



STATE OF NORTH CAROLINA
DEPARTMENT OF ADMINISTRATION

ROY COOPER
GOVERNOR

MACHELLE SANDERS
SECRETARY

January 25, 2021

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

Re: SCH File # 21-E-4600-0808 Application of Cherry Solar, LLC for Certificate to construct a 180 MW Solar Facility in Northampton Co. Docket # EMP-115 Sub 0.

Dear Ms. Campbell:

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

Attached to this letter are additional 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 cursive script that reads "Crystal Best".

Crystal Best
State Environmental Review Clearinghouse

Attachments

Control No.: 21-E-4600-0808
County.: NORTHAMPTON

Date Received: 12/23/2020
Agency Response: 1/22/2021
Review Closed: 1/22/2021

LYN HARDISON
CLEARINGHOUSE COORDINATOR
DEPT OF ENVIRONMENTAL QUALITY

Project Information

Type: State Environmental Policy Act ironmental Assessment/Finding of No Significant Impact

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Cherry Solar, LLC for Certificate to construct a 180 MW Solar Facility in Northampton Co. Docket # EMP-115 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-115 Sub 0 in the Docket Number search line. Located at 922 Oak Grove Church Road, 1315 Oak Grove Church Road, 105 Crossvine Lane, and 610 Cherry Tree Road, in the Town of Gaston, North Carolina.

As a result of this review the following is submitted:

☐ No Comment ☐ Comments Below ☒ Documents Attached

Reviewed By: LYN HARDISON

Date: 1/20/2021



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: 21-0808
Environmental Assessment/Finding of No Significant Impact
Application of Cherry Solar, LLC for Certificate to construct a
180 MW Solar Facility in Northampton Co. Docket #
EMP-115 Sub 0.
Northampton County

Date: January 20, 2021

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.

A project of this size should have a Scoping meeting to discuss the full scope of the project with the State and Federal permitting and resources agencies. The meeting is design to discuss all permits that will be required, any potential environmental impacts that may be present and will improve the permitting processes. Please ask the applicant to contact David Lee, Permit Assistance Coordinator, in the Department's Raleigh Regional office, to coordinate a scoping meeting. His contact information is 919-791-4204 and david.lee@ncdenr.gov.

Thank you for the opportunity to respond.

Attachments



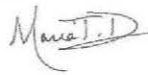


◊ North Carolina Wildlife Resources Commission ◊

Cameron Ingram, Executive Director

MEMORANDUM

TO: Lyn Hardison, Environmental Assistance Coordinator
NCDEQ Division of Environmental Assistance and Outreach (DEAO)

FROM: Maria T. Dunn, Coastal Habitat Coordinator
Habitat Conservation Division 

DATE: January 19, 2021

SUBJECT: Cherry Solar, LLC, 180 MW Solar Facility, Docket #EMP-115 Sub 0, Northampton County, North Carolina.
OLIA No. 21-0808

Biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the subject document and are familiar with the habitat values of the area. Our comments are provided in accordance with provisions of North Carolina General Statutes (G.S. 113-131 et seq.) Sections 401 and 404 of the Clean Water Act, as amended, and the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

The applicant proposes to construct a 180 MW solar facility located in the vicinity of 922 Oak Grove Church Road, 1315 Oak Grove Church Road, 105 Crossvine Lane, and 610 Cherry Tree Road in Gaston, NC. This is Phase 2, 180 MW, of a 300 MW facility (Gaston Green Acres Solar, LLC – OLIA No. 21-0750).

A map of the proposed project site indicates portions of the area are vegetated. In general, the NCWRC supports solar facilities located in open areas. However, the conversion of forests and wetlands to support solar development is causing increasing concern due to the loss of wildlife habitat, the fragmentation of wildlife habitat, and vegetative management needed post conversion for wetland and other forested areas. Due to the importance of wetlands to wildlife, we would like to state concern with any portion of the proposed project that would impact riparian areas, wetlands, or jurisdictional stream features. This also includes the change of vegetation outside the panel layout.

This project is an exceptionally large solar facility. The cumulative loss of vegetation increases the loss of wildlife habitats, causes habitat fragmentation, and may have significant adverse impacts to watershed input to wetland and stream features during and after construction.

The installation of fence significantly affects wildlife travel and potentially stream flow and bank stabilization depending on crossing proposals. Fence installation should not negatively affect normal or

large event flows or cause water damming and collection of debris. Fence crossing of jurisdictional features should be done in areas where crossings already occur. Careful consideration should be given to all aspects of development.

In addition to the concerns above, the following statements should be observed:

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. 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. Stabilize the stream bottom with geo-textile fabric and rock; concrete should not be used for bed stabilization.
3. Avoid or minimize impacts to wetlands during construction. In addition to providing wildlife habitat, wetland areas perform important functions of flood control and water quality protection. US Army Corps of Engineers Section 404 permits and NC Division of Water Resources Section 401 Certifications are required for any impacts to jurisdictional streams or wetlands. Temporarily disturbed wetland areas should be returned to original soils and contours, and reseeded with annual small grains appropriate for the season (e.g. oats, millet, rye, wheat, or rye grass) and should be allowed to revert to natural wetland vegetation.
4. If additional overhead transmission lines will be installed, then measures to minimize impacts to birds should be implemented. These can include increasing line visibility, insulating wires to cover exposed connections, and increasing the distance between wires so no contact with ground or other energized wire can be made. For more information see <http://www.fws.gov/birds/documents/powerlines.pdf>.
5. Consider establishing vegetative cover on the site that is beneficial to wildlife. Plantings should include native warm season grasses and/or wildflower seed mixes to create pollinator habitat within the project boundary. Shade-tolerant plants that are grow between 12 to 18 inches can be selected for planting both underneath and around solar panels. This type of planting is especially important due to the vast scope of the project. Pollinator habitat can also be created in buffer areas outside of the panel region. In addition, consider adding other habitat-enhancing features, such as permeable fencing, bat boxes and brush piles that will minimize impacts from habitat loss. Further information and free technical guidance from the NCWRC are available upon request.
6. 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, herbicides, and other chemicals should not be used in wetland areas or near streams.

7. If pesticides or chemicals will be used for site maintenance, then stormwater runoff from the site should be directed to bio-retention areas prior to discharge to streams or wetlands to provide additional protection for water quality and aquatic and terrestrial wildlife habitats.
8. Sediment and erosion control measures should be installed prior to any land clearing or construction. The use of biodegradable and wildlife-friendly sediment and erosion control devices is strongly recommended. Silt fencing, fiber rolls and/or other products should have loose-weave netting that is made of natural fiber materials with movable joints between the vertical and horizontal twines. Silt fencing or similar materials that have been reinforced with plastic or metal mesh should be avoided as they impede the movement of terrestrial wildlife species. All sediment and erosion control 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.
9. A plan should be developed that identifies the party responsible for decommissioning the facility as well as the conditions under which decommissioning will occur. In addition, the plan should emphasize that all equipment must be removed from the sites, and the land should be restored to pre-construction conditions.
10. Measures to mitigate secondary and cumulative impacts can be found in NCWRC's *Guidance Memorandum to Address and Mitigate Secondary and Cumulative Impacts to Aquatic and Terrestrial Wildlife Resources and Water Quality* (August 2002; http://www.ncwildlife.org/Portals/0/Conserving/documents/2002_GuidanceMemorandumforSecondaryandCumulativeImpacts.pdf).

Thank you for the opportunity to comment on this project. If our agency can be of further assistance, please contact me at (252) 948-3916 or at maria.dunn@ncwildlife.org.

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

Reviewing Regional Office: Raleigh
Project Number: 21-0808 Due Date: 1/19/2021
County: Northampton

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.O100 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

Reviewing Regional Office: Raleigh
Project Number: 21-0808 Due Date: 1/19/2021
County: Northampton

	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: 21-0808 Due Date: 1/19/2021
County: Northampton

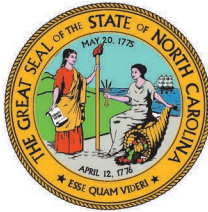
Other Comments (attach additional pages as necessary, being certain to comment authority)

Division	Initials	No comment	Comments	Date Review
DAQ	MRF	<input type="checkbox"/>	See checked boxes above.	1/13/2021
DWR-WQROS	JSB	<input type="checkbox"/>	See checked boxes above.	12/31/2020
DWR-PWS		<input type="checkbox"/>	NA	/ /
DEMLR (LQ & SW)	CDA	<input type="checkbox"/>		1/11/2021
DWM – UST	MRP	<input checked="" type="checkbox"/>		1/14/2021
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 | |



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

MEMORANDUM

TO: Michael Scott, Division Director through Sharon Brinkley

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

DATE: January 20, 2021

SUBJECT: Review: SW 21-0808 – Northampton County (EA/FONSI – NC Dept of Commerce – Application of Cherry Solar, LLC (Gaston Green Acres Solar, LLC) for certificate to construct a 180MW Solar Facility in Northampton Co)

The Division of Waste Management, Solid Waste Section (Section) has reviewed the documents submitted for the subject project in Northampton County, NC. Based on the information provided in this document, 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, the Cherry Solar 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 Cherry Solar LLC require all contractors to provide proof of proper disposal for all generated waste to permitted facilities.**

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

Questions regarding solid waste management for this project should be directed to Ms. Amanda Thompson, Environmental Senior Specialist, Solid Waste Section, at (910) 433-3353.

cc: Amanda Thompson, Environmental Senior Specialist





NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

MICHAEL SCOTT
Director

Date: January 19, 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: SEPA Project #21-0808, North Carolina Department of Commerce, Northampton 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 Application of Cherry Solar, LLC (Gaston Green Acres Solar, LLC) for Certificate to construct a 180 MW (Phase 2 -180 MW of 300 MW) Solar Facility in Northampton Co. Located at 922 Oak Grove Church Road, 1315 Oak Grove Church Road, 105 Crossvine Lane, and 610 Cherry Tree Road, in the Town of Gaston, North Carolina.

No Superfund Section sites were identified within one mile of the project as shown on the attached report.

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



Area of Interest (AOI) Information

Jan 19 2021 11:19:35 Eastern Standard Time



Superfund Section Review Map Only; SEPA 21-0808, Northampton 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	0	N/A	N/A
Pre-Regulatory Landfill Sites	0	N/A	N/A
Brownfields Program Sites	0	N/A	N/A

Department of Environmental Quality

Project Review Form

**Project Number: 21-0808
(21-0750)**

County: Northampton

Date Received: 12-23-2020

Due Date: 1-19-2021

Project Description: Environmental Assessment/Finding of No Significant Impact - Application of Cherry Solar, LLC (Gaston Green Acres Solar, LLC) for Certificate to construct a 180 MW (Phase 2 -180 MW of 300 MW) Solar Facility in Northampton Co. Docket # EMP-115 Sub 0.

View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockets/portal.aspx>, Type EMP-115 Sub 0 in the Docket Number search line. Located at 922 Oak Grove Church Road, 1315 Oak Grove Church Road, 105 Crossvine Lane, and 610 Cherry Tree Road, in the Town of Gaston, North Carolina. GPS Coordinates - 36.5384, -77.7417

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 type="checkbox"/> Parks & Recreation
<input type="checkbox"/> Mooresville	<input type="checkbox"/> DWR - Public Water	<input checked="" type="checkbox"/> Waste Mgmt
<input checked="" type="checkbox"/> Raleigh	<input checked="" type="checkbox"/> DEMLR (LQ & SW)	<input type="checkbox"/> Water Resources Mgmt
<input type="checkbox"/> Washington	<input checked="" type="checkbox"/> DWM-UST	<input type="checkbox"/> (Public Water, Planning & Water Quality Program)
<input type="checkbox"/> Wilmington		<input type="checkbox"/> DWR-Transportation Unit
<input type="checkbox"/> Winston-Salem		

Manager Sign-Off/Region:	Date: 1/19/21	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.: 21-E-4600-0808
County.: NORTHAMPTON

Date Received: 12/23/2020
Agency Response: 1/22/2021
Review Closed: 1/22/2021

JINTAO WEN
CLEARINGHOUSE COORDINATOR
DPS - DIV OF EMERGENCY MANAGEMENT

Project Information

Type: State Environmental Policy Act ironmental Assessment/Finding of No Significant Impact

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Cherry Solar, LLC for Certificate to construct a 180 MW Solar Facility in Northampton Co. Docket # EMP-115 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-115 Sub 0 in the Docket Number search line. Located at 922 Oak Grove Church Road, 1315 Oak Grove Church Road, 105 Crossvine Lane, and 610 Cherry Tree Road, in the Town of Gaston, North Carolina.

As a result of this review the following is submitted:

☐ No Comment ☒ Comments Below ☐ Documents Attached

From the information provided it appears some portion of the proposed project is in close vicinity of Special Flood Hazard Area (SFHA). If the proposed project encroaches into SFHA, a Floodplain Development Permit issued by Northampton County will be required. Please coordinate with the County's Floodplain Administrator for permitting.

Reviewed By: JINTAO WEN

Date: 1/19/2021

Control No.: 21-E-4600-0808
County.: NORTHAMPTON

Date Received: 12/23/2020
Agency Response: 1/22/2021
Review Closed: 1/22/2021

DEVON BORGARDT
Clearinghouse Reviewer
DEPT OF NATURAL & CULTURAL
RESOURCE

Project Information

Type: State Environmental Policy Act ironmental Assessment/Finding of No Significant Impact

Applicant: North Carolina Department of Commerce

Project Desc.: Application of Cherry Solar, LLC for Certificate to construct a 180 MW Solar Facility in Northampton Co. Docket # EMP-115 Sub 0. View document at <http://starw1.ncuc.net/NCUC/portal/ncuc/page/Dockects/portal.aspx>, Type EMP-115 Sub 0 in the Docket Number search line. Located at 922 Oak Grove Church Road, 1315 Oak Grove Church Road, 105 Crossvine Lane, and 610 Cherry Tree Road, in the Town of Gaston, North Carolina.

As a result of this review the following is submitted:

☐ No Comment ☒ Comments Below ☒ Documents Attached

Please see attached memo.

Reviewed By: DEVON BORGARDT

Date: 1/11/2021



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

Ramona M. Bartos, Administrator

Governor Roy Cooper

Secretary D. Reid Wilson

January 11, 2021

MEMORANDUM

TO: Crystal Best
North Carolina State Clearinghouse
Department of Administration

crystal.best@doa.nc.gov

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

Res. for Ramona M. Bartos

SUBJECT: Cherry Solar 180 MW facility, Northampton County, ER 20-2522

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 area. 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 Beaverpond Creek, which are landforms that have a high probability for containing archaeological sites.

In addition, the 1963 USGS Barley Quadrangle topographic map depicts two cemeteries in the project area. Cemeteries are protected under North Carolina General Statutes Chapter 14-148 and 14-149 and are afforded consideration under NCGS Chapters 65 and 70.

We recommend that prior to any ground disturbing activities within the project area, a comprehensive archaeological survey be conducted by an experienced archaeologist. 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@ncdcr.gov. In all future communication concerning this project, please cite the above referenced tracking number.