION ENTRANCE

LAST REVISED:
01/23/03
GD05

SECTION VIEW



TYPICAL SOLAR INVERTER ON CONCRETE SLAB

LAST REVISED:
08/20/13
INV02

TYPICAL SOLAR FIXED TILT RACK ELEVATION VIEW

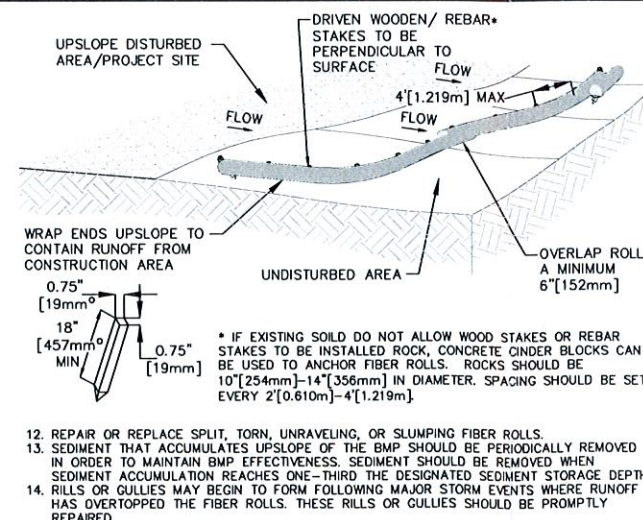
LAST REVISED:
02/18/11
ELEV02

NOTES:

- FIBER ROLLS SHALL BE INSTALLED PRIOR TO UPSLOPE DISTURBANCE ACTIVITIES COMMENCE.
- FIBER ROLLS SHALL BE PREFABRICATED AND MADE FROM WEED FREE RICE STRAW, FLAX, OR A SIMILAR AGRICULTURAL MATERIAL BOUND INTO A TIGHT TUBULAR ROLL BY NETTING. USE A 6" [152mm] OR 12" [305mm] DIA. ROLL.
- TRENCHES SHALL BE CREATED ALONG THE SLOPE OF THE PERIMETER. THE TRENCH DEPTH SHOULD BE 1/4 TO 1/3 OF THE THICKNESS OF THE ROLL, AND THE WIDTH SHOULD EQUAL THE ROLL DIAMETER, IN ORDER TO PROVIDE AREA TO BACKFILL THE TRENCH.
- STAKE FIBER ROLLS INTO THE TRENCH. DRIVE STAKES AT THE END OF EACH FIBER ROLL AND SPACED 4 FEET [1.219m] MAXIMUM ON CENTER. USE WOOD STAKES WITH NOMINAL CLASSIFICATION OF 0.75 IN. [19mm] BY 0.75 IN. [19mm] AND A MINIMUM LENGTH OF 24 IN. [610mm].
- ROLLS SHALL BE INSTALLED PERPENDICULAR TO WATER MOVEMENT, AND PARALLEL TO THE SLOPE CONTOUR.
- TURN THE ENDS OF THE FIBER ROLLS UP SLOPE TO PREVENT RUNOFF FROM GOING AROUND THE ROLL. THE UPSLOPE POINT SHOULD BE A MINIMUM 6" HIGHER IN ELEVATION THAN THE LOW POINT.
- IF MORE THAN ONE FIBER ROLL IS PLACED IN A ROW, THE ROLLS SHOULD BE OVERLAPPED A MINIMUM OF 6 INCHES [152mm], NOT ABUTTED.
- FIBER ROLLS ENCASED WITH PLASTIC NETTING ARE USED FOR A TEMPORARY APPLICATION ONLY AND SHOULD BE REMOVED FOLLOWING STABILIZATION. FIBER ROLLS USED IN A PERMANENT APPLICATION SHALL BE ENCASED WITH A BIODEGRADABLE MATERIAL AND MAY BE LEFT IN.
- TEMPORARY INSTALLATIONS SHOULD ONLY BE REMOVED WHEN UP GRADIENT AREAS ARE STABILIZED PER GENERAL PERMIT REQUIREMENTS, AND/OR POLLUTANT SOURCES NO LONGER PRESENT A HAZARD. BUT, THEY SHOULD ALSO BE REMOVED BEFORE VEGETATION BECOMES TOO MATURE SO THAT THE REMOVAL PROCESS DOES NOT DISTURB MORE SOIL AND VEGETATION THAN IS NECESSARY.
- FIBER ROLLS MUST BE INSPECTED IN ACCORDANCE WITH GENERAL PERMIT REQUIREMENTS FOR THE ASSOCIATED PROJECT TYPE AND RISK LEVEL. IT IS RECOMMENDED THAT AT A MINIMUM, THE BMPs BE INSPECTED WEEKLY, PRIOR TO FORECASTED RAIN EVENTS, DAILY DURING EXTENDED RAIN EVENTS, AND AFTER THE CONCLUSION OF RAIN EVENTS.



TYPICAL FIBER ROLLS FOR PERIMETER CONTROL OF CONSTRUCTION AREA LIMIT

LAST REVISED:
02/29/13
GD42

NOT TO SCALE

Westwood

Phone (480) 247-6008 0909 East Greenway Parkway, Suite 250
Fax (480) 276-8025 Scottsdale, AZ 85054
westwoodps.com

Westwood Professional Services, Inc.

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly licensed PROFESSIONAL ENGINEER under the laws of the State of Minnesota.

Print Name August Dean Christensen

Signature *August Dean Christensen*

Date 04/11/2016

License No. 47173

Designed: WPS

Checked: WPS

Drawn: WPS

Record Drawing by/date:

Revisions: # DATE DESCRIPTION

Prepared for:



Geronimo Energy,
7650 Edinborough Way, Suite 725
Edina, MN 55435

Lyra Community Solar Garden

Le Sueur County, Minnesota

Construction Details

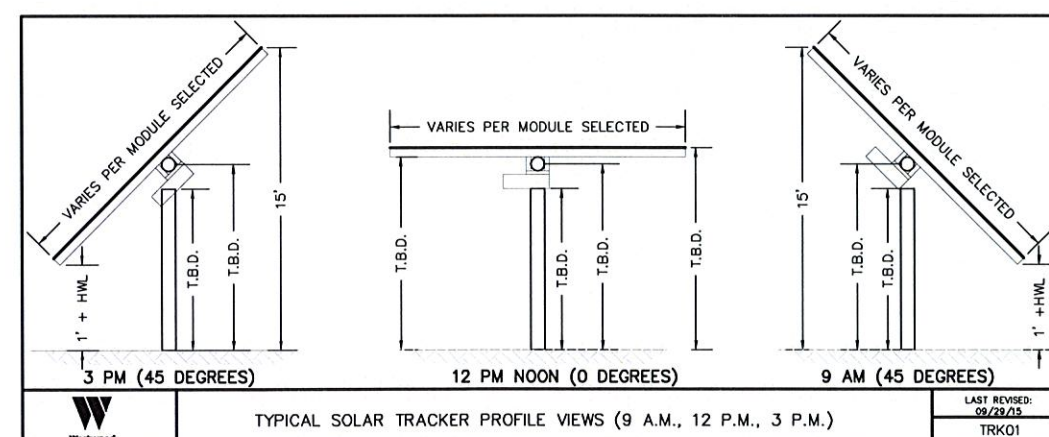
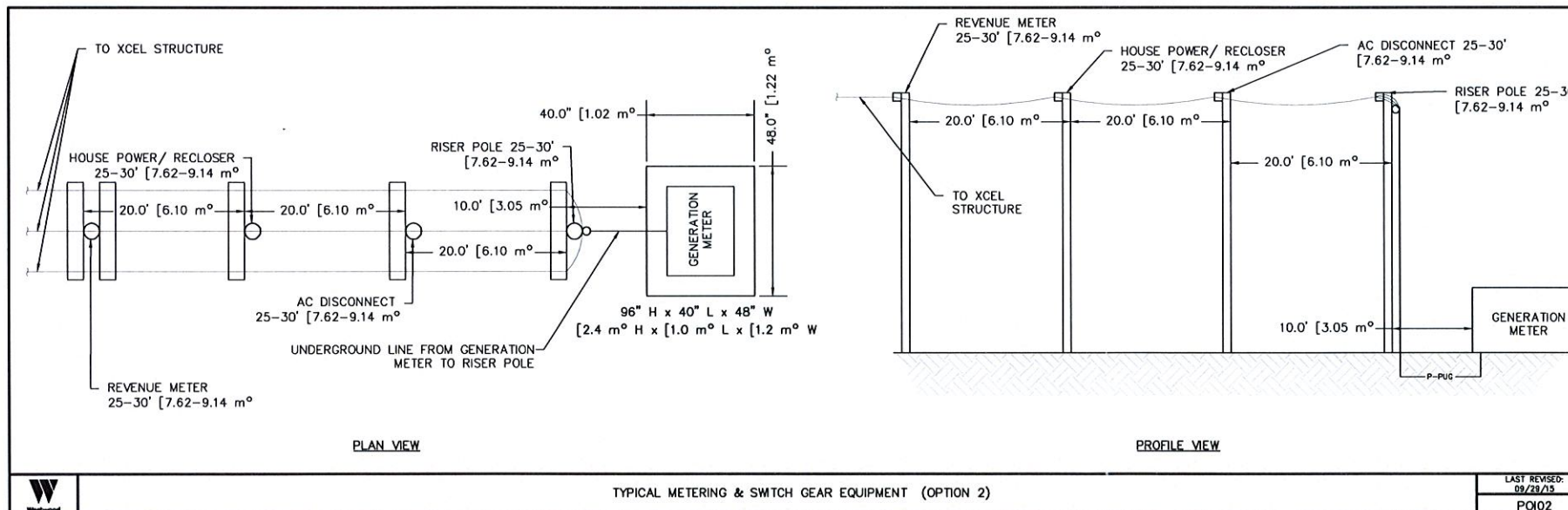
Project Address:
47857 State Highway 13
Waterville, MN 56096

Preliminary
Not For Construction

Date: 04/11/2016

Drawing No: C.200

000745201P01.dwg



400938

Document No. 400938

Office of County Recorder
Le Sueur County, Minnesota

I hereby certify that the within instrument
was filed in this office for record on
October 15, 2015 3:20 PM
Sharon J. Budin, Recorder

Pages 7 **AP**

Well Cert Received
Well Cert Not Required

Drafted by and upon recording return to:
Lyra Community Solar Gardens, LLC
c/o Geronimo Energy, LLC
7650 Edinborough Way, Suite
Edina, MN 55435

MEMORANDUM OF LAND LEASE AND SOLAR EASEMENT

THIS MEMORANDUM OF LAND LEASE AND SOLAR EASEMENT ("Memorandum of Lease") is entered into this 12th day of September, 2015 by and between Larry M. Theis, Trustee of the Larry M. Theis Revocable Trust Under Agreement Dated June 4, 1998 as Amended; Solveig D. Theis, as Trustee of the Solveig D. Theis Revocable Trust Under Agreement Dated June 4, 1998, as Amended ("Lessor") and Lyra Community Solar Gardens, LLC, a Minnesota limited liability company, and its successors and assigns ("Lessee").

RECITALS:

A. Lessor is the owner of certain property in the County of Le Sueur, State of Minnesota, and being more particularly described in Schedule A attached hereto and made a part hereof (the "Property").

B. Lessor and Lessee have entered into a certain Land Lease and Solar Easement dated September 17, 2015 (the "Lease Agreement"), whereby Lessor has agreed to lease to Lessee a portion of the Property (as identified in Schedule A-1 and more fully described in the Lease Agreement, the "Premises"), together with access easement rights and a Solar Easement across said Property.

C. The initial term of the Lease Agreement is for a period of 5 years, commencing on the Effective Date (the "Development Period"). The Lease Agreement shall automatically be extended for an Extended Term, as defined below, upon the date when construction of solar facilities on the Premises commences ("Construction Date"). The Extended Term of the Lease Agreement ("Extended Term") is 25 years from the Construction Date unless sooner terminated

in accordance with the terms of the Lease Agreement. Lessee has a right to renew the Extended Term for two additional periods of 10 years upon written notice to Lessor.

D. The parties wish to give notice of the existence of such Lease Agreement.

IN CONSIDERATION of the sum of One and 00/100 Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree as follows:

1. Lessor and Lessee have entered into the Lease Agreement dated 9/17/15, 20_ (the "Effective Date") to lease and demise the Premises for solar energy purposes and to grant access and solar easements. Pursuant to the Lease Agreement, Lessee has the exclusive right to use the Premises for commercial solar energy purposes, together with certain related solar, access and other easement rights and other rights related to the Premises, all as more fully described in the Lease Agreement. Commercial solar energy purposes means converting solar energy into electrical energy and collecting and transmitting the electrical energy so converted, together with any and all activities related thereto.

2. Lessor shall have no ownership and other interest in any solar facilities installed on the Premises by Lessee, except as provided in Section 4.3 of the Lease and Lessee may remove any or all solar facilities at any time.

3. Lessee and any successor or assign of Lessee has the right under the Lease, without need for Lessor's consent, to do any of the following, conditionally or unconditionally, with respect to all or any portion of the Premises for solar energy purposes: grant co-leases, separate leases, subleases, easements, licenses or similar rights (however denominated) to one or more third parties; or sell, convey, lease, assign, mortgage, encumber or transfer to one or more third parties or to any affiliate of Lessee's this Lease, or any right or interest in this Lease, or any or all right or interest of Lessee in the Premises or in any or all of the solar power facilities that Lessee or any other party may now or hereafter install on the Premises provided that (i) any such assignment, transfer or conveyance shall not be for a period beyond the term of the Lease; (ii) the assignee or transferee shall be subject to all of the obligations, covenants and conditions applicable to the Lessee; and (iii) Lessee shall not be relieved from liability for any of its obligations under the Lease by virtue of the assignment or conveyance unless Lessee assigns or conveys all of its interests under the Lease to the assignee or transferee, in which event Lessee shall have no continuing liability.

4. The Lease Agreement and the easement and rights granted Lessee therein shall burden the Property and shall run with the land. The Lease Agreement shall inure to the benefit of and be binding upon and Lessee and, to the extent provided in any assignment or other transfer under the Lease Agreement, any assignee or Lessee, and their respective heirs, transferees, successors and assigns, and all persons claiming under them.

5. This Memorandum of Lease has been executed and delivered by the parties for the purpose of recording and giving notice of the lease and easement rights in accordance with the terms, covenants and conditions of the Lease Agreement.

6. The terms and conditions of the Lease Agreement are incorporated by reference into this Memorandum of Lease as if set forth fully herein at length. In the event of any conflict between the terms and provisions of the Lease Agreement and this Memorandum of Lease, the Lease Agreement shall control.

The remainder of this page is intentionally blank.

LESSEE SIGNATURE PAGE

LESSEE

Lyra Community Solar Gardens, LLC

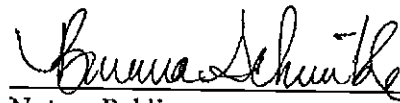
By: 

Blake E. Nixon, President

STATE OF MN)
COUNTY OF Hennepin) ss.

The foregoing instrument was acknowledged before me this 28 day of September, 2015 by Blake E. Nixon, the President of Lyra Community Solar Gardens, LLC, a Minnesota limited liability company, on behalf of the limited liability company.




Notary Public

LESSOR SIGNATURE PAGE

400938

LESSOR

Larry M. Theis Revocable Trust under
Agreement Dated June 4, 1998, as Amended

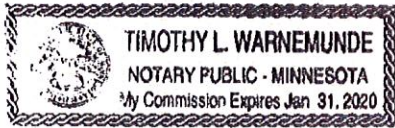
By: Larry M. Theis
Larry M. Theis, Trustee

Solveig D. Theis Revocable Trust Under
Agreement Dated June 4, 1998, as Amended

By: Solveig D. Theis
Solveig D. Theis, Trustee

STATE OF minnesota)
) ss.
COUNTY OF Le Sueur)

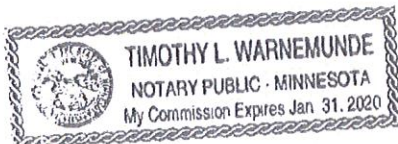
The foregoing instrument was acknowledged before me this 17th day of September,
2015, by Larry M. Theis, as Trustee of the Larry M. Theis Revocable Trust under Agreement
Dated June 4, 1998, as Amended.



Timothy L. Warnemunde
Notary Public

STATE OF minnesota)
) ss.
COUNTY OF Le Sueur)

The foregoing instrument was acknowledged before me this 17th day of September,
2015, by Solveig D. Theis, as Trustee of the Solveig D. Theis Revocable Trust under Agreement
Dated June 4, 1998, as Amended.



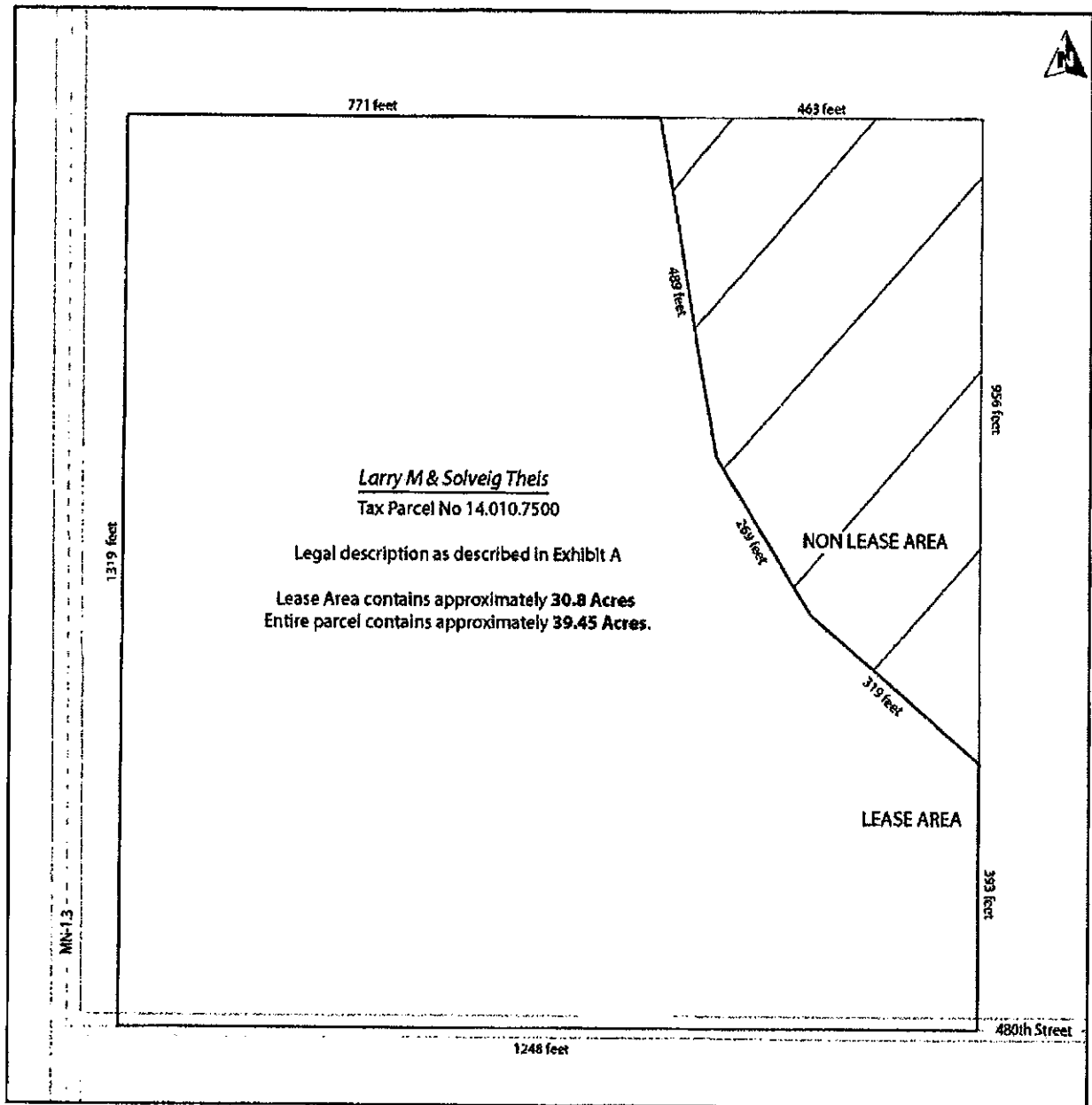
Timothy L. Warnemunde
Notary Public

SCHEDULE A-1
TO MEMORANDUM

400938

SITE PLAN

The Access Easement shall provide access from the Premises to Minnesota Trunk Highway 13 or 480th Street.



5320325_10.doc

**SCHEDULE A
TO MEMORANDUM**

400938

DESCRIPTION OF PROPERTY

Tax Parcel Identification No.: 14.010.7500

The SW ¼ of the SW ¼ of Section 10, Township 109, Range 23, Le Sueur County, Minnesota.

The Premises contains approximately 39.45 acres.

Minnesota Wetland Conservation Act

Notice of Decision



Local Government Unit (LGU) Le Sueur SWCD	Address 181 W. Minnesota Street Le Center, Mn 56057
---	---

1. PROJECT INFORMATION

Applicant Name Lyra Community Solar Gardens, LLC	Project Name Lyra Community Solar Gardens	Date of Application 5/26/2016	Application Number 4-16
<input checked="" type="checkbox"/> Attach site locator map.			

Type of Decision:

<input checked="" type="checkbox"/> Wetland Boundary or Type	<input type="checkbox"/> No-Loss	<input type="checkbox"/> Exemption	<input type="checkbox"/> Sequencing
<input type="checkbox"/> Replacement Plan	<input type="checkbox"/> Banking Plan		

Technical Evaluation Panel Findings and Recommendation (if any):

<input type="checkbox"/> Approve	<input type="checkbox"/> Approve with conditions	<input type="checkbox"/> Deny
Summary (or attach):		

2. LOCAL GOVERNMENT UNIT DECISION

Date of Decision: 5/26/2016		
<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Approved with conditions (include below)	<input type="checkbox"/> Denied

LGU Findings and Conclusions (attach additional sheets as necessary):

The application for Lyra Community Solar Gardens, LLC, Le Sueur County is approved.

For Replacement Plans using credits from the State Wetland Bank:


Bank Account #	Bank Service Area	County	Credits Approved for Withdrawal (sq. ft. or nearest .01 acre)
----------------	-------------------	--------	---

Replacement Plan Approval Conditions. In addition to any conditions specified by the LGU, the approval of a Wetland Replacement Plan is conditional upon the following:

- ☐ **Financial Assurance:** For project-specific replacement that is not in-advance, a financial assurance specified by the LGU must be submitted to the LGU in accordance with MN Rule 8420.0522, Subp. 9 (List amount and type in LGU Findings).
- ☐ **Deed Recording:** For project-specific replacement, evidence must be provided to the LGU that the BWSR "Declaration of Restrictions and Covenants" and "Consent to Replacement Wetland" forms have been filed with the county recorder's office in which the replacement wetland is located.
- ☐ **Credit Withdrawal:** For replacement consisting of wetland bank credits, confirmation that BWSR has withdrawn the credits from the state wetland bank as specified in the approved replacement plan.

Wetlands may not be impacted until all applicable conditions have been met!

LGU Authorized Signature:

Signing and mailing of this completed form to the appropriate recipients in accordance with 8420.0255, Subp. 5 provides notice that a decision was made by the LGU under the Wetland Conservation Act as specified above. If additional details on the decision exist, they have been provided to the landowner and are available from the LGU upon request.		
Name Michael Schultz	Title Le Sueur SWCD District Technician	
Signature 	Date 5/26/16	Phone Number and E-mail 507-357-4879 x3 mschultz@co.le-sueur.mn.us

THIS DECISION ONLY APPLIES TO THE MINNESOTA WETLAND CONSERVATION ACT. Additional approvals or permits from local, state, and federal agencies may be required. Check with all appropriate authorities before commencing work in or near wetlands.

Applicants proceed at their own risk if work authorized by this decision is started before the time period for appeal (30 days) has expired. If this decision is reversed or revised under appeal, the applicant may be responsible for restoring or replacing all wetland impacts.

This decision is valid for three years from the date of decision unless a longer period is advised by the TEP and specified in this notice of decision.

3. APPEAL OF THIS DECISION

Pursuant to MN Rule 8420.0905, any appeal of this decision can only be commenced by mailing a petition for appeal, including applicable fee, within thirty (30) calendar days of the date of the mailing of this Notice to the following as indicated:

Check one:

<input type="checkbox"/> Appeal of an LGU staff decision. Send petition and \$_____ fee (if applicable) to:	<input type="checkbox"/> Appeal of LGU governing body decision. Send petition and \$500 filing fee to: Executive Director Minnesota Board of Water and Soil Resources 520 Lafayette Road North St. Paul, MN 55155
---	---

4. LIST OF ADDRESSEES

- ☒ SWCD TEP member: **Josh Mankowski, Water Planner & TEP member**
 - ☒ BWSR TEP member: **Jeremy Maul**
 - ☐ LGU TEP member (if different than LGU Contact):
 - ☒ DNR TEP member: **Craig Soupir**
 - ☐ DNR Regional Office (if different than DNR TEP member)
 - ☐ WD or WMO (if applicable):
 - ☐ Applicant and Landowner (if different)
 - ☐ Members of the public who requested notice:
-
- ☒ Corps of Engineers Project Manager
 - ☐ BWSR Wetland Bank Coordinator (wetland bank plan decisions only)

5. MAILING INFORMATION

➤ For a list of BWSR TEP representatives: www.bwsr.state.mn.us/aboutbwsr/workareas/WCA_areas.pdf

➤ For a list of DNR TEP representatives: www.bwsr.state.mn.us/wetlands/wca/DNR_TEP_contacts.pdf

➤ Department of Natural Resources Regional Offices:

<u>NW Region:</u>	<u>NE Region:</u>	<u>Central Region:</u>	<u>Southern Region:</u>
Reg. Env. Assess. Ecol. Div. Ecol. Resources 2115 Birchmont Beach Rd. NE Bemidji, MN 56601	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1201 E. Hwy. 2 Grand Rapids, MN 55744	Reg. Env. Assess. Ecol. Div. Ecol. Resources 1200 Warner Road St. Paul, MN 55106	Reg. Env. Assess. Ecol. Div. Ecol. Resources 261 Hwy. 15 South New Ulm, MN 56073

For a map of DNR Administrative Regions, see: http://files.dnr.state.mn.us/aboutdnr/dnr_regions.pdf

➤ For a list of Corps of Project Managers: www.mvp.usace.army.mil/regulatory/default.asp?pageid=687
or send to:

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

➤ For Wetland Bank Plan applications, also send a copy of the application to:
Minnesota Board of Water and Soil Resources
Wetland Bank Coordinator
520 Lafayette Road North
St. Paul, MN 55155

6. ATTACHMENTS

In addition to the site locator map, list any other attachments:

- ☒ App
- ☐
- ☐
- ☐
- ☐

