



North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtride, Jr., Secretary

May 4, 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-4600-0528; Application of Cork Oak Solar, LLC for Certificate to construct a 20 MW Solar Photovoltaic Electric Generating Facility in Halifax Co. Docket #SP-5271 Sub 0.

Dear Ms. Mount:

The above referenced environmental 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. The Department of Cultural Resources has requested additional information prior to their concurrence with the above referenced document.

Therefore, pursuant to 1 NCAC 25 .0506(c), this office requests that a supplemental document providing the additional information requested by the Department of Cultural Resources be submitted to the Clearinghouse for further review and comment.

Sincerely,

A handwritten signature in black ink 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

Donald R. van der Vaart
Secretary

MEMORANDUM

To: Crystal Best
State Clearinghouse

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

RE: 15-0528
Environmental Review –Application of Cork Oak Solar, LLC for the Certificate to
construct a 20 MW Solar Photovoltaic Electric Generating Facility
Halifax County

Date: April 28, 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 and offered some valuable 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 for more permitting assistance. The proposed project is located within his geographic working territory.

Thank you for the opportunity to respond.

Attachments

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

Reviewing Office: RRO

Project Number 15-0528 Due Date: 4/22/2015
County HALIFAX

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 15A 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)

February 11, 2015

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May 04 2015

County <u>HALIFAX</u>		Project Number: <u>15-0528</u>	Due Date: <u>4/22/2015</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 211 1000 (Coastal Stormwater Rules) is required.			45 days (N/A)
<input type="checkbox"/>	Catawba, Jordan Lake, Randleman, Tar Pamocho 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"/>		4/7/15
DWR-WQROS (Aquifer & Surface)	ds rb	<input type="checkbox"/> <input type="checkbox"/>	<p>- A project that disturbs 1 acre or greater is required to secure an erosion and sedimentation control plan and must comply with construction stormwater permit conditions (NCG010000)</p> <p>-The project is in the Roanoke River Basin (unnamed tributary to Roanoke River Class C).</p> <p>The USGS Topographic map depicted blue streams and crenulations that are within the project. (Note: the soil survey was not reviewed.)</p> <p>If stream or wetland impacts are proposed, this project will need to comply with/secure a 404 permit from the USACE and obtain a 401 Water Quality Certification.</p> <p>- In addition to the solar panel production field area, access roads and utilities impacts will need to be properly permitted</p>	4/19/15 4/10/15
DWR-PWS	N/A	<input type="checkbox"/>		/ /
DEMLR (LQ & SW)	JLH	<input type="checkbox"/>	Although mentioned in the report, the S&E plan requirement comment is checked for additional information.	4/20/15
DWM - UST	MRP	<input checked="" type="checkbox"/>		4/20/15

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
(252) 946-6481

☐ **Wilmington Regional Office**
127 Cardinal Drive Extension
Wilmington, NC 28405
(910) 796-7215

☐ **Winston-Salem Regional Office**
450 West Hanes Mill Road, Suite 300
Winston-Salem, NC 27105
(336) 771-9800

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: HALIFAX

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0526
DATE RECEIVED: 03/27/2015
AGENCY RESPONSE: 04/22/2015
REVIEW CLOSED: 04/27/2015

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

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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 Cork Oak Solar, LLC for Certificate to construct a 20 MW Solar Photovoltaic Electric Generating Facility in Halifax Co. Docket #SP-5271 Sub 0. - View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-5271 Sub 0 in the Docket Number search line.

Located off Hwy 301 Road, approx. 1 mile east of the intersection of White Hill Road and Hwy 301 in an unincorporated area a couple of miles south of Weldon, 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: _____



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May 04 2015



Dr. Richard Reich
Assistant Commissioner

North Carolina Department of Agriculture
and Consumer Services
Agricultural Services

Joseph Hudyncia
Environmental Programs

April 22, 2015

Zeke Creech
State Clearinghouse
N.C. Department of Administration
1301 Mail Service Center
Raleigh, North Carolina 27699-1301

State #: 15-E-4600-0528
RE: Photovoltaic Electric Generating Facility Hwy. 301, Weldon, NC



Dear Mr. Creech:

The footprint of the proposed Photovoltaic Electric Generating Facility has the potential of irreversible damage and may increase the loss of state important farm and forest land thereby negatively impacting agricultural environmental balance in the immediate area. The NCDA&CS encourages due consideration be given to potential negative environmental and economic impacts on farm and forest land in the proposed area.

Agricultural production incomes from locally grown products have a considerable multiplier influence. It is estimated that for every 40 acres converted from agricultural production, one agribusiness job and its associated economic activity is lost indefinitely. Furthermore the costs of community services used by agribusiness are usually minimal and therefore are net contributors to county budgets. Both current and future cost for the conversion land from production agriculture is needed for an accurate evaluation.

Based on the secondary, cumulative, and direct impacts, this project has potential to adversely impact the agricultural environmental and economic resources in the proposed study area. The total negative impact on the environmental and agribusiness economy will be proportionately related to the total acres of farm and forest land taken out of production.

Respectfully,

Joseph Hudyncia
Environmental Programs Specialist

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: HALIFAX

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0528
DATE RECEIVED: 03/27/2015
AGENCY RESPONSE: 04/22/2015
REVIEW CLOSED: 04/27/2015

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☒ NO COMMENT ☐ COMMENTS ATTACHED

SIGNED BY:

Helen Page

DATE: 4-22-2015

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May 04 2015

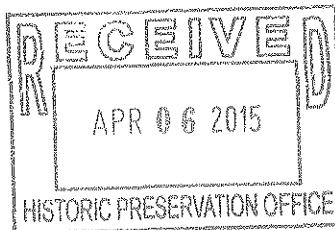
NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: HALIFAX

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0520
DATE RECEIVED: 03/27/2015
AGENCY RESPONSE: 04/22/2015
REVIEW CLOSED: 04/27/2015

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 CULTURAL RESOURCES
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PROJECT INFORMATION

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

DESC: Application of Cork Oak Solar, LLC for Certificate to construct a 20 MW Solar Photovoltaic Electric Generating Facility in Halifax Co. Docket #SP-5271 Sub 0. - View document at <http://starwl.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-5271 Sub 0 in the Docket Number search line.

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☐ NO COMMENT ☒ COMMENTS ATTACHED

SIGNED BY:

Renee Gledhill-Earley

DATE:

4.17.15



APR 07 2015

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May 04 2015



**North Carolina Department of Cultural Resources
State Historic Preservation Office**

Ramona M. Bartos, Administrator

Governor Pat McCrory
Secretary Susan Kluttz

Office of Archives and History
Deputy Secretary Kevin Cherry

April 16, 2015

MEMORANDUM

TO: Crystal Best
North Carolina State Clearinghouse
Department of Administration

FROM: Ramona M. Bartos *Re: for Ramona M. Bartos*

SUBJECT: Construct 20 MW Cork Oak Solar Farm, East of Highway 301, Weldon, Halifax County,
CH 15-0788

Thank you for your review request dated March 27, 2015. We have reviewed the information for the above project and offer the following comments.

The project tract is located east of Highway 301 near the intersection with White Hill Road in Weldon, North Carolina. Geographically, the project area is located just to the southwest of the confluence of the Roanoke River with Mush Island Gut. The geographical setting of the project is considered a high probability area for archaeological remains, particularly those associated with prehistoric Native Americans. The Cork Oak Solar project tract has never been systematically surveyed for archaeological resources. Given the nature of this landscape and the high probability of Native American remains, we recommend a Phase I/II archaeological survey of the tract considered as part of this application. As a result, we recommend the following conditions for this application:

Prior to initiation of any ground disturbing activities within the project area, the applicant shall arrange for an archaeological survey of the entire project area. This includes the proposed transmission corridor from the project area to Highway 301. The purpose of this survey will be to locate archaeological sites and make recommendations regarding the eligibility status of each site in terms of the National Register of Historic Places (NRHP). If a site is determined to be eligible for the NRHP the applicant shall determine whether the site will be adversely affected by the project activities; and, if so, develop and implement an appropriate mitigation plan. Two copies of all resulting archaeological reports, as well as one copy of the North Carolina site forms, should be forwarded to the Office of State Archaeology through this office for review and comment as soon as they are available and in advance of any construction or ground disturbance activities.

A list of archaeological consultants who have conducted or expressed an interest in contract work in North Carolina is available at www.archaeology.ncdcr.gov/ncarch/resource/consultants.htm. The archaeologists listed, or any other experienced archaeologist, may be contacted to conduct the recommended survey. The selected archaeologist will consult with the Office of State Archaeology directly regarding the project methods prior to the commencement of any field work activities. All activities associated with the archaeological investigations shall also be coordinated with the Office of State Archaeology prior to implementation in the field.

We have determined that the project as proposed will not have an effect on any historic structures.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comments, please contact Renee Gledhill-Earley, environmental review coordinator, at 919-807-6579. In all future communication concerning this project, please cite the above-referenced tracking number (CH15-0788).

cc: Walter Putnam, Jr., Cork Oak Solar, LLC

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

Carlos Mayg

COUNTY: HALIFAX

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-052
DATE RECEIVED: 03/27/2015
AGENCY RESPONSE: 04/22/2015
REVIEW CLOSED: 04/27/2015

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

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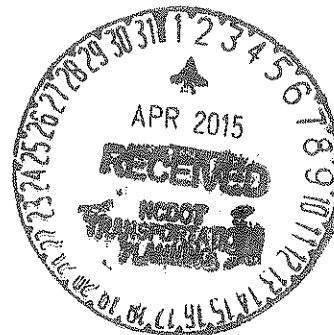
The attached project has been submitted to the N. C. State Clearinghouse for intergovernmental review. Please review and submit your response by the above indicated date to 1301 Mail Service Center, Raleigh NC 27699-1301.

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: April 10, 2015



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May 04 2015

NORTH CAROLINA STATE CLEARINGHOUSE
DEPARTMENT OF ADMINISTRATION
INTERGOVERNMENTAL REVIEW

COUNTY: HALIFAX

H11: ENERGY RELATED
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0528
DATE RECEIVED: 03/27/2015
AGENCY RESPONSE: 04/22/2015
REVIEW CLOSED: 04/27/2015

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

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If additional review time is needed, please contact this office at (919)807-2425.

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: ☒ NO COMMENT ☐ COMMENTS ATTACHED

SIGNED BY:

David Harlow

DATE:

4/6/15

MR WSKITA



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May 04 2015