



STATE OF NORTH CAROLINA  
DEPARTMENT OF ADMINISTRATION

ROY COOPER  
GOVERNOR

MACHELLE SANDERS  
SECRETARY

June 11, 2020

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

**Re: SCH File # 20-E-4600-0253; Application of Sumac Solar, LLC for Certificate to construct a 120 MW Solar Facility in Bertie Co. Docket #EMP-110 Sub 0.**

Dear Ms. Campbell:

The above referenced environmental impact information has been reviewed through the State Clearinghouse under the provisions of the North Carolina Environmental Policy Act.

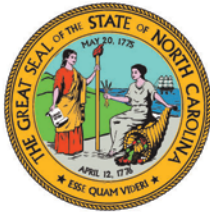
Attached to this letter are comments made in the review of this document. Because of the nature of the comments, it has been determined that no further State Clearinghouse review action on your part is needed for compliance with the North Carolina Environmental Policy Act. The attached comments should be taken into consideration in project development.

Sincerely,

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

Crystal Best  
State Environmental Review Clearinghouse

Attachments  
cc: Region Q



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: 20-0253  
Environmental Review - Application of Sumac Solar, LLC for Certificate  
to construct a 120 MW Solar, Docket #EMP-110 Sub 0.  
Bertie County

Date: June 10, 2020

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 to help the applicant minimize impacts to fish and wildlife resources and surrounding environmental resources. The comments are attached for the applicant's review.

or

The Department of Environmental Quality has completed its review of the proposal for the referenced project. The agencies have offered some valuable guidance to be performed prior to application submittals and ground disturbance which will help reduce any impacts to the natural resources within the project area. The comments are attached for the applicant's review.

The Department agencies will continue to be available to assist the applicant through any environmental review or permitting processes.

Thank you for the opportunity to respond.

Attachments





NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

MICHAEL S. REGAN  
Secretary

MICHAEL SCOTT  
Director

## MEMORANDUM

TO: Michael Scott, Division Director through Sharon Brinkley

FROM: Drew Hammonds, Eastern District Supervisor - Solid Waste Section

DATE: June 10, 2020

SUBJECT: Review: SW 20-0253 – Bertie County (ER – NC Dept. of Comm. – Application of Sumac Solar, LLC for Certificate to construct a 120 MW Solar facility in Bertie Co.)

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The Division of Waste Management, Solid Waste Section (Section) has reviewed the documents for the subject project in Bertie County, NC. Based on the information provided in this document, the Section does not see an adverse impact on the surrounding community and likewise knows of no situations in the community, which would affect this project.

As with any proposed project, it is recommended that during any land clearing, demolition and the construction of this project, the Sumac Solar, LLC and/or its contractors should make every feasible effort to minimize the generation of waste, to recycle materials for which viable markets exist, and to use recycled products and materials in the development of this project where suitable. **Any waste generated by this project that cannot be beneficially reused or recycled must be disposed of at a solid waste management facility permitted by the Division. The Section strongly recommends that Sumac Solar, LLC require all contractors to provide proof of proper disposal for all generated waste to permitted facilities.**

Permitted solid waste management facilities are listed on the Division of Waste Management, Solid Waste Section portal site at: <https://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/solid-waste-management-annual-reports/solid-waste-permitted-facility-list>

Questions regarding solid waste management for this project should be directed to Mr. John College, Environmental Senior Specialist, Solid Waste Section, at (919) 268-1524.

cc: John College, Environmental Senior Specialist



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

Reviewing Regional Office: Washington  
 Project Number: 20-0253 Due Date: 06/05/2020  
 County: Bertie

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 _____ <b>Local Government's</b> 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  
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	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 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: <a href="http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program">http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program</a>		
<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: <a href="http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information">http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information</a>		
<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 checked="" type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	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 checked="" 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: 20-0253 Due Date: 06/05/2020  
 County: Bertie

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	5/19/2020
DWR-WQROS (Aquifer & Surface)	DRS & ADS	<input type="checkbox"/>	& Based on a review of the proposed project, the Division of Water Resources recommends coordination with the US Army Corps of Engineers regarding the identification of jurisdictional wetlands and/or waters and any required permits that maybe involved with impacts prior to the implementation of the project. In addition, DWR recommends coordination with the DWR Washington Regional Office regarding compliance with Water Quality Standards associated with Streams and Wetlands prior to the implementation of the project.	5/18/2020
DWR-PWS	CWW	<input type="checkbox"/>	Plan Approval required if waterlines to be relocated	5/18/2020
DEMLR (LQ & SW)	SD	<input type="checkbox"/>	E&S and SW required	5/18/20
DWM – UST	SNH	<input type="checkbox"/>	See attached comments	6/2/2020
Other Comments		<input type="checkbox"/>		/ /

**REGIONAL OFFICES**

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

- |                                                                                                                                                           |                                                                                                                                                                          |                                                                                                                                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> <b>Asheville Regional Office</b><br>2090 U.S. 70 Highway<br>Swannanoa, NC 28778-8211<br>Phone: 828-296-4500<br>Fax: 828-299-7043 | <input type="checkbox"/> <b>Fayetteville Regional Office</b><br>225 Green Street, Suite 714,<br>Fayetteville, NC 28301-5043<br>Phone: 910-433-3300<br>Fax: 910-486-0707  | <input type="checkbox"/> <b>Mooreville Regional Office</b><br>610 East Center Avenue, Suite 301,<br>Mooreville, NC 28115<br>Phone: 704-663-1699<br>Fax: 704-663-6040 |
| <input type="checkbox"/> <b>Raleigh Regional Office</b><br>3800 Barrett Drive,<br>Raleigh, NC 27609<br>Phone: 919-791-4200<br>Fax: 919-571-4718           | <input checked="" type="checkbox"/> <b>Washington Regional Office</b><br>943 Washington Square Mall,<br>Washington, NC 27889<br>Phone: 252-946-6481<br>Fax: 252-975-3716 | <input type="checkbox"/> <b>Wilmington Regional Office</b><br>127 Cardinal Drive Ext.,<br>Wilmington, NC 28405<br>Phone: 910-796-7215<br>Fax: 910-350-2004           |
|                                                                                                                                                           | <input type="checkbox"/> <b>Winston-Salem Regional Office</b><br>450 Hanes Mill Road, Suite 300,<br>Winston-Salem, NC 27105<br>Phone: 336-776-9800<br>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: June 2, 2020

RE: Environmental Review – Project Number 20-0253– Sumac Solar, LLC application to construct a 120 MW Solar Facility in Bertie 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.



**NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW**

COUNTY: BERTIE

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 20-E-4600-0253  
DATE RECEIVED: 05/11/2020  
AGENCY RESPONSE: 06/05/2020  
REVIEW CLOSED: 06/10/2020

MS CINDY WILLIAMS  
CLEARINGHOUSE COORDINATOR  
DPS - DIV OF EMERGENCY MANAGEMENT  
FLOODPLAIN MANAGEMENT PROGRAM  
4218 MAIL SERVICE CENTER  
RALEIGH NC

**REVIEW DISTRIBUTION**

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DEPT OF ENVIR. QUALITY - COASTAL MG  
DEPT OF ENVIRONMENTAL QUALITY  
DEPT OF NATURAL & CULTURAL RESOURCE  
DEPT OF TRANSPORTATION  
DNCR - NATURAL HERITAGE PROGRAM  
DPS - DIV OF EMERGENCY MANAGEMENT  
MID EAST COMMISSION

**PROJECT INFORMATION**

APPLICANT: North Carolina Department of Commerce  
TYPE: State Environmental Policy Act  
Environmental Review

DESC: Application of Sumac Solar, LLC for Certificate to construct a 120 MW Solar Facility in Bertie Co. Docket #EMP-110 Sub 0. - View document at <https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>, Type EMP-110 Sub 0 in the Docket Number search line.

Located on Woodard Road near Morning Road on its western side, and Middle Tract Road to the east, outside of Windsor, NC

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

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

---

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

SIGNED BY: \_\_\_\_\_

*Jintao Wen*

DATE: 5/28/2020





# North Carolina Department of Public Safety

## Emergency Management

Roy Cooper, Governor  
Erik A. Hooks, Secretary

Michael A. Sprayberry, Director

May 28, 2020

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

Subject: Intergovernmental Review State Number: 20-E-4600-0253  
Sumac Solar, LLC, Bertie County, North Carolina

As requested by the North Carolina State Clearinghouse, the North Carolina Department of Public Safety Division of Emergency Management Risk Management reviewed the Sumac Solar project located in Bertie County. From the submitted site plan it appears the proposed project site will encroach on the Special Flood Hazard Area (SFHA). Please see Flood Insurance Rate Map Panels 6729, 6739, 6728, 6738, 6739, 6810 and 6820. We offer the following comments if the proposed site encroaches into the SFHA:

- 1) The project site is located in Bertie County. Bertie County participates in the National Flood Insurance Program and enforces a Flood Damage Prevention Ordinance that requires a Floodplain Development Permit be issued for all development located in the Special Flood Hazard Area (SFHA) within its jurisdiction. Please ensure the County's Floodplain Administrator reviews and issues permits for each part of the proposed Solar Project within a SFHA.
- 2) Any grading, fill or placement of equipment or materials in the SFHA will require a floodplain development permit issued by Bertie County.
- 3) All structures and utilities within SFHA should be protected to the regulatory flood protection elevation as described in Bertie County's Flood Damage Prevention ordinance and 44 CFR 60.3.

Thank you for your cooperation and consideration. If you have any questions concerning the above comments, please contact me at (919) 825-2317, by email at [jintao.wen@ncdps.gov](mailto:jintao.wen@ncdps.gov) or at the address shown on the footer of this document.

Sincerely,

**MAILING ADDRESS:**  
4218 Mail Service Center  
Raleigh NC 27699-4218  
[www.ncdps.gov](http://www.ncdps.gov)  
[www.ncfloodmaps.com](http://www.ncfloodmaps.com)



**RM OFFICE LOCATION:**  
4105 Reedy Creek Road  
Raleigh, NC 27607  
Telephone: (919) 825-2341  
Fax: (919) 825-0408

An Equal Opportunity Employer



Jintao Wen, Ph.D., P.E.  
NC NFIP Engineer  
Emergency Management

cc: Randy Mundt, NC NFIP Coordinator  
  
Eryn Futral, NFIP Eastern Branch Planner  
  
Traci White, Planning Director, Bertie County  
  
File

NORTH CAROLINA STATE CLEARINGHOUSE  
DEPARTMENT OF ADMINISTRATION  
INTERGOVERNMENTAL REVIEW

COUNTY: BERTIE

H11: ENERGY RELATED  
FACILITIES/ACTIVITIES

STATE NUMBER: 20-E-4600-0253  
DATE RECEIVED: 05/11/2020  
AGENCY RESPONSE: 06/05/2020  
REVIEW CLOSED: 06/10/2020

MS JEANNE STONE  
CLEARINGHOUSE COORDINATOR  
DEPT OF TRANSPORTATION  
STATEWIDE PLANNING - MSC #1554  
RALEIGH NC

**REVIEW DISTRIBUTION**

DEPT OF AGRICULTURE  
DEPT OF ENVIR. QUALITY - COASTAL MG  
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DEPT OF TRANSPORTATION  
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MID EAST COMMISSION

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

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

SIGNED BY:

*Lamney Hogan*

DATE: 6/1/2020