



North Carolina Department of Administration

Pat McCrory, Governor

Bill Daughtridge, Jr., Secretary

May 12, 2015

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

Re: SCH File # 15-E-4600-0558; Application of Wilson Solar Farm 4, LLC for Certificate to construct a 10 MW Solar Photovoltaic Electric Generating Facility in Wilson Co. Docket #SP-5392 Sub 0.

Dear Ms. Mount:

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

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

Sincerely. stal Pert

Crystal Best State Environmental Review Clearinghouse

Attachments

cc: Region L

Mailing Address: 1301 Mail Service Center Raleigh, NC 27699-1301 Telephone: (919)807-2425 Fax (919)733-9571 State Courier #51-01-00 e-mail state.clearinghouse@doa.nc.gov *Location Address:* 116 West Jones Street Raleigh, North Carolina

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May 12 2015



North Carolina Department of Environment and Natural Resources

Pat McCrory Governor Donald R. van der Vaart Secretary

MEMORANDUM

To:	Crystal Best
	State Clearinghouse
From:	Lyn Hardison
RE:	15-0558
	Environmental Review - Application of Milson Solar Form 4, 110 for t

Environmental Review –Application of Wilson Solar Farm 4, LLC for the Certificate to construct a 10 MW Solar Photovoltaic Electric Generating Facility Wilson County

Date: May 8, 2015

The Department of Environment and Natural Resources has completed its review of the proposal for the referenced project. Based on the information provided, several of our agencies have identified permits that may be required and offered some valuable guidance to minimize impacts to the natural resources, aquatic and terrestrial wildlife resources within and around the project area. The comments are attached for the applicant review.

If the applicant has any questions pertaining to NCDENR permitting processes, please suggest to the applicant to contact David Lee, Permit Assistance Coordinator, in the Department's Raleigh Regional Office, (919)791-4200 for more permitting assistance. The proposed project is located within his geographic working territory.

Thank you for the opportunity to respond.

Attachments

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\otimes North Carolina Wildlife Resources Commission \otimes

Gordon Myers, Executive Director

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MEMORANDUM

- TO: Lyn Hardison, Environmental Assistance and SEPA Coordinator NCDENR Division of Environmental Assistance and Customer Services
- FROM: Gabriela Garrison Eastern Piedmont Coordinator Habitat Conservation

DATE: May 6, 2015

SUBJECT: Comments on Wilson Solar Farm 4, LLC Solar Facility in Wilson County; Project Number 15-0558.

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the proposed project description. Our comments are provided in accordance with certain provisions of the North Carolina Environmental Policy Act (G.S. 113A-1 through 113A-10; 1 NCAC 25) and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

Wilson Solar Farm 4, LLC proposes to construct a 10 MW solar photovoltaic electric generating facility in Wilson County. The facility would be located at 2109 Downing Street Southwest in Wilson. An aerial view of the proposed location suggests the project is sited on both forested and cleared land. Clearing trees from this site and installing solar panels will likely displace wildlife species. Installing solar panels on previously cleared and disturbed land will have less impact and is therefore the preferred option. Solar projects should be sited to avoid impacts to wetlands, streams, riparian buffers and priority wildlife habitat.

Aerial images and maps indicate tributaries to Contentnea Creek flow both south and west of the proposed project site. There are records for the following rare species downstream of the project in Contentnea Creek: the federal species of concern, pinewoods shiner (*Lythrurus matutinus*); the state-threatened, triangle floater (*Alasmidonta undulata*), Roanoke slabshell (*Elliptio roanokensis*) and eastern lampmussel (*Lampsilis radiata*); and Carolina slabshell (*Elliptio congaraea*), a species on the Natural Heritage Program 'Watch List'. The NCWRC offers the following recommendations to minimize impacts to aquatic and terrestrial wildlife resources:

1. Maintain or establish a minimum 100-foot undisturbed, native forested buffer along each side of perennial streams and 50-foot undisturbed, native forested buffer along each side of intermittent streams and wetlands. Forested riparian buffers provide habitat areas and travel corridors for

Mailing Address: Division of Inland Fisheries • 1721 Mail Service Center • Raleigh, NC 27699-1721 Telephone: (919) 707-0220 • Fax: (919) 707-0028 Page 2

May 6, 2015 Wilson Solar Farm 4, LLC DENR Project No. 15-0558

wildlife species. In addition, forested riparian buffers protect water quality by stabilizing stream banks and filtering stormwater runoff.

- 2. The project footprint should be surveyed for wetlands and streams to ensure there are no impacts to surface waters. In addition to providing wildlife habitat, wetland areas and streams aid in flood control and water quality protection. United States Army Corps of Engineers Section 404 Permits and NC Division of Water Resources Section 401 Certifications are required for any impacts to jurisdictional streams or wetlands.
- 3. The solar facility will connect to existing utility lines; impacts to wildlife habitat will be minimized by connecting along pathways that do not contain quality wildlife habitat, such as cleared or agricultural land. If additional overhead transmission lines will be installed, measures to minimize impacts to birds should be implemented. These can include increasing line visibility, insulating wires to cover exposed connections and increasing the distance between wires so no contact with ground or other energized wire can be made. For more information see http://www.fws.gov/birds/documents/powerlines.pdf.
- 4. Consider contacting Greg Batts, District Wildlife Biologist, at (919) 269-9731 or <u>greg.batts@ncwildlife.org</u> for information and ideas on establishing vegetation or incorporating other measures that are beneficial for wildlife.
- 5. If pesticides or chemicals will be used for site maintenance, stormwater runoff from the site should be funneled to bio-retention areas prior to discharge to streams or wetlands. Pesticides, fertilizers and other chemicals should not be used in wetland areas or near streams.
- 6. 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 that has been reinforced with plastic or metal mesh should be avoided as it impedes the movement of terrestrial wildlife species. Excessive silt and sediment loads can have detrimental effects on aquatic resources including destruction of spawning habitat, suffocation of eggs and clogging of gills.

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

ec: Greg Batts, NCWRC

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

Project Number <u>15-0558</u> Due Date: <u>5/6/2015</u> County <u>WILSON</u>

After review of this project it has been determined that the ENR pennit(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)
	Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	.30 days (90 days)
	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection. Pre- application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
	Water Use Permit	Pre-application technical conference usually necessary	30 days (N/A)
	Well Construction Pennit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
	Drodge 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)
	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
	Permit to construct & operate Transportation Facility as per 15A NCAC (2D.0800, 2Q.0601	Application must be submitted at least 90 days prior to construction or modification of the source.	90 days
\boxtimes	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900		
	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.	N/A	60 days (90 days)
	Complex Source Permit required under 15 A NCAC 2D.0800		
	The Sedimentation Pollution Control Act of 1973 must be pro- control plan will be required if one or more acres to be disturb days before beginning activity. A fee of \$65 for the first acre fees.	20 days (30 days)	
	Sedimentation and erosion control must be addressed in accor to design and installation of appropriate perimeter sediment tr	(30 days)	
	Mining Permit	On-site inspection usual. Surety bond filed with ENR Bond amount varies with type mine and number of acres of affected land. Any arc mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
	North Carolina Burning permit	On-site inspection by N.C. Division Forest Resources if pennit exceeds 4 days	l day (N/A)
	Special Ground Clearance Burning Permit - 22 counties in coastal N.C. with organic soils	On-site inspection by N.C. Division Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual burn is planned."	1 day (N/A)
	Oil Refining Facilities	N/A	90-120 days (N/A)
	Dam Safety Permit bruary 11, 2015	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction. certify construction is according to ENR approved plans. May also require permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)

	WILSON			Project Number: <u>15-0558</u> Due Date: <u>5/6/2015</u>	Normal Process Tim	
PERMITS			SPECIAL APPLICATION PROCEDURES of REQUIREMENTS	(statutory time limit		
Permit to c	Permit to drill exploratory oil or gas well		well	File surety bond of \$5,000 with ENR running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to ENR rules and regulations.	10 days N/A	
Geophysic	Gcophysical Exploration Permit			Application filed with ENR at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A	
State Lake	tate Lakes Construction Permit			Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property.	l 5-20 days N/A	
401 Water	401 Water Quality Certification			N/A	60 days (130 days)	
CAMA Pe	ermit for MAJOR c	levelopm	ient	\$250.00 fee must accompany application	55 days (150 days)	
CAMA Pe	ermit for MINOR d	levelopm	ent	\$50.00 fee must accompany application	22 days (25 days)	
	Several geodetic monuments are located in or near the project area. If any monument needs to be moved or destroyed, please notify: N.C. Geodetic Survey, Box 27687 Raleigh, NC 27611					
Abandonm	nent of any wells, i	f require	d must be in accor	dance with Title 15A. Subchapter 2C.0100.		
Notificatio	on of the proper reg	gional off	fice is requested if	"orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
Complianc	ce with 15A NCAC	C 2H 100	00 (Coastal Stormy	vater Rules) is required.	45 days (N/A)	
Catawba, J	Jordan Lake, Rand	alman, T	ar Pamlico or Neu	ise Riparian Buffer Rules required.		
Resources/	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.					
Resources/	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.					
	1			ertain to cite comment authority)		
Division	Init		No comment	Comments	Date Review	
DAQ	ddr	n			4/15/15	
			 A project that disturbs 1 acre or greater is required to secure an erosic and sedimentation control plan and must comply with construction stormwater permit conditions (NCG010000) 	on 5/5/15 5/1/15		
		,,		 -The project is in the Neuse River Basin (unnamed tributary to Wiggins Reservoir Class: Waters Supply IV, Critical Area NSW The USGS Topographic map depicted blue streams and crenulations th are within the project. (Note: the soil survey was not reviewed.) If stream, wetland or riparian buffer impacts are proposed, this project need to comply with/secure a 404 permit from the USACE, obtain a 402 Water Quality Certification and a riparian buffer authorization as appropriate. [In addition to the solar panel production field area, acce roads and utilities impacts will need to be properly permitted.] Site is in a water supply so they will need to contact City of Wilson to ensure they are compliant with water supply watershed regulations. I recommend a stream determination to ensure compliance with ripar buffer rule expectations 	Mill at will 1 ss	
DWR-PWS	N/A			 -The project is in the Neuse River Basin (unnamed tributary to Wiggins Reservoir Class: Waters Supply IV, Critical Area NSW The USGS Topographic map depicted blue streams and crenulations th are within the project. (Note: the soil survey was not reviewed.) If stream, wetland or riparian buffer impacts are proposed, this project need to comply with/secure a 404 permit from the USACE, obtain a 402 Water Quality Certification and a riparian buffer authorization as appropriate. [In addition to the solar panel production field area, acceroads and utilities impacts will need to be properly permitted.] Site is in a water supply so they will need to contact City of Wilson to ensure they are compliant with water supply watershed regulations. I recommend a stream determination to ensure compliance with ripar 	Mill at will 1 ss	

May 12 2015

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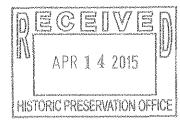
Questions regarding these permits should be addressed to the Regional Office marked below

- Asheville Regional Office 2090 US Highway 70 Swannanoa, NC 28778 (828) 296-4500
- Fayetteville Regional Office
 225 North Green Street, Suite 714
 Fayetteville, NC 28301-5043
 910) 433-3300
- Mooresville Regional Office 610 East Center Avenue, Suite 301 Mooresville, NC 28115 (704) 663-1699
- Raleigh Regional Office 3800 Barrett Drive, Suite 101 Raleigh, NC 27609 (919) 791-4200
- Washington Regional Office 943 Washington Square Mall Washington, NC 27889 (252) 946-6481

- Wilmington Regional Offic
 - 127 Cardinal Drive Extension Wilmington, NC 28405 (910) 796-7215
- Winston-Salem Regional Office 450 West Hanes Mill Road, Suite 300 Winston-Salem, NC 27105 (336) 771-9800

COUNTY: WILSON

H11: ENERGY RELATED FACILITIES/ACTIVITIES



STATE NUMBER: 15-E-4600-05 04/09/2015 DATE RECEIVED: OFFICIAL AGENCY RESPONSE: 05/06/2015 REVIEW CLOSED: 05/11/2015

of 15-0844

MS RENEE GLEDHILL-EARLEY CLEARINGHOUSE COORDINATOR DEPT OF CULTURAL RESOURCES STATE HISTORIC PRESERVATION OFFICE MSC 4617 - ARCHIVES BUILDING RALEIGH NC

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UPPER COASTAL PLAIN COG

PROJECT INFORMATION

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

DESC: Application of Wilson Solar Farm 4, LLC for Certificate to construct a 10 MW Solar Photovoltaic Electric Generating Facility in Wilson Co. Docket #SP-5392 Sub 0. - View document at http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx, Type SP-5392 Sub 0 in the Docket Number search line.

Located at 2109 Downing Street, Wilson, 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 Blidhill - Earles SIGNED BY: DATE:

APR 1 5 2015

1ay 12 2015

Deve 4/22/15 A- WO 4-20-15 LEA Deve 4/22/15 Due 4/29/15 5 OCAL22215

COUNTY: WILSON

H11: ENERGY RELATED FACILITIES/ACTIVITIES STATE NUMBER: 15-E-4600-0558 DATE RECEIVED: 04/09/2015 AGENCY RESPONSE: 05/06/2015 REVIEW CLOSED: 05/11/2015

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

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AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED: NO COMMENT COMMENTS ATTACHED 2/2015 SIGNED BY:

Joseph Hudyncia

Environmental Programs



Dr. Richard Reich Assistant Commissioner North Carolina Department of Agriculture and Consumer Services *Agricultural Services*

April 22, 2015

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

State #: 15-E-4600-0558 RE: Photovoltaic Electric Generating Facility in Wilson Co.



Dear Mr. Creech:

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

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

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

Respectfully

Joseph Hudyncia Environmental Programs Specialist

COUNTY: WILSON

H11: ENERGY RELATED FACILITIES/ACTIVITIES

STATE NUMBER: 15-E-4600-055 04/09/2015 DATE RECEIVED: AGENCY RESPONSE: 05/06/2015 REVIEW CLOSED: 05/11/2015

Suzette Morales

OFFICIAL (

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

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

As a result of this review the following is submitted: \Box no comment λ comments attached signed by: $D = \frac{1/24/15}{Date: -4/24/15}$

Aay 12 2015



STATE OF NORTH CAROLINA DEPARTMENT OF TRANSPORTATION

PAT MCCRORY GOVERNOR ANTHONY J. TATA Secretary

April 24, 2015

- MEMO TO: North Carolina State Clearinghouse Department of Administration Intergovernmental Review
- FROM: O. Suzette Morales, E.I.T. NCDOT Transportation Planning Branch

SUBJECT: 15-E-4600-0558 Solar Photovoltaic Electric Generating Facility, Wilson, NC

Thank you for allowing the Transportation Planning Branch to review this document. A Comprehensive Transportation Plan (CTP) was adopted by Wilson County and its municipalities. It contained several proposed multimodal projects for the next 25 years (2035). These projects will not necessarily be built but it is the first step to being included in the STIP for prioritization.

There is a proposed project in the vicinity of the solar photovoltaic electric generation facility site. There are plans to upgrade the current 2 lane facility of Downing Road (SR 1163) from US 264 Bypass to Forest Hills Road (SR 1165) to a 3 lane facility with sidewalks and wide shoulders for bicycle access on both sides. In addition, Downing Road (SR 1163) from Forest Hills Road (SR 1165) to US 264/Ward Boulevard (SR 1516) is proposed to be converted from a 5 lane facility to a 3 lane facility with sidewalks and bicycle lanes on both sides. Please review the maps in the CTP and take the project proposal into consideration. The full report of the Wilson County CTP can be found online.

If you have any questions, please feel free to call me at 919-707-0947.

MAILING ADDRESS: NC DEPARTMENT OF TRANSPORTATION TRANSPORTATION PLANNING BRANCH 1554 MAIL SERVICE CENTER RALEIGH NC 27699-1554



www.NCDOT.ORG

LOCATION: TRANSPORTATION BUILDING 1 SOUTH WILMINGTON STREET RALEIGH, NC 27601 Phone: 919-733-4705 Fax: 919-733-2417

COUNTY: WILSON

H11: ENERGY RELATED FACILITIES/ACTIVITIES

STATE NUMBER:	15-E-4600-0558
DATE RECEIVED:	04/09/2015 📃
AGENCY RESPONSE:	
REVIEW CLOSED:	05/11/2015 🔮
REVIEW CLOSED:	05/11/2015

APR 1 4 2015

NO COMMENT

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

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

AS A RESULT OF THIS REVIEW THE FOLLOWING IS SUBMITTED:

SIGNED BY:

and Habry

DATE: 4/20/15

COMMENTS ATTACHED

MAR TO SFAA.

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