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December 4, 2018

**VIA ELECTRONIC FILING**

Martha Lynn Jarvis  
Chief Clerk  
North Carolina Utilities Commission  
430 N. Salisbury Street  
Raleigh, North Carolina 27603

Re: Wilkinson Solar LLC's State Stormwater Management Permit;  
Docket No. EMP-93, Sub 0

Dear Clerk Jarvis:

Enclosed for filing in the above-referenced docket is State Stormwater Management Permit No. SW7181106 from the North Carolina Department of Environmental Quality for Wilkinson Solar LLC. Wilkinson Solar LLC makes this filing pursuant to Rule R8-63(b)(2)(v) and as stated in Exhibit 2(v) of the Application for a Certificate of Public Convenience and Necessity for a Merchant Plant filed on March 13, 2017.

Thank you for your assistance with this matter. Please let me know if you have any questions.

Sincerely,

/s/ E. Merrick Parrott

Enclosure

cc: Dominion Energy North Carolina (via US mail)

PPAB 4586215v1

OFFICIAL COPY

Dec 04 2018

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

WILLIAM E. (TOBY) VINSON, JR.  
Interim Director



NORTH CAROLINA  
Environmental Quality

November 28, 2018

Wilkinson Solar, LLC  
Attn: Michael Kaplan, Vice President  
One South Wacker Drive, Suite 1800  
Chicago, IL 60606

**Subject: Stormwater Permit No. SW7181106  
Terra Switching Station  
Low Density Stormwater Project  
Beaufort County**

Dear Michael Kaplan:

The Washington Regional Office received a complete Stormwater Management Permit Application for the Terra Switching Station project on November 15, 2018. Staff review of the plans and specifications has determined that the project, as proposed, will comply with the Stormwater Regulations set forth in Title 15A NCAC 2H.1000. We are forwarding Permit No. SW7181106 dated November 28, 2018 for the construction of the subject project.

This permit shall be effective from the date of issuance until rescinded and shall be subject to the conditions and limitations as specified therein, and does not supercede any other agency permit that may be required. Please pay special attention to the conditions listed in this permit regarding the Operation and Maintenance of the SCM(s), recordation of deed restrictions, certification of the SCM's, procedures for changing ownership, and transferring the permit. Failure to establish an adequate system for operation and maintenance of the stormwater management system, to record deed restrictions, to certify the SCM's, to transfer the permit, or to renew the permit, will result in future compliance problems.

If any parts, requirements, or limitations contained in this permit are unacceptable, you have the right to request an adjudicatory hearing upon written request within thirty (30) days following receipt of this permit. This request must be in the form of a written petition, conforming to Chapter 150B of the North Carolina General Statutes, and filed with the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, NC 27699-6714. Unless such demands are made this permit shall be final and binding.

Please contact me at (252) 946-6481 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "William Carl Dunn".

William Carl Dunn, PE  
Environmental Engineer

cc: John Barefoot, PE – Kimley-Horn and Associates, Inc. (421 Fayetteville St., Suite 600, Raleigh, NC 27601)  
Beaufort County Inspections (220 N. Market St., Washington, NC 27889)  
Washington Regional Office



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources  
Washington Regional Office | 943 Washington Square Mall | Washington, North Carolina 27889  
252.946.6481

Wilkinson Solar LLC  
State Stormwater Management Permit

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Dec 04 2018

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES

STATE STORMWATER MANAGEMENT PERMIT

LOW DENSITY DEVELOPMENT

In accordance with the provisions of Article 21 of Chapter 143, General Statutes of North Carolina as amended, and other applicable Laws, Rules and Regulations

PERMISSION IS HEREBY GRANTED TO

*Wilkinson Solar, LLC*

*Terra Switching Station*

*Terra Ceia Road, Pinetown, Beaufort County*

FOR THE

construction, operation and maintenance of a low density project in compliance with the provisions of 15A NCAC 2H .1000 (hereafter referred to as the "stormwater rules") and the approved stormwater management plans and specifications, and other supporting data as attached and on file with and approved by the Division of Energy, Mineral, and Land Resources (Division) and considered a part of this permit.

The Permit shall be effective from the date of issuance until rescinded and shall be subject to the following specific conditions and limitations:

**I. DESIGN STANDARDS**

1. This permit covers the construction of 23,800 square feet of new build-upon area on this 2.58 acre project site.
2. The overall tract built-upon area percentage for the project must be maintained at or below 24%, as required by Section 2H .1005 of the stormwater rules.
3. Approved plans and specifications for projects covered by this permit are incorporated by reference and are enforceable parts of the permit and shall be kept on file by the permittee at all times.

4. The only runoff conveyance systems allowed will be vegetated conveyances such as swales with minimum side slopes of 3:1 (H:V) as defined in the stormwater rules and approved by the Division.
5. No piping is allowed except that minimum amount necessary to direct runoff beneath an impervious surface such as a road or to provide access.
6. The built-upon areas associated with this project shall be located at least 50 feet landward of all perennial and intermittent streams or other surface waters.

## II. SCHEDULE OF COMPLIANCE

1. The permittee is responsible for verifying that the proposed built-upon area does not exceed the allowable built-upon area.
2. The Director may notify the permittee when the permitted site does not meet one or more of the minimum requirements of the permit. Within the time frame specified in the notice, the permittee shall submit a written time schedule to the Director for modifying the site to meet minimum requirements. The permittee shall provide copies of revised plans and certification in writing to the Director that the changes have been made.
3. This project may not be sold or subdivided in whole or in part without first receiving a permit modification from the Division.
4. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with the permitted development, except for average driveway crossings, is strictly prohibited by any persons.
5. The permittee shall submit to the Director and shall have received approval for revised plans, specifications, and calculations prior to construction, for any modifications to the approved plans, including, but not limited to, those listed below:
  - a. Any revision to the approved plans, regardless of size.
  - b. Project name change.
  - c. Transfer of ownership.
  - d. Redesign or addition to the approved amount of built-upon area.
  - e. Further subdivision, acquisition, or sale of the project area in whole or in part. The project area is defined as all property owned by the permittee, for which Sedimentation and Erosion Control Plan approval was sought.
  - f. Filling in, altering or piping any vegetative conveyance shown on the approved plan.
6. Swales and other vegetated conveyances shall be constructed in their entirety, vegetated, and be operational for their intended use prior to the construction of any built-upon surface.
7. During construction, erosion shall be kept to a minimum and any eroded areas of the swales or other vegetated conveyances will be repaired immediately.

8. The permittee shall at all times provide the operation and maintenance necessary to operate the permitted stormwater management systems at optimum efficiency to include:
  - a. Inspections
  - b. Sediment removal.
  - c. Mowing, and re-vegetating of the side slopes.
  - d. Immediate repair of eroded areas.
  - e. Maintenance of side slopes in accordance with approved plans and specifications.
9. Within 30 days of completion of the project, the permittee shall certify in writing that the project has been constructed in accordance with the approved plans.
10. The permittee shall submit all information requested by the Director or his representative within the time frame specified in the written information request.

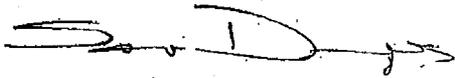
### III. GENERAL CONDITIONS

1. This permit is not transferable to any person or entity except after notice to and approval by the Director. The Director may require modification or revocation and re-issuance of the permit to change the name and incorporate such other requirements as may be necessary. In the event of a name or ownership change, a completed Name/Ownership Change form, signed by both parties, must be submitted to the Division accompanied by the supporting documentation as listed on page 2 of the form. The approval of this request will be considered on its merits, and may or may not be approved.
2. The permittee is responsible for compliance with all permit conditions until the Director approves a transfer of ownership. Neither the sale of the project nor the transfer of common areas to a third party, such as a homeowner's association, constitutes an approved transfer of the stormwater permit.
3. Failure to abide by the conditions and limitations contained in this permit may subject the Permittee to an enforcement action by the Division, in accordance with North Carolina General Statutes 143-215.6A to 143-215.6C.
4. The issuance of this permit does not prohibit the Director from reopening and modifying the permit, revoking and reissuing the permit, or terminating the permit as allowed by the laws, rules, and regulations contained in Title 15A NCAC 2H.1000 of the North Carolina Administrative Code, Subchapter 2H.1000; and North Carolina General Statute 143-215.1 et. al.
5. In the event that the facilities fail to perform satisfactorily, including the creation of nuisance conditions, the Permittee shall take immediate corrective action, including those as may be required by the Division, such as the construction of additional or replacement stormwater management systems.
6. The permittee grants permission to DEQ Staff to enter the property during normal business hours, for the purpose of inspecting all components of the stormwater management facility.

7. The permit issued shall continue in force and effect until revoked or terminated. The permit may be modified, revoked and reissued or terminated for cause. The filing of a request for a permit modification, revocation and re-issuance, or termination does not stay any permit condition.
8. Unless specified elsewhere, permanent seeding requirements for the swales must follow the guidelines established in the North Carolina Erosion and Sediment Control Planning and Design Manual.
9. Approved plans and specifications for this project are incorporated by reference and are enforceable parts of the permit.
10. The issuance of this permit does not preclude the Permittee from complying with any and all statutes, rules, regulations, or ordinances, which may be imposed by other government agencies (local, state and federal), which have jurisdiction.
11. The permittee shall notify the Division in writing of any name, ownership or mailing address changes at least 30 days prior to making such changes.

Permit issued this the 28<sup>th</sup> day of November, 2018.

NORTH CAROLINA ENVIRONMENTAL MANAGEMENT COMMISSION



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For Toby Vinson, Interim Director  
Division of Energy, Mineral and Land Resources  
By Authority of the Environmental Management Commission

**Permit Number SW7181106**