

September 9, 2016

Ms. Paige Morris
North Carolina Department of Commerce
Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4325

**Re: SCH File # 17-E-4600-0070; Application of Pecan Solar, LLC for Certificate to construct a
74.9 MW Solar Photovoltaic Electric Generating Facility in Northampton Co.
Docket #SP-5273, Sub 0.**

Dear Ms. Morris:

The above referenced environmental impact information has been reviewed through the State Clearinghouse under the provisions of the North Carolina Environmental Policy Act.

Attached to this letter are comments made in the review of this document. Because of the nature of the comments, it has been determined that no further State Clearinghouse review action on your part is needed for compliance with the North Carolina Environmental Policy Act. The attached comments should be taken into consideration in project development.

Sincerely,



Crystal Best

State Environmental Review Clearinghouse

Attachments
cc: Region L

September 9, 2016

Ms. Paige Morris
North Carolina Department of Commerce
Utilities Commission
4325 Mail Service Center
Raleigh, North Carolina 27699-4325

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Sincerely,

Crystal Best
State Environmental Review Clearinghouse

Attachments
cc: Region L



PAT MCCRORY
Governor

DONALD R. VAN DER VAART
Secretary

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Sep 09 2016

MEMORANDUM

To: Crystal Best
State Clearinghouse Coordinator
Department of Administration

From: Lyn Hardison *LBY*
Division of Environmental Assistance and Customer Service
Environmental Assistance and Project Review Coordinator

RE: 17-0070 (15-0562 & 16-0001)
Environmental Review –AMENDED Application of Pecan Solar, LLC for the
Certificate to construct a 74.9-MW Solar Photovoltaic Electric Generating Facility
Northampton County

Date: September 6, 2016

The Department of Environmental Quality has reviewed the proposal for the referenced project. Based on the information provided, several of our agencies have identified permits that may be required and offered some valuable guidance . The comments are attached for the applicant's review.

If the applicant has any questions pertaining to NCDEQ permitting processes, please suggest to the applicant to contact David Lee, Permit Assistance Coordinator, in the Department's Raleigh Regional Office, (919)791-4200 for more permitting assistance. The proposed project is located within his geographic working territory.

Thank you for the opportunity to respond.

Attachment



State of North Carolina
Department of Environment and Natural Resources
INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Reviewing Office: Raleigh

Project Number 17-0070 Due Date: 9/1/2016
County NORTHAMPTON

After review of this project it has been determined that the ENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input type="checkbox"/>	Permit to construct & operate Transportation Facility as per 15A NCAC (2D.0800, 2Q.0601)	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950.		
<input type="checkbox"/>	Complex Source Permit required under 15 A NCAC 2D.0800		
<input type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) At least 30 days before beginning activity. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any acre mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
<input type="checkbox"/>	Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic soils	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual burn is planned."	1 day (N/A)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion.	30 days (60 days)

February 11, 2015

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County <u>NORTHAMPTON</u>		Project Number: <u>17-0070</u>	Due Date: <u>9/1/2016</u>	Normal Process Time (statutory time limit)
PERMITS		SPECIAL APPLICATION PROCEDURES or REQUIREMENTS		
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.		10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.		10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property.		15-20 days N/A
<input type="checkbox"/>	401 Water Quality Certification	N/A		60 days (130 days)
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 fee must accompany application		55 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$50.00 fee must accompany application		22 days (25 days)
<input type="checkbox"/>	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611			
<input checked="" type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.			
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.			
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.			45 days (N/A)
<input type="checkbox"/>	Catawba, Jordan Lake, Randalman, Tar Pamlico or Neuse Riparian Buffer Rules required.			
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C.0300 et. seq. Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.			30 days
<input type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.			30 days

Other comments (attach additional pages as necessary, being certain to cite comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	ddm	<input type="checkbox"/>		8/23/16
DWR-WQROS (Aquifer & Surface)	ds rb	<input type="checkbox"/> <input type="checkbox"/>	<p>Pecan Solar, LLC</p> <p>Docket #SP-5273 Sub 0 additional Parcels. Data within the submittals failed to include a vicinity maps (that I could find). A desk top project review of the additional parcels could be completed. The below listed comments are from data provided during a previous submittal. This comments remain applicable, especially given the original submittal.</p> <p>16-0001</p> <p>Pecan Solar, LLC</p> <ul style="list-style-type: none"> - A project that disturbs 1 acre or greater is required to secure an erosion and sedimentation control plan and must comply with construction stormwater permit conditions (NCG010000) -The project is in the Chowan River Basin (unnamed tributary to Cypress Creek Class C - NSW). <p>The USGS Topographic map depicted crenulations that are within the project footprint. (Note: the soil survey was not reviewed.)</p> <ul style="list-style-type: none"> - I recommend a stream determination to ensure compliance with 404/401 expectations and riparian buffer rules <p>If stream or wetland impacts are proposed, this project will need to comply with/secure a 404 permit from the USACE, and obtain a 401 Water Quality Certification authorization .</p> <ul style="list-style-type: none"> - In addition to the solar panel production field area, access roads and utilities impacts to waters or wetlands will need to be properly permitted. 	9/3/16 9/2/16
DWR-PWS	NA	<input type="checkbox"/>	NA	/ /
DEMLR (LQ & SW)	JLH	<input type="checkbox"/>	No further comments appear to be needed.	9/1/16

REGIONAL OFFICES

Questions regarding these permits should be addressed to the Regional Office marked below.

- | | | |
|--|--|---|
| <input type="checkbox"/> Asheville Regional Office
2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500 | <input type="checkbox"/> Mooreville Regional Office
610 East Center Avenue, Suite 301
Mooresville, NC 28115
(704) 663-1699 | <input type="checkbox"/> Wilmington Regional Office
127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215 |
| <input type="checkbox"/> Fayetteville Regional Office
225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300 | <input type="checkbox"/> Raleigh Regional Office
3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200 | <input type="checkbox"/> Winston-Salem Regional Office
450 West Hanes Mill Road, Suite 300
Winston-Salem, NC 27105
(336) 771-9800 |
| | <input type="checkbox"/> Washington Regional Office
943 Washington Square Mall
Washington, NC 27889
(252) 946-6481 | |

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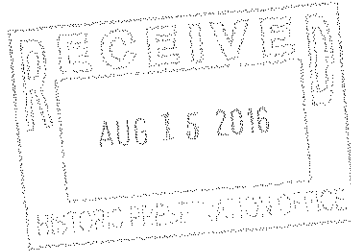
NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: NORTHAMPTON

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 17-E-4600-007
DATE RECEIVED: 08/05/2016
AGENCY RESPONSE: 09/01/2016
REVIEW CLOSED: 09/06/2016

MS RENEE GLEDHILL-EARLEY
CLEARINGHOUSE COORDINATOR
DEPT OF NATURAL & CULTURAL RESOURCE
STATE HISTORIC PRESERVATION OFFICE
MSC 4617 - ARCHIVES BUILDING
RALEIGH NC



CH 15-0848

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DEPT OF TRANSPORTATION
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DPS - DIV OF EMERGENCY MANAGEMENT
UPPER COASTAL PLAIN COG

PROJECT INFORMATION

APPLICANT: North Carolina Department of Commerce
TYPE: State Environmental Policy Act
Environmental Review

DESC: Application of Pecan Solar, LLC for Certificate to construct a 74.9 MW Solar Photovoltaic Electric Generating Facility in Northampton Co. Docket #SP-5273, Sub 0. - View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-5273 Sub 0 in the Docket Number search line.

Located east and west of Bethel Church Road approximately .6 to 2 miles north of the intersection of Bethel Church Road and Highway 186 in an unincorporated area approximately 2 miles east of Seaboard, NC

The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☐ NO COMMENT ☒ COMMENTS ATTACHED

SIGNED BY:

Renee Gledhill-Earley

DATE:

9.2.16



AUG 16 2016

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Sep 09 2016



North Carolina Department of Natural and Cultural Resources

State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

August 30, 2016

MEMORANDUM

TO: Crystal Best
North Carolina State Clearinghouse
Department of Administration

FROM: Ramona M. Bartos *RMB for Ramona M. Bartos*

SUBJECT: Amendment to Construct 75 MW Pecan Solar Farm, 289 Bethel Church Road, Pleasant Hill,
Northampton County, CH 15-0848

Thank you for your submission of August 5, 2016, concerning the above-referenced project. We have reviewed the materials submitted and offer the following comments.

There are no recorded archaeological sites in the additional site layout area, therefore it is unlikely that significant archaeological sites will be affected.

Amendments to the project area for the proposed solar farm have the potential to affect the National Register-eligible Daniel Family Farms Rural Historic District (NP1141). The installation of solar panels should be limited to areas within the district that are cleared and were historically used for planting. Mature trees and plantings along the eastern boundary of the district should not be removed. To avoid an adverse effect to the historic property we recommend no work occur east of the red boundary line on the enclosed map.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number



Recommended update to proposed boundaries for the Pecan Solar Farm to avoid an Adverse Effect to the Daniel Family Farms Historic District

**NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW**

COUNTY: NORTHAMPTON

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 17-E-4600-007
DATE RECEIVED: 08/05/2016
AGENCY RESPONSE: 09/01/2016
REVIEW CLOSED: 09/06/2016

MR JOSEPH HUDYNIA
CLEARINGHOUSE COORDINATOR
DEPT OF AGRICULTURE
1001 MSC - AGRICULTURE BLDG
RALEIGH NC

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☐ NO COMMENT ☒ COMMENTS ATTACHED

SIGNED BY: _____

DATE: _____

8/26/2016



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Sep 09 2016



Dr. Richard Reich
Assistant Commissioner

North Carolina Department of Agriculture
and Consumer Services
Agricultural Services

Joseph Hudyncia
Environmental Programs

Crystal Best
State Clearinghouse
N.C. Department of Administration
1301 Mail Service Center
Raleigh, North Carolina 27699-1301

August 26, 2016

Dear Ms. Best:

The proposed Photovoltaic Electric Generating Facility has the potential to negatively impact agricultural/environmental/economic balance in the immediate area. The NCDA&CS discourages taking agricultural or managed forestland out of production. Far too much productive farmland has been, and continues to be, lost to development of various types in North Carolina. As farmland is taken out of production the associated jobs and potential for producing food and fiber for a growing population is reduced, and with it a substantial amount of associated economic activity generated by farming dollars that contributes revenue to the local economy and beyond year after year.

If implementation of the solar project moves forward on this tract of land, we encourage conservation of highly productive soils for their best use, i.e. agriculture. If crop or forestry activities are a current component of land use, seek solar development on less productive sites on this tract if possible.

The use of best practices in construction and maintenance of the facility are encouraged to insure that the productive capabilities of the land for any future agricultural activity is maintained and the integrity of unique or sensitive habitats is not destroyed. It is also recommended that a decommissioning plan that clearly defines the responsible party, process, time-line, and specific responsibilities (including restoration to prior condition) is incorporated.

We have cross-referenced the parcel for existing easements related to agriculture and found no CREP conservation easements, swine buyout easements, ADFP easements, plant conservation easements or plant conservation priority sites on the subject property.

Respectfully,

Joseph Hudyncia
Environmental Programs
NCDA&CS

**NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW**

COUNTY: NORTHAMPTON

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 17-E-4600-0070
DATE RECEIVED: 08/05/2016
AGENCY RESPONSE: 09/01/2016
REVIEW CLOSED: 09/06/2016

MS RENEE GLEDHILL-EARLEY
CLEARINGHOUSE COORDINATOR
DNCR - DIV OF PARKS AND RECREATION
MSC 4617 - ARCHIVES BUILDING
RALEIGH NC

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UPPER COASTAL PLAIN COG

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☒ NO COMMENT ☐ COMMENTS ATTACHED

SIGNED BY: 

DATE: 8/26/16

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NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

Carlos Moya

COUNTY: NORTHAMPTON

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 17-E-4600-007
DATE RECEIVED: 08/05/2016
AGENCY RESPONSE: 09/01/2016
REVIEW CLOSED: 09/06/2016

MS CARRIE ATKINSON
CLEARINGHOUSE COORDINATOR
DEPT OF TRANSPORTATION
STATEWIDE PLANNING - MSC #1554
RALEIGH NC

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SIGNED BY: _____

[Signature]

DATE: Aug 11, 2016



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Sep 09 2016

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

AUG 09 2016

COUNTY: NORTHAMPTON

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 17-E-4600-007
DATE RECEIVED: 08/05/2016
AGENCY RESPONSE: 09/01/2016
REVIEW CLOSED: 09/06/2016

MS PAULA CUTTS
CLEARINGHOUSE COORDINATOR
DPS - DIV OF EMERGENCY MANAGEMENT
FLOODPLAIN MANAGEMENT PROGRAM
MSC # 4218
RALEIGH NC

REVIEW DISTRIBUTION

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DEPT OF TRANSPORTATION
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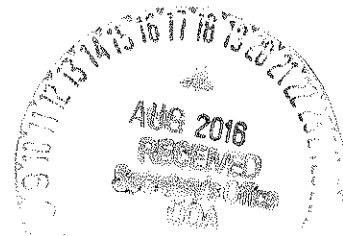
SIGNED BY:

David Healy

DATE:

8/6/16

Not in SHA.



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