



## North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtridge, Jr., Secretary

October 23, 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-4600-0209; Application of Southside Solar, LLC for Certificate to construct a 4.99 MW Solar Photovoltaic Electric Generating Facility in Columbus Co. Docket #SP-4161, 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 black ink that reads "Crystal Best".

Crystal Best  
State Environmental Review Clearinghouse

Attachments

cc: Region O

**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](mailto: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: 15-0209  
Environmental Review – Application of Southside Solar, LLC for Certificate to construct a  
4.99 MW Solar Photovoltaic Electric Generating Facility  
Columbus County

Date: October 21, 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. The Division of Water Resources was unable to complete a full evaluation and provide guidance due to insufficient information. To help the applicant move forward with their proposal without delay, we suggest the applicant contact a representative of the Division of Water Resources-401 program unit in the Wilmington Regional Office to discuss the proposal and obtain permitting guidance from them directly. 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 Cameron Weaver, Permit Assistance Coordinator, in the Department's Wilmington Regional Office, (910) 796-7215. The proposed project is located within his geographic working territory.

To better assist the applicant with any future projects, we recommend they provide a well-defined vicinity map, clear property map depicting the property boundaries, physical address and latitude and longitude coordinates of the propose facility in the Application for a Certificate of Public Convenience and Necessity.

Thank you for the opportunity to respond.

Attachments



## ◆ 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: Gabriela Garrison  
Eastern Piedmont Coordinator  
Habitat Conservation *Gabriela Garrison*

DATE: 15 October 2014

SUBJECT: Comments on Southside Solar, LLC Solar Facility in Columbus County; Project Number 15-0209.

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the proposed project description. Our comments are provided in accordance with certain provisions of the N.C. 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.).

Southside Solar, LLC proposes to construct a 4.99 MW solar photovoltaic electric generating facility in Columbus County. The facility would be located at the intersection of US Highway 74 and Merritt Road, west of Whiteville. An aerial view of the site (provided with the application materials) suggests that the proposed project is sited in both forested and cleared land. Clearing trees from this site and installing solar panels will likely displace wildlife species. Installing solar panels on previously cleared and disturbed land will have less impact and is therefore the preferred option. Solar projects should be sited to avoid impacts to wetlands, streams, riparian buffers, and priority wildlife habitat.

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

1. Maintain or establish a minimum 100-foot undisturbed, native forested buffer along each side of perennial streams and 50-foot undisturbed, native forested buffer along each side of intermittent streams and wetlands. Forested riparian buffers provide habitat areas for aquatic and terrestrial wildlife species and travel corridors for terrestrial wildlife. In addition, forested riparian buffers protect water quality by stabilizing stream banks and filtering stormwater runoff.
2. The project footprint should be surveyed for wetlands to ensure there are no impacts to wetland areas. In addition to providing wildlife habitat, wetland areas perform important functions of flood control and water quality protection. United States Army Corps of Engineers Section 404

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

15 October 2014  
Southside Solar, LLC  
DENR Project No. 15-0209

- permits and NC Division of Water Resources Section 401 Certifications are needed for any impacts to jurisdictional streams or wetlands.
3. The solar facility will connect to existing utility lines; impacts to wildlife habitat will be minimized by connecting along pathways that do not contain quality wildlife habitat, such as cleared or agricultural land. If additional overhead transmission lines will be installed, measures to minimize impacts to birds should be implemented. These can include increasing line visibility, insulating wires to cover exposed connections, and increasing the distance between wires so no contact with ground or other energized wire can be made. For more information see <http://www.fws.gov/birds/documents/powerlines.pdf>.
  4. Consider establishing vegetative cover on the site that is beneficial to wildlife such as native warm season grasses. We refer the applicant to Tom Padgett, District Wildlife Biologist, at (910) 645-4115 or [thomas.padgett@ncwildlife.org](mailto:thomas.padgett@ncwildlife.org) for information on developing a site-specific vegetation plan.
  5. If site and/or transmission line maintenance is needed, avoid mowing between April 1 and October 1 to minimize impacts to nesting wildlife. We suggest a maintenance schedule that incorporates a portion of the area (e.g., one-third of the area) each year. Pesticides, fertilizers, and other chemicals should not be used in wetland areas or near streams.
  6. If pesticides or chemicals will be used for site maintenance, stormwater runoff from the site should be directed to bio-retention areas prior to discharge to streams or wetlands; this will provide additional protection for water quality and aquatic and terrestrial wildlife habitats.
  7. Sediment and erosion control measures should be installed prior to any land clearing or construction. These measures should be routinely inspected and properly maintained. Excessive silt and sediment loads can have numerous detrimental effects on aquatic resources including destruction of spawning habitat, suffocation of eggs, and clogging of gills of aquatic species.
  8. Measures to mitigate secondary and cumulative impacts can be found in NCWRC's *Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality* (August 2002; [http://www.ncwildlife.org/Portals/0/Conserving/documents/2002\\_GuidanceMemorandumforSecondaryandCumulativeImpacts.pdf](http://www.ncwildlife.org/Portals/0/Conserving/documents/2002_GuidanceMemorandumforSecondaryandCumulativeImpacts.pdf)).

Thank you for the opportunity to review and comment on this project. If I can be of further assistance, please contact me at (910) 409-7350 or [gabriela.garrison@ncwildlife.org](mailto:gabriela.garrison@ncwildlife.org).

cc: Tom Padgett, NCWRC  
Vann Stancil, NCWRC

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

Reviewing Office: WIRO

Project Number 15-0209 Due Date: 10/15/2014  
 County Columbus

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 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 arc mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<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 bum 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

June 16, 2014

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Oct 23 2014



Project Number: <u>15-0209</u> Due Date: <u>10/15/2014</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 type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A, Subchapter 2C.0100.		
<input checked="" 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	DAC	<input checked="" type="checkbox"/>		10/14/14
DWR-WQROS (Aquifer & Surface)	JHG	<input type="checkbox"/>	Insufficient information provided in the application to determine the potential for wetland impacts and the need for a 401 Water Quality Certification.	10/20/14
DWR-PWS	n/a	<input type="checkbox"/>		/ /
DEMLR (LQ & SW)	DES	<input checked="" type="checkbox"/>	Columbus County is not subject to Coastal Stormwater Rules	10/1/14
DWM - UST	WER	<input type="checkbox"/>	I have reviewed the above mentioned project - we do not have records of UST or AST incidents at the locations identified on the Project Review Form.	10/2/14

## 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 Office

943 Washington Square Mall

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

*Natasha Earle*

COUNTY: COLUMBUS

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0209  
DATE RECEIVED: 09/18/2014  
AGENCY RESPONSE: 10/15/2014  
REVIEW CLOSED: 10/20/2014

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

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DENR - COASTAL MGT  
DENR LEGISLATIVE AFFAIRS  
DEPT OF AGRICULTURE  
DEPT OF CULTURAL RESOURCES  
DEPT OF TRANSPORTATION

PROJECT INFORMATION

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

DESC: Application of Southside Solar, LLC for Certificate to construct a 4.99 MW Solar Photovoltaic Electric Generating Facility in Columbus Co. Docket #SP-4161, Sub 0.  
- View document at  
<http://starwl.ncuc.net/MCUC/portal/ncuc/page/Dockets/portal.aspx>, Type SP-4161  
Sub 0 in the Docket Number search line.

Located at 1898 Merritt Road, Whiteville, 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:

*Natasha Earle*

DATE:

*9/30/2014*



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Oct 23 2014

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: COLUMBUS

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-0200  
DATE RECEIVED: 09/18/2014  
AGENCY RESPONSE: 10/15/2014  
REVIEW CLOSED: 10/20/2014

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

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

SIGNED BY:

*David Heckory*

DATE:

*9/22/14*

*NOT IN SFHA.*



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Oct 23 2014