



STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

ROY COOPER
GOVERNOR

PAMELA B. CASHWELL
SECRETARY

August 26, 2021

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

Re: SCH File # 22-E-4600-0016 Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility in Chowan County. Docket #EMP-118 Sub 0.

Dear Ms. Campbell:

The above referenced environmental 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. The Department of Cultural Resources has requested additional information prior to their concurrence with the above referenced document.

Therefore, pursuant to 1 NCAC 25 .0506(c), this office requests that a supplemental document providing the additional information requested by the Department of Cultural Resources be submitted to the Clearinghouse for further review and comment.

Sincerely,

A handwritten signature in blue ink that reads "Crystal Best".

Crystal Best
State Environmental Review Clearinghouse

Attachments

Control No.: 22-E-4600-0016

Date Received: 7/26/2021

County.: CHOWAN

Agency Response: 8/25/2021

Review Closed: 8/25/2021

LYN HARDISON
CLEARINGHOUSE COORDINATOR
DEPT OF ENVIRONMENTAL QUALITY

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility in Chowan County. Docket #EMP-118 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-118 Sub 0 in the Docket Number search line.

Located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County with GPS coordinates of: Latitude: 36° 08' 45.6409"N; Longitude: 076° 35' 45.3715"W

As a result of this review the following is submitted:

☐ No Comment

☐ Comments Below

☒ Documents Attached

Reviewed By: LYN HARDISON

Date: 8/25/2021

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NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

ELIZABETH S. BISER
Secretary

To: Crystal Best
State Clearinghouse
NC Department of Administration

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

RE: 22-0016
Environmental Review - Application of Timbermill Wind, LLC
for Certificate to construct a Merchant Plant Wind Energy
Facility, Docket #EMP-118 Sub O.
Chowan County

Date: August 25, 2021

The Department of Environment Quality has reviewed the proposal for the referenced project. Based on the information provided, seven (7) contamination sites were identified within one mile of the project site. In addition, 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.

The Department will continue to be available to assist the applicant with any question or concerns.

Thank you for the opportunity to respond.

Attachments



North Carolina Department of Environmental Quality
217 West Jones Street | 1601 Mail Service Center | Raleigh, North Carolina 27699-1601
919.707.8600

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Aug 26 2021

ROY COOPER
Governor
ELIZABETH S. BISER
Secretary
BRIAN WRENN
Director



August 24, 2021

Lyn Hardison
Environmental Assistance Outreach
943 Washington Square Mall
Washington, NC 27889

Subject: Environmental Review - Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility, Docket #EMP-118 Sub 0
Chowan County, NC

Dear Ms. Hardison:

The North Carolina Department of Environmental Quality permits wind energy facilities pursuant to N.C. Gen. Stat. § 143-215.115 through N.C. Gen. Stat. § 143-215.126 ("Wind Energy Facilities Statute"). On June 15, 2021, Timbermill Wind, LLC, submitted a Permit Preapplication Package as required by the Wind Energy Facilities Statute for the proposed Timbermill wind energy facility. In the Permit Preapplication Package, Timbermill represented that the following reviews and/or approvals would be required:

- Section 404 Clean Water Act;
- Section 105 of the National Historic Preservation Act;
- Section 7 of the Endangered Species Act;
- Section 401 Clean Water Act;
- Coastal Area Management Act;
- Natural Resource Agency Consultation;
- Cultural Resource Agency Consultation;
- Certificate of Environmental Compatibility and Public Convenience and Necessity;
- Certificate of Public Convenience and Necessity;
- North Carolina Wind Permit;
- National Pollution Discharge Elimination System General Permit No. NCG010000 for Stormwater Discharges Associated with Construction Activities;
- Erosion and Sedimentation Control Plan Approval;
- Post-Construction Stormwater Permit;
- Conditional Use Permit, as Amended; and
- Building Permit.

See attached Section 5.0 from Timbermill's Preapplication Package. A Preapplication Site Evaluation meeting has been scheduled for September 20 and 22, 2021. The referenced permits will be evaluated pursuant to applicable state and regulatory requirements by the appropriate agencies. Additionally, a requested permit for a wind energy facility will be evaluated pursuant to the requirements of the Wind Energy Facilities Statute.



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
512 North Salisbury Street | 1612 Mail Service Center | Raleigh, North Carolina 27699-1612
919.707.9200

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Aug 26 2021

If you have any questions regarding these comments, please don't hesitate to contact me (brian.wrenn@ncdenr.gov, 919-707-9222).

Sincerely,



Brian Wrenn
Division of Energy, Mineral, and Land Resources

Cc: Jennifer Mundt, NCDEQ
Jay Osborne, NCDEQ
Alyssa Wright, NCDEQ
Paula Hemmer, NCDEQ
Samir Dumpor, NCDEQ
Randall Jones, NCDEQ
Carl Dunn, NCDEQ
Adam Parr, NCDEQ
Jordan Pappas, NCDEQ



5.0 REQUIRED FEDERAL, STATE, AND LOCAL APPROVALS

The Project will require various regulatory permits, reviews, and approvals. Table 5.0-1 provides a summary of the required permits, approvals, and consultations for the Project. All permits, licenses, approvals, or consultations which are required for the Project will be obtained in the applicable areas prior to construction beginning.

Table 5.0-1 Status of Required Federal, State, and Local Approvals			
Authorization	Administering Agency	Details	Status
Federal			
Section 404 Clean Water Act	US Army Corps of Engineers	Section 404 Individual Permit application is in process and will be submitted to USACE. Anticipated submittal Q2 2021.	In progress
Section 106 of the National Historic Preservation Act	State Historic Preservation Office	Cultural and historic resource survey studies have been planned and completed in coordination with North Carolina Department of Cultural Resources and State Historic Preservation Office. Surveys and reports will be used to meet Section 106 consultation requirements for the USACE Section 404 Individual Permit are ongoing.	In progress
Section 7 of the Endangered Species Act	US Fish & Wildlife Service	Timbermill Wind has completed voluntary wildlife surveys and coordinated with USFWS on protocols and survey results under Section 10 of the ESA. Section 7 consultation requirements for the USACE Section 404 Individual Permit are ongoing.	In progress
State of North Carolina			
Section 401 Clean Water Act	North Carolina Department of Environmental Quality – Division of Water Resources	Section 401 Water Quality Certification will be applied for in connection with the Section 404 Individual Permit.	In progress
Coastal Area Management Act (CAMA)	North Carolina Department of Environmental Quality – Coastal Management Division	Areas under Coastal Area Management Act (CAMA) jurisdiction are avoided by project design. No permit required.	Complete

Table 5.0-1 Status of Required Federal, State, and Local Approvals			
Authorization	Administering Agency	Details	Status
Natural Resource Agency Consultation	North Carolina Wildlife Resources Commission	Study plans were developed, and results reviewed in coordination with North Carolina Wildlife Resources Commission (NCWRC) and NCWRC recommendations for impact avoidance, minimization and monitoring have been incorporated into project design and operations planning.	In Progress
Cultural Resource Agency Consultation	Division of Cultural Resources; Office of Archives and History	Cultural resource studies have been planned in coordination with North Carolina Department of Cultural Resources and State Historic Preservation Office to meet State regulatory requirements.	In progress
Certificate of Environmental Compatibility and Public Convenience and Necessity	North Carolina Utilities Commission	Application will be submitted in June 2021. Certificate for Timbermill Line.	In progress
Certificate of Public Convenience and Necessity	North Carolina Utilities Commission	Application submitted June 14, 2021. Certificate for generation facility.	In progress
North Carolina Wind Permit	North Carolina Department of Environmental Quality	House Bill 484 established a permitting program for the siting and operation of wind energy facilities through NC DEQ.	In progress
Clean Water Act, Section 401 WQC and/or State Isolated Waters/Wetland Permit	North Carolina Department of Environmental Quality – Division of Water Quality	To be addressed via Section 404 compliance and in accordance with NC DEQ requirements. Anticipated submittal Q2 2021.	In progress.
National Pollutant Discharge Elimination System Permit for Storm Water Runoff – Construction Sites	North Carolina Department of Environmental Quality – Division of Water Quality	To be addressed via Stormwater Pollution Prevention Plan, which is required for the National Pollutant Discharge and Elimination System Permit	Not begun
Erosion and Sediment Control Permit	North Carolina Department of Environmental Quality – Division of Energy, Mineral and Land Resources	To be addressed via erosion and sediment control plans which will be prepared for construction activities	Not begun

Table 5.0-1			
Status of Required Federal, State, and Local Approvals			
Authorization	Administering Agency	Details	Status
Post-Construction Stormwater Permit	North Carolina Department of Environmental Quality – Division of Water Quality	Project is expected to have limited added impervious area over the entire project boundary and thus be considered low-density development. Project will complete application for approval of Post-Construction Stormwater Permit prior to construction	Not begun
Local			
Conditional Use Permit, as Amended	Chowan County Board of Commissioners	Received Chowan County Conditional Use Permit in November 2016, amended in May 2018.	Complete
Building Permit	Chowan County Planning Division and Building Inspector	Applicant proposes to complete prior to construction.	Not begun

ROY COOPER
Governor
ELIZABETH S. BISER
Secretary
MICHAEL SCOTT
Director



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Aug 26 2021

Date: August 20, 2021

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: NEPA Project # 22-0016, North Carolina Department of Commerce, Chowan County, North Carolina

The Superfund Section has reviewed the proximity of sites under its jurisdiction to the North Carolina Department of Commerce project. Proposed project is for the Environmental Review - Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility. Located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County

Seven (7) Superfund Section 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: <http://deq.nc.gov/waste-management-laserfiche>.

Please contact Janet Macdonald at 919.707.8349 if you have any questions concerning the Superfund Section review portion of this SEPA/NEPA inquiry.



North Carolina Department of Environmental Quality | Division of Waste Management
217 West Jones Street | 1646 Mail Service Center | Raleigh, North Carolina 27699-1646
919.707.8200

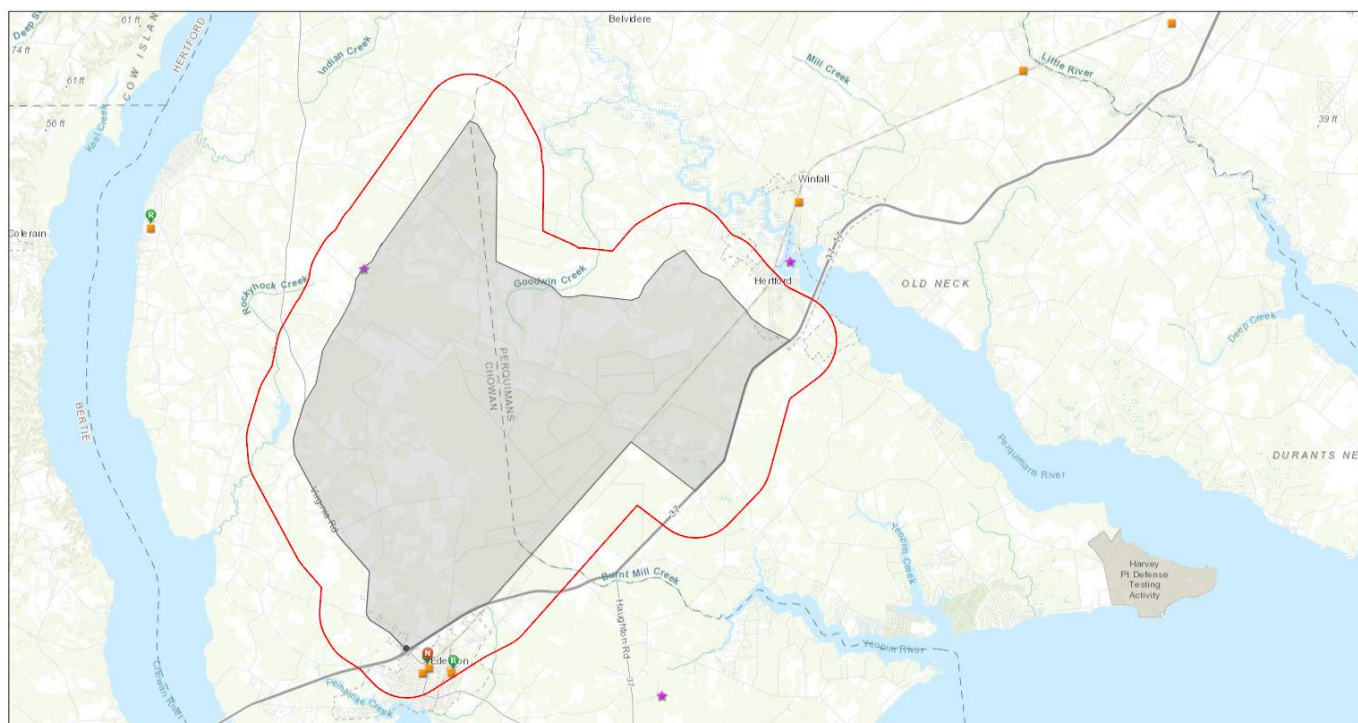


SUPERFUND SECTION SITES ONLY : SEPA/NEPA

Area of Interest (AOI) Information

Area : 61,534.45 acres

Aug 20 2021 8:54:45 Eastern Daylight Time



NC Brownfields Location_View



Recorded



No Further Interest

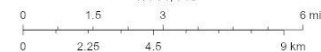


Pre Regulatory Landfill Sites



Inactive Hazardous Sites

1:144,448



State of North Carolina DOT, Esri, HERE, Garmin, USGS, NGA, EPA, USDA, NPS

Superfund Section Sites Only : 22-0016 Chowan 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	3	N/A	N/A
Pre-Regulatory Landfill Sites	1	N/A	N/A
Brownfields Program Sites	3	N/A	N/A

Inactive Hazardous Sites

#	EPAID	SITENAME	Count
1	NONCD0001496	CHOWAN VENEER CO	1
2	NONCD0002968	TOWN OF EDENTON STREET DEPT	1
3	NCN000407197	LEARY BROTHERS STORAGE (FORMER)	1

Pre-Regulatory Landfill Sites

#	EPAID	SITENAME	Count
1	NONCD0000234	Perquimans-Chowan LF	1

Brownfields Program Sites

#	BF_ID	BF_Name	Count
1	905305021	Chowan Veneer Co	1
2	904905021	Leary Brothers	1
3	600202021	Leary Brothers Storage	1



MEMORANDUM

TO: Michael Scott, Division Director through Sharon Brinkley

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

DATE: August 24, 2021

SUBJECT: Review: SW 22-0016– Chowan County (ER – NC Dept of Commerce – Application for Timbermill Wind LLC for Certificate to construct a merchant plant wind energy facility)

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

As always for any planned or proposed projects, it is recommended that during any land clearing, demolition, and construction, Timbermill Wind LLC and/or its contractors would 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 and of the projects 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 Timbermill Wind 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: 22-0016 Due Date: 8/20/2021
County: Chowan

After review of this project it has been determined that the DEQ permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of the form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Permit to construct & operate wastewater treatment facilities, non-standard sewer system extensions & sewer systems that do not discharge into state surface waters.	Application 90 days before begins construction or award of construction contracts. On-site inspection may be required. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/>	Permit to construct & operate, sewer extensions involving gravity sewers, pump stations and force mains discharging into a sewer collection system	Fast-Track Permitting program consists of the submittal of an application and an engineer's certification that the project meets all applicable State rules and Division Minimum Design Criteria.	30 days (N/A)
<input type="checkbox"/>	NPDES - permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begins activity. On-site inspection. Pre-application conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90-120 days (N/A)
<input type="checkbox"/>	Water Use Permit	Pre-application technical conference usually necessary.	30 days (N/A)
<input type="checkbox"/>	Well Construction Permit	Complete application must be received and permit issued prior to the installation of a groundwater monitoring well located on property not owned by the applicant, and for a large capacity (>100,000 gallons per day) water supply well.	7 days (15 days)
<input type="checkbox"/>	Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Pre-application conference usual. Filling may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/>	Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100 thru 2Q.0300)	Application must be submitted and permit received prior to construction and operation of the source. If a permit is required in an area without local zoning, then there are additional requirements and timelines (2Q.0113).	90 days
<input checked="" type="checkbox"/>	Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/>	Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 20.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-707-5950	Please Note - The Health Hazards Control Unit (HHCU) of the N.C. Department of Health and Human Services, must be notified of plans to demolish a building, including residences for commercial or industrial expansion, even if no asbestos is present in the building.	60 days (90 days)
<input checked="" type="checkbox"/>	The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres are to be disturbed. Plan must be filed with and approved by applicable Regional Office (Land Quality Section) at least 30 days before beginning activity. A NPDES Construction Stormwater permit (NCG010000) is also usually issued should design features meet minimum requirements. A fee of \$65 for the first acre or any part of an acre. An express review option is available with additional fees.		20 days (30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with NCDOT's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		(30 days)
<input type="checkbox"/>	Sedimentation and erosion control must be addressed in accordance with _____ Local Government's approved program. Particular attention should be given to design and installation of appropriate perimeter sediment trapping devices as well as stable Stormwater conveyances and outlets.		Based on Local Program
<input type="checkbox"/>	Compliance with 15A NCAC 2H .0126 - NPDES Stormwater Program which regulates three types of activities: Industrial, Municipal Separate Storm Sewer System & Construction activities that disturb ≥1 acre.		30-60 days (90 days)
<input checked="" type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

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

Reviewing Regional Office: Washington
Project Number: 22-0016 Due Date: 8/20/2021
County: Chowan

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Aug 26 2021

	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	15-20 days N/A
<input checked="" type="checkbox"/>	401 Water Quality Certification	Compliance with the T15A 02H .0500 Certifications are required whenever construction or operation of facilities will result in a discharge into navigable water as described in 33 CFR part 323.	60 days (130 days)
<input type="checkbox"/>	Compliance with Catawba, Goose Creek, Jordan Lake, Randleman, Tar Pamlico or Neuse Riparian Buffer Rules is required. Buffer requirements: http://deq.nc.gov/about/divisions/water-resources/water-resources-permits/wastewater-branch/401-wetlands-buffer-permits/401-riparian-buffer-protection-program		
<input type="checkbox"/>	Nutrient Offset: Loading requirements for nitrogen and phosphorus in the Neuse and Tar-Pamlico River basins, and in the Jordan and Falls Lake watersheds, as part of the nutrient-management strategies in these areas. DWR nutrient offset information: http://deq.nc.gov/about/divisions/water-resources/planning/nonpoint-source-management/nutrient-offset-information		
<input type="checkbox"/>	CAMA Permit for MAJOR development	\$250.00 - \$475.00 fee must accompany application	75 days (150 days)
<input type="checkbox"/>	CAMA Permit for MINOR development	\$100.00 fee must accompany application	22 days (25 days)
<input type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input checked="" 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: 22-0016 Due Date: 8/20/2021
County: Chowan

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	7/27/2021
DWR-WQROS (Aquifer & Surface)	&	<input type="checkbox"/>	It is recommended to schedule a site visit with 401 Water quality staff to discuss the proposal and to ensure compliance will be maintained per 401 surface Water requirements, surface water standards and buffer rules. If wetland, riparian buffers or stream impacts are proposed, this project will need to comply with/secure a 404 permit from the USACE, obtain a 401 Water Quality Certification authorization and a riparian buffer authorization. &	/ /
DWR-PWS		<input type="checkbox"/>		/ /
DEMLR (LQ & SW)	SD	<input type="checkbox"/>	E&SC and SW required. New permit for Wind Energy Facilities(per Article 21C) required	8/17/2021
DWM – UST	SNH	<input type="checkbox"/>	See attached comments	7/28/2021
Other Comments		<input type="checkbox"/>		/ /

REGIONAL OFFICES

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

☐ **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

☐ **Mooreville Regional Office**
610 East Center Avenue, Suite 301,
Mooreville, 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

ROY COOPER

Governor

ELIZABETH S. BISER

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: July 28, 2021

RE: Environmental Review – Project Number 22-0016– Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility in Chowan County.

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

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



Department of Environmental Quality Project Review Form

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Project Number: 22-0016

County: Chowan

Date Received: 7-26-2021

Due Date: 8-20-2021

Project Description: *Environmental Review - Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility, Docket #EMP-118 Sub 0. View document at <https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>, Type EMP-118 Sub 0 in the Docket Number search line. Located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County with GPS coordinates of: Latitude: 36° 08' 45.6409"N; Longitude: 076° 35' 45.3715"W*

Aug 26 2021

This Project is being reviewed as indicated below:

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

Manager Sign-Off/Region:	Date: 8/4/2021	In-House Reviewer/Agency: DWR/WRM David Wainwright
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Response (check all applicable)

☐ No objection to project as proposed. ☒ No Comment
☐ Insufficient information to complete review ☐ Other (specify or attach comments)

If you have any questions, please contact:

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

Department of Environmental Quality Project Review Form

OFFICIAL COPY

Project Number: 22-0016

County: Chowan

Date Received: 7-26-2021

Due Date: 8-20-2021

Project Description: *Environmental Review - Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility, Docket #EMP-118 Sub 0. View document at <https://starw1.ncuc.net/NCUC/page/Dockets/portal.aspx>, Type EMP-118 Sub 0 in the Docket Number search line. Located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County with GPS coordinates of: Latitude: 36° 08' 45.6409"N; Longitude: 076° 35' 45.3715"W*

Aug 26 2021

This Project is being reviewed as indicated below:

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

Manager Sign-Off/Region:	Date: 8/20/21	In-House Reviewer/Agency: Melodi Deaver, Hazardous Waste Section
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Response (check all applicable)

☐ No objection to project as proposed. ☒ No Comment
☐ Insufficient information to complete review ☐ Other (specify or attach comments)

If you have any questions, please contact:

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

Control No.: 22-E-4600-0016

Date Received: 7/26/2021

County.: CHOWAN

Agency Response: 8/25/2021

Review Closed: 8/25/2021

JINTAO WEN
CLEARINGHOUSE COORDINATOR
DPS - DIV OF EMERGENCY MANAGEMENT

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility in Chowan County. Docket #EMP-118 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-118 Sub 0 in the Docket Number search line.

Located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County with GPS coordinates of: Latitude: 36° 08' 45.6409"N; Longitude: 076° 35' 45.3715"W

As a result of this review the following is submitted:

☐ No Comment

☒ Comments Below

☐ Documents Attached

The proposed project will encroach into Special Flood Hazard Area (SFHA), therefore a Floodplain Development Permit issued by Chowan County will be required. Please coordinate with the county's Floodplain Administrator for permitting. Any work within the Floodway or Non-Encroachment Area requires a hydraulic analysis to determine the effects on flood levels from the proposed development. Any increase in flood levels during the base flood discharge will require a Conditional Letter of Map Revision (CLOMR) prior to construction. Otherwise, a "No-Rise" certification will be required.

Reviewed By: JINTAO WEN

Date: 8/16/2021

OFFICIAL COPY

Aug 26 2021

Control No.: 22-E-4600-0016

Date Received: 7/26/2021

County.: CHOWAN

Agency Response: 8/25/2021

Review Closed: 8/25/2021

JEANNE STONE
CLEARINGHOUSE COORDINATOR
DEPT OF TRANSPORTATION

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility in Chowan County. Docket #EMP-118 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-118 Sub 0 in the Docket Number search line.

Located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County with GPS coordinates of: Latitude: 36° 08' 45.6409"N; Longitude: 076° 35' 45.3715"W

As a result of this review the following is submitted:

☒ No Comment

☐ Comments Below

☐ Documents Attached

Reviewed By: JEANNE STONE

Date: 7/27/2021

OFFICIAL COPY

Aug 26 2021

Control No.: 22-E-4600-0016

Date Received: 7/26/2021

County.: CHOWAN

Agency Response: 8/25/2021

Review Closed: 8/25/2021

DEVON BORGARDT
CLEARINGHOUSE COORDINATOR
DEPT OF NATURAL & CULTURAL
RESOURCE

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Timbermill Wind, LLC for Certificate to construct a Merchant Plant Wind Energy Facility in Chowan County. Docket #EMP-118 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-118 Sub 0 in the Docket Number search line.

Located east of Sandy Ridge Road, southwest of Center Hill Highway, and north of US Highway 17, in Chowan County with GPS coordinates of: Latitude: 36° 08' 45.6409"N; Longitude: 076° 35' 45.3715"W

As a result of this review the following is submitted:

☐ No Comment

☐ Comments Below

☒ Documents Attached

Reviewed By: DEVON BORGARDT

Date: 8/26/2021

OFFICIAL COPY

Aug 26 2021



North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office

Ramona M. Bartos, Administrator

Governor Roy Cooper

Secretary D. Reid Wilson

August 10, 2021

MEMORANDUM

TO: Crystal Best crystal.best@doa.nc.gov
North Carolina State Clearinghouse
Department of Administration

FROM: Renee Gledhill-Earley
Environmental Review Coordinator

RSE for Ramona M. Bartos

SUBJECT: Application of Timbermill Wind, LLC and Merchant Plant Wind Energy Facility for a Certificate of Environmental Compatibility and Public Convenience and Necessity to Construct Approximately 6.0 Miles of Transmission Line, SCH # 22-E-4600-0016 and 21-E-4600-0931, Chowan County, ER 16-1658 and ER 21-1778

We have received an application for Timbermill Wind, LLC to construct a new 6-mile transmission line corridor (Gen Tie line) in Chowan County to connect the proposed Timbermill Wind, LLC wind-powered electrical-generation facility to the main power distribution line owned by Dominion Energy.

In April 2018, we received an archaeological survey plan from Cultural Resource Analysts, Inc. for the survey of the proposed Timbermill Wind facility. The survey plan involved the use of a predictive model to identify high probability areas for archaeological sites, based on soil characteristics, wetland locations, and previous soil disturbance. Eleven proposed turbine sites and 9.2 miles of linear construction, including portions of the Gen Tie line were determined to be in high probability areas. The areas were to be surveyed in accordance with methodology published in the Office of State Archaeology Standards and Guidelines. For turbine sites and linear construction features, within low probability areas, 5% random sampling was proposed. Two turbine sites and 1.3 miles of linear construction, including portions of the Gen Tie line, were chosen to be surveyed. After minor revisions, we accepted this plan in a letter dated April 27, 2018.

To date, we have not received the archaeological survey report for review. We have contacted Archaeological Consultants of the Carolinas, Inc., which reportedly performed the survey. They indicated that the survey and report have been completed, but their client has not allowed them to release it. Without the report, we cannot begin the process of reviewing the report or commenting on the project.

We recommend, as a condition for, and prior to the issuance of a Certificate of Environmental Compatibility, that the archaeological survey report be submitted to us for review. We will respond within 30 days of receipt and comment as to whether the survey and reporting were adequate, based on the accepted archaeological survey plan meeting the *Office of State Archaeology Standards*.

The above comments are made pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's Regulations for Compliance with Section 106 codified at 36 CFR Part 800.

Thank you for your cooperation and consideration. If you have questions concerning the above comment, contact Renee Gledhill-Earley, environmental review coordinator, at 919-814-6579 or environmental.review@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Enclosure – Letter 4-27-2018

cc: Timbermill Wind, LLC

Dawn Reid, ACC, Inc.
Alison Neely, DNCR Legal Office

Jimmy.merrick@apexcleanenergy.com
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katherineross@parkerpoe.com
dawnreid@archcon.org
alison.neely@ncdcr.gov