

DOCKET NO. SP 5261, SUB 0Filing Fee Tendered \$ 250**Registration Statement for the Registration of a Renewable Energy Facility or New Renewable Energy Facility – Commission Rule R8-66**

Pursuant to G.S. 62-133.8 and Commission Rule R8-66, this form is required for use by the owner of a renewable energy facility that intends for the renewable energy certificates the facility earns to be eligible for use by an electric power supplier to comply with G.S. 62-133.8, or for its renewable energy facility to participate in the Competitive Procurement of Renewable Energy Program. This form may be accompanied by any exhibits or additional responses incorporated by reference thereto and attached to this form. This form must be accompanied by the required filing fee of \$250.00.

This form may be electronically filed. Please see www.ncuc.net for instructions.

If this form is filed by hard copy, the original plus 9 copies must be presented at the office of the Chief Clerk, or transmitted by the United States Postal Service or a designated delivery service authorized pursuant to 26 U.S. 7502(f)(2). Regardless of the method of delivery, this form is not deemed filed until it is received by the Chief Clerk, along with the required filing fee.

The mailing address is:

Chief Clerk
NC Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

Required Statements	Response
Facility name:	Overman Solar
Full and correct name of the owner of the facility:	Overman Solar, LLC
Business address:	880 Apollo St, Ste 333 El Segundo CA 90245
Electronic mailing address:	utility@brichcreekdev.com
Telephone number:	(213) 444-7860
Owner's agent for purposes of	Ben Catt

this application, if applicable:	
Agent's business address:	880 Apollo St, Ste 333 El Segundo CA 90245
Agent's electronic mailing address:	utility@birchcreekdev.com
Agent's telephone number:	(213) 444-7860
The owner is:	<input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation/LLC
If a corporation, provide the state and date of incorporation:	State <u>NC</u> Date <u>03/13/2015</u>
If a corporation that is incorporated outside of North Carolina, is it domesticated in North Carolina?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If a partnership, the name and business address of each general partner. (Add additional sheets if necessary.)	n/a
Nature of the renewable energy facility:	Photovoltaic Solar
1. Describe the facility, including its technology, and the source of its power and fuel(s). Thermal facilities should describe how its host uses the facility's thermal energy output. (Add additional sheets if necessary.)	The 5MW AC generating facility will consist of photo-voltaic panels powered by solar energy.
2. Whether it produces electricity, useful thermal energy, or both.	Produces electricity.
3. Nameplate capacity in kW/MW (AC) and/or maximum Btu per hour for thermal facilities.	5 MW AC

4. The facility's projected dependable capacity in kW AC or Btu/hour.	Due to intermittent nature of solar energy, this facility has 0 MW dependable capacity.
5. The E911 address of the facility.	191 Herring Rd Goldsboro NC 27530
6. The county where the facility will be located.	Wayne County
7. GPS coordinates of the approximate center of the facility site to the nearest second or one thousandth of a degree.	35.300075°, -78.076577°
8. The location of the facility set forth in terms of local highways, streets, rivers, streams, or other generally known local landmarks. Attach a map, such as a county road map, with the location indicated on the map.	East of Herring Road, West of Durham Lake Rd. Situated near Edwards Branch.
Site ownership:	
1. Is the site owner other than the facility owner? If yes, who is the site owner?	The site owners are David Overman and Dale Overman.
2. What is the facility owner's legal interest in the site?	The Applicant has site control through a lease agreement with the site owner. This lease agreement permits the Applicant to construct and operate a solar photo-voltaic power array on the site.
Federal and State licenses, permits, and exemptions.	
Note: Responses in this section should provide all federal and state (not local) licenses, permits, and/or exemptions required for construction and operation of the facility and a statement of whether each has been obtained or applied for. A copy of those that have been obtained should be attached to this registration statements. Wind facilities with multiple turbines, where each turbine is licensed separately, may provide copies of approvals for one such turbine, but shall add an attestation that approvals for all of the turbines are available for inspection.	
1. Federal permits and licenses:	FERC Form 556, FAA Clearance
2. State permits and licenses:	NC DEQ Stormwater & Erosion Control Permit, NC DOT Permit

3. Exemptions required for construction and operation of the facility:	None.
4. Statement of whether each has been obtained or applied for (attach copy of those that have been obtained with this application):	All stated permits have been attached. FAA is clear.
1. If the facility has been placed into service, on what date did the facility begin operating?	N/A
2. If the facility is not yet operating, on what date is the facility projected to be placed into service?	12/31/21
1. If the facility is already operating, what is the amount of energy produced by the facility, net of station use, for the most recent 12-month or calendar-year period? Energy production data for a shorter time period is acceptable for facilities that have not yet operated for a full year.	N/A
2. What entity does (or will) read the facility's energy production meter(s) for the purpose of issuing renewable energy certificates?	Duke Energy Progress
3. For thermal energy facilities, describe the method to be used to determine the facility's thermal energy production, in BTUs, that is eligible for REC issuance.	N/A
4. Does the facility participate	

in a REC tracking system and if so, which one? If not, which tracking system will the facility participate in for the purpose of REC issuance?	NCRETS at commercial operation.	
5. If this facility has already been the subject of a proceeding or submittal before the Commission, such as a Report of Proposed Construction or a Certificate of Public Convenience and Necessity, please provide the Commission Docket Number, if available.	SP-5261 Sub 0	
If the facility is a combined heat and power system, the owner shall also include in its registration statement the following information:		
1. A narrative description and one-line diagram of the electrical and thermal generation systems to include Btu meters, boilers, steam pressures, valves, turbines, and ultimate uses of the steam. Also, include any crossover of steam, cross connections (even if by spool piece), or the ability to supply steam from other means or to other loads.	N/A	
2. A description of the parasitic electrical and parasitic thermal loads.	N/A	
3. Calculations for the parasitic electrical and parasitic thermal loads and supporting documents.	N/A	
4. A description of the method of collecting the waste heat from the electrical generating system.	N/A	
5. A description of the host(s) of the waste heat and an explanation of how the waste heat will be used and useful.	N/A	
6. Calculations of the percent of energy that is delivered to the steam host(s) but not used and useful.	N/A	
7. Confirmation if the proposed operation will have any pressure reducing valves operating simultaneously in parallel with any back pressure turbines.	N/A	
If the facility owner intends to earn multiple types of RECs by using a variety of fuels, the owner should include in its registration statement the following additional information:		
1. Example calculations for the energy production associated with each fuel used by the family as required by the Appendix C (Multi-fuel Generation) to the operating procedures for the North		

Carolina Renewable Energy Tracking System. These calculations must ultimately show the electrical and thermal energy (if any) attributable to only the renewable fuels and how the number of renewable energy certificates is determined.	N/A
2. A description of each fuel to be used by the facility.	N/A
3. A description of how the heat content of each fuel was determined.	N/A

The owner of the renewable energy facility shall provide the following attestations, signed and notarized:

1. ☒ Yes ☐ No I certify that the facility is in substantial compliance with all federal and state laws, regulations, and rules for the protection of the environment and conservation of natural resources.
2. ☒ Yes ☐ No I certify that the facility satisfies the requirements of G.S. 62-133.8(a)(5) or (7) as a:
☐ renewable energy facility, or
☒ new renewable energy facility,
and that the facility will be operated as a:
☐ renewable energy facility, or
☒ new renewable energy facility.
3. ☒ Yes ☐ No I certify that 1) my organization is not simultaneously under contract with NC GreenPower to sell our RECs emanating from the same electricity production being tracked in NC-RETS; and
2) any renewable energy certificates (whether or not bundled with electric power) sold to an electric power supplier to comply with G.S. 62-133.8 have not, and will not, be remarketed or otherwise resold for any other purpose, including another renewable energy portfolio standard or voluntary purchase of renewable energy certificates in North Carolina (such as NC GreenPower) or any other state or country, and that the electric power associated with the certificates will not be offered or sold with any representation that the power is bundled with renewable energy certificates.
4. ☒ Yes ☐ No I certify that I consent to the auditing of my organization's books and records by the Public Staff insofar as those records relate to transactions with North Carolina electric power suppliers, and agree to provide the Public Staff and the Commission access to our books and records, wherever they are located, and to the facility.
5. ☒ Yes ☐ No I certify that the information provided is true and correct for all years that the facility has earned RECs for compliance with G.S. 62-133.8.
6. ☒ Yes ☐ No I certify that I am the owner of the renewable energy facility or am duly authorized to act on behalf of the owner for the purpose of this filing.


(Signature)

Ben Catt
(Name - Printed or Typed)

Manager
(Title)

09/18/2020
(Date)

VERIFICATION

STATE OF North Carolina COUNTY OF
Buncombe

Ben catt, personally appeared before me this day and,
being first duly sworn, says that the facts stated in the foregoing application and
any exhibits, documents, and statements thereto attached are true as he or she
believes.

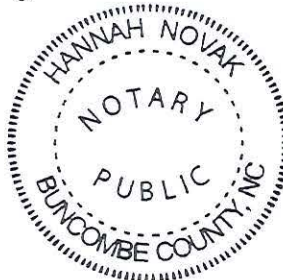
WITNESS my hand and notarial seal, this 21st day of Sept., 2020.

My Commission Expires:

July 5, 2025

Hannah Novak
Signature of Notary Public

Hannah Novak
Name of Notary Public – Typed or Printed



The name of the person who completes and signs the annual certification must be typed or printed by the notary in the space provided in the verification. The notary's name must be typed or printed below the notary's seal. This original verification must be affixed to the original annual certification, and a copy of this verification must be affixed to each of the 15 copies that are also submitted to the Commission at:

Chief Clerk

North Carolina Utilities Commission 4325 Mail

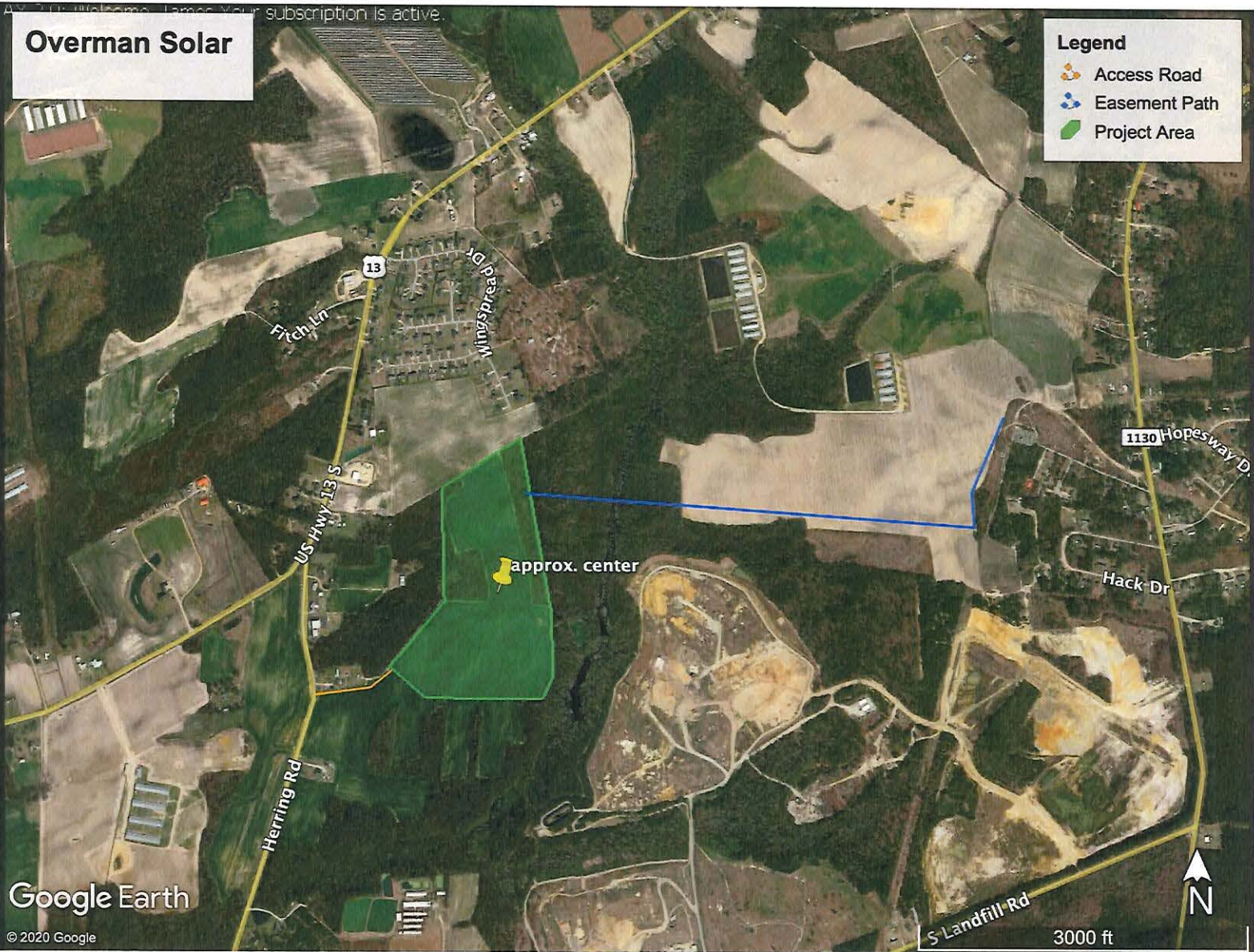
Service Center Raleigh, North Carolina

27699-4325

Overman Solar

Legend

- Access Road
- Easement Path
- Project Area



Attachment 1
NC DOT Driveway
Permit



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

August 5, 2020

J. ERIC BOYETTE
SECRETARY

Greg Hoffman, PE
Civil Design Concepts, PA
PO Box 5432
Asheville, NC 28813

SUBJECT: Driveway Entrance Onto: SR 1127
Driveway Permit Number: D-430-096-20-028
Wayne County
Overman Solar, LLC

Dear Mr. Hoffman

Attached for your file is a copy of the driveway application which has been properly executed. This driveway permit is approved subject to the provisions stated in the permit application agreement and the attached provisions. *Pay attention to Special Provision #21.*

Please note that this approval does not constitute review and/or approval for any utility construction within NCDOT Right-of-Way. All utility installations within the highway right-of-way shall be consistent with the current edition of the NCDOT's "Policies and Procedures for Accommodating Utilities on Highway Rights of Way" and be approved under a separate encroachment agreement .

If you have any questions or need additional assistance please contact Chris Overman, or myself at 919-739-5300.

Sincerely,

Samuel C. Lawhorn, PE
District Engineer

SCL/cbo

Attachments

cc w/ attach: Driveway Permit File (*original*)
Luther Thompson - Wayne County Maintenance
Berry Gray - Wayne County Planning

Standard Provisions

1. An executed copy of this driveway permit will be present at the construction site at all times during construction. NCDOT reserves the rights to stop all work unless evidence of approval can be shown.
2. This permit is approved only for the subject development shown on the plans attached. Any further development that will utilize this driveway will require a re-evaluation of this driveway permit to determine if any roadway improvements are necessary.
3. Contact Jeff Scott 919-739-5300 to coordinate construction activities.
4. Only North Carolina Department of Transportation approved structures are to be constructed on the public right-of-way.
5. Landscape and landscape plantings shall be approved by the Division Engineer under an NCDOT planting permit. For further information, contact Steve Adams, Division Roadside Environmental Unit, at P.O. Box 3165, Wilson, NC 27893 (252) 640-6400.
6. Two-way traffic shall be maintained at all times.
7. No lane of traffic shall be closed or restricted before 9:00 a.m. or after 4:00 p.m.
8. NCDOT reserves the right to further limit, restrict, or suspend operations within the Right of Way if, in the opinion of NCDOT, safety or traffic conditions warrant such action.
9. NCDOT does not guarantee the Right of Way on this road, nor will it be responsible for any claim for damages brought by any property owner by reason of the installation. All Right of Way and easements necessary for construction and maintenance shall be dedicated to NCDOT with proof of dedication furnished to the District Engineer prior to beginning work.
10. It shall be the responsibility of the Permittee to determine the location of utilities in the encroachment area. The Permittee shall be responsible for notifying utility owners, providing protection and safeguards to prevent damage or interruption to existing facilities, and for maintaining accessibility to existing utilities.
11. The Traffic Services Supervisor shall be notified in Wilson, N. C. at (252) 640-6400 prior to beginning work on the Right of Way if there are existing NCDOT signs, traffic signals, or signal equipment in or near the proposed work zone. Costs to relocate, replace, or repair NCDOT signs, signals, or associated equipment shall be the responsibility of the Permittee.
12. All earth areas shall be regraded and seeded in accordance with the current NCDOT Standard Specifications for Roads and Structures.

13. When surface area in excess of one acre will be disturbed, the Permittee shall submit a Sediment and Erosion Control Plan which has been approved by the appropriate regulatory agency or authority prior to beginning any work on the Right of Way. Failure to provide this information shall be grounds for suspension of operations.
14. Island sections may be allowed at the entrance, but are subject to review by the District Engineer on an individual basis. Detailed construction drawings must be submitted to the District Engineer's Office (919) 739-5300 for approval if an island is proposed.
15. The radius of the proposed driveway may not extend beyond the projected property line without a completed radius encroachment agreement, available at the District Engineer's Office.
16. Approval of this application is subject to compliance with the Policy on Street and Driveway Access to North Carolina Highways, NCDOT Standards and Specifications, and all Provisions deemed necessary by the NCDOT. If the property owner fails to construct driveway and street connections to the satisfaction of the District Engineer, the NCDOT may, upon written notice to the property owner, barricade the construction from further use until necessary corrections are made. (P2P4)
17. All work performed on the State Highway System under the terms of a PERMIT is subject to the provisions on the PERMIT and all accompanying plans, drawing, provisions, and attachments. (P9P1)
18. The applicant is responsible for all applicable environmental permits (i.e., erosion control, water quality, NPDES, and wetlands) required for construction within the highway right-of-way resulting from the development. (P1P3)
19. During the course of the review it was noted that the site may have impacted a river basin buffer zone and/or may require the application and issuance of permits for stormwater management systems. It is the responsibility of the developer/applicant to conform to the regulations of governmental agencies with regard to minimizing water quality impacts in addition to the drainage requirements of the Division of Highways. This review does not imply conformity to local or other state government regulations nor constitute an approval of such.
20. When any alteration of any existing connection is to be performed on the State Highway System by entities other than the NCDOT, a new PERMIT must be secured prior to beginning the work. Also, a new PERMIT must be secured prior to the change or alteration of existing or proposed property use. (P1P5)

21. The Applicant shall not hold NCDOT and its duly appointed agents, officers, and employees liable for any claim arising from willfulness or negligence of the applicant, or any person or entity operating on the applicant's behalf, in operations covered by the PERMIT. (P9P2)
22. The applicant should be aware that the NCDOT may at any time, when deemed necessary for safety, mobility, and efficiency of the roadway, modify, remove, or relocate any access point, and may redesign the roadway including any medians, auxiliary lanes, and turning movement restrictions. (P9P4)
23. Access connections and building construction must start within one year after the approval date of the PERMIT and be in accordance with the approved land use permit. (P9P5S1)
24. The applicant shall provide written notification to the District Engineer when construction starts and when it is completed. (P9P5S4)
25. Upon completion of construction, final approval by the District Engineer, or authorized representative, is required prior to opening the access connection for public use. (P9P6)
26. NCDOT has the authority for final approval of all construction within public right-of-way along the State Highway System. All work and materials used within the right-of-way shall meet or exceed the minimum requirements of the "North Carolina Standards and Specifications for Roads and Structures." The District Engineer may specify material or construction methods needed to accomplish the work. (P10P1)
27. NCDOT reserves the right to periodically inspect the work being performed by the contractor to assure compliance with the PERMIT and the approved plan. The District Engineer or authorized representative can perform these inspections at the NCDOT's discretion. (P10P2)
28. If the NCDOT determines that the materials or work does not meet NCDOT standards and the approved plan, all costs incurred in removing or correcting defective materials or workmanship shall be borne by the applicant. (P10P3)
29. The applicant shall be responsible for performing all construction covered by the PERMIT. A single PERMIT may be issued for both driveway work and any other required work at the same location (such as backslope grading, widening for left and right turn lanes, or other similar work.) In accordance with NCDOT's "Policies and Procedures for Accommodating Utilities on Highway Rights of Way," utility work requires an Encroachment Agreement. (P11P5)

30. It is the responsibility of the applicant to ensure use of the access to the property is not in violation of the PERMIT's terms and conditions under which the PERMIT was granted. (P12P1)
31. Alterations, deviations, deletions, or additions to the approved PERMIT must be submitted in writing by the applicant and must be specifically approved in writing by the District Engineer prior to any field modifications. (P12P2S2)
32. All requirements of the PERMIT should be made prior to the municipality/county issuing the Certificate of Occupancy. (P12P2S3)
33. Where multi-phase developments are proposed, all requirements of the PERMIT for each phase must be completed prior to beginning the next phase. (P12P2S4)
34. As directed by the Engineer, the applicant shall replace all curb, curb and gutter, curb and sidewalk, drainage facilities, traffic control devices, pavement markings, landscaping, and all other State property damaged during construction. The applicant shall remove, to an area outside the State Highway System right-of-way, all debris including, but not limited to surplus materials and excavation unless otherwise provided for by the PERMIT. (P12P3)
35. *The applicant shall provide traffic control devices, lane closures, road closures, positive protection and/or any other warning or positive protection devices necessary for the safety of road users during construction and any subsequent maintenance. This shall be performed in conformance with the latest NCDOT Roadway Standard Drawings and Standard Specifications for Roads and Structures and Amendments or Supplements thereto. When there is no guidance provided in the Roadway Standard Drawings or Specifications, comply with the Manual on Uniform Traffic Control Devices for Streets and Highways and Amendment or Supplement thereto. Information as to the above rules and regulations may be obtained from the Division Engineer.*
36. The traveling public shall be warned, if deemed necessary by the District Engineer, of construction traffic entering the roadway during times of operation from a temporary construction site located outside the right-of-way. The method shall include temporary traffic control signing stating, "TRUCKS ENTERING HIGHWAY" or "TRUCK CROSSING". These signs shall be placed in accordance to MUTCD Chapter 6 Guidelines. They shall also be constructed according to NCDOT Roadway Standard Drawings.

37. The portion of improvements located on public right-of-way will be considered the property of the NCDOT and may be utilized in any manner deemed necessary by the NCDOT. The applicant will not be entitled to any claims of reimbursement from NCDOT for applicant funded construction expenditures on public right-of-way. (P12P5)
38. The entire cost of constructing and maintaining an approved private or Non-State Highway System street or driveway access connection will be borne by the property owner, the applicant, and their grantees, successors, and assignees. (P13P3)
39. All work performed on the State Highway System under the terms of a PERMIT is subject to the design criteria of "Policy on Street and Driveway Access to North Carolina Highways" and all related NCDOT manuals and guidelines. (P26P1)
40. In the interest of public safety and mobility, the NCDOT may prohibit, restrict, or modify the placement of a driveway or street along the property owner's frontage. NCDOT may also prohibit or restrict access to State Highway System roadway if alternate access is available through other adjacent public facilities. (P26P2)
41. The available sight distance at street and driveway connections to the State Highway System shall not be restricted by landscaping, permanent or temporary signing, or in any other manner. (P30P1)
42. A clear recovery area should be preserved along the highway travel way. The clear recovery area is the area between the travel way and any hazardous fixed object, such as utility poles, monuments, markers, or trees. Refer to AASSTO Roadside Design Guide for specific dimensions. (P30P2)
43. The property owner or lessee having access to the State Highway System shall be fully responsible for providing and maintaining safe sight distances along their property frontage. If the property owner fails to comply with this requirement, the NCDOT may, upon written notice to the property owner or lessee, remove such obstacles from the right-of-way (at the property owner's expense) or barricade the driveway from further use until such corrections and improvements deemed necessary are made. (P30P3)
44. Identification signing or landscape vegetation within the median and the sight distance triangle must not obstruct the driver's line of sight. No landscaping or signing will be allowed to exceed 42 inches in height from the Edge of Pavement (EOP) within the median or sight triangle. (P30P4)
45. All pylon signs in the median or sight distance triangle must provide a vertical clear sight zone between 3 feet-6 inches and 10 feet-0 inches measured from the EOP. Signing located within the clear recovery area shall be of a "breakaway design." (P30P5)

46. Only low growing shrubbery, consistent with the NCDOT's landscaping policies, as contained in the publication "Guidelines for Planting Within Highway Right of Way," will be allowed within a landscaped median and the sight distance triangle at the entrance to a development, whether the street or driveway connection to the State Highway System is designated as a public facility or not. Landscaping within the right-of-way and sight distance triangles may require additional approval by the District Engineer. If the property owner fails to comply with this requirement, the NCDOT may, upon written notice to the property owner or lessee, remove such obstacles from the right-of-way at the property owner's expense or barricade the driveway from further use until such corrections and improvements deemed necessary are made. (P30P6&7)
47. No portion of a parking area, attendant booth, gates, signing or parking activity shall encroach on the highway right-of-way. (P33P2)
48. Vehicles should be able to perform all necessary circulation within the parking area and not have to exit onto a street in order to re-enter the parking area. Parking maneuvers shall not restrict or impede the ingress flow of traffic from the highway. (P35P2&3)
49. The NCDOT may require cross access (connectivity) between adjacent properties, if it is determined to be in the best interest of public safety or when repetitive vehicle trips to and from the adjacent public road can be reduced. (P36P2)
50. Improvements on private property adjacent to the right-of-way shall be located so that parking, stopping, storage, and maneuvering of vehicles on the right-of-way will not be necessary in order for the vehicles or patrons to be properly served, and shall not restrict the sight distance of adjacent drives. (P37P1)
51. No commercial lighting will be allowed on highway right-of-way. All lighting shall be in compliance with G.S. 136-32.2. Lighting shall not be similar to traffic control devices (i.e., signals or flashing beacons). All signs that have lights shall be effectively shielded so as to prevent light rays from causing glare or impairing the vision of motorists. (P38P2)
52. Any lighting placed within highway right-of-way shall meet standards and specifications approved by the NCDOT through a separate encroachment agreement. (P38P3)
53. All utility installations within the highway right-of-way shall be consistent with the current edition of the NCDOT's "Policies and Procedures for Accommodating Utilities on Highway Rights of Way." (P39P1)

54. As set forth in the North Carolina Administrative Code (19A NCAC 02E.0414), it shall be unlawful for any person to park any vehicle on the right-of-way of any primary or secondary highway or road of the State Highway System for the purpose of using said vehicle for the sale or distribution of fruits, vegetables, goods, wares, or merchandise of any character, and it shall be unlawful for any person to erect any stand or structure on the right of way of any primary or secondary highway or road of the State Highway System or to sell from said vehicle, stand, or structure or from any place on the right of way of any primary or secondary highway or road of the State Highway System any fruits, vegetables, goods, wares or merchandise of any character. In addition, obstructions shall not be placed within right-of-way, sight distance triangles and setbacks, or along roadside clear zones in order to protect the traveling public and to provide necessary sight distance at street and driveway intersections. (P39P3&4)
55. All driveways shall have a grade that slopes away from the highway surface at a rate equal to the slope of the shoulder, but not less than 1/4 inch per foot nor greater than one inch per foot in a normal crown typical section. The slope shall continue for a distance equal to the prevailing shoulder width or longer so as not to cause a hump or a depression in the shoulder area. Beyond the shoulder, the grade of commercial driveways within the right-of-way should not exceed +/- ten percent. The slopes of drives shall be compatible with provisions for drainage of the designed cross-section. Where special circumstances require driveway grades in excess of these requirements, the NCDOT may approve deviation on a case-by-case basis. (P42P3)
56. The maximum difference between the cross slope of the travel way (usually 1/4 inch per foot or approximately two percent) and the slope of the driveway to the sidewalk should not exceed five percent. Breakover (rollover) angles in excess of five percent may not provide for satisfactory driveway speeds. The maximum breakover angle also applies to roadways with shoulders especially on high-speed rural highways. On high volume driveways the access connection to the adjacent public roadway shall utilize a vertical curve. For more details of driveway construction, see the latest edition of the NCDOT "Roadway Standard Drawings Manual." (P43P2&3)
57. The District Engineer has authority over all construction and placement of structures and drainage facilities within a State maintained roadway right-of-way. All work performed and all materials used within the right-of-way shall meet or exceed the latest editions of the "North Carolina Standards and Specifications for Roads and Structures" and the NCDOT "Guidelines for Drainage Studies and Hydraulic Design." (P43P4)
58. Driveways must be constructed so that they do not adversely affect highway drainage or drainage of adjacent properties. Drainage and stability of the highway subgrade must not be impaired by driveway construction or roadside development. In no case may the construction of a driveway cause water to flow across the highway pavement, to pond on the shoulders or in the ditch, or result in erosion within the right-of-way. (P43P5)

59. Drainage collected by ditches, gutters, or pipes on private property shall not be discharged into the highway drainage system unless approved prior by the NCDOT. (P43P6)
60. Under no circumstances will existing ditches or gutters be filled without adequate alternate provisions for drainage being made and without prior approval by the District Engineer. (P44P1)
61. All commercial drainage structures deemed necessary by the NCDOT, including incidentals, shall be furnished and properly installed by the applicant. The installation of the driveway pipe by the applicant will require inspection by an authorized representative of the District Engineer's Office. (P44P9)
62. Paved turnouts shall be required for all permanent PERMIT classification connections to the State Highway System. Paved turnouts for shoulder sections should extend 50 feet along the centerline of the new driveway. Paved driveway turnouts in a curb and gutter section (three-foot radii) should begin at the edge of the state roadway and extend 20 feet along the centerline of the new driveway. (P45P3-5)
63. The NCDOT will only maintain and perform repairs on driveways when the maintenance pertains directly to the State maintained roadway, safety of the traveling public, or drainage along that roadway. In a ditch section, safety related maintenance will be performed on a driveway's surface approximately six feet from the edge of pavement. In a curb & gutter section, maintenance will only be performed immediately behind the curb so as to protect the structural integrity of the curb line. The NCDOT will not maintain any paved driveways and will not perform any maintenance on commercial driveways. Driveway pipes and culverts properly installed on public right-of-ways under a PERMIT become the property of the NCDOT. (P47P1&2)
64. The commercial property owner having access to a state highway shall be fully responsible for the routine maintenance of private streets and driveways. Proper routine maintenance shall ensure that the original driveway width and profile are retained, operational speed and safety is not reduced by rough surface, and no damage or deterioration to the public roadway pavement is incurred as a result of driveway conditions, including drainage provisions. The level of maintenance should also be adequate to ensure that deviation from the intended circulation pattern is not necessary because of surface irregularities. This maintenance responsibility includes the removal of snow and ice and keeping the portion within the public right-of-way in a safe condition. If the property owner fails to maintain the driveway or street connection to the satisfaction of the District Engineer, the District Engineer may, upon written notice to the property owner, barricade the driveway or street from further use until such repairs deemed necessary are made. (P47P4).

65. **NCDOT WORK ZONE TRAFFIC CONTROL QUALIFICATIONS AND TRAINING PROGRAM** - Effective July 1, 2010, all flagging operations within the NCDOT Right of Way will require qualified and trained Work Zone Flaggers. Effective July 1, 2011, qualified and trained Work Zone Traffic Control Supervisors will be required on Significant Projects. It is intended for the program to include anyone working within NCDOT Right of Way including work associated with NCDOT construction and encroachment agreements as well as all NCDOT operations. Training for this certification will be provided by NCDOT approved training sources and/or private entities that have been pre-approved to train themselves. Additional information will be provided as this program progresses. If you have questions, visit our web site at: <http://www.ncdot.org/doh/preconst/wztc/WZTCTrainingProgram/default.html>, or contact Stuart Bourne, PE with NCDOT Work Zone Traffic Control Unit at (919) 662-4338 or sbourne@ncdot.gov.

Special Provisions

1. The width of driveways, W, measured parallel to the edge of travel way and from edge of pavement to edge of pavement at the narrowest width, shall be within the specified minimum and maximum limits. The driveway width shall be 20 feet. (P50P3)
2. The driveway angle, Y, for the full driveway access is 90 degrees. (P51P2)
3. All portions of a commercial driveway including the returns shall be between two frontage boundary lines of the current or future right-of-way line. The edge clearance, E, measured parallel to the edge of pavement from the frontage boundary line to the nearest point on the projected edge of the driveway shall be a minimum of 20 feet.
4. The pavement radii at the entrance shall be a minimum of 20 feet.
5. A 10' X 70' sight triangle is required at the intersection of the proposed streets and the existing state roads.
6. For land uses that require an entry transaction or have service attendants, gates or other entry control devices, the vehicle storage will be of adequate length so that entering vehicles do not queue back on the adjacent highway right-of-way. No portion of a parking area, attendant booth, gates, signing or parking activity shall encroach on the highway right-of-way. (P33P2)
7. All out parcels or excluded areas shall be served internally, with no additional access onto abutting roadways permitted. This condition should be conveyed in any buy, sell, lease, rent, or subdivision agreement.

8. The owner, developer or contractor shall set the centerline of the existing roadway ditch back to a minimum of 22 feet from the existing centerline of the state road on all two-lane roads and a minimum of 10 feet from the edge of travel lane for all roads with three or more lanes along the property owner's road frontage.
9. Pipe shall be reinforced concrete with a minimum inside diameter of 24 inches.
10. ***Pipe shall be inspected for proper installation prior to backfilling. Please contact Jeff Scott at (919) 739-5300 for inspection. Please provide at least 24 hours advance notice for inspection.***
11. All driveway pipes must be installed when inspection is requested.
12. The Division of Highways requires that all pipe begin a minimum of 10 feet from property or easement lines in rural areas.
13. The owner, developer, or contractor shall also be responsible for any head or tail ditching to ensure positive drainage to or from the driveway.
14. A standard 'STOP' sign shall be placed at the entrance of the proposed street connection and the existing state maintained road. The sign shall be 30" x 30" in size; be made of high intensity material; be mounted alone on a 4" x 4" wooden post or other approved 'break a-way' material and have a vertical clearance of 7 feet.
15. The entrance apron must be paved with a suitable pavement or concrete structure from the existing edge of pavement to the end of the radius. The pavement structure may consist of 8" ABC and 2" superpave mix SF-9.5A, or 4" ABC and 6" Jointed Concrete. Please contact the NCDOT County Maintenance Office for inspection of ABC prior to placing concrete or asphalt for the paved apron. Please provide at least 24 hours advance notice for inspection.
16. Excavated areas adjacent to pavement having more than a 2" drop shall be safed up at a 6:1 or flatter slope and designated by appropriate delineation during periods of inactivity, including, but not limited to, night and weekend hours. Excavated material shall not be placed on the roadway at any time.
17. A Driveway Certification, signed and sealed by a registered professional engineer, has been received.
18. A National Pollutant Discharge Elimination System (NPDES) Stormwater Permit Compliance Certification has been signed and received.

19. A Verification of Compliance with Environmental Regulations has been signed and received.
20. A \$50 check has been received for the inspection fee.
21. The North Carolina Department of Transportation (NCDOT) and its partners expect all parties involved in the delivery of transportation projects to abide by the guidelines issued from the Centers for Disease Control and Prevention (CDC) and the North Carolina Department of Health and Human Services (NCDHHS). Applicant and/or authorized representative shall review the attached Covid-19 Workforce Safety Plan form prior to beginning work. Failure to abide by the attached form will result in a suspension of work until requirements are met.

Policy On Street And Driveway Access to North Carolina Highways

JUL 13 2020

D013-096-20-028

Division 4 District 3

APPLICATION IDENTIFICATION		N.C. DEPARTMENT OF TRANSPORTATION
Driveway Permit No.	Date of Application 04/08/2020	STREET AND DRIVEWAY ACCESS PERMIT APPLICATION
Development Name: OVERMAN SOLAR, LLC		

LOCATION OF PROPERTY:

Exact Distance	0.25	<input checked="" type="checkbox"/> Miles	N	S	E	W
		<input type="checkbox"/> Feet	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From the Intersection of Route No.	US HWY 13 S	and Route No.	SR1127	Toward	OBERRY RD	
Property Will Be Used For: <input type="checkbox"/> Residential /Subdivision <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Educational Facilities <input type="checkbox"/> TND <input type="checkbox"/> Emergency Services <input type="checkbox"/> Other						
Property: <input checked="" type="checkbox"/> is <input type="checkbox"/> is not within GOLDSBORO City Zoning Area.						



AGREEMENT



- I, the undersigned property owner, request access and permission to construct driveway(s) or street(s) on public right-of-way at the above location.
- I agree to construct and maintain driveway(s) or street entrance(s) in absolute conformance with the current "Policy on Street and Driveway Access to North Carolina Highways" as adopted by the North Carolina Department of Transportation.
- I agree that no signs or objects will be placed on or over the public right-of-way other than those approved by NCDOT.
- I agree that the driveway(s) or street(s) will be constructed as shown on the attached plans.
- I agree that that driveway(s) or street(s) as used in this agreement include any approach tapers, storage lanes or speed change lanes as deemed necessary.
- I agree that if any future improvements to the roadway become necessary, the portion of driveway(s) or street(s) located on public right-of-way will be considered the property of the North Carolina Department of Transportation, and I will not be entitled to reimbursement or have any claim for present expenditures for driveway or street construction.
- I agree that this permit becomes void if construction of driveway(s) or street(s) is not completed within the time specified by the "Policy on Street and Driveway Access to North Carolina Highways".
- I agree to pay a \$50 construction inspection fee. Make checks payable to NCDOT. This fee will be reimbursed if application is denied.
- I agree to construct and maintain the driveway(s) or street(s) in a safe manner so as not to interfere with or endanger the public travel.
- I agree to provide during construction proper signs, signal lights, flaggers and other warning devices for the protection of traffic in conformance with the current "Manual on Uniform Traffic Control Devices for Streets and Highways" and Amendments or Supplements thereto. Information as to the above rules and regulations may be obtained from the District Engineer.
- I agree to indemnify and save harmless the North Carolina Department of Transportation from all damages and claims for damage that may arise by reason of this construction.
- I agree that the North Carolina Department of Transportation will assume no responsibility for any damages that may be caused to such facilities, within the highway right-of-way limits, in carrying out its construction.
- I agree to provide a Performance and Indemnity Bond in the amount specified by the Division of Highways for any construction proposed on the State Highway system.
- The granting of this permit is subject to the regulatory powers of the NC Department of Transportation as provided by law and as set forth in the N.C. Policy on Driveways and shall not be construed as a contract access point.
- I AGREE TO NOTIFY THE DISTRICT ENGINEER WHEN THE PROPOSED WORK BEGINS AND WHEN IT IS COMPLETED.

- COVID-19 Form emailed 7/13/2020

Policy On Street And Driveway Access to North Carolina Highways

SIGNATURES OF APPLICANT

PROPERTY OWNER (APPLICANT)		WITNESS	
COMPANY	DAVID HARREL OVERMAN	NAME	Lorenda B Overman
SIGNATURE		SIGNATURE	
ADDRESS	1132 OVERMAN RD	ADDRESS	1132 Overman Rd
	GOLDSBORO, NC 27530-0918 Phone No.		Goldsboro NC 27530

AUTHORIZED AGENT		WITNESS	
COMPANY	BIRCH CREEK DEVELOPMENT, LLC	NAME	Hannah Novak
SIGNATURE		SIGNATURE	
ADDRESS	850 Apollo St	ADDRESS	253.5 and Hill Rd Apt R
	El Segundo, CA 90245 Phone No. 213-444-7880		Asheville, NC 28806

APPROVALS

APPLICATION RECEIVED BY DISTRICT ENGINEER

SIGNATURE DATE

APPLICATION APPROVED BY LOCAL GOVERNMENTAL AUTHORITY (when required)

  7/30/20
SIGNATURE TITLE DATE

APPLICATION APPROVED BY DISTRICT ENGINEER

 8/10/20
SIGNATURE DATE

INSPECTION BY NCDOT

SIGNATURE TITLE DATE

COMMENTS:

Use Additional Pages as necessary.

DRIVEWAY CERTIFICATION

Project: OVERMAN SOLAR, LLC **Date:** 07/31/2020

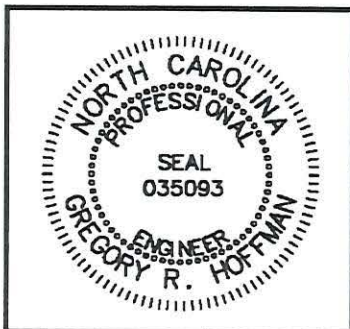
I certify that the proposed development does not create a diversion of natural and/or historic surface runoff onto NCDOT right of way including but not limited to state road 1127 or any other adjoining properties and that the minimum pipe size for the subject driveways are as follows:

D/W #	Minimum Pipe Size
#1	24"
#2	
#3	

I further certify that there are no intersecting streets within 500' of the proposed site other than those shown on the attached plan and that the available clear sight distances (i.e. unobscured from trees, brush, vertical and/or horizontal curves, cut sections, etc.) for the proposed driveways and the speed limit information are as follows:

D/W #	Left Sight Distance	Right Sight Distance
#1	713 FT	754 FT
#2		
#3		

Speed Limit: 55 mph



Professional Engineer/Surveyor Seal

Name: GREG HOFFMAN, P.E.

Signature: 

Registration Number: 035093

National Pollutant Discharge Elimination System (NPDES)
Stormwater Permit Compliance Certification

I, GREG HOFFMAN, a duly authorized representative of
OVERMAN SOLAR, LLC, an industrial/commercial/residential facility
requesting attachment to a North Carolina Department of Transportation (NCDOT)
highway drainage system at HERRING RD, GOLDSBORO address, in
WAYNE County, do hereby certify the following:

Check appropriate box and circle type of facility

- ☐ The Industrial / Commercial / Residential facility does not require an NPDES stormwater permit.
- ☒ The Industrial / Commercial / Residential facility does require an NPDES stormwater permit. The permit has been obtained and a Stormwater Pollution Prevention Plan (SPPP) is in place. Appropriate structural stormwater best management practices (BMPs) are designed and will be in place as required by the North Carolina Department of Environment and Natural Resources (NCDENR) and/or the local governing agency. All structural stormwater BMPs are located outside of NCDOT right-of-way.

I understand if the NCDOT determines the facility is not in compliance with NPDES stormwater requirements, the Department will report the noncompliance to the NCDENR Division of Energy, Mineral and Land Resources. I also understand that falsification of this certification may result in penalty of law against the facility and me as prescribed in the North Carolina General Statutes.

Signature: 

Date: 7-31-20

Note: If the applicant has a question as to whether an NPDES stormwater permit is required, he or she may contact the NCDENR Division of Energy, Mineral and Land Resources in Raleigh at (919) 707-9200 (ask for Stormwater and General Permits Unit).

JOINT WORKFORCE SAFETY PLAN: COVID-19

EFFORTS THE N.C. TRANSPORTATION INDUSTRY IS TAKING TO STOP THE SPREAD OF COVID-19

The North Carolina Department of Transportation (NCDOT) and their partners expect all parties involved in the delivery of transportation projects to abide by the guidelines issued from the Centers for Disease Control and Prevention (CDC) and the North Carolina Department of Health and Human Services (NCDHHS).

Response to COVID-19 is rapidly evolving; new information and guidelines may be issued from the CDC, NCDHHS, or other state or federal agencies. NCDOT and their partners should review the current CDC and NCDHHS guidance, including the resources listed at the end of this document, for up-to-date information on how to respond to COVID-19. Additional guidelines may be issued by state or federal agencies that should be followed in addition to the guidance included in this document.

Though certain Americans with Disabilities Act (ADA) requirements have been relaxed in response to the pandemic, employers must still maintain all information about employee illness as a confidential medical record in compliance with the ADA. If an employee is suspected of having or tests positive for COVID-19, it is essential that management keep the identity of the employee and details related to the employee's health confidential.

Below are precautions required by NCDOT and project partners:

EMPLOYEE WELLNESS

- If an employee has not yet reported to work and develops any COVID-19 symptoms (i.e. fever, coughing, or shortness of breath) — STAY HOME and immediately:
 - Call a health care provider
 - Self-Isolate
 - Communicate with your supervisor
 - Remain calm and follow all instructions from your health care provider
- Employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work, or become sick during the day, should be separated from others and sent home immediately. The potentially affected employees should immediately follow the steps outlined above, which includes immediately contacting a health care provider.
- Should an employee show symptoms of acute respiratory illness or be diagnosed with COVID-19, all other employees who have worked in close proximity to the affected employee during the last 14 days and both project points of contact indicated at the end of this plan should be notified of potential exposure to the disease without identifying the affected employee.
- Consideration should be given to employees at "High Risk" of severe illness from COVID-19, who, per NCDHHS, include employees:
 - Over 65 years of age, OR
 - With underlying health conditions including heart disease, lung disease, or diabetes, OR

Joint Workforce Safety Plan: COVID-19

NCDOT Contract: D043-096-20-028

- With weakened immune system
- “High Risk” Employees should be given the opportunity to discuss alternate work arrangements/duties with their employer or take leave according to their company policies.
- For guidance on confirmed positive tests for COVID-19, refer to the most recent version of the “COVID-19 Guidance for Employees/Leadership on NCDOT Projects” located on last page of this plan.

PERSONAL HYGIENE

- Clean hands often by washing with soap and water for 20 seconds. If soap and water are not available and hands are not visibly dirty, an alcohol-based hand sanitizer that contains 60%-95% alcohol may be used.
- Avoid touching your eyes, nose, mouth, or other parts of your face.
- Do not breathe, cough, or sneeze on another person or into the open air. Employees should cover their noses and mouth with a tissue when coughing or sneezing (or an elbow or shoulder if no tissue is available).

CLEANING/DISINFECTING

- Wash stations and/or hand sanitizer are encouraged on each project site.
- Appropriate cleaning staff should clean frequently touched surfaces and objects with disinfectants at a minimum of once per day.
 - Office/buildings: door knobs, light switches, phones, computers/keyboards, copy machines, elevator buttons, toilets, faucets, sinks, countertops, paper towel dispensers, desktops, handrails, folders, vending machines, counters, tables, cabinets/knobs, etc.
 - Shop Yard/Jobsite: vehicle/equipment door handles, keys, gear shifts, steering wheel/operator controls and levers, fuel pump dispensers, etc.
- Appropriate cleaning staff should sanitize/disinfect facilities and work areas after persons suspected/confirmed to have COVID-19 have been in the facility or work area.
 - It is recommended to close off access to areas used by the ill persons and wait as long as practical, 24 hours if possible, before beginning cleaning and disinfection to minimize potential for exposure to respiratory droplets. Open outside doors and windows to increase air circulation in the area if possible.
 - Appropriate cleaning staff should clean and disinfect all areas used by the ill persons, focusing especially on frequently touched surfaces.

GENERAL

- Increase communication measures between all parties regarding schedule, daily activities, etc. to reduce/minimize worker exposure in accordance with but not limited to the requirements below.

Joint Workforce Safety Plan: COVID-19

NCDOT Contract: D043-096-20-028

- Minimize on-site personnel such as subcontractors, work crews, QC personnel, and inspection staff to those required for that day's activities. If work is postponed or cancelled, immediately notify appropriate parties.
- Practice "Social Distancing" whenever feasible. Social Distancing is designed to limit the spread of a disease by reducing the opportunities for close contact between people. All personnel have the responsibility to remind each other to stay 6 feet or more apart. Examples of Social Distancing include:
 - Reducing face-to-face exposure by using conference calls and video conferencing
 - If an in-person meeting is absolutely required and cannot be rescheduled or attended remotely, the meeting is limited to a maximum of 10 people while maintaining Social Distancing of 6 feet or more.
 - Avoiding unnecessary travel
- Do not congregate at lunch or breaks. Bringing your lunch is encouraged.
- No communal coolers or drink stations are allowed.
- First line of communication should be by phone, rather than in-person.
- Do not shake hands.
- Do not share iPads, tablets, pens, or clipboards for signing or any other purpose. Take pictures as proof of attendance at meetings.
- Sharing of Personal Protective Equipment (PPE) is strictly prohibited.
- Vehicles, equipment, and tools
 - Limit the number of people riding in a vehicle together.
 - Wipe down and disinfect vehicles after each trip.
 - As much as possible, do not share tools or equipment. If a tool or piece of equipment must be shared, the parts of it that are touched should be sanitized between uses.

RETURN TO WORK

- The following criteria must be followed for an employee who is tested for Covid-19, or asked to self-quarantine by health officials, or has contact with another employee with a positive test result to return to work:
 - at least a 14-day quarantine; **OR**
 - release by a health care provider.
- In accordance with CDC guidance, the following criteria must be followed for an employee with a positive test result to return to work:
 - at least 14 days from positive test notification; **AND**

Joint Workforce Safety Plan: COVID-19

NCDOT Contract: D043-096-20-028

- at least 3 days (72 hours) have passed since recovery defined as resolution of fever without the use of fever-reducing medications and improvement in respiratory symptoms (e.g., cough, shortness of breath); **AND**
- at least 7 days have passed since symptoms first appeared.

NCDOT may require certification of fitness to work from a health care provider.

ADDITIONAL RESOURCES

NCDOT and their partners should review the CDC and NCDHHS resources listed below for up-to-date information on how to respond to COVID-19. Additional guidelines may be issued by state or federal agencies that should be followed in addition to the guidelines included in this document.

- NCDHHS COVID-19 Resources:
 - <https://www.ncdhhs.gov/divisions/public-health/coronavirus-disease-2019-covid-19-response-north-carolina>
- NCOSHR Communicable Disease Emergency Policy
 - <https://oshr.nc.gov/policies-forms/workplace-wellness/communicable-disease-emergency>
- OSHA Guidance on Preparing Workplaces for COVID-19
 - <https://www.osha.gov/Publications/OSHA3990.pdf>
- CDC COVID-19 Resources:
 - <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

AGREEMENT

All parties shall adhere to the requirements of this plan in order to continue work within this contract. Violations to this plan could result in the violating entity not being allowed to continue work or all work ceasing as determined by the NCDOT Resident Engineer and prime contractor.

PROJECT POINTS OF CONTACT

NCDOT

Name: San Louhbor





Phone #: 919-739-5300

Prime Contractor

Name: DocuSigned by
Jeff Huntley

Phone #: 828-777-6152

Updated: March 27, 2020

COVID-19 Guidance for Employees/Leadership on NCDOT Construction Projects				
Relationship to Confirmed POSITIVE Test		CONTACT GROUP		
		What YOU Should Do	What your CREW Should Do <i>Exposure within 6' and longer than 10 minutes</i>	What PROJECT SITE Personnel Should Do <i>No exposure within 6' and longer than 10 minutes</i>
Employee		Notify your supervisor Self-quarantine for 14 days	Advise of POSITIVE test without identifying the affected employee* Directly exposed crew self-quarantine for 14 days Continue hygiene & disinfecting measures	Advise of POSITIVE test without identifying the affected employee* Site personnel without direct contact may continue onsite work or follow their company policy Continue hygiene & disinfecting measures
Direct Contact <i>Interaction with an infected person within 6' and longer than 10 minutes</i>		Self-quarantine for 14 days	Advise of POSITIVE test without identifying the affected employee* Crew may continue onsite work or follow their company policy Continue hygiene & disinfecting measures	Advise of POSITIVE test * Continue hygiene & disinfecting measures
Secondary Contact		You may continue onsite work or follow your company policy Continue hygiene & disinfecting measures	Continue hygiene & disinfecting measures	Continue hygiene & disinfecting measures
Two or more Persons Removed from Contact		Continue hygiene & disinfecting measures	Continue hygiene & disinfecting measures	Continue hygiene & disinfecting measures
*Notification Protocol <i>(Comply with HIPAA & ADA confidentiality requirements)</i>	NCDOT employee / agent tests POSITIVE	NCDOT RE notifies Prime Contractor's PM, FHWA & any Consultant Firms working for NCDOT Prime Contractor notifies other Contractors, Sub-Contractors and Suppliers with exposed Employees		
	Contractor or Supplier Employee tests POSITIVE	Prime Contractor notifies NCDOT RE and all other Contractors, Sub-Contractors and Suppliers with exposed Employees NCDOT notifies FHWA and any Consultant Firms working for NCDOT		

Attachment 2
FERC Acceptance for Filing



FERC Acceptance for Filing in QF15-329-001



○ eFiling@ferc.gov <eFiling@ferc.gov>

Tuesday, September 1, 2020 at 3:17 PM

○ Utility - Birch Creek; ○ efilingsacceptance@ferc.gov

[Show Details](#)

Acceptance for Filing

The FERC Office of the Secretary has accepted the following electronic submission for filing (Acceptance for filing does not constitute approval of any application or self-certifying notice):

-Accession No.: 202008315501
-Docket(s) No.: QF15-329-001
-Filed By: Overman Solar, LLC
-Signed By: Jon Buttles
-Filing Type: Qualifying Facility Application or PURPA Energy Utility Filing
-Filing Desc: Form 556 of Overman Solar, LLC under QF15-329.
-Submission Date/Time: 8/31/2020 2:04:01 PM
-Filed Date: 8/31/2020 2:04:01 PM

Your submission is now part of the record for the above Docket(s) and available in FERC's eLibrary system at:

https://elibrary.ferc.gov/eLibrary/docinfo?accession_num=20200831-5501

If you would like to receive e-mail notification when additional documents are added to the above docket(s), you can eSubscribe by docket at:

<https://ferconline.ferc.gov/eSubscription.aspx>

Thank you again for using the FERC Electronic Filing System. If you need to contact us for any reason:

E-Mail: ferconlinesupport@ferc.gov mailto: ferconlinesupport@ferc.gov (do not send filings to this address)
Voice Mail: 866-208-3676.

Attachment 3
NC DEQ Erosion and Sediment
Control Plan Approval

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRIAN WRENN
Director



July 27, 2020

LETTER OF APPROVAL WITH MODIFICATIONS

Birch Creek Development, LLC
Attn: Mr. Ben Catt, Manager
130 Roberts Street
Asheville, NC 28801

RE: Project Name: Overman Solar, LLC
Project ID: Wayne-2021-002
County: Wayne
City: Goldsboro
Address: Herring Road
River Basin: Neuse
Date Received by LQS: July 23, 2020
Submitted By: Civil Design Concepts, P.A. (CDC)
Plan Type: New / Express

Acres Approved: 43.0

Dear Sir,

This office has reviewed the subject erosion and sedimentation control plan. We find the plan to be acceptable and hereby issue this Letter of Approval. The enclosed Certificate of Approval must be posted at the job site. This plan approval shall expire three (3) years following the date of approval, if no land-disturbing activity has been undertaken, as is required by Title 15A NCAC 4B .0129.

As of April 1, 2019, all new construction activities are required to complete and submit an electronic Notice of Intent (eNOI) form requesting a Certificate of Coverage (COC) under the NCG010000 Construction General Permit. After the form is reviewed and found to be complete, you will receive a link with payment instructions for the \$100 annual permit fee. After the fee is received, you will receive the COC via email. You MUST obtain the COC prior to commencement of any land disturbing activity. The eNOI form may be accessed at deq.nc.gov/NCG01. Please direct questions about the eNOI form to Annette Lucas at Annette.lucas@ncdenr.gov or Paul Clark at Paul.clark@ncdenr.gov. If the owner/operator of this project changes in the future, the new responsible party is required to apply for his/her own COC.

Title 15A NCAC 4B .0118(a) and the NCG01 permit require that the following documentation be kept on file at the job site:



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
Washington Regional Office | 943 Washington Square Mall | Washington, North Carolina 27689
252.946.6481

1. The approved E&SC plan as well as any approved deviation.
2. The NCG01 permit and the COC, once it is received.
3. Records of inspections made during the previous 30 days.

Also, this letter gives the notice required by G.S. 113A-61.1(a) of our right of periodic inspection to ensure compliance with the approved plan.

North Carolina's Sedimentation Pollution Control Act is performance-oriented, requiring protection of existing natural resources and adjoining properties. If, following the commencement of this project, the erosion and sedimentation control plan is inadequate to meet the requirements of the Sedimentation Pollution Control Act of 1973 (North Carolina General Statute 113A-51 through 66), this office may require revisions to the plan and implementation of the revisions to insure compliance with the Act.

Acceptance and approval of this plan is conditioned upon your compliance with Federal and State water quality laws, regulations, and rules. In addition, local city or county ordinances or rules may also apply to this land-disturbing activity. This approval does not supersede any other permit or approval.

Please note that this approval is based in part on the accuracy of the information provided in the Financial Responsibility Form, which you provided. You are requested to file an amended form if there is any change in the information included on the form. In addition, it would be helpful if you notify this office of the proposed starting date for this project. Please notify us if you plan to have a preconstruction conference.

Please be advised that a rule to protect and maintain existing buffers along watercourses in the Neuse River Basin became effective on July 22, 1997. The Neuse River Riparian Area Protection and Maintenance Rule (15A NCAC 2B.0233) applies to the 50-foot wide zone directly adjacent to surface waters (intermittent streams, perennial streams, lakes, ponds, and estuaries) in the Neuse River Basin. For more information about this riparian area rule, please contact the Division of Water Resources Wetland/401 Unit at 919-807-6300, or DWR in our regional office at 252-946-6481.

Sincerely,



Samir Dumpor, PE
Regional Engineer

cc w/o enc: Ben Catt, Birch Creek Development, LLC (email)
Jeff Huntley, Pine Gate Renewables, LLC (email)
Ethan Liner, Civil Design Concepts, P.A. (CDC) (email)
Greg Hoffman, PE, Civil Design Concepts, P.A. (CDC) (email)
WaRO Division of Water Resources (email)

1. The developer is responsible for the control of sediment on-site. If the approved erosion and sedimentation control measures prove insufficient, the developer must take those additional steps necessary to stop sediment from leaving this site (NCGS 113A-57(3)). Each sediment storage device must be inspected after each storm event (NCGS 113A-54.1(e)). Maintenance and/or clean out is necessary anytime the device is at 50% capacity. All sediment storage measures will remain on site and functional until all grading and final landscaping of the project is complete (15A NCAC 04B .0113).
2. The developer is responsible for obtaining all permits and approvals necessary for the development of this project prior to the commencement of this land disturbing activity. This could include our agency's Stormwater regulations and the Division of Water Resources' enforcement requirements within Section 401 of the Clean Water Act, the U.S. Army Corps of Engineers' jurisdiction of Section 404 of the Clean Water Act, the Division of Coastal Management's CAMA requirements, the Division of Solid Waste Management's landfill regulations, the Environmental Protection Agency and/or The U.S. Army Corps of Engineers jurisdiction of the Clean Water Act, local County or Municipalities' ordinances, or others that may be required. This approval cannot supersede any other permit or approval.
3. Adequate and appropriate measures must be properly installed downstream, within the limits of disturbance, of any land disturbing activity to prevent sediment from leaving the limits of disturbance, entering existing drainage systems, impacting an on-site natural watercourse or adjoining property. (NCGS 113A-57)

PROJECT INFORMATION SHEET

APPROVAL DATE: July 27, 2020

RESPONSIBLE PARTY: Birch Creek Development, LLC

PROJECT NAME: Overman Solar, LLC

COUNTY: Wayne NO.: Wayne-2021-002

OFF-SITE BORROW
AND/OR DISPOSAL SITE: NO.:

START-UP DATE: _____

CONTRACTOR: _____

ON-SITE CONTACT: _____

ON-SITE PHONE NO.: _____

OFFICE PHONE NO.: _____

**COMPLETE & RETURN THIS FORM
PRIOR TO THE START OF CONSTRUCTION TO:**

**N.C.D.E.Q.
LAND QUALITY SECTION
ATTN: *James Edwards*
943 WASHINGTON SQUARE MALL
WASHINGTON, NORTH CAROLINA 27889
james.edwards@ncdenr.gov**

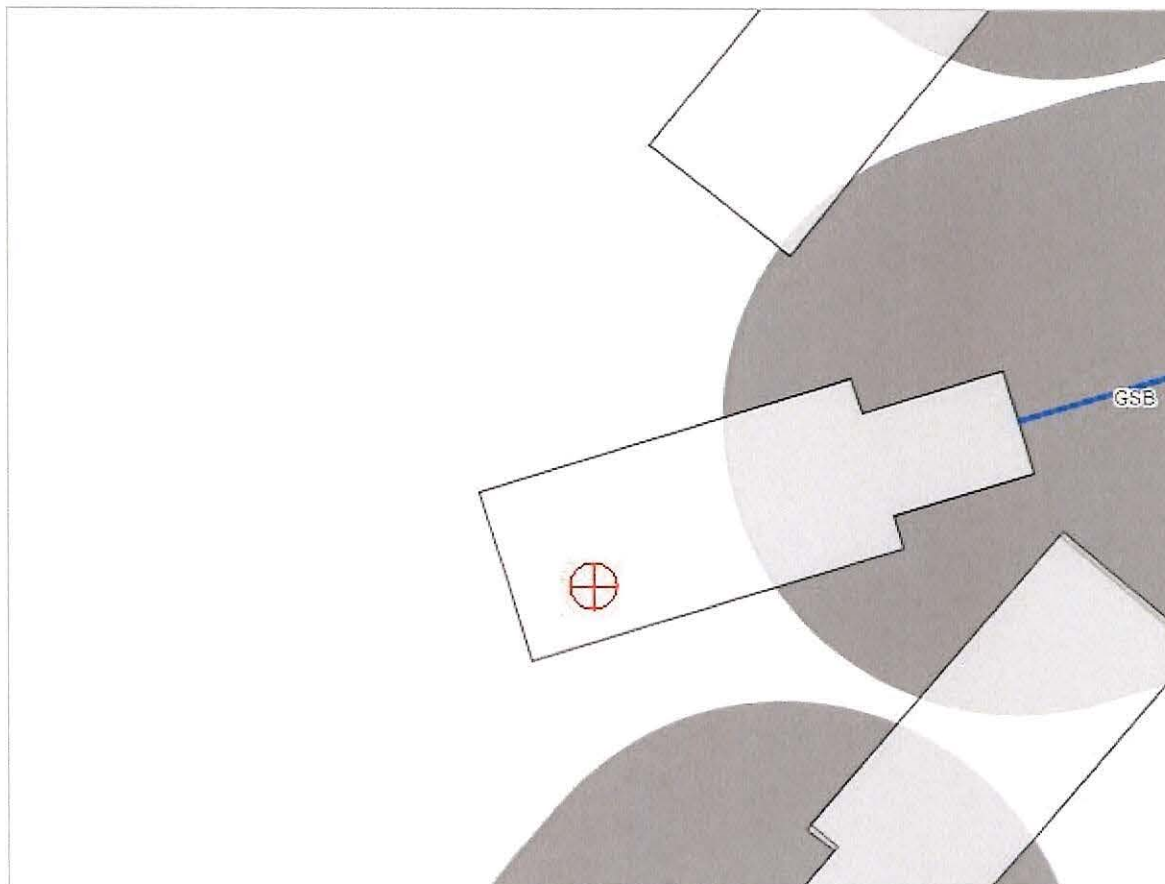
Attachment 4
FAA Notice Criteria

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="35"/> Deg <input type="text" value="18"/> M <input type="text" value="12.38"/> S <input type="text" value="N"/>
Longitude:	<input type="text" value="78"/> Deg <input type="text" value="4"/> M <input type="text" value="35.04"/> S <input type="text" value="W"/>
Horizontal Datum:	<input type="text" value="NAD83"/>
Site Elevation (SE):	<input type="text" value="140"/> (nearest foot)
Structure Height :	<input type="text" value="12"/> (nearest foot)
Traverseway:	<input type="text" value="No Traverseway"/>
	(Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes
	<input type="button" value="Submit"/>

Results

You do not exceed Notice Criteria.

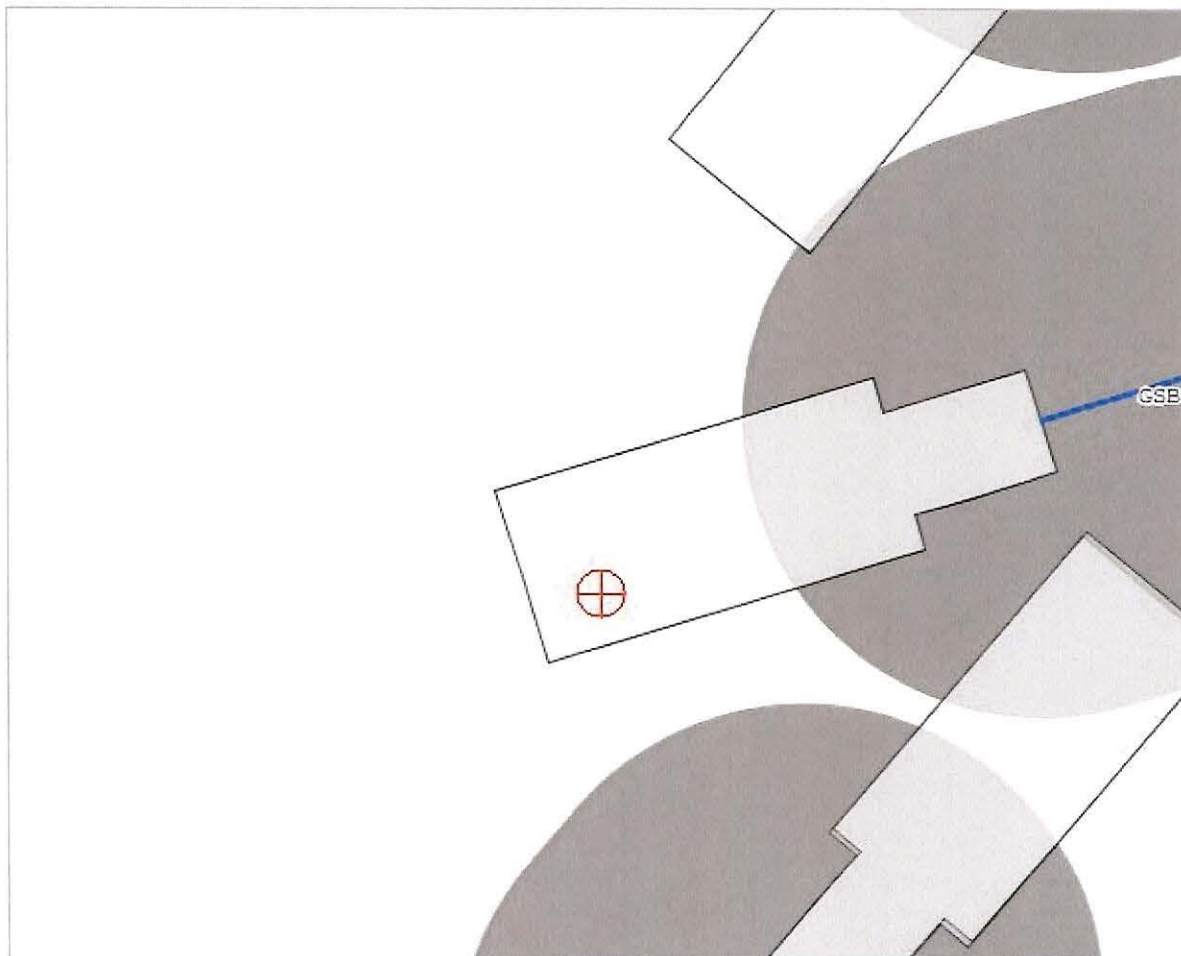


The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="35"/> Deg <input type="text" value="18"/> M <input type="text" value="7.94"/> S <input type="text" value="N"/>
Longitude:	<input type="text" value="78"/> Deg <input type="text" value="4"/> M <input type="text" value="43.40"/> S <input type="text" value="W"/>
Horizontal Datum:	<input type="text" value="NAD83"/>
Site Elevation (SE):	<input type="text" value="140"/> (nearest foot)
Structure Height :	<input type="text" value="12"/> (nearest foot)
Traverseway:	<input type="text" value="No Traverseway"/>
	(Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes
	<input type="button" value="Submit"/>

Results

You do not exceed Notice Criteria.

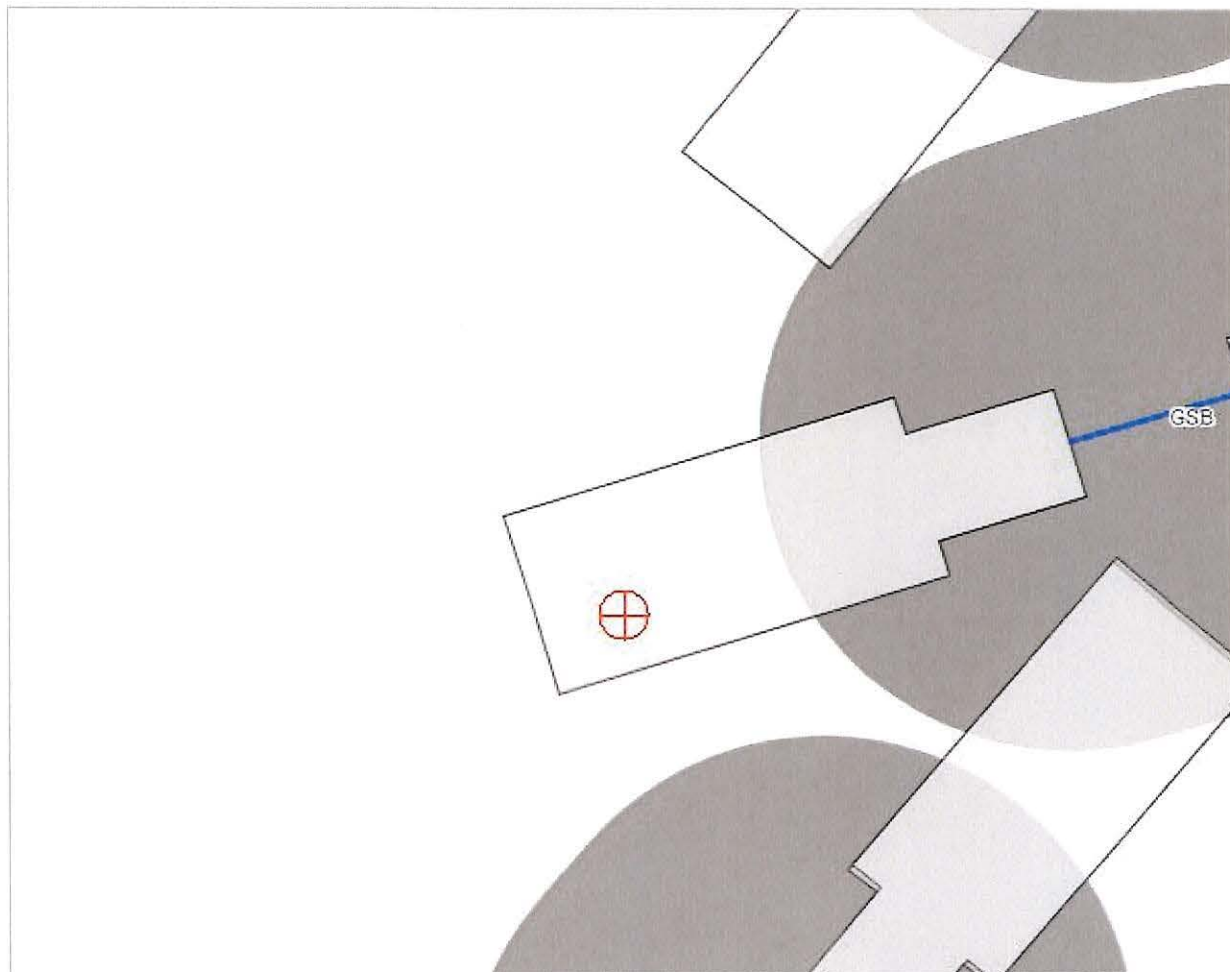


The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="35"/> Deg <input type="text" value="18"/> M <input type="text" value="12.38"/> S <input type="button" value="N ▼"/>
Longitude:	<input type="text" value="78"/> Deg <input type="text" value="4"/> M <input type="text" value="35.04"/> S <input type="button" value="W ▼"/>
Horizontal Datum:	<input type="button" value="NAD83 ▼"/>
Site Elevation (SE):	<input type="text" value="140"/> (nearest foot)
Structure Height :	<input type="text" value="12"/> (nearest foot)
Traverseway:	<input type="button" value="No Traverseway ▼"/> (Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes
<input type="button" value="Submit"/>	

Results

You do not exceed Notice Criteria.



The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="35"/> Deg <input type="text" value="17"/> M <input type="text" value="48.67"/> S <input type="button" value="N ▼"/>
Longitude:	<input type="text" value="78"/> Deg <input type="text" value="4"/> M <input type="text" value="48.67"/> S <input type="button" value="W ▼"/>
Horizontal Datum:	<input type="button" value="NAD83 ▼"/>
Site Elevation (SE):	<input type="text" value="140"/> (nearest foot)
Structure Height :	<input type="text" value="12"/> (nearest foot)
Traverseway:	<input type="button" value="No Traverseway ▼"/> (Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes
<input type="button" value="Submit"/>	

Results

You do not exceed Notice Criteria.

