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Clerk's Office  
N.C. Utilities Commission

North Carolina  
Department of Administration

Pat McCrory, Governor

Bill Daughtridge, Jr., Secretary

October 2, 2013

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

Re: SCH File # 14-E-4600-0071; Application of SunEnergy 1, LLC for Certificate to construct a  
12 MW Solar Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-751, Sub 19.

Dear Ms. Mount:

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*

Crystal Best

State Environmental Review Clearinghouse

*Clerk.PS  
AL  
Green  
Duttley  
Conrad  
Jones  
Hodge  
H3lega/  
213 E1cc*

Attachments

cc: Region L

Mailing Address:  
1301 Mail Service Center  
Raleigh, NC 27699-1301

Telephone: (919)807-2425  
Fax (919)733-9571  
State Courier #51-01-00  
e-mail [state.clearinghouse@doa.nc.gov](mailto:state.clearinghouse@doa.nc.gov)

Location Address:  
116 West Jones Street  
Raleigh, North Carolina

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North Carolina Department of Environment and Natural Resources

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

MEMORANDUM

To: Crystal Best  
State Clearinghouse

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

RE: 14-0071  
Environmental Review – Application of SunEnergy 1, LLC for the Certificate to  
construct a 12 MW Solar Photovoltaic Electric Generating Facility  
Nash County

Date: October 1, 2013

The Department of Environment and Natural Resources has reviewed the proposal for the referenced project. Based on the information provided, several of the agencies have identified permits that may be required. The NC Natural Heritage has identified a few state-listed aquatic species in the Fishing Creek Habitat which is less than 0.5 miles from proposed project. These comments are attached for the applicant review.

To better understand NCDENR permitting processes, please suggest to the applicant to contact David Lee, Permit Assistance Coordinator, in the Department's Raleigh Regional Office, (919)791-4200. The proposed project is located within his geographic working territory.

Thank you for the opportunity to respond.

Attachments



North Carolina Department of Environment and Natural Resources  
Office of Conservation, Planning, and Community Affairs

Pat McCrory  
Governor

Linda Pearsall  
Director

John E. Skvarla, III  
Secretary

September 24, 2013

**MEMORANDUM**

TO: Lyn Hardison, DENR Environmental Coordinator

FROM: Stephen Hall, Natural Heritage Program *SH*

SUBJECT: Environmental Review – Solar Generating Facility Near Whitakers in Nash County

REFERENCE: 14-0071

The Natural Heritage Program database does not contain any records for federally or state protected species from within the project site itself, nor does it intersect any Dedicated State Nature Preserves, Registered Natural Heritage Areas, Significant Natural Heritage Areas, or any sites managed for the conservation of natural diversity. However, the site is located within 0.33 miles of the Fishing Creek Aquatic Habitat, which contains records for the following species of state-listed aquatic animals:

Species	Federal Status	State Status	Date of Last Observation
Alasmodonta undulata (Triangle Floater)		T	7/28/2010
Ambloplites cavifrons (Roanoke Bass)	FSC	SR	7/25/2010
Elliptio roanokensis (Roanoke Slabshell)		T	7/28/2010
Lampsilis cariosa (Yellow Lampmussel)	FSC	E	5/16/2012
Lampsilis radiata (Eastern Lampmussel)		T	7/28/2010
Necturus lewisi (Neuse River Waterdog)		SC	8/3/2007
Noturus furiosus (Carolina Madtom)	FSC	T	7/25/2010

A small stream appears to drain the property into the Aquatic Habitat. We therefore recommend that all best management practices be followed, both during the construction phase of the project and during maintenance thereafter, for the control of sedimentation and runoff.

# Department of Environment and Natural Resources Project Review Form

Project Number: 14-0071

County: Nash

Date Received: 09/04/2013

**Due Date: 9/25/2013**

**Project Description:** Environmental Review - Application of SunEnergy 1, LLC for Certificate to construct a 12 MW Solar Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-751, Sub 19. View document at <http://ncuc.commerce.state.nc.us/docksrch.html>; type SP-751, Sub 19.

View document at <http://ncuc.commerce.state.nc.us/docksrch.html>; type SP-751, Sub 19.

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
<input type="checkbox"/> Asheville	<input checked="" type="checkbox"/> Air <i>DM</i>	<input type="checkbox"/> Air Quality	<input type="checkbox"/> Coastal Management
<input type="checkbox"/> Fayetteville	<input checked="" type="checkbox"/> DWR-Surface Water <i>DS</i>	<input type="checkbox"/> DCM-Marine Fisheries	<input type="checkbox"/> Military Affairs
<input type="checkbox"/> Mooresville	<input type="checkbox"/> Aquifer Protection	<input checked="" type="checkbox"/> Parks & Recreation	<input type="checkbox"/> DWR-Surface Water Program
<input checked="" type="checkbox"/> Raleigh	<input checked="" type="checkbox"/> Land Quality Engineer <i>AK</i>	<input type="checkbox"/> Waste Mgmt	<input type="checkbox"/> DWR Transportation Unit
<input type="checkbox"/> Washington	<input checked="" type="checkbox"/> UST <i>MAB</i>	<input type="checkbox"/> Water Resources Mgmt	<input checked="" type="checkbox"/> Wildlife <i>Maria Dunn</i>
<input type="checkbox"/> Wilmington		<input type="checkbox"/> DWR-Public Water	<input type="checkbox"/> Wildlife - DOT
<input type="checkbox"/> Winston-Salem			

Manager Sign-Off/Region:	Date:	In-House Reviewer/Agency:

Response (check all applicable)

- |  |   |
|--|---|
| <input type="checkbox"/> No objection to project as proposed.        | <input type="checkbox"/> No Comment                         |
| <input type="checkbox"/> Insufficient information to complete review | <input type="checkbox"/> Other (specify or attach comments) |

If you have any questions, please contact:

Lyn Hardison at [lyn.hardison@ncdenr.gov](mailto:lyn.hardison@ncdenr.gov) or (252) 948-3842  
943 Washington Square Mall Washington NC 27889  
Courier No. 16-04-01

State of North Carolina  
Department of Environment and Natural Resources

Reviewing Office: LRD

INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

Project Number: 14-0071 Due Date: 9/25/13

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 15 A 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 checked="" 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 checked="" 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"/> Open 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)

			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 fees 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 type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 3C.0100.		
<input checked="" 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"/>	Tar Pamlico or Neuse Riparian Buffer Rules required.		
* Other comments (attach additional pages as necessary, being certain to cite comment authority)			

### REGIONAL OFFICES

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

#### ☐ Asheville Regional Office

2090 US Highway 70  
Swannanoa, NC 28778  
(828) 296-4500

#### ☐ Mooresville Regional Office

610 East Center Avenue, Suite 301  
Mooresville, NC 28115  
(704) 663-1699

#### ☐ Wilmington Regional Office

127 Cardinal Drive Extension  
Wilmington, NC 28405  
(910) 796-7215

#### ☐ Fayetteville Regional Office

225 North Green Street, Suite 714  
Fayetteville, NC 28301-5043  
(910) 433-3300

#### ☐ Raleigh Regional Office

3800 Barrett Drive, Suite 101  
Raleigh, NC 27609  
(919) 791-4200

#### ☐ Winston-Salem Regional Office

585 Waughtown Street  
Winston-Salem, NC 27107  
(336) 771-5000

#### ☐ Washington Regional Office

943 Washington Square Mall  
Washington, NC 27889  
(252) 946-6481



North Carolina Department of Environment and Natural Resources  
Division of Water Resources  
Water Quality Programs  
Thomas A. Reeder  
Director

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

September 25, 2013

**MEMORANDUM**

TO: Lyn Hardison, Environmental Assistance Coordinator  
Department of Environment and Natural Resources

FROM: Hannah Headrick *HH*

SUBJECT: Nash County – Certificate to construct a 12 MW Solar Photovoltaic Electric Generating Facility  
DENR#14-0071

Staff has reviewed the subject documentation that proposes a ground mounted solar facility that will be interconnected to the grid operated by Duke Energy Carolinas. From the photo provided, staff could not determine the relationship of the project footprint with respect to the main stem of Fishing Creek. Be advised that the site will need to comply with Tar-Pamlico River Basin Buffer Rules (15A NCAC 02B .0260) and secure and secure 404 permits and 401 Certification if wetlands impacts are coincident to site development.

If you have any questions about these comments, please contact me at (919) 807-6434 or [hannah.headrick@ncdenr.gov](mailto:hannah.headrick@ncdenr.gov).  
Thank you.

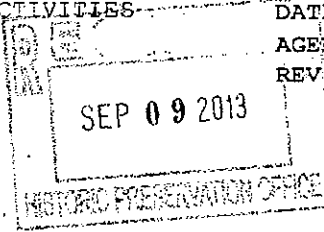
Ecc: Danny Smith – RRO

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: NASH

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 14-E-4600-0071  
DATE RECEIVED: 08/29/2013  
AGENCY RESPONSE: 09/25/2013  
REVIEW CLOSED: 09/30/2013



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

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DEPT OF AGRICULTURE  
DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
UPPER COASTAL PLAIN COG

*Dec 9/17/13* *A* *@ resm 9/12/13*

PROJECT INFORMATION

APPLICANT: N.C. Dept. of Commerce  
TYPE: State Environmental Policy Act  
Environmental Review

*Dec 9/23/13* *SOM 9/16/13*

DESC: Application of SunEnergy 1, LLC for Certificate to construct a 12 MW Solar Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-751, Sub 19. View document at <http://ncuc.commerce.state.nc.us/docksrch.html>; type SP-751, Sub 19. - Located on Watson Seed Farm Road near Bellamy Mill Road, Whitakers, 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:

9.24.13



SEP 10 2013



NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

*Suzette Ogden*

COUNTY: NASH

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 14-E-4600-0071  
DATE RECEIVED: 08/29/2013  
AGENCY RESPONSE: 09/25/2013  
REVIEW CLOSED: 09/30/2013

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

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DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
UPPER COASTAL PLAIN COG

PROJECT INFORMATION

APPLICANT: N.C. Dept. of Commerce  
TYPE: State Environmental Policy Act  
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SIGNED BY:

*[Signature]*

DATE:

*9/11/13*



NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: NASH

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 14-E-4600-0071  
DATE RECEIVED: 08/29/2013  
AGENCY RESPONSE: 09/25/2013  
REVIEW CLOSED: 09/30/2013

MS ELIZABETH HEATH  
CLEARINGHOUSE COORDINATOR  
DEPT OF AGRICULTURE  
1001 MSC - AGRICULTURE BLDG  
RALEIGH NC

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DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
UPPER COASTAL PLAIN COG

**PROJECT INFORMATION**

APPLICANT: N.C. Dept. of Commerce  
TYPE: State Environmental Policy Act  
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SIGNED BY:

Elizabeth G. Heath

DATE:

9/12/13

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: NASH

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 14-E-4600-0071  
DATE RECEIVED: 08/29/2013  
AGENCY RESPONSE: 09/25/2013  
REVIEW CLOSED: 09/30/2013

MS CAROLYN PENNY  
CLEARINGHOUSE COORDINATOR  
CC&PS - DIV OF EMERGENCY MANAGEMENT  
FLOODPLAIN MANAGEMENT PROGRAM  
MSC # 4719  
RALEIGH NC

REVIEW DISTRIBUTION

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DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION  
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:

*David Healy*

DATE:

9/10/13

*Not in SFHA*



*RECEIVED*  
*SEP 10 2013*  
*DOA*