



STATE OF NORTH CAROLINA  
DEPARTMENT OF ADMINISTRATION

ROY COOPER  
GOVERNOR

MACHELLE SANDERS  
SECRETARY

July 2, 2018

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

**Re: SCH File # 18-E-4600-0301; Application of Apex Solar, LLC for Certificate to construct a 30 MW Solar Facility in Cleveland Co. Docket #SP-11723, Sub 0.**

Dear Ms. Jarvis:

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,

A handwritten signature in blue ink that reads "Crystal Best".

Crystal Best

State Environmental Review Clearinghouse

Attachments  
cc: Region C

*Mailing Address:*  
NC DEPARTMENT OF ADMINISTRATION  
1301 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1301

*Telephone:* (919) 807-2425  
*Fax:* (919) 733-9571  
COURIER #51-01-00  
*Email:* [state.clearinghouse@doa.nc.gov](mailto:state.clearinghouse@doa.nc.gov)  
*Website:* [www.ncadmin.nc.gov](http://www.ncadmin.nc.gov)

*Location:*  
116 WEST JONES STREET  
RALEIGH, NORTH CAROLINA

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ROY COOPER  
*Governor*  
MICHAEL S. REGAN  
*Secretary*

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JUL 02 2018

MEMORANDUM

To: Crystal Best  
State Clearinghouse Coordinator  
Department of Administration

From: Lyn Hardison *LBH*  
Division of Environmental Assistance and Customer Service  
Environmental Assistance and Project Review Coordinator  
Washington Regional Office

RE: 18-0301  
Environmental Review – Application of Apex Solar, LLC for Certificate to  
construct a 30 MW Solar Generating facility  
Cleveland County

Date: June 29, 2018

The Department of Environmental Quality 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 and offered some valuable guidance to minimize impacts to the natural resources, aquatic and terrestrial wildlife resources within and around the project area. The comments are attached for the applicant's review.

If the applicant has any questions pertaining to NCDEQ permitting processes, please ask them to contact Marcia Allocco, Permit Assistance Coordinator, in the Department's Mooresville Regional Office, (704)663-1699. The proposed project is located within her geographic working territory.

Thank you for the opportunity to respond.

Attachment




## ⊠ North Carolina Wildlife Resources Commission ⊠

Gordon Myers, Executive Director

### MEMORANDUM

TO: Lyn Hardison, Environmental Assistance and SEPA Coordinator  
NCDENR Division of Environmental Assistance and Customer Services

FROM: Olivia Munzer, Western Piedmont Coordinator   
Habitat Conservation

DATE: 20 June 2018

SUBJECT: Application of Apex Solar, LLC for a Certificate of Public Convenience and Necessity to Construct a 30-MW Solar Generating Facility, Cleveland County. Docket No. SP-11723 Sub 0. DEQ Project No. 18-0301.

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the proposed project description. Comments are provided in accordance with certain provisions of the North Carolina Environmental Policy Act (G.S. 113A-1 through 113A-10; 1 NCAC 25) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Apex Solar, LLC proposes to construct one 30-MW solar generating facility located at Pony Barn Road in Lawndale, Cleveland County, North Carolina. The project is sited on agricultural and forested lands. An unnamed tributary of Buffalo Creek in the Broad River Basin flows through the site. Buffalo Creek is classified as Water Supply III stream by the N.C. Division of Water Resources (NCDWR). Solar projects should be sited to avoid impacts to wetlands, streams, riparian buffers and priority wildlife habitat. Constructing the solar facility primarily within the agricultural lands and avoiding clearing the forest will have less impact on aquatic and terrestrial wildlife species.

We have no records of state or federally rare, threatened or endangered species at or near the site. The lack of records from the site does not imply or confirm the absence of federal or state-listed species or state Species of Greatest Conservation Need listed in the 2015 State Wildlife Action Plan (<http://www.ncwildlife.org/plan>). An on-site survey is the only definitive means to determine if the proposed project would impact rare, threatened, or endangered species.

We offer the following recommendations to minimize impacts to aquatic and terrestrial wildlife resources:

1. The project footprint should be surveyed for wetlands and streams to ensure there are no impacts to surface waters. In addition to providing wildlife habitat, wetland areas and streams aid in flood control and water quality protection. United States Army Corps of Engineers Section 404 Permits and NCDWR Section 401 Certifications are required for any impacts to jurisdictional streams or wetlands.



2. Maintain a minimum 100-foot undisturbed, native, forested buffer along perennial streams, and a minimum 50-foot buffer along intermittent streams and wetlands. Maintaining undisturbed, forested buffers along these areas will minimize impacts to aquatic and terrestrial wildlife resources, water quality, and aquatic habitat both within and downstream of the project area. Also, wide riparian buffers are helpful in maintaining stability of stream banks and for treatment of pollutants associated with stormwater.
3. Re-seed disturbed areas with seed mixtures that are beneficial to wildlife. Avoid fescue-based mixtures because fescue is invasive and provides little benefit to wildlife. Consider planting native, wildflower seed mixes that will create pollinator habitat within the project boundary. Shade-tolerant plants that are within 12 to 18 inches can be selected for plantings both underneath and around the solar panels. Pollinator habitat can also be created in buffer areas outside of the panel region. **Planting native vegetation can reduce costs of maintenance.** Further information and **free** technical guidance from the NCWRC is available upon request.
4. Fencing around large solar facilities can impact wildlife movements. We recommend using wildlife-friendly fencing, such as leaving gaps at the bottom of the fence and avoid using barbed wire.
5. Avoid tree clearing activities during the maternity roosting season for bats (May 15 – August 15).
6. If overhead transmission lines will be installed, measures should be implemented to minimize impacts to birds. 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>.
7. Sediment and erosion control measures should be installed prior to any land clearing or construction. The use of **biodegradable and wildlife-friendly sediment and erosion control devices** is strongly recommended. Silt fencing, fiber rolls and/or other products should have loose-weave netting that is made of natural fiber materials with movable joints between the vertical and horizontal twines. Silt fencing or similar materials that have been reinforced with plastic or metal mesh should be avoided as they impede the movement of terrestrial wildlife species. Excessive silt and sediment loads can have detrimental effects on aquatic resources including destruction of spawning habitat, suffocation of eggs and clogging of gills.
8. Develop a plan that identifies the party responsible for decommissioning the facility as well as the conditions under which decommissioning will occur. In addition, the plan should emphasize that all equipment must be removed from the site, and the land should be restored to pre-construction conditions.

Thank you for the opportunity to review and comment on this project. Please contact me at (919) 707-0364 or [olivia.munzer@ncwildlife.org](mailto:olivia.munzer@ncwildlife.org) if there are any questions about these comments.

State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: MRO  
 Project Number: 18-0301 Due Date: 06/25/2018  
 County: Cleveland

After review of this project it has been determined that the DEQ 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 Processing Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<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 begins 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 groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply 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 checked="" 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 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	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<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 are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. 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"/>	Sedimentation and erosion control must be addressed in accordance with _____ <b>Local Government's</b> 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.		Based on Local Program
<input type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

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State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: MRO  
 Project Number: 18-0301 Due Date: 06/25/2018  
 County: Cleveland

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	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Processing Time (statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area 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"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a 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 cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days (N/A)
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ 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 checked="" type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: <a href="http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program">http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program</a>		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: <a href="http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information">http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information</a>		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<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 checked="" 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 checked="" 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
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

State of North Carolina Department of Environmental Quality  
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: MRO  
 Project Number: 18-0301 Due Date: 06/25/2018  
 County: Cleveland

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

Division	Initials	No comment	Comments	Date Review
DAQ	CA	<input type="checkbox"/>	If generators or engines are necessary, they need to meet the requirements of the engine MACT 4Z. See checked items above.	6/7/18
DWR-WQROS (Aquifer & Surface)	JB &	<input type="checkbox"/>	<ul style="list-style-type: none"> <li>In reference to the map provided, it appears that a Section 401 Water Quality Certification may be necessary (box checked). Potential stream impacts should be determined prior to construction.</li> <li>NPDES Stormwater Permitting may be required through DEMLR.</li> <li>If located, wells should be properly abandoned (box checked). &amp;</li> </ul>	6/25/18 / /
DWR-PWS	JHW	<input type="checkbox"/>	Care should be taken to protect Buffalo Creek in the project area. Also, see above comments	6/7/18
DEMLR (LQ & SW)	ZSK	<input type="checkbox"/>	Erosion and Sediment control permit alongwith NPDES permit is requitred.	6/7/18
DWM – UST	CL	<input type="checkbox"/>	<p>I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and those databases did not indicate any petroleum releases on/near the proposed project area.</p> <p>The following comments are pertinent to my review:</p> <p>The Asheville Regional Office (ARO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum 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 (828) 296-4500.</p> <p>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.</p> <p>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 Environmental Quality (NCDEQ) – Division of Waste Management (DWM) UST Section in the ARO.</p> <p>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 ARO. Petroleum contaminated soils must be handled in accordance with all applicable regulations.</p> <p>Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (828) 296-4500.</p> <p>If you have any questions or need additional information, please contact me via email at caroline.lafond@ncdenr.gov or by phone at (828) 296-4644.</p>	6/18/18
Other Comments		<input type="checkbox"/>		/ /

**REGIONAL OFFICES**

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

State of North Carolina Department of Environmental Quality  
INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> <b>Asheville Regional Office</b><br>2090 U.S. 70 Highway<br>Swannanoa, NC 28778-8211<br>Phone: 828-296-4500<br>Fax: 828-299-7043 | <input type="checkbox"/> <b>Fayetteville Regional Office</b><br>225 Green Street, Suite 714,<br>Fayetteville, NC 28301-5043<br>Phone: 910-433-3300<br>Fax: 910-486-0707 | <input checked="" type="checkbox"/> <b> Mooresville Regional Office</b><br>610 East Center Avenue, Suite 301,<br>Mooresville, NC 28115<br>Phone: 704-663-1699<br>Fax: 704-663-6040 |
| <input type="checkbox"/> <b>Raleigh Regional Office</b><br>3800 Barrett Drive,<br>Raleigh, NC 27609<br>Phone: 919-791-4200<br>Fax: 919-571-4718           | <input type="checkbox"/> <b>Washington Regional Office</b><br>943 Washington Square Mall,<br>Washington, NC 27889<br>Phone: 252-946-6481<br>Fax: 252-975-3716           | <input type="checkbox"/> <b>Wilmington Regional Office</b><br>127 Cardinal Drive Ext.,<br>Wilmington, NC 28405<br>Phone: 910-796-7215<br>Fax: 910-350-2004                         |
|   | <input type="checkbox"/> <b>Winston-Salem Regional Office</b><br>450 Hanes Mill Road, Suite 300,<br>Winston-Salem, NC 27105<br>Phone: 336-776-9800<br>Fax: 336-776-9797 |  |



NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: CLEVELAND

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 18-E-4600-0301  
DATE RECEIVED: 05/30/2018  
AGENCY RESPONSE: 06/25/2018  
REVIEW CLOSED: 06/29/2018

Received: 06/07/2018  
State Historic Preservation Office

CH 18-1255

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

REVIEW DISTRIBUTION

DEPT OF AGRICULTURE  
DEPT OF ENVIRONMENTAL QUALITY  
DEPT OF NATURAL & CULTURAL RESOURCE  
DEPT OF TRANSPORTATION  
DNCR - NATURAL HERITAGE PROGRAM  
DPS - DIV OF EMERGENCY MANAGEMENT  
ISOTHERMAL PLANN & ECON DEV

Due -- 6/15/18

A- NC 6/14/18 JMT

PROJECT INFORMATION

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

Due -- 6/26/18

S- NC 6/26/18 KCBH

DESC: Application of Apex Solar, LLC for Certificate to construct a 30 MW Solar Facility in Cleveland Co. Docket #SP-11723, Sub 0. - View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-11723 Sub 0 in the Docket Number search line.

Located on the west side of Plainsview Church Road, approximately .5 miles west of the intersection with East Stage Coach Trail, Lawndale, 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:

6.29.18

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JUL 02 2018

JUN 08 2018

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: CLEVELAND

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 18-E-4600-0301  
DATE RECEIVED: 05/30/2018  
AGENCY RESPONSE: 06/25/2018  
REVIEW CLOSED: 06/29/2018

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

**REVIEW DISTRIBUTION**

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DEPT OF NATURAL & CULTURAL RESOURCE  
DEPT OF TRANSPORTATION  
DNCR - NATURAL HERITAGE PROGRAM  
DPS - DIV OF EMERGENCY MANAGEMENT  
ISOTHERMAL PLANN & ECON DEV

**PROJECT INFORMATION**

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

DESC: Application of Apex Solar, LLC for Certificate to construct a 30 MW Solar Facility in Cleveland Co. Docket #SP-11723, Sub 0. - View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-11723 Sub 0 in the Docket Number search line.

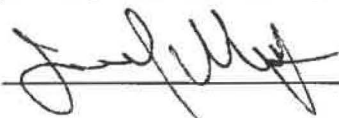
Located on the west side of Plainsview Church Road, approximately .5 miles west of the intersection with East Stage Coach Trail, Lawndale, NC

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:



DATE:

6/29/2018

**This application**

Did Did Not have a CREP conservation easement on the subject property.

Did / Did Not have a Swine buyout easement on the subject property

Did / Did Not have ADFP easement on the subject property

Did / Did Not have a plant conservation easement on the subject property

Did / Did Not have a plant conservation priority site on the subject property

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Jul 02 2018



**Dr. Alexander Stewart**  
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

RE: S# 18-E-4600-00301

June 29, 2018

Dear Ms. Best:

The proposed ground-mounted photovoltaic electric generating facility has the potential to negatively impact agricultural, environmental and economic balance in the immediate area. Development of all types continues to be a threat to one of the state's most valuable natural resources – productive farmland. As productive farmland is removed from agricultural production, the associated potential for providing necessary agricultural products for a growing population is reduced; and with it a substantial amount of recurring, local economic activity generated by local farming dollars.

We encourage conservation of highly productive soils for their best use, i.e. agriculture and forestry, and encourage the location of ground-mounted solar arrays on less productive sites of this tract if possible. Prioritization of sites based on potential agricultural/silvicultural productivity, whereby less productive sites are prioritized for development and more productive sites are retained for farm and forestry production, may help mitigate some of the impact of this type of development.

Additionally, the use of best practices in construction and maintenance of the facility are encouraged to ensure 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 into the agreement.

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  
[joseph.hudyncia@ncagr.gov](mailto:joseph.hudyncia@ncagr.gov)



NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

JUN 31 2018

COUNTY: CLEVELAND

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 18-E-4600-0301  
DATE RECEIVED: 05/30/2018  
AGENCY RESPONSE: 06/25/2018  
REVIEW CLOSED: 06/29/2018

MS CINDY WILLIAMS  
CLEARINGHOUSE COORDINATOR  
DPS - DIV OF EMERGENCY MANAGEMENT  
FLOODPLAIN MANAGEMENT PROGRAM  
4218 MAIL SERVICE CENTER  
RALEIGH NC

**REVIEW DISTRIBUTION**

DEPT OF AGRICULTURE  
DEPT OF ENVIRONMENTAL QUALITY  
DEPT OF NATURAL & CULTURAL RESOURCE  
DEPT OF TRANSPORTATION  
DNCR - NATURAL HERITAGE PROGRAM  
DPS - DIV OF EMERGENCY MANAGEMENT  
ISOTHERMAL PLANN & ECON DEV

**PROJECT INFORMATION**

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

DESC: Application of Apex Solar, LLC for Certificate to construct a 30 MW Solar Facility in Cleveland Co. Docket #SP-11723, Sub 0. - View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-11723 Sub 0 in the Docket Number search line.

Located on the west side of Plainsview Church Road, approximately .5 miles west of the intersection with East Stage Coach Trail, Lawndale, 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:



DATE: 05 June 2018

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NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: CLEVELAND

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 18-E-4600-0301  
DATE RECEIVED: 05/30/2018  
AGENCY RESPONSE: 06/25/2018  
REVIEW CLOSED: 06/29/2018

MR RODNEY BUTLER  
CLEARINGHOUSE COORDINATOR  
DNCR - NATURAL HERITAGE PROGRAM  
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DPS - DIV OF EMERGENCY MANAGEMENT  
ISOTHERMAL PLANN & ECON DEV

**PROJECT INFORMATION**

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

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NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

*Brian West*

COUNTY: CLEVELAND

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 18-E-4600-0301  
DATE RECEIVED: 05/30/2018  
AGENCY RESPONSE: 06/25/2018  
REVIEW CLOSED: 06/29/2018

MS CARRIE ATKINSON  
CLEARINGHOUSE COORDINATOR  
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SIGNED BY:

*Joe E. Boy*

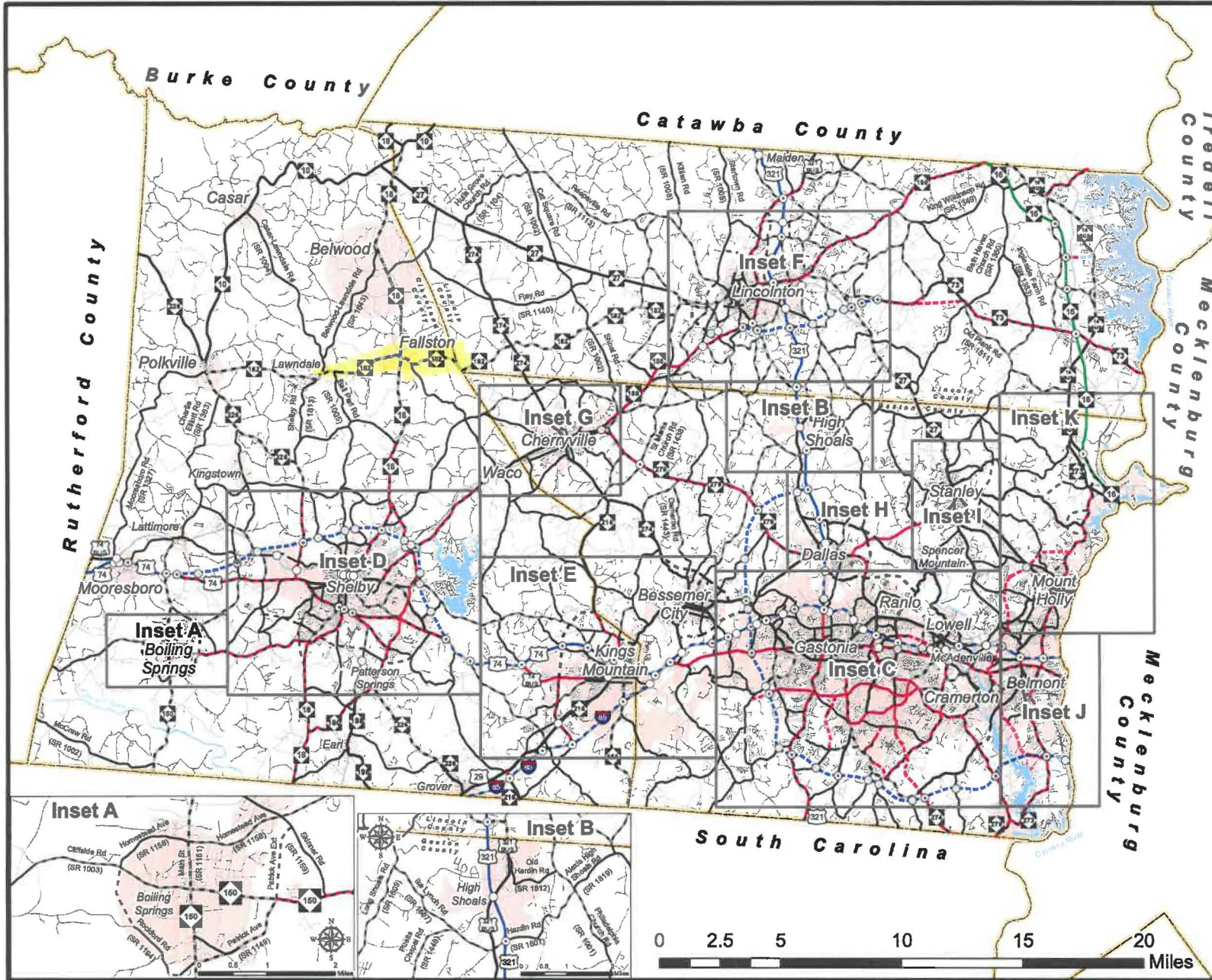
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### Highway Map



## Gaston-Cleveland-Lincoln MPO Comprehensive Transportation Plan

Plan date: November 28, 2016

**Freeways**  
Existing  
Needs Improvement  
Recommended

**Expressways**  
Existing  
Needs Improvement  
Recommended

**Boulevards**  
Existing  
Needs Improvement  
Recommended

**Other Major Thoroughfares**  
Existing  
Needs Improvement  
Recommended

**Minor Thoroughfares**  
Existing  
Needs Improvement  
Recommended

Existing Interchange  
Proposed Interchange  
Interchange Needs Improvement  
Existing Grade Separation  
Proposed Grade Separation





Cleveland County  
CTP - Highway

Local Government	Street	Classification	Treatment	Existing Configuration	Future Configuration	From	To
Cleveland County	McBrayer-Homestead Rd	Major Thoroughfare	Widen	2L	3L	US 74 (W Dixon Blvd)	Boiling Springs town limits
Cleveland County	I-85	Freeway	Widen	4L	6L	US 74	SC State Line
Cleveland County	Oak Grove Rd	Minor Thoroughfare	Widen to 2-12' lanes with paved shoulders	2L	2L	Elizabeth Ave	Waco Rd
Cleveland County	NC 216 (N Piedmont Ave)	Boulevard	Improve Cross Section	2L	2L	Countyline Rd	US 74
Cleveland County	NC 161 Connector	Minor Thoroughfare	Construct New Road	0L	2L	N Piedmont	NC 161 (Cleveland Ave)
Cleveland County	NC 18 (Fallston Rd)	Boulevard	Widen	4L	4LDIV	E Zion Church Rd	E Grover St
Cleveland County	US 74 (W Dixon Blvd)	Boulevard	Improve Cross Section	4L	4L	Proposed US 74 Bypass	NC 18 (S Lafayette St)
Cleveland County	Washburn Switch Rd	Minor Thoroughfare	Widen	2L	3L	Plato Lee Rd	US 74 (W Dixon Blvd)
Cleveland County	NC 180 (N Post Rd)	Boulevard	Widen	2L	4L	NC 18 (Fallston Rd)	Elizabeth Ave
Cleveland County	NC 18	Major Thoroughfare	Widen to 2-12' lanes with paved shoulders	2L	2L	Lincoln County line	south of Fallston city limits
Cleveland County	NC 182 (E Stagecoach Tr)	Major Thoroughfare	Widen to 2-12' lanes with paved shoulders	2L	2L	Lawndale town limits	Lincoln County line
Cleveland County	NC 180 (S Post Rd)	Boulevard	Widen	2L	4L	Taylor Rd	NC 18 (S Lafayette St)
Kings Mountain	S Cansler St	Minor Thoroughfare	Restripe/Road Diet	4L	3L	W King St	W Gold St
Kings Mountain	Phifer Rd	Minor Thoroughfare	Widen	2L	3L	W Kings St	Kings Mountain Blvd
Kings Mountain	E Gold St	Minor Thoroughfare	Widen	2L	3L	NC 161 (York Rd)	Kiser St
Kings Mountain	Gold St Ext	Minor Thoroughfare	Construct New Road	0L	2L	Kiser St	E King St
Kings Mountain	N Cansler St	Minor Thoroughfare	Restripe/Road Diet	4L	3L	Barnett Dr	W King St
Kings Mountain	Woodlake Pkwy	Minor Thoroughfare	Widen to 2-12' lanes with paved shoulders	2L	2L	NC 161 (York Rd)	Gaston County line
Kings Mountain	Northwest Connector	Major Thoroughfare	Construct New Road	0L	2L	NC 216 (County Line Rd)	Kings Mountain Blvd
Cleveland County	Kings Mountain Blvd	Boulevard	Widen	2L	3L	US 74 BUS (Shelby Rd)	I-85
Cleveland County	NC 161 (York Rd)	Major Thoroughfare	Widen to 3-12' lanes with paved shoulders	3L	3L	E King St	I-85
Cleveland County	NC 161 (York Rd)	Major Thoroughfare	Widen to 2-12' lanes with paved shoulders	2L	2L	I-85	SC State Line