

## North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtridge, Jr., Secretary

April 22, 2015

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

# Re: SCH File # 15-E-4600-0497; Application of Aulander Holloman Solar, LLC for Certificate to construct a 80 MW Solar Photovoltaic Electric Generating Facility in Hertford and Bertie Co. Docket #SP-5259 Sub 0.

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,

tal Best

Crystal Best State Environmental Review Clearinghouse

Attachments

cc: Region Q

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 Location Address: 116 West Jones Street Raleigh, North Carolina

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## North Carolina Department of Environment and Natural Resources

Pat McCrory Governor Donald R. van der Vaart Secretary

## MEMORANDUM

TO:	Crystal Best
	State Clearinghouse
FROM:	Lyn Hardison Xy Division of Environmental Assistance and Customer Service Permit Assistance & Project Review Coordinator
RE:	15-0497
	Environmental Review –Application of Aulander Holloman Solar, LLC for Certificate to construct an 80 MW Solar Photovoltaic Electric Generating Facility Hertford and Bertie Counties

Date: April 17, 2015

The Department of Environment and Natural Resources has completed its review of the proposal for the referenced project. Based on the information provided, several of our agencies have identified permits that may be required. The agencies have offered some valuable guidance to be performed prior to application submittals and ground disturbance which will help reduce any impacts to the natural resources within the project area. The comments are attached for the applicant review.

If the applicant has any questions pertaining to NCDENR permitting processes, please ask them to contact Lyn Hardison, Permit Assistance Coordinator, in the Department's Washington Regional Office, (252)948-3842. The proposed project is located within his geographic working territory.

Thank you for the opportunity to respond.

Attachment

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# ♦ North Carolina Wildlife Resources Commission ♦

Gordon Myers, Executive Director

## MEMORANDUM

TO:	Lyn Hardison, Environmental Assistance Coordinator NCDENR Division of Environmental Assistance and Outreach (DEAO)
FROM:	Maria T. Dunn, Coastal Region Coordinator
DATE:	April 17, 2015
SUBJECT:	Aulander Holloman Solar, LLC 80 MW Solar Facility, Hertford and Bertie Counties, North Carolina. OLIA No. 15-0497

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the subject document and we are familiar with the habitat values of the area. Our comments are provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667e), and North Carolina General Statutes (G.S. 113-131 et seq.).

The applicant proposes to construct an 80 MW photovoltaic solar facility located on the county line of Hertford and Bertie counties, east of NC Hwy 42 / Hwy 11 at Joe Holloman Road in Aulander, NC.

The NCWRC has reviewed the available information and has also conducted a site visit. Although it appears the proposed site has very recently been timbered, it is likely there are wetlands within the project area. Further impacts to these areas, especially grubbing and fill placement within these areas, should be avoided. Contact should be made with the US Army Corps of Engineers and NC Division of Water Resources immediately.

In general the NCWRC supports solar facilities located in open areas. However, the conversion of forests and wetlands to support solar development is causing increasing concern due to the loss of wildlife habitat, the fragmentation of wildlife habitat, and vegetative management needed post conversion for wetland and other forested areas. In addition to these concerns, the following statements should be observed:

1. Maintain or establish a minimum 100-foot undisturbed, native forested buffer along each side of perennial streams and 50-foot undisturbed, native forested buffer along each side of intermittent streams and wetlands. Forested riparian buffers provide habitat areas for aquatic and terrestrial wildlife species and travel corridors for terrestrial wildlife. In addition, forested riparian buffers protect water quality by stabilizing stream banks and filtering stormwater runoff.

Mailing Address: Division of Inland Fisheries • 1721 Mail Service Center • Raleigh, NC 27699-1721 Telephone: (919) 707-0220 • Fax: (919) 707-0028

- 2. Avoid or minimize impacts to wetlands during construction. In addition to providing wildlife habitat, wetland areas perform important functions of flood control and water quality protection. U.S. Army Corps of Engineers Section 404 permits and N.C. Division of Water Resources Section 401 Certifications are needed for any impacts to jurisdictional streams or wetlands. Temporarily disturbed wetland areas should be returned to original soils and contours, and reseeded with annual small grains appropriate for the season (e.g. oats, millet, rye, wheat, or rye grass) and should be allowed to revert to natural wetland vegetation.
- 3. If additional overhead transmission lines will be installed, then measures to minimize impacts to birds should be implemented. These can include increasing line visibility, insulating wires to cover exposed connections, and increasing the distance between wires so no contact with ground or other energized wire can be made. For more information see http://www.fws.gov/birds/documents/powerlines.pdf.
- 4. Consider establishing vegetative cover on the site that is beneficial to wildlife such as native warm season grasses. Although a site-specific plan is preferred, for general information on developing vegetative cover on disturbed soils, please see the attached *Seed Mixes for Revegetating Disturbed Sites*. Note: it is important to use all of the components of the Basic Mix. Also, we encourage adding one or more of the native species (found in the table at the end) to the Basic Mix to improve habitat for wildlife species.
- 5. Mature stands of the Basic Mix are short-statured and will not require mowing. The Basic Mix should persist for many years, but eventually will yield to developing successional species in the seed bank. If site and/or transmission line maintenance is needed, avoid mowing between April 1 and October 1 to minimize impacts to nesting wildlife. We suggest a maintenance schedule that incorporates a portion of the area (e.g., one-third of the area) each year. Pesticides, fertilizers, and other chemicals should not be used in wetland areas or near streams.
- 6. Where feasible, consider establishing grassland habitats on the site. These are drought tolerant and require minimal mowing maintenance once established. Grasslands provide habitat for migratory and resident birds and small mammals particularly if mowing is done only in late winter/early spring after winter cover needs are reduced and before nesting occurs. For more information on grassland habitats and establishment, please contact Laura Fogo, U.S. Fish and Wildlife Service, at (910) 695-3323 or laura fogo@fws.gov.
- 7. If pesticides or chemicals will be used for site maintenance, then stormwater runoff from the site should be directed to bio-retention areas prior to discharge to streams or wetlands to provide additional protection for water quality and aquatic and terrestrial wildlife habitats.
- 8. Sediment and erosion control measures should be installed prior to any land clearing or construction. These measures should be routinely inspected and properly maintained. Excessive silt and sediment loads can have numerous detrimental effects on aquatic resources including destruction of spawning habitat, suffocation of eggs, and clogging of gills of aquatic species.
- 9. Measures to mitigate secondary and cumulative impacts can be found in NCWRC's *Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality* (August 2002; <u>http://www.ncwildlife.org/Portals/0/Conserving/documents/2002\_GuidanceMemorandumforSeco</u> <u>ndaryandCumulativeImpacts.pdf</u>).

Thank you for the opportunity to comment on this project. If our agency can be of further assistance, please contact me at (252) 948-3916 or at <u>maria.dunn@ncwildlife.org</u>.

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

## Project Number<u>15-0497</u>Due Date: <u>4/10/2015</u> County<u>Hertford & Bert</u>

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.

			Normal Process Time
	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	(statutory time limit)
	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)
	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)
	Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
	Dredge and Fill Pennit	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)
	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
	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
$\boxtimes$	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900		
$\boxtimes$	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.	N/A	60 days (90 days)
	Complex Source Permit required under 15 A NCAC 2D.0800		
$\boxtimes$	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & scdimentation 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 2 days before beginning activity. A fee of \$65 for the first acre or any part of an acre. An express review option isavailable with additional (3) fees.		
		dance with NCDOT's approved program. Particular attention should be given apping devices as well as stable stormwater conveyances and outlets.	(30 days)
	Mining Pettnit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any arc mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
	North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if permit exceeds 4 days	1 day (N/A)
	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."	l day (N/A)
	Oil Refining Facilities	N/A	90-120 days (N/A)
	Dam Safety Permit ne 16, 2014	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 or the total project cest will be required upon completion.	30 days (60 days)

				Project Number: <u>15-0497</u> Due Date: <u>4/10/2015</u>	Normal Process Time (statutory time limit)
	PERMITS			SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	(and doiry line hum)
	Permit to drill explora	tory oil or ga	; 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
	Geophysical Explorati	on 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
	State Lakes Constructi	on Permit	***********	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparianproperty.	t 5-20 days N/A
	401 Water Quality Cer	tification		N/A	60 days (130 days)
	CAMA Permit for MA	JOR develop	ment	\$250.00 fee must accompany application	55 days (150 days)
	CAMA Permit for MI	NOR develop	ment	\$50.00 fee must accompany application	22 days (25 days)
	Several geodetic monu N.C. Geodetic Survey,			project area. If any monument needs to be moved or destroyed, please notify:	
$\boxtimes$	Abandonment of any v	vells, if requi	red must be in acco	dance with Title 15A. Subchapter 2C.0100.	
$\boxtimes$	Notification of the pro	per regional o	office is requested it	"orphan" underground storage tanks (USTS) are discovered during any excavation operation.	
$\boxtimes$	Compliance with 15A	NCAC 2H 10	000 (Coastal Storm	vater Rules) is required.	45 days (N/A)
	Tar Pamlico or Neuse	Riparian Buf	fer Rules required.		
	Resources/Public Wate specifications should b	er Supply Sec e submitted t	tion prior to the aw o 1634 Mail Servic	, or alteration of a public water system must be approved by the Division of Water ard of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq. Plans and e Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply ements. For more information, contact the Public Water Supply Section, (919) 707-9100.	30 days
	Resources/Public Wate Water Supply Section,	er Supply Sec (919) 707-91	tion at 1634 Mail S .00.	truction, plans for the water line relocation must be submitted to the Division of Water ervice Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public	30 days
	comments (attach additi sion	onal pages as Initials		ertain to cite comment authority)	Date
	SUI	mittais	No comment	Contenents	Review
DAG	η	RMB	X	See checked boxes above	3/20/15

Division	Initials	NO	Comments	Date
		comment		Review
DAQ	RMB	$\boxtimes$	See checked boxes above	3/20/15
DWR-WQROS (Aquifer & Surface)	RLS		The proposed solar project is within the Beaverdam Pocosin. Soils within this area consist mainly of Leaf (Lf) with poorly drained solis, Pantego (Pa) with very poorly drained soils, and Lenoir (Ln) somewhat poorly drained. A wetland determination, and stream determination will be required.	/ / 3/26/15
DWR-PWS	NA		NA	11
DEMLR (LQ & SW)	РНМ		see checked boxes	3/26/15
DWM - UST	JSB		PLEASE SEE ATTACHED COMMENTS	3/24/15

## **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

## Fayetteville Regional Office

225 North Green Street, Suite 714 Fayetteville, NC 28301-5043 (910) 433-3300 Mooresville Regional Office 610 East Center Avenue, Suite 301 Mooresville, NC 28115 (704) 663-1699

## Raleigh Regional Office

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

## Washington Regional Office

943 Washington Square Mall Washington, NC 27889 Wilmington Regional Office 127 Cardinal Drive Extension Wilmington, NC 28405 (910) 796-7215

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



## North Carolina Department of Environment and Natural Resources

Pat McCrory Governor Donald R. van der Vaart Secretary

TO:	Lyn Hardison, Environmental Coordinator
FROM:	Scott Bullock, Regional UST Supervisor
COPY:	Robert Davies, Corrective Action Branch Head
COPY:	Kathleen Lance, Administrative Secretary
DATE:	March 24, 2015
RE:	Environmental Review – Project Number 15-0497– Application of Aulander Holloman Solar, LLC for Certificate to construct an 80 MW Solar Photovoltaic Electric Generating Facility in Hertford and Bertie County located east of NC Hwy 42/Hwy 11 South at or near Joe Holloman Road, Aulander, NC,

I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and those databases did not indicate any reported petroleum releases in the proposed project area. I reviewed the above proposal and determined that this project should not have any adverse impact upon groundwater. The following comments are pertinent to my review:

- 1. The Washington Regional Office (WaRO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (252) 946-6481.
- Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.
- Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environment & Natural Resources – Division of Waste Management Underground Storage Tank Section in the Washington Regional Office at (252) 946-6481.
- 4. Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist. Also, notify the UST Section of the Washington Regional Office at (252) 946-6481. Petroleum contaminated soils must be handled in accordance with all applicable regulations.
- 5. Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (252) 946-6481.

If you have any questions or need additional information, please contact me at 252-948-3906.

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COUNTY: HERTFORD BERTIE

H11: ENERGY RELATED FACILITIES/ACTIVITIES



DUE 3/25/15 A- (NC)

DUE 4/8/15

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Apr 23 2015

CH 15- 11837

5-60 Per 3/31/15

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

MID EAST COMMISSION

## PROJECT INFORMATION

APPLICANT: N.C. Department of Commerce

TYPE: State Environmental Policy Act Environmental Review

DESC: Application of Aulander Holloman Solar, LLC for Certificate to construct a 80 MW Solar Photovoltaic Electric Generating Facility in Hertford and Bertie Co. Docket #SP-5259 Sub 0. - View document at http://starwl.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx, Type SP-5259 Sub 0 in the Docket Number search line.

Located east of NC Hwy 42/Hwy 11 South at or near Joe Holloman Road, Aulander, 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: K NO COMMENT COMMENTS ATTACHED SIGNED BY: DATE : MAR 1 8 2015

COUNTY: HERTFORD BERTIE H11: ENERGY RELATED FACILITIES/ACTIVITIES STATE NUMBER: 15-E-4600-0497 DATE RECEIVED: 03/16/2015 AGENCY RESPONSE: 04/10/2015 REVIEW CLOSED: 04/15/2015

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

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PROJECT INFORMATION

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

DESC: Application of Aulander Holloman Solar, LLC for Certificate to construct a 80 MW Solar Photovoltaic Electric Generating Facility in Hertford and Bertie Co. Docket #SP-5259 Sub 0. - View document at http://starwl.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx, Type SP-5259 Sub 0 in the Docket Number search line.

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AS A RESULT OF	THIS REVIEW THE FOLLOWING	G IS SUBMITTED: 🗶	NO COMMENT COMMENTS ATTACHED
SIGNED BY:	$\sim$		DATE: March 27,2015
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COUNTY: HERTFORD BERTIE

H11: ENERGY RELATED FACILITIES/ACTIVITIES

STATE NUMBER:	15-E-4600-0490
DATE RECEIVED:	03/16/2015 🚽
AGENCY RESPONSE:	04/10/2015
REVIEW CLOSED:	04/15/2015 🔮
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CLEARINGHOUSE COORD REGION Q MID EAST COMMISSION 1385 JOHN SMALL AVENUE WASHINGTON NC

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Apr 23 201

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AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: 🖌 NO COMMENT 📔 COMMENTS ATTACHED

SIGNED BY:

Bryn Bul DATE: 3-24-15

COUNTY: HERTFORD BERTIE

## H11: ENERGY RELATED FACILITIES/ACTIVITIES

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STATE NUMBER:	15-E-4600-049 <mark>8</mark>
DATE RECEIVED:	03/16/2015
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MS ELIZABETH HEATH CLEARINGHOUSE COORDINATOR DEPT OF AGRICULTURE 1001 MSC - AGRICULTURE BLDG RALEIGH NC

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AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: 4 NO COMMENT

COMMENTS ATTACHED

SIGNED BY:

Charlette Haim

DATE: 3/20/15

COUNTY: HERTFORD BERTIE H11: ENERGY RELATED FACILITIES/ACTIVITIES

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

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DEPT OF TRANSPORTATION MID EAST COMMISSION

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APPLICANT: N.C. Department of Commerce

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AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: DO COMMENT COMMENTS ATTACHED
SIGNED BY: Down Hellong DATE: 3/20/15
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