

# STATE OF NORTH CAROLINA DEPARTMENT OF ADMINISTRATION

ROY COOPER GOVERNOR MACHELLE SANDERS SECRETARY

January 7, 2019

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

Re: SCH File # 19-E-4600-0136; Application of Duke Energy Progress, LLC for Certificate to construct a Microgrid Solar and Battery Storage Facility in Madison Co. Docket #E-2, Sub 1185

Dear Ms. Jarvis:

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 cc: Region B



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: 19-0136

Environmental Review – Application of Duke Energy Progress, LLC for the Certificate to construct a Microgrid Solar and Battery Storage Facility

**Madison County** 

Date: January 3, 2019

The Department of Environmental Quality 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. The comments are attached for the applicant's review.

If the applicant has any questions pertaining to NCDEQ permitting processes, please ask them to contact Alison Davidson, Permit Assistance Coordinator, in the Department's Asheville Regional Office, (828)296-4596. The proposed project is located within her geographic working territory.

Thank you for the opportunity to respond.

Attachment





# 

Gordon Myers, Executive Director

### **MEMORANDUM**

TO: Lyn Hardison, Environmental Assistance and SEPA Coordinator

NCDENR Division of Environmental Assistance and Customer Services

FROM: Andrea Leslie, Mountain Region Coordinator India delicate

Habitat Conservation

DATE: 27 December 2018

SUBJECT: Duke Energy Progress Microgrid Solar and Battery Storage Facility

Project No. 19-0136

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

Duke Energy Progress proposes to construct a microgrid solar and battery storage facility on a 15-acre parcel in Madison County. This facility will incorporate a 3 MW DC and 2 MW AC solar photovoltaic electric generator and 4 MW lithium battery storage. The facility would be located at 172 Andrews Avenue in Hot Springs on mostly cleared land. Installing solar panels on previously cleared and disturbed land rather than forested land will have less impact on wildlife and is preferred.

The site drains to Spring Creek, near its confluence with the French Broad River. Both of these streams are in the Lower French Broad River Aquatic Habitat, a natural area rated Exceptional by the NC Natural Heritage Program due to the richness of rare species it contains. In the vicinity of the project, the streams support a number of listed and rare aquatic species, including the Logperch (*Percina caproides*, NC Threatened), Banded Sculpin [*Cottus carolinae*, NC SC (Special Concern)], Olive Darter (*P. squamata*, NC SC), Freshwater Drum (*Aplodinotus grunniens*, NC SC), Ohio Lamprey (*Ichthyomyzon bdellium*, NC SC), Mountain Madtom (*Noturus eleuthurus*, NC SC), Eastern Spiny Softshell (*Apalone spinifera spinifera*, NC SC), American Brook Lamprey (*Lethenteron appendix*, NC SC), French Broad River Crayfish [*Cambarus reburrus*, US Federal Species of Concern, NC SR (Significantly Rare)], Highland Shiner (*Notropis micropteryx*, NC SR), Sauger (*Sander canadensis*, NC SR), and Blotched Chub

(*Erimystax insignis*, NC SR). These species are especially sensitive to excess sediment, and vigilant attention should be used in ensuring adequate sediment and erosion control during construction.

## We offer the following recommendations:

- 1. Maintain or establish a minimum 100-foot undisturbed, native forested buffer along each side of perennial streams and 50-foot undisturbed, native forested buffer along each side of intermittent streams and wetlands. Forested riparian buffers provide habitat areas for aquatic and terrestrial wildlife species and travel corridors for terrestrial wildlife. In addition, forested riparian buffers protect water quality by stabilizing stream banks and filtering stormwater runoff.
- 2. The project footprint should be surveyed for wetlands and streams to ensure there are no impacts to these areas. In addition to providing wildlife habitat, wetland areas perform important functions of flood control and water quality protection. United States Army Corps of Engineers Section 404 permits and NC Division of Water Resources Section 401 Certifications are needed for any impacts to jurisdictional streams or wetlands.
- 3. 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. Geo-textile fabric and rock to stabilize the stream bottom are preferred over concrete.
- 4. 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 <a href="http://www.fws.gov/birds/documents/powerlines.pdf">http://www.fws.gov/birds/documents/powerlines.pdf</a>.
- 5. If site and/or transmission line maintenance is needed, avoid mowing between April 1 and October 1 to minimize impacts to nesting wildlife. We suggest a maintenance schedule that incorporates a portion of the area (e.g., one-third of the area) each year. Pesticides, fertilizers, and other chemicals should not be used in wetland areas or near streams.
- 6. If pesticides or chemicals will be used for site maintenance, stormwater runoff from the site should be directed to bioretention areas prior to discharge to streams or wetlands; this will provide additional protection for water quality and aquatic and terrestrial wildlife habitats.
- 7. It is especially important to ensure that sediment and erosion control measures are installed prior to any land clearing or construction, as this site drains to such important aquatic habitats. These measures should be routinely inspected and properly maintained. Excessive silt and sediment loads can have numerous detrimental effects on aquatic resources including destruction of spawning habitat, suffocation of eggs, and clogging of gills of aquatic species.

- 8. We recommend that a wildlife-friendly buffer outside of the solar array be planted with a mix of native warm season grasses and shrubs such as dogwood, button bush, and berry bushes. Please contact me for a list of species and management recommendations.
- 9. We strongly recommend incorporating a native pollinator mix on site, which can provide pollinator habitat and ultimately reduce maintenance costs.
- 10. Develop a decommissioning plan that identifies the party responsible for decommissioning the facility and the conditions under which decommissioning will occur. In addition, the plan should include that all equipment is removed from the site and the land restored to pre-construction conditions.

Thank you for the opportunity to review and comment on this project. If I can be of further assistance, please contact me at (828) 803-6054 or at <a href="mailto:andrea.leslie@ncwildlife.org">andrea.leslie@ncwildlife.org</a>.

ec: Allen Ratzlaff



ROY COOPER Governor MICHAEL S. REGAN Secretary MICHAEL SCOTT Director

Date:

December 11, 2018

To:

Michael Scott, Director

**Division of Waste Management** 

Through:

Janet Macdonald

Inactive Hazardous Sites Branch - Special Projects Unit

From:

Bonnie S. Ware

Inactive Hazardous Sites Branch

Subject:

SEPA Project #19-0136, NC Department of Commerce, Madison County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the NC Department of Commerce project. Proposed project is for the application of Duke Energy Progress, LLC for Certificate to construct a Microgrid Solar and Battery Storage Facility in Madison Co.

Two sites were identified within one mile of the project as shown on the attached report. The Superfund Section recommends that site files be reviewed to ensure that appropriate precautions are incorporated into any construction activities that encounter potentially contaminated soil or groundwater. Superfund Section files can be viewed at: <a href="http://deq.nc.gov/waste-management-laserfiche">http://deq.nc.gov/waste-management-laserfiche</a>.

Please contact Janet Macdonald at 919.707.8349 if you have any questions.

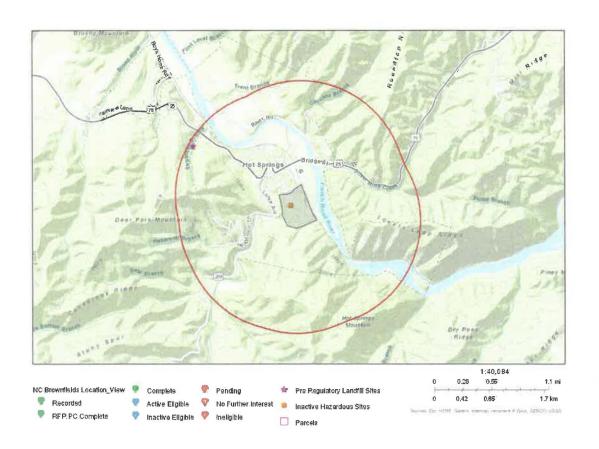




# Area of Interest (AOI) Information

Area: 2,851.48 acres

Dec 11 2018 12:47:52 Eastern Standard Time



# 19-0136 Madison 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	1	N/A	N/A
Pre-Regulatory Landfill Sites	1	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

# **Inactive Hazardous Sites**

#	EPAID	SITENAME	Count
1	NONCD0002955	MADISON MANUFACTURING	1

# Pre-Regulatory Landfill Sites

#	EPAID	SITENAME	Count
1	NONCD0000416	Hot Springs Refuse Disposal	1



ROY COOPER Governor MICHAEL S. REGAN Secretary MICHAEL SCOTT Director

DATE:

December 11, 2018

TO:

Michael Scott, Division Director through Sharon Brinkley

FROM:

Deb Aja, Western District Supervisor - Solid Waste Section

RE:

SEPA Project 19-0136, Madison County, N.C.

Duke Energy Progress, LLC Microgrid Project - Hot Springs

The Solid Waste Section has reviewed the Application of Duke Energy Progress, LLC for Certificate to construct a Microgrid Solar and Battery Storage Facility at 172 Andrews Ave. in Hot Springs, Madison County, North Carolina. The review has been completed and has found no adverse impact on the surrounding community and likewise knows of no situations in the community, which would affect this project from a solid waste perspective.

During the project, every feasible effort should be made 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 wastes generated by this project that cannot be beneficially reused or recycled must also be disposed of at a solid waste management facility approved to manage the respective waste type. The Section strongly recommends that any contractors are required to provide proof of proper disposal for all waste generated as part of the project.

A list of permitted solid waste management facilities is available on the Solid Waste Section portal site at: <a href="http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/solid-waste-management-annual-reports/solid-waste-permitted-facility-list">http://deq.nc.gov/about/divisions/waste-management/waste-management-rules-data/solid-waste-management-annual-reports/solid-waste-permitted-facility-list</a>

Please contact Mr. Kris Riddle, Environmental Senior Specialist, with any questions regarding solid waste management for this project. Mr. Riddle may be reached at (828) 296-4705 or by email at <a href="mailto:kris.riddle@ncdenr.gov">kris.riddle@ncdenr.gov</a>.

Cc: Jason Watkins, Field Operations Branch Head Kris Riddle, Environmental Senior Specialist





ROY COOPER

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT

TO: Lyn Hardison, Environmental Coordinator

FROM: Caroline LaFond, Regional UST Supervisor

COPY: Scott Bullock, Corrective Action Branch Head

Sharon Brinkley, Administrative Secretary

DATE: December 12, 2018

RE: SEPA Review - Project Number 19-0136 Madison County - Application of Duke Energy Progress, LLC

for Certificate to construct a Microgrid Solar and Battery Storage Facility.

I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and those databases did not indicate any petroleum releases on/near the proposed project area.

The following comments are pertinent to my review:

The Asheville Regional Office (ARO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum 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 (828) 296-4500.

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.

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 (NCDEQ) – Division of Waste Management (DWM) UST Section in the ARO.

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 ARO. Petroleum contaminated soils must be handled in accordance with all applicable regulations.

Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (828) 296-4500.

If you have any questions or need additional information, please contact me via email at <u>caroline.lafond@ncdenr.gov</u> or by phone at (828) 296-4644.

Reviewing Regional Office: <u>Asheville</u>
Project Number: <u>19-0136</u> Due Date: <u>12/31/2018</u>

County: Madison

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)		
	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. Postapplication technical conference usual.	30 days (90 days)		
	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)		
	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)		
	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)		
	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)		
	Dredge and Fill Permit	Federal Dredge and Fill Permit.			
	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).				
⊴	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)		
	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)		
	The Sedimentation Pollution Control Act of 1973 r sedimentation control plan will be required if one by applicable Regional Office (Land Quality Section	nust be properly addressed for any land disturbing activity. An erosion & or more acres are to be disturbed. Plan must be filed with and approved n) at least 30 days before beginning activity. A NPDES Construction sued should design features meet minimum requirements. A fee of \$65 is review option is available with additional fees.	20 days (30 days)		
		ssed in accordance with NCDOT's approved program. Particular of appropriate perimeter sediment trapping devices as well as stable	(30 days)		
ם	Sedimentation and erosion control must be addre	ssed in accordance withLocal Government's approved program. installation of appropriate perimeter sediment trapping devices as well	Based on Local Program		
		rmwater Program which regulates three types of activities: Industrial, uction activities that disturb ≥1 acre.	30-60 days (90 days)		
	Compliance with 15A NCAC 2H 1000 -State Storm	water Permitting Programs regulate site development and post- bject to these permit programs include all 20 coastal counties, and	45 days (90 days)		

Reviewing Regional Office: <u>Asheville</u>
Project Number: <u>19-0136</u> Due Date: <u>12/31/2018</u>

County: Madison

PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)			
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)			
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)			
Oil Refining Facilities	N/A	90-120 days (N/A)			
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			
Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit.  Application by letter. No standard application form.				
State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	N/A 15-20 days N/A			
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)			
	ake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. visions/water-resources/water-resources-permits/wastewater- n-buffer-protection-program				
Jordan and Falls Lake watersheds, as part of the information:	en and phosphorus in the Neuse and Tar-Pamlico River basins, and in the nutrient-management strategies in these areas. DWR nutrient offset				
CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)			
CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)			
Abandonment of any wells, if required must be in	n accordance with Title 15A. Subchapter 2C.0100.				
Notification of the proper regional office is reque any excavation operation.	sted if "orphan" underground storage tanks (USTS) are discovered during				
Plans and specifications for the construction, exp Division of Water Resources/Public Water Supply as per 15A NCAC 18C .0300 et. seq., Plans and sp	ansion, or alteration of a public water system must be approved by the Section prior to the award of a contract or the initiation of construction ecifications should be submitted to 1634 Mail Service Center, Raleigh, ply systems must comply with state and federal drinking water monitoring Public Water Supply Section, (919) 707-9100.	30 days			
If existing water lines will be relocated during the the Division of Water Resources/Public Water Su 1634. For more information, contact the Public V	construction, plans for the water line relocation must be submitted to pply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-Vater Supply Section, (919) 707-9100.	30 days			
	ansion, or alteration of the water system must be approved ority. Please contact them at for further information.				

Reviewing Regional Office: <u>Asheville</u> Project Number: <u>19-0136</u> Due Date: <u>12/31/2018</u>

County: Madison

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

Division	Initials	No comment	Comments	Date Review
DAQ	PVB		Any open burning associated with this project must be in compliance with the NC State regulations.	12/11/18
DWR-WQROS (Aquifer & Surface)	&		If wetland or stream impacts are proposed, this project will need to comply with/secure a 404 permit from the USACE and obtain a 401 Water Quality Certification authorization.	/ /
DWR-PWS	WPC		Contact the 811 call center to determine if existing water lines exist within the project boundary.	12/18/18
DEMLR (LQ & SW)		☐ If the	e will greater than one acres of land disturbance, an Erosion Sedimentation control plan	will be requir
DEMLR (LQ & SW) DWM – UST	CEL	L If the	I searched the Petroleum Underground Storage Tank (UST) and Non-UST Databases and those databases did not indicate any petroleum releases on/near the proposed project area.  The following comments are pertinent to my review:  The Asheville Regional Office (ARO) UST Section recommends removal of any abandoned or out-of-use petroleum USTs or petroleum 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 (828) 296-4500.  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.  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 (NCDEQ) — Division of Waste Management (DWM) UST Section in the ARO.  Any soils excavated during demolition or construction that show evidence	will be required 12/12/18
			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 ARO. Petroleum contaminated soils must be handled in accordance with all applicable regulations.  Any questions or concerns regarding spills from petroleum USTs, ASTs, or vehicles should be directed to the UST Section at (828) 296-4500.	
			If you have any questions or need additional information, please contact me via email at caroline.lafond@ncdenr.gov or by phone at (828) 296-4644.	
Other Comments			The entire of Selection of the entire of the priority of the priority of the entire of	1 1

#### **REGIONAL OFFICES**

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

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

Fax: 336-776-9797

# NORTH CAROLINA STATE CLEARINGHOUSE DEPARTMENT OF ADMINISTRATION

## INTERGOVERNMENTAL REVIEW

COUNTY: MADISON

**H11:** ENERGY RELATED

FACILITIES/ACTIVITIES

STATE NUMBER:

19-E-4600-01

DATE RECEIVED:

12/05/2018

AGENCY RESPONSE: 12/31/2018

REVIEW CLOSED:

01/04/2019

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

#### REVIEW DISTRIBUTION

DEPT OF AGRICULTURE

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DEPT OF NATURAL & CULTURAL RESOURCE

DEPT OF TRANSPORTATION

DNCR - NATURAL HERITAGE PROGRAM

DPS - DIV OF EMERGENCY MANAGEMENT

LAND OF SKY REGIONAL COUNCIL

#### PROJECT INFORMATION

APPLICANT: North Carolina Department of Commerce

TYPE: State Environmental Policy Act

Environmental Review

DESC: Application of Duke Energy Progress, LLC for Certificate to construct a Microgrid Solar and Battery Storage Facility in Madison Co. Docket #E-2, Sub 1185 - View document at http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx,

Type E-2 Sub 1185 in the Docket Number search line.

Located in Madison County, 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:	ONO COMMENT COMMENTS ATTACHED
SIGNED BY: Dant Hawy	DATE: 12/18/68
WODIN SFILA	



## NORTH CAROLINA STATE CLEARINGHOUSE DEPARTMENT OF ADMINISTRATION INTERGOVERNMENTAL REVIEW

Heather Heldebrondt

COUNTY: MADISON

**H11:** ENERGY RELATED FACILITIES/ACTIVITIES

19-E-4600-01

DATE RECEIVED:

12/05/2018

AGENCY RESPONSE: 12/31/2018

REVIEW CLOSED:

Transportation Planning

Division

DEC 1 2 2018

01/04/2019

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

#### REVIEW DISTRIBUTION

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LAND OF SKY REGIONAL COUNCIL

#### PROJECT INFORMATION

APPLICANT: North Carolina Department of Commerce

TYPE: State Environmental Policy Act

Environmental Review

DESC: Application of Duke Energy Progress, LLC for Certificate to construct a Microgrid

Solar and Battery Storage Facility in Madison Co. Docket #E-2, Sub 1185 - View document at http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx,

Type E-2 Sub 1185 in the Docket Number search line.

Located in Madison County, NC

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

	product officers of the state o	(323) 007 2123.
AS A RESULT OF THIS REVIEW THE	FOLLOWING IS SUBMITTED: NO	COMMENT COMMENTS ATTACHED
SIGNED BY: Tarutt	Duff	DATE: 12/19/18
Unable to access	Docket website	



## NORTH CAROLINA STATE CLEARINGHOUSE DEPARTMENT OF ADMINISTRATION INTERGOVERNMENTAL REVIEW

COUNTY: MADISON

H11: ENERGY RELATED FACILITIES/ACTIVITIES STATE NUMBER:

19-E-4600-0136

DATE RECEIVED:

12/05/2018

AGENCY RESPONSE: 12/31/2018

REVIEW CLOSED:

01/04/2019

MR RODNEY BUTLER CLEARINGHOUSE COORDINATOR DNCR - NATURAL HERITAGE PROGRAM 1651 MAIL SERVICE CENTER RALEIGH NC

#### REVIEW DISTRIBUTION

DEPT OF AGRICULTURE

DEPT OF ENVIRONMENTAL QUALITY

DEPT OF NATURAL & CULTURAL RESOURCE

DEPT OF TRANSPORTATION

DNCR - NATURAL HERITAGE PROGRAM

DPS - DIV OF EMERGENCY MANAGEMENT

LAND OF SKY REGIONAL COUNCIL

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

II addition			Par				27,007 2123.	
AS A RESULT	OF THIS	REVIEW T	HE FOLLOWING	IS SUB	MITTED:	NO COMMENT	COMMENTS	ATTACHED
SIGNED BY:	M	1.4	Darf	,		DA	TE: 12/21	118



Roy Cooper, Governor
Susi Hamilton, Secretary
Walter Clark, Director, Land and Water Stewardship

NCNHDE-7799

December 21, 2018

Michelle Warf NCNHP 121 West Jones Street Raleigh, NC 27601 RE: Clearinghouse 19-0136

Dear Michelle Warf:

The North Carolina Natural Heritage Program (NCNHP) appreciates the opportunity to provide information about natural heritage resources for the project referenced above.

A query of the NCNHP database indicates that there are records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary. These results are presented in the attached 'Documented Occurrences' tables and map.

The attached 'Potential Occurrences' table summarizes rare species and natural communities that have been documented within a one-mile radius of the property boundary. The proximity of these records suggests that these natural heritage elements may potentially be present in the project area if suitable habitat exists. Tables of natural areas and conservation/managed areas within a one-mile radius of the project area, if any, are also included in this report.

If a Federally-listed species is documented within the project area or indicated within a one-mile radius of the project area, the NCNHP recommends contacting the US Fish and Wildlife Service (USFWS) for guidance. Contact information for USFWS offices in North Carolina is found here: <a href="https://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=37">https://www.fws.gov/offices/Directory/ListOffices.cfm?statecode=37</a>.

Please note that natural heritage element data are maintained for the purposes of conservation planning, project review, and scientific research, and are not intended for use as the primary criteria for regulatory decisions. Information provided by the NCNHP database may not be published without prior written notification to the NCNHP, and the NCNHP must be credited as an information source in these publications. Maps of NCNHP data may not be redistributed without permission.

Also please note that the NC Natural Heritage Program may follow this letter with additional correspondence if a Dedicated Nature Preserve, Registered Heritage Area, Clean Water Management Trust Fund easement, or an occurrence of a Federally-listed species is documented near the project area.

If you have questions regarding the information provided in this letter or need additional assistance, please contact Rodney A. Butler at <u>rodney.butler@ncdcr.gov</u> or 919-707-8603.

Sincerely, NC Natural Heritage Program

# Natural Heritage Element Occurrences, Natural Areas, and Managed Areas Intersecting the Project Area Clearinghouse 19-0136 December 21, 2018 NCNHDE-7799

renar .	PROFESSION STATES	ocumented Within Proje Scientific Name		122	Fi		File	F	7	ā
Taxonomic Group	ĒŌ IĎ	Scientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Global Rank	Rank
Crustacean	529	Cambarus reburrus	French Broad River Crayfish	2014-06-05	E	3-Medium		Significantly Rare	G3	S2
Dragonfly o Damselfly	r 33305	Neurocordulia yamaskanensis	Stygian Shadowdragon	1998-07-09	E	3-Medium		Significantly Rare	G5	S1?
Freshwater	Fish6464	Aplodinotus grunniens	Freshwater Drum	2014-06-05	E	3-Medium		Special Concern	G5	S1
Freshwater	Fish17245	Cottus carolinae	Banded Sculpin	2017-10-04	E	3-Medium		Special Concern	G5	S1
Freshwater	Fish11263	Erimonax monachus	Spotfin Chub	1888	X	3-Medium	Threatened	Threatened	G2	S1
Freshwater	Fish29275	Erimystax insignis	Blotched Chub	2017-10-04	Е	3-Medium		Significantly Rare	G4	S2
Freshwater	Fish18613	Etheostoma vulneratum	Wounded Darter	1870	X	3-Medium		Special Concern	G3	S2
Freshwater	Fish15487	Ichthyomyzon bdellium	Ohio Lamprey	2017-10-04	Е	3-Medium		Special Concern	G3G4	S1
Freshwater	Fish4325	Lethenteron appendix	American Brook Lamprey	2009-10-07	Е	3-Medium		Special Concern	G4	S1
Freshwater	Fish29286	Notropis micropteryx	Highland Shiner	2017-10-04	Е	3-Medium		Significantly Rare	G5	S2
Freshwater	Fish12827	Noturus eleutherus	Mountain Madtom	2014-06-05	E	3-Medium	-	Special Concern	G4	S1
Freshwater	Fish12354	Percina caprodes	Logperch	2017-10-04	E	3-Medium		Threatened	G5	S1
Freshwater	Fish19712	Percina squamata	Olive Darter	2011-10-05	E	3-Medium		Special Concern	G3	S2
Freshwater	Fish17990	Sander canadensis	Sauger	1997-07-30	E	3-Medium		Significantly Rare	G5	S1
Reptile	15703	Apalone spinifera spinifera	Eastern Spiny Softshell	2010-10-06	E	3-Medium		Special Concern	G5T5	S1

Natural Areas Documented Wit	hin Pro	ject Area
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Site Name	Representational Rating	Collective Rating	
Deep Water Bridge Area	R2 (Very High)	C4 (Moderate)	
FRB/Lower French Broad River Aquatic Habitat	R2 (Very High)	C1 (Exceptional)	

Managed Areas Documented Within Project Area	8		
Managed Area Name	Ōwner	Ōwner Type	1000000
Pisgah National Forest - Appalachian Ranger	US Forest Service	Federal	
District			

<sup>\*</sup>NOTE: If the proposed project intersects with a conservation/managed area, please contact the landowner directly for additional information. If the project intersects with a Dedicated Nature Preserve (DNP), Registered Natural Heritage Area (RHA), or Federally-listed species, NCNHP staff may provide additional correspondence regarding the project.

Definitions and an explanation of status designations and codes can be found at <a href="https://ncnhde.natureserve.org/content/help">https://ncnhde.natureserve.org/content/help</a>. Data query generated on December 21, 2018; source: NCNHP, Q4 Oct 2018. Please resubmit your information request if more than one year elapses before project initiation as new information is continually added to the NCNHP database.

## Natural Heritage Element Occurrences, Natural Areas, and Managed Areas Within a One-mile Radius of the Project Area Clearinghouse 19-0136 December 21, 2018 NCNHDE-7799

Element Occurrences Documented Within a One-mile Radius of the Project Area

faxonomic Group	EO ID	Šcientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Global Rank	State Rank
Amphibian	9371	Cryptobranchus alleganiensis alleganiensis	Eastern Hellbender	2017-06-27	АВ	3-Medium		Special Concern	G3G4T 2	S3
Crustacean	529	Cambarus reburrus	French Broad River Crayfish	2014-06-05	Е	3-Medium		Significantly Rare	G3	S2
Dragonfly or Damselfly	33305	Neurocordulia yamaskanensis	Stygian Shadowdragon	1998-07-09	E®	3-Medium		Significantly Rare	G5	S1?
Freshwater Fis	sh19498	Acipenser fulvescens	Lake Sturgeon	2017-10-17	Er	3-Medium		Special Concern	G3G4	S1
Freshwater Fis	sh6464	Aplodinotus grunniens	Freshwater Drum	2014-06-05	Е	3-Medium		Special Concern	G5	S1
Freshwater Fis	sh3542	Carpiodes carpio	River Carpsucker	2006-09-11	Е	3-Medium		Special Concern	G5	S1
Freshwater Fi	sh27488	Carpiodes cyprinus	Quillback	2014-06-05	Е	3-Medium		Significantly Rare	G5	S2
Freshwater Fi	sh17245	Cottus carolinae	Banded Sculpin	2017-10-04	E	3-Medium		Special Concern	G5	S1
Freshwater Fi	sh11263	Erimonax monachus	Spotfin Chub	1888	X	3-Medium	Threatened	Threatened	G2	S1
Freshwater Fi	sh29275	Erimystax insignis	Blotched Chub	2017-10-04	Е	3-Medium		Significantly Rare	G4	S2
Freshwater Fi	sh18613	Etheostoma vulneratum	Wounded Darter	1870	X	3-Medium		Special Concern	G3	S2
Freshwater Fi	sh9876	Hiodon tergisus	Mooneye	2007-05-18	Е	3-Medium	inex.	Special Concern	G5	S1
Freshwater Fi	sh15487	Ichthyomyzon bdellium	Ohio Lamprey	2017-10-04	Е	3-Medium		Special Concern	G3G4	S1
Freshwater Fi	sh27532	Ictiobus bubalus	Smallmouth Buffalo	2014-06-05	E	3-Medium		Significantly Rare	G5	S1
Freshwater Fi	sh27582	Ictiobus niger	Black Buffalo	2001-08-21	E	3-Medium		Significantly Rare	G5	S1
Freshwater Fi	sh4325	Lethenteron appendix	American Brook Lamprey	2009-10-07	E	3-Medium		Special Concern	G4	S1

Element Occurrences Documented W	ithin a One-mile	Radius of the Project Area
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Taxonomic Group	ĒŌĪĎ	Scientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Global Rank	State Rank
Freshwater Fis	h29282	Moxostoma breviceps	Smallmouth Redhorse	2014-06-05	E	3-Medium		Significantly Rare	G5	S2
Freshwater Fis	h29286	Notropis micropteryx	Highland Shiner	2017-10-04	E	3-Medium		Significantly Rare	G5	S2
Freshwater Fis	h29300	Notropis volucellus	Mimic Shiner	2010-10-06	E	3-Medium		Threatened	G5	S2
Freshwater Fis	h12827	Noturus eleutherus	Mountain Madtom	2014-06-05	Е	3-Medium		Special Concern	G4	S1
Freshwater Fis	h12354	Percina caprodes	Logperch	2017-10-04	E	3-Medium	/	Threatened	G5	S1
Freshwater Fis	h19712	Percina squamata	Olive Darter	2011-10-05	Ε	3-Medium		Special Concern	G3	S2
Freshwater Fis	h11061	Polyodon spathula	Paddlefish	1983	H?	4-Low		Endangered	G4	SH
Freshwater Fis	h17990	Sander canadensis	Sauger	1997-07-30	Е	3-Medium		Significantly Rare	G5	S1
Freshwater or Terrestrial Gastropod	11699	Triodopsis tennesseensis	Budded Threetooth	1991	B?	3-Medium		Significantly Rare	G4	S1
Mammal	36193	Perimyotis subflavus	Tricolored Bat	2017-01-24	Ε	2-High		Significantly Rare	G2G3	S3
Moss	11684	Tortula papillosa	Papillose Tortula	1967-02-28	Н	3-Medium		Significantly Rare Peripheral	G5	S1
Moss	23680	Tortula plinthobia	A Chain-teeth Moss	1967-02-28	Н	3-Medium		Significantly Rare Other	G4G5	S1?
Natural Community	29418	Acidic Cove Forest (Typic Subtype)		2010-06-19	ВС	3-Medium			G5	S4
Natural Community	17346	Acidic Shale Slope Woodland		2010-06-19	Α	3-Medium			G2?	S1
Natural Community	12128	Acidic Shale Slope Woodland	<del></del>	2010-04-20	B?	3-Medium			G2?	S1
Natural Community	29404	Chestnut Oak Forest (Dry Heath Subtype)		2010-04-20	А	3-Medium			G5	S5
Natural Community	17956	Montane Alluvial Forest (Large River Subtype)		2009-08-16	В	2-High			G2?	S1
Natural Community	19918	Montane Cliff (Acidic Herb Subtype)		2000-10-26	В	4-Low			G3G4	S3

Element Occurrences Documented Within a One-mile Radius of the Project Area

Taxonomic Group	EŌ IŌ	Šcientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Global Rank	State Rank
Natural Community	29419	Montane OakHickory Forest (Basic Subtype)		2010-06-19	BC	2-High		-	G3	S3
Natural Community	29414	Rich Cove Forest (Montane Rich Subtype)		2010-04-27	ВС	2-High			G3G4	S3
Reptile	15703	Apalone spinifera spinifera	Eastern Spiny Softshell	2010-10-06	Е	3-Medium		Special Concern	G5T5	S1
Vascular Plant	5810	Adlumia fungosa	Climbing Fumitory	2010-04-20	D	2-High		Special Concern Vulnerable	G4	S2
Vascular Plant	23460	Agastache nepetoides	Yellow Giant-hyssop	1966-10-08	Н	3-Medium		Significantly Rare Peripheral	G5	S1
Vascular Plant	14365	Arabis patens	Spreading Rockcress	1998-07-09	Α?	3-Medium		Significantly Rare Throughout	G3	S1
Vascular Plant	16783	Arabis patens	Spreading Rockcress	2010-03-19	Α	3-Medium		Significantly Rare Throughout	G3	S1
Vascular Plant	4948	Asplenium pinnatifidum	Lobed Spleenwort	1980-05-05	E	3-Medium		Significantly Rare Peripheral	G4	S2
Vascular Plant	5802	Carex eburnea	Bristle-leaf Sedge	1984	Н	3-Medium		Threatened	G5	S1
Vascular Plant	21230	Celastrus scandens	American Bittersweet	1954-08-14	Н	3-Medium		Endangered	G5	S2?
Vascular Plant	6605	Corydalis micrantha	Slender Corydalis	2010-04-27	BC	2-High		Threatened	G5T4	\$1
Vascular Plant	19755	Dicentra eximia	Bleeding Heart	2010-04-27	С	3-Medium		Significantly Rare Peripheral	G4	S3
Vascular Plant	13001	Draba ramosissima	Branching Draba	1969-04	Н	4-Low		Special Concern Vulnerable	G4	S2
Vascular Plant	19185	Draba ramosissima	Branching Draba	2010-03-19	AB	3-Medium		Special Concern Vulnerable	G4	S2

Element Occurrences Documented Within a One-mile Radius of the Pro	ect Area
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Taxonomic Group	EO ID	Scientific Name	Common Name	Last Observation Date	Element Occurrence Rank	Accuracy	Federal Status	State Status	Globat Rank	State Rank
Vascular Plant	10346	Draba ramosissima	Branching Draba	1985-05	E	3-Medium		Special Concern Vulnerable	G4	S2
Vascular Plant	23511	Heuchera pubescens	Downy Alumroot	1974-07	Н	3-Medium		Significantly Rare Peripheral	G4?	* S1
Vascular Plant	26927	Heuchera pubescens	Downy Alumroot	2009	С	2-High		Significantly Rare Peripheral	G4?	S1
Vascular Plant	6574	Myriopteris alabamensis	Alabama Lipfern	1985-12	D	3-Medium		Significantly Rare Peripheral	G4G5	S1
Vascular Plant	13071	Robinia hispida var. kelseyi	Kelsey's Locust	1967-04-29	Н	4-Low		Significantly Rare Other	G4T1	S1
Vascular Plant	33551	Ruellia purshiana	Pursh's Wild-petunia	1998-07-09	E	2-High		Special Concern Vulnerable	G3	S2
Vascular Plant	15176	Stachys cordata	Heartleaf Hedge-nettle	1981-08-16	F	3-Medium		Significantly Rare Peripheral	G5?	S1
Vascular Plant	8239	Symphyotrichum oblongifolium	Aromatic Aster	1958-10-08	Н	3-Medium		Threatened	G5	S1
Vascular Plant	26547	Symphyotrichum oblongifolium	Aromatic Aster	1998-07-09	E	2-High		Threatened	G5	S1
Vascular Plant	18893	Thaspium pinnatifidur	n Mountain Thaspium	1969-05	Н	3-Medium		Threatened	G2G3	S1

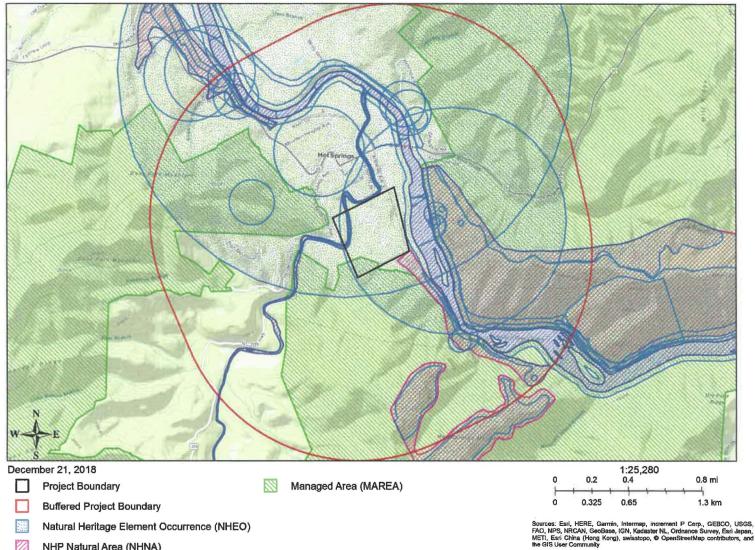
Natural Areas Documented Within a One-mile Radius of the Project Area

Site Name	Representational Rating	Collective Rating
Deep Water Bridge Area	R2 (Very High)	C4 (Moderate)
Stokely Hollow and Ridge	R2 (Very High)	C4 (Moderate)
Hot Springs Mountain	R5 (General)	C5 (General)
FRB/Lower French Broad River Aquatic Habitat	R2 (Very High)	C1 (Exceptional)
Lovers Leap/Stackhouse Slopes	R1 (Exceptional)	C2 (Very High)

lanaged Årea Name	Öwner	Öwner Type
Pisgah National Forest - Appalachian Ranger	US Forest Service	Federal

Definitions and an explanation of status designations and codes can be found at <a href="https://ncnhde.natureserve.org/content/help">https://ncnhde.natureserve.org/content/help</a>. Data query generated on December 21, 2018; source: NCNHP, Q4 Oct 2018. Please resubmit your information request if more than one year elapses before project initiation as new information is continually added to the NCNHP database.

# NCNHDE-7799: Clearinghouse 19-0136



NHP Natural Area (NHNA)