



North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtride, Jr., Secretary

September 29, 2014

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

Re: SCH File # 15-E-4600-0139; Application of SolNCPower5, LLC for Certificate to construct a 5 MW Solar Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-3717, 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,

A handwritten signature in cursive script that reads "Crystal Best".

Crystal Best
State Environmental Review Clearinghouse

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

Location Address:
116 West Jones Street
Raleigh, North Carolina




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 
Division of Environmental Assistance and Customer Service
Environmental Assistance and Project Review Coordinator

RE: 15-0139
Environmental Review – Application of SolNCPower5, LLC for the Certificate to construct
a 5 MW Solar Photovoltaic Electric Generating Facility
Nash County

Date: September 26, 2014

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 and offered some guidance. The comments are attached for the applicant review.

If the applicant has any questions pertaining to 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

Pat McCrory
Governor

John E. Skvarla, III
Secretary

September 18, 2014

MEMORANDUM

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

FROM: Jackie Roddy, P.E., SEPA Review Coordinator

SUBJECT: Environmental Review –SolNCPower5, LLC.
DENR#15-0139

Thank you for providing the Division of Water Resources (DWR) an opportunity to provide comments regarding the Application of SolNCPower5 Solar, LLC for Certificate to construct a 5 MW Solar Photovoltaic Electric Generating Facility in Nash Co.

DWR has no objection to the proposed project, but offer the following comments from Danny Smith of the Raleigh Regional Office:

1. If land disturbance exceeds 1 acre, an erosion and sedimentation control plan should be secured. Additionally, compliance with construction stormwater permit conditions (NCG010000) will be required
2. Be advised that construction activities with impacts to wetlands and streams will require review by this Office and may require issuance of a 401 Water Quality Certification and Tar-Pamlico riparian buffer authorization.
3. This Office recommends coordinating with the United States Army Corps of Engineers (USACOE) concerning identification of any jurisdictional features and the required permitting that may be involved prior to the implementation of this project.

If you have any questions about this comment, please contact me at (919) 807-6442 or jackie.rodgy@ncdenr.gov.
Thank you.

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

Reviewing Office: Raleigh Regional Office

Project Number 15-0139 Due Date: 9/19/2014
County Nash

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 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"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion.	30 days (60 days)

June 16, 2014

OFFICIAL COPY

Oct 02 2014

Project Number: <u>15-0139</u> Due Date: <u>9/19/2014</u>			Normal Process Time (statutory time limit)
PERMITS		SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property.	15-20 days N/A
<input type="checkbox"/>	401 Water Quality Certification	N/A	60 days (130 days)
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 fee must accompany application	55 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$50.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611		
<input checked="" type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	Compliance with 15A NCAC 2H 1000 (Coastal Stormwater Rules) is required.		45 days (N/A)
<input type="checkbox"/>	Tar Pamlico or Neuse Riparian Buffer Rules required.		
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq. Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days

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

Division	Initials	No comment	Comments	Date Review
DAQ	ddm	<input type="checkbox"/>		9/5/14
DWR-WQROS	DS	<input type="checkbox"/>		9/14/14
(Aquifer & Surface)	rb	<input checked="" type="checkbox"/>		9/10/14
DWR-PWS	N/A	<input type="checkbox"/>		/ /
DEMLR (LQ & SW)	JLH	<input type="checkbox"/>	See above.	9/5/14
DWM - UST	MRP	<input checked="" type="checkbox"/>		9/16/14

REGIONAL OFFICES

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

☐ Asheville Regional Office2090 US Highway 70
Swannanoa, NC 28778
(828) 296-4500☐ Mooresville Regional Office610 East Center Avenue, Suite 301
Mooresville, NC 28115
(704) 663-1699☐ Wilmington Regional Office127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215☐ Fayetteville Regional Office225 North Green Street, Suite 714
Fayetteville, NC 28301-5043
(910) 433-3300☒ Raleigh Regional Office3800 Barrett Drive, Suite 101
Raleigh, NC 27609
(919) 791-4200☐ Winston-Salem Regional Office585 Waughtown Street
Winston-Salem, NC 27107
(336) 771-5000☐ Washington Regional Office943 Washington Square Mall
Washington, NC 27889
(252) 946-6481

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

Suzette Oybor

COUNTY: NASH

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0139
DATE RECEIVED: 08/25/2014
AGENCY RESPONSE: 09/19/2014
REVIEW CLOSED: 09/24/2014

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

REVIEW DISTRIBUTION

CC&PS - DIV OF EMERGENCY MANAGEMENT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
UPPER COASTAL PLAIN COG

PROJECT INFORMATION

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

DESC: Application of SolNCPower5, LLC for Certificate to construct a 5 MW Solar Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-3717, Sub 0. - View document at <http://starwl.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-3717 Sub 0 in the Docket Number search line.

Located at 662 W. Battleboro Avenue, Battleboro, 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: 9/16/14



OFFICIAL COPY

Oct 02 2014

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: NASH

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0139
DATE RECEIVED: 08/25/2014
AGENCY RESPONSE: 09/19/2014
REVIEW CLOSED: 09/24/2014

CLEARINGHOUSE COORD REGION L
UPPER COASTAL PLAIN COG
P.O. BOX 9
WILSON NC

REVIEW DISTRIBUTION

CC&PS - DIV OF EMERGENCY MANAGEMENT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
UPPER COASTAL PLAIN COG

PROJECT INFORMATION

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

DESC: Application of SolNCPower5, LLC for Certificate to construct a 5 MW Solar
Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-3717, Sub 0. -
View document at
<http://starwl.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>. Type SP-3717
Sub 0 in the Docket Number search line.

Located at 662 W. Battleboro Avenue, Battleboro, 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:

Helen Page

DATE:

9-18-14

OFFICIAL COPY

Oct 02 2014

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: NASH

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0139
DATE RECEIVED: 08/25/2014
AGENCY RESPONSE: 09/19/2014
REVIEW CLOSED: 09/24/2014

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

REVIEW DISTRIBUTION

CC&PS - DIV OF EMERGENCY MANAGEMENT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
UPPER COASTAL PLAIN COG

PROJECT INFORMATION

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

DESC: Application of SolNCPower5, LLC for Certificate to construct a 5 MW Solar
Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-3717, Sub 0. -
View document at
<http://starwl.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-3717
Sub 0 in the Docket Number search line.

Located at 662 W. Battleboro Avenue, Battleboro, 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: 9/5/14



OFFICIAL COPY

Oct 02 2014

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: NASH

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0130
DATE RECEIVED: 08/25/2014
AGENCY RESPONSE: 09/19/2014
REVIEW CLOSED: 09/24/2014

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

REVIEW DISTRIBUTION

CC&PS - DIV OF EMERGENCY MANAGEMENT
DENR LEGISLATIVE AFFAIRS
DEPT OF AGRICULTURE
DEPT OF CULTURAL RESOURCES
DEPT OF TRANSPORTATION
UPPER COASTAL PLAIN COG

PROJECT INFORMATION

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

DESC: Application of SolNCPower5, LLC for Certificate to construct a 5 MW Solar
Photovoltaic Electric Generating Facility in Nash Co. Docket #SP-3717, Sub 0. -
View document at
<http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-3717
Sub 0 in the Docket Number search line.

Located at 662 W. Battleboro Avenue, Battleboro, 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:

David Harley

DATE:

8/28/14

MTW JFHA.



OFFICIAL COPY

Oct 02 2014