



STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

ROY COOPER
GOVERNOR

MACHELLE SANDERS
SECRETARY

August 18, 2020

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

Re: SCH File # 21-E-4600-0681 Application of Sweetleaf Solar, LLC for Certificate to construct a 94 MW Solar Facility in Halifax Co. Docket #EMP-111 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 recommends that a supplemental document addressing the concerns of Cultural Resources submitted to the Clearinghouse for further review and comment prior to their concurrence of this proposal.

Sincerely,

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

Crystal Best
State Environmental Review Clearinghouse

Attachments



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

JAMIE RAGAN
Director

MEMORANDUM

To: Crystal Best
State Clearinghouse Coordinator
Department of Administration

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

RE: 21-0681
Environmental Review - Application of Sweetleaf, LLC for a
Certificate of Public Convenience and Necessity to Construction
a 94 MW Solar Facility, Docket #EMP-111 Sub 0.
Halifax County

Date: August 14, 2020

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

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

Thank you for the opportunity to respond.

Attachments



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

Reviewing Regional Office: Raleigh
Project Number: 21-0681 Due Date: 08/14/2020
County: Halifax

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 type="checkbox"/>	Compliance with 15A NCAC 2H 1000 -State Stormwater Permitting Programs regulate site development and post-construction stormwater runoff control. Areas subject to these permit programs include all 20 coastal counties, and various other counties and watersheds throughout the state.		45 days (90 days)

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

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	PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process Time (statutory time limit)
<input type="checkbox"/>	Mining Permit	On-site inspection usual. Surety bond filed with DEQ Bond amount varies with type mine and number of acres of affected land. Affected area greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/>	Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, and certify construction is according to DEQ approved plans. May also require a permit under mosquito control program. And a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage or the total project cost will be required upon completion.	30 days (60 days)
<input type="checkbox"/>	Oil Refining Facilities	N/A	90-120 days (N/A)
<input type="checkbox"/>	Permit to drill exploratory oil or gas well	File surety bond of \$5,000 with DEQ running to State of NC conditional that any well opened by drill operator shall, upon abandonment, be plugged according to DEQ rules and regulations.	10 days N/A
<input type="checkbox"/>	Geophysical Exploration Permit	Application filed with DEQ at least 10 days prior to issue of permit. Application by letter. No standard application form.	10 days N/A
<input type="checkbox"/>	State Lakes Construction Permit	Application fee based on structure size is charged. Must include descriptions & drawings of structure & proof of ownership of riparian property	15-20 days N/A
<input 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 checked="" 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 checked="" type="checkbox"/>	Abandonment of any wells, if required must be in accordance with Title 15A. Subchapter 2C.0100.		
<input type="checkbox"/>	Notification of the proper regional office is requested if "orphan" underground storage tanks (USTS) are discovered during any excavation operation.		
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of a public water system must be approved by the Division of Water Resources/Public Water Supply Section prior to the award of a contract or the initiation of construction as per 15A NCAC 18C .0300 et. seq., Plans and specifications should be submitted to 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. All public water supply systems must comply with state and federal drinking water monitoring requirements. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Water Resources/Public Water Supply Section at 1634 Mail Service Center, Raleigh, North Carolina 27699-1634. For more information, contact the Public Water Supply Section, (919) 707-9100.		30 days
<input type="checkbox"/>	Plans and specifications for the construction, expansion, or alteration of the _____ water system must be approved through the _____ delegated plan approval authority. Please contact them at _____ for further information.		

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

Reviewing Regional Office: Raleigh
Project Number: 21-0681 Due Date: 08/14/2020
County: Halifax

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

Division	Initials	No comment	Comments	Date Review
DAQ	MRF	<input type="checkbox"/>	See checked boxes above.	7/17/2020
DWR-WQROS (Aquifer & Surface)	JSB &	<input type="checkbox"/>	See checked boxes above. &	7/20/2020
DWR-PWS	NA	<input type="checkbox"/>	NA	/ /
DEMLR (LQ & SW)	CDA	<input type="checkbox"/>	see checked box above	7/22/2020
DWM – UST	MRP	<input checked="" type="checkbox"/>		8/7/2020
Other Comments		<input type="checkbox"/>		/ /

REGIONAL OFFICES

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

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

Control No.: 21-E-4600-0681

Date Received: 7/16/2020

County.: HALIFAX

Agency Response: 8/17/2020

Review Closed: 8/17/2020

DEVON BORGARDT

Clearinghouse Reviewer

DEPT OF NATURAL & CULTURAL
RESOURCE

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Sweetleaf Solar, LLC for Certificate to construct a 94 MW Solar Facility in Halifax Co. Docket #EMP-111 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-111 Sub 0 in the Docket Number search line. Located at generally east and west of Justice Branch Road, between Delmar Road and Beaverdam Road, north of Enfield, North Carolina

As a result of this review the following is submitted:

☐ No Comment

☐ Comments Below

☒ Documents Attached

Reviewed By: DEVON BORGARDT

Date: 8/14/2020



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

Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary Susi H. Hamilton

Office of Archives and History
Deputy Secretary Kevin Cherry

August 14, 2020

MEMORANDUM

TO: Crystal Best
North Carolina State Clearinghouse
Department of Administration

FROM: Ramona M. Bartos, Deputy *RMB for Ramona M. Bartos*
State Historic Preservation Officer

SUBJECT: 94 MW Solar Facility, Justice Branch Road, Enfield vicinity, Halifax County, ER 20-1553

Thank you for your submission concerning the above referenced project. We have reviewed the materials provided and offer the following comments.

There are no recorded archaeological sites within the project boundaries. However, the project area has never been systematically surveyed to determine the location or significance of archaeological resources. The project area contains ridges adjacent to Marsh Swamp, Beaverdam Swamp, and Burnt Coat Swamp, which are landforms that have a high probability for containing archaeological sites.

We recommend that prior to any ground disturbing activities within the project area, a comprehensive archaeological survey be conducted by an experienced archaeologist of the portion of the project area located south of Britt Road. The purpose of this survey will be to identify and evaluate the significance of archaeological sites and cemeteries that may be damaged or destroyed by the proposed project.

Please note that our office now requests consultation with the Office of State Archaeology Review Archaeologist to discuss appropriate field methodologies prior to the archaeological field investigation. A list of archaeological consultants who have conducted or expressed an interest in contract work in North Carolina is available at <https://archaeology.ncdcr.gov/archaeological-consultant-list>. The archaeologists listed, or any other experienced archaeologist, may be contacted to conduct the recommended survey. .

One paper and one digital copy of all resulting archaeological reports, as well as one digital copy of the North Carolina site form for each site recorded, should be forwarded to the Office of State Archaeology through this office for review and comment as soon as they are available and in advance of any construction or ground disturbance activities. Office of State Archaeology report guidelines are available at https://files.nc.gov/dncr-arch/OSA_Guidelines_Dec2017.pdf.

We have determined that the project as proposed will not have an effect on any historic structures.

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@nhdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.

Control No.: 21-E-4600-0681

Date Received: 7/16/2020

County.: HALIFAX

Agency Response: 8/17/2020

Review Closed: 8/17/2020

JEANNE STONE

DEPT OF TRANSPORTATION

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Sweetleaf Solar, LLC for Certificate to construct a 94 MW Solar Facility in Halifax Co. Docket #EMP-111 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-111 Sub 0 in the Docket Number search line. Located at generally east and west of Justice Branch Road, between Delmar Road and Beaverdam Road, north of Enfield, North Carolina

As a result of this review the following is submitted:

☒ No Comment

☐ Comments Below

☐ Documents Attached

Reviewed By: JEANNE STONE

Date: 8/6/2020

Control No.: 21-E-4600-0681

Date Received: 7/16/2020

County.: HALIFAX

Agency Response: 8/17/2020

Review Closed: 8/17/2020

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 Sweetleaf Solar, LLC for Certificate to construct a 94 MW Solar Facility in Halifax Co. Docket #EMP-111 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-111 Sub 0 in the Docket Number search line. Located at generally east and west of Justice Branch Road, between Delmar Road and Beaverdam Road, north of Enfield, North Carolina

As a result of this review the following is submitted:

☐ No Comment

☒ Comments Below

☐ Documents Attached

From the documentation provided, it appears the proposed project is in close vicinity of Special Flood Hazard Area (SFHA). If there is any portion of the project that encroached into SFHA:

- 1) Any grading, fill or placement of equipment or materials in the SFHA will require a floodplain development permit issued by Halifax County. Please ensure the County's Floodplain Administrator reviews and issues permits for each part of the proposed project within a SFHA.
- 2) All structures and utilities within SFHA should be protected to the regulatory flood protection elevation as described in the Halifax County's ordinance and 44 CFR 60.3.

Reviewed By: JINTAO WEN

Date: 8/14/2020

Control No.: 21-E-4600-0681

Date Received: 7/16/2020

County.: HALIFAX

Agency Response: 8/17/2020

Review Closed: 8/17/2020

JOSEPH HUDYNIA
CLEARINGHOUSE COORDINATOR
DEPT OF AGRICULTURE

Project Information

Type: State Environmental Policy Act ironmental Review

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Sweetleaf Solar, LLC for Certificate to construct a 94 MW Solar Facility in Halifax Co. Docket #EMP-111 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-111 Sub 0 in the Docket Number search line. Located at generally east and west of Justice Branch Road, between Delmar Road and Beaverdam Road, north of Enfield, North Carolina

As a result of this review the following is submitted:

☒ No Comment

☐ Comments Below

☐ Documents Attached

Reviewed By: JOSEPH HUDYNIA

Date: 7/28/2020