



STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

Roy Cooper
GOVERNOR

Machelle Sanders
Secretary

January 19, 2021

Kimberley Campbell
North Carolina Department of Commerce
Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4325

Re: SCH File # 21-E-4600-0802 Application of Oak Trail Solar, LLC for Certificate to construct a 100 MW Solar Facility in Currituck Co. Docket # EMP-114 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Docketcts/portal.aspx>, Type EMP-114 Sub 0 in the Docket Number search line. Located south of S. Mills Road (

Dear Kimberley Campbell:

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,

CRYSTAL BEST
State Environmental Review Clearinghouse

Attachments

Mailing Address:
NC DEPARTMENT OF ADMINISTRATION
1301 MAIL SERVICE CENTER
RALEIGH, NC 27699-1301

Telephone: (919)807-2425
Fax: (919)733-9571
COURIER: #51-01-00
Email: state.clearinghouse@doa.nc.gov
Website: www.ncadmin.nc.gov

Location:
116 WEST JONES STREET
RALEIGH, NORTH CAROLINA

OFFICIAL COPY

Jan 19 2021

Control No.: 21-E-4600-0802

Date Received: 12/16/2020

County.: CURRITUCK

Agency Response: 1/15/2021

Review Closed: 1/15/2021

LYN HARDISON
CLEARINGHOUSE COORDINATOR
DEPT OF ENVIRONMENTAL QUALITY

Project Information

Type: State Environmental Policy Act ironmental Assessment/Finding of No Significant Impact

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Oak Trail Solar, LLC for Certificate to construct a 100 MW Solar Facility in Currituck Co. Docket # EMP-114 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-114 Sub 0 in the Docket Number search line. Located south of S. Mills Road (NC 1227), on the east and west sides of Puddin Ridge Road, and on the north and south sides of Cooper Garrett Road, near the unincorporated community of Moyock, North Carolina.

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: LYN HARDISON

Date: 1/14/2021



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

JAMIE RAGAN
Director

MEMORANDUM

To: Crystal Best
State Clearinghouse Coordinator
Department of Administration

From: Lyn Hardison
Division of Environmental Assistance and Customer Service
Environmental Assistance and Project Review Coordinator
Washington Regional Office

RE: 21-0802
Environmental Assessment/Finding of No Significant Impact-
Application of Oak Trail Solar, LLC for Certificate to construct
a 100 MW Solar Facility, Docket # EMP-114 Sub 0.
Currituck County

Date: January 14, 2021

The Department of Environmental Quality has reviewed the proposal for the referenced project. Based on the information provided, several of our agencies have identified permits that may be required and offered some valuable guidance. The comments are attached for the applicant's review.

A project of this size should have a Scoping meeting to discuss the full scope of the project with the State and Federal permitting and resources agencies. The meeting is design to discuss all permits that will be required, any potential environmental impacts that may be present and will improve the permitting processes. Please ask the applicant to contact Lyn Hardison, Permit Assistance Coordinator, in the Department's Raleigh Regional office, to coordinate a scoping meeting. Her contact information is 252-948-3842 and lyn.hardison@ncdenr.gov.

Thank you for the opportunity to respond.

Attachments





⇒ North Carolina Wildlife Resources Commission ⇒

Cameron Ingram, Executive Director

MEMORANDUM

TO: Lyn Hardison, Environmental Assistance Coordinator
NCDEQ Division of Environmental Assistance and Outreach (DEAO)

FROM: Maria T. Dunn, Coastal Habitat Coordinator
Habitat Conservation Division 

DATE: January 13, 2021

SUBJECT: Oak Trail Solar, LLC, 100 MW Solar Facility, Docket #EMP-114 Sub 0, Currituck County, North Carolina.
OLLA No. 21-0802

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the subject document and are familiar with the habitat values of the area. Our comments are provided in accordance with provisions of North Carolina General Statutes (G.S. 113-131 et seq.) Sections 401 and 404 of the Clean Water Act, as amended, and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The applicant proposes to construct a 100 MW solar facility south of South Mills Road, on the east and west sides of Puddin Ridge Road, and on the north and south sides of Cooper Garrett Road, near the unincorporated community of Moyock, North Carolina. The applicant conducted a scoping meeting with state and federal agencies during which many suggestions and concerns were voiced. Numerous recommendations have been taken into consideration by the applicant. The NCWRC appreciates this cooperation. The following reflects our general concerns, most of which have already been addressed by the applicant but are part of our review process.

A map of the proposed project site indicates the area is primarily maintained in agriculture. The conversion of forests and wetlands to support solar development is causing increasing concern due to the loss of wildlife habitat, the fragmentation of wildlife habitat, and vegetative management needed post conversion for wetland and other forested areas. Agricultural lands in eastern North Carolina often provide foraging opportunities for migratory waterfowl, especially in areas near natural waterbodies. The photovoltaic panels may reflect sunlight and resemble a water surface, potentially drawing waterfowl in to land. We request that if this facility is constructed, any fatalities or injured birds be reported to NCWRC. It should also be noted that as agricultural lands are transformed into solar facilities, winter foraging habitats for migratory waterfowl are lost. The cumulative loss of land may be of significant

concern in time.

Areas in northeast North Carolina generally exhibit slight differences in topography. These slight elevation changes as well as prevalent soil types can produce substantial drainage shifts when flow patterns are altered. Careful consideration should be given to any filling of drainage features.

In addition to the concerns above, the following statements should be observed:

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. Use bridges for all permanent roadway crossings of streams and associated wetlands to eliminate the need to fill and culvert, where practicable. If culverts must be used, the culvert should be designed to allow aquatic life passage. Fords may be appropriate and preferred for intermittent stream crossings or where crossings will be used only once or twice a year. For fords, crossings in riffles are preferred with the banks lowered upstream and downstream of the crossing. Stabilize the stream bottom with geo-textile fabric and rock; concrete should not be used for bed stabilization.
3. Avoid or minimize impacts to wetlands during construction. In addition to providing wildlife habitat, wetland areas perform important functions of flood control and water quality protection. US Army Corps of Engineers Section 404 permits and N.C. Division of Water Resources Section 401 Certifications are required for any impacts to jurisdictional streams or wetlands. Temporarily disturbed wetland areas should be returned to original soils and contours, and reseeded with annual small grains appropriate for the season (e.g. oats, millet, rye, wheat, or rye grass) and should be allowed to revert to natural wetland vegetation.
4. If additional overhead transmission lines will be installed, then 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/pwvrfires.pdf>.
5. Consider establishing vegetative cover on the site that is beneficial to wildlife. Plantings should include native warm season grasses and/or wildflower seed mixes to create pollinator habitat within the project boundary. Shade-tolerant plants that are grow between 12 to 18 inches can be selected for planting both underneath and around solar panels. Pollinator habitat can also be created in buffer areas outside of the panel region. In addition, consider adding other habitat-enhancing features, such as permeable fencing, bat boxes and brush piles that will minimize impacts from habitat loss. Further information and free technical guidance from the NCWRC is available upon request.
6. 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, herbicides, and other chemicals should not be used in wetland areas or near streams.

7. If pesticides or chemicals will be used for site maintenance, then stormwater runoff from the site should be directed to bio-retention areas prior to discharge to streams or wetlands to provide additional protection for water quality and aquatic and terrestrial wildlife habitats.
8. Sediment and erosion control measures should be installed prior to any land clearing or construction. The use of biodegradable and wildlife-friendly sediment and erosion control devices is strongly recommended. Silt fencing, fiber rolls and/or other products should have loose-weave netting that is made of natural fiber materials with movable joints between the vertical and horizontal twines. Silt fencing or similar materials that have been reinforced with plastic or metal mesh should be avoided as they impede the movement of terrestrial wildlife species. All sediment and erosion control measures should be routinely inspected and properly maintained. The southern end of the project area drains into Roland Creek, a designated anadromous fish spawning area (AFSA). 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. Particular focus should be given to sedimentation and erosion control measures in this area.
9. A plan should be developed that identifies the party responsible for decommissioning the facility as well as the conditions under which decommissioning will occur. In addition, the plan should emphasize that all equipment must be removed from the sites, and the land should be restored to pre-construction conditions.
10. 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_GuidanceMemorandumoforSecondaryandCumulativeImpacts.pdf).

Thank you for the opportunity to comment on this project. If our agency can be of further assistance, please contact me at (252) 948-3916 or at maria.dunn@ncwildlife.org.



SEPA/NEPA Review Report

Area of Interest (AOI) Information

Area : 8,879.62 acres

Jan 11 2021 13:13:06 Eastern Standard Time



NC Brownfields Location_View

- Recorded
- Inactive Hazardous Sites



State of North Carolina DOT, Esri, HERE, Garmin, INCREMENT P, USGS, METN/ASA, NGA, EPA, USDA

21-0802 Currituck County

Summary

Name	Count	Area(acres)	Length(mi)
Certified DSCA Sites	0	N/A	N/A
Federal Remediation Branch Sites	0	N/A	N/A
Inactive Hazardous Sites	0	N/A	N/A
Pre-Regulatory Landfill Sites	0	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Washington
 Project Number: 21-0802 Due Date: 1/11/2021
 County: Currituck

After review of this project it has been determined that the DEQ 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, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<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 begins 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 groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply 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 checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" 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	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<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 are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. 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"/>	Sedimentation and erosion control must be addressed in accordance with _____ Local Government'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.		Based on Local Program
<input type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input checked="" type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Washington
 Project Number: 21-0802 Due Date: 1/11/2021
 County: Currituck

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area 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"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a 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 or the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ 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 checked="" type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	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
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

State of North Carolina Department of Environmental Quality
 INTERGOVERNMENTAL REVIEW PROJECT COMMENTS

Reviewing Regional Office: Washington
 Project Number: 21-0802 Due Date: 1/11/2021
 County: Currituck

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

Division	Initials	No comment	Comments	Date Review
DAQ	FDB	<input checked="" type="checkbox"/>	No Comments	12/23/2020
DWR-WQROS	RCP	<input type="checkbox"/>	Suggested to have a scoping meeting to include State and Federal regulatory and resource agencies to gain input and guidance to prevent unnecessary violations and environmental impacts. It is recommended to schedule a site visit with 401 Water quality staff to discuss the proposal and to ensure compliance will be maintained per 401 surface Water requirements, surface water standards and buffer rules. If wetland or stream impacts are proposed, this project will need to comply with/secure a 404 permit from the USACE, obtain a 401 Water Quality Certification authorization and a riparian buffer authorization.	1/13/2021
DWR-PWS		<input type="checkbox"/>		/ /
DEMLR (LQ & SW)	SD	<input type="checkbox"/>	E&S and SW permitting required	12/29/2020
DWM – UST	SNH	<input type="checkbox"/>	See attached comments	1/12/2021
Other Comments		<input type="checkbox"/>		/ /

REGIONAL OFFICES

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

- | | | |
|---|--|--|
| <input type="checkbox"/> Asheville Regional Office
2090 U.S. 70 Highway
Swannanoa, NC 28778-8211
Phone: 828-296-4500
Fax: 828-299-7043 | <input type="checkbox"/> Fayetteville Regional Office
225 Green Street, Suite 714,
Fayetteville, NC 28301-5043
Phone: 910-433-3300
Fax: 910-486-0707 | <input type="checkbox"/> Mooresville Regional Office
610 East Center Avenue, Suite 301,
Mooresville, NC 28115
Phone: 704-663-1699
Fax: 704-663-6040 |
| <input type="checkbox"/> Raleigh Regional Office
3800 Barrett Drive,
Raleigh, NC 27609
Phone: 919-791-4200
Fax: 919-571-4718 | <input checked="" type="checkbox"/> Washington Regional Office
943 Washington Square Mall,
Washington, NC 27889
Phone: 252-946-6481
Fax: 252-975-3716 | <input type="checkbox"/> Wilmington Regional Office
127 Cardinal Drive Ext.,
Wilmington, NC 28405
Phone: 910-796-7215
Fax: 910-350-2004 |
| | <input type="checkbox"/> Winston-Salem Regional Office
450 Hanes Mill Road, Suite 300,
Winston-Salem, NC 27105
Phone: 336-776-9800
Fax: 336-776-9797 | |



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

TO: Lyn Hardison, Environmental Coordinator

FROM: Sylvia Newsom-Hunneke, Regional UST Supervisor

COPY: Scott Bullock, Corrective Action Branch Head

COPY: Sharon Brinkley, Administrative Secretary

DATE: January 12, 2021

RE: Environmental Review – Project Number 21-0802– Application of Oak Trail Solar, LLC for Certificate to construct a 100 MW Solar Facility in Currituck County.

I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and review of those databases did not indicate any petroleum releases within the proposed project area. I reviewed the above proposal and determined that this project should not have any adverse impact upon groundwater. The following comments are pertinent to my review:

1. The Washington Regional Office (WaRO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum above ground storage tanks (ASTs) within the project area. The UST Section should be contacted regarding use of any proposed or on-site petroleum USTs or ASTs. We may be reached at (252) 946-6481.
2. Any petroleum USTs or ASTs must be installed and maintained in accordance with applicable local, state, and federal regulations. For additional information on petroleum ASTs it is advisable that the North Carolina Department of Insurance at (919) 661-5880 ext. 239, USEPA (404) 562-8761, local fire department, and Local Building Inspectors be contacted.
3. Any petroleum spills must be contained and the area of impact must be properly restored. Petroleum spills of significant quantity must be reported to the North Carolina Department of Environmental Quality – Division of Waste Management Underground Storage Tank Section in the Washington Regional Office at (252) 946-6481
4. Any soils excavated during demolition or construction that show evidence of petroleum contamination, such as stained soil, odors, or free product must be reported immediately to the local Fire Marshall to determine whether explosive or inhalation hazards exist. Also, notify the UST Section of the Washington Regional Office at (252) 946-6481. Petroleum contaminated soils must be handled in accordance with all applicable regulations.
5. Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (252) 946-6481.



Department of Environmental Quality

Project Review Form

Project Number: 21-0802

County: Currituck

Date Received: 12-16-2020

Due Date: 1-11-2021

Project Description: Environmental Assessment/Finding of No Significant Impact - Application of Oak Trail Solar, LLC for Certificate to construct a 100 MW Solar Facility. Docket # EMP-114 Sub 0.

View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-114 Sub 0 in the Docket Number search line. Located south of S. Mills Road (NC 1227), on the east and west sides of Puddin Ridge Road, and on the north and south sides of Cooper Garrett Road, near the unincorporated community of Moyock, North Carolina. GPS Coordinates - 36.506N, 76.187W

This Project is being reviewed as indicated below:

Regional Office	Regional Office Area	In-House Review	
<input type="checkbox"/> Asheville	<input checked="" type="checkbox"/> Air	<input type="checkbox"/> Air Quality	<input type="checkbox"/> Coastal Management
<input checked="" type="checkbox"/> Fayetteville	<input checked="" type="checkbox"/> DWR	<input type="checkbox"/> Parks & Recreation	<input type="checkbox"/> Marine Fisheries
<input type="checkbox"/> Mooresville	<input checked="" type="checkbox"/> DWR - Public Water	<input checked="" type="checkbox"/> Waste Mgmt	<input type="checkbox"/> Environmental Affairs
<input type="checkbox"/> Raleigh	<input checked="" type="checkbox"/> DEMLR (LQ & SW)	<input type="checkbox"/> Water Resources Mgmt (Public Water, Planning & Water Quality Program)	<input type="checkbox"/> DMF-Shellfish Sanitation
<input type="checkbox"/> Washington	<input checked="" type="checkbox"/> DWM-UST	<input checked="" type="checkbox"/> DWR-Transportation Unit <u>Joanne Steenhuis</u>	<input checked="" type="checkbox"/> Wildlife <u>Gabriela Garrison</u>
<input type="checkbox"/> Wilmington			<input type="checkbox"/> Wildlife - DOT
<input type="checkbox"/> Winston-Salem			

Manager Sign-Off/Region:	Date: 1/12/21	In-House Reviewer/Agency: Melodi Deaver, Hazardous Waste Section
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Response (check all applicable)

No objection to project as proposed.
 No Comment

Insufficient information to complete review
 Other (specify or attach comments)

If you have any questions, please contact:

Lyn Hardison at lyn.hardison@ncdenr.gov or (252) 948-3842
943 Washington Square Mall Washington NC 27889
Courier No. 16-04-01

Control No.: 21-E-4600-0802

Date Received: 12/16/2020

County.: CURRITUCK

Agency Response: 1/15/2021

Review Closed: 1/15/2021

DEVON BORGARDT

Clearinghouse Reviewer

DEPT OF NATURAL & CULTURAL
RESOURCE

Project Information

Type: State Environmental Policy Act ironmental Assessment/Finding of No Significant Impact

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Oak Trail Solar, LLC for Certificate to construct a 100 MW Solar Facility in Currituck Co. Docket # EMP-114 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-114 Sub 0 in the Docket Number search line. Located south of S. Mills Road (NC 1227), on the east and west sides of Puddin Ridge Road, and on the north and south sides of Cooper Garrett Road, near the unincorporated community of Moyock, North Carolina.

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

Reviewed By: DEVON BORGARDT

Date: 12/23/2020

Control No.: 21-E-4600-0802

Date Received: 12/16/2020

County.: CURRITUCK

Agency Response: 1/15/2021

Review Closed: 1/15/2021

JINTAO WEN
CLEARINGHOUSE COORDINATOR
DPS - DIV OF EMERGENCY MANAGEMENT

Project Information

Type: State Environmental Policy Act Environmental Assessment/Finding of No Significant Impact

Applicant: North Carolina Department of Commerce

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As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

From the information provided it appears the proposed project is in close vicinity of Special Flood Hazard Area (SFHA). If the proposed project encroaches into SFHA, a Floodplain Development Permit issued by the Currituck County will be required. Please coordinate with the County's Floodplain Administrator for permitting. Any work within the regulatory floodway will require a hydraulic analysis to determine the effects on flood levels from the proposed development. Any increase in flood levels during the base flood discharge will require a Conditional Letter of Map Revision (CLOMR) prior to construction. Otherwise, a "No-Rise" certification will be required.

Reviewed By: JINTAO WEN

Date: 1/6/2021

Control No.: 21-E-4600-0802

Date Received: 12/16/2020

County.: CURRITUCK

Agency Response: 1/15/2021

Review Closed: 1/15/2021

JEANNE STONE

DEPT OF TRANSPORTATION

Project Information

Type: State Environmental Policy Act ironmental Assessment/Finding of No Significant Impact

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Oak Trail Solar, LLC for Certificate to construct a 100 MW Solar Facility in Currituck Co. Docket # EMP-114 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-114 Sub 0 in the Docket Number search line. Located south of S. Mills Road (NC 1227), on the east and west sides of Puddin Ridge Road, and on the north and south sides of Cooper Garrett Road, near the unincorporated community of Moyock, North Carolina.

As a result of this review the following is submitted:

No Comment

Comments Below

Documents Attached

see attached

Reviewed By: JEANNE STONE

Date: 1/5/2021

Control No.: 21-E-4600-0802

Type of Document: State Environmental Policy Act Environmental Assessment/Finding of No Sigr Impact

Project Description: Application of Oak Trail Solar, LLC for Certificate to construct a 100 MW Solar Facility in Currituck Co. Docket # EMP-114 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type E 114 Sub 0 in the Docket Number search line. Located south of S. Mills Road (1227), on the east and west sides of Puddin Ridge Road, and on the north an south sides of Cooper Garrett Road, near the unincorporated community of M North Carolina.

Date Open: 12/16/2020

Review Close Date: 01/15/2021

Agency Response: 01/15/2021

Extension Date:

Applicant: North Carolina Department of Commerce

Contact: Kimberley Campbell

Phone: 904-256-2469 **Ext:**

Email: kcampbell@ncuc.net

Web Site: <https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>

County: CURRITUCK

Document Name

Oak Trail Solar, LLC (../Common/DocumentPreview.aspx?x=21E46000802_Oak Trail Solar, LLC.pdf&f=Product Docs/LocalProd/21E46000802)

No Comment:

Comments:

Agency Response Document Name:

Document to Upload

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STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

DATE: December 21st, 2020

TO: Crystal Best
NC State Clearinghouse
Administrative Building, 5th Floor, Room #5026

FROM: Chris Palsgrove, EI 
Transportation Engineer
Coastal Plains Group, Transportation Planning Division

SUBJECT: 21-E-4600-0802

Below are comments from the NCDOT Transportation Planning Division regarding North Carolina State Clearinghouse Department of Administration Intergovernmental Review 21-E-4600-0802.

The NCDOT Transportation Planning Division would like to make the applicant aware of the following projects that may impact the study area:

- R-5717: NC 343 in Camden County to NC 168 in Currituck County. Widen and intersection improvements

NCDOT 2020-2029 STIP Map can be viewed at:

<https://ncdot.maps.arcgis.com/home/webmap/viewer.html?webmap=cb02f4f828974670ad01bb83be91b18c>

- Currituck County Comprehensive Transportation Plan (CTP) unfunded future projects:
 - South Mills Road (SR 1227) proposed improvements from the Camden County Line to Proposed NC 168 Bypass, Local ID: CURR0006-H
 - Cooper Garrett Road (SR 1217) proposed improvements from South Mills Road (SR 1227) TO Puddin Ridge Road (SR 1216), Local ID: CURR0007-H
 - Proposed East-West Connector, Local ID: CURR0010-H

Currituck County CTP can be viewed at:

https://connect.ncdot.gov/projects/planning/Pages/CTP-Details.aspx?study_id=Currituck%20County

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
TRANSPORTATION PLANNING DIVISION
1554 MAIL SERVICE CENTER
RALEIGH, NC 27699-1554

Telephone: (919) 707-0900
Fax: (919) 733-9794
Customer Service: 1-877-368-4968

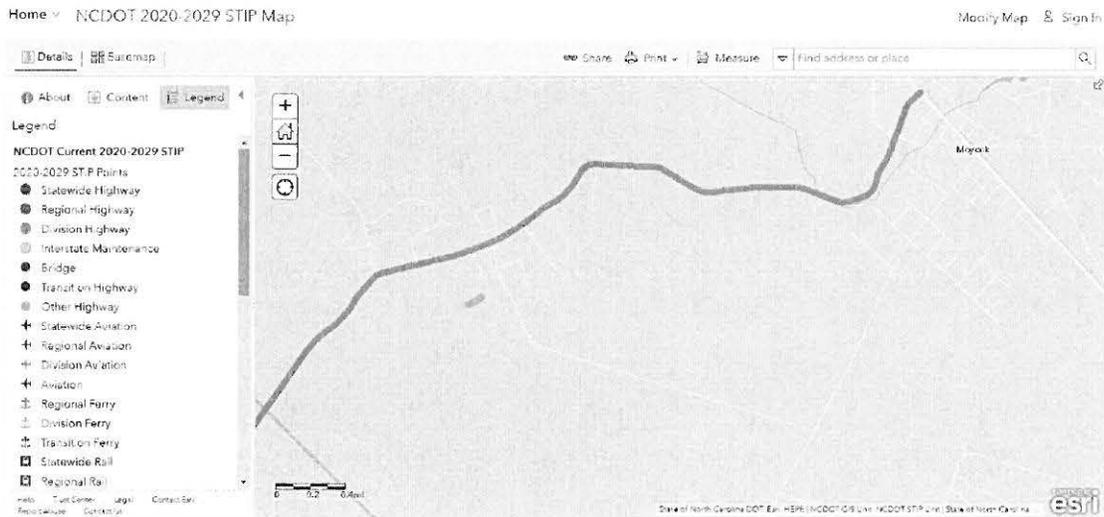
Website: www.ncdot.gov

Location:
1 SOUTH WILMINGTON STREET
RALEIGH, NC 27601

Please see the attached maps and project list. If you have any further questions, please contact me at cdpalsgrove@ncdot.gov.

Attachments:

- NCDOT 2020-2029 STIP Map
- Currituck County CTP Report Addendum
- CurrituckCTP_ProjectDescription_highlighted
- Currituck County Amendment Highway Map



Details | Basemap

Share Print Measure Find address or place

About Content Legend

Legend

NCDOT Current 2020-2029 STIP

- 2020-2029 STIP Points
 - Statewide Highway
 - Regional Highway
 - Division Highway
 - Interstate Maintenance
 - Bridge
 - Transition Highway
 - Other Highway
- Statewide Aviation
 - Regional Aviation
 - Division Aviation
- Aviation
 - Regional Ferry
 - Division Ferry
 - Transition Ferry
- Statewide Rail
 - Regional Rail

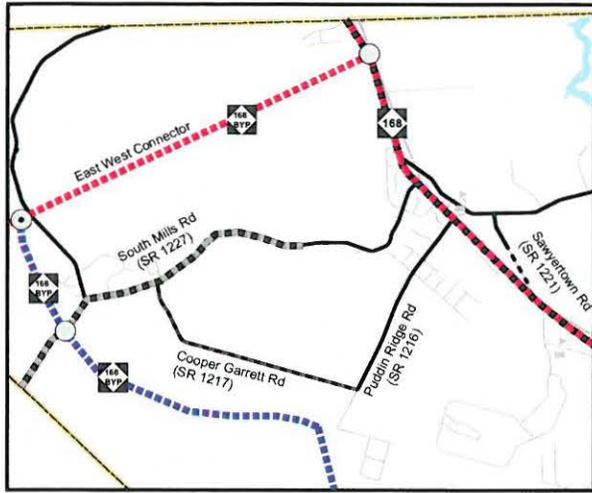
0 0.2 0.4 Miles

Mapbox

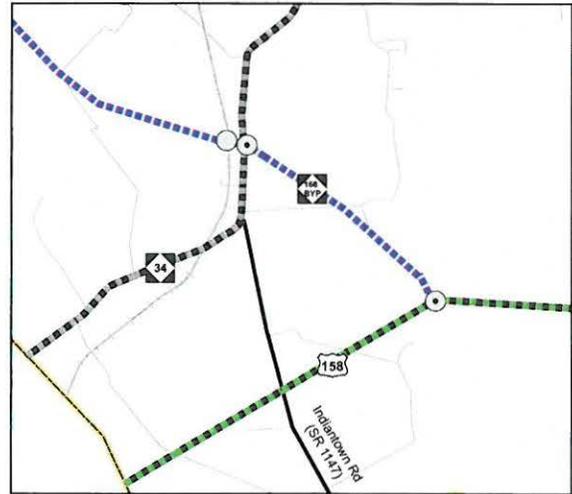
CATEGORY	DIV
MODE	HIGHWAY
COMMENT	RIGHT-OF-WAY IN PROGRESS
Right Of Way Year	
Construction Year	2024
Remaining Project Cost (In Thousands)	15,100
Counties	CAMDEN CURRITUCK
Divisions	1
MPO/COPOs	ALBEMARLE RPC
Zoom to	

© 2024 Esri

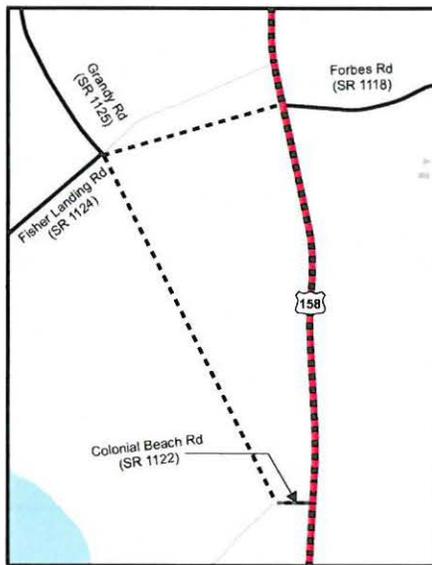
Download North Carolina DOT EIR HERE NCDOT's 2020-2029 STIP Full Size of North Carolina



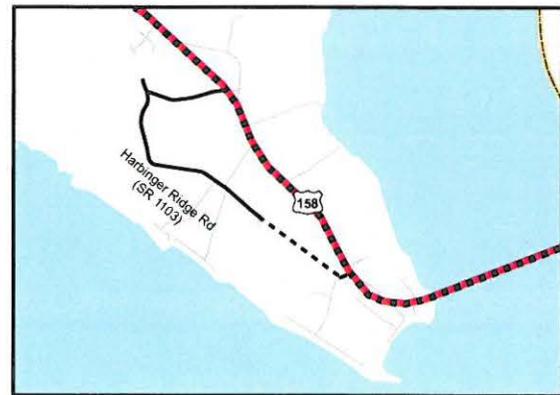
Inset A



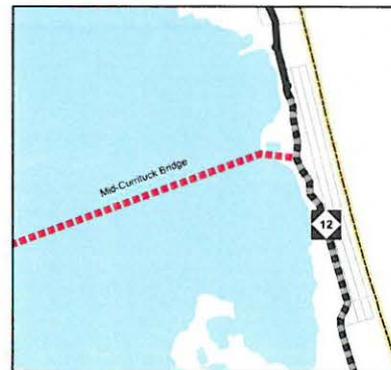
Inset B



Inset C



Inset D



Inset E

Freeways

- Existing
- Needs Improvement
- Recommended

Expressways

- Existing
- Needs Improvement
- Recommended

Boulevards

- Existing
- Needs Improvement
- Recommended

Other Major Thoroughfares

- Existing
- Needs Improvement
- Recommended

Minor Thoroughfares

- Existing
- Needs Improvement
- Recommended

- Existing Interchange
- Proposed Interchange
- Existing Grade Separation
- Proposed Grade Separation
- Ferry Route

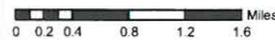


Figure 1

Sheet 2A of 5

Base map date: August 2010

Refer to CTP document for more details

**Highway Map
Insets A - E**



**Currituck County
AMENDMENT
Comprehensive
Transportation Plan**

Plan date: October 1, 2015

CURRITUCK COUNTY COMPREHENSIVE TRANSPORTATION PLAN AMENDMENT

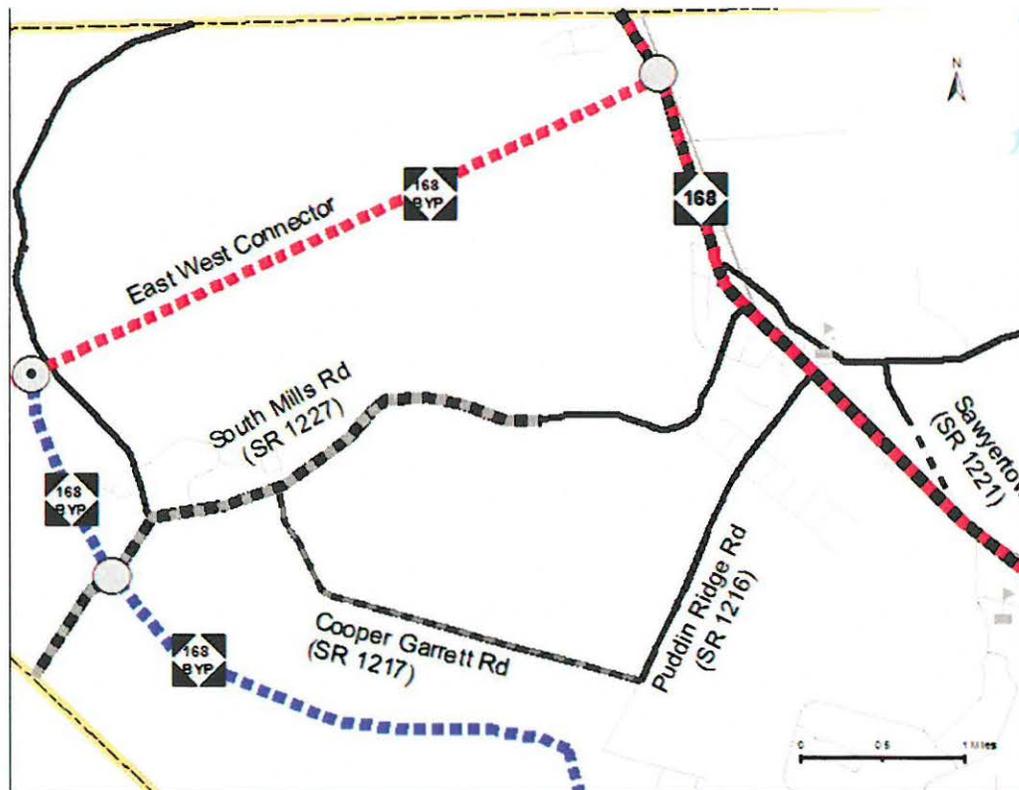
“The Currituck County Board of Commissioners has adopted plans, documents, and policies that identify recommended greenways, multi-use paths, sidewalks, and similar bicycle and pedestrian facilities throughout the county, which are incorporated herein by reference and made part of the Currituck County Comprehensive Transportation Plan. For more detailed information on bicycle and pedestrian recommendations, refer to adopted plans, documents, and policies maintained by the Currituck County Department of Planning and Community Development.”

Addendum to “2011 Currituck County Comprehensive Transportation Plan”:

Problem Statements

HIGHWAY

Proposed East-West Connector, Local ID: CURR0010-H



Identified Problem

Northern Camden and Currituck Counties have experienced rapid residential subdivision growth in the past 10 years as the Hampton Roads development in Virginia expands and grows southward. The population of Moyock Township alone has jumped 122% since 1990, while Camden Plantation, a 1,700-unit mixed-use development approved in Northern Camden County, will attract hundreds of new residents as homes and apartments are built.

Moreover, each County is actively promoting and recruiting non-residential, commercial and industrial uses for these same areas. Camden County recently opened an Eco-Industrial Park in South Mills to attract industry, and Currituck County is in the early stages of planning a mixed use property plan for approximately 2,500 acres which will combine residential, office, light industrial and other property uses. In addition, both Counties are actively working with the Port of Virginia to expand port-related and maritime distribution and value-added opportunities by expanding the Port's Foreign Trade Zone program into Northeast North Carolina.

Finally, recent direction from the Governor's NCDOT 25 year vision plan includes the State's push to designate and improve the current US 17 / US 64 corridor from Hampton Roads to Raleigh for a future interstate route. This plan would further enhance Camden and Currituck's potential role in a mid-Atlantic distribution network connecting North Carolina & Virginia's economic centers and ports of entry.

Given these current development trends and the stated long-term economic development strategies of the State, Currituck and Camden Counties, it is reasonable to assume a strong and growing travel demand going forward on all highways servicing these communities locally and regionally.

Currently, though, Currituck and Camden Counties are limited in their east-west highway connections, especially in the northern portions of each nearest to Hampton Roads. In fact, only one major thoroughfare, South Mills Road / SR 1227, is available for traffic covering a nearly 30-mile stretch from US 158 to the Virginia border.

The lack of a dedicated, limited-access road to provide a vital connection between the already busy NC 168 highway corridor and the US 17 highway corridor is likely to restrict commerce and economic development opportunities as all stakeholders have planned.

Justification of Need

Existing NC 168 is currently a 5-lane boulevard from the Virginia line to US 158. NC 168 is a major north-south corridor in Currituck County, connecting the Hampton Roads area of Virginia with Currituck County. The facility is a vital artery in moving people and goods through North Carolina, connecting Virginia and other points north with the coastal region of North Carolina. The entire facility is envisioned to be a boulevard.

By 2040, the route is projected to exceed capacity from the Virginia line to Survey Road (SR 1215) and to approach capacity by 2040 from Survey Road (SR 1215) to NC 34, based on a LOS D. There is significant congestion on this facility during the summer tourist season. Traffic on the northern end of NC 168 is projected to increase from about 20,000 vpd in 2013 to 51,400

vpd in 2040, compared to a capacity of 37,600 vpd. Due to volume exceeding capacity in the future, it is strongly recommended to consider an alternative solution for this deficiency.

Community Vision and Problem History

Currently, Northern Currituck and Camden Counties which are connected via SR 1227 / South Mills Road, a two-lane, rural highway with multiple sharp curves and narrow shoulders. In the future, the northern part of the county is expecting an increase of residents which will lead to an increase in commercial traffic. This increase will not only create more traffic on SR 1227 but may also impact safety.

Currituck and Camden Counties both recognize the need for a limited access connector road to support future trips from the NC 168 corridor west to the US 17 / Future I-44 corridor, especially as properties develop between the major north/south thoroughfares connecting Northeast North Carolina to Hampton Roads, Virginia.

CTP Project Proposal

Project Description

The proposed project (East-West Connector, Local ID: CURR00010-H) is to construct a 4-lane divided boulevard on a new location in Moyock from NC 168 near the Virginia line to US 17 in northern Camden County.

The proposed connector road will alleviate traffic congestion and potentially unsafe conditions on SR 1227 / South Mills Road and provide excellent regional commercial traffic access to points west of the NC 168 corridor.

Linkages to Other Plans and Proposed Project History

The proposal for the new East-West Connector Road is an important link to many of the recommendations in both the Currituck County CTP and the Camden County CTP. It directly connects to proposed improvements of NC 168, the Moyock Bypass and for NCDOT's push to obtain interstate status for the US 17 / US 64 Corridor from Norfolk, VA to Raleigh, NC. Furthermore, the proposed road provides the critical infrastructure needed for Camden and Currituck Counties to best leverage proximity to the Port of Virginia and the Hampton Roads industrial base.

Land Use Patterns

The 2006 Currituck County Land Use Plan indicates that Moyock is currently the fastest growing community of Currituck County. It is a bedroom community for the Hampton Roads area of Virginia. Mixed use development is expected to occur along the existing NC 168 corridor in the future.

Multi-modal Considerations

There are no other modes of transportation associated with this proposed project.

BICYCLE

Identified Problem

Currently, there are a few bicycle routes connecting different parts of Currituck County. There is already a multi-use path in the Outer Banks area, from the north end of NC 12 to Club Road. It is local priority to see that multi-use path extended for the entire length of NC 12. The primary purpose of recommending additional bicycle route improvements is to better connect the Outer Banks area of Currituck County to the Dare County beach communities, as well as in other popular recreational areas. Additional bicycle lanes are being proposed from the Albemarle Regional Bicycle Plan, project descriptions for these bicycle lanes are below under CTP Project Proposal.

The Currituck County Board of Commissioners has adopted plans, documents, and policies that identify recommended greenways, multi-use paths, sidewalks, and similar bicycle and pedestrian facilities throughout the county, which are incorporated herein by reference and made part of the Currituck County Comprehensive Transportation Plan. For more detailed information on bicycle and pedestrian recommendations, refer to adopted plans, documents, and policies maintained by the Currituck County Department of Planning and Community Development.

CTP Project Proposal

Project Description

The following on-road bicycle facility is recommended in the Currituck County CTP:

- South Mills Road (SR 1227) From Camden County Line to NC 168
- NC 168 from South Mills Road (SR 1227) to Crandell Lane
- Aydlett Road (SR 1140) from US 158 to SR 1131
- Poplar Branch Road (SR 1131) from Aydlett Road (SR 1140) to US 158
- Shad Street/Lighthouse Drive/Albacore Street (SR 1403) from NC 12 to NC 12

The following off-road multi-use bicycle facilities are recommended in the Currituck County CTP:

- US 158 Proposed Bike Route from US 158 to NC 168
- NC 158 from Camden County Line to US 158

Other Highway Recommendations

NC 34 Proposed improvements from the Camden County Line to NC 168, Local ID: CURR0004-H

The proposed project (Local ID: CURR0004-H) is to widen NC 34 to a 2-lane major thoroughfare from the Camden County Line to NC 168, which will improve existing narrow lane widths. The proposed improvements to NC 34 will help to reduce congestion and improve safety along this facility.

The improvement proposal for this section NC 34 is an important link to recommendations in the Currituck County CTP. It directly connects to proposed improvements of NC 168 and the proposed NC 168 Bypass, which includes an interchange at NC 34.

NC 615 Proposed Improvements, Local ID: CURR0005-H

NC 615 is the main route throughout Knotts Island, connecting this area of Currituck County with Virginia. Currently this is the only highway that leads into Knotts Island. Otherwise this area can only be reached by ferry from the Mainland Currituck County. It is recommended that the entire facility be widened to 24 feet with paved shoulders and turn lanes where necessary. Improving this facility will improve safety throughout Knotts Island.

South Mills Road (SR 1227) Proposed improvements from the Camden County Line to Proposed NC 168 Bypass, Local ID: CURR0006-H

This two-lane road currently serves as a connection between NC 168 in Currituck County and US 17 in Camden County. It is recommended that South Mills Road (SR 1227) be widened to a four lane major thoroughfare, with paved shoulders and turn lanes where necessary from the Camden County line to the location of the proposed NC 168 Bypass. The facility should be realigned on new location wherever necessary.

Currently, there is a large-scale commercial and residential development being planned along the eastern side of US 17 in northern Camden County, just south of the Virginia border. There is also a proposed Mega Site development in northern Currituck County along the west side of NC 168. Improvements to South Mills Road (SR 1227) would help create a better connection to both new developments for residents of Currituck County as well as traffic travelling from other points both north and south of Currituck County. This connection was identified as a local priority. Currituck County wishes to have direct access from South Mills Road (SR 1227) to NC 168 to be provided through the proposed Mega Site.

Cooper Garrett Road (SR 1217) Proposed improvements from South Mills Road (SR 1227) to Puddin Ridge Road (SR 1216), Local ID: CURR0007-H

Cooper Garrett Road (SR 1217) is currently an unpaved connection between South Mills Road (SR 1227) and Puddin Ridge Road (SR 1216). It is used primarily by vehicles travelling to and from a private military company located on Puddin Ridge Road (SR1216). It is recommended that this road be improved to a 2-lane 24-foot roadway with paved shoulders and turn lanes where necessary from South Mills Road (SR 1227) to Puddin Ridge Road (SR 1216).