Agenda
Board of Supervisors
Isle of Wight County
May 18, 2023

1. Call to Order (5:00 P.M.)
2. Approval of Agenda
3. Closed Meeting
4. Reconvene Open Meeting at 6:00 P.M.
5. Invocation - Supervisor Don Rosie
6. Citizens' Comments
7. Consent Agenda
   A. Budget Amendment - Marketing Leverage Grant

      Resolution to Amend the Budget and Appropriate Marketing Leverage Grant-A-Week Funding ($5,000)
   B. Budget Amendment - Marketing Reimbursement Grant

      Resolution to Amend the Budget and Appropriate Marketing Reimbursement Grant Funding ($20,000)
   C. Budget Amendment - Self-Contained Breathing Apparatus Grant

      Resolution to Amend the Budget for the Assistance to Firefighters Grant Award ($959,020)
   D. Budget Amendment - Technology Fees

      Resolution to Amend the Budget and Appropriate Funds from Unspent Committed Fund Balance to the General Fund Budget ($70,326)
   E. County Policy Manual Revisions

Resolution to Adopt Revisions to the County Policy Manual

F. Isle of Wight Bicycling Volunteers

Memorandum of Agreement with the Isle of Wight Bicycling Volunteers

G. Proposed Sick Leave Bank Policy

Resolution to Establish a Proposed Sick Leave Bank Policy

H. Vision Zero

Resolution to Adopt a Multimodal Transportation Safety Goal of Vision Zero

I. 2022 Wetlands Board Annual Report

Receipt of the 2022 Wetlands Board Annual Report

J. Minutes

. March 16, 2023 Regular Meeting Minutes
. April 20, 2023 Regular Meeting Minutes

8. Regional and Inter-Governmental Reports

A. Regional Reports

9. Appointments

A. Appointments List

10. Special Presentations / Appearances

A. Emergency Medical Services Week

Resolution to Designate May 21-27, 2023 as Emergency Medical Services Week

B. County Fair Update

County Fair Spring Events Update

11. County Attorney's Report

12. Public Hearings

A. Prairie Solar, LLC Conditional Use Permit Application and

Agricultural & Forestal District Withdrawal Request (Longview A/F District)

Application of Prairie Solar, LLC, a Subsidiary of Energix, US, Applicant, and Everets Properties, Inc., Property Owner, for a Conditional Use Permit to Establish a Major Utility Service, Specifically a 20 MWac Utility-Scale Solar Facility, on 152 Acres Located at 19604 Longview Drive in the Rural Agricultural Conservation (RAC) Zoning District and a Request for Withdrawal of Approximately 103 Acres of Land Owned by Everets Properties, Inc., from the Longview Agricultural/Forestal District

B. Budget Amendment - Pump Station

Resolution to Amend the Budget and Appropriate Funding for Construction Related to the Hardy Elementary School ($2,299,358)

13. County Administrator's Report

A. True Blue Solutions

Follow-up Information Regarding True Blue School Zone Speed Enforcement

B. 2023 VACo Regional Meetings

Schedule for the 2023 VACo Regional Meetings

C. Matters for the Board's Information

14. Unfinished / Old Business

A. Proposed Solar Energy Facility Ordinance Changes

Proposed Solar Energy Facility Ordinance Changes

15. New Business

A. Krohn Subdivision Ordinance Waiver Request

Application of Paul and Terri Krohn, Owners, for a Waiver to Section 3.2.4.A.4 and Section 5.9.1.C of the Subdivision

Ordinance to Allow a Family Member Subdivision on a Private Thirty Foot Ingress/Egress Easement Not Built to Public Standards Which Serves More Than Two Lots

16. Adjournment

ISSUE:

Resolution to Amend the Budget and Appropriate Marketing Leverage Grant-A-Week Funding ($5,000)

BACKGROUND:

The Virginia DMO Marketing grant's purpose is to assist Virginia DMOs with marketing their destinations by providing funding to supplement the DMO's existing marketing budget. Programs that promote overnight visitation and have high economic impact receive funding in this highly competitive system.

The Department of Tourism has received a $5,000 Virginia Tourism Corporation Spring 2023 Marketing Leverage grant entitled "A Week in Smithfield & Isle of Wight". The grant will be utilized to promote Smithfield and Isle of Wight County on a special section of the Hampton Roads Show to increase economic activity for local tourism accommodations, attractions, and businesses.

BUDGETARY IMPACT:

This is a reimbursement grant from the Virginia Tourism Corporation, thus the budgetary impact to the County will be an increase in revenue of $5,000 (toward budgeted expenses).

RECOMMENDATION:

Adopt a resolution to amend the budget and appropriate grant funds.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/2/2023

RESOLUTION TO AMEND THE FY2022-2023 OPERATING BUDGET AND APPROPRIATE FUNDING FOR VIRGINIA TOURISM CORPORATION

WHEREAS, the Board of Supervisors has received an award totaling $5,000 from the Virginia Tourism Corporation; and,

WHEREAS, the Board of Supervisors desires to amend the FY 2023-2024 Grant Fund Budget in the amount of $5,000 from the Virginia Tourism Corporation; and,

WHEREAS, the Board of Supervisors needs to appropriate $5,000 of State revenue to the marketing line for the DMO Marketing Reimbursement Grant.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia that the FY 2022-2023 Grant Fund Budget is hereby amended, and funds appropriated in the amount of $5,000.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 18th day of May, 2023.

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William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

Approved as to form:

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Robert W. Jones, Jr., County Attorney

ISSUE:

Resolution to Amend the Budget and Appropriate Marketing Reimbursement Grant Funding ($20,000)

BACKGROUND:

The Virginia DMO Marketing grant's purpose is to assist Virginia DMOs with marketing their destinations by providing funding to supplement the DMO's existing marketing budget. Programs that promote overnight visitation and have high economic impact receive funding in this highly competitive system.

The Department of Tourism has received a $20,000 DMO Marketing Grant from the Virginia Tourism Corporation. This grant will be utilized to promote a year-long calendar of events called "Where the Locals Go" for local tourism accommodations, attractions and businesses.

BUDGETARY IMPACT:

This is a reimbursement grant from the Virginia Tourism Corporation, thus the budgetary impact to the County will be an increase in revenue of $20,000 (toward budgeted expenses).

RECOMMENDATION:

Adopt a resolution to amend the budget and appropriate grant funds.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/2/2023

RESOLUTION TO AMEND THE FY2022-2023 OPERATING BUDGET AND APPROPRIATE FUNDING FOR VIRGINIA TOURISM CORPORATION

WHEREAS, the Board of Supervisors has received an award totaling $20,000 from the Virginia Tourism Corporation (VTC); and,

WHEREAS, the Board of Supervisors desires to amend the FY 2022-2023 Grant Fund Budget in the amount of $20,000 from the Virginia Tourism Corporation; and,

WHEREAS, the Board of Supervisors needs to appropriate $20,000 in State revenue to the marketing line for the DMO Marketing Reimbursement Grant.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia that the FY 2022-2023 Grant Fund Budget is hereby amended, and funds appropriated in the amount of $20,000.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 18th day of May, 2023.

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William M. McCarty, Sr., Chairman

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Carey Mills Storm, Clerk

Approved as to form:

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Robert W. Jones, Jr., County Attorney

ISSUE:

Resolution to Amend the Budget for the Assistance to Firefighters Grant Award ($959,020)

BACKGROUND:

The Division of Fire Rescue has been awarded $959,020 under the Federal Emergency Management Agency's (FEMA) Assistance to Firefighters grant program. Grant funds are provided directly from FEMA.

These funds will be used to purchase new Self-Contained Breathing Apparatus' for the County's fire departments.

There is a ten percent matching funds requirement for this grant in the amount of $95,902 which can be met with currently budgeted bond funds in the Capital Improvement Fund.

BUDGETARY IMPACT:

There is no budgetary impact for this amendment since the funds for the SCBA project have already been budgeted. Bond funds will be removed from this project and used to fund an alternate project that will be or has already been appropriated using fund balance or other unrestricted revenues.

RECOMMENDATION:

Adopt a resolution to amend the budget for grant funds from the Federal Emergency Management Agency.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/8/2023

RESOLUTION TO AMEND THE
FY 2022-2023 OPERATING BUDGET FOR THE
ASSISTANCE TO FIREFIGHTERS GRANT

WHEREAS, Isle of Wight County has received notification of being awarded grant funding from the Federal Emergency Management Agency's Assistance to Firefighters Grant program for the replacement of Self-Contained Breathing Apparatuses; and,

WHEREAS, the Board of Supervisors desires to amend the FY2022-2023 Grant Fund Budget in the amount of $959,020 from the Federal Emergency Management Agency; and,

WHEREAS, the newly available bond funding may be used for other appropriate capital projects currently budgeted using unrestricted revenues or fund balance; and,

WHEREAS, the Board of Supervisors has appropriated $959,020 to the Capital Fund Budget for the purchase of Self-Contained Breathing Apparatuses for the County.

NOW, THEREFORE IT BE RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia, that the FY 2022-2023 Budget is hereby amended in the amount of $959,020 for funding from the Federal Emergency Management Agency.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 18th day of May 2023.

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William M. McCarty, Sr., Chairman

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Carey Mills Storm, Clerk

Approved as to Form:

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Robert W. Jones Jr., County Attorney

ISSUE:

Resolution to Amend the Budget and Appropriate Funds from Unspent Committed Fund Balance to the General Fund Budget ($70,326)

BACKGROUND:

Funds in the amount of $70,326 were set aside in the FY2022 General Fund Committed Fund Balance from unspent Inspection technology fees to facilitate ecommerce in the Inspections Division. The Board may wish to appropriate said funds to the FY2023 General Fund Budget.

BUDGETARY IMPACT:

Appropriation of the funds will increase the General Fund by $70,326.

RECOMMENDATION:

Adopt a resolution to amend the budget and appropriate funds to the General Fund Budget.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/18/2023
County Ordinance Exerpt	Backup Material	5/18/2023

RESOLUTION TO AMEND THE FY 2022-2023 OPERATING BUDGET AND APPROPRIATE FUNDING FROM THE UNSPENT COMMITTED FUND BALANCE TO THE GENERAL FUND BUDGET

WHEREAS, on June 30, 2022, funding in the amount of $70,326 was set aside in the General Fund Committed Fund Balance from unspent Inspection Technology Fees; and,

WHEREAS, the Board of Supervisors desires to amend the FY 2022-2023 Budget in the amount of $70,326 to facilitate departmental ecommerce in the Inspections Division; and,

WHEREAS, the Board of Supervisors needs to appropriate funds in the amount of $70,326 from the FY 2022 Committed Fund Balance to the FY 2023 General Fund Budget.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Isle of Wight, Virginia, that the FY 2022-2023 budget is hereby amended and funds appropriated in the amount of $70,326.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 18th day of May 2023.

_____
William M. McCarty, Sr., Chairman

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Carey Mills Storm, Clerk

Approved as to Form:

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Robert W. Jones Jr., County Attorney

Sec. 4-12. Technology fee.

There shall be a percentage fee, as shall be set forth in the Isle of Wight County Uniform Fee Schedule, as adopted by the board of supervisors, as it may be amended, applied to permit fees for all categories to support the purchase, maintenance and support for the equipment and software to facilitate departmental ecommerce. (10-20-16.)

ISSUE:

Resolution to Adopt Revisions to the County Policy Manual

BACKGROUND:

Staff has reviewed the County Policy Manual and has determined that Chapter 1: Personnel, Article III – Compensation, Article V – Leave Provisions, Article X – Recruitment and Selection, Chapter 2: Financial and Accounting, Article I – Central Purchasing, and Chapter 4 – Fleet, Article II – Driving Standards are in need of revision.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Adopt a resolution to revise the County Policy Manual.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/12/2023

RESOLUTION TO AMEND CHAPTER 1: PERSONNEL, ARTICLE III – COMPENSATION, ARTICLE V – LEAVE PROVISIONS, ARTICLE X – RECRUITMENT AND SELECTION, CHAPTER 2: FINANCIAL AND ACCOUNTING, ARTICLE I – CENTRAL PURCHASING AND CHAPTER 4 – FLEET, ARTICLE II – DRIVING STANDARDS OF THE COUNTY POLICY MANUAL

WHEREAS, the amendments of the County Policy Manual are necessary in order to ensure appropriate administration of the County's policies; and,

WHEREAS, the Board of Supervisors desires to amend the County Policy Manual, Chapter 1: Personnel, Article III – Compensation, Article V – Leave Provisions, Article X – Recruitment and Selection, Chapter 2: Financial and Accounting, Article I – Central Purchasing, and Chapter 4 – Fleet, Article II – Driving Standards; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Isle of Wight, Virginia that the County Policy Manual is hereby amended as follows effective July 1, 2023 and shall remain in effect until amended by the Board:

ARTICLE III - Compensation Plan

(Revised October 7, 1999, April 7, 2005, December 15, 2005, April 18, 2006, June 1, 2006, April 16, 2015, October 1, 2015, July 1, 2016, July 1, 2017, July 1, 2018, July 1, 2021, *July 1, 2023*)

Section 3.10 - On-Call Compensation

(Effective July 1, 2016, Revised July 1, 2023)

It is the County's policy to provide on-call compensation for non-exempt employees who are required to be available by telephone after regular working hours and to respond in a reasonable period of time when called to non-planned/non-scheduled work requiring the immediate attention of their department. Department Heads identify and the County Administrator approves those positions considered essential to County operations after normal working hours, thus eligible for on-call compensation, which shall be

paid at the amount of ~~one dollar ($1.00)~~ *four dollars ($4.00)* per hour for each hour on-call outside of the employee's regular scheduled work hours and 24 hours on Saturday and on Sunday. Employees designated with an on-call duty status that are actually called out to work will receive a minimum of two (2) hours of pay for each time they are called out.

An employee who is on approved sick leave or annual leave for a full day would not be eligible for on-call compensation on that day. Time spent in on-call duty status shall not be counted as hours worked for the purposes of calculating overtime. Hours worked for the purpose of calculating overtime begins with the notification that work is required and when the employee's total hours worked for a work period exceeds the overtime threshold, the County's Overtime policy applies (Article III, Section 3.4).

Requirements for on-call duty are as follows:

a. Be available for immediate contact; and
b. Be able to personally report to the emergency or other designated location within one (1) hour of original notification or the reasonable response time as designed by the employee's Department Head; and
c. Be able to satisfactorily perform their duties, including complying with the County's Use of Alcohol and Controlled Substances Policy (Article XI, Section 11.4).

Employees who fail to comply with or meet any of the enumerated on-call duty requirements may be subject to disciplinary action up to and including termination.

CHAPTER 1: Fleet

ARTICLE V - Leave Provisions

(Revised September 1, 2005, December 15, 2005, February 2, 2006, April 5, 2007, October 2, 2008, January 8, 2009, June 19, 2014, October 16, 2014, December 18, 2014, April 1, 2015, January 1, 2018, July 1, 2018, July 1, 2019, March 19, 2020, April 1, 2020, July 1, 2020, January 7 and 21, 2021, *July 1, 2023*)

Section 5.3 - Sick Leave

(Revised December 19, 2013, September 1, 2005, October 16, 2014, April 16, 2015, July 1, 2018, July 1, 2023)

Sick leave is defined as leave with pay granted for personal illness of the employee, an immediate family member, and for medical/~~and~~ dental appointments of the employee or immediate family member. For purposes of this sick leave policy *(Section 5.3),* immediate family of an employee is defined as: ~~natural~~ parents *(natural, adoptive, foster or step)* ~~parents~~, ~~step-parents,~~ spouse; ~~natural, adopted or foster~~ children *(natural, adoptive, foster or step)*; ~~brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law~~; grandchildren and grandparents.

Abuse of Sick Leave

Any employee who abuses the use of sick leave will be subject to disciplinary action. A physician's certification/statement may be requested to validate sick leave when there is a pattern of absenteeism. ~~if there is an indication that the employee's physical condition is adversely affecting performance, or for an absence of three (3) or more consecutive days.~~ Leave usage will be charged in quarter-hour increments *Events that may lead to disciplinary action include, but not limited to, falsifying illness or reasons for using sick leave, unsubstantiated excessive use of sick leave and failure to comply with the authorization requirements above. Disciplinary action may include loss of pay up to and including termination.*

Section 5.12 - Leave Under the Family and Medical Leave Act (FMLA)

(Revised April 7, 2005, January 8, 2009, December 18, 2014, July 1, 2018, April 1, 2020, January 7, 2021, July 1, 2023)

Isle of Wight County will grant eligible employees up to 12 workweeks of *unpaid job protected leave for specified family and medical reasons* (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period. The leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy. During this leave, an eligible employee is entitled to continued group health plan coverage.

At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or equivalent position. The function of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. Employees with questions about what illnesses serious health conditions are covered under the FMLA policy or under the County's Sick Leave Policy are encouraged to consult with the County's Human Resources Department.

Employee Eligibility ~~Criteria~~
To be eligible for FMLA leave, an employee must have been employed by Isle of Wight County:

- for at least 12 months (which need not be consecutive). Separate periods of employment will be counted, provided the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations or when there is a written agreement. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week; and

- for at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or

unpaid leave as hours worked. Consequently, these hours of leave shall not be counted in determining the 1,250 hours eligibility test for an employee under FMLA; and

- at a worksite where 50 or more employees are employed by the County within 75 miles of that office or worksite. The distance is to be calculated by using available transportation by the most direct route.

~~Types of Leave Covered~~ Circumstance that Qualify for FMLA Leave
~~To qualify as FMLA leave under this policy, the employee must be taking leave for one or more of the following reasons:~~ *Eligible employees may take up to 12 workweeks for FMLA in a 12-month period for the following qualifying reasons:*

~~a.~~ The birth of a child and *to bond with the newborn child within one year of birth* ~~in order to care for that child;~~

~~b.~~ The placement of a child with the employee for adoption or foster care, ~~and/or to care for the newly placed child;~~ *and to bond with the newly placed child within one year of placement.*

~~c.~~ *A serious health condition that makes the employee unable to perform the functions of his or his job, including incapacity due to pregnancy and for prenatal medical care.* ~~The employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job,~~

d. To care for the employee's spouse, son, daughter or parent (but not in-law) with a serious health condition (described below); including incapacity due to pregnancy and for prenatal medical care;

e. *Any* ~~*Because of a*~~ qualifying exigency arising out of the fact that the employee's spouse, son, ~~or~~ daughter, or parent is on active duty or called to covered active duty status in support of contingency operations as a member of the National Guard or Reserves (described below); and/or,

In addition, eligible employees may take up to 26 workweeks of leaving in a single 12-month period to care for a covered servicemember with a serious injury or illness if the ~~*Because the*~~ employee's spouse, son or daughter, parent, or next of kin of a covered service member or veteran requires care due to a serious injury or illness (described below).

Immediate Family Members

Employees can take FMLA leave to the serious health condition of the following immediate family members:

- *Spouse*
- *Parent*
- *Son or Daughter*

Spouse

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside the United State, if the marriage could have been entered into at least one state.

Parent

Parent means a biological, adoptive, step or foster father or mother, or any individual who stood in loco parentis to the employee when the employee was a child. This does not include "parent-in-law".

Son or Daughter

Son or daughter means a biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing in loco Prentis, who is under 18 years of age or who is 18 years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence. The onset of a disability may occur at any age for purposes of the definition of an adult "son or daughter" under the FMLA. The County can request that the employee provide reasonable documentation of the qualifying family relationship.

Serious Health Condition

A "serious health condition" is defined as any illness, injury, impairment, or physical or mental condition that requires inpatient care *or continuing treatment by a health care provider*.~~at a hospital, hospice, or residential medical facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care, or a condition that requires continuing treatment by a licensed health care provider.~~ *The FMLA does not apply to routine medical examinations, such as a physical, or to common medical conditions.*

Continuing treatment by a licensed health care provider means any one of the following:

Inpatient Care
• *An overnight stay in a hospital, hospice, or residential medical care facility.* • *Includes any period of incapacity or any subsequent treatment in connection with the overnight stay.*
Continuing Treatment by a Health Care Provider (any one or more of the following)
Incapacity Plus Treatment • *A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:* • *Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity: or,* • *At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.*
Pregnancy *Any period of incapacity due to pregnancy or for prenatal care.*
Chronic Conditions *Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious*

health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity
Permanent or Long-term Conditions *A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer's disease or the terminal stages of cancer.*
Conditions Requiring Multiple Treatments *• Restorative surgery after an accident or other injury; or,* *• A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the employee or employee's family member did not receive the treatment*

~~1. Incapacity/Treatment – A period of incapacity of more than three (3) consecutive, full calendar days and any subsequent treatment or period of incapacity relating to the same condition that also involves either treatment two or more times within 30 days, or treatment by a health care provider on at least one occasion, which results in a regiment of continuing treatment under the supervision of the health care provider.~~

~~2. Pregnancy/Prenatal Care – Any period of incapacity due to pregnancy or for prenatal care. In these situations, FMLA also covers leave for the husband, if needed to care for the pregnant spouse who is incapacitated due to severe morning sickness or other prenatal complications (and may need physical care) and to accompany her to prenatal doctor's appointments (and may need to be driven or need psychological care).~~

~~3. Chronic Conditions – Any period of incapacity or treatment for incapacity due to a chronic serious health condition such as asthma or diabetes. Chronic conditions require periodic visits (at least twice a year) for treatment by a health care provider, continue over an extended period of time, and may cause episodic rather than a continuing period of incapacity.~~

~~4. Permanent/Long-Term Conditions – A period of incapacity which is permanent or long term due to a condition for which treatment may not be effective, such as Alzheimer's disease, a severe stroke, or the terminal stages of a disease. The patient must be under the continuing supervision of a health care provider, but need not be receiving active treatment.~~

~~5. Conditions Requiring Multiple Treatments – Any period of absence to receive or recover from multiple treatments, such as for restorative surgery after an injury, or for serious conditions such as cancer (chemotherapy) or kidney disease (dialysis) that would likely result in a period of incapacity of more than three (3) consecutive, full calendar days in the absence of medical intervention or treatment.~~

~~6. Incapacity and Subsequent Treatment – The inability to work, attend school or perform other regular daily activities due to the serious health condition or the treatment or recovery as a result of a serious health condition.~~

Military Family Leave ~~Entitlements~~

The military family leave provisions of the FMLA entitle eligible employees of covered employers to take FMLA leave for:

- *Any "qualify exigency" arising from the foreign deployment of the employee's spouse, son, daughter, or parent with the Armed Forces, or*
- *To care for a covered servicemember with a serious injury or illness if the employee is the servicemember's spouse, child, parent, or next of kin.*

Qualifying Exigencies – A qualifying exigency is a non-medical, non-routine activity that is directly related to the covered military member's covered active duty or call to active-duty status.

To be eligible, the employee must have a spouse, parent, or child on covered active duty to a foreign country or call to covered active-duty status in the Armed Forces or reserve component of the Armed Forces in support of a contingency operation to a foreign country. Categories of qualifying

exigencies in the FMLA regulations include:

~~1.~~ *Issues arising from the military member's short notice deployment (deployment within seven or fewer days of notice)* ~~Short-notice deployment activities (up to seven (7) days of leave is permitted if the military member receives seven (7) or less days' notice of a call to active duty);~~

2. *To attend* Military events and related activities;
3. Certain temporary childcare arrangements and school activities (but not for ongoing childcare or routine academic concerns);
4. *To make or update financial and legal arrangements to address a military member's absence;*
5. *To attend counseling for the employee, the military member, or a child of the military member the need for that counseling arises from the covered active duty or call to covered active-duty status of the military member and the counseling is provided by someone other than a health care provider.* ~~Counseling by a non-medical counselor~~ (such as a member of the clergy);
6. *To spend up to 15 calendar days with a military member who is on rest and recuperation leave* (~~up to a maximum of fifteen (15) calendar days of leave is permitted when the military member is on temporary rest and recuperation leave);~~
7. *To attend post-deployment activities within 90 days of the end of the military member's covered active duty or to attend to issues arising from the death of a military member while on covered active duty.* ~~Post-deployment military activities (such as arrival ceremonies or reintegration briefings~~);
8. Care of the military member's parent (when the parent of the military member is incapable of self-care); and
9. Additional activities which arise out of the military member's covered active duty or call to active-duty status provided that both the County and employee agree that such leave shall qualify, and agree to both the timing and duration of such leave.

Military Caregiver Leave

Military caregiver leave allows an eligible employee who is the spouse, son,

daughter, parent or next of kin of a covered servicemember with a serious injury or illness to take up to a total of 26 workweeks of unpaid leave during a "single 12-month period" to provide care for the servicemember.

Covered Service Member
A covered servicemember is either:

- *A current service member of the Armed Forces including a member of the U. S. National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness or:*
- *A veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness, and who was discharged within the previous five years before the employee takes military caregiver leave to care for the veteran.*

~~FMLA leave may be granted to an eligible employee to care for a covered service member, who is on the temporary disability retired list and has a serious injury or illness. The covered service member must be undergoing medical treatment, recuperation or therapy, otherwise be in outpatient status, or otherwise be on the temporary disability retired list. To be eligible for this leave, the employee must be the spouse, child, parent, or next of kin of the covered service member.~~

Amount of Leave
Employees take FMLA leave in a defined 12-month period or "leave-year". When an employee's need for FMLA extends beyond the 12-month leave year, any additional time the employee requests count against his or entitlement for the next leave year. The County uses a rolling 12-month period measured backward from the date the employee uses FMLA leave.

~~Eligible employees may take up to a total of 12 workweeks of FMLA leave during a rolling calendar year, when leave is taken for any one or combination of FMLA-qualifying reasons, not including military caregiver leave.~~ For regular full-time employees, 12 workweeks of leave equates to 480 hours (674 hours for 24-hour Emergency Services employees assigned to a 28-day cycle).

~~Except for military caregiver leave, each time FMLA leave is taken, the employee's remaining FMLA leave entitlement is any remaining balance of the 12 workweeks that has not been used during the rolling calendar year in which the leave was taken.~~

As with other paid leave types, FMLA leave is available in increments of quarter-hours (15 minutes) and an employee may not be required to take more leave than necessary to address the circumstances that precipitated the need for leave.

~~1. Amount of Military Caregiver Leave - For military caregiver leave only, up to a total of 26 workweeks of leave may be taken in a single 12-month period when combined with other FMLA qualifying leave. The 26 workweeks of leave equates to 1,040 hours for regular full-time employee (1,460 hours for 24-hour Emergency Services employees assigned to a 28-day cycle). For purposes of military caregiver leave only, the 12-month period begins on the first day the employee takes military caregiver leave and ends 12 months later.~~

~~When military caregiver leave is taken in combination with other FMLA qualifying reasons, only 12 weeks of the total may be for reasons other than the care of the covered service member.~~

2. When Both Spouses Work for the County - When both spouses are employed by Isle of Wight County, they are together entitled to a combined total of 12 (or 26) workweeks of FMLA leave within the designated 12 month period for the birth and care of a newborn child, adoption, or foster care placement of a child with the employees, to care for a parent (but not in-law) with a serious health condition, or to care for a covered service member with a serious injury or illness. Each spouse may be entitled to the remaining amount of FMLA leave for other FMLA qualifying reasons such as the case for a child with a serious health condition or due to one's own serious health condition. For example, if each spouse took 6 weeks of leave to care for a healthy newborn child, each could later use an additional 6 weeks due to his/her own serious health condition or to care for a spouse, child, or parent with a serious health condition.

3. Time Limitation When Leave is taken for Birth/Placement - Leave for birth and to care for a newborn, or for a newly placed child for adoption or foster care must conclude within 12 months after the birth or placement of the child.

Intermittent or Reduced Work Schedule Leave

"Intermittent leave" is leave taken in separate blocks of time due to a single qualifying reason (hours/days are taken periodically over a period of time). "Reduced work schedule leave" is leave that reduces an employee's usual number of hours per workweek or hours per workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member or veteran over a 12-month period).

Leave to care for a newborn or a newly placed child must be taken all at once, and may not be taken intermittently or on a reduced work schedule.

Leave taken because of an employee's own serious health condition, or to care for an employee's spouse, child, or parent with a serious health condition, may be taken all at once or, where medically necessary, intermittently or on a reduced work schedule.

If an employee takes leave intermittently or on a reduced work schedule basis for planned medical treatments, the employee must, when requested, attempt to schedule the leave so as not to unduly disrupt the County's operations. When an employee takes intermittent or reduced work schedule leave for the employee or employee's family member and for foreseeable planned medical treatment, the County may temporarily transfer the employee to an alternative position with equivalent pay and benefits for which the employee is qualified and which better accommodates the intermittent or reduced work schedule.

Substitution of Paid Leave

An eligible employee may choose to substitute accrued paid leave (annual, sick, compensatory, or sick bank leave) for FMLA leave. Substitute means that the accrued paid leave will run concurrently with the unpaid FMLA leave.

Requests for FMLA Leave

All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the Human Resources Department as soon as the employee knows that leave will be needed. An employee does not need to expressly assert his/her FMLA rights for an absence to be covered by FMLA. However, sufficient information must be provided for Human Resources to determine if the leave qualifies for FMLA protection and the anticipated timing and duration of the leave. If sufficient information is not provided, Human Resources will contact the employee to inquire further as to the reason for the leave. Within five business days after the employee has provided this notice of the need for FMLA leave, the Human Resources Department will complete and provide the employee with the Department of Labor Notice of Eligibility and Rights and Responsibilities form. The employee will be provided the Request for Family/Medical Leave form and submit it to the Human Resources Department. The employee will be provided the FMLA Policy.

When leave is foreseeable for childbirth, placement of a child or planned medical treatment for the employee's or family member's serious health condition, the employee must provide the County with at least 30 days advance notice, or such shorter notice as is practicable (it is expected that an employee will give notice to the employer within no more than one or two working days of learning of the need for leave, except in extraordinary circumstances). When the timing of the leave is not foreseeable, the employee must comply with the County's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

Required Documentation

When leave is taken to care for a family member, the County may require the employee to provide documentation or statement of family relationship (e.g., birth certificate or court document).

An employee shall be required to submit medical certification from a health care provider to support a request for FMLA leave for the employee's or a family member's serious health condition. Medical certification forms (Department of Labor Certification of Health Care Provider for Employee's Serious Health Condition form) are available in the Human Resources Department. The employee's job description to include the essential

functions/physical requirements should be furnished to the health care provider completing the Certification of Health Care Provider for Employee's Serious Health Condition form. The employee must respond to such a request for medical certification within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave or continuation of leave.

During FMLA leave, the County may request that the employee provide recertification of a serious health condition at intervals in accordance with the FMLA. In addition, on a basis that does not discriminate against employees on FMLA leave, the County may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work. The County may provide the employee's health care provider with the employee's attendance records and ask whether the need for leave is consistent with the employee's serious health condition. If the employee's anticipated return to work date changes and it becomes necessary for the employee to take more or less leave than originally anticipated, the employee must provide the County with reasonable advance notice as soon as practicable of the employee's changed circumstances and new return to work date. If the employee gives the County notice of intent not to return to work, the employee will be considered to have voluntarily resigned. If the employee voluntarily terminates his/her employment while taking leave covered by FMLA, the County's FMLA obligations to the employee cease.

The County has the right to ask for a second medical opinion. The County will pay for any such second medical opinion necessary. Arrangements are coordinated through the Human Resources Department.

Certification of Military Family Leave:

1. Qualifying Exigency - To certify a qualifying exigency for military FMLA leave, the County will require certification within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave or continuation of leave. Qualifying exigency forms (Department of Labor Certification of Qualifying Exigency for Military Leave form) are available in the Human Resources Department.

2. Military Caregiver Leave - To certify a serious injury or illness of the covered service member or veteran, the County will require certification within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Certification forms (Department of Labor Certification for Serious Injury or Illness of Covered Service Member for Military Family Leave" form) are available in the Human Resources Department. Other types of certification may include providing a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family. Alternatively, documentation of enrollment in the VA Program of Comprehensive Assistance for family caregivers is sufficient, but the County may require additional information in accordance with the federal regulations.

FMLA leave may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

The Human Resources Department is responsible for reviewing and maintaining all medical documentation including medical certifications and doctor's notes. All records related to an employee's medical condition are strictly confidential and may be discussed only with those who have a bona fide need to know.

Use of Paid or Unpaid Leave

FMLA provides eligible employees with up to 12 (or 26) workweeks of unpaid leave. Therefore, FMLA leave may be paid, unpaid, or a combination of paid and unpaid leave, depending on the–circumstances of the leave and the employee's accrued paid leave available. An employee who is taking FMLA leave because of the employee's own serious health condition or the serious health condition of a family member must use any qualifying paid leave prior to being eligible for unpaid leave. Qualifying paid leave is leave that would otherwise be available to the employee for the purpose for which the FMLA leave is taken. The remainder of the 12 (or 26) workweeks of leave, if any, will be unpaid FMLA leave. Any paid leave used for an FMLA qualifying reason

will be charged against an employee's entitlement to FMLA leave. The substitution of paid leave for unpaid leave does not extend the 12 (or 26) workweek leave period.

An employee who is taking leave for the adoption or foster care of a child must use all paid annual and personal leave prior to being eligible for unpaid leave. An employee who is using military FMLA leave for a qualifying exigency must use all paid annual and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must use all paid annual, personal, or sick leave (as long as the reason for the absence is covered by the sick leave policy) prior to being eligible for unpaid leave.

Designation of Leave

Within five (5) business days after the employee has submitted the appropriate certification form, the Human Resources Department will provide the employee with a written response to the employee's request for FMLA leave (using the Department of Labor Designation Notice).

The County may provisionally designate the employee's leave as FMLA leave if the County has not received medical certification or has not otherwise been able to confirm that the employee's leave qualifies as FMLA leave. Sick leave may be run concurrently with FMLA leave if the reason for the FMLA leave is covered by the established policy. Leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. If the employee has leave to be counted as FMLA leave, the employee must notify the Human Resources Department as soon as possible of the employee's return to work that the leave was for an FMLA reason.

If an employee takes paid leave for a condition that progresses into a serious health condition and the employee requests unpaid leave as provided under this policy, the County may designate all or some portion of related leave taken as FMLA leave, to the extent that the earlier leave meets the necessary qualifications.

Maintenance of Health Insurance Benefits and other Benefits

During FMLA leave, an employee is entitled to continued group health plan coverage at the same level and under the same conditions as if the employee had continued to work. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance beyond the employee's control, the County will require the employee to reimburse the County the amount it paid for the employee's health insurance premium during the leave period.

To the extent that an employee's FMLA leave is paid, the employee's portion of health insurance premiums will be payroll-deducted from the employee's paycheck. While on unpaid leave, the employee must continue to make this payment, either in person or by mail.

If the employee's payment of health insurance premiums is more than 30 days late, the County may discontinue health insurance coverage for the duration of the leave upon at least 15 days' notice to the employee prior to the employee's loss of coverage.

If the employee contributes to a life insurance plan, disability plan, or any other voluntary contributions to benefit plans, the County will continue making payroll deductions while the employee is on paid FMLA leave. While the employee is on unpaid FMLA leave, the County will discontinue coverage during the FMLA leave. Upon the employee's return from FMLA leave, payroll deductions will recommence.

Return to Work From Approved Leave

Upon the return to work from approved FMLA leave that was twelve (12) workweeks or less in duration, the employee will be restored to the position of employment held by the employee when the leave commenced or restored to an equivalent position with equivalent status, benefits, pay, and other terms and conditions of employment.

An employee that takes FMLA leave that was twelve (12) workweeks or less in duration may be required to provide a fitness for duty clearance from the health care provider stating that the employee is able to resume work and/or if there are any limitations. This requirement will be included in the employer's response to the FMLA request.

An employee's return to work may be delayed or denied if the appropriate documentation is not provided in a timely manner. Also, a failure to provide requested documentation of the reason for an absence from work may lead to termination of employment.

Limitations on Reinstatement

An employee is entitled to reinstatement only if he/she would have continued to be employed had FMLA not been taken. Thus, an employee is not entitled to reinstatement if, because of a layoff, reduction in force, or other reason, the employee would not be employed at the time job restoration is sought.

The County reserves the right to deny reinstatement to salaried, eligible employees who are among the highest paid ten (10) percent of the County's employees employed within 75 miles of the worksite ("key employees") if such denial is necessary to prevent substantial and grievous economic injury to the County's operations.

Failure to Return to Work Following FMLA Leave

If the employee does not return to work following the conclusion of FMLA leave, the employee will be considered to have voluntarily resigned. The County may recover health insurance premiums that were paid on behalf of the employee during an unpaid FMLA leave except that the County's share of such premiums may not be recovered if the employee fails to return to work because of other circumstances beyond the employee's control. In such cases, the County may require the employee to provide medical certification of the employee's or family member's serious health condition.

For further information or clarification about FMLA leave, please contact the Human Resources Department.

~~**Section 5.12(a) Emergency Family and Medical Leave (FML) Expansion Act**~~

~~During the period beginning April 1, 2020 and ending on March 31, 2021, pursuant to the provisions of the Families First Coronavirus Response Act (H.R.6201), Isle of Wight County will grant 'eligible employees' with up to 12 workweeks of job protected leave during a 12-month period for the purpose~~

of a 'qualifying need related to a public health emergency'. Except for military caregiver leave defined above, each time FMLA leave is taken for any purpose(s), the employee's remaining FMLA leave entitlement is any remaining balance of the 12 workweeks that has not been used during the rolling calendar year in which the leave was taken. The leave under the Emergency FML Expansion Act is the only reason allowed for mandatory paid leave under the FMLA. During this leave, an eligible employee is entitled to continued group health plan coverage. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or equivalent position. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law.

Explanation of Terms

For the purpose of Section 5.12(a):
The term **'eligible employees'** means employees who have been employed for at least 30 calendar days, with the exception of emergency responders including, but not limited to, law enforcement employees, Department of Emergency Services fire and/or rescue employees, and 911 dispatchers.

The term **'qualifying need related to a public health emergency'**, with respect to leave, means the employee is unable to work (or telework) due to a need for leave to care for the son or daughter under 18 years of age of such employee if the school or place of care has been closed, or the child care provider of such son or daughter is unavailable, due to a public health emergency.

Under this provision, the term **'public health emergency'** means an emergency with respect to COVID-19 declared by a Federal, State, or local authority.

The term **'child care provider'** means a provider who receives compensation for providing child care services on a regular basis, including an 'eligible child care provider' (as defined in section 658P of the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858n)).

The term **'school'** means an 'elementary school' or 'secondary school' as such

~~terms are defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).~~

Section 5.14 - Recognition Leave
(Adopted April 1, 2015, Revised July 1, 2018, July 1, 2019, July 1, 2023)

All personnel are eligible to receive leave hours for the purpose of such instances as the recognition of service to the County, in conjunction with the promotion of or participation in safety, health, or wellness initiatives, or for any other purpose approved by the County Administrator. Recognition leave is intended to provide employees paid leave separate and apart from his/her other available paid leave types.

For the purpose of the recognition of five years of service milestones of regular full-time (except those assigned to a 28-day cycle) and regular part-time employees (those working between 20-29 hours per week on a regular basis are eligible; those working on an on-call/intermittent/temporary/or seasonal basis are not eligible), with the County, the following schedule will apply:

Years of Service	Number of Recognition Leave Hours Awarded
5	4
10	8
15	12
20	16
25	20
30 or more	24

For the purpose of the recognition of five years of service milestones of regular full-time employees assigned to a 28-day cycle, as authorized within the 7k work period exemption within the Fair Labor Standards Act, within the Department of Emergency Services, the following schedule will apply:

Years of Service	Number of Recognition Leave Hours Awarded
5	6
10	12
15	18
20	~~16~~ *24*
25	~~24~~ *30*
30 or more	36

Recognition leave is non-cumulative, must be taken within 90-calendar days of it being granted, and any remaining balance thereof shall be forfeited at the end of the 90-calendar day period. Any recognition leave shall not be paid upon separation of employment, is non-transferrable, and is not compensable in the form of monetary compensation in lieu of paid leave time. Use of recognition leave hours must be scheduled and approved in advance by the employee's immediate supervisor. Recognition leave shall be granted to an employee for a specific purpose by the Human Resources Department upon approval of the County Administrator or his/her designee. The Human Resources Department shall inform the employee's department director that such recognition leave has been granted.

ARTICLE X - Recruitment and Selection

(Revised October 6, 2005; February 13, 2007, July 1, 2018, *July 1, 2023*)

Section 10.5

Following a provisional offer of employment, the Department of Human Resources will request criminal records check of the prospective employee from the Department of State Police. Upon receipt of the information which indicates a prior criminal conviction, the Department of Human Resources will consult with the County Attorney to determine if there is a connection between the crime involved and the position sought. In cases where it is determined that the criminal record is incompatible with the nature of employment, the provisional offer will be withdrawn. An explanation shall be provided to the applicant that is denied employment. Criminal history records shall be kept confidential.

Criminal records check requirement extends to all full time, part time and volunteer positions.

Chapter 2: Financial & Accounting

ARTICLE I - Central Purchasing

(Adopted December 4, 1975; Revised April 6, 2000, June 19, 2003, October 16, 2003, October 21, 2004, October 2, 2008, June 11, 2008, April 15, 2010, May 27, 2010, December 20, 2012, March 20, 2014, May 15, 2014, October 15, 2015, October 20, 2016, June 9, 2016, May 18, 2017, May 17, 2018, July 1, 2019, September 17, 2020, July 15, 2021, *July 1, 2023*)

Division 3. Competitive Negotiation

Section 1.47.1 - Contracting for Professional Services

1. Competitive negotiation procedure. The purchasing agent shall engage in individual discussions with all offerors deemed fully qualified, responsible and suitable on the basis of initial responses and with emphasis on professional competence to provide the required services. Repetitive informal interviews shall be permissible. Such offerors shall be encouraged to elaborate on their qualifications and performance data or staff expertise pertinent to the proposed project as well as alternative concepts. The request for proposal shall not, however, request that offerors furnish estimates of man-hours or cost for services. These discussions may encompass nonbinding estimates of total project costs, including where appropriate, design, construction, and life-cycle costs. Methods to be utilized in arriving at price for services may also be discussed. Proprietary information from competing offerors shall not be disclosed to the public or to competitors. For architectural or engineering services, the public body shall not request or require offerors to list any exception to proposed contractual terms and conditions, unless such terms and conditions are required by statue, regulation, ordinance, or standards developed pursuant to § 2.2-1132, until after the qualified offerors are ranked for negotiations. At the conclusion of discussions, outlined herein, on the basis of evaluation factors published in the request for proposals and all information developed in the selection process to this point, the purchasing agent shall select in the order of preference two (2) or more offerors whose professional qualifications and proposed services are deemed most meritorious.

Negotiations shall then be conducted, beginning with the offeror ranked first. If a contract satisfactory and advantageous to the county can be negotiated at a price considered fair and reasonable, and pursuant to contractual terms and conditions acceptable to the public body, the award shall be made to that offeror. Otherwise, negotiations with the offeror ranked first shall be formally terminated and negotiations conducted with the offeror ranked second, and so on until such a contract can be negotiated at a fair and reasonable price.

Should the purchasing agent determine in writing and in his sole discretion that only one (1) offeror is fully qualified, or that one (1) offeror is clearly more highly qualified and suitable than the others under consideration, a contract may be negotiated and awarded to that offeror. Once formally terminated, negotiations may not be reopened with any offeror.

2. Multiphase professional services contracts satisfactory and advantageous to the county for environmental, location, design and inspection work regarding construction infrastructure projects may be negotiated and awarded based on qualifications at a fair and reasonable price for the first phase only, when completion of the earlier phases is necessary to provide information critical to the negotiation of a fair and reasonable price for succeeding phases. Prior to entering any such contract, the county shall state the anticipated intended total scope of the project and determine in writing that the nature of the work is such that the best interests of the county require awarding the contract.

3. Contracting for multiple projects. A contract for architectural or professional engineering services relating to construction projects may be negotiated by the county, for multiple projects provided (i) the projects require similar experience and expertise, (ii) the nature of the projects is clearly identified in the request for proposals, and (iii) the contract term is limited to one (1) year or when the cumulative total project fees reach the maximum cost authorized in this paragraph, whichever occurs first. Such a contract may be renewable for *three (3)* ~~four (4)~~ additional one-year terms at the option of the county. Under such contract, (a) the fair and reasonable prices, as negotiated, shall be used in determining the cost of each project performed; (b) the sum of all projects performed in one (1) contract term shall not exceed *ten million dollars ($10,000,000)* ~~seven hundred fifty thousand dollars ($750,000)~~; and (c) the project fee of any single project shall not exceed *two million five hundred thousand dollars ($2,500.000)* ~~one hundred fifty thousand dollars ($150,000.00), or five hundred thousand dollars ($500,000)~~ per contract term.

Any unused amounts from the first contract term shall not be carried forward to the additional term. Competitive negotiations for such contracts may result in awards to more than one (1) offeror provided (1) the request for proposals so states and (2) the county has established procedures for distributing multiple projects among the selected contractors during the contract term.

4. The County shall not procure architectural or engineering services through a job order contract.

Chapter 4: Fleet

ARTICLE II - Driving Standards

(Created April 3, 2008 as a separate Article originally part of Article 1)
(Revised September 17, 2015, August ??? 2022, July 1, 2023)

Section 2.0 – Applicability

(*Revised September 17, 2015)*
The requirements of this policy are applicable to all individuals requiring authorization to routinely or occasionally drive County vehicles. To ensure the safety of the employees and the citizens, individuals who drive on behalf of the County must have an acceptable driving transcript.

Driver Licensing - Department Heads/Agency Heads are responsible for ensuring that their employees are properly licensed and trained to operate County vehicles. A valid driver's license is required to operate County vehicles. The basic license requirements for passenger vehicles apply, as do the following additional requirements for heavy vehicles and equipment operated on the highway:

Those persons required to operate or maintain a vehicle weighing 26,001 pounds or more, gross vehicle weight 299 rating (GVWR); or designed to carry 16 or more passengers, including the driver; or used to transport hazardous materials required to be placarded by federal law, must have a Commercial Motor Driver's License (CDL).

In accordance with VA Code 46.2-341.4, emergency equipment operated by a member of a firefighting, rescue, or emergency entity in the performance of his official duties is exempt from the Commercial Diver's License (CDL) requirement. However, employees and volunteers falling under this exemption are subject to the requirements contained in Isle of Wight County policy Chapter 4, Article III, Emergency Vehicle/Apparatus Use.

Section 2.1 - Driving Records

(Revised September 17, 2015, August ??? 2022)
A valid driver's license for the appropriate class of vehicle or equipment which will be operated is required if such vehicle or equipment operation is

specifically required in the job description. During the hiring and volunteer selection process, the County will make a conditional offer of employment to those job applicants, and will conditionally approve those prospective volunteers, who will be required to operate a County vehicle as a bona fide occupational or volunteer qualification for the position for which the job applicant or volunteer is applying. ~~The prospective employee or volunteer shall secure a copy of their current (less than thirty (30) days old) Department of Motor Vehicle (DMV) driving record at the prospective employee's or volunteer's own expense and shall provide the record to the hiring or volunteer supervisor. The supervisor will forward the DMV record of the prospective employee or volunteer to the Department of Human Resources (to be maintained in the applicant's folder).~~ *The Department of Human Resources/Risk Management will obtain a copy of the prospective employee or volunteer's current Department of Motor Vehicle (DMV) driving record. Prospective employees and volunteers who are licensed outside of Virginia shall secure a copy of their current (less than thirty (30) days old) Department of Motor Vehicle (DMV) driving record at the prospective employee's or volunteer's own expense and shall provide the record to the Department of Human Resources. DMV records will be reviewed by Human Resources/Risk management to verify compliance with the County Driving standards as stated in Chapter 4: Fleet, Article II – Driving Standards, Section 2.2 – Driving Standards. All DMV records will be maintained in the applicant's Human Resources file.*

Prior to an employee or volunteer, with the exception of Fire and Rescue Volunteers, being ~~required~~ *authorized to drive on behalf of the County or* to operate a County *owned and/or leased* vehicle, he/she must undergo a verification of valid driving license status, ~~as well as~~ *review of their driving record* for adherence to County Driving Standards as outlined within the policy *and have completed all driver training as required by this policy*. ~~This verification is to be conducted by the Department Director of the department in which the volunteer is volunteering, in conjunction with the Human Resources Department as needed.~~

Fire and Rescue Volunteers operating County vehicles will be subject to the terms outlined in the executed Vehicle Use Agreement due to the unique driving requirements associated with such volunteer assignments.

~~No final acceptance of a prospective volunteer or final offer of employment will be extended unless and until the Department of Human Resources receives an acceptable and current DMV driving record as specified in this policy.~~

The County at its sole discretion may withdraw a conditional offer of employment due to the failure of a job applicant to provide their DMV driving record, or if the DMV driving record does not prove valid licensure or acceptable driving standard as required herein.

Section 2.2 - Driving Standards *(Revised October 4, 2007, July 1, 2008, August ??? 2022)*

All drivers who operate a County-owned *and/or leased* vehicle *or are authorized to drive on behalf of the County* must meet minimum County driving standards as determined by the County. Annual DMV records checks will be conducted for all routine and/or CDL licensed drivers of County vehicles; random checks ~~will~~ *may* be conducted on other *authorized County* drivers or whenever the County deems a transcript check necessary to insure minimum standards are being met. Isle of Wight County driving standards are as follows:

a. Possession of a current valid driver's license;
b. No more than two (2) moving violations within the previous twelve (12) months;
c. No record of conviction associated with driving under the influence (DUI) within the previous thirty-six (36) months;
d. No record of conviction of reckless driving within the previous thirty-six (36) months;
e. No record of conviction for any serious traffic offense with an assessment of six (6) or more demerit points within the previous thirty-six (36) months;
f. No record of current revocations or suspensions or previous revocations or suspensions associated with moving violations within the last thirty-six (36) months.

If an employee or volunteer fails to meet County driving standards and holds a position where operating a vehicle is a bona fide occupational qualification essential to the County, such employee may be separated from employment due to the inability to meet a requirement of the position. The County

Administrator may waive any or all of the driving standards at his or her discretion depending on the circumstances.

Section 2.3 - Obligation to Report

It is the volunteer or employee's responsibility to notify their immediate supervisor of any condition or change in license status which would impede his/her driving ability. Authorized driver's must also report, as soon as possible but no later than the next immediate workday, any conviction that causes them to be in non-compliance with the County's driving standards. *Upon being notified, supervisors are required to report the notification to Human Resources/Risk Management.* Failure to report as outlined above may subject the individual to disciplinary action, up to and including termination. The County reserves the right to revoke the volunteer or employee's authorization to drive a County vehicle should such situations or conditions warrant.

Section 2.4 - Authorization Procedures and Training

Individuals authorized to drive County vehicles are provided a copy of this policy and shall be required to sign the County Driving Standards Policy Agreement indicating that they understand and agree to comply with the provisions of this policy. The signed agreement shall be maintained by the Human Resources Department.

Operators of County vehicles shall ~~be required to participate in~~ complete a DMV-approved Defensive Driving Program *within six months of being authorized to drive and as otherwise required thereafter*. Such training may be online, conducted at a County facility or employees may be referred to a DMV-approved training center. Department Heads and Agency Heads whose employees operate County provided vehicles shall support the program by ensuring that *their* employees ~~participate in~~ *complete* Defensive Driving *training* ~~classes~~ when scheduled and as otherwise required. Operators of County vehicles ~~will~~ *are* also ~~be~~ required to view the Defensive Driving video as provided during new employee orientation.

Adopted this 18th day of May 2023.

William M. McCarty, Sr., Chairman

Carey Mills Storm, Clerk

Approved as to Form:

Robert W. Jones Jr., County Attorney

ISSUE:

Memorandum of Agreement with the Isle of Wight Bicycling Volunteers

BACKGROUND:

The Board has previously received presentations from the Isle of Wight Bicycling Volunteers regarding a proposed BMX and pump track and support facilities at Nike Park.

The Board may wish to adopt a memorandum of agreement with Isle of Wight Bicycling Volunteers.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Adopt a motion to approve a memorandum of agreement with Isle of Wight Bicycling Volunteers.

ATTACHMENTS:

Description	Type	Upload Date
Memorandum of Agreement	Agreement	5/3/2023

MEMORANDUM OF AGREEMENT
BY AND BETWEEN
THE ISLE OF WIGHT COUNTY BOARD OF SUPERVISORS
AND
ISLE OF WIGHT BICYCLING VOLUNTEERS

THIS MEMORANDUM OF AGREEMENT (hereinafter the "MOA") is entered into this 28 day of April, 2023 by and between the Isle of Wight County, Virginia (the "County") and Isle of Wight Bicycling Volunteers (IoWBV). The Board and Isle of Wight Bicycling Volunteers may hereinafter be referred to jointly as the "Parties".

WHEREAS, County is the fee simple owner of certain real property commonly known as 13068 Nike Park Road, Smithfield, Virginia and designated as Tax Map Parcel Number 23-01-014 (the "Property"); and

WHEREAS, IoWBV has requested the use of a portion of the Property to construct and make use of a BMX and pump track and support facilities (the "Permitted Activity"). A map of the area upon which the tracks shall be constructed is attached hereto as Exhibit "A"; and

WHEREAS, the Parties have a common interest in promoting the BMX sport in the County of Isle of Wight through the installation, operation and maintenance of a BMX and pump track and support facilities at Nike Park.

Whereas, in the interest of cooperation and the desire to assist IoWBV the County grants to IoWBV a temporary license to use the Property under the following terms and conditions.

NOW, THEREFORE, in consideration of the premises and mutual covenants and restrictions herein contained, the Parties agree as follows:

1. The County consents and agrees that IoWBV, its officers, representatives, agents and volunteers may enter upon the Property to perform the Permitted Activity, beginning from the date of execution of this Agreement, and may have access to the Property while it is performing the Permitted Activity.

2. IoWBV shall, at its sole expense, obtain all local, state or/or federal permits necessitated by its activities on the Property.

3. This Agreement shall be in effect from the date of execution by the Parties until such time as either Party decides to terminate. Either Party may terminate this MOA with or without cause upon written notice to the other Party with a 90-day notice.

4. The Isle of Wight County Parks and Recreation Department shall be responsible for managing this agreement for the Board.

5. The IoWBV shall raise all funds required for the construction and maintenance of the BMX track and pump track and support facilities and any additional features and maintenance required for the existing Nike Park mountain bike trail. This agreement commits no funding from the Board.

6. The IoWBV shall be responsible for all BMX track, pump track and supporting facility maintenance. Additionally, IoWBV shall partner with County staff to maintain existing Nike Park mountain bike trail.

7. The IoWBV shall schedule, manage, and fund all IoWBV events for the BMX track and pump track to include parking control, collection of registration and gate fees, EMT services, and port-a-john services.

8. Proceeds from all IoWBV events on the Property shall be used for the BMX track, pump track, mountain bike trail and supporting facility maintenance and future event operations.

9. When not scheduled for IoWBV events, the BMX track and pump track will be made free and open to the public.

10. The covenants and restrictions contained herein shall apply to and bind the Parties and their heirs, representatives, successors and permitted assigns.

11. IoWBV agrees to indemnify, hold harmless and defend the County, the County's Board of Supervisors, officers, and employees from and against any and all claims, actions, damages, liability and expense in connection with personal injury and/or damage to property arising from or out of any occurrence in, upon or at the Property caused by the acts or omissions of IoWBV it's respective officers, volunteers, contractors, agents, or vendors relating to this Agreement. IoWBV shall be liable for the payment of all costs, expenses of litigation, attorneys' fees and any judgment that may be entered therein. This indemnification provision shall survive termination of this Agreement.

12. IoWBV at its sole cost and expense, and for the mutual benefit of the County and itself, or if applicable, require that its contractors and subcontractors shall procure and maintain, prior to commencement of any Permitted Activities on the Property, from a company legally qualified to do business in Virginia, comprehensive public liability insurance, including property damage, insuring the County and itself against liability for injury to persons or property occurring in or about the Property or arising out of the entry and use thereof. The limits of liability coverage under such insurance shall be no less than One Million Dollars ($1,000,000.00) per occurrence and no less Two Million

Dollars ($2,000,000.00) for aggregated claims. All policies of insurance shall provide a certificate of insurance including an endorsement that the County is an additional insured. All contractors and subcontractors shall procure and maintain proper amounts of workers' compensation insurance and shall provide evidence of said coverage that is satisfactory to the County. Such insurance shall provide for the payment of compensation in accordance with the laws of the Commonwealth of Virginia.

13. IoWBV shall not, during the term of this Agreement, store hazardous chemicals on the Property, including, but not limited to, gasoline and diesel fuel, except in reasonable quantity to operate any equipment used to perform the Permitted Activities. Further, IoWBV acknowledges that it is liable for any environmental contamination that occurs during its use of the Property and will, at its expense, perform any remediation necessary to restore the Property to the condition in which it was received from the County. This provision shall survive termination of this Agreement.

14. There have been no other promises, consideration, or representations made which are not set forth in this Agreement. There may be no modification of this Agreement, except in writing executed by the authorized representatives of the Parties.

15. There have been no other promises, consideration, or representations made which are not set forth in this Agreement. There may be no modification of this Agreement, except in writing executed by the authorized representatives of the Parties.

16. IoWBV acknowledges that the County is permitting the use of the Property without requiring monetary or other consideration. Should any actionable cause accrue to the County, the parties hereby stipulate that the laws of the Commonwealth of Virginia shall apply (without resort to principles thereof regarding choice of law). Such cause shall be heard in the Circuit Court of the County of Isle of Wight, Virginia, subject only to the limitation that where circumstances exist that place exclusive jurisdiction in the federal district court, then such cause shall be heard in the United States District Court for the Eastern Division of Virginia. The County shall be entitled to all reasonable attorney's fees incurred in seeking enforcement of the above.

17. The rights and obligations under this Agreement may not be assigned by either Party hereto without the prior written consent of the other Party.

18. The Parties agree that at no time it shall discriminate against any person on the grounds of race, religious affiliation, color, national origin, disability, age, or gender.

19. The failure of either party to insist upon strict performance of any obligation in this Agreement shall not constitute a waiver of said Party's right to demand strict compliance therewith in the future.

20. This Agreement may be executed in one or more counterparts by original, electronic or facsimile signature, each of which shall constitute an original, and all of which, when taken together, shall constitute one and the same Agreement.

IN WITNESS WHEREOF, the Parties hereby have executed this MOA on the date first listed above.

ISLE OF WIGHT COUNTY
BOARD OF SUPERVISORS

William M. McCarty Sr., Chairman

ISLE OF WIGHT BICYCLING
VOLUNTEERS

Andrew Gibler, Board of Directors, President

APPROVED AS TO FORM:

Robert W. Jones, Jr., County Attorney

ISSUE:

Resolution to Establish a Proposed Sick Leave Bank Policy

BACKGROUND:

Staff will provide information relative to a proposed Sick Leave Bank policy to establish a Sick Leave Bank which will give members an additional source of leave days when they are unable to perform their job duties due to a major/serious personal illness or injury.

The sick leave bank is not intended for intermittent leave or for short-term leave due to routine or non-major illness or injury. Leave granted may be used after the employee has exhausted all of their leave.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Adopt a resolution to establish a sick leave bank policy.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/12/2023
Proposed Sick Leave Bank Policy	Backup Material	5/11/2023

RESOLUTION TO AMEND CHAPTER 1: PERSONNEL, ARTICLE XIII OF THE COUNTY POLICY MANUAL

WHEREAS, the Board of Supervisors desires to amend the County Policy Manual, Chapter 1: Personnel, Article XIII – Leave Donation which currently establishes the voluntary donation of annual leave and/or sick leave from unused annual leave and/or sick leave balance to colleagues in need; and,

WHEREAS, the amendments of the County Policy Manual are necessary in order to ensure appropriate administration of the County's leave provisions; and,

WHEREAS, the Board of Supervisors desires to amend County Policy Manual, Chapter 1: Personnel, Article XIII – Leave Donation to establish a Sick Leave Bank Policy.

NOW, THEREFORE, BE IT RESOLVED that Chapter 1: Personnel, Article XIII – Leave Donation of the County Policy Manual is hereby amended as follows effective July 1, 2023 and shall remain in effect until amended by the Board:

Article XIII - Leave Donation

(*Adopted April 5, 2007, Revised May 16, 2013, July 1, 2019, March 19, 2020*)

~~**Section 13.0 – Purpose**~~
~~(*Revised March 19, 2020*)~~

~~Isle of Wight County recognizes that employees may have a family emergency or a personal crisis resulting in the need for time off in excess of their leave balance. To address this need, all eligible employees will be allowed to donate annual leave and/or sick leave from their unused annual leave and/or sick leave balance to colleagues in need. Participation is strictly voluntary.~~

~~**Section 13.1 – Eligibility**~~
~~(*Revised July 1, 2019, March 19, 2020*)~~

The leave donation program is open to full-time employees with specific eligibility criteria as follows:

- Full-time employees that are Virginia Retirement System (VRS) Plan 1 or Plan 2 members.
- Full-time employees that are VRS Hybrid Plan members with less than one (1) year of full-time service with a serious or life-threatening personal illness or injury. (Those with one (1) year of service or more are not eligible for the Leave Donation Policy because they are eligible for short and long-term disability benefits included within the VRS Hybrid Plan).
- Full-time employees that are VRS Hybrid Plan members caring for an immediate family member's serious or life-threatening illness or injury.
- VRS Hybrid Plan members may only donate annual leave (not sick leave) to other employees.

Section 13.2 – Guidelines
(*Revised March 19, 2020*)

The following situations qualify an employee to request leave donations:

- An employee's serious or life-threatening personal illness or injury (VRS Plan 1 or Plan 2 members) (VRS Hybrid Plan members with less than one (1) year of full-time service may participate).
- To care for an employee's immediate family member with a serious or life-threatening illness or injury (VRS Plan 1, Plan 2, and Hybrid Plan members may participate) – immediate family of an employee is defined as: natural parents, adoptive parents, step-parents, foster parents, spouse, and natural, adopted or foster children, and grandparents, or any family member residing within the employee's same household.
- A personal crisis of severe nature that directly impacts the employee, including a natural disaster impacting the employee's primary residence such as a fire or severe storm (VRS Plan 1, Plan 2, and Hybrid Plan members may participate)

Donations are intended for absences of long-term nature or a one-time illness of unknown duration.

There is no restriction on the number of colleagues an employee may donate annual and/or sick leave. The donation minimum is four (4) hours. The maximum leave donation an employee may make to an individual colleague per fiscal year is forty (40) hours or fifty percent (50%) of their current annual leave and/or sick leave balance, whichever is less. For example, if an employee wishes to donate forty (40) hours of his/her annual leave or sick leave to a colleague, but only has 32 hours of annual leave or sick leave in his personal balance, he may only donate 16 hours of annual leave or sick leave to his colleague. An employee wishing to donate annual and/or sick leave to a colleague must complete a Leave Donation Form specifying which type of leave and the amount of leave he/she is donating. All Leave Donation Forms completed by employees shall be verified and approved by Human Resources prior to donated leave being applied to an employee.

An employee that donates annual and/or sick leave is responsible for managing his/her own leave balances to account for his/her own planned usage of annual and/or sick leave to ensure he/she will have leave for his/her own needs (ex. preapproved/preplanned annual leave the employee intends to take within that year).

An employee to whom leave is donated must first have used all of their own available leave. Employees who are currently on an approved leave of absence cannot donate leave.

The total number of hours donated to an employee shall not exceed 320 hours (8 weeks) within a fiscal 12 month period. Once the employee returns to work or separates employment, any portion of unused donated leave will be forfeited by the employee. Employees may not save unused donated leave for follow-up appointments or subsequent absences.

Section 13.3 – Procedure
(*Revised March 19, 2020*)

Employees requesting leave donations must complete and submit to Human Resources a Leave Donation Request Form which includes authorization to present their request to the employees of Isle of Wight County for the sole purpose of soliciting donations.

~~Employees donating leave must complete a Leave Donation Form and submit to Human Resources. Leave donations in excess of need will be returned to the donor.~~

Section 13.0 - Purpose

To establish a Sick Leave Bank which will give members an additional source of leave days when they are unable to perform the duties of their position due to a major/serious personal illness or injury. The sick leave bank is not intended for intermittent leave or for short time leave due to routine or non-major illness or injury. Leave granted may be used after the employee has exhausted all of their leave.

Section 13.1 - Definitions

1. *An illness, injury, impairment or physical or mental condition that involves:*
    a. *Inpatient care in a hospital, hospice, or residential medical care facility including any period of incapacity or subsequent treatment in connection with such inpatient care or*
    b. *continuing treatment by a health care provider relating to the same condition.*
    c. *any period relating to pregnancy or to prenatal care.*

2. *Immediate Family Member*
    3. *Spouse*
    4. *Parent*
    5. *Son or Daughter*

Spouse
Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside the United State if the marriage could have been entered into at least one state.

Parent
Parent means a biological, adoptive, step or foster father or mother, or any individual who stood in loco parentis to the employee when the employee was a child. This does not include "parent-in-law."

Son or Daughter

a. *Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or who is 18 years of age or older and incapable of self-care because of a mental or physical disability.*

Section 13.3 - Eligibility and Enrollment

1. *Membership in the bank is voluntary and is open to employees in a full-time position who meet the following criteria:*
   a. *Full-time employees that are Virginia Retirement System (VRS) Plan 1 or Plan 2 members.*
   b. *Full-time employees that are VRS Hybrid Plan members with less than one (1) year of full-time service with a serious or life-threatening personal illness or injury. Those with one (1) year of service or more are not eligible for the Leave Donation Policy because they are eligible for short and long-term disability benefits included within the VRS Hybrid Plan.*
   c. *Full-time employees that are VRS Hybrid Plan members caring for an immediate family member's serious or life-threatening illness or injury.*
2. *Membership is open during the Open Enrollment period and requires 8 hours of sick leave or annual leave per year. An employee wishing to participate in the Sick Leave Bank must complete the enrollment form and forward it to the Department of Human Resources. By enrolling, the employee agrees to contribute a minimum of 8 hours of leave to the sick leave bank. An employee that transfers leave to the sick leave bank relinquishes all rights to that leave.*
3. *An employee can contribute additional hours upon enrollment.*
4. *New employees must enroll within the first three months of employment.*

5. *New employees not yet eligible for Family Medical Leave or Short-Term Disability will be reviewed by Human Resources and approved by the County Administrator.*
6. *Employees may be reassessed every July for eight hours if the sick leave bank falls below 500 hours.*
7. *A maximum of 500 hours can be used per application to the sick leave bank.*

Section 13.4 - Administration of Sick Leave Bank

The sick leave bank will be administered by Human Resources. Human Resources will verify an applicant's eligibility to receive benefits from the sick leave bank and will review the Family Medical Leave (FML) paperwork.

Section 13.5 - Sick Leave Bank Benefits

1. *Employees requesting leave hours from the sick leave bank must have approved FML.*
2. *Employees must have exhausted all leave (annual, sick, and compensatory) before requesting leave from the sick leave bank.*
3. *Employees must complete a Sick Leave Bank application and be on approved FML before requesting leave.*
4. *Employees using leave from the sick leave bank do not have to replace the time taken.*
5. *The maximum amount of leave per application is 500 hours. Employees receiving leave from the sick leave bank will receive hours at the end of a payroll period as needed, up to the maximum number granted and will not receive sick leave bank hours in a lump sum.*
6. *Upon the end of employment, sick leave bank hours will not be counted for leave payout.*
7. *Upon the end of employment (either separation or termination), an employee's remaining sick leave balance will be transferred into the sick leave bank.*
8. *Medical conditions resulting from any occupational related accident or illness for which Workers' Compensation benefits have been awarded are not eligible for the sick leave bank.*

Adopted this 18th day of May 2023.

William M. McCarty, Sr., Chairman

Carey Mills Storm, Clerk

Approved as to Form:

Robert W. Jones Jr., County Attorney

Section 13.0-Purpose

To establish a Sick Leave Bank which will give members an additional source of leave days when they are unable to perform the duties of their position due to a major/serious personal illness or injury. The sick leave bank is not intended for intermittent leave or for short time leave due to routine or non-major illness or injury. Leave granted may be used after the employee has exhausted all of their leave.

Section 13.1-Definitions

1. An illness, injury, impairment or physical or mental condition that involves:
    a. Inpatient care in a hospital, hospice, or residential medical care facility including any period of incapacity or subsequent treatment in connection with such inpatient care or
    b. continuing treatment by a health care provider relating to the same condition.
    c. any period relating to pregnancy or to prenatal care.
2. Immediate Family Member
    3. Spouse
    4. Parent
    5. Son or Daughter

Spouse

Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside the United State if the marriage could have been entered into at least one state.

Parent

Parent means a biological, adoptive, step or foster father or mother, or any individual who stood in loco parentis to the employee when the employee was a child. This does not include “parent-in-law.”

Son or Daughter

a. Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or who is 18 years of age or older and incapable of self-care because of a mental or physical disability.

Section 13.3-Eligilibty and Enrollment

1. Membership in the bank is voluntary and is open to employees in a full-time position who meet the following criteria:

    a. Full-time employees that are Virginia Retirement System (VRS) Plan 1 or Plan

2 members.

b. Full-time employees that are VRS Hybrid Plan members with less than one (1) year of full-time service with a serious or life-threatening personal illness or injury. Those with one (1) year of service or more are not eligible for the Leave Donation Policy because they are eligible for short and long-term disability benefits included within the VRS Hybrid Plan.
c. Full-time employees that are VRS Hybrid Plan members caring for an immediate family member's serious or life-threatening illness or injury.

2. Membership is open during the Open Enrollment period and requires 8 hours of sick leave or annual leave per year. An employee wishing to participate in the Sick Leave Bank must complete the enrollment form and forward it to the Department of Human Resources. By enrolling, the employee agrees to contribute a minimum of 8 hours of leave to the sick leave bank. An employee that transfers leave to the sick leave bank relinquishes all rights to that leave.
3. An employee can contribute additional hours upon enrollment.
4. New employees must enroll within the first three months of employment.
5. New employees not yet eligible for Family Medical Leave or Short-Term Disability will be reviewed by Human Resources and approved by the County Administrator.
6. Employees may be reassessed every July for eight hours if the sick leave bank falls below 500 hours.
7. A maximum of 500 hours can be used per application to the sick leave bank.

Section 13.4-Administration of Sick Leave Bank

The sick leave bank will be administered by Human Resources. Human Resources will verify an applicant's eligibility to receive benefits from the sick leave bank and will review the Family Medical Leave (FML) paperwork.

Section 13.5- Sick Leave Bank Benefits

1. Employees requesting leave hours from the sick leave bank must have approved FML.
2. Employees must have exhausted all leave (annual, sick, and compensatory) before requesting leave from the sick leave bank.
3. Employees must complete a Sick Leave Bank application and be on approved FML before requesting leave.
4. Employees using leave from the sick leave bank do not have to replace the time taken.
5. The maximum amount of leave per application is 500 hours. Employees receiving leave from the sick leave bank will receive hours at the end of a payroll period as needed, up to the maximum number granted and will not receive sick leave bank hours in a lump sum.

6. Upon the end of employment, sick leave bank hours will not be counted for leave payout.
7. Upon the end of employment (either separation or termination), an employee's remaining sick leave balance will be transferred into the sick leave bank.
8. Medical conditions resulting from any occupational related accident or illness for which Workers' Compensation benefits have been awarded are not eligible for the sick leave bank.

ISSUE:

Resolution to Adopt a Multimodal Transportation Safety Goal of Vision Zero

BACKGROUND:

Vision Zero is a nationwide initiative through the Federal Highways Administration (FHWA) and community transportation partners to reach zero traffic deaths or severe injuries through a fundamental shift in how communities approach traffic safety.

Two key factors in this change of approach are FIRST, to recognize that humans will make mistakes and that the goal is not to eliminate *crashes*. The goal is to eliminate *fatalities and serious injuries*. Human error is to be expected so the road infrastructure and vehicle technology must be designed and operated so that deaths and serious injuries are engineered out. This may be achieved first by reducing the risk of error occurring and secondly by keeping collision forces on the human body within tolerable levels, when crashes do occur, by managing speed and crash angles to reduce injury severity. Vision Zero relies on a "Safe System" approach that considers five elements of a safe transportation system—safe road users, safe vehicles, safe speeds, safe roads, and post-crash care—in an integrated and holistic manner.

The SECOND key factor is to understand that Vision Zero applies to the transportation network holistically—meaning all multi-modal users. So it accounts for pedestrians, bicyclists, transit users, all age-ranges, and all vehicles types as well which may be utilizing the public right-of-way. Design criteria have to account for all users to interact safely.

BUDGETARY IMPACT:

None. The resolution does not commit the County to any budgetary actions; however, adopting the resolution does make the County eligible for several new Federal transportation grant sources, such as Safe Streets 4 All (SS4A) Planning and Construction funds.

RECOMMENDATION:

Adopt a resolution to adopt a multimodal transportation safety goal of Vision Zero.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/12/2023
Safe Streets 4 All Flyer	Backup Material	5/12/2023
Safe Streets 4 All Crash Dashboard	Backup Material	5/12/2023

RESOLUTION OF THE BOARD OF SUPERVISORS OF ISLE OF WIGHT COUNTY VIRGINIA, TO ADOPT A MULTIMODAL TRANSPORTATION SAFETY GOAL OF VISION ZERO

WHEREAS, Vision Zero is a nationwide initiative through the Federal Highways Administration (FHWA) and community transportation partners to reach zero traffic deaths or severe injuries through a fundamental shift in how communities approach traffic safety; and,

WHEREAS, the Vision Zero approach acknowledges that safe mobility depends on a variety of factors including but not limited to roadway design, speeds, behaviors, technology, and policies; and,

WHEREAS, Isle of Wight County supports and encourages the efforts by our partner agencies to prioritize safety improvements for citizens walking, bicycling, and using mobility devices within our community, while eliminating deaths and serious injuries across our entire transportation network including motor vehicle and multi-modal transportation; and,

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Isle of Wight, Virginia commits to adopting a Goal Zero for transportation-related fatalities and serious injuries within our community.

BE IT FURTHER RESOLVED, that the Board of Supervisors of Isle of Wight County commits to pursuing a transportation roadway safety plan which will prioritize county transportation projects in accordance with the adopted Goal Zero for transportation-related fatalities and serious injuries within our community.

Adopted this 18th day of May 2023.

_____
William M. McCarty, Sr. Chairman

_____
Carey Mills Storm, Clerk

Approved as to Form:

_____
Robert W. Jones, Jr., County Attorney

SAFE STREETS & ROADS FOR ALL

Kimley»Horn
Expect More. Experience Better.

Kimley-Horn provides comprehensive traffic safety services, including local road safety plans, systemic safety evaluations, road safety audits, safe routes to school—and helping our clients navigate the Safe Streets and Roads for All (SS4A) grants.

Kimley-Horn is committed to supporting local agencies to improve the safety of their transportation systems.

Kimley-Horn employs 34 of the nation's certified Road Safety Professionals (RSP)

RSPs demonstrate the requisite knowledge of road safety and to serve as a catalyst for greater attention to continuing education.

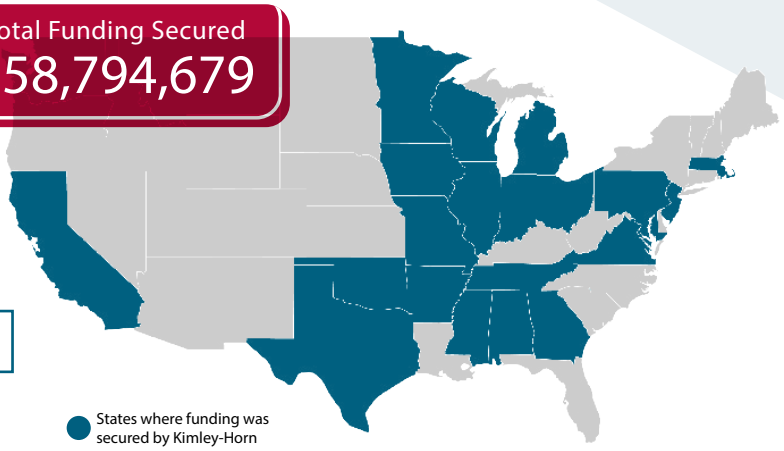
75% success rate with SS4A Planning and Implementation grants

Kimley-Horn maintains 80 Professional Traffic Operations Engineers (PTOE) in the firm

PTOEs demonstrate our skill and ability in the specialized application of traffic operations engineering.

Total Funding Secured
$58,794,679

Implementation: $54,492,279 | Action Plans: $4,302,400



States where funding was secured by Kimley-Horn

OUR SERVICES

- Access Management
- ADA Transition Plans
- Before/After Studies
- Bicycle and Pedestrian Safety Action Plans
- Complete Street Design and Planning
- Corridor Safety Studies
- Crash Data Analysis
- Crossing Evaluations
- Equity Reviews
- Funding Strategies
- Innovative Safety and Transportation Technology
- Intersection Control Evaluations
- Low-Cost Roadway Safety Treatments
- Pedestrian Safety Analysis
- Project Prioritization
- Public Engagement and Collaboration
- Risk Review
- Road Safety Plans
- Roundabout Peer Reviews
- Roundabout Planning, Design, Education, and Public Outreach
- Safe Routes to School Plans
- Safety Analysis
- Safety Engineering Design
- Safety Management Plans
- Safety Policy Development
- Safety Rest Area Programs
- SHSP Development and Implementation
- Speed Studies
- Trail Gap Analysis
- Training and Education
- Transit Safety Studies

Our team's planners and engineers have the experience, tools, and relationships to expedite the completion of your funding applications. Interested in submitting a grant in the next round?

Learn more on the following page.

SAFE STREETS & ROADS FOR ALL

Kimley»Horn
Expect More. Experience Better.



This federal grant supports supports planning, infrastructure, behavioral, and operational initiatives to prevent death and serious injury for all roadway users, with a particular emphasis on equity.

TYPES OF AWARDS

Note: Applicants can't apply for both grant types.

PLANNING AND DEMONSTRATION

A Planning and Demonstration grant funds activities necessary to develop, complete, or supplement a comprehensive safety action plan. It additionally funds quick-build and demonstration activities that inform an Action Plan.

ELIGIBILITY

- Awardee will develop a new safety action plan, update and existing plan, or carry our demonstration activities to inofrm or update an action plan.
- Plan will support a significant reduction or elimination of fatalities or serious injuries
- Activities ensure an equitable investment in safety needs of underserved communities

20% match required

Completed in 1–5 years, depending on scope

Expected awards: $100,000–10 million

Combined total of $577 million must be awarded for Planning and Demonstration Grants

IMPLEMENTATION PLAN

An Implementation Plan grant funds infrastructure and behavioral strategies based on an eligible Action Plan and may also fund supplemental planning and demonstration activities.

ELIGIBILITY

- Existing action plan was finalized/updated between 2018 and 2023
- Plan will include analysis of existing conditions and trends, locations and severity of crashes, systemic safety needs, and a map of higher risk locations
- Plan identifies a comprehensive set of projects and strategies to address the problems
- And your plan meets four of the following:
  - Has a public Vision Zero goal
  - Developed with a committee, task force, or committee
  - Includes engagement with stakeholders and coordination with other agencies
  - Inclusive and equitable processes, including identifying underserved communities
  - Assesses current policies/standards to identify opportunities to improve safety
  - Has a public measurement of desired outcomes

20% match required

Completed in up to 5 years

Expected awards: $2.5–25 million

ELIGIBLE GRANT APPLICANTS

- MPOs
- Cities, towns, counties, special districts, and some transit agencies
- Federally recognized Tribal governments
- Multijurisdictional groups

GRANT APPLICATION DUE July 10, 2023

$1 billion per year to be awarded for the next 5 years
+ an extra $177 million available for Planning and Demonstration Grants in FY 2023

WANT TO KNOW MORE?

Kimley-Horn's transportation planners and engineers can guide you to SS4A grant success.

WES PIERCE, P.E., RSP1
wes.pierce@kimley-horn.com
757.320.5638
Virginia Beach, VA

DEVIN SIMPSON, P.E.
devin.simpson@kimley-horn.com
757.916.5986
Virginia Beach, VA

LYNNE KEENAN
lynne.keenan@kimley-horn.com
757.932.5947
Virginia Beach, VA

SAFE STREETS AND ROADS FOR ALL (SS4A)

SUPPORTING THE GOAL OF ZERO DEATHS AND SERIOUS INJURIES ON OUR NATION'S ROADWAYS WITH $1 BILLION PER YEAR APPROPRIATED IN FUNDING FROM FISCAL YEAR 2022 TO 2026

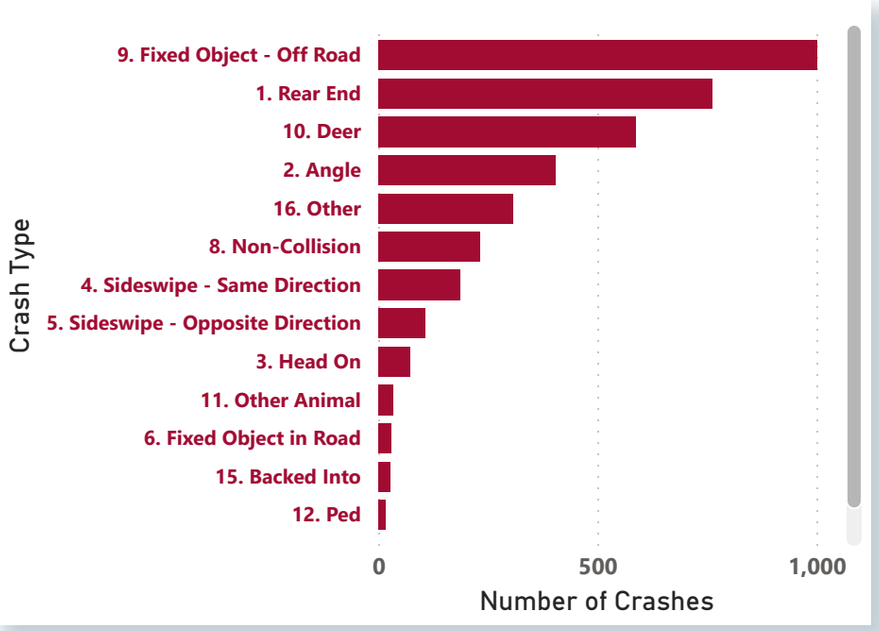
Kimley»Horn

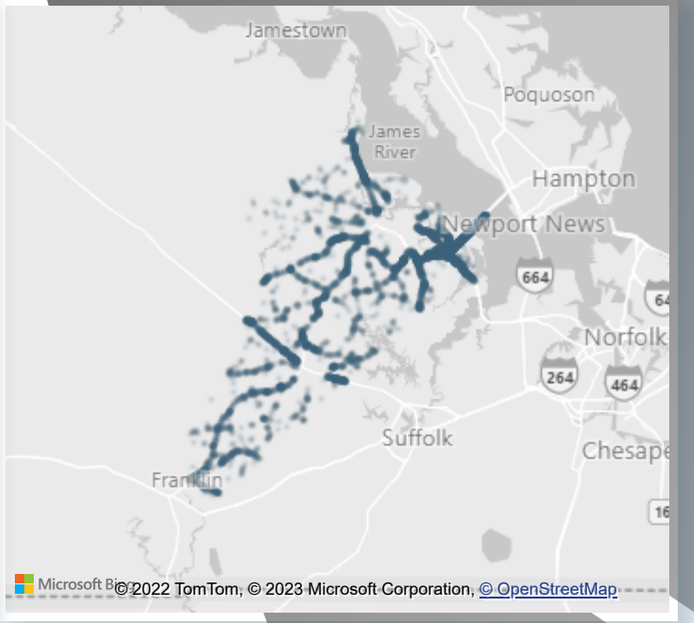
CITY
All

COUNTY
Isle of Wight County

MPO
All

CRASH YEAR
2015
2022



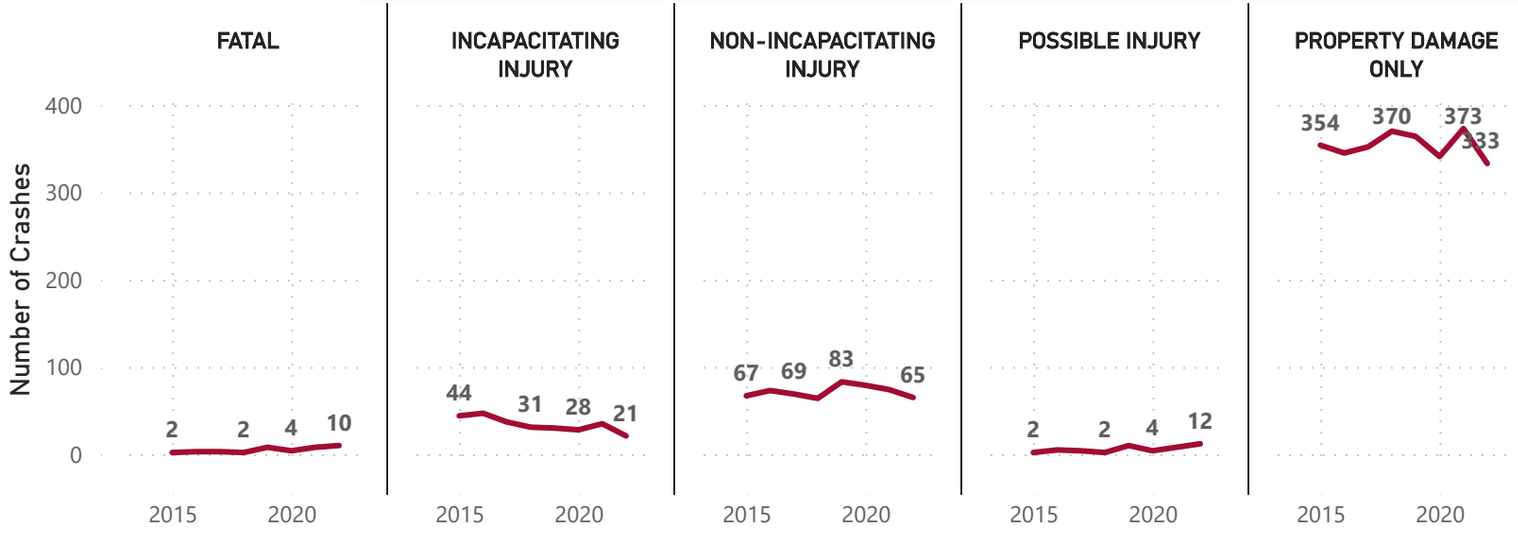


ELIGIBLE APPLICANTS

- MPOs
- Counties, cities, towns, and transit agencies
- Federally recognized Tribal governments
- Multijurisdictional groups

ELIGIBLE ACTIVITIES

- Develop or update a comprehensive safety action plan
- Conduct planning, design, and development activities in support of an Action Plan
- Carry out projects and strategies identified in an Action Plan



43
Fatalities

338
Incapacitating Injuries

ISSUE:

Receipt of the 2022 Wetlands Board Annual Report

BACKGROUND:

The Wetlands Board approved the 2022 Annual Report at its meeting in April 2023.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

For the Board's information.

ATTACHMENTS:

Description	Type	Upload Date
Wetlands Board Annual Report	Backup Material	4/27/2023

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF PLANNING AND ZONING

2022 ANNUAL REPORT

ISLE OF WIGHT COUNTY

WETLANDS BOARD

Adopted April 17, 2023

INTRODUCTION

The Wetlands Board conducted two meetings during the calendar year of 2022.

The Board considered two Joint Permit Applications (JPA's), and twenty-one Joint Permit Applications were processed administratively by staff under Section 17-2 (Permitted Uses) of the Isle of Wight County Wetlands Ordinance, which permits non-commercial open pile piers without Wetlands Board approval.

MEMBERSHIP

David Moose (Hardy District) was elected to serve as Chairman and Mike Klausmeier (Carrsville District) was elected to serve as Vice Chairman of the Board at the April meeting.

Also serving on the Board are Wesley Brown (Smithfield District), Marc Brown (Newport District), Wilson Holland (Windsor District) and Randy Pack and Sharon Hart, as alternate members.

STAFF SUPPORT

During 2022, the Board continued to receive staff support from Sandra W. Robinson, Zoning Coordinator (Wetlands Board Secretary), Shaunee Beussink Environmental Planner, Amy M. Ring, Director of Community Development and Bobby Jones, Parliamentarian and Legal Counsel to the Board.

Also providing support was Claire Gorman representing the Virginia Marine Resources Commission (VMRC).

Adopted this 17th day of April 2022.

David Moose

David Moose, Chairman
Isle of Wight County
Wetlands Board

Attest: Sandra W. Robinson, Sandy W. Robinson, Secretary

ISSUE:

. March 16, 2023 Regular Meeting Minutes
. April 20, 2023 Regular Meeting Minutes

BACKGROUND:

The above-noted minutes are offered for review and adoption by the Board.

BUDGETARY IMPACT:

None

RECOMMENDATION:

Adopt the following sets of minutes:

. March 16, 2023 Regular Meeting Minutes
. April 20, Regular Meeting Minutes

ATTACHMENTS:

Description	Type	Upload Date
April 20, 2023 Regular Meeting Minutes	Cover Memo	5/4/2023
March 16, 2023 Regular Meeting Minutes	Cover Memo	5/8/2023

REGULAR MEETING OF THE ISLE OF WIGHT COUNTY BOARD OF SUPERVISORS HELD IN THE ROBERT C. CLAUD, SR. BOARD ROOM OF THE ISLE OF WIGHT COUNTY COURTHOUSE LOCATED AT 17090 MONUMENT CIRCLE, ISLE OF WIGHT, VIRGINIA ON THURSDAY, THE TWENTIETH DAY OF APRIL IN THE YEAR TWO THOUSAND AND TWENTY-THREE

BOARD MEMBERS PRESENT:

William M. McCarty, District 2, Chairman
Joel C. Acree, District 4, Vice-Chairman
Richard L. Grice, District 1
Don G. Rosie, II, District 5
Rudolph Jefferson, District 3

STAFF MEMBERS PRESENT:

Randy R. Keaton, County Administrator
Donald T. Robertson, Assistant County Administrator
Robert W. Jones, Jr., County Attorney
Carey Mills Storm, Clerk

CALL TO ORDER

Chairman McCarty called the regular meeting to order at 5:00 p.m.

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County Attorney Jones advised that under State Code and the Board's by-laws, a Board member can participate remotely in a meeting if a quorum is assembled and if the member has requested and notified the Chairman that he wishes to appear remotely/electronically. He stated, in that regard, Supervisor Grise will be participating electronically due to a personal reason which requires no Board vote for him to participate remotely but does require that he state the remote location from which he is participating.

Supervisor Grice advised that he would be participating electronically from his home located at 415 Muirfield of Smithfield due to an illness.

He thereafter joined the meeting.

APPROVAL OF AGENDA

On motion of Supervisor Jefferson, the agenda as presented was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

CLOSED MEETING

County Attorney Jones requested a closed meeting pursuant to Section 2.2-3711(A) of the *Code of Virginia* for the limited purpose of 1.) Consultation with legal counsel employed by the Board regarding specific legal matters requiring the provision of legal advice by such counsel, namely the awarding of franchise agreements, pursuant to subsection 8; a discussion regarding the appointment of specific appointees to County boards, committees or authorities as set forth in the agenda, pursuant to subsection 1; and, a discussion regarding the renegotiation of a lease of water tower space to a cellular provider, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, pursuant to subsection 3.

Upon motion of Vice-Chairman Acree and all voting in favor (5-0), the Board entered the closed meeting for the reasons stated.

Upon motion of Chairman McCarty and all voting in favor (5-0), the Board reconvened into open meeting.

County Attorney Jones reminded the Board that in accordance with Section 2-10(G) of the Board's Rules & Procedure, all those who participated in the closed meeting are reminded that all matters discussed in closed meeting are to remain confidential, as provided under the Virginia Freedom of Information Act, and that such matters as were discussed in closed meeting should not be acted upon or discussed in public by any participant unless and until a public, formal action of the Board of Supervisors is taken on that particular subject matter.

Upon motion of Chairman McCarty, the following Resolution was adopted:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

VOTE

AYES: Acree, Grice, McCarty. Rosie

NAYS: 0

ABSENT DURING VOTE: Jefferson

ABSENT DURING MEETING: 0

INVOCATION

Assistant County Administrator Robertson delivered the invocation and led the Pledge of Allegiance to the flag.

CONSENT AGENDA

On motion of Supervisor Jefferson, the Consent Agenda, as presented and follows, was adopted unanimously (5-0):

A. Resolution to Amend the FY2022-2023 Budget and Appropriate Funding for Asset Forfeiture ($17,737)

B. Resolution to Amend the FY2022-23 Budget and Appropriate Funding for Children's Services Act ($350,000)

C. Resolution to Amend the FY2022-23 Operating Budget and Appropriate Funding for Virginia Tourism Corporation Drive OUTDOOR Grant ($20,000)

D. Resolution to Amend the FY2022-23 Operating Budget and Appropriate Funding for Repair of County Property from Insurance Proceeds ($7,838)

E. Resolution to Establish an Opioid Abatement Special Revenue Fund

F. Resolution to Amend the FY2022-23 Operating Budget and Appropriate Donated Funds to the Instructional Category in the Schools' FY2022-23 Budget ($50,000)

G. Resolution to Amend the FY2022-23 Operating Budget and Appropriate FY2021-22 Mentor Teacher Grant Funds to the Instructional Category in the Schools' FY2022-23 Budget ($11,596)

H. Resolution to Amend the FY2022-23 Operating Budget and Appropriate FY2022-23 Mentor Teacher Grant Funds to the Instructional Category in the Schools' FY2022-23 Budget ($2,718)

I. Resolution to Amend the FY2022-23 Operating Budget and Appropriate Title I and Title IV Grant Funds to the Instructional Category in the Schools' FY2022-23 Budget ($225,680)

J. Resolution to Amend the FY2022-23 Budget and Appropriate Grant Funds for the DCJS Violence Against Women’s Act Grant ($30,795)

K. Resolution to Proclaim May 2023 as Business Appreciation Month

L. Resolution to Request Commonwealth Transportation Board Economic Development Access Funds ($850,000)

M. Minutes

March 2, 2023 Joint Work Session Minutes

CITIZENS' COMMENTS

Jim Henderson of District 2 advised that the Historical Society would like to publish approximately 2,000 copies of a third version on the history of the County.

Dale Jordan of Windsor advised the Board that she will be making an appeal for overpaid taxes. Chairman McCarty directed Ms. Jordan to contact the County Attorney's office for guidance on how to proceed with her appeal.

Greg Creswell of AES updated the Board on construction efforts at the Cavalier Solar project and challenges being faced with regard to traffic management.

Christopher Cavallo of Virginia Beach spoke about inadequate infrastructure.

REGIONAL AND INTER-GOVERNMENTAL REPORTS

Chairman McCarty shared that at the most recent meeting of the Hampton Roads Transportation Planning Organization, he had learned that Virginia Tech is developing a program for battery powered autonomous trucks for use inside the Port of Virginia.

APPOINTMENTS

Supervisor Jefferson moved to appoint Arleen Picot to serve on the Southeastern Tidewater Opportunity Project. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

SPECIAL PRESENTATIONS

Ethan Swartz and Kadence DeStefano were recognized for launching the Stop the Bleed Program.

Vice-Chairman Acree moved to adopt the following Resolution:

RESOLUTION TO RECOGNIZE ETHAN SWARTZ
AND KADENCE DISTEFANO FOR LAUNCHING THE
STOP THE BLEED PROGRAM

WHEREAS, Ethan Swartz and Kadence Distefano are students involved in JROTC at Smithfield High School; and,

WHEREAS, Ethan Swartz and Kadence Distefano have been instrumental in spearheading an effort to establish a Stop the Bleed program whereby students and teachers at Smithfield High School and other Isle of Wight County Schools can learn life-saving techniques to deploy in mass casualty and other emergency situations; and,

WHEREAS, Ethan Swartz and Kadence Distefano have demonstrated attributes of leadership and initiative that serve as examples for other students and citizens to emulate; and,

WHEREAS, the Board of Supervisors desires to recognize and encourage said attributes which improve the quality of life of the citizens of Isle of Wight County.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Board of Supervisors of Isle of Wight County, Virginia recognizes and commends Ethan Swartz and Kadence Distefano for launching the Stop the Bleed program in Isle of Wight County Schools in an effort to save the lives of other students, teachers, and citizens.

The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

PUBLIC HEARINGS

A. Proposed FY2023-24 Operating Budget, Capital Budget, Related Ordinances, and FY2024-33 CIP

County Attorney Jones advised that there are three separate public hearings that will be held simultaneously.

Chairman McCarty opened the public hearing and called for persons to speak in favor of or in opposition.

Bob Hayes, Chairman, Western Tidewater Free Clinic, acknowledged the Board's past financial support. He reviewed services provided to 289 County residents last year by the Clinic related to dental, medical, mental health and pharmacy benefits. He provided information on the expansion of the clinic which will be completed this fall and consist of increasing the dental chairs from two to four.

Christopher Cavallo of District 2 spoke in favor of the budget with proper oversight and investment in ourselves.

Volpe Boykin of District 5 recommended that there be no tax increase proposed in the budget.

Shelly Perry of District 3 recommended there be no tax increase.

Herb DeGroft of the Carrsville District notified the Board of his dedicated support of the School Board budget being approved categorically.

Chairman McCarty closed the public hearing and notified the public that the Code of Virginia requires the Board to wait at least seven days before acting on the proposed FY2022-23 Operating and Capital Budget which includes an advertised General Fund Operating Budget of $94,079,563 and a Capital Budget of $7,251,445. The proposed FY2023-24 Operating Budget for Isle of Wight County Schools is $88,124,334.

Chairman McCarty recommended public safety funds be the topic of discussion at the Board's April 27, 2023 work session. County Administrator Keaton was

requested to invite the Sheriff and his key staff and the Fire Chiefs to next Thursday's work session.

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B. Proposed Solar Energy Facility Ordinance Changes

Amy Ring, Director of Community Development, summarized the proposed ordinance changes.

Chairman McCarty opened the public hearing and called for those to speak in favor of or in opposition to the proposed changes.

Christopher Cavallo of District 2 spoke in favor of the proposed changes.

Greg Crisswell, Senior Development Manager, AES advised that AES recently submitted an application for a Conditional Use Permit for a solar facility in the County and, if approved, AES would potentially own and operate 375 megawatts within the County consisting of three projects with a net fiscal impact that would place AES among the highest taxpayers in the County. He noted that because the proposed changes could significantly diminish these impacts based primarily on a concern with the 2% cap, AES is requesting an amendment to Article 2 and Article 4 of the County's Zoning Ordinance for Conditional Use Permit applications related to utility scale solar energy facilities filed with the County on or after the date that the amendment is adopted. Also, any Conditional Use permit applications for utility scale solar energy facilities filed with the County prior to the adoption of the proposed amendment shall be subject to the provisions of Article 2 and 4 of the County's Zoning Ordinance in effect on the date that the application was filed.

Volpe Boykin of District 5 spoke in favor of a cap of 2% and taking up the entire area.

Randy Arrington of District 5 spoke about a potential decrease in property value. He notified the Board that there had been a fire in Surry County where EMS could not get in because the gates were locked and a fire in Emporia where EMS had been able to get inside but had no training to put the fire out. He stated roads do not

support fire trucks and OSHA says that solar farms have increased heat and cold stress. He recommended a cap to hold the applicant accountable.

Debbie Arrington of Yellow Hammer Road told the Board that she had received documents talking about her health issues from Mr. Gilcrest. She requested action be taken to keep any solar company from approaching homeowners that are not interested in selling their land. She spoke in favor of a cap. She asked who will clean up the debris following a storm and do these panels have a wind capacity.

Blake Cox of Chesterfield, Energy Right, commended the County on its current Zoning Ordinance. He stated that acreage caps on solar projects only handicapped the County's ability to shape reasonable proposals. He stated never before has a farm been required to keep a certain percentage of land outside of production and never has a landowner been limited to the amount of land they can utilize for a specific purpose. He encouraged the Board to continue judging projects on an individual basis and on their merit, not with blanket restrictions that will hurt the people intended to protect.

Mike Volpe with Open Road Renewables stated they are in support of the recommended changes to the Ordinance and believe they will improve the poor aesthetics of existing projects, protect the County financially and maintain the quality of the land. He recommended that the Ordinance state that it applies only to new Conditional Use Permit applications. He distributed two proposed different grandfathering variances for consideration to the County Attorney. Variant #1 is based upon if the Conditional Use Permit is submitted as of the change of the ordinance and variant #2 is if the project is more advanced through the permitting and the staff report has been issued. He stated both variants include a housekeeping matter which clarifies that the reference in the ordinance to a structure with documented historical significance to a cultural resource refer to historical resources that are eligible for the National Register of Historic Resources. He stated that he supports an acreage cap of 2% and he suggested that the ordinance define prime agricultural land and that the 2% cap applies to the farmland that will be inside the fence of the permit.

Nick Balice of Mill Creek Drive expressed concern with fires at solar farms and recommended that the Board develop a plan that property values are assessed by a third party within a two-mile radius of a solar site. He stated that the County can

collect those costs from the developer, but the developer should not be able to hire its own agent.

Chance Zajicek of Jacksonville, Florida stated that the revisions are an attempt to slow the pace of solar applications and to ensure that the local infrastructure can support new development and limit the total number of projects constructed within the County. He stated as drafted, some of the revisions will be impossible to comply with and will effectively cease development in the County and eliminate any reliable source of tax revenue. He suggested that an arbitrary cap on the number of acres with specific soil characteristics that may be used for solar discriminates against farmers and owners of land deemed prime farmland. He stated no consideration is given to whether the land is currently being farmed, has been farmed in recent history, or the owner is interested in the land being farmed in the future. He stated the cap prevents the landowner from generating long-term low-risk income for their families and to use their land as they see fit. He stated caps like this can cause a rush in projects which in turn causes less than optimal projects to get approved. He stated that he believes projects should be assessed on their merit and a first come first-approved approach can lead to unsightly projects and establish a base line from which all projects will be judged. He stated that the Energy Task Force created by the County presents a fantastic opportunity to discuss existing concerns, brain-storm solutions and compose ordinance amendments that are acceptable to the County residents while maintaining landowner freedom.

Mike Doggett of Central Hill Road advised that he is currently in the process of developing a small-scale solar farm on Route 258 and the changes, as proposed, will greatly impact the ability of that project to be kept small. He stated farmers are a better judge of what prime farmland is. He stated that he is also a landowner in the solar project located off of Red House Road and he confirmed that no topsoil has been removed from that project. He stated the new proposed 30-foot buffer with three tiers of vegetation is excessive in his opinion. He requested that if the Board is in favor of adopting the proposed revisions to the Zoning Ordinance that consideration be given to smaller projects so that farmers can develop a small part of their farm in order to diversify the income.

Paul Garris of Yellowhammer Road stated there are more cons associated with solar farms than pros. If approved, citizens will be subjected to fires associated with these projects and other Boards of Supervisors are voting no to these types of

projects. He recommended that the County include the entire parcel of the 2% vote to minimize the consequences that will surely follow and he encouraged the Board to vote on this matter tonight to prevent any aggressive movements from solar companies and remove the pressure off the Board until the Task Force can do their research. He reminded the Board that other localities have established caps on their projects.

Clinton Wood, New Energy, of Massachusetts, referred to a letter addressed to the Board and placed at their seats prior to the meeting. He stated landscaping setbacks and 500-foot setback will have an adverse effect on what the County is attempting to achieve. He recommends that the County use some discretion when implementing the landscaping buffer requirements and setbacks. He advised that within his letter Exhibit A is proposed language that would allow some discretion to be implemented.

Chairman McCarty closed the public hearing and called for comments from the Board.

Supervisor Rosie asked staff to investigate and report back on his questions regarding the sound level.

Supervisor Jefferson wondered if the real estate value has decreased or increased on homes located near solar farms. Ms. Ring advised that the Energy Task Force can investigate and report back to the Board. He inquired if any fire training, for solar projects either online or coming online, has been provided to the local fire departments. Ms. Ring advised that fire training is a requirement with the Cavalier solar project and they have been put in touch with local EMS staff to begin development of training programs.

Responsive to Supervisor Grice, Ms. Ring advised that four applications for solar farms have been submitted within the last couple of weeks; there is one application pending currently in front of the PC; and one that has been tabled by the Board, for a total of six applications. She recalled that the County, at some point in time, could have as much as twenty-five square miles of solar panels and she encouraged the Board to set a cap as soon as possible.

Chairman McCarty moved that the proposed changes be tabled for thirty days to allow time for questions tonight to be answered and to review some of the literature given to the Board this evening. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

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The Board took a ten-minute break. Upon returning to open session, Chairman McCarty called for a public hearing on the following:

C. Proposed Solid Waste Franchise Ordinance

Michael Etheridge, Solid Waste Manager, addressed the results of the recent RFP that was solicited for the franchise agreement to provide residential solid waste service for County residents. He advised that of the three proposals submitted, GFL Environmental provided the best financial proposal.

Chairman McCarty called for persons to speak in favor of or in opposition to the proposed Ordinance.

Christopher Cavallo of Virginia Beach spoke in support remarking there is not sufficient regulation on environmental issues.

Chairman McCarty closed the public hearing and called for comments from the Board.

Vice-Chairman Acree moved that the following Ordinance be adopted:

ORDINANCE FOR EXCLUSIVE FRANCHISE AGREEMENT

FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL
IN ISLE OF WIGHT COUNTY

This ordinance embodies the exclusive franchise service agreement (this "Service Agreement") by and between THE COUNTY OF ISLE OF WIGHT, VIRGINIA, a political subdivision of the Commonwealth of Virginia (the "County") and WASTE INDUSTRIES, LLC, dba GFL ENVIRONMENTAL with its

principal office at 3821 Cook Blvd., Chesapeake, Virginia 23323 (the "Contractor") and shall take effect on July 1, 2023 (the "Effective Date").

WHEREAS, the County is authorized by law to create service areas for the business of collection and disposal of residential garbage, trash or refuse in the County, including the creation of an exclusive service area, and is further authorized to contract with any person or entity for garbage and refuse collection and disposal in the County; and

WHEREAS, the County has previously entered into an ordinance franchise agreement for exclusive residential refuse collection and disposal services in the County, the extended term of which expires on July 23, 2023; and

WHEREAS, pursuant to the Virginia Public Procurement Act, County solicited a Request for Proposal (RFP #23-4110-0000) to provide collection and disposal of residential garbage, trash or refuse in the County; and

WHEREAS, Contractor submitted a proposal for same, consistent with the specifications in the Request for Proposals; and

WHEREAS, County has selected Contractor to provide services.

NOW, THEREFORE, be it ordained that the County and the Contractor, in consideration of the mutual covenants and agreements hereinafter set forth, agree as follows:

SECTION ONE

INCORPORATION BY REFERENCE AND DEFINITIONS

The following are made a part hereof as if the same were fully set forth herein, and if any discrepancies arise between the documents, they will prevail in the following order: (1) this Contract, (2) Request for Proposals # 23-4110-0000 including any addenda, (3) Contractor's proposal dated February 17, 2023 and (4) Contractor's Scope of Work and Fee Schedule/Quote, dated February 17, 2023 (all of which are hereinafter known as the "Contract Documents").

For purposes of this Service Agreement, the following terms as defined below shall apply:

Acceptable Waste - Solid waste that is not a regulated Hazardous Waste as described by Virginia Hazardous Waste Management Regulations, or any other applicable state or federal regulation, and will not pose a threat to health or public safety, or cause injury to, or adversely affect the operation of any Disposal Site.

Cart a wheeled container for Residential Waste, to be supplied by the Contractor.

Contract Documents Shall include the following documents, and this Service Agreement does hereby expressly incorporate same herein as if fully set forth verbatim in this Service Agreement: this form of Service Agreement, Request for Proposal (including General Terms and Conditions and Special Terms and Conditions); the proposal submitted by the vendor; and all modifications and addenda to the foregoing documents.

Contractor - The individual, firm, partnership, joint venture, corporation, or association to perform solid waste collection and disposal services under this Service Agreement, specifically GFL Environmental.
County — Isle of Wight County, a political subdivision of the Commonwealth of Virginia.

Disposal Fee - The charge to customers in the County for Contractor's Residential Waste collection and disposal Services.

Disposal Site - A refuse depository for the processing or final disposal of Residential Waste including but not limited to sanitary landfills, transfer stations, mass composting facilities, incinerators, and mixed waste processing separation centers, which are licensed, permitted and approved by all governmental bodies and agencies having authority. The initial Disposal Site shall be the Facilities.

Extended Term – July1, 2028 to June 30, 2033.

Facilities - The solid waste transfer station facilities currently operated by Southeastern Public Service Authority (SPSA) known as the Isle of Wight

Transfer Station located at 13191 Foursquare Road, Smithfield, Virginia and the Franklin Transfer Station located at 30521 General Thomas Highway, Franklin, Virginia.

Franchise Fee — The Franchise Fee described in Section Six.

Garbage - Putrescible animal or vegetable wastes resulting from the handling, preparation, cooking, serving or consumption of food and including food containers.

Hazardous Waste - Waste desiB1ated as hazardous by federal or state law or by regulation of the United States Environmental Protection Agency, the Virginia Department of Environmental Quality or another appropriate agency.

Initial Term – July 1, 2023 to June 30, 2028.

Performance Bond - A corporate surety performance and payment bond that guarantees performance of the Service Agreement and compensation to the County in the event that it must assume the obligations and/or duties of the Contractor in order to continue the services required by this Service Agreement.

Records - Include but are not limited to accounting records, written policies and procedures, subcontract files, payroll records, original estimates, estimating worksheets, correspondence, change order files (including documentation covering negotiated settlements), and any other supporting evidence necessary to substantiate charges related to this Service Agreement.

Refuse - Discarded waste materials in a solid or semi-liquid state, consisting of Garbage, Rubbish, or a combination thereof.

Residential Unit — For the Initial Term, a Residential Unit is defined as a detached single-family home, single-wide mobile home or double-wide mobile home located outside an established mobile home park, or a duplex home that can be serviced by a Cart, within the Service Area. For the Extended Term of this Service Agreement, the definition of Residential Unit shall be expanded to include mobile homes and manufactured homes located in a mobile home park or manufactured home park.

Residential Waste — Acceptable Waste which is normally generated by households, including Garbage and Rubbish, but not including white goods, yard debris or large household items such as furniture, mattresses and carpet. Rubbish - Non-putrescible solid wastes consisting of combustible and non-combustible materials.

Services - The services and other work required to be performed by Contractor under this Service Agreement.

Service Area — All areas within the County except for any area within an incorporated Town located in the County.

Service Year - Any period from January I through December 31 during the term of this Service Agreement, whether the Initial Term or the Extended Term.

Vehicle A Vehicle supplied by Contractor to provide collection and disposal of Residential Waste under this Service Agreement, which shall be an enclosed packer type truck.

SECTION TWO

GRANT OF FRANCHISE

For and in consideration of the mutual covenants and agreements set forth herein, including the payment of the Franchise Fee by Contractor to the County as set forth below, the County gives and grants to Contractor an exclusive franchise and right to pick up, collect, transport, and dispose of Residential Waste in the Service Area, beginning on the Effective Date for the Initial Term, which Initial Tern may be extended for the Extended Term at the option of the County.

SECTION THREE

SCOPE OF SERVICES

A. Services to be Provided by Contractor.

Commencing on the Effective Date, the Contractor shall collect and dispose of in a skillful manner Residential Waste placed in a Cart at curbside at each subscribing Residential Unit located within the Service Area, in accordance with the requirements of the Contract Documents. The Cart shall be a size adequate for the Services to be provided under this Service Agreement. The day of collection for each portion of the Service Area shall follow a predetermined schedule. The contractor shall collect Residential Waste once a week from each Residential Unit, with the frequency of collection for additional services to be determined by the Contractor.

The contractor will provide a Cart to each subscribing Residential Unit. Each Cart shall be large enough for its reasonable intended use. The first Cart shall be provided to each Residential Unit by the Contractor free of charge. Upon request, Contractor will provide an additional Cart or Carts to a Residential Unit at the Contractor's cost.

All Residential Waste shall be placed at the curb by 7:00 am on the designated collection day.

Contractor shall dispose of all Residential Waste at a Disposal Site. The contractor shall not mix Residential Waste in any Vehicle with any Garbage, Refuse, Rubbish or other material received by Contractor from any source or location other than a Residential Unit located in the Service Area. All Vehicles shall contain only Residential Waste collected from Residential Units in the Service Area and the County shall have the right to check and monitor the materials being carried in any Vehicle or disposed of by Contractor at any Disposal Site.
The Contractor shall not litter or cause any spillage to occur upon the premises, roadway or the right-of-way wherein collection shall occur. During hauling, all Residential Waste shall be contained, tied or enclosed so that leaking, spilling and blowing is prevented. In the event of any spillage or leakage, including but not limited to, hydraulic and other fluids from the collection vehicle, by the Contractor, for any reason or source, the Contractor shall clean up all spillage and leakage at no cost to the County or the customer within two (2) business days.

B. Hours of Service. Services for collection of Residential Waste shall be performed Monday through Friday from 7:00 AM. to 4:00 P.M., except for holidays.

C. Holidays. Contractors shall not be required to provide services on New Year's Day, Independence Day, Thanksgiving Day and Christmas Day.

D. Complaints. The Contractor shall receive, respond to and resolve all complaints from any source regarding services provided under this Service Agreement. Any complaints received by the County will be directed to the Contractor. Should a complaint go unresolved for longer than one (l) business day, the County shall have the right to demand an explanation or resolution of the incident generating the complaints to the County's satisfaction.

E. Vehicles and Equipment. An adequate number of Vehicles, including backup Vehicles, shall be provided by the Contractor to properly and efficiently provide service in accordance with the terms of this Service Agreement. The Contractor is required to provide all Vehicles, fuel, lubricants, equipment, tools, materials and any other items required to provide the services described herein, including the cost of all maintenance activities related to its vehicle fleet. All Vehicles shall be designed and secure to prevent blowing of material and to keep leaking at a minimum during transport. All Vehicle heights should be coordinated with applicable door heights and overhead clearances at the Disposal Sites. All Vehicles shall be licensed and operated in compliance with, and shall otherwise comply with, all applicable local, state and federal laws and requirements, which may include applicable requirements of the Virginia Department of Environmental Quality, the Virginia Department of Transportation and the Environmental Protection Agency.

All Vehicles and other equipment of Contractor shall be kept in proper repair and sanitary condition and washed on a regular basis. Each Vehicle shall bear, at a minimum, the name and phone number of Contractor plainly visible on both cab doors. Each Vehicle shall be uniquely numbered in lettering at least six (6) inches high. No Vehicle shall be overloaded. The Contractor shall collect all litter resulting from the operation of Contractor's vehicles.

Contractor shall be solely responsible for, and bear all costs, expenses and liabilities connected with or arising from, all Vehicles and equipment operated

for Contractor or on its behalf at any property or facility of the County and on any Disposal Site whether publicly or privately owned or operated, and at all other locations.

F. Facilities and Disposal Sites. The County may require Contractor to transport Residential Waste to an alternate Disposal Site if for any reason or for any period of time Residential Waste can no longer be disposed of at the Facilities.

Contractor shall comply with all rules and regulations governing the operation of any Disposal Site and shall provide information reasonably requested by the owner or operator of any Disposal Site.

G. Title to Solid Waste. Title to Residential Waste shall pass to Contractor when placed in any Contractor collection vehicle or when removed by or for the Contractor from any Cart.

H. Reports. Contractor shall provide monthly reports to the County as to the following: (l) tonnage of Residential Waste hauled by Contractor under this Service Agreement, (2) number of trips made by Contractor's Vehicles transporting Residential Waste to each Disposal Site, (3) truck number of every Vehicle providing Services under this Service Agreement, (4) collection route of every such Vehicle and (5) scheduled days of collection of Residential Waste identified by truck number and collection route.

1. Disposal Routes. Residential Waste shall be hauled to Disposal Sites using major thoroughfares to the greatest extent practicable.

J. Taxes. All tax liabilities of the Contractor arising under the terms of this Service Agreement or as a result of this Service Agreement shall be paid by the Contractor.

K. Contact Information. Contractor shall maintain an office at which a Contractor representative can be reached by telephone during regular working hours to answer questions about the collection Services. Contractor shall provide timely written notice of any change in Contractor's contact telephone number, office address or change in collection routes or times of

Service to all customers being provided Services under this Service Agreement. The Isle of Wight County Administrator/or his designee shall be notified immediately in the event that scheduled collection or disposal cannot be met due to mechanical or other unforeseen delays. The contractor shall provide thirty (30) days advanced written notice to all customers and the County prior to enacting any authorized surcharge.

SECTION FOUR

COMPLIANCE WITH LAW

A. Compliance with Applicable Laws and Regulations.

The Contractor represents and warrants that it is fully qualified and able to perform all Services, that it holds any and all required federal, state and local licenses, permissions and permits required for Contractor to perform the Services, and that it will keep all such licenses, permissions and permits in full force and effect during the performance of any of Contractor's duties or obligations under this Service Agreement. Contractor represents and warrants that it will comply with all applicable laws, statutes, regulations and ordinances relating or applicable to the performance of any Services by Contractor.

B. Independent Contractor.

Contractor, including all employees, agents and subcontractors engaged by Contractor, shall perform all Services as an independent contractor and not as an officer, agent, servant or employee of the County. Except as otherwise provided under this Service Agreement, Contractor shall have exclusive control of and the exclusive right to control the details of the Services and all persons performing the same and nothing herein shall be construed as creating a partnership or joint venture between the County and Contractor. No person performing any Services shall be considered an officer, agent, servant or employee of the County, and no such person shall be entitled to any benefits available or granted to employees of the County.

SECTION FIVE

COLLECTION ROUTES

Contractor shall render Services to residences in its franchised area in accordance with Exhibit A attached hereto.

SECTION SIX

RATES AND FRANCHISE FEE

Contractor's Disposal Fees shall be in accordance with Exhibit B attached hereto. Contractor shall pay the County a monthly Franchise Fee of $1.00 per residential unit. The Franchise Fee shall be due and payable to the County by the fifth day of each month, beginning August, 2023.

SECTION SEVEN

ASSIGNMENT AND CONTRACTING

The Contractor shall not assign or transfer its rights and obligations under this Service Agreement except with the express written consent of the County. As a condition of such consent, any person or entity to which a proposed assignment is made shall be required to demonstrate, to the reasonable satisfaction of the County, that it is capable of fulfilling all duties and obligations of Contractor under this Service Agreement. In this regard the proposed assignee shall be required to submit to the County (a) a written description of its experience, pertinent references and available staff and equipment that will allow the proposed assignee to fulfill all obligations under this Service Agreement, (b) its most recent financial statements for a period of five years and (c) other documents reasonably requested by the County. In the event that such an assignment is made and consented to, the assignee shall execute a written assignment agreement (the "Assignment Agreement") to be bound by the terms and conditions of this Service Agreement, which Assignment Agreement shall be in form and substance satisfactory to the County, and the original Contractor shall not be released and discharged from any obligations to the County hereunder without the express written consent of the County.

SECTION EIGHT

PERSONAL DISPOSAL OF GARBAGE

Except as hereinafter provided, nothing contained in this Service Agreement shall prevent any person, firm, or corporation from personally disposing of its own trash, garbage, refuse in a legal and lawful manner and in compliance with the laws, rules, and regulations of the Commonwealth of Virginia and the County. It shall not be mandatory for any person or residence not using the services of Contractor as of the Effective Date of the this Service Agreement to utilize the services of the Contractor however, the County does not relinquish its right and authority to require, by statute, ordinance or otherwise, any and all future development within the boundaries of the County to dispose of trash, garbage or refuse of said developments through Contractor or any other franchisee in the future if the County determines that said requirement is in the best interest of the health, safety and/or welfare of its citizenry or for any other reason not prohibited by law.

SECTION NINE

TERM

The Franchise hereby granted and accepted shall be effective for a five-year term. Contractor shall commence the services covered herein on July 1, 2023 and shall diligently and continuously prosecute such services at all times thereafter during the Initial Term. The County has the option to renew this Service Agreement for the Extended Term by providing the Contractor with written notice of the County's decision to extend the Service Agreement for the Extended Term at any time between and including January 1, 2028, and March 30, 2028. If necessary to avoid cessation of services at the expiration of this Service Agreement, the Service Agreement may be extended for a period of up to six (6) months past the expiration date upon the same terms contained herein, upon the mutual consent of the parties hereto.

SECTION TEN

TERMINATION

This Service Agreement will remain in force for the full period specified and until the County determines that all requirements and conditions have been satisfactorily met and the County has accepted the Services, and thereafter until

the Contractor has met all requirements and conditions relating to the Services under the Service Agreement, including warranty and guarantee periods. However, the County will have the right to terminate the Service Agreement sooner if the Contractor has failed to perform satisfactorily the Services required, as determined by the County in its discretion. In the event the County decides to terminate the Service Agreement for failure to perform satisfactorily, the County will give the Contractor at least forty-five (45) days written notice before termination takes effect. Such forty-five (45) day period will begin upon mailing or delivery of notice by the County. The Contractor shall have the right to cure its failure to properly perform under this Service Agreement within the forty-five (45) days specified in the notice. If the Contractor cures its failure to properly perform under this Service Agreement, the termination shall not take effect. If the Contractor fails to cure its failure to properly perform under the Service Agreement, within the forty-five (45) days specified in the notice, the County may terminate this Service Agreement. The termination for convenience provisions of the RFP attached hereto shall also apply to the parties hereto.

Notwithstanding the foregoing, any action or failure to act by the Contractor which endangers or threatens to endanger the health or safety of the public or causes or threatens to cause material environmental damage, must be rectified and corrected by the Contractor within forty-eight (48) hours of the event giving rise to such actual or potential health, safety or environmental danger or damage. In the event of such action or failure to act, the County shall have, in addition to all other rights at law or in equity, the right to rectify and correct such present or potential danger or damage at Contractor's expense, and Contractor shall reimburse the County for all such expenses within seven (7) days of demand therefor.

No remedy conferred by this Service Agreement upon or reserved to the County is intended to be exclusive of any other available remedy or remedies, but every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute. Upon the occurrence of a default hereunder caused by failure to perform a material obligation under this Service Agreement or breach of contract by either party, the other party may exercise any available legal or equitable remedy or remedies, including but not limited to a claim and suit for damages, which may

include seeking recovery for compensatory, consequential and punitive damages, (which may include but are not limited to property damage, diminution of property value, investigatory costs, environmental cleanup and remediation costs, expert witness and consultants fees and reasonable attorney's fees), a claim and suit for specific performance, and a claim and suit for injunctive relief.

SECTION ELEVEN

LIABILITY

Contractor shall indemnify and hold the County and its officers, servants, agents, representatives and employees harmless from and against all suits, actions, demands, injury, costs, claims, damages, losses, charges, liability, exposure and expenses, including attorney's fees, of whatever kind or nature arising out of or resulting from the Contractor's performance or nonperformance of the terms of this Service Agreement or Contractor's obligations under this Service Agreement including but not limited to those attributable to bodily injury, sickness, death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom, or to economic loss.

During the term of this Service Agreement, Contractor agrees to procure and maintain insurance which meets all County's requirements in the Request for Proposals.

SECTION TWELVE

NO WAIVER

The failure of either party to the Service Agreement to insist upon the performance of any of the terms and conditions of this Service Agreement of the waiver of any breach of any of the terms and conditions of this Service Agreement shall not be construed as thereafter waiving any such terms and conditions, but the same shall continue and remain in full force and effect as if no forbearance or waiver had occurred.

SECTION THIRTEEN

EFFECT OF PARTIAL INVALIDITY

The invalidity of any portion of this Service Agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this Service Agreement is held to be invalid, the parties agree that the remaining provisions shall be deemed to be in full force and effect without regard to the invalid provision.

SECTION FOURTEEN

ENTIRE AGREEMENT

This Service Agreement, which includes all Contract Documents attached hereto and included herein, shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the Effective Date of this Service Agreement shall not be binding upon either party except to the extent incorporated in this Service Agreement. Should a conflict arise between the provisions of the Service Agreement as set forth in this ordinance and any of the Contract Documents attached hereto and included herein, the provisions of this Service Agreement set forth in this ordinance shall control.

SECTION FIFTEEN

MODIFICATION OF AGREEMENT

Any modification of this Service Agreement or additional obligation assumed by either party in connection with this Service Agreement shall be binding only if evidenced in writing signed by each party or an authorized representative of each party.

SECTION SIXTEEEN

MISCELLANEOUS

A. Parties' Representatives.

For the purposes of this Service Agreement, the County designates the County Administrator as its representative and has empowered the County Administrator with the authority necessary to administer the provisions of this Service Agreement. Contractor shall assign a qualified person or persons to be in

charge of the Services and agrees to give the name of such person or persons to the County no later than the Effective Date of this Service Agreement. Contractor agrees at all times to provide adequate central office staffing and phone support to answer questions from the general public or the County, and to take and respond to complaints.

B. Notice.

All notices and demands by any party to any other shall be given in writing and sent by a nationally recognized overnight courier or by United States certified mail, postage prepaid, return receipt requested, and addressed as follows:

1. To the County: County Administrator
   P.O. Box 80
   17090 Monument Cir.
   Isle of Wight, VA 23397
   with a copy to: County Attorney
   P.O. Box 80
   17090 Monument Cir.
   Isle of Wight, VA 23397
2. To Contractor:

Any party may, upon prior written notice to the others, specify a different address for the giving of notice. Notices shall be effective one day after sending if sent by overnight courier or three (3) days after sending if sent by certified mail, return receipt requested.

C. Contractor Records.

Records of Contractor and any Subcontractor related to this Service Agreement shall be subject to County review, audit and/or reproduction and shall be open to inspection by the County during normal working hours or at such times as are mutually agreed upon by the parties. Contractor and any Subcontractor shall maintain their books and records related to the performance of this Service Agreement in accordance with the following minimum requirements:

l. Contractor shall maintain any and all ledgers, books of account, invoices, vouchers and canceled checks, as well as all other records or documents evidencing or relating to charges for Services for a minimum period of five (5) years, or for any longer period required by law, from the date of termination or completion of this Service Agreement.

2. Contractor shall maintain all documents and records which demonstrate performance under this Service Agreement for a minimum period of five (5) years, or for any longer period required by law, from the date of termination or completion of this Service Agreement. Such documents shall include the occupant's name and address of each Residential Unit,

3. Any records or documents required to be maintained pursuant to this Service Agreement shall be made available for inspection or audit, at any time, during regular business hours, upon written request by the County Representative at Contractor's address indicated for receipt of notices in this Service Agreement.

D. Inspections.

Contractor agrees to permit County-designated personnel, at the convenience of such personnel, to inspect its collection and disposal vehicles and facilities and those vehicles, facilities, equipment, or procedures of any Subcontractor to the extent such items apply to the performance of this Service Agreement, including for sanitation, appearance and safety reasons.

E. Survival of Obligations

The representation, warranties, agreements, promises, liabilities, duties, obligations and available remedies of the parties under this Service Agreement shall continue in force and effect for the longest period permitted under applicable law. Any statute or period of limitation or repose applicable to any cause of action related to or arising from any provision of this Service Agreement or any services to be performed under this Service Agreement shall not begin to run until the discovery by the party entitled to bring such cause of action of facts or events which give rise to such cause of action.

F. Contractor Authorized

The Contractor represents that it is duly organized, validly existing and in good standing under the laws of the Commonwealth of Virginia, is qualified to do business in the Commonwealth of Virginia and has all requisite corporate power and corporate authority to execute and perform its obligations under this Service Agreement.

G. Applicable Law, Forum, Venue and Jurisdiction

This Contract is governed in all respects by the laws of the Commonwealth of Virginia; and the jurisdiction, forum and venue for any litigation concerning the Service Agreement or the services proved thereunder in the Circuit Court for Isle of Wight County, Virginia, and in no other court.

H. Arbitration

No claim arising under or related to this Service Agreement may be subject to arbitration.

I. Attorney's Fees

In the event that the County prevails in any legal action or proceeding brought by the County to enforce any provision of this Service Agreement, the Contractor will pay the County's reasonable attorney's fees and expenses.

SECTION SEVENTEEN

PROCEDURE FOR CONTRACTUAL CLAIMS

A. Contractual claims, whether for money or other relief, except for disputes exempted by law from the procedure set forth herein, shall be submitted in writing no later than sixty days after the contractual claim arises. Any written notice of Contractor's intention to file such a claim need not detail the amount of the claim but shall state the facts and/or issues relating to the claim in sufficient detail to identify the claim, together with its character and scope. Whether or not Contractor files such written notice, Contractor shall proceed with performing the Services as directed.

B. The County, upon receipt of a detailed claim, may at any time render its decision and shall render such decision within one hundred (120) days of receipt. Each decision rendered shall be forwarded to Contractor by written notice.

C. If the Contractor disagrees with the decision of the County concerning any pending claim, the Contractor shall promptly notify the County by written notice that the Contractor is proceeding with the Services under protest.

D. The decision on contractual claims by the County shall be final and conclusive unless the Contractor appeals within six months of the date of the final decision on the claim by instituting legal action in the appropriate Circuit Court,

SECTION EIGHTEEN
PERFORMANCE BOND

Contractor shall furnish to the County a Performance Bond, or an irrevocable Letter of Credit (the "Letter"), in form satisfactory to the County on the Effective Date for the faithful performance of this Service Agreement and all obligations arising hereunder. ne Contractor shall provide a Performance Bond or Letter fully executed for the time period April l, 2013 through March 31, 2014, and such a Performance Bond or Letter shall also be provided for every subsequent 12-month period the Service Agreement is in effect. The Contractor shall be responsible for the cost of the Performance Bond or Letter. The Bond or Letter for each year shall be in the amount of One Hundred Thousand Dollars ($100,000) and shall indemnify the County against any loss or damage resulting from any failure by the Contractor to perform as required by the terms of this Service Agreement up to the One Hundred Thousand Dollar amount of the Performance Bond or Letter.
Any Performance Bond shall be executed by a surety company licensed to do business in the Commonwealth of Virginia in a form acceptable to the County. A certificate from the surety company showing that the Performance Bond premiums are paid in full shall accompany the Performance Bond. Irrevocable Letters of Credit may be from any bank authorized to do business in the Commonwealth of Virginia.

SECTION NINETEEN

PARAGRAPH HEADINGS

The titles to the paragraphs of this Service Agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid on the interpretation of the provisions of this Service Agreement.

SECTION TWENTY

COUNTERPARTS

This Service Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, but all of which shall together constitute the one and same instrument.

Exhibit A

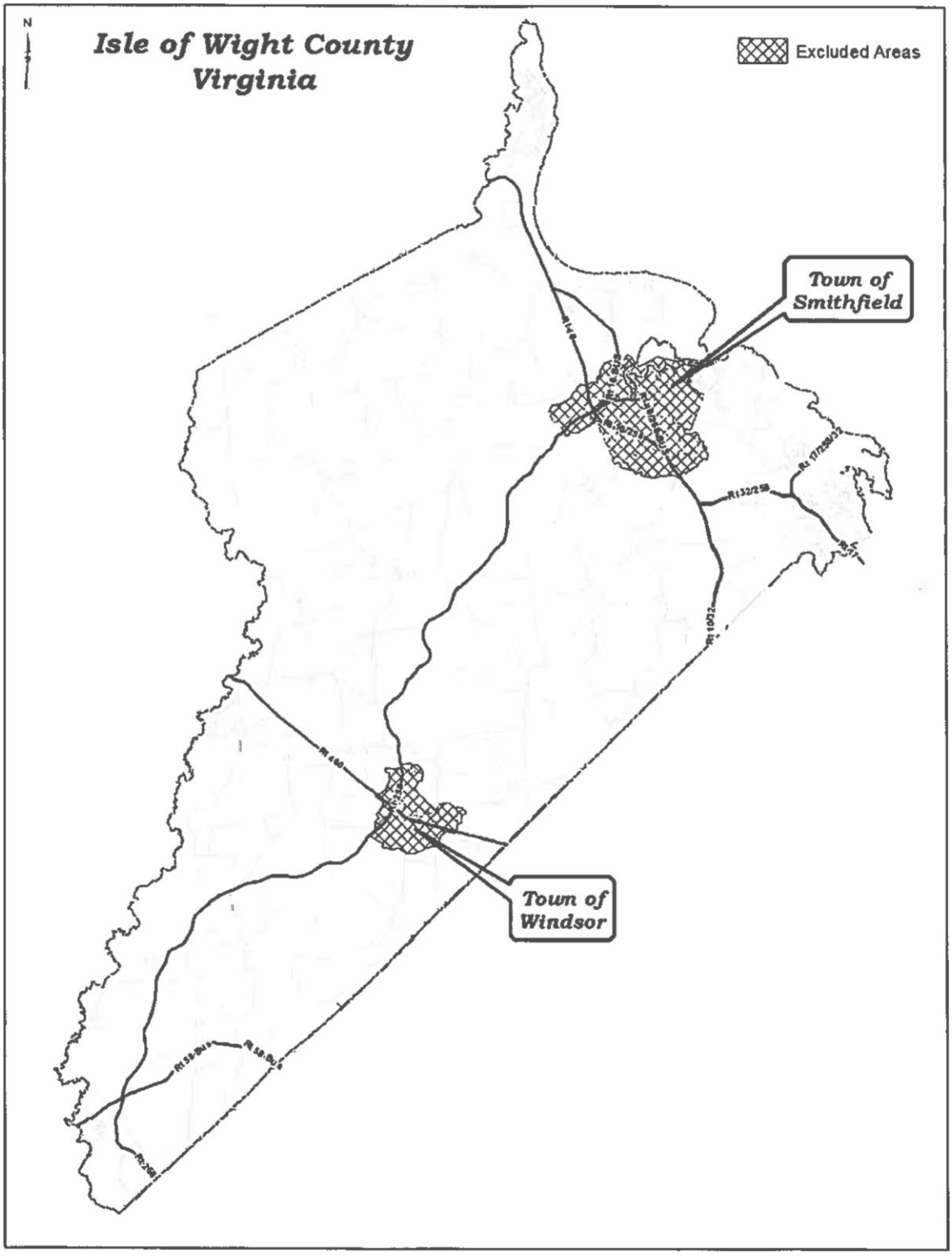

N
Isle of Wight County
Virginia
Excluded Areas
Town of
Smithfield
Town of
Windsor

Exhibit B

RATES AND FEE SCHEDULE

NOTE: ADD RATE SCHEDULE

The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

D. An Ordinance to Set the Salary of the Isle of Wight County Board of Supervisors

County Attorney Jones, responsive to Board action, advised that research concerning Board compensation has revealed that the Board's last salary adjustment was in 2008 at which time the salary was set at $11,402.26. He continued that at that time, the Board had adopted an ordinance using Virginia Code Section 15.2-14-14.3 which allowed it to build in an annual increase providing it did not exceed 5% per year. He recommended using Virginia Code Section 15.2-14-14.2 which allows the Board to set the salary in any given year that at least 40% of the Board is up for reelection with the understanding that if an increase is awarded, it does not go into effect until January of the following year. It has been recommended that the salary be set at $12,800 beginning January 1, 2024 and that the Chairman and Vice-Chairman continue to receive additional compensation currently in place at $1,800 for the Chairman and $1,200 for the Vice-Chairman.

Volpe Boykin of District 5 spoke in favor of the proposed increase.

Chairman McCarty closed the public hearing.

Supervisor Grice moved that the following Ordinance be adopted:

AN ORDINANCE TO SET THE
SALARY OF THE ISLE OF WIGHT COUNTY
BOARD OF SUPERVISORS

WHEREAS, Code of Virginia §15.2-1414.2 states that the "annual compensation to be allowed each member of the board of supervisors of a county shall be determined by the board of supervisors of such county" and the board of supervisors "may fix a higher salary for the chairman, or both;" and

WHEREAS, Code of Virginia §15.2-1414.2 further states "prior to July 1 of the year in which members of the board of supervisors are to be elected or, if the board is elected for staggered terms, of any year in which at least forty percent of the members of the board are to be elected, the current board, by a recorded vote of a majority present, shall set a maximum annual compensation which will become effective as of January 1 of the next year," and

WHEREAS, the year is 2023 and at least forty percent of the Board of Supervisors (the "BOS") for Isle of Wight County, Virginia, are to be elected; and

WHEREAS, the BOS last set its salary in 2008, when it set the annual compensation for members at $11,402.26 and set additional compensation for the Chair and Vice Chair at $1,800 and $1,200, respectively; and

WHEREAS, the BOS is of the opinion that its members should be paid an annual salary of $12,800 starting January 1, 2024 and

WHEREAS, the BOS is of the opinion that the Chair and the Vice Chair shall continue to receive additional compensation; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Isle of Wight County, Virginia, directs that each member of the Board of Supervisors shall be paid an annual salary of $12,800 effective January 1, 2024.

BE IT FURTHER RESOLVED that the Board of Supervisors of Isle of Wight County, Virginia, directs that its Chair and Vice Chair shall continue to receive additional annual compensation in the amount of $1,800 for the Chair and $1,200 for the Vice Chair.

The motion was adopted (3-2) with Supervisors McCarty, Grice and Rosie voting in favor of the motion and Supervisors Acree and Jefferson voting against the motion.

E. T-Mobile Lease Agreement for Space on the Brewer's Neck Water Tower

County Attorney Jones stated that currently T-Mobile has a lease on the water tower in Bartlett which is set to expire in May of 2027 with an option to have three more five-year terms. He stated the rent being proposed is a slight decrease primarily because T-Mobile took this over as an acquisition and is bringing it in line with the current market at $2,800 per month.

Chairman McCarty called for persons to speak in favor of or in opposition to the lease agreement.

Christopher Cavallo of Virginia Beach remarked that he is willing to speak with the Board off-line on some of the concerning things related to T-Mobile in general and some of the world issues being faced.

Chairman McCarty closed the public hearing and called for comments from the Board.

Vice-Chairman Acree moved that the Chairman be authorized to execute the renewal agreement. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

COUNTY ADMINISTRATOR'S REPORT

Chris Morello, Director of Economic Development, distributed that Department's Annual Report for the Board's reference.

UNFINISHED/OLD BUSINESS

No business was offered for discussion.

NEW BUSINESS

A. Troy Marine NDSO Exception

Trenton Blowe, Planner, Community Development, provided background information on the exception request.

Chairman McCarty noted his favorable consideration and commented that there have been other projects in the Newport Development Service District that been given consideration to that are visible from the road and this project is not.

Vice-Chairman Acree stated if approved, he would hope the buffering is sufficient so as to not readily being seen from the roadway.

Supervisor Jefferson remarked that the applicant went through the exception process and he does not see a problem with approving it.

Supervisor Rosie remarked that the landscaping is going to address any concerns he might have had so he does not have an issue with approving it.

Supervisor Grice remarked that it is going to be a waste of money if the applicant has to put something there that isn't going to be seen anyway.

Chairman McCarty moved that the exception be approved. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

B. Riverside Hospital Building Height Exception Request

Amy Ring, Director of Community Development, presented the request for the Board's consideration.

There was general discussion about the possibility that the facility may be expanded in the future that having the sign go up would result in minimizing the land use footprint and that the type of business being conducted in the facility mandates the way in which it is built.

Supervisor Jefferson moved that the height exception request be approved. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

C. Riverside Hospital Sign Size Exception Request

Ms. Ring presented the request.

There was general discussion that the facility is for public safety and that not long ago another medical facility's sign was upgraded because it could not be seen at night.

Russell Parrish, Senior Project Manager for construction at Riverside Hospital, advised that there will be ground light up to the sign and that the plan is to leave the remaining trees up.

Supervisor Jefferson moved that the sign size exception request be approved. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

D. Resolution to Express Appreciation to Congressman Bobby Scott for Congressionally Directed Spending Allocations

Assistant County Administrator Robertson presented a resolution expressing appreciation to Congressman Bobby Scott for his previous assistance and support with funding that the County was able to receive during his representation of the County.

Chairman McCarty moved that the following Resolution be adopted:

RESOLUTION TO EXPRESS APPRECIATION TO
CONGRESSMAN BOBBY SCOTT FOR CONGRESSIONALLY DIRECTED SPENDING ALLOCATIONS

WHEREAS, Isle of Wight County currently lies within the 2nd Congressional District of Virginia; and,

WHEREAS, the County was previously included in the 3rd Congressional District of Virginia represented by Congressman Robert C. "Bobby" Scott; and,

WHEREAS**,** Congressman Scott was instrumental in providing opportunities for the County to secure federal funding for important local projects; and,

WHEREAS, as a result of Congressman Scott's outreach and support, the County was able to apply for and receive $318,000 in 2021 for broadband expansion and $750,000 in 2022 for improvements to the marina facilities at Tyler's Beach.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the Board of Supervisors of Isle of Wight County, Virginia expresses its appreciation to Congressman Robert C. "Bobby" Scott for his support with Congressionally directed funding opportunities that will positively impact the quality of life of the citizens of Isle of Wight County.

The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Grice, Jefferson and Rosie voting in favor of the motion and no Supervisors voting against the motion.

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Supervisor Acree relayed that there are two first responders in need of prayer in the community and he asked that they be kept in prayer.

ADJOURNMENT

At 10:00 p.m., Chairman McCarty declared the regular meeting adjourned.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

REGULAR MEETING OF THE ISLE OF WIGHT COUNTY BOARD OF SUPERVISORS HELD IN THE ROBERT C. CLAUD, SR. BOARD ROOM OF THE ISLE OF WIGHT COUNTY COURTHOUSE LOCATED AT 17090 MONUMENT CIRCLE, ISLE OF WIGHT, VIRGINIA ON THURSDAY, THE SIXTEENTH DAY OF MARCH IN THE YEAR TWO THOUSAND AND TWENTY-THREE

BOARD MEMBERS PRESENT:

William M. McCarty, District 2, Chairman
Joel C. Acree, District 4, Vice-Chairman
Richard L. Grice, District 1
Don G. Rosie, II, District 5
Rudolph Jefferson, District 3

STAFF MEMBERS PRESENT:

Randy R. Keaton, County Administrator
Donald T. Robertson, Assistant County Administrator
Robert W. Jones, Jr., County Attorney
Carey Mills Storm, Clerk

CALL TO ORDER

Chairman McCarty called the regular meeting to order at 6:00 p.m.

APPROVAL OF AGENDA

Supervisor Jefferson moved to adopt the agenda as amended to move the Resolution to Approve the Employee Health Insurance Plan Offerings for Fiscal Year 2023-24 to following the Consent Agenda. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

CLOSED MEETING

Pursuant to Section 2.2-3711(A) of the *Code of Virginia*, Supervisor Jefferson moved to enter the closed meeting for the limited purpose of: Consultation with legal

counsel employed by the Board regarding specific legal matters requiring the provision of legal advice by such counsel, namely the integration of State Code requirements, Roberts Rules and Board Policy, pursuant to subsection 8; a discussion regarding the appointment of specific appointees to County boards, committee or authorities as set forth in the agenda, pursuant to subsection 1; a discussion or consideration of the investment of public funds in securing juvenile pretrial detention services, where competition or bargaining is involved, where, if made public, the financial interest of the County would be adversely affected, pursuant to subsection 6; and, a discussion regarding the renegotiation of a lease of Water Tower space to a cellular provider, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Board, pursuant to subsection 3.

The motion was unanimously adopted (5-0).

Upon motion of Vice-Chairman Acree and all voting in favor (5-0), the Board reconvened into open meeting.

County Attorney Jones reminded the Board that in accordance with Section 2-10(G) of the Board's Rules & Procedure, all those who participated in the closed meeting are reminded that all matters discussed in closed meeting are to remain confidential, as provided under the Virginia Freedom of Information Act, and that such matters as were discussed in closed meeting should not be acted upon or discussed in public by any participant unless and until a public, formal action of the Board of Supervisors is taken on that particular subject matter.

Upon motion of Chairman McCarty and all voting in favor (5-0), the following Resolution was adopted:

CERTIFICATION OF CLOSED MEETING

WHEREAS, the Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, Section 2.2-3712(D) of the Code of Virginia requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with

Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board of Supervisors.

VOTE

AYES: Acree, Grice, Jefferson, McCarty. Rosie

NAYS: 0

ABSENT DURING VOTE: 0

ABSENT DURING MEETING: 0

INVOCATION

Pastor Batten, Rising Star Baptist Church in Smithfield, delivered the invocation and led the Pledge of Allegiance to the flag.

CITIZENS' COMMENTS

Brian Carroll, Isle of Wight Volunteer Rescue Squad, spoke about the recent dissolution of the Surry County Rescue Squad noting that Surry County should embrace their volunteers, recognize the issues and jointly work to provide emergency medical services to its citizens. He recommended that the County not be a part of Surry's solution and that it not enter into any agreement to provide emergency medical services to Surry County.

Herb DeGroft of Mill Swamp Road recognized the invaluable services provided by the County's fire, rescue and law enforcement personnel and thanked the Board for its past financial support of those organizations. He requested that the Board not approve the Isle of Wight County School's FY2024 proposed budget of

$81,096,224 and recommended that it be appropriated level funding from last year minus the local per pupil expenditure of local funds for forecasted reduction of sixty students by the Superintendent.

CONSENT AGENDA

On motion of Vice-Chairman Acree, the Consent Agenda, as presented and follows, was adopted unanimously (5-0):

A. Resolution to Amend the FY 2022-2023 Operating Budget and Appropriate Additional Funding for the Recreation Trails Program Grant ($132,668)

B. Resolution to Amend the FY 2022-2023 Operating Budget and Appropriate Funding for Repair of County Property from Insurance Proceeds ($31,015)

C. Resolution to Amend the FY2022-23 Budget and Appropriate Funds from the Virginia Department of Education School-based Health Workforce Grant ($86,828)

D. Isle of Wight County Planning Commission 2022 Annual Report

E. Memorandum of Agreement by and between the Isle of Wight County Board of Supervisors and Peninsula Trail Riders Incorporated

F. Resolution of the Board of Supervisors of Isle of Wight County Virginia Requesting the Virginia Department of Transportation to Include Certain Streets in the System of State Highways, as follows:

- Brentwood Cove (Route 1070) from cul-de-sac (end) to cul-de-sac (start), 0.04 miles
- Brentwood Cove (Route 1070) from cul-de-sac (start) to (Route 1061) Oak Hill Lane, 0.07 miles
- Turner Landing Way (Route 1071) from cul-de-sac (end) to cul-de-sac (start), 0.05 miles
- Turner Landing Way (Route 1071) from cul-de-sac (start) to (Route 1060) Spring Hill Pl., 0.17 miles

- Turner Landing Way (Route 1071) from (Route 1073) Riley Way to Sycamore Walk, 0.05 miles
- Turner Landing Way (Route 1071) from (Route 1076) Bowler Way to Route 10 (Benn's Church Blvd), 0.07 miles
- Turner Landing Way (Route 1071) from Sycamore Walk to (Route 1076) Bowler Way, 0.06 miles
- Cedar Crest Drive (Route 1074) from Sycamore Walk to (Route 1076) Bowler Way, 0.06 miles
- Bowler Way (Route 1076) from Private Alley to (Route 1075) Spring Grove Way, 0.03 miles
- Bowler Way (Route 1076) from (Route 1071) Turner Landing Way to (Route 1074) Cedar Crest Drive, 0.14 miles
- Bowler Way (Route 1076) from (Route 1074) Cedar Crest Drive to Private Alley, 0.02 miles

G. Minutes

- January 18, 2023 Regular Meeting Minutes
- February 2, 2023 Work Session Minutes
- February 23, 2023 Regular Meeting Minutes

NEW BUSINESS

Michelle Clark, Director of Human Resources, presented for consideration a Resolution to Approve the Employee Health Insurance Plan Offerings for Fiscal Year 2023-24. She explained that each year the County's employee health insurance plan offerings are based on benefit offerings, claims history, etc. to reflect updated benefits and County/employee contributions rates. In that regard, The Local Choice reflects a 1.6% increase for FY2024.

Vice-Chairman Acree moved that the following Resolution be adopted:

RESOLUTION TO APPROVE THE EMPLOYEE HEALTH INSURANCE PLAN OFFERINGS FOR FISCAL YEAR 2023-2024

WHEREAS, the next Employee Health Insurance Plan Year takes effect July 1, 2023; and,

WHEREAS, the County participates in The Local Choice Health Insurance Program through Anthem and offers three plans; and,

WHEREAS, The Local Choice Anthem Key Advantage 250 Plan, Key Advantage 500 Plan, and High Deductible Health Plan (with Health Savings Account) are recommended to the Board of Supervisors as the three plan offerings available for the plan year beginning July 1, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Health Insurance Plan offerings of The Local Choice Anthem Key Advantage 250 Plan, Key Advantage 500 Plan, and High Deductible Health Plan (with Health Savings Account) are available for employees with employer and employee contribution rates effective July 1, 2023 as referenced in the attached exhibit.

BE IT FURTHER RESOLVED that eligibility for participation in the Health Insurance Plan offerings is as follows: All regular full-time employees of the County, to include Appointees and Registrar, as well as elected officials to include Constitutional Officers and Board of Supervisors members, as well as local state-supported employees of the Isle of Wight Department of Social Services.

The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

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Chairman McCarty moved that a special meeting (Town Hall) be called on Thursday, March 30, 2023 from 6:00 p.m. to 8:00 p.m. at Carrollton Elementary School. The motion was adopted unanimously (5-0).

REGIONAL AND INTER-GOVERNMENTAL REPORTS

Supervisor Rosie provided highlights of the Hampton Roads Military Federal Facilities Alliance meeting advising that the Alliance is going to combine the NHR and the HRBRT due to duplications within those organizations. He stated that military families represent billions of dollars in the Hampton Roads economy and,

subject to House and budget approval, are pushing for public shipyard revitalization, appropriation of funds for child development centers, military mental healthcare and providers, in addition to the creation of opportunities for military spouses related to employment.

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Supervisor Grice provided highlights of the Hampton Roads Workforce Council meeting related to barriers that have been experienced between communities competing over economic growth/workforce is finally breaking down. Low-income housing and a lack of childcare facilities were also discussed.

//

Chairman McCarty advised that he has been elected Chairman of the Hampton Roads Transportation Planning Organization.

APPOINTMENTS

Supervisor Grice moved that Brenda Reynolds be appointed to fill the unexpired term of Teresa Frantz on the *Commission on Aging* representing District 1. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Chairman McCarty moved that Sharon Foster be appointed to the *Commission on Aging* representing District 2. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Chairman McCarty moved to reappoint Russell J. Parrish to serve on the *Historical Architectural Review Committee* for an additional four-year term representing District 2. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Vice-Chairman Acree moved to reappoint Pat Humphries to serve on the *Tidewater Emergency Medical Services Council* for an additional two-year term which will expire in March of 2025. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Supervisor Rosie moved to reappoint Mike Klusmeier to serve on the *Wetlands Board* for an additional five-year term representing District 5. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Supervisor Grice moved that David Holland be recommended to the Circuit Court Judge for a one-year term on the *Equalization Board* representing District 1. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Chairman McCarty moved that Thomas Finderson be recommended to the Circuit Court Judge for a one-year term on the *Equalization Board* representing District 2. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Vice-Chairman Acree moved that Louie Edmond be appointed to serve on the *Energy Task Force* representing District 4. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Supervisor Grice moved that Lynn Barlow Briggs be appointed to serve on the *Energy Task Force* representing District 1. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

Supervisor Jefferson moved that David Tucker be appointed to serve on the *Energy Task Force* representing District 3. The motion was adopted unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

SPECIAL PRESENTATIONS

Paul Matticks, VDOT Residency Administrator, provided an update on transportation matters; repair of secondary roads in neighborhoods; and, shared a VDOT proposal for the Route 17 (Sugar Hill Road) intersection.

Brian Carroll, Vice-Chairman of the Fire & Rescue Advisory Board, and Scott Brower, Deputy Chief of the Carrollton Volunteer Fire Department, addressed the Board regarding a resolution adopted by the Advisory Board which addresses the replacement of fire and emergency medical services apparatus in the County and outlines other qualifying criteria inclusive of years of service and mileage.

It was pointed out by County Administrator Keaton that the resolution does state that any proposed alteration would reside with the Advisory Board without coming back to the Board of Supervisors for approval. He stated secondly, the proposal adds four additional vehicles to the CIP and bond funds are already committed for specific trucks. He suggested that the Board consider funding the projects already committed in the budget with the bond funds and going forward set new parameters and how the additional vehicles, if needed, would be added to the budget in 2026.

Supervisor Grice stated this matter needs to be returned to the CIP committee and the Fire & Rescue Advisory Board can make a presentation at the CIP committee along with other agencies. He stated that adjustments can be made without needing to advertise for another public hearing.

Mr. Brower stated that he had attended a meeting which talked about building two schools out of that bond money.

County Administrator Keaton stated that the first bond issue was for Hardy Elementary School and that it did not include Westside Elementary School. The second bond issue was to complete Hardy Elementary School. The idea was the second bond issue was supposed to have included Westside, but prices increased so much that the second bond issue only included finishing Hardy.

Chairman McCarty noted that the resolution does not say that the County gives a lump sum towards apparatus.

County Attorney Jones advised that what the Advisory Board's resolution does is define how the eight agencies are going to prepare and present their capital requests to this Board.

Vice-Chairman Acree moved that discussion be tabled and the matter sent to the CIP Committee for discussion before returning the matter to the Board for additional discussion. The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

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Chief Humphries and Lt. Smith from Station 10 appeared before the Board and announced that the County has been awarded $959,020 from FEMA for replacement of the SCBA system.

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Following a break, Chairman McCarty called for the County Administrator's report.

County Administrator Keaton notified the Board of grants applied for by the County in the amount of $3,990,000 related to the elevated storage tank at Benn's Grant that will serve Riverside Hospital; the Route 258 waterline extension project to serve Clydesdale Mobile Home Park and the Isle of Wight County Fairgrounds; the Thomas Park sewer improvements; and, the water system lead abatement program.

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County Administrator Keaton notified the Board that the County is NOT on the Auditor of Public Accounts' list as a locality that did not meet their deadlines for comparative reports. He recognized the Department of Budget and Finance for an excellent job keeping and adhering to all the deadlines.

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Assistant County Administrator Robertson provided an overview of the results of a recently conducted community survey by Zencity of County residents regarding County services.

There was general discussion by the Board regarding the need for greater retail opportunities; the need for more things to do in the County; and, that the County consists of an older population because the children are leaving. It was noted that Development Service Districts represent 15% of the County's total land mass which equates to the remaining 85% being protected as rural.

The Board agreed on the need for additional discussion to determine why the County is not seen as a destination point and it was suggested that the talents of those in the leadership program be utilized regarding issues and concerns facing today's generation.

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County Administrator Keaton presented a proposed FY2023-24 Operating & Capital Budget calendar for the Board's information and action.

On motion of Chairman McCarty, the following 2023-24 Budget Calendar was unanimously (5-0) adopted:

Thursday, April 6th @ 6:00 p.m. (Work Session)
Thursday, April 13th @ 6:00 p.m. (Budget Work Session)
Thursday, April 20th @ 5:00 p.m. (Budget Public Hearing)
Thursday, April 27th @ 6:00 p.m. (Budget Work Session)
Thursday, May 4th @ 6:00 p.m. (Work Session)
Thursday, May 11th @ 6:00 p.m. (Budget Adoption Meeting)

UNFINISHED/OLD BUSINESS

No unfinished/old business was offered for discussion.

NEW BUSINESS

Captain Tommy Potter, Operational Manager, Isle of Wight County Sheriff's Office, provided background information on the Military Surplus Program and notified the Board of the County's intent to request assets from Federal sources.

Captain Potter addressed the Board regarding gunfire complaints received by the Sheriff's office on a weekly basis. He referred to Section 12-11.1 – Discharging Firearms of the Isle of Wight County Code which stipulates that no person shall discharge any firearm within the County within one thousand feet of a (i) platted subdivision; (ii) business establishment; (iii) public building; (iv) public gathering or (v) public meeting place, unless engaged in lawful hunting. He explained that for purposes of this subsection (a), a "platted subdivision" shall mean a single-family residential subdivision of more than five lots platted at the same time. He shared details of a recent case involving residents of Vellines Lane and Yellow Rock Road who had reported that bullets were striking trees in the area. As a result, a homeowner on Rocky Road was interviewed and had admitted that he had been target shooting in his backyard. A visit of the property had revealed that the homeowner's target shooting had consisted of a dozen or so targets set up in his back yard and that the target shooter was in violation of the ordinance if he shoots in his front yard, but not if he shoots in his backyard. He stated that the sheriff's office wishes to promote safe and effective gun ownership and sport shooting and recommends adding some type of requirement for a suitable backstop.

County Attorney Jones reviewed Section 18.2-56.1 of the Code of Virginia pertaining to reckless handling of firearms, reckless handling while hunting. He stated that it is also illegal to discharge a firearm when the projectile crosses the road. He suggested possible additions to the Ordinance as follows: (1) It shall be unlawful for any person to discharge a firearm for recreational or target shooting purposes; (2) (A) In such a way as will, or is likely to, result in the load thereof leaving the boundaries of the property or parcel upon which the firearm is lawfully discharged, unless permission to do so has been granted by the adjacent landowner. A projectile leaving the boundaries of the property or parcel shall be prima facie evidence of a violation of this section. (B) Without a backstop that will adequately contain the projectile to the property upon which it was discharged. At a minimum, the backstop shall be composed of a natural or manmade berm, dike, or other physical barrier that is located behind and beyond the target and that is

constructed of a material that will allow the projectile to penetrate the backstop, berm, dike or other physical barrier but not pass all the way through it. (C) Between the hours of 10:00 p.m. and 7 a.m.

County Attorney Jones offered to meet with the Sheriff's office to develop appropriate language dealing with dwellings and what might be an appropriate distance and bring the matter back to the Board for its comments with a public hearing scheduled following the adoption of the budget.

At the request of Supervisor Jefferson, the Sheriff's Office offered to assign a Deputy on Saturday, March 18, 2023 to observe shooting on James Way.

County Administrator Keaton presented a resolution appropriating funding for the additional cost of a tanker truck for the Windsor Volunteer Fire Department. He explained that the Windsor Volunteer Fire Department had purchased a new tanker truck. He advised that there is currently $400,000 in the budget under the Capital Projects Fund and the truck was $27,403 over that amount so the Fire Department contributed that amount and when the truck arrives in May the grant agreement will be done which will show their percentage versus the County's percentage. This is to accept their check and apply that towards the purchase of the vehicle, he stated.

Supervisor Jefferson moved that the following Resolution be adopted:

RESOLUTION TO AMEND THE FY 2022-2023 BUDGET
AND APPROPRIATE FUNDING FOR
ADDITIONAL COST OF APPARATUS FOR
WINDSOR VOLUNTEER FIRE DEPARTMENT

WHEREAS**,** the Board of Supervisors has approved funding for the purchase of a Freightliner 2-door tandem 3000-gallon tanker for the Windsor Volunteer Fire Department in the amount of $400,000; and,

WHEREAS, the selected, equipped vehicle exceeds the budgeted appropriation by $27,403; and,

WHEREAS, the Windsor Volunteer Fire Department has agreed to contribute funding to Isle of Wight County for the additional cost of the purchase; and,

WHEREAS, the Board of Supervisors of the County of Isle of Wight, Virginia desires to amend the FY 2022-2023 Capital Project Fund budget in the amount of $27,403 from the Windsor Volunteer Fire Department for the purchase of the Freightliner 2-door tandem 3000-gallon tanker; and,

WHEREAS**,** the Board of Supervisors needs to appropriate $27,403 for the purchase of the tanker.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Isle of Wight, Virginia that the FY 2022-2023 budget is hereby amended, and funds appropriated in the amount of $27,403 or so much as shall be received from the Windsor Volunteer Fire Department for the additional cost of the purchase of a Freightliner 2-door tandem 3000-gallon tanker.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

The motion passed unanimously (5-0) with Supervisors McCarty, Acree, Rosie, Grice and Jefferson voting in favor of the motion and no Supervisor voting against the motion.

ADJOURNMENT

At 10:00 p.m., Chairman McCarty declared the regular meeting adjourned.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

BACKGROUND:

The Board of Supervisors has previously directed that an opportunity be provided for monthly status briefings from Board members who serve as representatives on various regional committees and authorities on behalf of the County.

BUDGETARY IMPACT:

None

RECOMMENDATION:

Receive the report.

ATTACHMENTS:

Description	Type	Upload Date
2022 Regional Reports	Backup Material	7/19/2022

2022 BOARD MEMBER REGIONAL REPRESENTATIVE

(Appointed by Board Vote)

Organization	Member	Term Expires
Eastern Virginia Regional Industrial Facility Authority	Grice	No Set Term
Hampton Roads Alliance	Grice	No Set Term
Hampton Roads Military Federal Facilities Alliance	Rosie	No Set Term
Hampton Roads Planning District Commission	Acree	No Set Term
	Keaton	No Set Term
Hampton Roads Transportation Accountability Commission	McCarty	No Set Term
Hampton Roads Transportation Planning Organization	McCarty	No Set Term
	Keaton	No Set Term
Hampton Roads Workforce Council	Grice	No Set Term
Southeastern Public Service Authority	Keaton	December 2025
	Etheridge/Alternate	December 2025
Western Tidewater Community Transportation Collaborative	Grice	No Set Term
Western Tidewater Regional Jail Authority	Jefferson	No Set Term
	McCarty	No Set Term
	Keaton	No Set Term
Western Tidewater Water Authority	Grice	June 2022
	Acree	June 2022
	Jones/Alternate	June 2022

BACKGROUND:

Board members will consider and make appointments of individuals to various local and region organizations as noted on the Appointments Page.

BUDGETARY IMPACT:

None

RECOMMENDATION:

Appoint individuals to various local and region organizations as noted on the Appointments Page.

ATTACHMENTS:

Description	Type	Upload Date
Appointments Page	Cover Memo	5/18/2023
Board of Equalization	Cover Memo	5/18/2023
Energy Task Force	Cover Memo	5/18/2023

BOARDS/COMMISSIONS/COMMITTEES

Boards/Commissions/Committe	Appointees	Contact	District	Expiration	
Blackwater Regional Library Board	Replacement for Catherine Funk (See Attached)	757-562-4931	At-Large Member	June	2023
Board of Building Appeals	Joshua Martin Goodin		Newport/District 2	June	2023
Board of Equalization	Representative for District 5 (See Attached)				
Board of Zoning Appeals	Shawn Carr	757-650-8062	Carrsville/District 5	June	2023
Chamber of Commerce	Don Robertson, Ex-officio			July	2023
Commission on Aging	Maggie Richards - Resigned	757-371-9010	Windsor/District 4	Dec.	2023
Commission on Aging	Jane March - Resigned	757-242-3807	Carrsville/District 5	Nov.	2021
Economic Development Authority	Replacement for Tony Ambrose		Town of Windsor	June	2023
Energy Task Force	Representative for District 5 and One At-Large Representative (See Attached)				
Historical Architectural Review Com.	W. Lee Duncan	757-356-1112	Hardy/District 3	Jan.	2023
Social Services Board	Reginia Joyner	757-478-6381	Windsor/District 4	June	2023
Wetlands Board	Replacement for Wilson Holland		Windsor/District 4	Feb.	2023

EQUALIZATION BOARD

ONE-YEAR TERM: July 1, 2023-June 30, 2024

	APPOINTED	EXPIRES	NEXT REASSESSMENT
DISTRICT 4			
T. Dale Scott 9 Virginia Avenue Windsor, Vireginia 23487	Apr-23	July 2023-June 2024	Jul-24
DISTRICT 5			
VACANT		July 2023-June 2024	Jul-24
DISTRICT 2			
Thomas E. Finderson, Jr. 24661 Sugar Hill Road Carrollton, Virginia 23314 291-6502	Mar-23	July 2023-June 2024	Jul-24
DISTRICT 1			
David L. Holland 106 Lochview Smithfield, Virginia 23430 757-848-3915	Mar-23	July 2023-June 2024	Jul-24
DISTRICT 3			
Otto Williams 17641 Morgarts Beach Road Smithfield, Virginia 23430	Apr-23	July 2023-July 2024	Jul-24

Send letter of recommendation to the County Attorney & Commissioner of Revenue

NOTE: This mandatory Board recommends individuals to the Circuit Court Judge for a one-year term.

BOARDS/10

ENERGY TASK FORCE

Created: February 23, 2023

APPOINTEES	DISTRICT	DATE APPOINTED
Thomas Distefano 15151 Batiste Court Carrollton, VA 23314 (757) 708-0880	2	23-Feb-23
Lewis Edmonds 23427 John Henry Street Windsor, VA 23487 (757) 871-6550	4	16-Mar-23
Lynn Barlow Briggs 211 North Mason Street Smithfield, Virginia 23430 (757) 365-1611	1	16-Mar-23
David Tucker 6251 Old Stage Highway Smithfield, VA 23430 (757) 334-3726	3	16-Mar-23
DISTRICT 5 (VACANT)	5	
AT-LARGE APPOINTEE (Town of Smithfield) Michael G. Smith 104 Commerce Street Smithfield, VA 23430 (757) 576-4203		Apr-23
At-LARGE APPOINTEE (VACANT)		

ISSUE:

Resolution to Designate May 21-27, 2023 as Emergency Medical Services Week

BACKGROUND:

In November 1974, President Gerald Ford announced and authorized the first National Emergency Medical Services (EMS) Week to celebrate the important work of individuals who work on the medical front line. This year, it's celebrated from May 21st to May 27th. The week gives Emergency Medical Services (EMS), and those who would like to credit them, a chance to recognize their hard work in potentially fatal situations daily. Whether an accident, a national emergency, or a terrorist act, the EMS work quickly and efficiently to save lives.

The Board may wish to designate May 21-27, 2023 as EMS Week.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

Adopt a resolution to Designate May 21-27, 2023 as Emergency Medical Services Week.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/2/2023

RESOLUTION TO DESIGNATE
THE WEEK OF MAY 21 - 27, 2023 AS
EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, Emergency medical services (EMS) Week was originally authorized by President Gerald Ford on November 4, 1974; and,

WHEREAS, emergency medical services (EMS) is a vital public service; and,

WHEREAS, the members of EMS teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and,

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and,

WHEREAS, EMS has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and,

WHEREAS, the EMS system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and,

WHEREAS, the members of EMS teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and,

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Isle of Wight, Virginia recognize the value and the accomplishments of EMS providers and hereby designate the week of May 21-27, 2023 as Emergency Medical Services Week.

Adopted this 18th day of May 2023.

William M. McCarty, Sr., Chairman

Carey Mills Storm, Clerk

Approved as to Form:

Robert W. Jones Jr., County Attorney

ISSUE:

County Fair Spring Events Update

BACKGROUND:

Danny Byrum, County Fair Committee Chairman, will provide an update from the Spring events at the fairgrounds and preparations for the upcoming County Fair.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

For the Board's information.

ISSUE:

Application of Prairie Solar, LLC, a Subsidiary of Energix, US, Applicant, and Everets Properties, Inc., Property Owner, for a Conditional Use Permit to Establish a Major Utility Service, Specifically a 20 MWac Utility-Scale Solar Facility, on 152 Acres Located at 19604 Longview Drive in the Rural Agricultural Conservation (RAC) Zoning District and a Request for Withdrawal of Approximately 103 Acres of Land Owned by Everets Properties, Inc., from the Longview Agricultural/Forestal District

BACKGROUND:

The applicant submitted an application in June 2022 under the current Supplemental Use Regulations for Solar Energy Facilities in the IOW County Zoning Ordinance. The project is a proposed 20 MWac solar energy generation facility on 152 acres, including all or portions of six parcels owned by one property owner, Everets Properties, Inc. Any acreage of the property not within the project area will remain in its current use (agricultural production, timbering, and private hunt club). The project will be a wholesale distributer of energy for Dominion Energy. The project will consist of solar panels along with their racking systems and metal posts, inverters, collection lines, a substation constructed jointly by the applicant and Dominion Energy, fencing, underground conduit lines, and access roads that will connect different sections of the project but solely within the project limits and not crossing property of others. Upgrades are proposed to the existing overhead transmission lines situated on Longview Drive and elsewhere in the County. No additional right of way will be acquired and no easements across property owned by others will be necessary.

<u>Background</u>:

1. The Agricultural and Forestal District Advisory Committee met on February 1, 2023 to consider this request and voted 5-0 to recommend approval for withdrawal to the Planning Commission.

2. The applicant hosted a community information meeting on February 1, 2023, at Christian Home Baptist Church, providing an opportunity for the public to view the project conceptual site plan and to ask questions. The applicant also met door-to-door with all adjacent property owners in advance of the scheduled public hearing and has entertained questions from these property owners ever since. Christian Home Baptist Church has requested the applicant to consider allowing

no construction truck traffic deliveries on Thursday from 11:00 a.m. - 1:00 p.m. in order to accommodate senior members attending a weekly Bible Study class held at the Church, and the applicant has obliged to this condition of approval as reflected in the conditions recommended by staff and the Planning Commission. See letter from Energix Renewables to the church Pastor dated March 17, 2023 attached for to this staff report for documentation.

3. The Rogers Deer Club, which has leased the land from the Rose and Kirk Families for over 80 years, is currently using the subject property for a clubhouse, housing for their hunting dogs, and hunting of primarily deer, but also squirrel, rabbits, and turkey. The club provided a letter of support for this application dated February 23, 2023 which is attached to this staff report for reference, stating that the development of this property for the requested use will not interfere with their continued use and enjoyment of the property for hunting.

4. The Planning Commission held a public hearing to consider public comment on this application on February 28, 2022. The public hearing was closed. The public hearing was closed and action on the applications was tabled for 30 days.

Following the meeting, a Commissioner asked staff questions related to the availability of TCLP testing results by the U.S. manufacturer, First Solar, with specific regard to cadmium leakage during panel breakage through testing for the proposed non-silica-based solar panels to be procured by the developer from First Solar, and to provide the results of such testing to the Commissioner. This request was coordinated by the staff project manager and the requested information was provided to the requesting Commissioner prior to the March 28, 2023, Planning Commission meeting.

At the March 25, 2023 Planning Commission meeting under "Old Business," the applicant/developer was present to address any further questions. The Commissioner, who requested the TCLP testing results from First Solar provided by the applicant, indicated that he was satisfied with the information provided by the applicant on the manufacturer's testing. Another Commissioner then asked about a fire that was said to have occurred at a solar energy facility in Surry County, and about the status of any required Fire/EMS Personnel Training with regard to incident response at solar energy facilities to date, which is one of staff's recommended conditions of approval with all such applications. The preparation of an Emergency Response Plan by local Fire/EMS, to be coordinated with the developer, inclusive of annual training of Fire/EMS personnel by the developer, is already a recommended condition of approval, as per the staff report for the February 28, 2023, Planning Commission meeting. As part of that recommended

condition, the preparation of an Emergency Response Plan is required prior to Final Site Plan approval, not at the time of Conditional Use Permit (CUP) application. Likewise, training must occur prior to the facility beginning operations as per the adopted Emergency Response Plan. Therefore, no such training has occurred yet, because the CUP has not yet been approved, and a preliminary site plan has not been submitted to date. Staff indicated that they would obtain information about the Surry County fire. The Planning Commission voted again to table action on this application for 30 days in order to obtain more information about the Surry County fire and about the status of the Emergency Response Plan and EMS personnel training.

At the April 25, 2023 Planning Commission meeting during "Old Business," Captain Steven Henson, Fire/EMS and Training, who reviewed the CUP application in Summer 2022 and provided the recommended staff condition for approval, addressed the Planning Commission with regard to these questions and answered others. It should also be noted that the 2023 General Assembly passed legislation mandating training of both professional and volunteer fire safety personnel on proper extinguishment of electrical energy generating facilities, battery storage facilities, and electric vehicles, given their growing presence in the Commonwealth and the importance of such training.

The Planning Commission voted 9-1 to recommend approval of the application. A copy of the Planning Commission staff report is attached for your information.

Note: Prior to the March 28, 2023, meeting, staff revised the proposed conditions to strike Condition #14 because it was inadvertently duplicative of Condition #3. Therefore, there are only 22 conditions versus the 23 originally proposed by staff in February.

Project Description:

Wildlife corridors and pollinator habitat gardens have been designed into the project. The project area is encumbered by Chesapeake Bay Preservation Area (CBPA) Resource Protection Areas (RPAs) and a 100-foot RPA Buffer Area. The applicant has proposed a 25-foot buffer area around all non-CPBA natural resource features on the property. A 50-foot vegetative buffer consisting of existing mature trees will be protected where present along the project perimeter and, where not present, a 50-foot vegetative buffer, consisting of a triple-staggered row of evergreen and deciduous trees and shrubs, will be planted. All such buffer areas are adjacent to other property owned by the applicant.

No equipment will be located closer than 150 feet to any adjacent residential use, as required by the current Zoning Ordinance. The closest equipment to an adjacent residential use property, which is a new substation concrete pad and utility poles for new overhead electrical lines, will be 580 feet away from the home. The closest project-related equipment to be installed by the applicant, which will be the security fence surrounding all project equipment, will be 789 feet away from the home.

The entirety of the project adjacent to other property owners is located within an existed wooded area and, therefore, will not be visible from the public right-of-way as the Viewshed Analysis and staff photos taken in the field document. The southernmost portion of the project area where equipment will be located is 680 feet from Longview Drive (Route 602), and the northernmost portion of the project area where equipment will be located is 760 feet from Route 602. A project narrative provided by the applicant is attached to this staff report.

The properties included in this application are currently in agricultural, timbering, and hunting uses and are all zoned RAC. Not all of the land comprising the six parcels is proposed for this use. The excluded southern portion (122.23 acres) will continue to be used for agriculture, timbering, and hunting. The farmer that leases the property rotates through different crops. It is currently planted in soybeans. Because of the agricultural and forestal uses of the property and as required by our Zoning Ordinance, the property owner must request withdrawal of property from the appropriate Agricultural and Forestal District if it is enrolled due to the proposed change in intensity of use of the land. In accordance with our Ordinance and the Code of Virginia, Everets Properties, Inc. requested withdrawal of two (2) parcels in the proposed project area that are enrolled in the Longview Agricultural and Forestal District via application for such to the County's Agricultural and Forestal District Advisory Committee on December 22, 2022 (see attached letter of request). The parcels affected are: 1) Tax Map Parcel 50-010-009, comprised of a total of 211.65 acres, of which 34.91 acres are requested to be withdrawn; and, 2) Tax Map Parcel 50-01-007, comprised of a total of 82 acres, of which 67.91 acres are requested to be withdrawn.

Public Facility Impacts:

The impacts of the proposed facility on public roads will occur primarily during construction and will be minimal once the use is established. The proposed truck route has been reviewed and approved by VDOT and the County's Transportation Manager, as well as the Department of Community Development, and is a proposed condition of approval. It will be limited to Route 10 in the County and

in City of Suffolk, accessing the site on Longview Drive via either Audubon Road in Suffolk to Sandy Ridge Drive in the County turning north on Longview Drive to the site entrance, or via Oliver Drive in the County, turning south on Longview Drive to the site entrance. Staff recommends against the use of Sandy Ridge Drive, when possible, due to its narrow width which makes it unable to safely accommodate two-way traffic in most places.

The Route 602 bridge over Chuckatuck Creek is currently under replacement and, once the repair work is complete, will no longer be weight-restricted. No other County roads will be permitted to be used for construction and post-construction traffic. In addition, a baseline conditions photographic survey will be conducted by the applicant and VDOT to document roadway conditions prior to construction to establish background conditions. Any roadway damage within the right-of-way which occurs after project construction begins will be documented and analyzed by both the applicant and VDOT to determine if the damage is attributable to the project vehicles. If it is determined to be attributable to the project, then all costs for damage repairs will be paid by the applicant. The approved truck route will be monitored and enforced as a condition of approval, with permit revocation an option if violations occur.

In establishing the use, the enjoyment of neighboring properties may also be temporarily impacted by construction traffic and noise generation in an amount no greater than has occurred during the Route 602 bridge replacement project.

In order to ensure adequate provision of emergency services, the Fire/EMS Department has reviewed this application and has no concerns. The applicant has proposed to submit an Emergency Response Plan with the first submission of the Preliminary Site Development Plan, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided, at the discretion of the County, to County emergency responders with regard to safety for on-site emergency response. The applicant shall install Knox Box or other remote access technology at the facility to ensure emergency responders have access to the facility should the need arise and include plans for the same on the project site plan.

Environmental Assessment:

The project lies within the Chuckatuck Creek watershed in the County's Chesapeake Bay Preservation Area (CBPA) Overlay District and has several wetland areas within it which have been confirmed by the US Army Corps of

Engineers.

All CBPA Resource Protection Area (RPA) features, including perennial and intermittent streams and wetlands, will be protected with the required 100-foot RPA Buffer. No equipment or project activities may occur within the RPA Buffer Area. In addition, the applicant has proposed a 25-foot buffer around all non-CPBA wetland features.

A Threatened and Endangered Species Report was prepared for the applicant by Pilot Environmental, Inc., in May 2022 and is included with the application. For this report, Pilot reviewed the Virginia Department of Wildlife Resources (DWR) Wildlife Environmental Review Map Services via ArcGIS in May 2022 prior to submitting this application. The review area included the site and a two-mile radius of the site boundary. Neither state nor federal listed species are identified on the site. Federal species are not identified within two miles of the site. Several occurrences of the state protected eastern chicken turtle, eastern tiger salamander, and the Mabee's salamander are identified within two miles of the site, approximately .5 miles and farther northeast of the site. A copy of the WERMS data is included as an attachment. An additional report was generated using DWR's online Fish and Wildlife Information Service (FWIS) for a two-mile radius of the site centroid. The Virginia FWIS search reported 21 species known to or likely to occur within two miles of the site centroid as threatened or endangered at the state and/or federal levels. Of the 21 species, the eastern chicken turtle, eastern tiger salamander, and the Mabee's salamander are known to occur within the two-mile radius around the site, consistent with the occurrences from the WERMS data. A copy of the FWIS report is included as an attachment.

Combined, these two assessments have revealed that it is not likely for the proposed solar development to adversely affect documented occurrences of federally-protected or state-listed threatened/endangered species, critical habitat, or other wildlife resources included in the assessment. A copy of this assessment will be required to be provided by the applicant to the Virginia Department of Conservation and Recreation and DWR for their concurrence and any mitigation recommendations prior to final site plan approval.

No impacts are proposed to wetlands, streams, or floodplains. The concept plan's access roads have been designed such that no stream crossings or crossings of the RPA Buffer Area are necessary. The concept plan shows wildlife movement corridors in several locations, reflecting the current movement of wildlife on the site from/to natural areas. To help ensure such movement opportunities, fencing will be placed around the area proposed to be under panels and not the whole

project site. A pollinator habitat is designed to ensure continuation of natural pollination for the surrounding agricultural use properties.

The applicant also requested of the Virginia Department of Conservation and Recreation's Division of Natural Heritage (DCR) a search of its Biotics Data System for occurrences of Natural Heritage Resources within the project area. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations. The applicant received a review letter from DCR dated October 21, 2022, for this purpose, which is an attachment to this staff report. According to the DCR biologist and predicted suitable habitat modeling, there is a potential for rare amphibians including Mabee's salamander, Tiger salamander, and Barking treefrog to occur in the project area if suitable habitat exists at the site. Due to the potential for this site to support populations of rare amphibians, DCR recommends an inventory for the resources in the study area. With the survey results, DCR states that they can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources. DCR also recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer, to maximize benefits to native pollinators. DCR recommends planting these species in at least the buffer areas of the planned facility, and optimally including other areas within the project site. For screening zones outside the perimeter fencing, DCR recommends native species appropriate for the region being used. Staff recommends these recommendations as conditions of approval.

Cultural Resources Assessment:

A Phase 1 Cultural Resources Survey of the project area was conducted by Archaeological Consultants of the Carolinas, Inc. (AAC) in April 2022 and included with the application. This report was sent by the applicant to the Virginia Department of Historic Resources (VDHR) for their review and concurrence with the survey findings and recommendations. A letter from VDHR was provided with the application and is included as an attachment to this staff report.

The VDHR letter states that on April 15, 2022, VDHR received for review this survey document in support of this application. The report documents an archaeological survey of approximately 316.9 acres. During the course of the survey, six new archaeological sites (44IW0345-44IW0350 inclusive) and three isolated finds were recorded as part of this investigation. Site 44IW0345 is an

Early to Middle Woodland artifact scatter consisting of five (5) artifacts. ACC recommends this as not eligible for listing in the National Register of Historic Places (NRHP). Site 44IW0346 is a historic artifact scatter consisting of four (4) artifacts and brick fragments. ACC recommends the site as not eligible for listing in the NRHP. Site 44IW0347 is a prehistoric ceramic scatter consisting of nine (9) ceramic artifacts dating to the Middle to Late Woodland period. ACC recommends the site as not eligible for listing in the NRHP. Site 44IW0348 is a small prehistoric artifact scatter that possible dates to the Late Woodland period, consisting of six (6) artifacts. ACC recommends the site as not eligible for listing in the NRHP. Site 44IW0349/DRH ID# 046-5665 is a historic African American family cemetery that dates to the mid-to-late twentieth century. It is not within the project tract and will not be affected by the proposed undertaking. It is approximately 700 meters from the eastern edge of the project area. Three large crepe myrtle trees and a large holly are present in the western portion of the cemetery. There are 11 graves within this cemetery. Nine of the graves have concrete coverings, three of the graves have headstones, and one grave is marked by a small metal plaque. ACC recommends the site as not eligible for listing in the NRHP. Site 441W0350 is a late nineteenth to early twentieth century artifact scatter related to a former residence, consisting of nine (9) artifacts. The house has been razed and no structural features remain. ACC recommends the site as not eligible for listing in the NRHP.

VDHR concurs with the eligibility recommendations and that no additional archaeological work is needed within the proposed project area. The Isle of Wight County Museum also reviewed this report and concurs the findings and recommendations.

The historic architectural report identified thirty-three (33) resources within the 0.5-mile study area. Four (4) resources are previously recorded and nine (9) are newly identified.

Further research on the Christian Home School (DHR ID #046-5053), church (DHR ID #046-5247), ca. 1937 cemetery (DHR ID #046-5659) and Spivey Farm (DHR ID #045-5696) is recommended to determine eligibility for Virginia Landmarks Register (VLR) and NRHP listing. The collapsed remains of #046-5053 no longer retain integrity; however, as an important African American resource in the area, further research is recommended for its potential eligibility under Criteria A, B, and D, and DHR concurs with this recommendation by ACC. Site #046-5247 has association with African American culture, community, settlement, and education during the reconstruction era into the early twentieth century. Further research into the eligibility of this resource site under Criterion A

is recommended and DHR concurs with this recommendation by ACC. Further research is recommended for #046-5659 to determine its eligibility for the VLR/NRHP under Criterion A and B, and DHR concurs with this recommendation by ACC. Further survey of circa 1906, #046-5696 is recommended to distinguish the parts of the dwelling, but overall, this resource is a good example of a modest folk house and the change of architectural style and material through time. DHR concurs with this recommendation by ACC. These resources are treated as eligible for the purposes of this project and impacts assessed. ACC recommends no impacts to these four (4) resources and DHR concurs. A copy of this report is included as an attachment to this staff report.

Since no archaeological or architecture features are found within the project area that have been determined to be potentially-eligible for listing on the VLR/NRHP, no further work is needed by the applicant. Any recommendations for additional survey or research contained in the report would be the responsibility of others, not associated with this project, at their discretion.

Economic Impact Assessment:

The property subject to this application is currently leased by the property owner, Everets Properties, Inc., to a local farmer for crop production. Soybeans were cultivated on the property in 2022. The remainder of the parcels included in this application are presently used for silvicultural uses and as a private hunt club. According to the applicant's economic impact report, the project will include 152 acres of improvements for solar panels and equipment (35.11% of total parcels area included with this application), 3.89 acres of setbacks (approx. 1% of total parcels area), and 118.14 acres of wetlands and wetlands setback areas (27.30% of total parcels area), and will exclude 122.23 acres of the southern tract (28.13% of total parcels area). The project improvements will be on property leased or sold by the property owner, Everets Properties, to the applicant and will provide a diversification of income to Everets Properties, Inc. The parcels will continue to be leased for farm use, and forestal and hunting activities will continue on all parcel area not included within the project area or project area setbacks.

The current assessed value of the affected acreage is approximately $2,604.02 under Land Use Value Taxation, or $91,141.00 over 40 years, the proposed lifespan of the solar energy facility. Independent of a siting agreement, the solar facility would be reassessed to $15,000.00 an acre times 152 acres, totaling $2,280,000.00. Dividing the total by 100 to accurately calculate the real estate tax, $22,800.00 is derived. The County's real estate tax is .85 per 100; therefore, $22,800.00 times 0.85 equals $19,380.00 in annual real estate tax revenue

generation for the project, or $775,200.00 over 40 years.

In addition, the County would derive revenue from machinery and tools taxes on the capital facilities at $42,000.00 annually, or $2,625,000.00 over 40 years. In total, the facility would generate $3,400,200.00 in additional tax revenue over 40 years.

An Economic Analysis of the contribution of Prairie Solar, Inc. to Isle of Wight County was prepared by Mangum Economics for Energix Renewables in November 2022 and is attached to this staff report. Based on the analysis report and using the IMPLAN model, the proposed Prairie Solar project would provide an estimated one-time pulse of economic activity to the County during its construction phase supporting approximately 33 direct, indirect, and induced jobs; $1.4 million in associated labor income; and, $4.4 million in economic output.

In its current agricultural use, the land provides an annual economic contribution to the County as follows: 1) The current agricultural use of timberland and a rotation of crops which includes soybeans, corn, cotton, and peanuts provides an estimated average annual economic impact to the County supporting approximately 1 direct, indirect and induced job; $15,400 in associated labor income, and $60,300 in economic output.

Impact on Prime Agricultural Soils/Soils of Statewide Significance:

Currently, agriculture and silviculture are two of the County's top industries.

Of the six parcels included with this application totaling 445 acres, 387 acres appear to be either prime, prime if drained or soils of statewide significance, according to the Isle of Wight County Soil Survey prepared by the U.S. Department of Agriculture and as per County GIS mapping. Only 153 acres will be included in the project area. Out of the total 445 acres subject to this application, 103 acres were requested by the property owner, Everets Properties, Inc., to be withdrawn from the Longview Agricultural and Forestal District, and this was recommended for approval by the Agricultural/Forestal District Advisory Committee.

If approved, the Prairie Solar facility would be the seventh solar energy generation approved in the county. A table showing the previously approved and proposed solar energy facilities is attached to this report.

Viewshed Analysis:

The proposed project area is located entirely within the presently wooded area of the subject property. The subject property is currently comprised of cultivated fields, which are visible from Longview Drive, with wooded areas interior to these fields between the fields and the proposed equipment areas, and of wooded areas. The proposed project area under panels and equipment, not including vegetative buffers, is not visible from the public right-of-way (Longview Drive - Route 602). The southernmost portion of the project area where equipment will be located is 680 feet from Longview Drive (Route 602), and the northernmost portion of the project area where equipment (invertor and solar array fencing) will be located is 610 feet from Route 602. The proposed substation concrete pad and utility poles will be located 480 feet from Route 602. The closest equipment area to an adjacent residential use property will be 789 feet away from the home.

In the event that existing woodlands, not included in required vegetated buffer areas, are timbered, both a 50 foot vegetative screening buffer and an agricultural-style wood rail fence are proposed along the equipment area that would be exposed and immediately adjacent to the proposed security fence in these areas. These areas are shown in blue hatch mark and green hatch mark on Sheet CO-002 "Concept Site Plan – Aerial" in the attachments to this staff report.

A viewshed analysis of present-day conditions was provided by the applicant of various vantage points along Longview Drive and along the interior private access road, as well as throughout the site to document existing conditions. It is attached to this staff report.

A conceptual-only landscape screening plan has been included with the proposed concept plan at Sheet LO-001 and is attached to this staff report. A recommended permit condition is that a detailed landscape screening plan will be included with the preliminary site development plan and approved with the final site plan. All proposed landscape screening will require a landscape surety agreement between the property owner, applicant, and the County to ensure enforcement, and a certificate of occupancy for this use will not be issued until a final landscape installation inspection is conducted by staff. The surety will be held for two years to ensure viability of all plantings, and any plantings determined to be not viability must be replaced at the applicant's expense. Both the agricultural-style fence and the landscape plan must be approved by the Zoning Administrator prior to final site plan approval.

Staff Analysis:

Comprehensive Plan Consistency:

The future recommended land use designation for these properties is Rural Agricultural Conservation (RAC) and Environmental Conservation (EC) under the adopted Comprehensive Plan. Appropriate uses for the RAC land use designation include agriculture, horticulture, forest lands, and scattered low-density residential uses. Other uses such as resource extraction and utility-scale solar facilities are also permitted when appropriately sited with a conditional use permit. Appropriate uses for the EC land use designation include wetlands, farms, forest uses, open space, and limited park facilities.

Solar energy facilities are considered compatible with the RAC land use when properly sited and with the application of appropriate development criteria. The areas designed as EC should be preserved due to environmental constraints unless site-specific analysis demonstrates there are no environmental concerns in a specific area. The proposed use will be required to use screening landscaping and appropriate fencing to minimize its visual impacts on the surrounding area.

The Comprehensive Plan's Chapter "Serve the Isle" includes a section on "Community Energy." It states: "Isle of Wight County's energy needs are primarily met by three electrical companies and a private natural gas provider, including Dominion Energy, Community Electric Cooperative, Franklin Municipal Power and Light, and Columbia Gas." At the time, the Plan noted that there were no power generation facilities in the County. Furthermore, it states that "renewable sources of energy utilized by County property owners primarily consisted of small wind turbines or solar panel systems that supply individual homes and businesses. As of March 2019, the County had approved three (3) utility scale solar energy generation facilities, also known as solar farms. The electricity generated from these facilities is used by Dominion Energy to sell to large customers elsewhere in the state. Because there were no local electrical generation facilities to receive the electrical power generated by these solar farms, County electrical customers do not directly monetarily benefit from the location of these energy sources. Due to the continued emphasis on the development of sources of renewable energy and the County's supply of large tracts of reasonably priced agricultural land and existing electrical distribution infrastructure, the County continues to be a prime location for potential solar energy facilities. As the number of these facilities increases, there is also an increasing number of concerns expressed by members of the community on the potential loss of agricultural lands, visual impacts, use of toxic materials in the panels, the potential for groundwater and soils contamination, and decommissioning criteria for returning the site to its pre-existing conditions. Because of the size of such uses, a

solar facility can change the character of an area and the nature of and suitability of that area for future development. The Code of Virginia (Section 15.2-2232) provides for a review by the Planning Commission of public utility facility proposals to determine if their general or approximate location, character, and extent are substantially in accord with the Comprehensive Plan."

The Plans states: "Based on the priorities established in the Comprehensive Plan update's public forums prior to 2020, the following list of potential location considerations for large solar facilities to help ensure their compatibility with the community's future vision are as follows:

1. Research appropriate target density parameters for future facilities to mitigate the impacts related to the scale of these facilities.
2. Set a maximum percent usage of assembled property to mitigate impacts to habitat, soil erosion, and stormwater runoff.
3. Require facilities to be located adjacent or close to existing electric transmission lines.
4. Require facilities to be located outside of DSDs.
5. Avoid or minimize impact to prime farmland or farmlands of statewide importance as defined by the USDA and Commonwealth of Virginia, respectively.
6. Facilities should be located outside of the viewshed of any scenic, cultural or recreational resources (i.e., solar facilities may not be seen from surrounding points that are in line-of-sight with a resource location) or within the Highway Corridor Overlay District.

Solar energy generation facilities are included as a major utility service use type in the County Zoning Ordinance, which requires a conditional use permit in all of its zoning districts, except for Planned Development Industrial Park, where it is permitted by right. The County Planning Commission has identified potential requirements that could be included as conditions of solar farm facility conditional use permit approval. An alternative action would be to ad these items to the existing supplementary use criteria for major utility services specific to solar farms in the County Zoning Ordinance."

Ordinance Review:

The zoning district classification for the subject parcels is RAC. The RAC zoning district is intended to preserve and protect areas of the County that are predominantly in agricultural and forestal uses and to maintain the existing land base to support those activities. The applicant proposes to establish a 20 MWac solar energy facility, which is classified as a major utility service use type in the

Zoning Ordinance. These facilities are permitted as conditional uses in the RAC zoning district and may be considered compatible with appropriate conditions to mitigate any potential negative impacts on the surrounding community.

No parcels are located in the Highway Corridor Overlay District. At a minimum, the project will be required to meet the minimum setbacks of 75 feet from adjacent property lines and 125 feet from residential use parcels as required by the Zoning Ordinance. Enhanced setbacks of 200 feet are included in the proposed conditions of approval.

Two (2) of the parcels (Tax Map Parcel 50-01-009 and 50-01-007) are currently enrolled in the Longview Agricultural/Forestal District and portions of those parcels (34.91 acres and 67.91 acres, respectively) were recommended by the Agricultural and Forestal District Advisory Committee for withdrawal from the District at their meeting on February 1, 2023.

Section 1-1017 of the Zoning Ordinance provides standards for review of a conditional use permit application that the Planning Commission and Board of Supervisors shall consider before granting a conditional use permit. They are as follows:

1. That the establishment, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, safety, and general welfare;
2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
3. That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;
4. That adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion on the public streets;
5. That the proposed conditional use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
6. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and,
7. That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

In addition to the standards and other guidelines described in the Zoning Ordinance, the Board may impose conditions or limitations on any approval,

including the posting of performance guarantees. Such conditions may include, but are not necessarily limited to:

1. The number of persons living or working in the immediate area and the proposed hours of operation, as may be applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak period of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
3. The orderly growth of the neighborhood and community and the fiscal impact of the County;
4. The effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services;
6. The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
7. The structures in the vicinity such as schools, houses of worship, theatres, hospitals, and similar places of public use;
8. The purposes set forth in this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
9. The environmental impacts, the effect on sensitive natural features, and opportunities for recreation and open space; and,
10. The preservation of cultural and historic resources or landmarks.

Following approval of the CUP, the applicant will be required to submit a site plan for review and approval in accordance with the Zoning Ordinance requirements and conditions of approval.

Agency Review:

The application was forwarded to the following departments for their review:

- Economic Development: No concerns.
- Commissioner of Revenue: The estimated revenue calculations from either the Machinery and Tools Tax method or the revenue sharing method, should a siting agreement be entered into, is acceptable as presented.
- Environmental Planner: All concerns have been addressed.
- Emergency Services: No concerns, will work with applicant during site plan

review on required Emergency Response Plan to include annual training.

- Utility Services: No concerns, site plan will have to meet State Stormwater regulations.
- General Services – Transportation Manager: Adherence to Transportation Plan shall be required. Pre-construction photo documentation of roadway conditions at least 1000 feet of the site entrance on Longview Drive to establish baseline traffic type and roadway conditions should be a condition of approval Impacts to any roadways used in the County in accordance with the approved Transportation Plan shall be subject to damage claims by VDOT and repair at applicant's cost if proven to be related to applicant's construction truck traffic. Recommend that Transportation Plan limit truck traffic to only two routes: Route 10 in Isle of Wight County via Oliver Drive then south on Longview Drive to the site entrance and/or Route 10 in the City of Suffolk via Audubon Road to Sandy Ridge Road, then north on Longview Drive to the site entrance. No other local routes in Isle of Wight County may be used and no access to such from Route 460 will be allowed.
- County Attorney: Proposed conditions are enforceable.
- Isle of Wight County Museum: If archaeological artifacts are uncovered during project construction, such items may be donated by the property owner to the Isle of Wight County Museum for public display and historical interpretation.
- Virginia Department of Conservation & Recreation (VDCR): Please see attached review comment letter.
- Virginia Department of Historic Resources (VDHR): Please see attached review comment letter.
- Virginia Department of Transportation (VDOT): Adherence to Transportation Plan shall be required. Pre-construction photo documentation of roadway conditions at least 1000 feet of the site entrance on Longview Drive to establish baseline traffic type and roadway conditions should be a condition of approval Impacts to any roadways used in the County in accordance with the approved Transportation Plan shall be subject to damage claims by VDOT and repair at applicant's cost if proven to be related to applicant's construction truck traffic. Recommend that Transportation Plan limit truck traffic to only two routes: Route 10 in Suffolk via Oliver Drive to Longview Drive and/or Route 10 in Suffolk via Audubon Road to Sandy Ridge Road to Longview Drive. No other local routes in Isle of Wight County may be used and no access to such from Route 460 will be allowed.
- City of Suffolk Department of Planning and City Manager's Office: Forwarded application and proposed Transportation to Plan to Planning Director for review and comment given proximity of project site to the City of Suffolk and as required by the Code of Virginia for public notice. No

comments received.

Please note that, should the conditional use permit be approved, the project will be subject to site plan review and approval from all necessary agencies.

Staff Conclusions:

Strengths:

1. The proposed use is consistent with the County's adopted Comprehensive Plan for the Rural Agricultural Conservation (RAC) and the EC, Environmental Conservation (EC) future land use designations, as well as the Comprehensive Plan's section on Community Energy with regard to the recommended conditions of approval to mitigate concerns raised during review process.
2. The proposed use is consistent with the County's Conditional Use Permit criteria as set forth in the Zoning Ordinance.
3. The applicant and the County, as well as other reviewing agencies external to the County, have proposed conditions of approval which mitigate any issues addressed in the criteria for consideration of issuance of a Conditional Use Permit.

Weaknesses:

1. The proposed site for this use lies within one (1) mile of an existing major utility-scale solar facility.
2. The proposed use would remove agricultural land from production.
3. Temporary impact to existing uses in the area (residential, institutional) from construction traffic and noise is expected during the construction phase.

BUDGETARY IMPACT:

None associated with this proposed use. No additional County services will be required by the proposed use. A separate draft Siting Agreement has been offered by the applicant for annual revenues to the County, as enabled by the Code of Virginia (as amended) and is currently under review and discussion by the County Administrator and the County Attorney for consideration by the Board separate from this CUP application.

RECOMMENDATION:

The Planning Commission recommended approval of this request by a vote of 9-1 with the following 22 conditions recommended by staff, as reflected in the attached Planning Commission resolution:

1. The subject property shall be developed in general conformance with the Concept Plan included in the Prairie Solar application as determined by the Zoning Administrator.

2. The portion of the subject property supporting solar panels shall be enclosed by security fencing of a type which is harmonious with the rural, agricultural, and historical character of the County while meeting federal and state regulations for solar electric generating facility fencing as determined by the Zoning Administrator while upon approval of the site plan for the project.

3. The applicant shall preserve and maintain both existing forest and vegetation as well as planted landscape buffering within required setback areas and buffer yards and shall not clear or cut live trees within required setbacks or buffer yards without written authorization from the Zoning Administrator.

4. The applicant shall submit an Emergency Response Plan with the first submission of the site plan, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided, at the discretion of the County, to County emergency response staff with regards to safety for on-site emergency response. The applicant shall install a Knox Box or other remote access technology at the facility to ensure emergency responders have access to the facility should the need arise and include plans for the same on the project site plan.

5. The applicant shall conserve topsoil on the site. Topsoil stockpiled on the site shall be stored out of view from adjacent properties and public roads.

6. The applicant shall reimburse the County for reasonable costs related to retaining such third-party inspectors as deemed necessary for project inspections.

7. The applicant shall submit an invasive species management plan as recommended by DCR with the submission of the final site plan.

8. The applicant will work directly with Isle of Wight County's Chamber of Commerce, the Paul D. Camp Community College, and the Economic Development Department to ensure inclusion of local contractors in the bidding

process.

9. The applicant shall submit a seed mix for site groundcover that includes native pollinators blooming in spring/summer as recommended by DCR.

10. A sign shall be installed at the entrance of the site with contact information for the facility.

11. Adherence to the proposed Transportation Plan shall be required. Pre-construction photo documentation of roadway conditions taken within 1000 feet in both directions of the proposed site entrance on Longview Drive shall be undertaken to establish baseline road conditions. Truck traffic shall be limited to only two routes: Route 10 in Suffolk via Audubon Road to Sandy Ridge Road to Longview Drive north to the site entrance until such time as the bridge repair project is completed; then, the truck haul route shall be limited to Route 10 in Isle of Wight or Suffolk via Oliver Drive to Longview Drive south to the site entrance. No other local routes in Isle of Wight County may be used and no access to such from Route 460 will be allowed. Impacts to any County roads and rights-of-way from construction and post-construction vehicles shall be subject to damage claims by VDOT, and repairs shall be undertaken at the applicant's cost based on confirmation by VDOT of such directly-attributable damage.

12. If construction has not begun by August 1 of each ensuing year post-lease or purchase, then the project area shall continue to be managed under prior site cultivation management practices, such as by mowing or cover vegetation. This is to avoid introduction of invasive weed or other species of surrounding cropland owned or leased by others.

13. An enhanced landscape buffer plan proposed on the concept plan exhibit is conceptual only at this time. A detailed landscape plan shall be included with the Preliminary Site Development Plan application for review and will require approval by the Zoning Administrator as part of final site plan approval. At a minimum, a double- or triple-staggered row of evergreen and deciduous trees and shrubs that are designed to form an effective landscape screen at full maturity will be a required design. Trees shall be planted no more than ten (10) feet on center.

14. Excluding the bufferyards described above, the ground between the panels and in areas not otherwise covered by gravel or infrastructure shall be planted and maintained with a vegetative cover. This vegetative cover will be managed with moving and/or grazing.

15. Due to the potential for this site to support populations of rare amphibians, an inventory for the resources in the study area is recommended by the Virginia Department of Conservation's Division of Natural Heritage (DCR). With the survey results, DCR states that they can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources. DCR also recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer, to maximize benefits to native pollinators. DCR recommends planting these species in at least the buffer areas of the planned facility, and optimally including other areas within the project site. For screening zones outside the perimeter fencing, DCR recommends native species appropriate for the region being used.

16. The applicant shall meet any additional delineation and buffer requirements specified by the Virginia Department of Historic Resources prior to receiving final site plan approval.

17. Fencing shall be placed around the solar arrays, inverters, and substation only and not the whole site in order to provide wildlife corridors.

18. In order to minimize the visual impacts to historic, civic, and residential properties, staff recommends that all solar arrays, substations, and others associated structures be subject to a minimum 200-foot setback from these structures if part of the project, and 200 feet from the property line of these properties if outside of the project. Inverters shall be setback a minimum of 500 feet from these properties.

19. Hours of operation for construction and post-construction operation shall be limited to Monday through Wednesday and on Fridays, 7:00 a.m. to 6:00 p.m., Thursdays 7:00 a.m. - 10:45 a.m. and 1:15 to 6:00 p.m., and Saturdays from 7:00 a.m. to 5:00 p.m. No construction is to occur on Sundays by any party involved with the project, including the solar developer, its contractors, and Dominion Energy contractors.

20. As part of the site plan review, the Applicant shall provide documentation that the selected panels and all power-generating equipment onsite are "Tier 1" modules, as established by the most recent "PV Module Tier 1 List" issued by Bloomberg NEF or a similar third party analysis widely accepted in the solar industry. Additionally, the make and model of the selected panels and all power-generating equipment initially installed and replaced on the site mut qualify, for

disposal purposes only, as non-hazardous waste under applicable U.S. Environmental Protection Agency tests (e.g., TCLP).

21. No salvage value shall be added to the decommissioning surety bond.

22. The applicant shall implement a program for the collection of baseline data establishing pre-construction soil conditions for the production of row crops for the agricultural areas within the project area. The program shall establish the relevant characteristics of the topsoil. The baseline data shall be derived from field and laboratory testing of soil conditions, including depth, density and quality from representative locations. Laboratory testing shall be conducted by an accredited laboratory. Parameters for assessing soil quality may include the following: infiltration rate, bulk density, water holding capacity, pH, percent organic matter, cation exchange capacity, Phosphorous/Phosphate (P), Nitrogen (N), and Potassium/Potash (K). After 30 years of operation and again after 35 years of operation, soil conditions shall be determined for the same sampling locations using the same parameters and the results used to plan soil restoration activities. After equipment is removed as part of decommissioning, soil conditions shall be determined for the same sampling locations using the same parameters. Soil restoration activities shall be performed as necessary during operations or decommissioning to return soil conditions to at least baseline conditions. The County will be provided with data of soil conditions within 30 days after the receipt of results.

ATTACHMENTS:

Description	Type	Upload Date
CUP Application Form	Backup Material	4/26/2023
A/F District Withdrawal Request Letter	Backup Material	4/26/2023
Application Narrative	Backup Material	4/26/2023
Conceptual Site Plan	Backup Material	4/26/2023
Location Map	Backup Material	4/26/2023
Location Map Closeup	Backup Material	4/26/2023
Future Land Use Map	Backup Material	4/26/2023
Zoning Map	Backup Material	4/26/2023
Parcel Map A/F District Withdrawal	Backup Material	4/26/2023
Site Photos/Visual Impact Assessment	Backup Material	4/26/2023
Economic Analysis Report	Backup Material	4/26/2023
Tax Revenue Chart	Backup Material	4/26/2023
Phase 1 Environmental Site Assessment Report	Backup Material	4/26/2023
Wetland Report	Backup Material	4/26/2023
Threatened and Endangered Species Report	Backup Material	4/26/2023

DCR Review Letter	Backup Material	4/26/2023
DHR Review Letter of Phase 1 Cultural Resources Report	Backup Material	4/26/2023
Rogers Deer Club Letter of Support	Backup Material	4/26/2023
Christian Home BC Request_3.17.23	Backup Material	4/26/2023
PC Staff Report April 25, 2023	Backup Material	5/8/2023
CUP-7-22 Prairie Solar Ordinance	Backup Material	5/8/2023
Approved and Pending Solar Projects	Backup Material	5/8/2023

PRAIRIE SOLAR

Exhibit A:

Conditional Use

Permit Application

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA
DEPARTMENT OF PLANNING AND ZONING

APPLICATION FOR CONDITIONAL / SPECIAL USE PERMIT

This application should be used to petition for a permit for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but which may, under the right set of circumstances and conditions be acceptable in certain specific locations. The following application requirements are consistent with the procedures set forth in Section 1-1017, *Conditional Uses,* and Section 1-1018, *Special Use Permits for Uses Not Provided For,* of the Isle of Wight County Zoning Ordinance, as amended.

A. APPLICATION FOR (CHECK ALL THAT APPLY):

[x] Conditional Use Permit (Are applicant proposed conditions attached?): x Yes _____ No

The proposed use or activity is listed as a conditional use in the RAC zoning district as per Section 5-5003.M.4 in Article IV of the Isle of Wight County Zoning Ordinance.

[ ] Special Use Permit (Are applicant proposed conditions attached?): _____ Yes _____ No

Proposed Use or Activity: 20MWac Solar Facility, located on private property on Longview Drive

B. PROJECT DESCRIPTION:

Project Name: Prairie Solar, LLC

Property Address (if any): 19604 Longview Drive, Windsor, VA 23487

Election District: Windsor

Comprehensive Plan Designation: Community Energy

The use permit will apply to 152 acres out of 432.87 total acres

Tax Parcel Identification # 41-01-018 Number of acres to be effected: 77.50

Tax Parcel Identification # 50-01-009 Number of acres to be effected: 211.65

Tax Parcel Identification # 41-01-019 Number of acres to be effected: 40

Proposed Utilities (check all that apply): Public Water _____ Private Well _____

Public Sewer _____ Private Septic _____

41-01-017 5.6184 acres
50-01-007 82.1 acres
50-01-006 16 acres

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Prairie Solar, LLC

Address: 1201 Wilson Boulevard, Suite 200

City, State, Zip Code: Arlington, Virginia, 22201

Phone No.: (703) 965 - 4176 Email: alexis.ondash@energixrenewables.com Fax No.:

Property Owner(s) Name(s): Everets Properties, Inc.

Address: 6001 Everets Road

City, State, Zip Code: Suffolk, VA 23434

Phone No.: 757-715-5173 Email: russ268@verizon.net Fax No.:

Alexis Ondash — January 9, 2023

Applicant Signature **Date**

Russell B. Rose — January 9, 2023

Owner Signature *if different* **Date**

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

FOR OFFICE USE ONLY:

Complete Application Received On: _____ Fees Paid: _____
Tax Query: [ ] Current [ ] Delinquent Distribution Date: _____
Posted/Date to Post: _____

AGENCIES REFERRALS:

_____ Department of Conservation & Recreation
_____ Economic Development
_____ Emergency Services
_____ General Services
_____ Environmental Planner
_____ Health Department
_____ Transportation Manager
_____ Commission of Revenue
_____ Other _____

_____ Inspections
_____ Sheriff's Office
_____ Town of Smithfield
_____ Town of Windsor
_____ VDOT
_____ Schools
_____ Budget & Finance
_____ County Attorney

Verified By: _____ Date: _____

COUNTY OF ISLE OF WIGHT
DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant: Prairie Solar, LLC

Address: 1201 Wilson Blvd, Suite 220
Street

Arlington (City) VA (State) 22201 (Zip)

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
41-01-018	Agriculture - RAC
50-01-009	Agriculture - RAC
41-01-019	Agriculture - RAC
41-01-017	Agriculture - RAC
50-01-007	Agriculture - RAC
50-01-006	Agriculture - RAC

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address
Everets Properties, LLC	16001 Everets Road, Suffolk, VA 23434

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes[ ] No[X]

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct, and true.

Applicant: Alexis Ondash (Printed or Typed Name) Applicant: [signature] (Signature) Date: 06/02/22

Rusty Reece

Commonwealth of Virginia
County of Isle of Wight

Rusty Reece 06/02/22

Subscribed and sworn to before me Ashlee Moffett
A Notary Public in and for the County of Isle of Wight, Commonwealth of Virginia, this 2 day of June, 20 22.

Ashlee Moffett
Notary Public

My Commission Expires 11/23/22

ASHLEE MONIQUE MOFFETT
NOTARY PUBLIC
REG. # 7852294
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 11/30/2023

SUBMITTAL CHECKLIST FOR CONDITIONAL / SPECIAL USE PERMIT APPLICATIONS

In conjunction with Section 1-1017, *Conditional Uses*, and Section 1-1018, *Special Uses Permits for Uses Not Provided For*, of the Isle of Wight County Zoning Ordinance, as amended, the following information shall be submitted for a Conditional / Special Use Permit Application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for a Conditional / Special Use shall be certified as complete unless the following information is provided**, unless the Zoning Administrator reduces the number of required copies.**

Ten (10) copies of the original, executed application and one (1) original executed application, **unless the Zoning Administrator reduces the number of required copies**. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page No. 3 of the application.

The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Isle of Wight County.

Ten (10) copies of a statement of the reasons for seeking such permit **unless the Zoning Administrator reduces the number of required copies**, and if applicable, a statement of conditions.

Ten (10) of a narrative description of the property which shall include the Tax Parcel Identification Number **unless the Zoning Administrator reduces the number of required copies**.

A concept plan of the property showing all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the Planning Commission and Board of Supervisors that adequate provisions shall be made for compliance with all standards for that particular use and the extent of the property to be so used on a given parcel or parcels. Such document shall be drawn to scale and shall include the following information:

- A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
- Title of drawing
- Date of drawing
- Existing wood line
- North arrow
- Scale bar
- Current zoning of parcel(s) to be rezoned, including tax map number(s) and owner(s)
- Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
- Street names including route number and width(s) of the right-of-way(s)
- Ten (10) full size copies, with one (1) reduced 11-inch X 17-inch copy shall be submitted

- Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process to **review the application and prepare the staff reports for the Planning Commission and Board of Supervisors more effectively**.

Ten (10) copies of such supplemental material as may be necessitated by the proposal itself or the district in which located or proposed to be located, and in accordance with Section 5-5000, *Supplementary Use Regulations,* of the Isle of Wight County Zoning Ordinance.

A WQIA (Water Quality Impact Assessment) if located in the Chesapeake Bay Preservation Area.

All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application and the date of the Planning Commission public hearing and that the submittal of a complete application does not guarantee the application will be placed on the next available Planning Commission agenda.

Alexis Ondash
Printed or Typed Name

Alexis Ondash
Signature

06/02/22
Date

Isle of Wight County

Sandra Wilson

Agricultural/Forestal District

This letter is in request for acreage of below listed parcels to be removed from the Agricultural and Forestal land use program within Isle of Wight County for the purpose of Utility Scale Solar development:

Parcel: 50-01-009

Landowner: Everets Properties, Inc. , c/o/ Mr. Rusty Rose

Parcel Address: Off Longview Drive in Smithfield

Total Acreage: 211.65 acres

Acreage requested for removal: 34.91

Parcel: 50-01-007

Landowner: Everets Properties, Inc. , c/o/ Mr. Rusty Rose

Parcel Address: Off Longview Drive in Smithfield

Total Acreage: 82 acres

Acreage requested for removal: 67.91

Signature: Rusty Rose

Date: 12/22/22

PRAIRIE SOLAR

1. Applicant Overview

Prairie Solar, LLC is a subsidiary of Energix US, LLC, one of the leading utility-scale solar developers and independent power producers in the Commonwealth. Headquartered in Arlington, VA, we leverage our financial strength and extensive industry experience to build sustainable, renewable energy projects that generate revenue for localities, deliver reliable electricity to customers, protect the environment and provide financial security to our landowner partners.

Energix is a long-term partner for the communities where we operate: **we site, develop, construct, own and operate projects throughout their entire life and decommission projects** at the end of their useful life. This business model makes Energix a **vested and reliable partner** to localities where the projects are located.

2. Project Details

a. Land Use

Prairie Solar is proposing the development, construction and operation of a 20 MWac solar photovoltaic project in Isle of Wight County, referred to as "Prairie" (the "Project"). Prairie Solar will be located off Longview Drive, with the access across from Parcel ID 50-01-010, owned by C. W. Glover, Jr. – a 128-acre parcel that is shown as vacant property per Isle of Wight County's GIS system. *The proposed facility is approximately 0.5 miles south of the existing Woodland Solar project.*

Prairie Solar will be located on six parcels leased from Everets Properties, Inc:

Leased Parcels	Acreage
41-01-018	77.50 acres
50-01-009	211.65 acres
41-01-019	40 acres
41-01-017	5.61 acres
50-01-007	82.1 acres
50-01-006	16 acres
TOTAL	**432.87 acres**

b. Unique mix of land use:

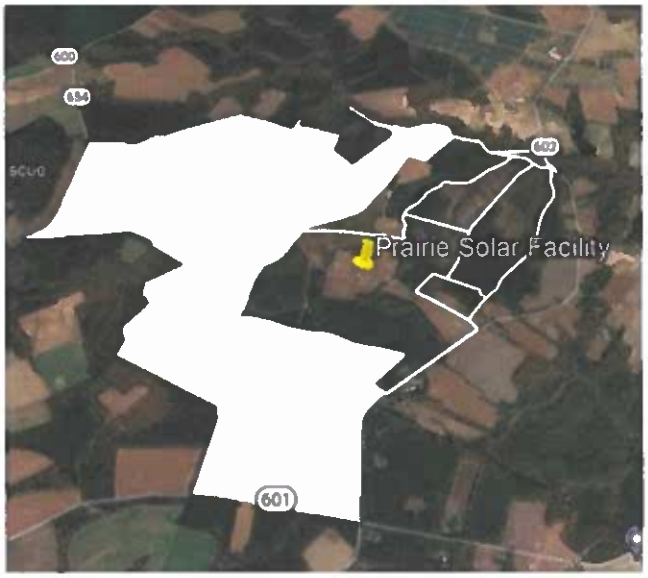
While the total tract of all the acreage leased is approximately 432.87 acres, the project will utilize only 152 acres for its development footprint. The remaining acreage will be preserved for natural resource protection areas, pollinator gardens, setbacks and landscaping buffers. In addition to areas used by the project, portions of the land will continue to be used for agriculture, silviculture and hunting by the landowner.

The Property is currently zoned for Rural Agricultural Conservation (RAC) where utility-scale solar energy facilities are permitted with a Conditional Use Permit. All adjoining properties are zoned RAC, with the exception of a .93 parcel to the north of the site that is zoned Rural Residential (RR).

According to Sec. 4-2001 of Isle of Wight Zoning Ordinance, the intent of the Rural Agricultural Conservation District is as follows: ***"This district is intended to preserve and protect areas of Isle of Wight County that are presently, predominantly in agricultural use and maintain the land***

base necessary to support agricultural activity. This district is designed to protect the agricultural industry from sprawling residential development that displaces substantial areas of agricultural land for a small number of dwelling units." A solar facility would directly fit into the intent of the district, as many land use planners view solar facilities as "land banks," preserving the land for other future uses. Once the site, shielded from public roads and neighbors behind a forested buffer, is decommissioned, the land will be suitable for all pre-construction activities. This will also preserve the land and the aesthetic of the district by protecting the area from any dense development and residential uses.

The proposed mix use of agriculture and farming further supports the intent. The parcels are currently used for timbering, crop growing and recreation (hunting). The land will still be used for those uses listed, even with the addition of a solar facility. This will prevent the land from being sold off into development, and preserves it as an agricultural use, thus supporting the intentions of the district.



It is important to note that all the property west and south of the proposed site (approximately 816 acres, as shown in the photo to the left) is owned by Everets Properties, Inc – the same landowner Energix has an executed lease agreement with for the solar facility.

The Project is depicted in detail on the site layout included in the initial application as Exhibit Q - Conceptual Site Layout. This conceptual plan shows the proposed layout of all structures, adjacent properties, screening, landscaping, internal roadways and easements[3].

c. Technology and Design

Prairie Solar will utilize Tier 1 equipment from bankable and reliable suppliers. For equipment to be categorized Tier 1, they must be used by 6 different projects and financed by 6 different banks. Tier 1 equipment are said to be more reliable, have robust warranties and are used by majority of the solar developers due to their quality. The modules contemplated for the Project will use photovoltaic technology and will be procured from an American module manufacturer, First Solar. The system is expected to be configured as a single axis tracking system with UL listed components which will be installed in conformity with the National Electric Code.

Given the proposed design, the structures will track the movement of the sun during the day, allowing for sufficient sunlight for vegetation to thrive underneath the panels. The height of tracking and solar panels will not exceed 15 feet in height, as per Isle of Wight's Utility Scale Solar Ordinance, except when temporarily stowed in a vertical position for vegetation management or for inspection, maintenance and/or repair.[4] Transformers, substation and tie-lines may exceed this height.

[3] Isle of Wight Zoning Ordinance, 5-5003, Section M – A.I

[4] Isle of Wight Zoning Ordinance, 5-5003, Section M – 4.B

The solar facility will be secured by a perimeter fence constructed in accordance with the Isle of Wight's County Zoning Ordinance and the National Electric Code (NEC). This fence will also have designated openings for small wildlife to move seamlessly throughout the property[5]. Wildlife corridors will be incorporated into the site design as depicted in the initial application in Exhibit Q - Conceptual Site Layout.

d. Natural Resources

The Project will minimize and mitigate any impact to wetlands, threatened and endangered species, natural resources or historically or culturally significant areas:

- **Wetlands and Streams-** The Project underwent a wetland delineation survey on 04/14/2021, as well as an Army Corp of Engineers site visit and received a Preliminary Jurisdictional Determination from USACOE. A copy of the delineation plan is included with the initial application as Exhibit H.
- **Cultural Resources-** Per the county solar ordinance, the Project underwent a Phase 1 Cultural Review by a third-party consultant[6]. On the project tract, Arch Con found that the site **will not impact any significant cultural resources. Clearance to proceed is recommended.** The full review can be found in Exhibit I of this application. This study received approval from the Virginia Department of Environmental Quality on May 6th, 2022 and approval from Virginia Department of Historical Resources (DHR) on June 9, 2022, both of which are included in the initial application as Exhibit J.
- **Water Quality Impact Analysis (WQIA).** There is a small area of the project that will require impacting the RPA buffer area. This point of interconnection (POI) will be owned and operated by Dominion Energy, a public utility. An updated WQIA has been prepared and is included with the second submittal.
- **Threatened and Endangered (T&E) Assessment-** The project area underwent a limited T&E assessment by Pilot Environment, Inc. on May 4, 2022 (included in the initial application as Exhibit G) which concluded **it is not likely for the proposed solar development to adversely affect documented occurrences of federally protected or state-listed threatened/endangered species, critical habitat or other wildlife resources**. A few key points of this assessment are below:
    - The T&E assessment covered the project area, as well as two miles beyond its boundary
    - Because the T&E assessment identified several occurrences of state protected species within two miles of the project area (approximately 0.5 miles northeast), Energix will coordinate with the Virginia Department of Environmental Quality (DEQ), the Virginia Department of Wildlife Resources (DWR), and the Virginia Department of Conservation and Recreation (DCR) during the Permit By Rule (PBR) application process to ensure avoidance and minimization measures (if any) for these species and their habitat are documented within the PBR's mitigation plan, and properly adhered to during the implementation of the project.
    - The report concluded no adverse impacts to species or habitats on the project tract

[5] Isle of Wight Zoning Ordinance, 5-5003, Section M – A.I

[6] Isle of Wight Zoning Ordinance, 5-5003, Section A. VII


Example of site vegetation

Pollinator Habitat: The Project will establish pollinator gardens throughout the site to support local populations of critical pollinator species such as butterflies, bees, monarch butterflies, hummingbirds and more. Prairie Solar will plant pollinator friendly vegetation following completion of construction in order to reduce invasive weed growth and trap sediment within the Project Area. Pollinator friendly and wildlife friendly native plants, shrubs, trees, grasses, and wildflowers will be used in the vegetative buffer and planted in accordance with Virginia Pollinator-Smart Solar program guidelines. The vegetation will be further maintained in accordance with the guidelines specified in the program.

e. Air

Generation of energy from the sun occurs without any audible noise or greenhouse gas emissions. Beyond the ultimate environmental benefit of generating electrical energy without producing greenhouse gas emissions, solar projects have other local environmental and financial benefits. With the addition of Prairie Solar, approximately 29,500 tons of Carbon Dioxide is offset[7].



f. Noise Levels

Unlike many other industries and businesses, solar facility components are pollutant free and do not emit noise that is audible offsite. As per Isle of Wight's Utility Scale Solar Energy Facilities Ordinance, audible sound from the site will not exceed 60 dBA as measured at any adjacent, non-participating landowner's property line[8].

g. Soil

Solar projects do not permanently alter soil or groundwater or the future agricultural potential of the land and require no harmful fertilizers, pesticides, or herbicides. As a requirement in the solar ordinance, Energix will provide soil testing for any contaminates directly attributable to the solar panels before and after construction and every five years until the facility is decommissioned, and be remedied by the operator should a negative finding indicate contamination[9].

[7] www.epa.gov/avert-web-edition

[8] Isle of Wight Zoning Ordinance, 5-5003, Section M – 4.C

[9] Isle of Wight Zoning Ordinance, 5-5003, Section F

h. Water

In accordance with the solar ordinance, a Water Quality Impact Assessment was completed by a third party engineering firm, Kimley Horn. A copy of that report is included in the initial application as **Exhibit P. Impacts to the 100' Resource Protection Area (RPA) will be minimized by providing sufficient** area between the RPA limits and the proposed array layout to accommodate ESC and SWM measures that will detain and control site draining prior to discharge into the wetland system. Grading for the ESC/SWM, array layout and other site components will be designed in a manner to avoid impacts to the RPA. Important to note that the POI will consist of 4 – 5 poles installed, owned and operated by Dominion Energy, a public utility.

i. Roads

A transportation plan[10] is included with the initial application as part of the Conceptual Plan in Exhibit Q. There is a 5-ton posted bridge on Route 602 near the northern part of the proposed project. Small trucks under 5 tons and passenger vehicles will be able to cross this bridge, but most of the construction traffic will enter the site from the south on Route 602. At the end of the project construction, any damage done within 1,000 feet of the site on Longview Drive will be repaired in accordance with VDOT standards and specifications[11].

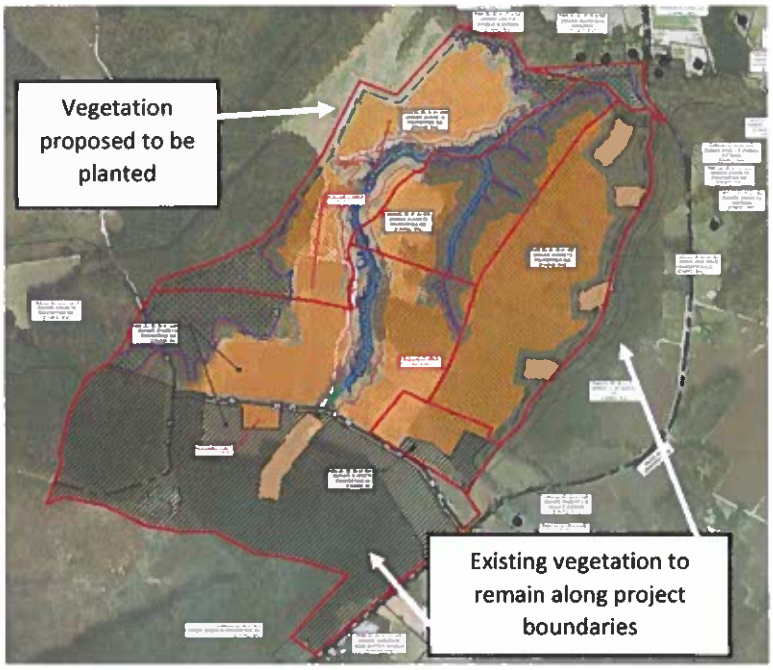


3. Visual Impacts and Landscaping

[10] Isle of Wight Zoning Ordinance, 5-5003, Section A.III

[11] Isle of Wight Zoning Ordinance, 5-5003, Section M – 4.G.II

Energix has diligently and dutifully worked with the landowner to determine the best possible location of a solar facility on the property. The location shown on the conceptual plans is the result of an intensive viewshed analysis. The site is located internally to the six parcels owned by Everets Properties, LLC. There is no public road frontage, and no line of sight into the project from any adjoining properties.

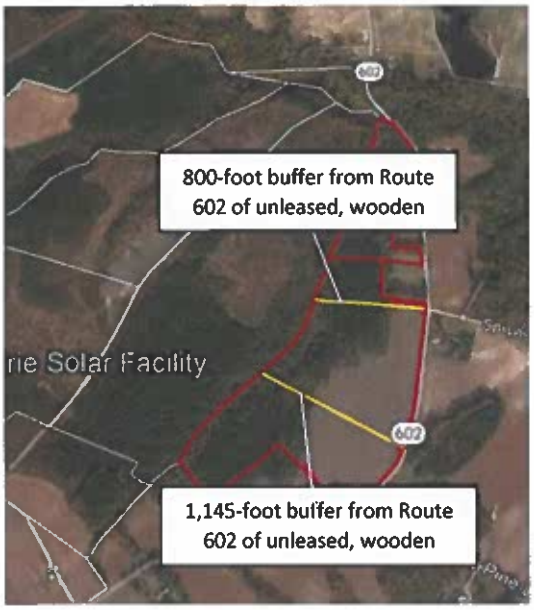


In order to comply with Isle of Wight's Solar ordinance, Prairie Solar has implemented setbacks to ensure proper distances from adjoining parcels and residents[12]. The current solar ordinance of Isle of Wight County requires that the Project is set back a minimum of 75 feet from all property lines, and at least 125 feet from any residential parcels, with a buffer of this size kept free of all structures and parking lots. The closest house to the fence surrounding the location is 789 feet away. Christian Home Baptist Church is approximately 1,873 feet away from the project fence.

The Project is very well screened with existing mature vegetation to the east, north and south. In areas where there is no existing vegetation or where it is insufficient, additional non-invasive and wildlife friendly plants, shrubs, and trees will be proposed in accordance with Isle of Wight's Zoning Ordinance. The landscape buffer will be maintained and supplemented as necessary throughout the life of the Project. Prairie Solar is proposing to plant a fifty (50) foot vegetative buffer along the property to the west of the site. However, as noted above, those parcels are owned by Everets Properties, Inc.

[12] Isle of Wight Zoning Ordinance, 5-5003, Section M – 4.D

The parcels outlined in red are not included as part of the solar facility. These unleased tracts will provide a large, dense landscaping buffer to shield the site from Route 602, and thus residents living and traveling along the road. At its shortest point, there is 800 feet from the road to where the project Limit of Disturbance (LOD) begins, and at its longest point, over 1,145 feet separate the road from the project LOD. Prairie Solar will still maintain a 50 feet vegetative buffer along the leased property line. Please refer to Exhibit M in the initial application for site photos.



4. Project Timeline and Hours

In accordance with the county ordinance regarding project timelines,[13] Prairie Solar anticipates going through Virginia Department of Environmental Quality's Permit by Rule process in Quarters 3 and 4 of this year. This permit is designed to protect natural resources. This process requires verification that the proposed project will not impact wetlands, threatened and endangered species, natural resources and historically or culturally significant areas.

The interconnection agreement was secured in December of 2021, and is included as part of the initial application as Exhibit L. Construction activity will take place during the hours of 7:00 am to 7:00, Monday through Saturday. Construction and it is anticipated to start in Q3 of 2023 and the Project becoming operational in Q4 of 2023, or Q1 of 2024.

5. Stormwater Management and Erosion and Sediment Control

The Project will be designed to satisfy the requirements of Isle of Wight County and Virginia Department of Environmental Quality (DEQ) stormwater management (SWM) and erosion & sediment control (ESC) regulations. ESC measures will be implemented to protect downstream properties and waterways from sediment-laden runoff during construction and SWM measures will be implemented to protect downstream properties and waterways from water volumes and flows after construction is complete and during operation for the life of the Project.

The SWM and ESC design will protect both the waterways during and following construction. During construction, adequate ESC measures will be installed around the perimeter of the site and along streams to filter sediment from runoff prior to entering the waterways. ESC measures will include silt fence, diversion dikes, and sediment basins. Throughout construction, dust control, straw mulching, and seeding immediately following grading activities will be implemented to minimize exposed soils. Where practical, the grading activities will be sequenced to minimize the amount of open soils exposed at one time.

Throughout construction, Energix will oversee all construction activities continuously monitoring and directing the function, maintenance, and repair of ESC installations. This will help ensure any mud tracked onto a public roadway is quickly removed or any damaged perimeter control is quickly

[13] Isle of Wight Zoning Ordinance, 5-5003, Section A. IV

repaired. SWM Quality requirements are anticipated to be met through preservation of forested/open space and nutrient credit purchases.

6. Decommissioning

The operating period for Prairie Solar is anticipated to be 35 years. After the end of the useful life cycle of the Project, Energix will be responsible for the removal of all above and below ground equipment, all roads and the equipment pad foundations. Energix will also restore and reclaim the site to preconstruction condition and topsoil quality to the extent practical, including access roads. Decommissioning includes removing the solar panels, solar panel racking, steel foundation posts and beams, inverters, transformers, overhead cables and lines, equipment pads and foundations, equipment cabinets, and ancillary equipment. The civil facilities, access road, security fence, and any drainage structures are included in the scope. In accordance with the ordinance, a decommissioning plan will be provided to the county prior to final site plan approval[14]. A decommissioning guide with best practices is included with the first application as Exhibit O.

7. Economic Plan

a. Tax Revenue

Solar facilities generate tax revenue, allowing for increased investment in County services and infrastructure without any increased demand for public utilities, solid waste disposal, human services, or public education. In accordance with the county ordinance regarding an economic impact analysis[15], we wanted to provide a complete breakdown of generated revenue from Prairie Solar. There are currently two forms of tax revenues a county can choose to implement.

Machinery and Tools Tax

Solar Facilities are subject to local machinery and tool taxes, with a complex set of exemptions contained in Va. Code § 58.1-3660. Factors in determining the level of exemption include the size of a solar facility, the date a facility applied an initial interconnection request with an electric utility or a regional transmission organization. For Prairie Solar, because it is larger than five megawatts and it applied for interconnection after January 1, 2019, it would be subject to a stepdown exemption from local machinery and tools taxes and be subject to local depreciation of the solar equipment.

The current M&T tax rate in Isle of Wight County is $1.75/$100. M&T tax revenue for 432.87 acres at $15,000/acre from Prairie Solar is estimated to be approximately $4,556,682 over 35-years.

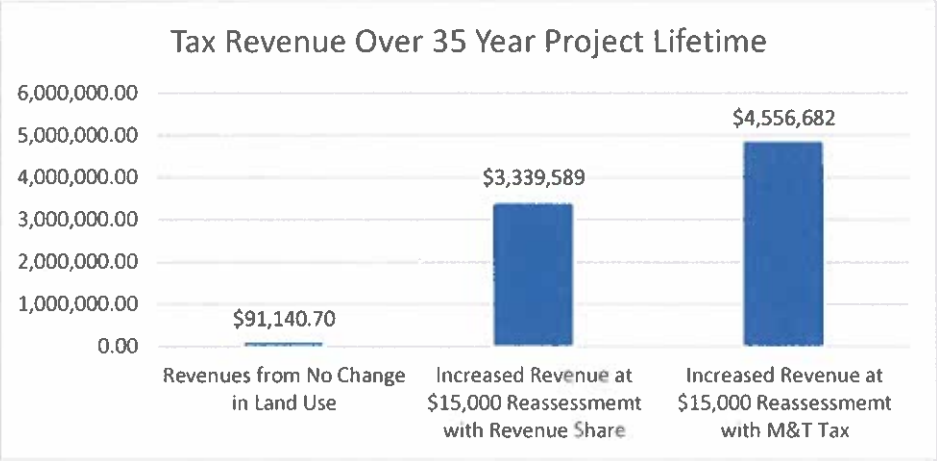
Revenue Share

First passed by the 2020 General Assembly and modified and expanded in the 2021 General Assembly, the "Revenue Share" is a unique "capacity tax" revenue opportunity for localities that serves as an alternative to the traditional Machinery and Tools tax regime. Localities may adopt a revenue share ordinance and assess up to $1,400 per megawatt of solar facility "nameplate capacity." If they do so, the projects subject to revenue share are exempt from Machinery and Tool tax. For projects approved by a locality after January 1, 2021, the revenue share payment is subject to an

[14] Isle of Wight Zoning Ordinance, 5-5003, Section G

[15] Isle of Wight Zoning Ordinance, 5-5003, Section A. V

escalator of 10% every 5 years, beginning in 2026, over the life of the project. It provides a meaningful and reliable revenue stream from the project to the localities where it is sited.



Revenue Share revenues from Prairie is estimated to be approximately $3,339,589 over 35-years. Please refer to the second submittal for a comprehensive breakdown of each tax methodology.

b. Economic Activity

In addition to bringing additional tax revenue to the community, solar projects directly stimulate local job markets by increasing the demand for labor. Prairie Solar anticipates creating approximately 30 well-paying jobs during the construction phase. Energix aims to source as much local labor as possible while maintaining the highest safety and quality standards. Virginia's solar industry has expanded significantly in the last few years which increases our ability to source labor locally and provide valuable workforce training and experience. For positions that cannot be filled locally, Energix houses non-local workers in local hotels and allocates per diem spending for food. Energix will use local hotels to ensure the local hospitality industry benefits directly from this Project.

Prairie Solar hopes to work through Isle of Wight County's Chamber of Commerce and will work diligently with both the Chamber and the County's Economic Development Department to attempt to secure local talent. Energix has already contacted Paul D. Camp Community College and their Workforce Development Department to enlist their recruitment help.

PRAIRIE SOLAR

Exhibit B:

Conformance with

Comprehensive Plan

PRAIRIE SOLAR

MEMORANDUM

TO: Isle of Wight County Planning Commission
FROM: Jasdeep Singh Khaira, Gentry Locke Attorneys
RE: Prairie Solar, by Energix
DATE: June 6, 2022

Members of the Planning Commission,

Attached is a memorandum in support of Prairie Solar's request for a determination that the proposed project is "substantially in accord" with the Isle of Wight County Comprehensive Plan pursuant to Va. Code § 15.2-2232.

I. Summary

Prairie Solar, LLC ("Applicant") requests that the Isle of Wight County ("County") Planning Commission ("Planning Commission") review Prairie Solar (the "Project") for conformity with the Isle of Wight County Comprehensive Plan, "Envisioning the Isle" ("the Plan") pursuant to Va. Code § 15.2-2232. This request provides information needed for the County determination that the Project is "substantially in accord" with the Plan.

The Project developer is Energix US, LLC. The Project is a solar electric generation facility with the capacity to deliver up to 20 megawatts ("MW") of alternating current ("AC") to the electric transmission system that serves the County and surrounding area. The Project generates electricity without producing air pollution, water pollution, or waste, nor does it use any pipelines or fuels.

Most of the Project consists of open space around the panels. Within the Project's area, the ground surface has native turf grass that will preserve the soil, minimize erosion and improve water quality. The Project does not require removal of any topsoil and only uses a few underground foundations. At the end of the useful life of the Project, all the equipment will be removed and the land can return to agriculture, forestry or other uses. The Project is located in the Windsor District on parcels 41-01-018, 50-01-009, 41-01-019, 41-01-017, 50-01-007 and 50-01-006.

II. Va. Code §15.2-2232 "Substantially in Accord" Determination

Va. Code §15.2-2232 provides that the County's Comprehensive Plan controls "the general or approximate location, character, and extent of each feature shown on the plan." For any "public utility facility" that is proposed after the adoption of the Comprehensive Plan, the County's Planning Commission is tasked with determining whether the ***"general location or approximate location, character, and extent thereof [of the public utility facility] . . . is substantially in accord with the adopted comprehensive plan or part thereof."***[1] Because the Project is a public utility facility pursuant to Va. Code §56-232, the Planning Commission is called upon to determine if the proposed "general location or approximate location, character, and extent" of the Project is "substantially in accord" (in other words, "mostly in agreement") with the Comprehensive Plan.

III. The Project's Location is in Conformity with the Comprehensive Plan

The Project properly cited within area designated for Rural Agricultural Conservation ("RAC").

The Plan employs land use designations to guide the appropriate future use of land in the County.[2] The subject parcels are designated as RAC land use, along with the majority of agricultural and forested areas in the County.[3] Overall, the RAC land use is meant for limited development, but directly states that "uses reliant on large areas of land ***such as solar farms*** and agritourism activities **may also be appropriate when sited correctly**."[4] (Emphasis added). Moreover, the County states generation facilities should be located outside of the viewshed of any scenic, cultural, or recreational resources.[5] Energix has worked closely with the landowner to ensure Prairie Solar will be hidden from all adjacent landowners and public right of ways. In addition to the setbacks imposed by the county ordinance, this site is centrally placed in the middle of the leased parcels to ensure total and complete screening.

[1] Va. Code §15.2-2232.
[2] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 100.
[3] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 106.
[4] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 106.
[5] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 74, 79.

An unleased tract will separate the project from Longview Drive, with approximately 1,000 feet between the road and the project Limit of Disturbance (LOD).

Currently, the leased parcels are used for recreation, timbering and agriculture. With the addition of Prairie Solar, the parcels become a haven for mixed uses. While generating clean, domestically produced energy, the site will also coexist with its pre-facility uses, including hunting, timbering and crop growing.

The Project is located close to existing transmission lines.

The County requires generating facilities to be located adjacent or close to existing electric transmission lines.[6] There are two transmission corridors near the proposed facility. One is 0.9 miles to the north, and the second is one (1) mile to the east.

The location does not adversely impact wetland areas.

The Plan details the County's goal of protecting its wetland areas.[7] The Project is not physically built on any wetlands and all potential impacts to wetlands are avoided and all setbacks and local and state wetland risk mitigation measures are complied with.

The Project is not located within a Development Service District.

The County requires that solar facilities be located outside of Development Service Districts ("DSDs"), which the Project complies with.[8] The County has three DSDs: Newport DSD, Windsor DSD, and Campton DSD.[9] In short, the County guides new development to these areas because there is adequate public infrastructure either available or planned, including roads, water and sewer.[10] Importantly, DSDs also conserve areas outside of their boundaries for uses compatible with the RAC land use.[11] Because the Project is located over five (5) miles from the Windsor DSD, it does not take up valuable land which would otherwise be used for new development that needs access to public infrastructure.

The Project is not located within the Historic Overlay or Highway Corridor Overlay Districts.

[6] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 74.
[7] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 22, 25, 28.
[8] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 74.
[9] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 35.
[10] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 35.
[11] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 35.

The County preserves community character by imposing restrictions and design standards in its Historic Overlay Districts and Highway Corridor Overlay District.[12] The four Historic Overlay Districts are the St. Luke's Historic District, Courthouse Historic District, Fort Boykin Historic District and Fort Huger Historic District.[13] The Project i s not located within any of these Historic Overlay Districts, nor is it within the Highway Corridor Overlay District.

The Project does not cause permanent increases in traffic.

During the public forum process in updating the Comprehensive Plan, the County heard recurring concerns relating to increased traffic congestion in the County.[14] Here, the Project only causes a slight increase in traffic on Longview Drive between Sandy Ridge Drive and Shady Pine Lane during the construction and decommissioning phases. In between these phases, the Project does have any adverse impact on local traffic within the County. Nor does the Project adversely affect interregional travel though corridors of Statewide Significance.[15]

IV. The Project's Character, and Extent are in Conformity with the Comprehensive Plan.

The Project complies with the necessary ordinances and programs.

The siting and character of the Project complies with the Floodplain Management Ordinance, Wetlands Ordinance, Chesapeake Bay Preservation Area Ordinance and Stormwater Management Program, as shown in the Conditional Use Permit.

The Project does not increase air pollution.

The County has continually met the new EPA air quality standards.[16] Importantly, this Project will not adversely affect the County's ability to keep meeting those standards. After construction, the Project will not cause any direct air pollution. The only air pollution emitted happens indirectly from worker vehicles, for instance during the construction and decommissioning phases as well as from use of mowing equipment.

[12] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 32, 35, 74.
[13] *Historic Overlay District Planning*, Isle of Wight County Website, Isle of Wight, VA (isle-of-wight.va.us).
[14] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 54.
[15] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 43.
[16] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 23.

The Project does not use any surface or groundwater nor does it increase pollution into surface or groundwater.

The County is in the Eastern Virginia Groundwater Management Area, where groundwater levels are currently in a state of decline.[17] Importantly, the Project does not use any surface or groundwater, meaning it does not affect the already declining levels of groundwater in the Eastern Virginia Groundwater Management Area.

Additionally, the County has struggled with onsite wastewater systems installed in poor soils, which have allowed bacteria and other harmful matters to seep into surface and groundwaters.[18] Here, this Project does not require any of those systems, meaning it will not contribute to any pollution to surface or groundwaters due to onsite wastewater systems.

The Project will contribute to the County tax base without offsetting demands for services.

During public forums, the community expressed concerns about budgetary impacts of new growth and their desire for a fiscally sustainable growth management model that ensures reasonable costs for providing public services to existing and future residents.[19] This Project helps with these concerns by providing direct revenue to the County without the offsetting public service demands of other types of development.

The Project does not produce any solid waste.

The County is preparing for higher levels of solid waste production due to increases in population.[20] In this case, the Project does not produce any solid waste between the construction and decommissioning phases.

No large buildings, parking lots, offices, or workers stationed on-site.

Technicians and service providers visit infrequently and operations are monitored remotely.

No additional demand for County Services.

The Project does not require taxpayer-supported infrastructure like water, sewer, public schools or other public utilities.

[17] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 23.
[18] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 25, 70, 71.
[19] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 37, 39.
[20] *Envisioning the Isle*, Isle of Wight County Comprehensive Plan, pg. 71.

V. Conclusion

Pursuant to the requirement of Va. State Code §15.2-2232, the Applicant asks that the Planning Commission confirm that the Project is substantially in accord with the Plan. As detailed above, this project is in significant agreement with the plan.

PRAIRIE SOLAR

Exhibit C:

Conditional Use

Submittal Checklist

PRAIRIE SOLAR

SUBMITTAL CHECKLIST FOR CONDITONAL USE PERMIT APPLICATION

In conjunction with Section 1-1017, *Conditional Uses,* of the Isle of Wight County Zoning Ordinance, as amended, the following information is submitted with this conditional use application. For ease of review, the checklist is written verbatim, with where to find that information below each section.

Ten (10) copies of the original, executed application and one (1) original executed application, unless the Zoning Administrator reduces the number of required copies. Both the applicant(s) and the property owner (s) must have their signature(s) notarized on page No. 3 of the application.

The original, executed application with both the applicant and property owner's signatures notarized, is included with this permit submission. Ten additional copies are also included.

The appropriate fees have been submitted with the application. Checks should be made to: Treasurer, Isle of Wight County.

A check is included with this application for $1,200, made payable to Isle of Wight County, per email conversations with the Isle of Wight County's Treasurer Office.

Ten (10) copies of a statement for the reasons for seeking such permit unless the Zoning Administrator reduces the number of required copies, and if applicable, a statement of the conditions.

Please see Page 3 for a statement of justification, and a statement of the conditions can be found in Exhibit F.

Ten (10) copies of a narrative description of the property which shall include the Tax Parcel Identification Number unless the Zoning Administrator reduces the number of copies.

Ten copies of the narrative with the tax parcel numbers are included with this application.

A concept plan of the property showing all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the Planning Commission and Board of Supervisors that adequate provisions shall be made for compliance with all standards for that particular use and the extent of the property to be so used on a given parcel or parcels. Such document shall be drawn to scale and shale include the following information:

- **A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet**
- **Title of drawing**
- **Date of drawing**
- **Existing wood line**
- **North arrow**
- **Scale bar**
- **Current zoning of parcel(s) to be rezoned, including tax map number(s) and owner(s)**
- **Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)**
- **Street names including route number and width(s) of the right-of-way(s)**
- **Ten (10) full size copies, with one (1) reduced 11-inch x 17-inch copy shall be submitted**
- **Please note that additional information on the site layout may be requested by the zoning administrator during the review process to review the application and prepare**

the staff reports for the Planning Commission and Board of Supervisors more effectively.

A concept plan of the properties showing the above listed items is included in this application as Exhibit Q.

Ten (10) copies of such supplemental material as may be necessitated by the proposal itself or the district in which located or proposed to be located, and in accordance with Section 5-5000, *Supplementary Use Regulations,* of the Isle of Wight County Zoning Ordinance.

Section 5-5003.M.4, *Supplementary use regulations for civic use types, Utility Services, Major,* lists requirements for large scale utility service projects. The regulations are listed as followed:

4. Utility Scale Solar Energy Facilities.

   a. In addition to any conditional use permit application requirements, the applicant shall provide the following at the time of application:

      i. A conceptual plan showing the proposed layout of all structures, adjacent properties, screening, landscaping, internal roadways, easements, environmentally sensitive features including proposed wildlife corridors;

      Included in Exhibit Q, Conceptual Site Plan

      ii. A visual impact analysis demonstrating through project siting and proposed mitigation, if necessary, that the solar project minimizes impacts on the visual character of a scenic landscape, vista, or scenic corridor;

      Included in Exhibit Q, Conceptual Site Plan

      iii. A transportation plan showing vehicular access to the site, proposed construction traffic route to the site, parking areas, and laydown yards;

      Included in Exhibit Q as part of the Conceptual Site Plan

      iv. An estimated time frame and proposed hours of operation for construction activity;

      Included in Project Narrative, Section 4 (Project Timeline and Hours)

      v. Economic impact analysis of the project including projected net new tax revenue as well as loss of active agricultural and silvicultural lands and its indirect impact to associated local businesses;

      The increased revenue that the county will receive is included in Exhibit E, Tax Revenue Chart. Energix has worked closely with the landowner to utilize a large majority of land that is cut over timber land. In those conversations with the landowner, this project will be placed where it will have ***little to no impact*** *on the operation of the rest of his farm and will not displace any labor. Net loss of revenue is negligible due to the landowner being able to use his land to continue timbering, hunting and crop harvesting. The land will still be used for those operations, even with the addition of the solar facility.*

      vi. An environmental resource impact analysis discussing any proposed activities within designation resource conservation areas;

      Included in Exhibit K, Phase 1 ESA Report

      vii. A historical and cultural resources impact analysis; and

      Included in Exhibit J, Phase 1 Cultural Report.

      viii. Written comments from the relevant electric company regarding the capacity of the transmission lines as part of any use permit application. An applicant can satisfy this

requirement by submitting proof of application for interconnection to the electricity system.

Included in Exhibit L, Interconnect Agreement

b. Ground-mounted systems shall not exceed fifteen (15) feet in height when oriented at maximum tilt, except when temporarily stowed in a vertical position for vegetation management or for inspection, maintenance and/or repair.

Acknowledged; See Project Narrative, Section 2.C, Technology and Design

c. Audible sound from a solar energy system shall not exceed 60 dBA (A-weighted decibels), as measured at any adjacent non-participating landowner's property line. The level, however, may be exceeded during short-term exceptional circumstances, such as severe weather.

Acknowledged; See Project Narrative, Section 2.F, Noise Levels

d. All equipment, accessory structures and operations associated with a large solar energy system shall be setback at least seventy-five (75) feet from all property lines and at least one hundred and twenty-five (125) feet from any residential parcels, and are subject to the following:

Acknowledged; See Project Narrative, Section 3, Visual Impacts and Landscaping

i. Setbacks shall be kept free of all structures and parking lots; and

Acknowledged; setbacks will not be used for any structures or parking lots.

ii. Setbacks shall not be required along property lines adjacent to other parcels which are part of the solar energy system; however, should properties be removed from the system, setbacks must be installed along all property lines of those properties remaining within the project and which are adjacent to a parcel which has been removed.

Acknowledged; should any leased property be removed from the solar energy system, county setbacks will be installed.

e. The following landscaping standards shall apply:

i. Along public roadways with at least fifty (50) feet of right-of-way, a minimum fifty-foot wide bufferyard shall be installed or retained with at least seventy-five (75) landscaping points per one hundred (100) linear feet shall be required in the bufferyard;

A minimum 50 foot wide bufferyard will be used between the project and public right of way. Important to note that only one leased parcel will abut Longview Drive, and only a small section of that parcel will be used for arrays, which is centrally located to the site.



ii. Along public roadways with less than fifty (50) feet of right-of-way, twenty-five (25) landscaping points per one hundred (100) linear feet shall be required in the bufferyard;

N/A – Longview Drive is 60 feet wide.

iii. Where solar facility properties abut residential parcels, one hundred twenty (120) landscaping points per five hundred (500) square feet of bufferyard shall be required;

Prairie Solar does not abut any residential parcels.

iv. Existing vegetation that meets the minimum landscaping specifications may be used to meet required landscaping points; and

Acknowledged; Prairie Solar is centrally located on 6 leased parcels that will allow Energix to use a vast amount of existing vegetation.

v. No silvicultural activities or removal of required landscaping materials shall occur in the required bufferyards.

Acknowledged; See Project Narrative, Section 3, Visual Impacts and Landscaping

f. Provide soil testing for any contaminants directly attributable to the solar panels before and after construction and every five (5) years during the interim until the facility is decommissioned. Owner/operator must provide copies of initial baseline report and subsequent reports to the zoning administrator. Should a negative finding indicating contamination from the solar panels occur, contamination must be remedied by the owner/operator to applicable state and federal standards.

Acknowledged; See Project Narrative, Section 2.G, Soil

g. Prior to final site plan approval, an owner, lessee, or developer of real property shall enter the following agreement and provide them to the zoning administrator for review and approval:

i. A written agreement to decommission solar energy equipment, facilities, or devices upon the following terms and conditions:

a) If the party that enters into such written agreement with the county defaults in the obligation to decommission such equipment, facilities, or devices in the timeframe set out in such agreement, the locality has the right to enter the real property of the record title owner of such property without further consent of such owner and to engage in decommissioning; and

b) Such owner, lessee, or developer shall provide financial assurance of such performance to the county in the form of certified funds, cash escrow, bond, letter of credit, or parent guarantee, based upon an estimate of a professional engineer licensed in the commonwealth, who is engaged by the applicant, with experience in preparing decommissioning estimates and approved by the county; such estimate shall not exceed the total of the projected cost of decommissioning, which may include the net salvage value of such equipment, facilities, or devices, plus a reasonable allowance for estimated administrative costs related to a default of the owner, lessee, or developer, and an annual inflation factor.

Acknowledged; will provide prior to site plan.

c) Decommissioning of discontinued or abandoned large solar energy systems shall include the following:

i. Physical removal of all solar energy equipment and above-ground appurtenant structures from the subject property including, but not limited to, buildings, machinery, equipment, cabling and connections to transmission lines, equipment shelters, security barriers, electrical components, roads, unless such roads need to remain to access buildings retrofitted for another purpose, or the landowner submits a request to the board of supervisors that such roads remain.

ii. Below-grade structures, such as foundations, underground collection cabling, mounting beams, footers, and all other equipment installed with the system shall be completely removed: however, these structures may be allowed to remain if a written request is submitted by the landowners and a waiver is granted by the Board of Supervisors.

iii. Compacted soils shall be decompacted as agreed to by the landowner.

Acknowledged. See Project Narrative, Section 6, Decommissioning.

d) Restoration of the topography of the project site to its pre-existing condition, except that any landscaping or grading may remain in the after-condition if a written request is submitted by the landowner and a waiver is granted by the board of supervisors.

iv. Proper disposal of all solid or hazardous materials and wastes from the site in accordance with local, state, and federal solid waste disposal regulations.

Acknowledged; See Project Narrative, Section 6, Decommissioning

ii. During and at the end of project construction, any damage done to public roads by solar farm construction equipment shall be repaired in accordance with VDOT standards and specifications. Post construction damage shall be identified based on inspections by VDOT with the developer or their agent, prior to construction and upon completion, identifying the items for repair. Additionally, at the request of VDOT, in order to ensure the safety of the traveling public, some damages may need to be addressed immediately. (7-7-05; 5-27-10; Ord. No. 2012-2-C, 2-16-12, 3-20-14; 12-18-14; 7-19-18; 7-18-19; 3-19-20.)

Acknowledged. See Project Narrative, Section 2.I, Roads.

A WQIA (Water Quality Impact Assessment) if located in the Chesapeake Bay Preservation Area.

A Water Quality Impact Assessment has been completed by the engineering firm, Kimley Horn. A copy of this report can be found in Exhibit P.

All real estate taxes must be paid and current at the time of submittal; otherwise the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

The six tax parcels under lease for this project are parcels:

- 41-01-018
- 50-01-009
- 41-01-019
- 41-01-017
- 50-01-007
- 50-01-006

The most recent real estate taxes have been paid on all six of these parcels, on May 17th, 2022 by the property owner. Receipts are provided in this apploication.

PRAIRIE SOLAR

Exhibit D:

Conditional Use

Application Standards

PRAIRIE SOLAR

CONDITIONAL USE APPLICATION STANDARDS

Section 1-1017 of the Zoning Ordinance provides standards for review of a conditional use application that the Planning Commission and Board of Supervisors shall consider before granting a conditional use permit. They are as follows:

That the establishment, maintenance and operation of the conditional use will not be detrimental to or endanger the public health, safety and general welfare;

Prairie Solar will not be a detriment to the public health, safety and general welfare of the surrounding property owners. This site will not omit any odors, noise or emissions. It will not be visible from any adjacent residences or public right of ways.

That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted, nor substantially impair the use of other property within the immediate proximity;

As mentioned above, property owners adjoining the leased parcels, as well as property owners off of Longview Drive will not be able to see Prairie Solar. An uptick of traffic will be noticeable to residents during the construction phrase and will be temporary. Once construction is complete, the site will have very minimal traffic and no audible noise generation.

That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;

Prairie Solar will not have any burden on public utilities, sewer or septic systems. Appropriate stormwater measures have been designed into the concept plan to satisfy the requirements of Isle of Wight County and the Department of Environmental Quality.

That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion on the public streets;

A traffic analysis has been completed by a third-party engineering firm, as required by the conditional use permit. All measures have been taken to minimize traffic congestion on public streets. Overweight vehicles will access the site via south Longview Drive. Passenger vehicles and small trucks may access the site to the north but is limited due to a 5-ton posted bridge located on Longview Drive.

That the proposed conditional use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;

As mentioned in the Comprehensive Plan analysis, Prairie Solar has been developed with the goals and objectives in mind.

That the conditional use shall, in all other respects conform to the applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and

Prairie Solar is located with the RAC zoning district, where utility scale solar operations are permitted as a conditional use. Information provided in the site narrative, checklist and exhibits show that this site meets, and in some cases exceeds, the applicable regulations of this district.

PRAIRIE SOLAR

That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

While Prairie Solar will be located approximately 0.5 miles south of the existing Woodland Solar, this project will not be visible from that site.

PRAIRIE SOLAR

Exhibit F:

CUP Proposed

Conditions

PRAIRIE SOLAR

Proposed CUP Conditions

The following are the conditional use permit conditions proposed by Energix US for the Prairie Solar Facility.

1. The subject property shall be developed in general conformance with the Concept Plan included in the Prairie Solar application.

2. The portion of the subject property supporting solar panels shall be enclosed by security fencing of a type which is harmonious with the rural, agricultural, and historical character of the County while meeting federal and state regulations for solar electric generating facility fencing as determined by the Zoning Administrator while upon approval of the site plan for the project, subject to the fencing code requirements as established by the National Electric Code (NEC).

3. The applicant shall preserve and maintain both existing forest and vegetation as well as planted landscape buffering within required setback areas and buffer yards and shall not clear or cut live trees within required setbacks or buffer yards without written authorization from the Zoning Administrator.

4. The applicant shall submit an Emergency Response Plan with the first submission of the site plan, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided, at the discretion of the County, to County emergency response staff with regards to safety for on-site emergency response. The applicant shall install a Knox Box at the facility to ensure emergency responders have access to the facility should the need arise and include plans for the same on the project site plan.

5. The applicant shall conserve topsoil on the site to the maximum extent feasible. Topsoil stockpiled on the site shall be stored out of view from adjacent properties and public roads.

6. The applicant shall submit a Stormwater Management Plan and an Erosion and Sediment Control Plan with the submission of the final site plan. The applicant shall reimburse the County for reasonable costs related to retaining such third-party inspectors as deemed necessary for project inspections.

7. Prior to final site plan approval, the applicant shall submit a plan for decommissioning the project to the County Zoning Administrator. Prairie Solar will decommission and remove the system and its components at the end of the life of the project in accordance with Sec. 5-5003(M)(4)(g) of the Ordinance. The project site could then be converted to other uses in accordance with applicable land use regulations in effect at that time. All decommissioning and restoration activities will adhere to the requirements of the appropriate governing authorities and the County Zoning Ordinance.

8. The applicant shall submit an invasive species management plan as recommended by DCR with the submission of the final site plan

9. The Applicant will work directly with Isle of Wight County's Chamber of Commerce, the Paul D. Camp Community College and the Economic Development Department to ensure inclusion of local contractors in the bidding process.

10. The applicant shall submit a seed mix for site groundcover that includes native pollinators blooming in spring/summer as recommended by DCR.

11. A sign shall be installed at the entrance of the site with contact information for the facility.

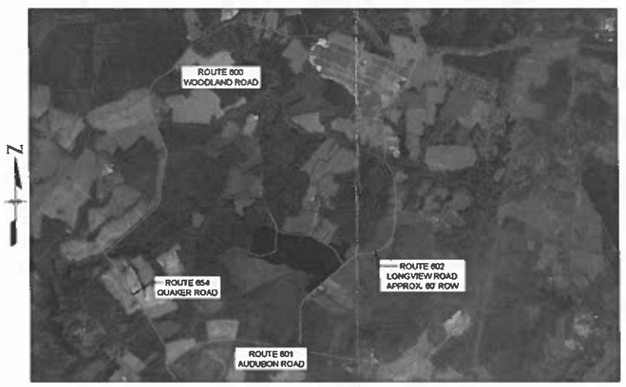
12. If any condition imposed by this Conditional Use Permit is determined to be invalid, void or unenforceable by any court or other governmental authority having jurisdiction, such determination shall not invalidate, void or make unenforceable any other provision or condition of this Conditional Use Permit. In the event of any conflict between the Isle of Wight Zoning Ordinance and these Conditional Use Permit Conditions, the Conditions shall control.

FOR CONCEPT ONLY FOR CONDITIONAL USE PERMIT APPLICATION

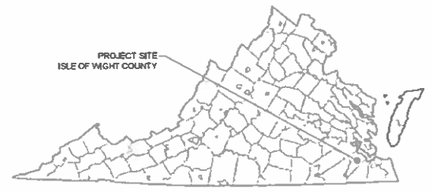
PRAIRIE SOLAR

ISLE OF WIGHT COUNTY, VA

PRAIRIE SOLAR	
APPLICANT	PRAIRIE SOLAR, LLC
TAX PARCEL ID	50-01-009, 50-01-008, 41-01-019, 50-01-007, 41-01-018, 41-01-017
EXISTING AND PROPOSED ZONING	RAC (RURAL AGRICULTURAL CONSERVATION), RR (RURAL RESIDENTIAL)
EXISTING USE	AGRICULTURAL, RESIDENTIAL
PROPOSED USE	SOLAR ENERGY FACILITY
TOTAL POWER TO BE GENERATED	MAX. 20MWac
SITE DATA:	
PROPERTY AREA	432.87 AC
PROJECT AREA	± 153 AC
DISTURBED AREA	± 202 AC
POWER GENERATED	± 20 MWac
TOTAL IMPERVIOUS AREA	± 5 AC
CULTURAL RESOURCES	TBD



VICINITY MAP - ISLE OF WIGHT COUNTY, VA
1" = 2500'



Sheet List Table	
Sheet Number	Sheet Title
C0-000	COVER SHEET
C0-001A	EXISTING CONDITIONS
C0-001	CONCEPTUAL SITE PLAN
C0-002	CONCEPTUAL SITE PLAN - AERIAL
C0-003	TRANSPORTATION MANAGEMENT PLAN
L0-001	LANDSCAPE DETAILS

APPLICANT
PRAIRIE SOLAR, LLC
2311 WILSON BLVD., SUITE 640
ARLINGTON, VA 22201
PHONE: 703-965-4176
CONTACT: ALEXIS ONDASH
EMAIL: ALEXIS.ONDASH@ENERGIXRENEWABLES.COM

CIVIL ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
11400 COMMERCE PARK DRIVE, SUITE 400
RESTON, VA 20191
PHONE: 703-215-8462
CONTACT: SOPHIA HUANG, P.E.
EMAIL: SOPHIA.HUANG@KIMLEY-HORN.COM

LAND OWNERS
VARIOUS LAND OWNERS.
SEE CONCEPTUAL SITE PLAN
FOR MORE DETAIL

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REV	DATE
1	8/31/22
2	9/13/22
3	11/15/22
4	12/21/22

ENERGIX RENEWABLES

Kimley»Horn

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11400 COMMERCE PARK DR., SUITE 400
RESTON, VA 20191
PHONE: 703-674-1300
WWW.KIMLEY-HORN.COM

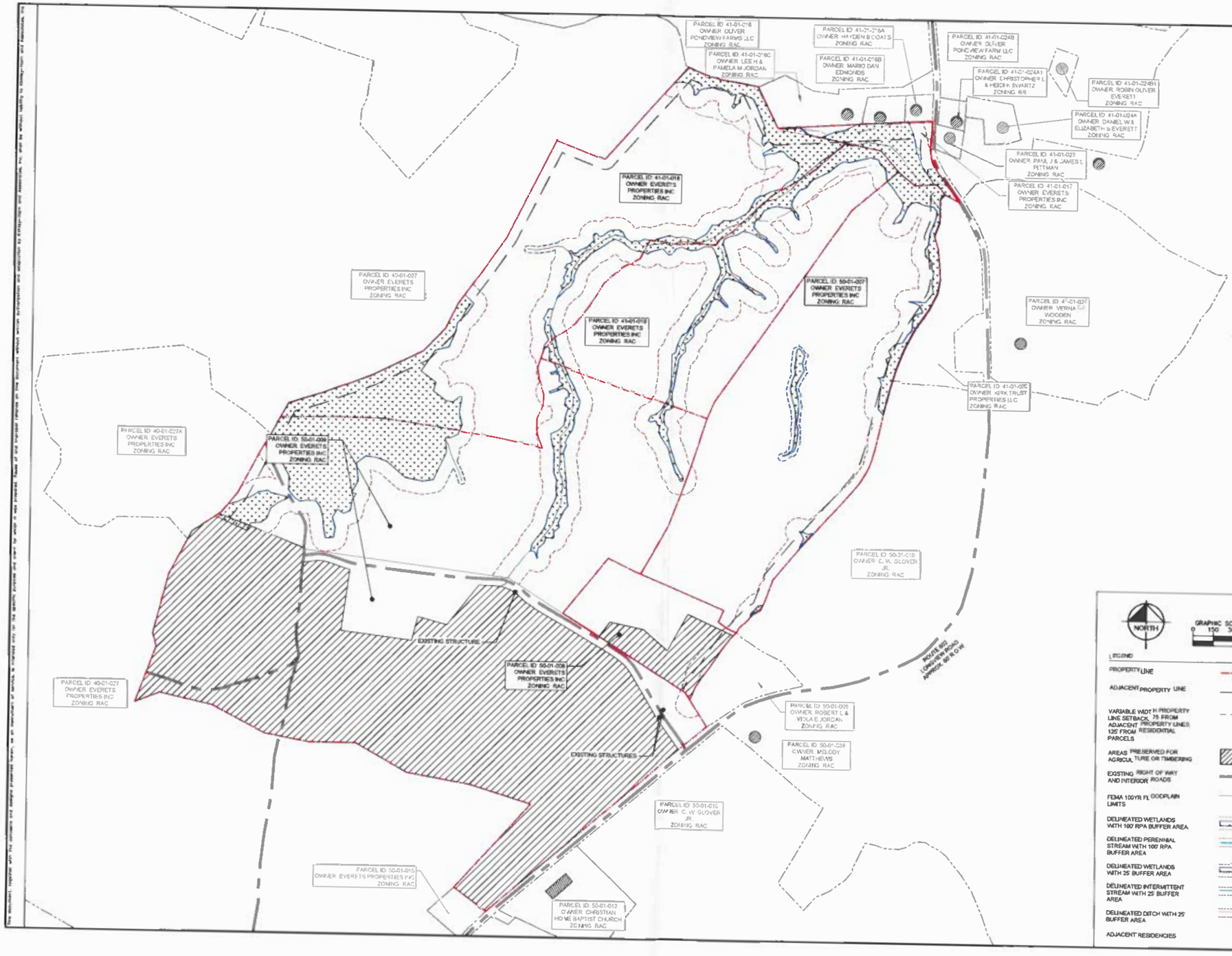
KHA PROJECT
110606019
DATE
06/14/2022
SCALE AS SHOWN
DESIGNED BY AJB
DRAWN BY AJB
CHECKED BY SAH

PRAIRIE SOLAR
PREPARED FOR
PRAIRIE SOLAR LLC
ISLE OF WIGHT COUNTY VIRGINIA

COVER SHEET

APPROVAL

SHEET NUMBER
C0-000



REV	DATE
1	8/31/22
2	9/13/22
3	11/15/22
4	12/21/22

ENERGIX RENEWABLES

Kimley»Horn

PKH PROJECT 110606019
DATE 06/14/2022
SCALE AS SHOWN
DESIGNED BY AB
DRAWN BY AB
CHECKED BY SM

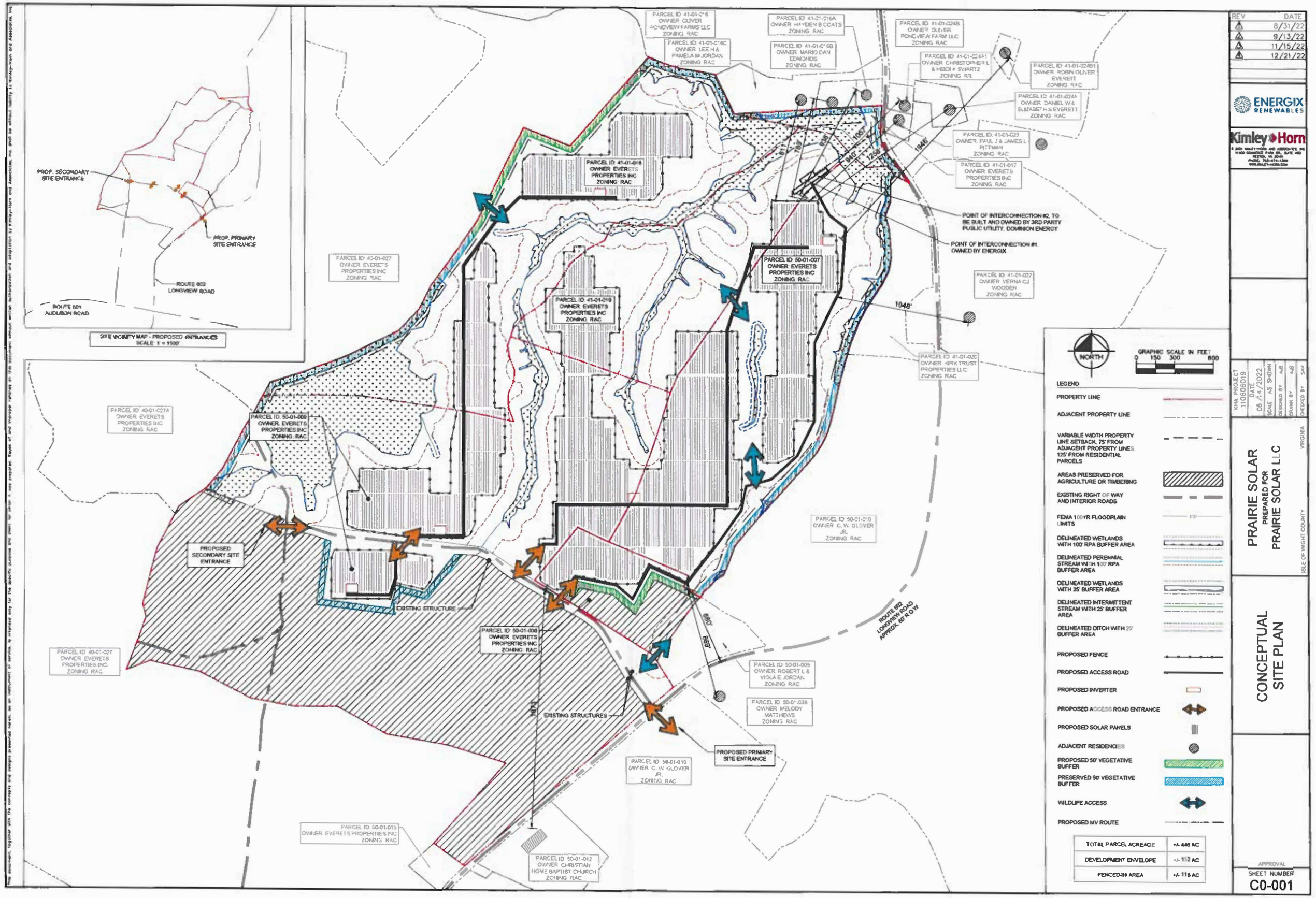
PRAIRIE SOLAR
PREPARED FOR
PRAIRIE SOLAR LLC

ISLE OF WIGHT COUNTY VIRGINIA

EXISTING CONDITIONS

APPROVAL

SHEET NUMBER
C0-001A



REV.	DATE
1	8/31/22
2	9/13/22
3	11/15/22
4	12/21/22

ENERGIX RENEWABLES

Kimley»Horn

KHA PROJECT 110606019
DATE 06.14.2022
SCALE AS SHOWN
DESIGNED BY AJS
DRAWN BY AJS
CHECKED BY SAM

PRAIRIE SOLAR
PREPARED FOR
PRAIRIE SOLAR LLC

ISLE OF WIGHT COUNTY VIRGINIA

CONCEPTUAL SITE PLAN

APPROVAL

SHEET NUMBER
C0-001

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Use of and reliance on this document, without authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

PARCEL ID: 41-01-21A
OWNER: OLIVER PONDVIEW FARMS LLC
ZONING: RAC

PARCEL ID: 41-01-21B
OWNER: LEE H & PAMELA M JORDAN
ZONING: RAC

PARCEL ID: 41-01-21C
OWNER: HAYDEN B COATS
ZONING: RAC

PARCEL ID: 41-01-21BB
OWNER: MARIO DAN EDMONDS
ZONING: RAC

PARCEL ID: 41-01-22AB
OWNER: OLIVER PONDVIEW FARM LLC
ZONING: RAC

PARCEL ID: 41-C1-22AA1
OWNER: CHRISTOPHER L & HEIDI P. SWARTZ
ZONING: RR

PARCEL ID: 41-01-22AB1
OWNER: ROBIN OLIVER EVERETT
ZONING: RAC

PARCEL ID: 41-01-22AA
OWNER: DANIEL W & ELIZABETH S EVERSETT
ZONING: RAC

PARCEL ID: 41-01-023
OWNER: PAUL J & JAMES L PITTMAN
ZONING: RAC

PARCEL ID: 41-01-017
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 41-01-018
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 41-01-019
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 50-01-007
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 41-01-022
OWNER: VERNA CJ WOODEN
ZONING: RAC

PARCEL ID: 41-01-02E
OWNER: KIRK TRUST PROPERTIES LLC
ZONING: RAC

PARCEL ID: 40-01-027A
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 50-01-008
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 40-01-027
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 50-01-006
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 50-01-005
OWNER: ROBERT L & VIOLA E JORDAN
ZONING: RAC

PARCEL ID: 50-01-038
OWNER: MELODY MATTHEWS
ZONING: RAC

PARCEL ID: 50-01-010
OWNER: C. W. GLOVER JR.
ZONING: RAC

PARCEL ID: 50-01-015
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID: 50-01-012
OWNER: CHRISTIAN HOME BAPTIST CHURCH
ZONING: RAC

PROPOSED SECONDARY SITE ENTRANCE

EXISTING STRUCTURE

EXISTING STRUCTURES

PROPOSED PRIMARY SITE ENTRANCE

POINT OF INTERCONNECTION #2, TO BE BUILT AND OWNED BY 3RD PARTY PUBLIC UTILITY, DOMINION ENERGY

POINT OF INTERCONNECTION #1, OWNED BY ENERGIX

ROUTE 602 LONGVIEW ROAD APPROX. 66' R.O.W.

811' 785' 835' 1057' 940' 1255' 1045' 1045'

NORTH

GRAPHIC SCALE IN FEET
0 150 300 600

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- VARIABLE WIDTH PROPERTY LINE SETBACK. 75' FROM ADJACENT PROPERTY LINES. 125' FROM RESIDENTIAL PARCELS
- AREAS PRESERVED FOR AGRICULTURE OR TIMBERING
- EXISTING RIGHT OF WAY AND INTERIOR ROADS
- FEMA 100YR FLOODPLAIN LIMITS
- DELINEATED WETLANDS WITH 100' RPA SETBACK AND 25' SETBACK
- DELINEATED PERENNIAL STREAM WITH 100' SETBACK
- DELINEATED INTERMITTENT STREAM WITH 25' SETBACK
- DELINEATED DITCH WITH 25' SETBACK
- PROPOSED FENCE
- PROPOSED ACCESS ROAD
- PROPOSED INVERTER
- PROPOSED ACCESS ROAD ENTRANCE
- PROPOSED SOLAR PANELS
- ADJACENT RESIDENCIES
- PROPOSED 50' VEGETATIVE BUFFER
- PRESERVED 50' VEGETATIVE BUFFER

TOTAL PARCEL ACREAGE	432.87 AC
DEVELOPMENT ENVELOPE	+/- 152 AC
FENCED-IN AREA	+/- 130 AC

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REV	DATE
1	8/31/22
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ENERGIX RENEWABLES

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11400 COMMERCE PARK DRIVE, SUITE 400
RESTON, VA 20191
PHONE: 703-674-1300
WWW.KIMLEY-HORN.COM

KHA PROJECT 110606019
DATE 06/14/2022
SCALE AS SHOWN
DESIGNED BY AB
DRAWN BY AB
CHECKED BY DM

PRAIRIE SOLAR
PREPARED FOR
PRAIRIE SOLAR LLC
ISLE OF WIGHT COUNTY VIRGINIA

CONCEPT SITE PLAN - AERIAL

APPROVAL

SHEET NUMBER
C0-002

PRAIRIE SOLAR
PREPARED FOR
PRAIRIE SOLAR LLC

ISLE OF WIGHT COUNTY
VIRGINIA

TRANSPORTATION MANAGEMENT PLAN

SHEET NUMBER
C0-003

APPROVAL

KHA PROJECT
110606019

DATE
05/14/2022

SCALE AS SHOWN

DESIGNED BY AB

DRAWN BY AB

CHECKED BY SH4

REV	DATE
1	8/31/22
2	9/13/22
3	11/15/22
4	12/21/22

ENERGIX RENEWABLES

Kimley»Horn

GRAPHIC SCALE IN FEET
0 62.5 125 250

NORTH

ROUTE 602 - LONGVIEW DRIVE

PROPOSED PRIMARY SITE ACCESS

MAJORITY OF CONSTRUCTION TRAFFIC SHALL ACCESS THE SITE FROM THE SOUTH VIA ROUTE 601 SANDY RIDGE DRIVE AND TURNING ONTO ROUTE 602 LONGVIEW DRIVE

SITE ACCESS TO BE PROVIDED BY EXISTING GRAVEL ROAD CONNECTION TO ROUTE 602 - LONGVIEW DRIVE

CONSTRUCTION ACCESS FROM THE NORTH SHALL BE LIMITED LIGHTER CONSTRUCTION TRAFFIC (PASSENGER VEHICLES AND SMALLER TRUCKS) DUE TO 5 TON WEIGHT LIMIT ON EX. BRIDGE ON LONGVIEW DRIVE

AREA TO BE EXCLUDED FROM DEVELOPMENT

PARCEL ID 50-01-009
OWNER: EVERETS PROPERTIES INC
ZONING: INC

PROPOSED DOMINION ENTRANCE TO THE SITE

PROPOSED CONSTRUCTION ENTRANCES INTO THE SITE

PROPOSED PERIMETER SECURITY FENCE

PROPOSED GRAVEL ACCESS ROAD

PROPOSED GATED ACCESS

PROPOSED SECONDARY SITE ACCESS

PARCEL ID 50-01-009
OWNER: EVERETS PROPERTIES INC
ZONING: INC

75' PROPERTY LINE SETBACK

PROPOSED 50' LANDSCAPE BUFFER

PARCEL ID 50-01-009
OWNER: EVERETS PROPERTIES INC
ZONING: INC

100' RPA BUFFER AREA

PROPOSED PV RACKS (TYP.)

PARCEL ID 50-01-007
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

DELINEATED WETLAND

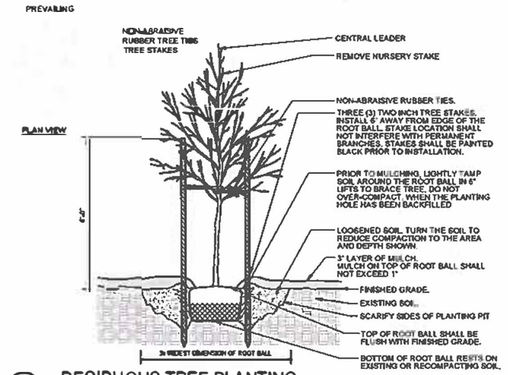
100' RPA WETLAND BUFFER AREA

PROPOSED INVERTER (TYP.)

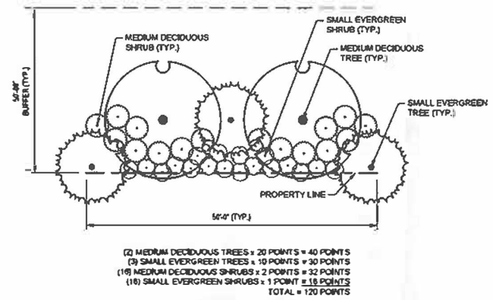
PARCEL ID 41-01-019
OWNER: EVERETS PROPERTIES INC
ZONING: RAC

PARCEL ID 50-01-009
OWNER: EVERETS PROPERTIES INC
ZONING: INC

AREA TO BE EXCLUDED FROM DEVELOPMENT

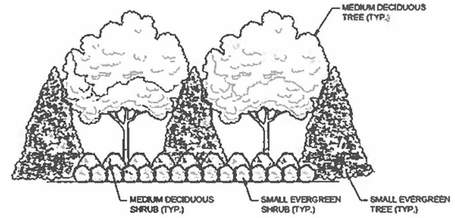


1 DECIDUOUS TREE PLANTING
NOT TO SCALE



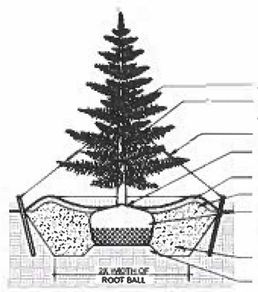
(2) MEDIUM DECIDUOUS TREES x 20 POINTS = 40 POINTS
(3) SMALL EVERGREEN TREES x 10 POINTS = 30 POINTS
(16) MEDIUM DECIDUOUS SHRUBS x 2 POINTS = 32 POINTS
(18) SMALL EVERGREEN SHRUBS x 1 POINT = 18 POINTS
TOTAL = 120 POINTS

4 120 POINT VEGETATIVE BUFFER - PLAN
NOT TO SCALE

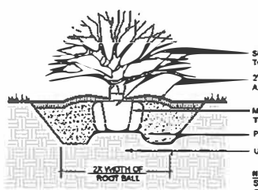


5 120 POINT VEGETATIVE BUFFER - ELEVATION
NOT TO SCALE

GENERAL NOTES
1. LANDSCAPE PLANTING WILL BE IN ACCORDANCE WITH THE COUNTY ORDINANCE
2. ALL DIMENSIONS SHOWN ARE APPROXIMATE AND SHALL BE VERIFIED IN THE FINAL DESIGN.
3. ALL SPECIFIED SPECIES ARE PRELIMINARY. FINAL SPECIES SELECTION SHALL BE APPROVED BY THE OWNER.



2 EVERGREEN TREE PLANTING
NOT TO SCALE



NOTE: SHRUBS INSTALLED IN CONTINUOUS SUCCESSION OR LARGE BED SHALL BE PLACED IN ONE CONTINUOUS DEPTH BED

3 SHRUB PLANTING
NOT TO SCALE



6 RECOMMENDED PLANTING SPECIES
1" = 30'-0"

REV	DATE
1	8/31/22
2	9/13/22
3	11/15/22
4	12/21/22

ENERGIX RENEWABLES

Kimley»Horn

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11400 COMMERCE PARK DRIVE, SUITE 400
RESTON, VA 20191
PHONE: 703-674-1300
WWW.KIMLEY-HORN.COM

KHA PROJECT 110605019
DATE 06/14/2022
SCALE AS SHOWN
DESIGNED BY AJB
DRAWN BY AJB
CHECKED BY SAH

PRAIRIE SOLAR
PREPARED FOR
PRAIRIE SOLAR LLC
ISLE OF WIGHT COUNTY VIRGINIA

LANDSCAPE DETAILS

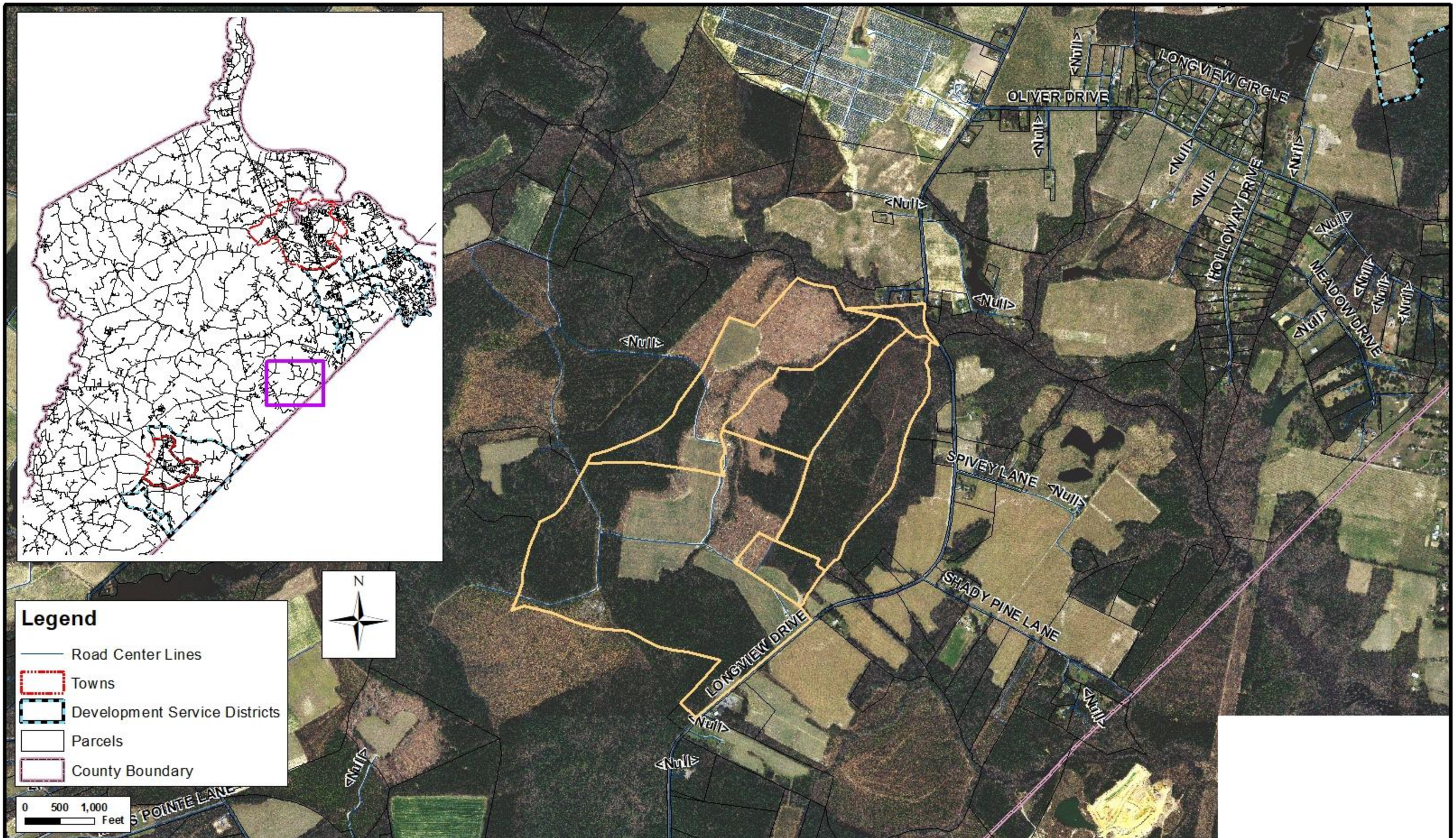
APPROVAL

SHEET NUMBER
L0-001

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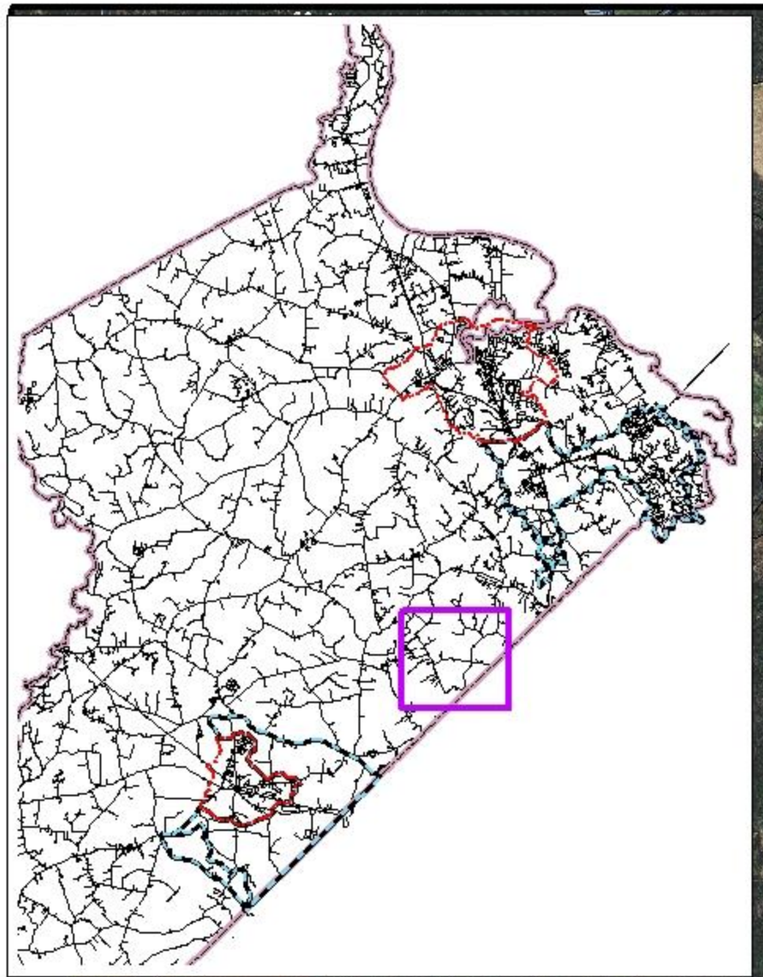
CUP-07-22 Conditional Use Permit - Location Map

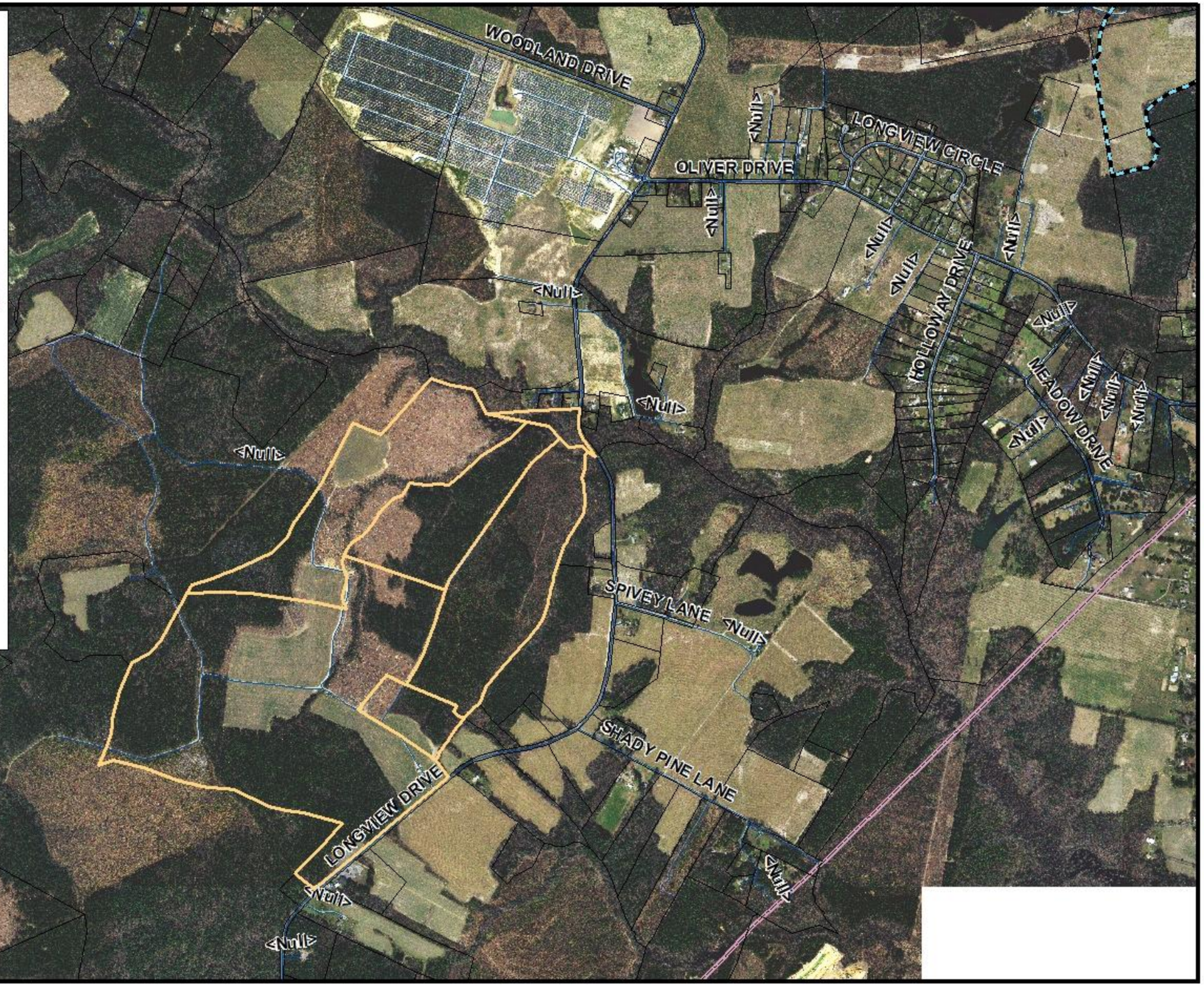
Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA



CUP-07-22 Conditional Use Permit - Location Closeup

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA





Legend

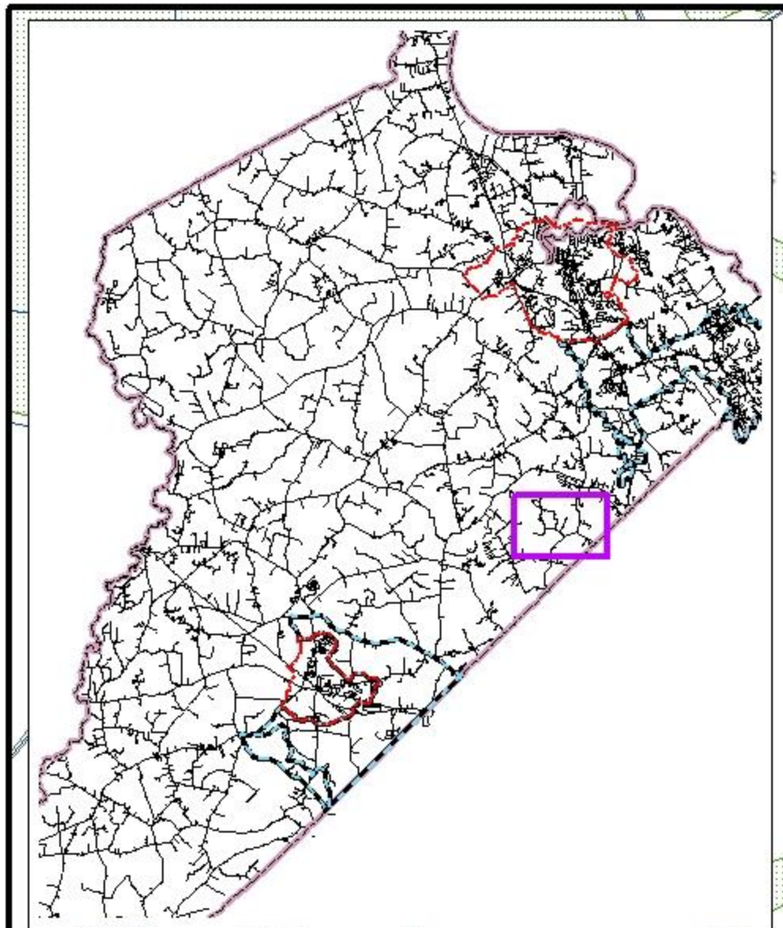
- Road Center Lines
- Highway Corridor Overlay District
- Towns
- Development Service Districts
- Parcels
- County Boundary

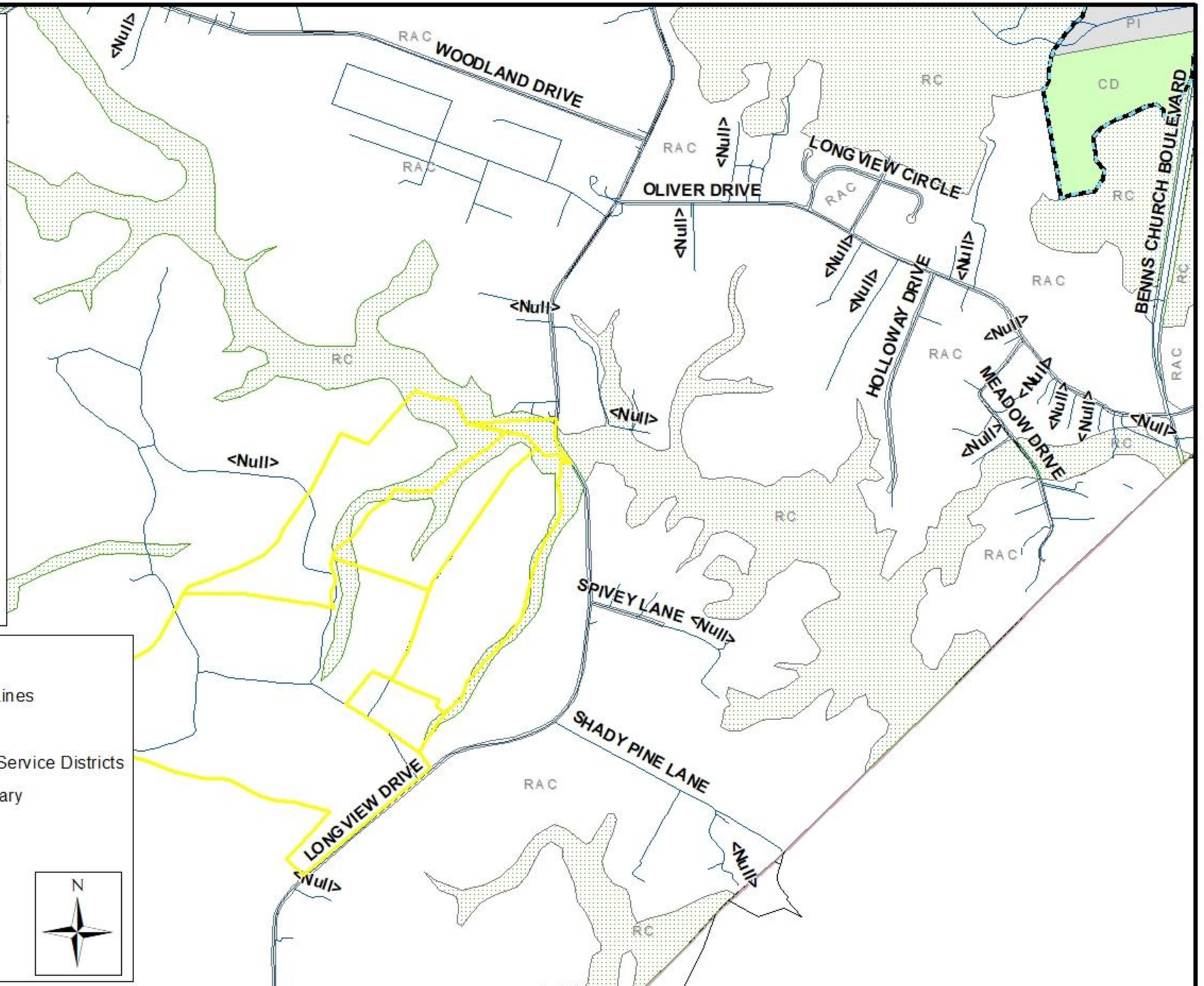
N

0 500 1,000 Feet

CUP-07-22 Conditional Use Permit - Land Use Map

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA





Legend

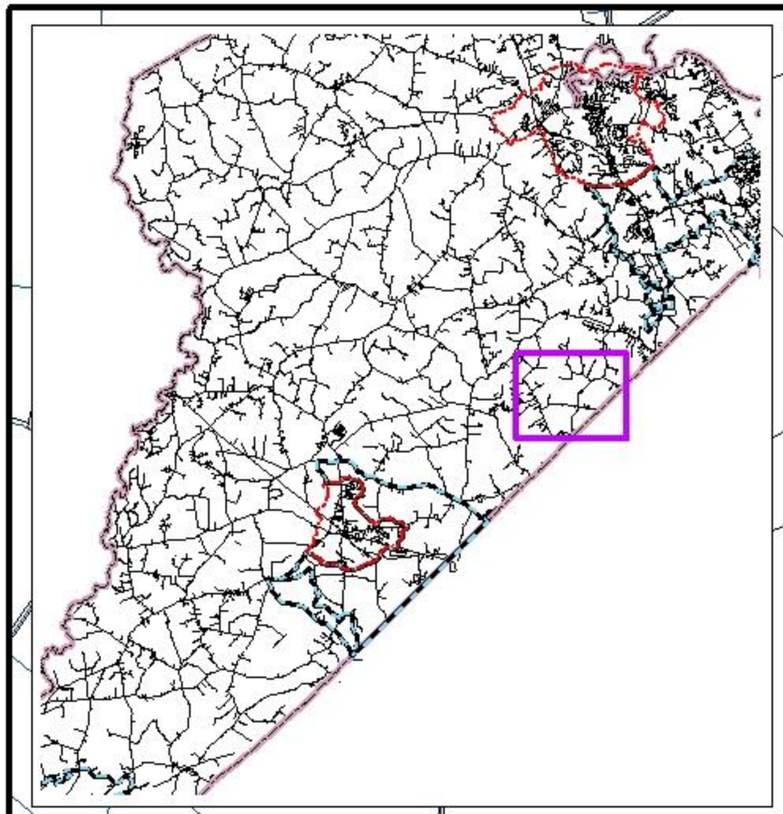
- Business & Employment
- Conservation Development
- Mixed Use
- Planned Industrial
- Rural Agricultural Conservation
- Resource Conservation
- Suburban Estate
- Suburban Residential
- UR
- Road Center Lines
- Towns
- Development Service Districts
- County Boundary

0 500 1,000 Feet

N

CUP-07-22 Conditional Use Permit- Zoning Map

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA

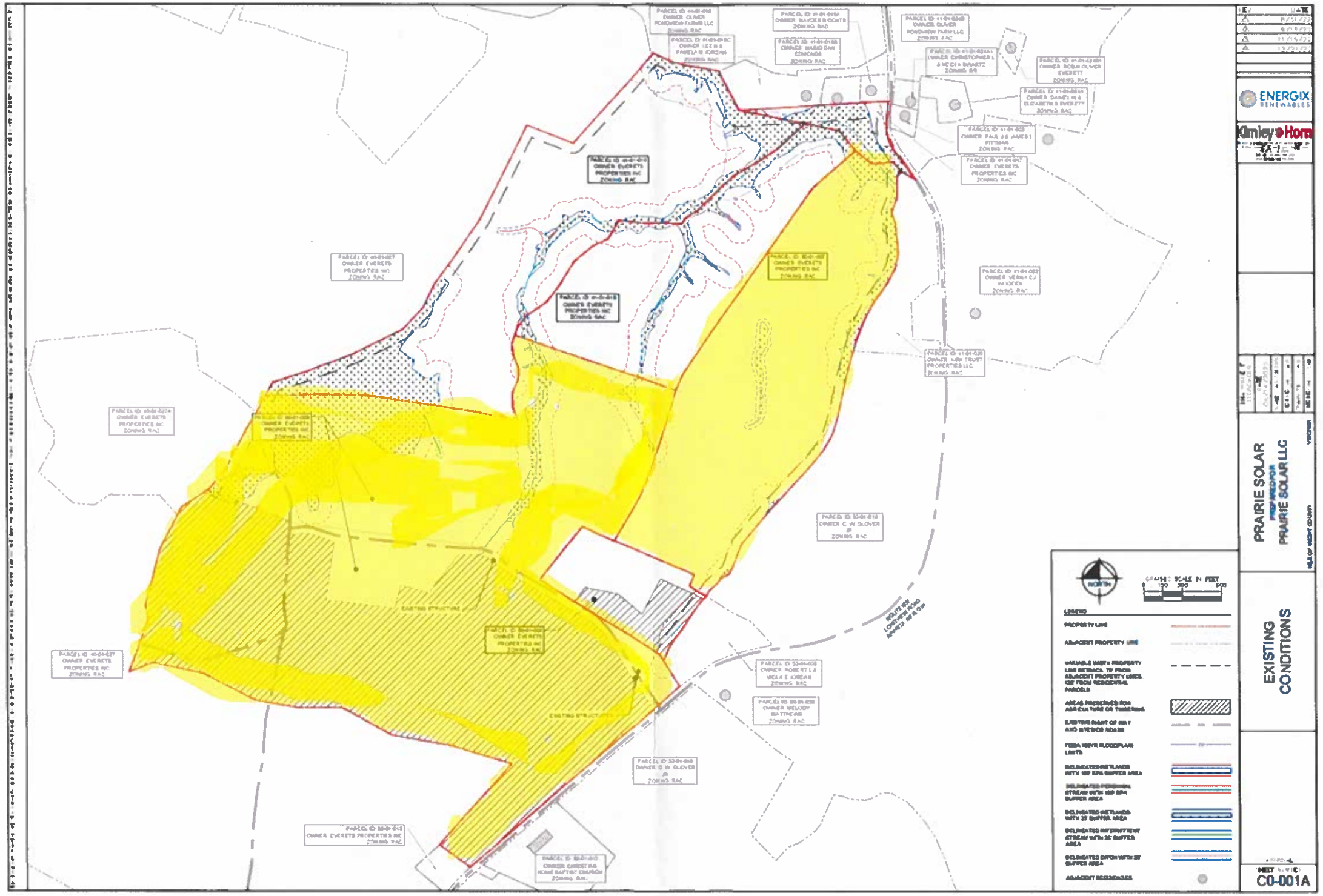


Legend

- General Commercial
- General Industrial
- General Industrial Conservation
- Limited Commercial
- Limited Industrial
- Neighborhood Conservation
- Planned Dev. - Mobile Home
- Planned Dev. - Mixed Use
- Planned Dev. Residential
- Rural Agricultural Conservation
- Rural Residential
- Suburban Estate
- Suburban Residential
- Urban Residential
- Village Center
- Road Center Lines
- Towns
- Development Service Districts
- County Boundary

N

0 500 1,000
Feet


PARCEL ID 41-01-01B
OWNER OLIVER PONDVIEW FARM LLC
ZONING RAC
PARCEL ID 41-01-01BA
OWNER HAYDEN B DCRTS
ZONING RAC
PARCEL ID 41-01-01BC
OWNER LEE H & PAMELA M JORDAN
ZONING RAC
PARCEL ID 41-01-01BB
OWNER MARIO CARI STANCHINA
ZONING RAC
PARCEL ID 41-01-03AB
OWNER OLIVER PONDVIEW FARM LLC
ZONING RAC
PARCEL ID 41-01-03AA1
OWNER CHRISTOPHER L & HEIDI I BARNETZ
ZONING RR
PARCEL ID 41-01-03BH
OWNER ROBIN OLIVER EVERETT
ZONING RAC
PARCEL ID 41-01-03BH1
OWNER DANIEL W & ELIZABETH S EVERETT
ZONING RAC
PARCEL ID 41-01-03D
OWNER PAUL J & JAMES L PITTMAN
ZONING RAC
PARCEL ID 41-01-03D7
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 41-01-03D
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 41-01-03B
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 41-01-03C
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 41-01-03D2
OWNER VERNON C.J. WILKERSON
ZONING RAC
PARCEL ID 41-01-03B
OWNER ANN TRUST PROPERTIES LLC
ZONING RAC
PARCEL ID 41-01-03A
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 53-01-01B
OWNER C W GLOVER JR
ZONING RAC
PARCEL ID 53-01-01B
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 53-01-01A
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 53-01-01B
OWNER C W GLOVER JR
ZONING RAC
PARCEL ID 53-01-01C
OWNER ROBERT L & VELMA E KIRCHIN
ZONING RAC
PARCEL ID 53-01-02B
OWNER BELINDY MATTHEWS
ZONING RAC
PARCEL ID 53-01-01B
OWNER EVERETTS PROPERTIES INC
ZONING RAC
PARCEL ID 53-01-01C
OWNER CHRISTIAN HOME BAPTIST CHURCH
ZONING RAC
EXISTING STRUCTURE
EXISTING STRUCTURE
EXISTING STRUCTURE
SOUTH 600 LONDON ROAD
NORTH
GRAPHIC SCALE IN FEET
0 150 300 600
LEGEND
PROPERTY LINE
ADJACENT PROPERTY LINE
VARIABLE WIDTH PROPERTY LINE SETBACK, 75' FROM ADJACENT PROPERTY LINES, 450' FROM RESIDENTIAL PARCELS
AREAS PRESERVED FOR AGRICULTURE OR TIMBERING
EXISTING RIGHT OF WAY AND INTERIOR ROADS
FEMA 100-YR FLOODPLAIN LIMITS
DELINEATED WETLANDS WITH 100' RPA BUFFER AREA
DELINEATED PERENNIAL STREAM WITH 100' RPA BUFFER AREA
DELINEATED WETLANDS WITH 25' BUFFER AREA
DELINEATED INTERMITTENT STREAM WITH 25' BUFFER AREA
DELINEATED EPOW WITH 25' BUFFER AREA
ADJACENT RESIDENCES
ENERGIX RENEWABLES
Kimley»Horn
PRAIRIE SOLAR
PREPARED FOR
PRAIRIE SOLAR LLC
KING AND QUEEN COUNTY
VIRGINIA
EXISTING CONDITIONS
SHEET NUMBER
C0-001A

PRAIRIE SOLAR

Exhibit M:

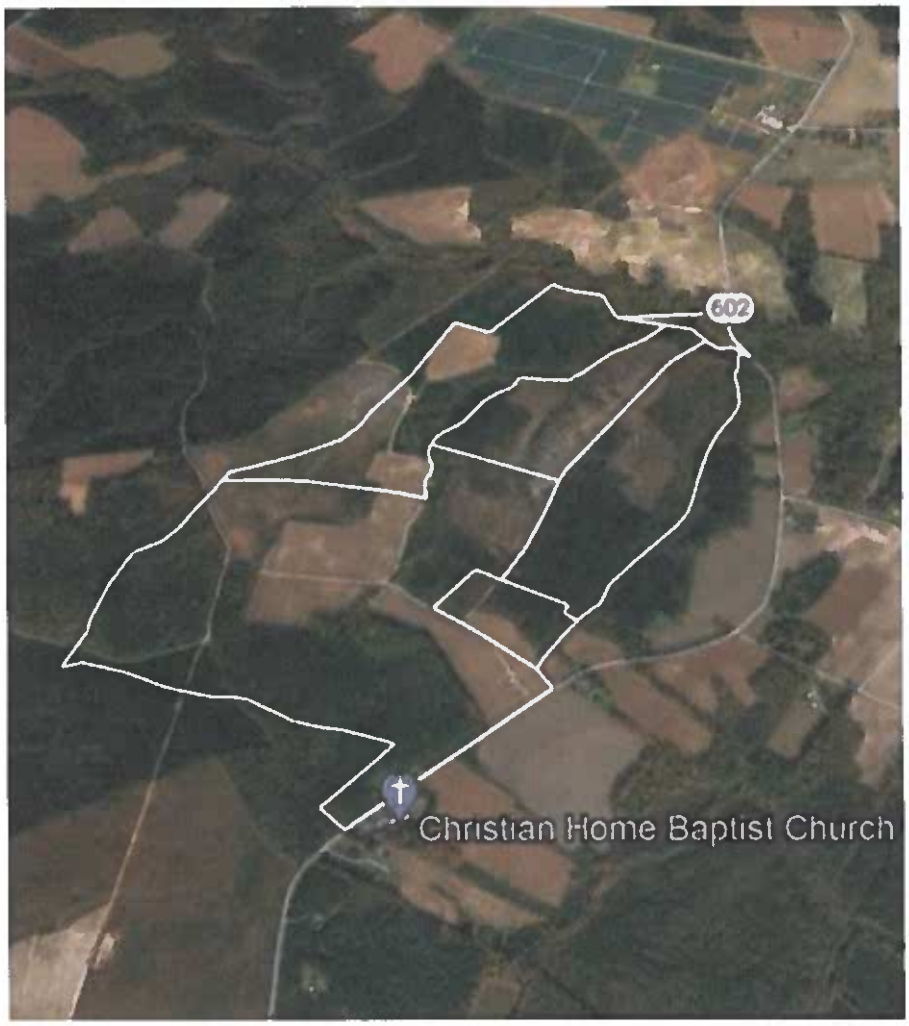
Site

Photos

PRAIRIE SOLAR

Prairie Solar

Site Photos



1. View(s) at access road
2. Viewshed along Longview Drive
3. Existing berm and bridge

1. View at Access Road off Longview Drive (Route 602)



The below photos show the current view from various points at the access road off of Route 602. As depicted, the access road utilizes the same access road as Rodgers Deer Club. The parcel directly across from the access entrance is a vacant lot. The property to the north of the access is an unleased tract owned by C. W. Glover. The property to the south is under lease with Everets Properties, Inc., but will not be used for panel placement.

From these viewpoints, there is approximately 969 feet from the beginning of the access road to where the project begins.


Looking south from access road


View from access road


Looking directly at access road

2. Viewshed on Longview Drive

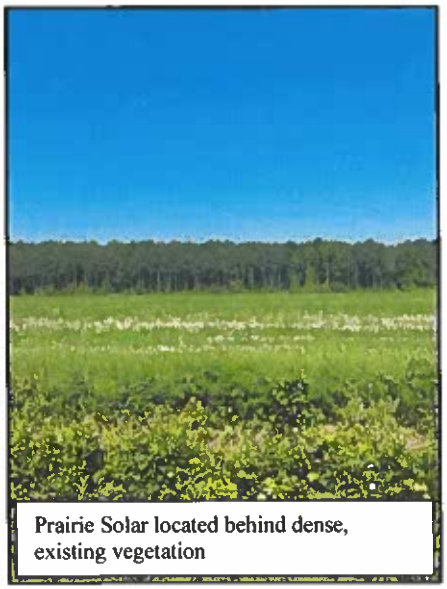


These pictures show various viewpoints along Longview Drive. As shown in the photos below, there is a dense existing tree line on an unleased tract. This will provide a buffer between the project and Longview Drive, making the solar facility impossible to see behind the trees.

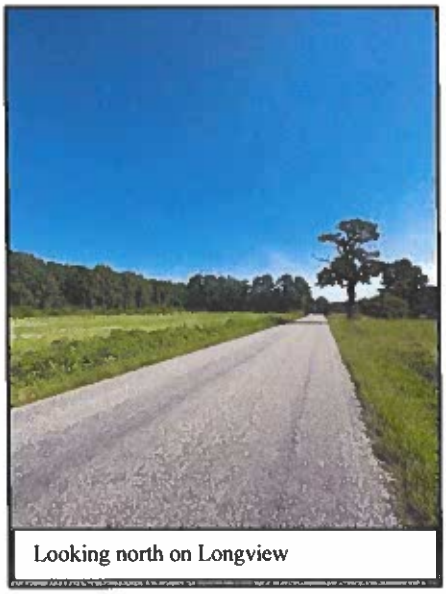
There is approximate 1,160 feet from these viewpoints on Longview Drive to where the project begins.



View from Longview looking in to project – facility located behind tree line



Prairie Solar located behind dense, existing vegetation



Looking north on Longview

3. Existing Berm and Bridge



These photos show an existing berm located on Longview Drive. Not only would this berm itself shield the site from view, it has approximately 380 feet of dense vegetation from the road to the fence of the project.

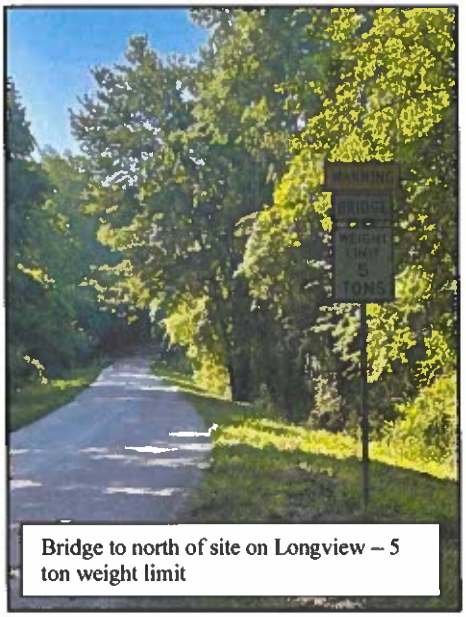
The bridge on Longview Drive has a 5-ton posted weight limit. Only passenger vehicles and small construction vehicles will utilize this bridge, with majority of traffic entering the site from the south.



Existing berm along Longview Drive, with dense forestry



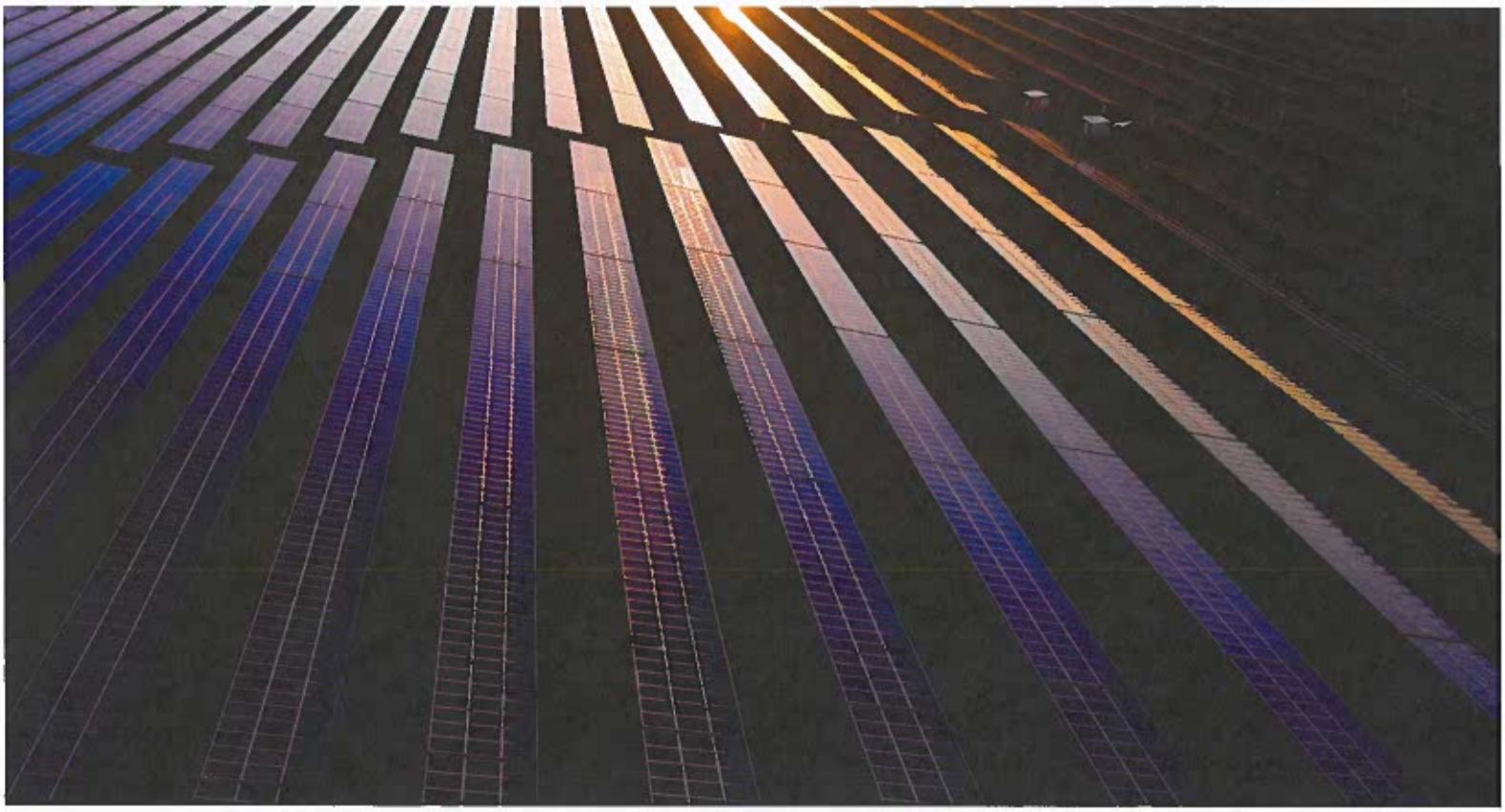
Bridge to north of site on Longview



Bridge to north of site on Longview – 5 ton weight limit

PRAIRIE SOLAR

ECONOMIC CONTRIBUTION TO ISLE OF WIGHT COUNTY, VIRGINIA



Prepared for

ENERGIX RENEWABLES

MANGUM economics

4201 DOMINION BOULEVARD, SUITE 114
GLEN ALLEN, VIRGINIA 23060
804-346-8446

MANGUMECONOMICS.COM

NOVEMBER 2022

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About Mangum Economics, LLC

Mangum Economics is a Glen Allen, Virginia based firm that was founded in 2003. Since then, we have become known as a leader in industry analysis, economic impact assessment, policy and program evaluation, and economic and workforce strategy development. The Mangum Team specializes in producing objective and actionable quantitative economic research that our clients use for strategic decision making in a variety of industries and environments. We know that our clients are unique, and that one size does not fit all. As a result, we have a well-earned reputation for tailoring our analyses to meet the specific needs of specific clients, with a specific audience.

Most of our research falls into four general categories:

- **Information Technology:** Working with some of the largest names in the industry, to date the Mangum Team has produced analyses of the economic and fiscal impact of the data center industry in Virginia, home to the largest concentration of data centers in the world, and in five other states.
- **Energy:** The Mangum Team has produced analyses of the economic and fiscal impact of over 16 GW of proposed solar, wind, battery storage, and hydro projects in more than 15 states. Among those projects was Dominion Energy's 2.6 GW Coastal Virginia Offshore Wind project off of Virginia Beach. In addition, the Mangum Team has also performed economic and fiscal impact analyses for the natural gas, nuclear, oil, and pipeline industries.
- **Economic Development and Special Projects:** The Mangum Team has performed hundreds of analyses of proposed economic development projects. Most recently, we were called upon by Henrico County to provide an analysis of the proposed $2.3 billion Green City "net-zero eco district." The Mangum Team has also authored multiple economic development plans, including identifying industries that were likely recruitment targets because of the high-speed MAREA and BRUSA sub-sea cable landings in Virginia Beach.
- **Education and Workforce:** The Mangum Team has worked with multiple post-secondary and secondary education institutions to quantify their economic contribution to their host communities as well as their impact on regional and statewide workforce needs.

The Project Team

Rebecca Kyle
Research Analyst

Martina Arel, M.B.A.
Director – Economic Development & Energy Research

A. Fletcher Mangum, Ph.D.
Founder and CEO

Table of Contents

Executive Summary 1

Introduction 2

The Project 2

Economic Impact 2

- Method 2
- Construction Phase 3
  - Assumptions 3
  - Results 3

Current Agricultural Use 4

- Economic Impact Assumptions 4
- Results 4

Executive Summary

This report assesses the economic and fiscal contribution that the proposed Prairie Solar project would make to Isle of Wight County, Virginia. The primary findings from that assessment are as follows:

1) **Prairie Solar is a proposed 20-megawatt (MW) alternating current (AC) solar photovoltaic power generating facility. The project would be located west of Longview Drive in Isle of Wight County, Virginia. The total acreage to be leased for the project encompasses approximately 433 acres of agricultural and timberland. The actively used, fenced-in portion of the solar site would be approximately 121 acres.**

2) **The proposed Prairie Solar project would make an economic contribution to Isle of Wight County:**

   - The proposed Prairie Solar project would provide an estimated one-time pulse of economic activity to Isle of Wight County during its construction phase supporting approximately:
     - 33 direct, indirect, and induced jobs.
     - $1.4 million in associated labor income.
     - $4.4 million in economic output.

3) **In its current agricultural use, the land provides an annual economic contribution to Isle of Wight County:**

   - The current agricultural use of timberland and a rotation of crops which includes soybeans, corn, cotton, and peanuts provides an estimated average annual economic impact to Isle of Wight County supporting approximately:
     - 1 direct, indirect, and induced job.
     - $15,400 in associated labor income.
     - $60,300 in economic output.

The estimates provided in this report are based on the best information available and all reasonable care has been taken in assessing the quality of that information. However, because these estimates attempt to foresee the consequences of circumstances that have not yet occurred, it is not possible to be certain that they will be representative of actual events. These estimates are intended to provide a good indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.

Introduction

This report assesses the economic contribution that the proposed Prairie Solar project would make to Isle of Wight County, Virginia. This report was commissioned by Energix Renewables and produced by Mangum Economics.

The Project

Prairie Solar is a proposed 20-megawatt (MW) alternating current (AC) solar photovoltaic power generating facility. The project would be located west of Longview Drive in Isle of Wight County, Virginia. The total acreage to be leased for the project encompasses approximately 433 acres of agricultural and timberland. The actively used, fenced-in portion of the solar site would be approximately 121 acres.

Economic Impact

This section quantifies the economic contribution that the proposed Prairie Solar project would make to Isle of Wight County. The analysis evaluates the one-time pulse of economic activity that would occur during the construction phase of the project.

Method

To empirically evaluate the likely local economic impact attributable to the proposed Prairie Solar project, the analysis employs a regional economic impact model called IMPLAN.[1] The IMPLAN model is one of the most commonly used economic impact simulation models in the U.S., and in Virginia is used by UVA's Weldon Cooper Center, the Virginia Department of Planning and Budget, the Virginia Employment Commission, and other state agencies and research institutes. Like all economic impact models, the IMPLAN model uses economic multipliers to quantify economic impact.

Economic multipliers measure the ripple effects that an expenditure generates as it makes its way through the economy. For example, as when the Prairie Solar project purchases goods and services – or when contractors hired by the facility use their salaries and wages to make household purchases – thereby generating income for someone else, which is in turn spent, thereby becoming income for yet someone else, and so on, and so on. Through this process, one dollar in expenditures generates multiple dollars of income. The mathematical relationship between the initial expenditure and the total income generated is the economic multiplier.

One of the primary advantages of the IMPLAN model is that it uses regional and national production and trade flow data to construct region-specific and industry-specific economic multipliers, which are then further adjusted to reflect anticipated actual spending patterns within the specific geographic study area

[1] IMPLAN is produced by IMPLAN Group, LLC.

that is being evaluated. As a result, the economic impact estimates produced by IMPLAN are not generic. They reflect as precisely as possible the economic realities of the specific industry, and the specific study area, being evaluated.

In the analysis that follows, these impact estimates are divided into three categories. First round direct impact measures the direct economic contribution of the entity being evaluated (e.g., own employment, wages paid, goods and services purchased by the Prairie Solar project). Second round indirect and induced impact measures the economic ripple effects of this direct impact in terms of business to business, and household (employee) to business, transactions. Total impact is simply the sum of the preceding two. These categories of impact are then further defined in terms of employment (the jobs that are created), labor income (the wages and benefits associated with those jobs), and economic output (the total amount of economic activity that is created in the economy).

Construction Phase

This portion of the section assesses the economic and fiscal impact that the one-time pulse of activity associated with construction of the proposed Prairie Solar project would have on Isle of Wight County.

Assumptions

The analysis is based on the following assumptions:

- Total capital investment in the Prairie Solar project is estimated to be approximately $30.0 million.[2]
- Of that total:
    - Architecture, engineering, site preparation, and other construction and development costs are estimated to be approximately $18.0 million.[3]
    - Capital equipment costs are estimated to be approximately $12.0 million.[4] It is anticipated that no capital equipment would be purchased from vendors in Isle of Wight County.[5]
- For ease of analysis, all construction expenditures are assumed to take place in a single year.

Results

Applying these assumptions in the IMPLAN model results in the following estimates of one-time economic and fiscal impact. As shown in Table 1, construction of the proposed Prairie Solar project

[2] Data Source: Energix Renewables. Investment estimate is subject to change based on final design and vendor contracts.
[3] Data Source: Energix Renewables.
[4] Data Source: Energix Renewables.
[5] Data Source: IMPLAN Group LLC.

would directly provide a one-time pulse supporting approximately: 1) 27 jobs, 2) $1.2 million in labor income, and 3) $3.6 million in economic output to Isle of Wight County.[6]

Taking into account the economic ripple effects that direct investment would generate, the total estimated one-time impact on Isle of Wight County would support approximately: 1) 33 jobs, 2) $1.4 million in labor income, 3) $4.4 million in economic output, and 4) $131,300 in state and local tax revenue.

Table 1: Estimated One-Time Economic and Fiscal Impact on Isle of Wight County from Construction of the Prairie Solar Project

Economic Impact	Employment	Labor Income	Output
1st Round Direct Economic Activity	27	$1,222,100	$3,600,000
2nd Round Indirect and Induced Economic Activity	6	$214,100	$799,800
Total Economic Activity	**33**	**$1,436,200**	**$4,399,800**
Fiscal Impact			
State and Local Tax Revenue			**$131,300**

**Totals may not sum due to rounding.*

Current Agricultural Use

This section provides a benchmark for the previous estimates of the economic contribution that the proposed Prairie Solar project would make to Isle of Wight County by estimating the economic contribution that the site makes to the county in its current agricultural use.

Economic Impact Assumptions

The analysis is based on the following assumptions:

- The proposed Prairie Solar project would be situated on an approximate 121-acre tract of timberland and agricultural land with a rotation of crops that includes soybeans, corn, cotton, and peanuts.[7]

Results

Applying these assumptions in the IMPLAN model results in the following estimates of annual economic impact. As shown in Table 2, in its current use the proposed Prairie Solar project site directly supports

[6] It is important to note that construction sector jobs are not necessarily new jobs, but the investments made can also support an existing job during the construction of the project.
[7] Data Source: Energix Renewables.

approximately: 1) < 1 job, 2) $8,000 in labor income, and 3) $42,500 in economic output to Isle of Wight County.

Taking into account the economic ripple effects that direct impact generates, on average, the total annually supported impact on Isle of Wight County is approximately: 1) 1 job, 2) $15,400 in labor income, and 3) $60,300 in economic output.

Table 2: Total Estimated Annual Economic Impact of the Prairie Solar Project Site on Isle of Wight County – Current Agricultural Use[8]

Economic Impact	Employment	Labor Income	Output
1st Round Direct Economic Activity	< 1	$8,000	$42,500
2nd Round Indirect and Induced Economic Activity	< 1	$7,400	$17,800
Total Economic Activity	**1**	**$15,400**	**$60,300**

**Totals may not sum due to rounding.*

The estimates provided in this report are based on the best information available and all reasonable care has been taken in assessing the quality of that information. However, because these estimates attempt to foresee the consequences of circumstances that have not yet occurred, it is not possible to be certain that they will be representative of actual events. These estimates are intended to provide a good indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.

[8] Calculations based data from the U.S. Department of Agriculture and IMPLAN Group, LLC for Virginia and Isle of Wight County.

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Exhibit E:

Updated Tax Revenue Chart

Year of Operations	Calendar Year	Total Capital Investment Subject to Exemption	Utility Assessment Ratio Amount	Stepdown Exemption	After Exemption	Depreciation	Depreciated Value of Taxable Capital Investment	M&T	Reassessment	Total Annual Revenues from Solar (1+2+3)	Revenue Share	Total Annual Revenues from Solar (2+3+5)	Current Land Use Tax
1	2024	$30,000,000	$30,000,000	80%	$6,000,000	40.00%	$2,400,000	$42,000.00	$19,380.00	$61,380	$28,000	$47,380.00	$2,604.02
2	2025	$30,000,000	$30,000,000	80%	$6,000,000	40.00%	$2,400,000	$42,000.00	$19,380.00	$61,380	$28,000	$47,380.00	$2,604.02
3	2026	$30,000,000	$30,000,000	80%	$6,000,000	40.00%	$2,400,000	$42,000.00	$19,380.00	$61,380	$30,800	$50,180.00	$2,604.02
4	2027	$30,000,000	$30,000,000	80%	$6,000,000	40.00%	$2,400,000	$42,000.00	$19,380.00	$61,380	$30,800	$50,180.00	$2,604.02
5	2028	$30,000,000	$30,000,000	80%	$6,000,000	40.00%	$2,400,000	$42,000.00	$19,380.00	$61,380	$30,800	$50,180.00	$2,604.02
6	2029	$30,000,000	$30,000,000	70%	$9,000,000	40.00%	$3,600,000	$63,000.00	$19,380.00	$82,380	$30,800	$50,180.00	$2,604.02
7	2030	$30,000,000	$30,000,000	70%	$9,000,000	40.00%	$3,600,000	$63,000.00	$19,380.00	$82,380	$30,800	$50,180.00	$2,604.02
8	2031	$30,000,000	$30,000,000	70%	$9,000,000	40.00%	$3,600,000	$63,000.00	$19,380.00	$82,380	$33,880	$53,260.00	$2,604.02
9	2032	$30,000,000	$30,000,000	70%	$9,000,000	40.00%	$3,600,000	$63,000.00	$19,380.00	$82,380	$33,880	$53,260.00	$2,604.02
10	2033	$30,000,000	$30,000,000	70%	$9,000,000	40.00%	$3,600,000	$63,000.00	$19,380.00	$82,380	$33,880	$53,260.00	$2,604.02
11	2034	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$33,880	$53,260.00	$2,604.02
12	2035	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$33,880	$53,260.00	$2,604.02
13	2036	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$37,268	$56,648.00	$2,604.02
14	2037	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$37,268	$56,648.00	$2,604.02
15	2038	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$37,268	$56,648.00	$2,604.02
16	2039	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$37,268	$56,648.00	$2,604.02
17	2040	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$37,268	$56,648.00	$2,604.02
18	2041	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$40,995	$60,374.80	$2,604.02
19	2042	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$40,995	$60,374.80	$2,604.02
20	2043	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$40,995	$60,374.80	$2,604.02
21	2044	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$40,995	$60,374.80	$2,604.02
22	2045	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$40,995	$60,374.80	$2,604.02
23	2046	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$45,094	$64,474.28	$2,604.02
24	2047	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$45,094	$64,474.28	$2,604.02
25	2048	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$45,094	$64,474.28	$2,604.02
26	2049	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$45,094	$64,474.28	$2,604.02
27	2050	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$45,094	$64,474.28	$2,604.02
28	2051	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$49,604	$68,983.71	$2,604.02
29	2052	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$49,604	$68,983.71	$2,604.02
30	2053	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$49,604	$68,983.71	$2,604.02
31	2054	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$49,604	$68,983.71	$2,604.02
32	2055	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$49,604	$68,983.71	$2,604.02
33	2056	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$54,564	$73,944.08	$2,604.02
34	2057	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$54,564	$73,944.08	$2,604.02
35	2058	$30,000,000	$30,000,000	60%	$12,000,000	40.00%	$4,800,000	$84,000.00	$19,380.00	$103,380	$54,564	$73,944.08	$2,604.02
Total								$2,625,000	$678,300	$3,303,300	$1,407,896	$2,086,196	$91,141

Notes/Source
1. Stepdown Exemption: https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB763
2. Real Estate Tax Rate Law: https://law.lis.virginia.gov/vacode/title58.1/chapter26/section58.1-2606/#:~:text=%C2%A7%2058.1%2D2606.,put
3. Real Estate Tax Rate: https://www.louisacounty.com/164/Calendar-Rates
4. Revenue Share: https://law.lis.virginia.gov/vacode/title58.1/chapter26/section58.1-2636/

Reviewed and approved by Commissioner of Revenue on 2/8/2023.

PRAIRIE SOLAR

Exhibit K:

Phase 1 ESA

Report

PHASE I
ENVIRONMENTAL SITE ASSESSMENT

PRAIRIE SOLAR
APPROXIMATE 335-ACRE TRACT
LONGVIEW DRIVE
WINDSOR, ISLE OF WIGHT COUNTY, VIRGINIA

PREPARED FOR:
ENERGIX US, LLC
1201 WILSON BOULEVARD, SUITE 2200
ARLINGTON, VIRGINIA 22209

PREPARED BY:
PILOT ENVIRONMENTAL, INC.
PO BOX 128
KERNERSVILLE, NORTH CAROLINA 27285

MAY 16, 2022
PILOT PROJECT 7382.1

PILOT ENVIRONMENTAL, INC

May 16, 2022

Ms. Gabriella Hernandez
Energix US, LLC
1201 Wilson Boulevard, Suite 2200
Arlington, Virginia 22209

Reference: Phase I Environmental Site Assessment
Prairie Solar
Approximate 335-Acre Tract
Longview Drive
Windsor, Isle of Wight County, Virginia
Pilot Project 7382.1

Dear Ms. Hernandez,

Pilot Environmental, Inc. (Pilot) is pleased to submit the Phase I Environmental Site Assessment (ESA) report for the approximate 335-acre tract located west of Longview Drive in Windsor, Isle of Wight County, Virginia. The assessment was performed in general accordance with ASTM Standard Practice E1527-13: Phase I Environmental Site Assessment Process.

This report includes a description of the methodology of our investigation and a summary of our findings and conclusions. If you have questions regarding our assessment of the subject site or our conclusions, please do not hesitate to call us at 336.310.4527.

Sincerely,

Mikayla A. White
Project Manager

Toby S. Benfield
Senior Project Manager

Project Summary Table

Report Section		No Further Assessment	REC	CREC	HREC	Other Environmental Considerations	Recommended Action
3.0	User Provided Information	✓					
4.0	Records Review	✓					
5.0	Site Reconnaissance	✓					
6.0	Interviews	✓					
9.0	Non-Scope Services	✓					

EXECUTIVE SUMMARY

Pilot was contracted by Energix US, LLC to perform an ASTM Standard E1527-13, Phase I ESA for the approximate 335-acre site located west of Longview Drive in Windsor, Isle of Wight County, Virginia. The site consists of all or portions of six parcels identified by the Isle of Wight County Geographic Information System (GIS) as Parcel Identification Numbers (PINs) 41-01-017, 41-01-018, 41-01-019, 50-01-006, 50-01-007, and 50-01-009.

Based on Pilot's review of historical records and interviews, it appears that the site has contained wooded land and fields since at least 1937. An apparent residence was located on the southeastern portion of the site from at least 1959 until sometime prior to 2000. Mr. Rusty Rose, the owner of the site, indicated that he was unaware of whether the residence utilized a water supply well or septic system and that it was likely heated with wood. A clubhouse and an agricultural structure have been located on the southeastern portion of the site since at least 1959. The clubhouse likely utilized a water supply well and septic system. Mr. Rose stated that a communications tower and associated building were formerly located on the southern portion of the site and removed in the early 1990s. A kennel has been located on the southern portion of the site since at least 2005. Timbering activities have occurred on the site at various times since at least 1969.

The site contains a clubhouse building, agricultural structures, a kennel, wooded land, and fields. Piping possibly associated with a water supply well and a septic system were observed beneath the clubhouse. Surface water features and gravel-covered and unimproved access roads cross the site. Minor ground staining was observed in the vicinity of an agricultural structure. However, the staining is considered a de minimis condition. Two small propane aboveground storage tanks (ASTs) are located in the vicinity of the clubhouse on the southeastern portion of the site. A water supply well and an out of use propane AST are located in the vicinity of an agricultural structure on the southern portion of the site. Staining was not observed in the vicinity of the ASTs.

A temporary hunting structure is located on the site. Agricultural equipment, discarded appliances, lawn furniture, plastic containers, small containers of unidentified substances, and debris was observed on the site. Visible portions of the debris included an abandoned automobile, scrap wood and metal, and timbering debris. We did not observe stressed vegetation or evidence of underground storage tanks (USTs) on the site.

The site is located in an area of Windsor that can generally be described as residential and agricultural. Surrounding properties contain a church, an industrial solar facility, residences, wooded land, and fields. Christian Home Church Cemetery is located approximately 375 feet east of the site. Based on the distance, releases from the cemetery are not expected to impact the site.

Christian Home Church Cemetery is located approximately 375 feet east of the site. The cemetery is approximately 2.4 acres in size. Densely concentrated areas of burial plots within the cemetery appear to be located approximately 475 feet and more from the site. It is our opinion that based on the size of the cemetery and lack of mobility of metals and compounds typically associated with decomposition and leaching of materials from a cemetery, it does not represent a threat to human health or the environment and generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies and therefore is considered to be a de minimis condition.

The Standard Environmental Records (SER) search provided by Environmental Risk Information Services (ERIS) does not identify documented releases of petroleum or hazardous materials at other properties in the vicinity of the site.

Pilot has performed a Phase I ESA in general conformance with the scope and limitations of ASTM E1527-13 for the approximate 335-acre site located west of Longview Drive in Windsor, Isle of Wight County, Virginia. Exceptions to, or deletions from, this practice are described in Section 1.4 of this report. As documented and qualified by this report, this assessment has revealed no evidence of Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), or Historical Recognized Environmental Conditions (HRECs) in connection with the site.

Business Environmental Risks

- A water supply well is located on the site. Other water supply wells and septic systems may have been associated with the current or former structures on the site. Water supply wells and septic systems should be abandoned in accordance with applicable regulations if they are encountered within the proposed redevelopment areas.

- We were unable to determine how a former residence was heated. If USTs are encountered during redevelopment of the site, they should be handled in accordance with Virginia Department of Environmental Quality (VDEQ) guidelines.

This Executive Summary includes only a summary of relevant information in the Phase I Environmental Site Assessment report. Pilot recommends that the report be read in its entirety.

PHASE I ENVIRONMENTAL SITE ASSESSMENT REPORT
APPROXIMATE 335-ACRE TRACT
LONGVIEW DRIVE
WINDSOR, ISLE OF WIGHT COUNTY, VIRGINIA

1.0 INTRODUCTION 1
1.1 Purpose of Phase I ESA 1
1.2 Scope of Services 1
1.3 ASTM E1527-13 Definitions 1
1.4 Limitations and Exceptions 3
1.5 User Reliance 3
1.6 Data Gaps 3
2.0 SITE DESCRIPTION 4
2.1 Site Location and Legal Description 4
2.2 Current Use of the Site 4
2.3 Current Uses of Adjoining Property 4
3.0 USER PROVIDED INFORMATION 5
4.0 RECORDS REVIEW 6
4.1 Physical Setting Records 6
4.2 Regulatory Records Review 6
4.3 Federal Databases 7
4.4 State and Tribal Databases 7
4.5 Additional Environmental Record Sources 8
4.6 Historical Use Information 8
4.7 Previous Reports Review 9
5.0 SITE RECONNAISSANCE 10
5.1 Methodology and Limiting Conditions 10
5.2 On-Site Observations 10
5.3 Adjoining and Nearby Property Observations 12
6.0 INTERVIEWS 13
7.0 FINDINGS AND OPINIONS 14
8.0 CONCLUSIONS 15
9.0 NON-SCOPE SERVICES 16
10.0 REFERENCES 17

APPENDICES

Appendix I: Drawings
Appendix II: User Provided Information
Appendix III: Regulatory Records
Appendix IV: Historical Research Records
Appendix V: Site Reconnaissance Photographs
Appendix VI: Statement of Qualifications

1.0 INTRODUCTION

1.1 Purpose of Phase I ESA

The purpose of this Phase I Environmental Site Assessment (ESA) is to conduct all appropriate inquiries into the uses and prior ownership of the subject site and to identify, to the extent feasible pursuant to the processes described herein, Recognized Environmental Conditions (RECs), Controlled Recognized Environmental Conditions (CRECs), Historical Recognized Environmental Conditions (HRECs), or Business Environmental Risks (BERs) in connection with the subject site.

This ESA should allow the User the opportunity to qualify for landowner liability protection under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The landowner liability protections are an innocent landowner, a contiguous property owner, or a bona fide prospective purchaser. The User must meet the protection stipulations detailed in CERCLA to qualify, as well as meet the User Obligations contained within ASTM E1527-13 standard.

Pilot Environmental, Inc. (Pilot) understands that this Phase I ESA is for due diligence for a solar farm.

1.2 Scope of Services

Pilot was retained to complete a Phase I ESA in general accordance with the standard developed by the American Society for Testing and Materials (ASTM) entitled "E1527-13 Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process." The Phase I ESA was conducted in accordance with ASTM E1527-13 and EPA Standards and Practices for All Appropriate Inquiry (40 CFR §312.10). The environmental assessment was conducted under the supervision or responsible charge of an individual that qualifies as an environmental professional, as defined in 40 CFR §312.10.

I, Toby S. Benfield, declare that to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in § 312.10 of 40 CFR 312; and I have the specific qualifications based on education, training, and experience to assess a property of the nature, history, and setting of the subject site. I have developed and performed all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR Part 312.

1.3 ASTM E1527-13 Definitions

ASTM E1527-13 defines a "recognized environmental condition (REC)" as "the presence or likely presence of any hazardous substances or petroleum products in, on or at a property: 1) due to release to the environment, 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment." For the

purposes of this practice, "migrate" and "migration" refer to the movement of hazardous substances or petroleum products in any form including solid and liquid at the surface or subsurface and vapor in the subsurface. Vapor migration in the subsurface is described in Guide E2600 published by ASTM. Pilot has not conducted a Vapor Encroachment Screen in accordance with the E2600 guide.

A "de minimis condition" is a condition that generally does not represent a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies. De minimis conditions are not recognized environmental conditions nor controlled recognized environmental conditions.

A "controlled recognized environmental condition (CREC)" is a recognized environmental condition resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent, or meeting risk-based criteria established by regulatory authority), with hazardous substances or petroleum products allowed to remain in place subject to the implementation of required controls (for example property use restrictions, activity and use limitations, institutional controls, or engineering controls). A condition identified as a controlled recognized environmental condition does not imply that the Environmental Professional has evaluated or confirmed the adequacy, implementation or continued effectiveness of the required control that has been, or is intended to be, implemented.

A "historical recognized environmental condition (HREC)" is a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed to the satisfaction of the applicable regulatory authority or meeting unrestricted residential use criteria established by a regulatory authority, without subjecting the property to any required controls (for example property use restrictions, activity and use limitations, institutional controls, or engineering controls). Before calling the past release a historical recognized environmental condition, the Environmental Professional must determine whether the past release is a recognized environmental condition at the time of the Phase I Environmental Site Assessment is conducted (for example, if there has been a change in the regulatory criteria).

A "business environmental risk (BER)" is "a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of a parcel of commercial real estate, not necessarily limited to those environmental issues required to be investigated in this practice." Client-imposed limitations and site condition limitations, if encountered, are detailed in Section 5.1 Methodology and Limiting Conditions.

1.4 Limitations and Exceptions

The findings of this report are limited to conditions observed at the time of the site reconnaissance, interviews with the landowners, and review of public documents and may not represent conditions at a later date.

Much of the information provided in this report is based upon personal interviews and review of available public documents, records and maps held by government and private agencies. This report is subject to the limitations of historical documentations, availability and accuracy of pertinent records, and the personal recollection of persons interviewed.

The conclusions and/or recommendations presented within this report are based upon a level of investigation consistent with the standard of care and skill exercised by members of the same profession currently practicing in the same locality under similar conditions. The intent of this assessment is to identify the potential for recognized environmental conditions in connection with the site; however, no environmental site assessment can completely eliminate uncertainty regarding the potential for recognized environmental conditions in connection with the site.

Additional exploratory work, including sampling and laboratory analysis that is beyond the scope of a Phase I ESA may be required to determine if contamination exists on a site. No warranty, expressed or implied, is made with regard to the conclusions and/or recommendations presented within this report.

No non-scope considerations or additional issues including but not limited to asbestos, radon, wetlands, or mold were investigated, unless otherwise described in Section 9.0 of this report.

1.5 User Reliance

The resulting report is provided for the sole use of Energix US, LLC. Use of this report by third parties will be at such party's sole risk. Pilot disclaims liability for any use or reliance by third parties.

1.6 Data Gaps

Data gaps have not affected our ability to identify RECs associated with the site.

2.0 SITE DESCRIPTION

2.1 Site Location and Legal Description

A legal description of the site has not been provided to Pilot. The approximate site boundary is depicted on Drawing 2 of Appendix I.

Property Summary	
Solar Site Name	Prairie Solar
Property Address	Longview Drive, Windsor, Isle of Wight County, Virginia
Current Site Use	Residential and agricultural.
PINs	41-01-017, 41-01-018, 41-01-019, 50-01-006, 50-01-007, and 50-01-009
Property Acres	335

2.2 Current Use of the Site

The site contains agricultural structures, wooded land, and fields.

2.3 Current Uses of Adjoining Property

The site is located in an area of Windsor that can generally be described as residential.

Direction from Site	Current Use
North	Wooded land and residences
East	Longview Drive and wooded land
South	A field and wooded land
West	Wooded land and recently timbered land

3.0 USER PROVIDED INFORMATION

The ASTM E1527-13 User Questionnaire was completed by Ms. Gabriella Hernandez on behalf of Energix US, LLC. Section 3.0 is based on user provided information and the completed questionnaire. A copy of the completed User Questionnaire is included in Appendix II.

User Provided Information	Response	Comments
Environmental Liens or Activity and Use Limitations	No	
Specialized Knowledge	No	
Valuation Reduction for Environmental Issues	No	
Commonly Known or Reasonably Ascertainable Information	Yes	The user indicated that the site has previously been forested and used for agriculture.
Degree of Obviousness	No	

4.0 RECORDS REVIEW

4.1 Physical Setting Records

Physical Settings	
USGS Topographic Map	Chuckatuck, VA, 1980; Benns Church, VA, 1986; Smithfield, VA, 1986; Windsor, VA, 1980
Site Features	Chuckatuck Creek is depicted on the northern portion of the site and two unnamed tributaries to Chuckatuck Creek are depicted on the northern portion and along the eastern boundary of the site. Two structures are depicted on the southeastern portion of the site. Access roads are depicted crossing the site.
Site Elevation/Range	From approximately 80 feet above mean sea level on the southern portion of the site to approximately 20 feet above mean sea level on the northeastern portion of the site.
General Sloping Direction	Generally toward Chuckatuck Creek and unnamed tributaries on the northern portion and near the eastern boundary of the site
Inferred Groundwater Flow Direction	Generally toward Chuckatuck Creek and unnamed tributaries on the northern portion and near the eastern boundary of the site
Geologic Province	Coastal Plain
Upgradient Property Direction	South

4.2 Regulatory Records Review

Standard Environmental Record Sources	Approximate Minimum Search Distance (miles)	Target Property	Off-Site Property
Federal Databases			
NPL	1.0	No	None
Delisted NPL	0.5	No	None
SEMS/CERCLIS	0.5	No	None
SEMS Archive/CERCLIS NFRAP	0.5	No	None
RCRA CORRACTS	0.5	No	None
RCRA non-CORRACTS TSD	0.5	No	None
RCRA Generators	Subject Site & Adjoining Properties	No	None
IC/EC	Subject Site Only	No	None
ERNS	Subject Site Only	No	None

Standard Environmental Record Sources	Approximate Minimum Search Distance (miles)	Target Property	Off-Site Property
State and Tribal Database			
HSDS (NPL Equivalent)	1.0	No	None
SHWS (CERCLIS Equivalent)	0.5	No	None
Landfill and/or Solid Waste Disposal Facilities	0.5	No	None
LAST	0.5	No	None
LUST	0.5	No	None
UST and AST	Subject Site & Adjoining Properties	No	None
IC/EC	Subject Site Only	No	None
Voluntary Cleanup Sites	0.5	No	None
Brownfields Sites	0.5	No	None
Additional Environmental Records Searches			
All	0.5	No	None

Based on our knowledge of the subject site and the surrounding area, Pilot attempts to verify and interpret this data. While this attempt at verification is made with diligence, Pilot cannot guarantee the accuracy of the record search beyond that of information provided by the regulatory report. Mapped and unmapped sites identified in the regulatory report that are not subsequently addressed below were field verified to the extent possible by Pilot using the information available. Pilot makes no warranty regarding the accuracy of the database report information included within the regulatory report.

4.3 Federal Databases

Neither the site nor the properties in the vicinity of the site were identified on the Federal Environmental Records Sources reviewed. A list of the Federal Environmental Record Sources reviewed is included in Appendix III.

4.4 State and Tribal Databases

Neither the site nor the properties in the vicinity of the site were identified on the State and Tribal Environmental Records Sources reviewed. A list of the State and Tribal Environmental Record Sources reviewed is included in Appendix III.

4.5 Additional Environmental Record Sources

Neither the site nor the properties in the vicinity of the site were identified on the Additional Environmental Records Sources reviewed. A list of the Additional Environmental Record Sources reviewed is included in Appendix III.

Unplottable Summary

No properties were identified on the Unplottable Summary list.

4.6 Historical Use Information

Fire Insurance Map Review

Pilot contracted Environmental Risk Information System (ERIS) to provide Fire Insurance Maps for the site and surrounding properties to determine past uses. ERIS indicated that fire insurance maps are not available for the site or adjacent properties. A copy of the Fire Insurance Maps report is included in Appendix IV.

Aerial Photograph Review

Pilot reviewed aerial photographs of the site and immediately surrounding properties for evidence of former usage which may indicate potential environmental issues. The aerial photographs were obtained from the ERIS Historical Aerials and Google Earth™ Interactive Mapping Software. The aerial photographs reviewed were dated 1937, 1959, 1969, 1978, 1982, 1985, 1989, 1994, 2000, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2014, 2015, 2016, 2018, and 2021 (Drawing 2). Pilot review is dependent on the quality and scale of the photographs. A copy of the Historical Aerials report is included in Appendix IV.

Year(s)	Subject Property	Surrounding Properties
1937	Wooded land and fields are visible on the site.	Wooded land and fields are visible. Longview Drive is visible east of the site. Apparent cemetery is visible approximately 375 feet to the east.
1959-1989	An apparent residence, an agricultural building, and the current clubhouse are visible on the southeastern portion of the site. Access roads are visible (1959). Evidence of timbering activities is visible (1969).	Residences are visible in the vicinity of the site. A pipeline easement is visible to the west.

Year(s)	Subject Property	Surrounding Properties
1994-2004	A small building and remnants are visible on the southern portion of the site. Evidence of timbering activities is visible on the site (1994). The apparent residence is no longer visible (2000).	Same as 1959-1989
2005-2008	Kennel is visible on the southern portion.	Same as 1959-1989
2009-2021	Evidence of timbering activities is visible on the multiple portions of the site during this time range.	An industrial solar facility is visible approximately 1,800 feet north of the site (2016).

City Directory Review

One of the ASTM standard historical sources to be reviewed for previous site use are local street directories, commonly known as city directories. The purpose of the directory review is to identify past occupants of the site and adjoining and nearby properties. In some rural areas, street directories are limited or unavailable. Pilot reviewed city directories in the ERIS City Directory Report. The directories reviewed were dated 1999, 2003, 2008, 2012, 2016, and 2020. Directories dated prior to 1999 were not provided by ERIS.

The site address used for the directory search was 19604 Longview Drive. The directories do not identify occupants at the site. The directories identify residential occupants and Christian Home Baptist Church at nearby properties along Longview Drive. Several businesses (septic tank services, landscape contractor, plumbing, and heating and air conditioning contractor) are identified at 18354 Shady Pine Lane by the 1999 through 2012 directories. Based on the distance (approximately 1,775 feet), activities at this property are not expected to impact the site.

4.7 Previous Reports Review

Pilot has previously performed a Phase I ESA for a portion of the subject site, Pilot Project 7382, report dated February 21, 2022. The Phase I ESA did not identify RECs associated with the site.

Pilot was not provided with other environmental or engineering reports for the subject site.

5.0 SITE RECONNAISSANCE

5.1 Methodology and Limiting Conditions

Pilot conducted the field reconnaissance on April 14 and May 6, 2022. Observations were made from a walking reconnaissance around the perimeter boundary and along several transects across the subject site. Dense vegetation limited visibility on several areas of the site. Photographs are included in Appendix V.

5.2 On-Site Observations

The site contains a clubhouse (Photograph 1), agricultural structures (Photograph 2), a kennel (Photograph 3), wooded land (Photograph 4), and fields (Photograph 5). Minor ground staining (Photograph 6) was observed in the vicinity of an agricultural structure; however, the staining is considered a de minimis condition. Surface water features (Photograph 7) and gravel-covered and unimproved access roads (Photograph 8) cross the site. Two small propane ASTs (Photograph 9) are located in the vicinity of the clubhouse on the southeastern portion of the site. A water supply well (Photograph 10) and a discarded propane AST (Photograph 11) are located in the vicinity of one of the agricultural structures on the southern portion of the site. Staining was not observed in the vicinity of the ASTs.

Pole-mounted transformers are located on the site. Staining was not observed in the vicinity of the transformers. A temporary hunting structure (Photograph 12) is located on the site. Agricultural equipment (Photograph 13), discarded appliances, lawn furniture, plastic containers, small containers of unidentified materials, an abandoned automobile, scrap wood and scrap metal (Photograph 14), and timbering debris were observed on the site. We did not observe stressed vegetation or evidence of USTs on the site.

Feature	Yes	No
Underground or aboveground storage tanks	✓	
Strong, pungent, or noxious odors		✓
Surface waters	✓	
Standing pools of liquid likely containing petroleum or hazardous substances		✓
Drums or containers of petroleum or hazardous substances less than or equal to five-gallons	✓	
Unidentified opened or damaged containers of hazardous substances or petroleum products		✓
Known or suspect PCB-containing equipment (excluding ballasts)	✓	
Stains or corrosion to floors, walls, or ceilings		✓
Floor drains and sump pumps		✓
Pits, ponds, or lagoons		✓
Stained soil or pavement	✓	

Feature	Yes	No
Stressed vegetation		✓
Solid waste mounds or non-natural fill materials	✓	
Wastewater discharges into drains, ditches, or streams		✓
Groundwater well including potable, monitoring, dry, irrigation, injections and/or abandoned	✓	
Septic system or cesspools		✓
Elevators		✓
Dry cleaning		✓
Emergency generators		✓
Specialized industrial equipment		✓
Hydraulic lifts		✓
Air compressors		✓
Grease traps		✓
Oil-water separators		✓

Additional Information

Two small propane ASTs and a discarded propane AST are located on the site. Staining was not observed in the vicinity of the ASTs.

Surface water features cross the site.

A small container of a hazardous material was observed on the site.

Pole-mounted transformers are located on the site. Staining was not observed in the vicinity of the transformers.

Minor staining was observed in the vicinity of an agricultural structure; however, this is considered a de minimis condition.

Debris was observed on the site.

A water supply well is located in the vicinity of one of the agricultural structures on the southern portion of the site.

5.3 Adjoining and Nearby Property Observations

Adjoining and nearby properties were observed at the time of our site reconnaissance. Reconnaissance of the adjacent properties was limited to visual observations from the site and publicly accessible roadways/sidewalks. The site is located in a residential area of Windsor, Isle of Wight County, Virginia.

Direction from the site	Current Use
North	The site is bound by wooded land and residences. An industrial solar facility, residences, wooded land, and fields are located farther to the north.
East	The site is bound by Longview Drive and wooded land. Residences, wooded land, and fields are located farther to the east. Christian Home Church Cemetery is located approximately 375 feet east of the site.
South	The site is bound by a field and wooded land. A church, a residence, wooded land, and fields are located farther to the south.
West	The site is bound by wooded land and recently timbered land. A pipeline easement, wooded land, and fields are located farther to the west. At its nearest point, the pipeline is approximately 250 feet from the site.

6.0 INTERVIEWS

Title	Name	Comments
Owner	Mr. Rusty Rose	Mr. Rose indicated that he and his family have owned the site for 50 to 60 years or more. He stated that a kennel and agricultural structures are located on the site and that a water supply well is located in the vicinity of one of the agricultural structures. He indicated that the clubhouse may be heated with propane or space heaters. He stated that there could be an additional water supply well used by the clubhouse and he is unaware of septic systems on the site. Mr. Rose stated that a communication tower and building were located in the vicinity of where the kennel is now and that they were removed in the early 1990s. Mr. Rose stated that a residence was formerly located on the site and that it was likely heated with wood. Mr. Rose stated to the best of his knowledge, herbicides and pesticides have not been stored on the site. He stated he is not aware of USTs, previous landfill activity, or cemeteries at the site. According to Mr. Rose, municipal water and sewer are not available to the site. Mr. Rose indicated that he is not aware of 1) environmental concerns associated with the site 2) any pending, past, or threatened administrative litigation or administrative proceedings relevant to hazardous substances or petroleum products in, on, or from the site or 3) any government notices regarding any possible violation of environmental laws or possible liability related to hazardous substances or petroleum products.

7.0 FINDINGS AND OPINIONS

Pilot was contracted by Energix US, LLC to perform an ASTM Standard E1527-13, Phase I ESA for the approximate 335-acre site located west of Longview Drive in Windsor, Isle of Wight County, Virginia. The site consists of all or portions of six parcels identified by the Isle of Wight County GIS as PINs 41-01-017, 41-01-018, 41-01-019, 50-01-006, 50-01-007, and 50-01-009.

Based on Pilot's review of historical records and interviews, it appears that the site has contained wooded land and fields since at least 1937. An apparent residence was located on the southeastern portion of the site from at least 1959 until sometime prior to 2000. Mr. Rusty Rose, the owner of the site, indicated that he was unaware of whether the residence utilized a water supply well or septic system and that it was likely heated with wood. A clubhouse and an agricultural structure have been located on the southeastern portion of the site since at least 1959. The clubhouse likely utilized a water supply well and septic system. Mr. Rose stated that a communications tower and associated building were formerly located on the southern portion of the site and removed in the early 1990s. A kennel has been located on the southern portion of the site since at least 2005. Timbering activities have occurred on the site at various times since at least 1969.

The site contains a clubhouse building, agricultural structures, a kennel, wooded land, and fields. Piping possibly associated with a water supply well and a septic system were observed beneath the clubhouse. Surface water features and gravel-covered and unimproved access roads cross the site. Minor ground staining was observed in the vicinity of an agricultural structure. However, the staining is considered a de minimis condition. Two small propane ASTs are located in the vicinity of the clubhouse on the southeastern portion of the site. A water supply well and an out of use propane AST are located in the vicinity of an agricultural structure on the southern portion of the site. Staining was not observed in the vicinity of the ASTs.

A temporary hunting structure is located on the site. Agricultural equipment, discarded appliances, lawn furniture, plastic containers, small containers of unidentified substances, and debris was observed on the site. Visible portions of the debris included an abandoned automobile, scrap wood and metal, and timbering debris. We did not observe stressed vegetation or evidence of USTs on the site.

The site is located in an area of Windsor that can generally be described as residential and agricultural. Surrounding properties contain a church, an industrial solar facility, residences, wooded land, and fields. Christian Home Church Cemetery is located approximately 375 feet east of the site. Based on the distance, releases from the cemetery are not expected to impact the site.

The SER search does not identify documented releases of petroleum or hazardous materials at other properties in the vicinity of the site.

8.0 CONCLUSIONS

Pilot has performed a Phase I Environmental Site Assessment in general conformance with the scope and limitations of ASTM E1527-13 for the approximate 335-acre site located west of Longview Drive in Windsor, Isle of Wight County, Virginia. Exceptions to, or deletions from, this practice are described in Section 1.4 of this report. As documented and qualified by this report, this assessment has revealed no evidence of RECs, CRECs, or HRECs in connection with the site.

Business Environmental Risks

- A water supply well is located on the site. Other water supply wells and septic systems may have been associated with the current or former structures on the site. Water supply wells and septic systems should be abandoned in accordance with applicable regulations if they are encountered within the proposed redevelopment areas.

- We were unable to determine how a former residence was heated. If USTs are encountered during redevelopment of the site, they should be handled in accordance with VDEQ guidelines.

9.0 NON-SCOPE SERVICES

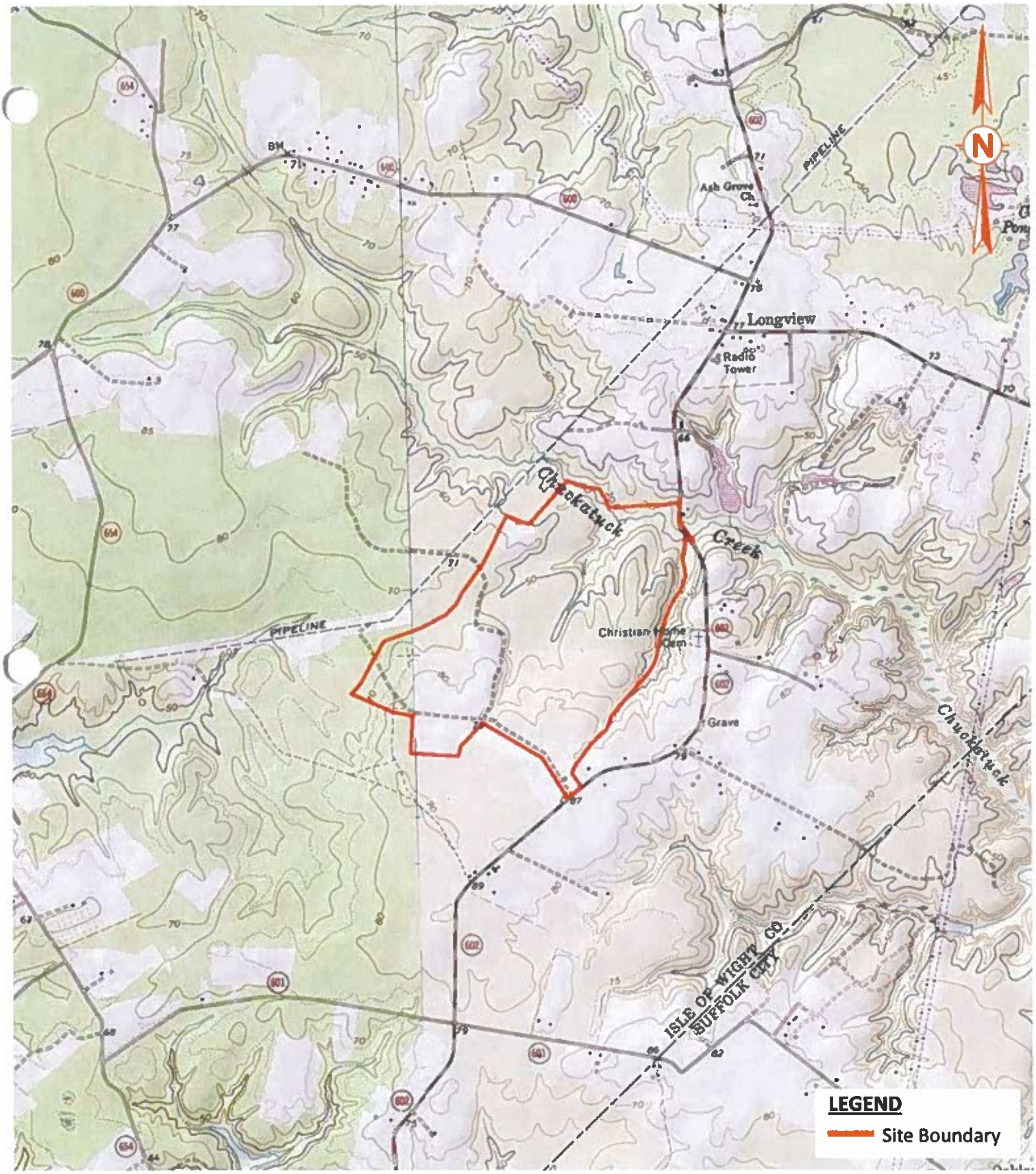
ASTM guidelines identify non-scope issues, which are beyond the scope of this practice. Non-scope issues have the potential to be business environmental risks. Some of these non-scope issues include asbestos-containing building materials, radon, lead-based paint, lead in drinking water, wetlands, and mold.

A wetland delineation is being completed in conjunction with this report. The findings of the wetland delineation are being provided in a separate report.

10.0 REFERENCES

ASTM E1527-13, Phase I Environmental Site Assessment Process Standard.
Environmental Questionnaire for User, completed by Ms. Gabriella Hernandez, dated March 16, 2022.
ERIS Historical Aerials, dated February 1, 2022.
ERIS Fire Insurance Maps Report, dated January 31, 2022.
ERIS Database Report, dated April 26, 2022.
ERIS City Directory Report, dated February 2, 2022.
Physiographic Map of Virginia Counties, Roberts & Bailey, College of William and Mary, 2000
Google Earth Interactive Mapping Software, aerial photographs dated 1985, 1994, 2003, 2004, 2005, 2006, 2007, 2008, 2010, 2011, 2014, 2015, 2016, 2018, and 2021.
Phase I ESA, Pilot Project 7382, report dated February 21, 2022.
Telephone and in-person interviews with Mr. Rusty Rose, the owner of the site, dated May 5, May 6, and May 10, 2022.
USGS Topographic Map, Chuckatuck, VA Quadrangle dated 1980.
USGS Topographic Map, Benns Church, VA Quadrangle dated 1986.
USGS Topographic Map, Smithfield, VA Quadrangle dated 1986.
USGS Topographic Map, Windsor, VA Quadrangle dated 1980.

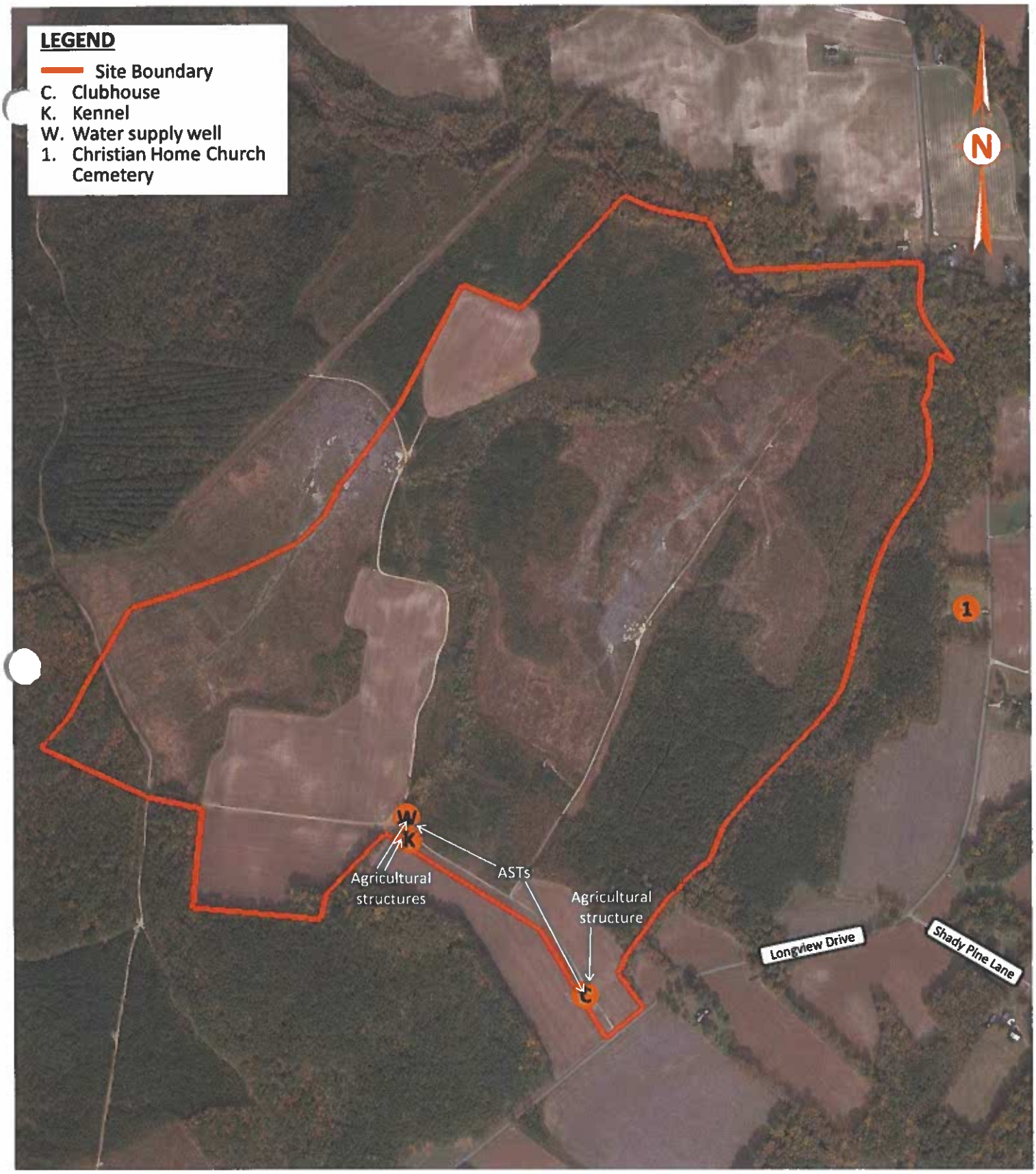
Appendix I
Drawings



Drawing 1
USGS Topographic Map
Chuckatuck, Benns Church,
Smithfield, and Windsor, VA
Quadrangles
Scale: 1" = 2,000'

PILOT
PILOT ENVIRONMENTAL, INC

USGS Topographic Map
Prairie Solar
Longview Drive
Approximate 335-Acre Tract
Windsor, Isle of Wight County, VA
Pilot Project 7382.1



Drawing 2
2021 Google Earth
Satellite Imagery
Scale: 1" = 750'

PILOT
PILOT ENVIRONMENTAL, INC

Aerial Photograph
Prairie Solar
Longview Drive
Approximate 335-Acre Tract
Windsor, Isle of Wight County, VA
Pilot Project 7382.1

Appendix II
User Provided Information

Environmental Questionnaire for User

The person who will use the Phase I ESA should provide the following information. Please fill in this form to the best of your ability, explaining any Yes answers on a separate sheet of paper. Without these answers, our report would have to note that the Phase One is incomplete, and your Landowner Liability Protections could be at risk. Please complete and return with the Proposal Authorization Form.

1. **Environmental Cleanup Liens.** ASTM requires the User to check for environmental liens that may be filed or recorded against the subject property under federal, tribal, state or local law. Failure to check for these liens could put your Landowner Liability Protections at risk.

   Would you like Pilot to provide for an additional fee ($250 per parcel)? ☐ Yes ☒ No
   Have you or your agent checked for these environmental cleanup liens? ☐ Yes ☒ No
   Are you aware of any such liens against the subject property? ☐ Yes ☒ No

2. **Activity and Use Limitations (AULs).** These include engineering controls (e.g., slurry walls, caps) and land use restrictions or institutional controls (e.g., deed restrictions, covenants) that may be in place at the site or filed under federal, tribal, state or local law.

   Are you aware of any possible AULs involving the subject site? ☐ Yes ☒ No

3. **Specialized Knowledge.** This involves personal knowledge or experience related to the subject property or nearby properties. For example, if you are involved in the same line of business as the current or former occupants of the property or an adjoining property, you would probably know of any chemicals, oil, degreasers, gasoline, or other hazardous substances commonly used in that type of business.

   Do you have any specialized knowledge that might indicate the past or present use of such substances on the subject or nearby properties? ☐ Yes ☒ No

4. **Fair Market Value (FMV).** A purchase price significantly below FMV may indicate an environmental problem. Please note that this question does not require an appraisal of the property. If the price is significantly below FMV, the User should consider whether it might be because contamination may be present at the property.

   Is the purchase price significantly below fair market value? ☐ Yes ☒ No

5. **Obvious Indicators.** This involves past or present spills, stains, releases, cleanups, etc. on or near the site.

   Do you know of any obvious indicators of possible contamination on or near the site? ☐ Yes ☒ No

6. **Common Knowledge.** Please use a separate sheet if necessary.

   a. Describe the past uses of the property: agricultural and forest

   b. Describe any specific chemicals that may have been present at the property: None

   c. Describe any other information (spills, chemical releases or environmental cleanups) that may help us identify possible contamination: Not to our knowledge

Your Signature: _____ **Date:** 03/16/2022 **# of separate sheets attached:** _____
Printed Name: Gabriella Hernandez Explain Yes answers on a separate sheet.

Appendix III
Regulatory Records

ERIS

DATABASE REPORT

Project Property:	*Prairie Solar* *Longview Drive* *Windsor VA*
Project No:	*7381.1*
Report Type:	*Database Report*
Order No:	*22042500463*
Requested by:	*Pilot Environmental Inc.*
Date Completed:	*April 26, 2022*

Environmental Risk Information Services
A division of Glacier Media Inc.
1.866.517.5204 | info@erisinfo.com | erisinfo.com

Table of Contents

Table of Contents.....2
Executive Summary.....3
Executive Summary: Report Summary.....4
Executive Summary: Site Report Summary - Project Property.....7
Executive Summary: Site Report Summary - Surrounding Properties.....8
Executive Summary: Summary by Data Source.....9
Map.....10
Aerial.....13
Topographic Map.....14
Detail Report.....15
Unplottable Summary.....16
Unplottable Report.....17
Appendix: Database Descriptions.....18
Definitions.....28

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Reliance on Information in Report: This report DOES NOT replace a full Phase I Environmental Site Assessment but is solely intended to be used as database review of environmental records.

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Executive Summary

Property Information:

Project Property:		*Prairie Solar* *Longview Drive Windsor VA*
Project No:		*7381.1*
Coordinates:		
	Latitude:	*36.87591142*
	Longitude:	*-76.61755476*
	UTM Northing:	*4,082,328.31*
	UTM Easting:	*355,837.39*
	UTM Zone:	*18S*
Elevation:		*70 FT*

Order Information:

Order No:	*22042500463*
Date Requested:	*April 25, 2022*
Requested by:	*Pilot Environmental Inc.*
Report Type:	*Database Report*

Historicals/Products:

ERIS Xplorer	*ERIS Xplorer*
Excel Add-On	*Excel Add-On*

Executive Summary: Report Summary

Database	Searched	Search Radius	Project Property	Within 0.12mi	0.125mi to 0.25mi	0.25mi to 0.50mi	0.50mi to 1.00mi	Total
Standard Environmental Records								
Federal								
DOE FUSRAP	Y	1	0	0	0	0	0	0
NPL	Y	1	0	0	0	0	0	0
PROPOSED NPL	Y	1	0	0	0	0	0	0
DELETED NPL	Y	0.5	0	0	0	0	-	0
SEMS	Y	0.5	0	0	0	0	-	0
SEMS ARCHIVE	Y	0.5	0	0	0	0	-	0
ODI	Y	0.5	0	0	0	0	-	0
IODI	Y	0.5	0	0	0	0	-	0
CERCLIS	Y	0.5	0	0	0	0	-	0
CERCLIS NFRAP	Y	0.5	0	0	0	0	-	0
CERCLIS LIENS	Y	PO	0	-	-	-	-	0
RCRA CORRACTS	Y	1	0	0	0	0	0	0
RCRA TSD	Y	0.5	0	0	0	0	-	0
RCRA LQG	Y	0.25	0	0	0	-	-	0
RCRA SQG	Y	0.25	0	0	0	-	-	0
RCRA VSQG	Y	0.25	0	0	0	-	-	0
RCRA NON GEN	Y	0.25	0	0	0	-	-	0
RCRA CONTROLS	Y	0.5	0	0	0	0	-	0
FED ENG	Y	0.5	0	0	0	0	-	0
FED INST	Y	0.5	0	0	0	0	-	0
LUCIS	Y	0.5	0	0	0	0	-	0
NPL IC	Y	0.5	0	0	0	0	-	0
ERNS 1982 TO 1986	Y	PO	0	-	-	-	-	0
ERNS 1987 TO 1989	Y	PO	0	-	-	-	-	0
ERNS	Y	PO	0	-	-	-	-	0
FED BROWNFIELDS	Y	0.5	0	0	0	0	-	0
FEMA UST	Y	0.25	0	0	0	-	-	0

Database	Searched	Search Radius	Project Property	Within 0.12mi	0.125mi to 0.25mi	0.25mi to 0.50mi	0.50mi to 1.00mi	Total
FRP	Y	0.25	0	0	0	-	-	0
HIST GAS STATIONS	Y	0.25	0	0	0	-	-	0
REFN	Y	0.25	0	0	0	-	-	0
BULK TERMINAL	Y	0.25	0	0	0	-	-	0
SEMS LIEN	Y	PO	0	-	-	-	-	0
SUPERFUND ROD	Y	1	0	0	0	0	0	0
State								
SWF/LF	Y	0.5	0	0	0	0	-	0
LST	Y	0.5	0	0	0	0	-	0
DELISTED LST	Y	0.5	0	0	0	0	-	0
UST	Y	0.25	0	0	0	-	-	0
AST	Y	0.25	0	0	0	-	-	0
TANK	Y	0.25	0	0	0	-	-	0
DELISTED TANK	Y	0.25	0	0	0	-	-	0
INST	Y	0.5	0	0	0	0	-	0
VRP	Y	0.5	0	0	0	0	-	0
BROWNFIELDS	Y	0.5	0	0	0	0	-	0
Tribal								
INDIAN LUST	Y	0.5	0	0	0	0	-	0
INDIAN UST	Y	0.25	0	0	0	-	-	0
DELISTED LST	Y	0.5	0	0	0	0	-	0
DELISTED UST	Y	0.25	0	0	0	-	-	0
County	*No County standard environmental record sources available for this State.*							
Additional Environmental Records								
Federal								
FINDS/FRS	Y	PO	0	-	-	-	-	0
TRIS	Y	PO	0	-	-	-	-	0
PFAS TRI	Y	0.5	0	0	0	0	-	0
PFAS NPL	Y	0.5	0	0	0	0	-	0
PFAS WATER	Y	0.5	0	0	0	0	-	0
PFAS SSEHRI	Y	0.5	0	0	0	0	-	0
HMIRS	Y	0.125	0	0	-	-	-	0
NCDL	Y	0.125	0	0	-	-	-	0

Database	Searched	Search Radius	Project Property	Within 0.12mi	0.125mi to 0.25mi	0.25mi to 0.50mi	0.50mi to 1.00mi	Total
TSCA	Y	0.125	0	0	-	-	-	0
HIST TSCA	Y	0.125	0	0	-	-	-	0
FTTS ADMIN	Y	PO	0	-	-	-	-	0
FTTS INSP	Y	PO	0	-	-	-	-	0
PRP	Y	PO	0	-	-	-	-	0
SCRD DRYCLEANER	Y	0.5	0	0	0	0	-	0
ICIS	Y	PO	0	-	-	-	-	0
FED DRYCLEANERS	Y	0.25	0	0	0	-	-	0
DELISTED FED DRY	Y	0.25	0	0	0	-	-	0
FUDS	Y	1	0	0	0	0	0	0
FORMER NIKE	Y	1	0	0	0	0	0	0
PIPELINE INCIDENT	Y	PO	0	-	-	-	-	0
MLTS	Y	PO	0	-	-	-	-	0
HIST MLTS	Y	PO	0	-	-	-	-	0
MINES	Y	0.25	0	0	0	-	-	0
SMCRA	Y	1	0	0	0	0	0	0
MRDS	Y	1	0	0	0	0	0	0
URANIUM	Y	1	0	0	0	0	0	0
ALT FUELS	Y	0.25	0	0	0	-	-	0
CONSENT DECREES	Y	0.25	0	0	0	-	-	0
SSTS	Y	0.25	0	0	0	-	-	0
PCB	Y	0.5	0	0	0	0	-	0
State								
SPILLS	Y	0.125	0	0	-	-	-	0
PC SPILLS	Y	0.125	0	0	-	-	-	0
DRYCLEANERS	Y	0.25	0	0	0	-	-	0
Tribal	***No Tribal additional environmental record sources available for this State.***							
County	***No County additional environmental record sources available for this State.***							
Total:			0	0	0	0	0	0

**** PO – Property Only***
**** 'Property and adjoining properties' database search radii are set at 0.25 miles.***

Executive Summary: Site Report Summary - Project Property

Map Key	DB	Company/Site Name	Address	Direction	Distance (mi/ft)	Elev Diff (ft)	Page Number

No records found in the selected databases for the project property.

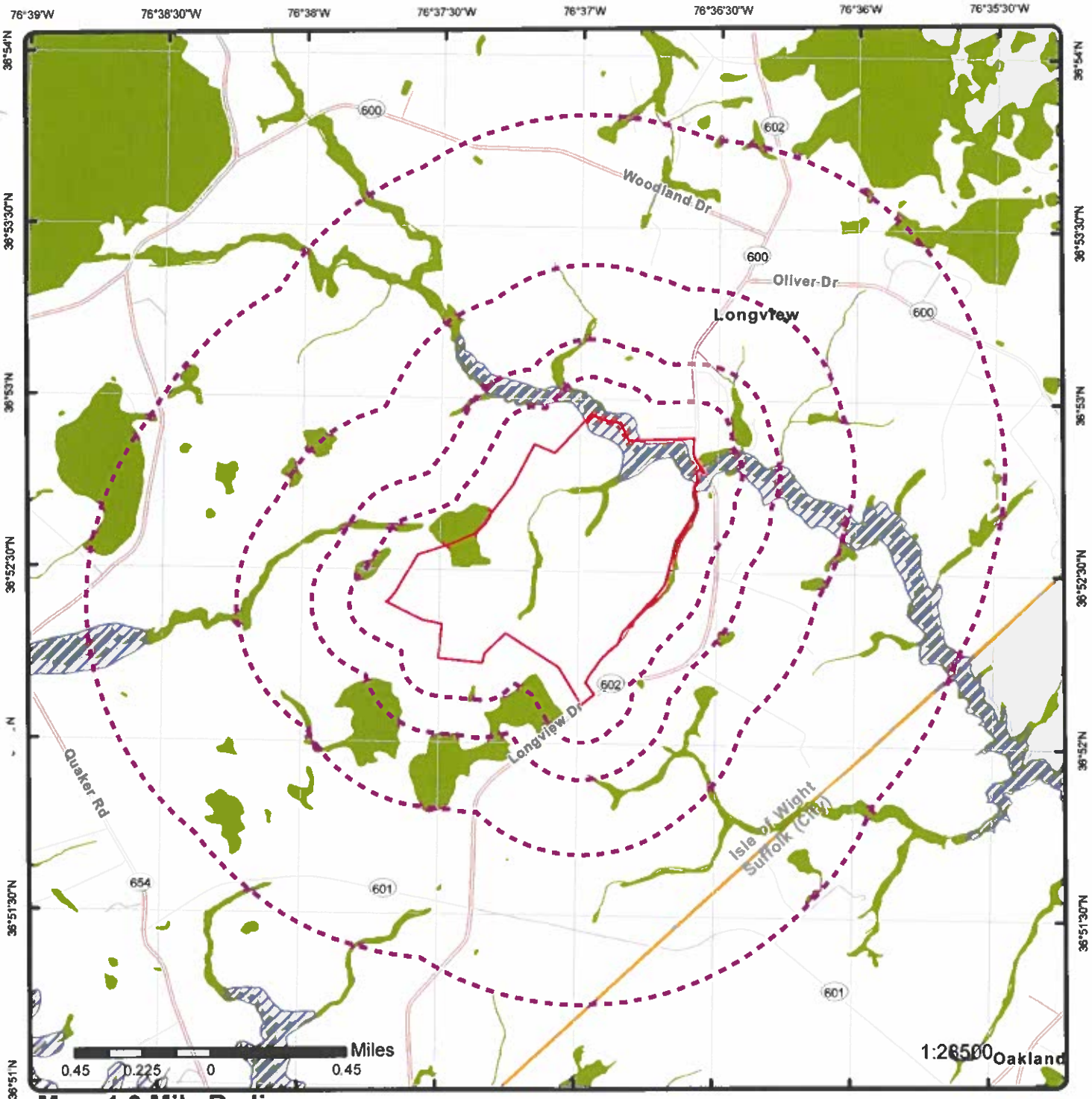
Executive Summary: Site Report Summary - Surrounding Properties

Map Key	DB	Company/Site Name	Address	Direction	Distance (mi/ft)	Elev Diff (ft)	Page Number

No records found in the selected databases for the surrounding properties.

Executive Summary: Summary by Data Source

No records found in the selected databases for the project property or surrounding properties.



Map: 1.0 Mile Radius

Order Number: 22042500463

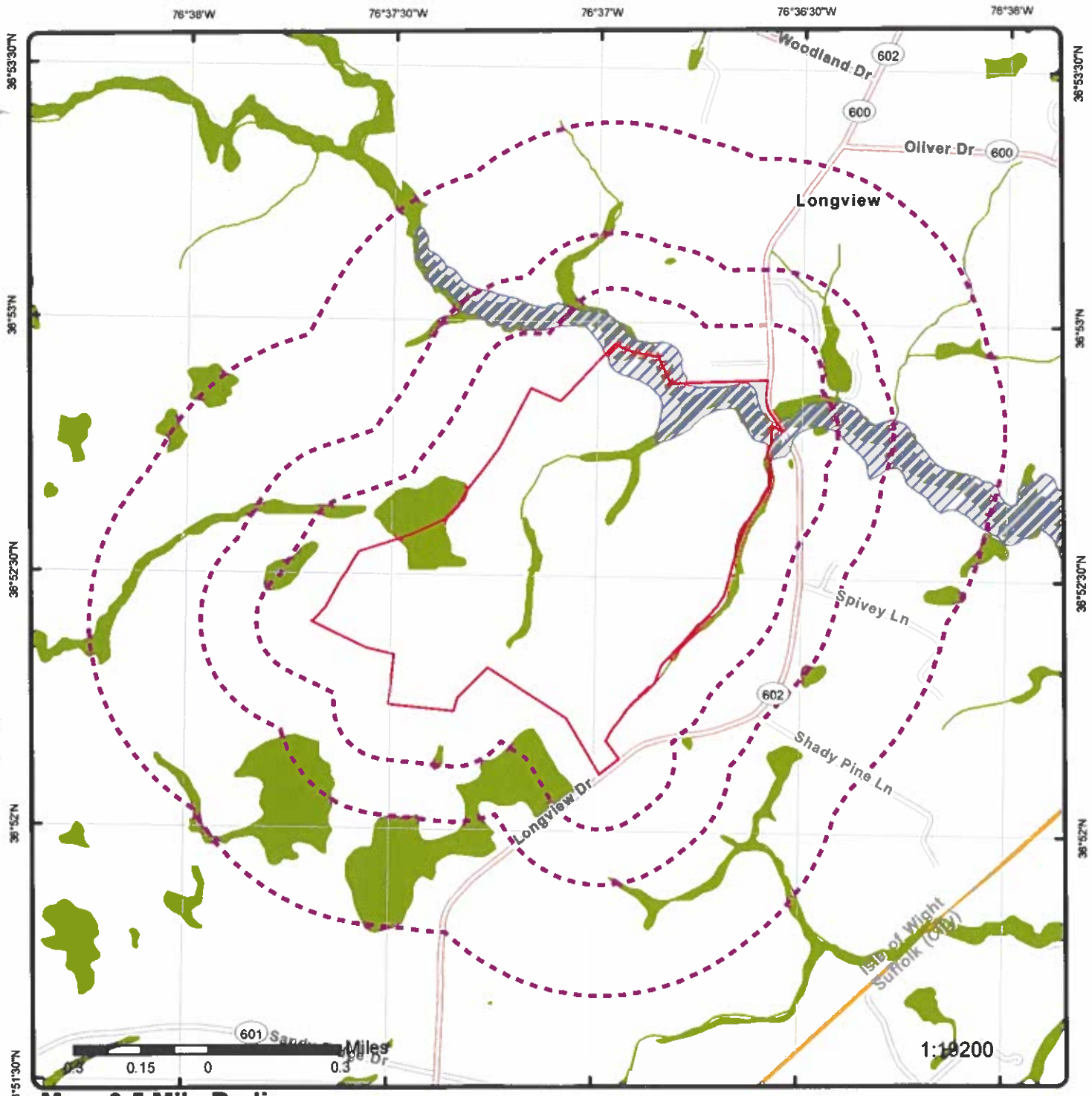
Address: Longview Drive, Windsor, VA

ERIS

- Project Property
- Buffer Outline
- Eris Sites with Higher Elevation
- Eris Sites with Same Elevation
- Eris Sites with Lower Elevation
- Eris Sites with Unknown Elevation
- Eris Areas with Higher Elevation
- Eris Areas with Same Elevation
- Eris Areas with Lower Elevation
- Eris Areas with Unknown Elevation
- Freeways; Highways
- Traffic Circle; Ramp
- Major & Minor Arterial
- Traffic Circle; Ramp
- Local Road
- Rail
- State
- Country
- National Wetland
- Indian Reserve Land
- Historic Fill
- 100 Year Flood Zone
- 500 Year Flood Zone
- FWS Special Designation Areas
- Plume

Source: © 2021 ESRI StreetMap Premium

© ERIS Information Inc.



Map: 0.5 Mile Radius

Order Number: 22042500463

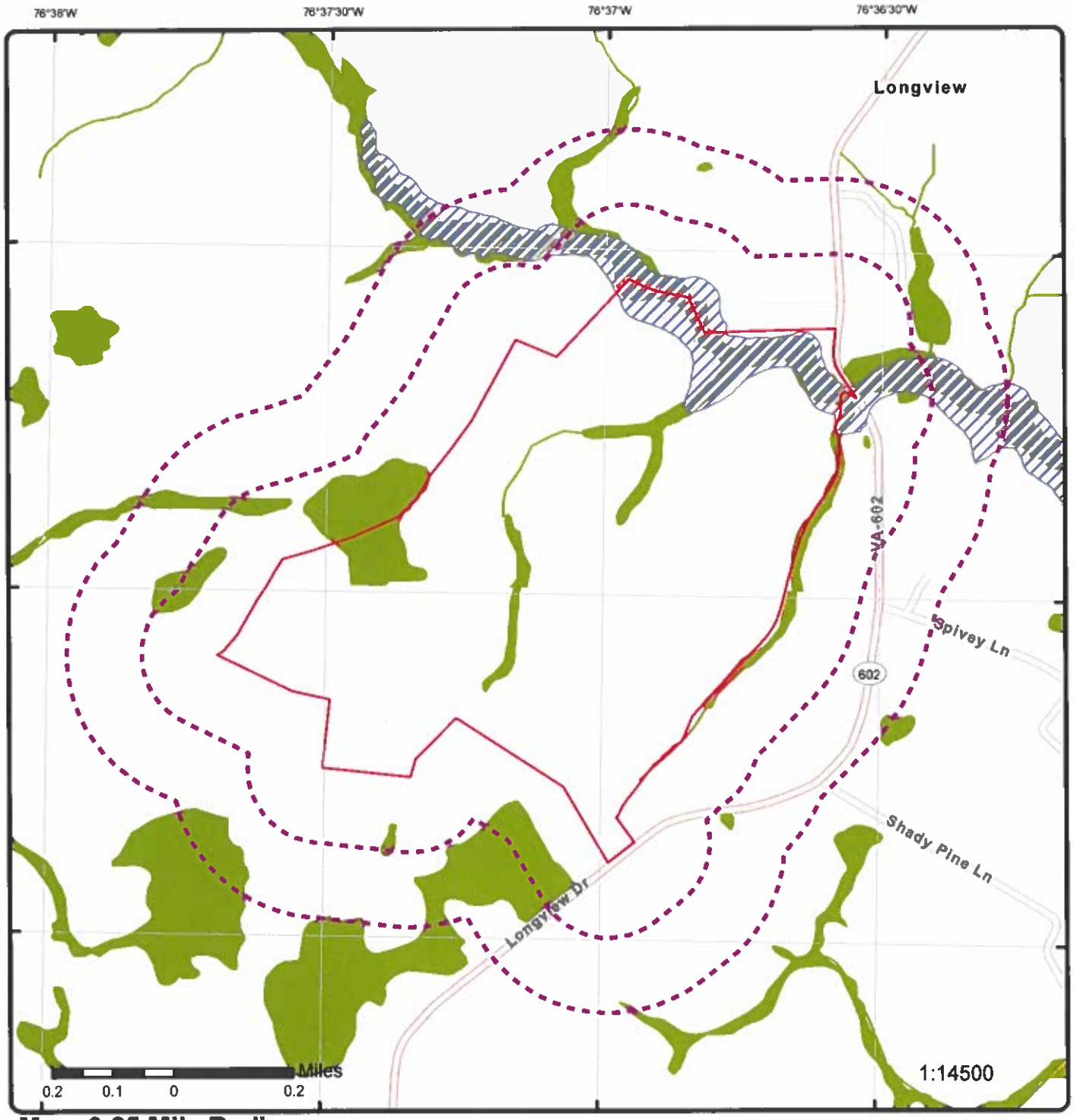
Address: Longview Drive, Windsor, VA

ERIS

- Project Property
- Buffer Outline
- Eris Sites with Higher Elevation
- Eris Sites with Same Elevation
- Eris Sites with Lower Elevation
- Eris Sites with Unknown Elevation
- Eris Areas with Higher Elevation
- Eris Areas with Same Elevation
- Eris Areas with Lower Elevation
- Eris Areas with Unknown Elevation
- Freeways; Highways
- Traffic Circle, Ramp
- Major & Minor Arterial
- Traffic Circle; Ramp
- Local Road
- Rail
- State
- Country
- National Wetland
- Indian Reserve Land
- Historic Fill
- 100 Year Flood Zone
- 500 Year Flood Zone
- FWS Special Designation Areas
- Plume

Source: © 2021 ESRI StreetMap Premium

© ERIS Information Inc.



Map: 0.25 Mile Radius

Order Number: 22042500463

Address: Longview Drive, Windsor, VA

ERIS

- Project Property
- Buffer Outline
- Eris Sites with Higher Elevation
- Eris Sites with Same Elevation
- Eris Sites with Lower Elevation
- Eris Sites with Unknown Elevation
- Eris Areas with Higher Elevation
- Eris Areas with Same Elevation
- Eris Areas with Lower Elevation
- Eris Areas with Unknown Elevation
- Freeways; Highways
- Traffic Circle; Ramp
- Major & Minor Arterial
- Traffic Circle; Ramp
- Local Road
- Rail
- State
- Country
- National Wetland
- Indian Reserve Land
- Historic Fill
- 100 Year Flood Zone
- 500 Year Flood Zone
- FWS Special Designation Areas
- Plume

Source: © 2021 ESRI StreetMap Premium

© ERIS Information Inc.



Aerial **Year: 2020**

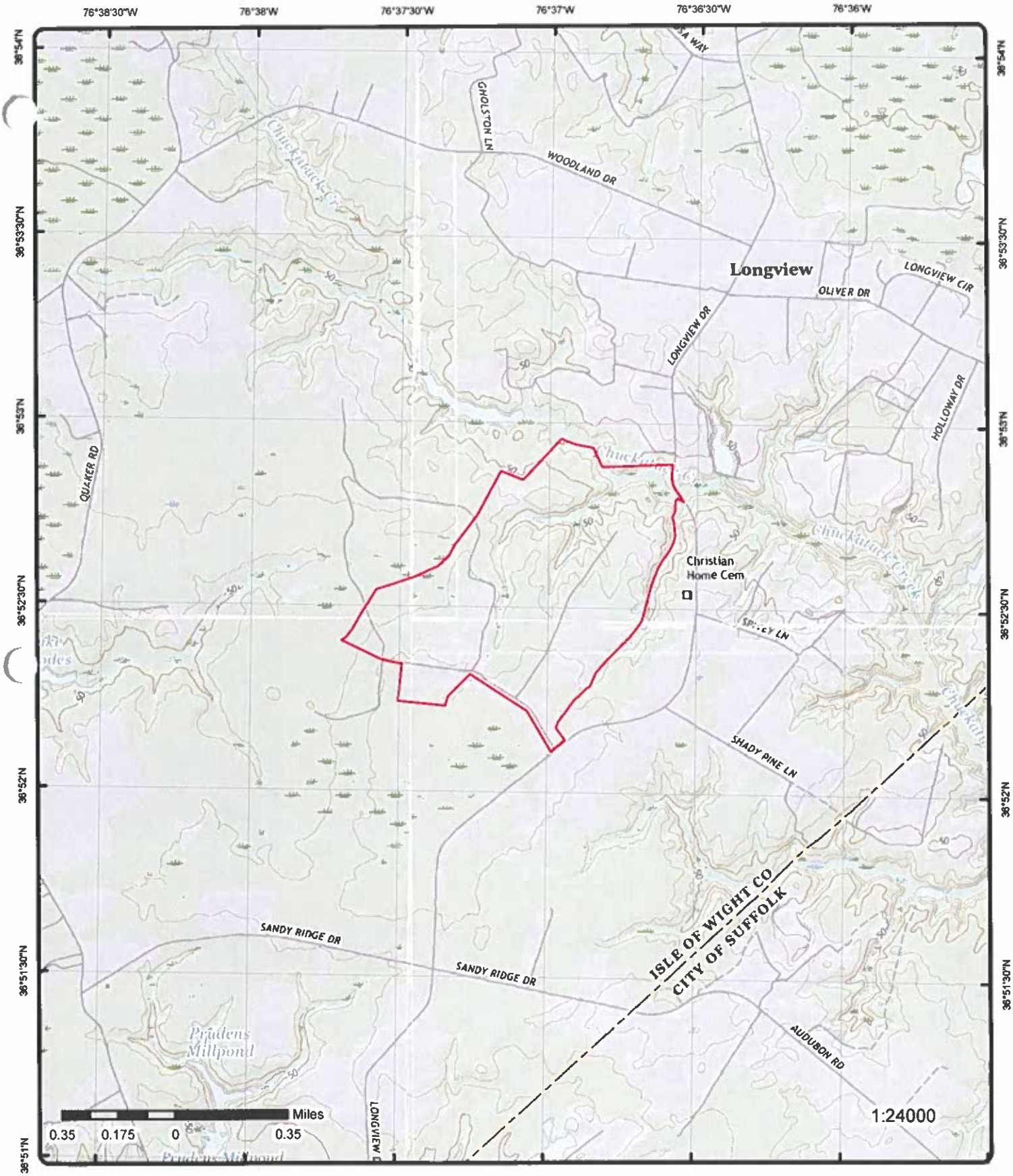
Address: Longview Drive, Windsor, VA

Source: ESRI World Imagery

Order Number: 22042500463

ERIS

© ERIS Information Inc.



Topographic Map

Year: 2016

Order Number: 22042500463

Address: Longview Drive, VA

Quadrangle(s): Benns Church, VA; Smithfield, VA; Chuckatuck, VA; Windsor, VA

Source: USGS Topographic Map

© ERIS Information Inc.

Detail Report

Map Key	Number of Records	Direction	Distance (mi/ft)	Elev/Diff (ft)	Site	DB

No records found in the selected databases for the project property or surrounding properties.

Unplottable Summary

Total: 0 Unplottable sites

DB	Company Name/Site Name	Address	City	Zip	ERIS ID

No unplottable records were found that may be relevant for the search criteria.

Unplottable Report

No unplottable records were found that may be relevant for the search criteria.

Appendix: Database Descriptions

Environmental Risk Information Services (ERIS) can search the following databases. The extent of historical information varies with each database and current information is determined by what is publicly available to ERIS at the time of update. ERIS updates databases as set out in ASTM Standard E1527-13 and E1527-21, Section 8.1.8 Sources of Standard Source Information:

"Government information from nongovernmental sources may be considered current if the source updates the information at least every 90 days, or, for information that is updated less frequently than quarterly by the government agency, within 90 days of the date the government agency makes the information available to the public."

Standard Environmental Record Sources

Federal

Formerly Utilized Sites Remedial Action Program: DOE FUSRAP

The U.S. Department of Energy (DOE) established the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to remediate sites where radioactive contamination remained from the Manhattan Project and early U.S. Atomic Energy Commission (AEC) operations. The DOE Office of Legacy Management (LM) established long-term surveillance and maintenance (LTS&M) requirements for remediated FUSRAP sites. DOE evaluates the final site conditions of a remediated site on the basis of risk for different future uses. DOE then confirms that LTS&M requirements will maintain protectiveness.

Government Publication Date: Mar 4, 2017

National Priority List: NPL

Sites on the United States Environmental Protection Agency (EPA)'s National Priorities List of the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action under the Superfund program. The NPL, which EPA is required to update at least once a year, is based primarily on the score a site receives from EPA's Hazard Ranking System. A site must be on the NPL to receive money from the Superfund Trust Fund for remedial action. Sites are represented by boundaries where available in the EPA Superfund Site Boundaries maintained by the Shared Enterprise Geodata and Services (SEGS). Site boundaries represent the footprint of a whole site, the sum of all of the Operable Units and the current understanding of the full extent of contamination; for Federal Facility sites, the total site polygon may be the Facility boundary. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Jan 25, 2022

National Priority List - Proposed: PROPOSED NPL

Sites proposed - by the EPA, the state agency, or concerned citizens - for addition to the NPL due to contamination by hazardous waste and identified by the Environmental Protection Agency (EPA) as a candidate for cleanup because it poses a risk to human health and/or the environment. Sites are represented by boundaries where available in the EPA Superfund Site Boundaries maintained by the Shared Enterprise Geodata and Services (SEGS). Site boundaries represent the footprint of a whole site, the sum of all of the Operable Units and the current understanding of the full extent of contamination; for Federal Facility sites, the total site polygon may be the Facility boundary. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Jan 25, 2022

Deleted NPL: DELETED NPL

Sites deleted from the United States Environmental Protection Agency (EPA)'s National Priorities List. The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate. Sites are represented by boundaries where available in the EPA Superfund Site Boundaries maintained by the Shared Enterprise Geodata and Services (SEGS). Site boundaries represent the footprint of a whole site, the sum of all of the Operable Units and the current understanding of the full extent of contamination; for Federal Facility sites, the total site polygon may be the Facility boundary. Where there is no polygon boundary data available for a given site, the site is represented as a point.

Government Publication Date: Jan 25, 2022

SEMS List 8R Active Site Inventory: SEMS

The Superfund Program has deployed the Superfund Enterprise Management System (SEMS), which integrates multiple legacy systems into a comprehensive tracking and reporting tool. This inventory contains active sites evaluated by the Superfund program that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The Active Site Inventory Report displays site and location information at active SEMS sites. An active site is one at which site assessment, removal, remedial, enforcement, cost recovery, or oversight activities are being planned or conducted.

Government Publication Date: Feb 24, 2022

SEMS List 8R Archive Sites: SEMS ARCHIVE

The Superfund Enterprise Management System (SEMS) Archived Site Inventory displays site and location information at sites archived from SEMS. An archived site is one at which EPA has determined that assessment has been completed and no further remedial action is planned under the Superfund program at this time.

Government Publication Date: Feb 24, 2022

Inventory of Open Dumps, June 1985: ODI

The Resource Conservation and Recovery Act (RCRA) provides for publication of an inventory of open dumps. The Act defines "open dumps" as facilities which do not comply with EPA's "Criteria for Classification of Solid Waste Disposal Facilities and Practices" (40 CFR 257).

Government Publication Date: Jun 1985

EPA Report on the Status of Open Dumps on Indian Lands: IODI

Public Law 103-399, The Indian Lands Open Dump Cleanup Act of 1994, enacted October 22, 1994, identified congressional concerns that solid waste open dump sites located on American Indian or Alaska Native (AI/AN) lands threaten the health and safety of residents of those lands and contiguous areas. The purpose of the Act is to identify the location of open dumps on Indian lands, assess the relative health and environment hazards posed by those sites, and provide financial and technical assistance to Indian tribal governments to close such dumps in compliance with Federal standards and regulations or standards promulgated by Indian Tribal governments or Alaska Native entities.

Government Publication Date: Dec 31, 1998

Comprehensive Environmental Response, Compensation and Liability Information System - CERCLIS: CERCLIS

Superfund is a program administered by the United States Environmental Protection Agency (EPA) to locate, investigate, and clean up the worst hazardous waste sites throughout the United States. CERCLIS is a database of potential and confirmed hazardous waste sites at which the EPA Superfund program has some involvement. It contains sites that are either proposed to be or are on the National Priorities List (NPL) as well as sites that are in the screening and assessment phase for possible inclusion on the NPL. The EPA administers the Superfund program in cooperation with individual states and tribal governments; this database is made available by the EPA.

Government Publication Date: Oct 25, 2013

CERCLIS - No Further Remedial Action Planned: CERCLIS NFRAP

An archived site is one at which EPA has determined that assessment has been completed and no further remedial action is planned under the Superfund program at this time. The Archive designation means that, to the best of EPA's knowledge, assessment at a site has been completed and that EPA has determined no further steps will be taken to list this site on the National Priorities List (NPL). This decision does not necessarily mean that there is no hazard associated with a given site; it only means that, based upon available information, the location is not judged to be a potential NPL site.

Government Publication Date: Oct 25, 2013

CERCLIS Liens: CERCLIS LIENS

A Federal Superfund lien exists at any property where EPA has incurred Superfund costs to address contamination ("Superfund site") and has provided notice of liability to the property owner. A Federal CERCLA ("Superfund") lien can exist by operation of law at any site or property at which EPA has spent Superfund monies. This database is made available by the United States Environmental Protection Agency (EPA).

Government Publication Date: Jan 30, 2014

RCRA CORRACTS-Corrective Action: RCRA CORRACTS

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. At these sites, the Corrective Action Program ensures that cleanups occur. EPA and state regulators work with facilities and communities to design remedies based on the contamination, geology, and anticipated use unique to each site.

Government Publication Date: Jan 31, 2022

RCRA non-CORRACTS TSD Facilities: RCRA TSD

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. This database includes Non-Corrective Action sites listed as treatment, storage and/or disposal facilities of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA).

Government Publication Date: Jan 31, 2022

RCRA Generator List: RCRA LQG

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Large Quantity Generators (LQGs) generate 1,000 kilograms per month or more of hazardous waste or more than one kilogram per month of acutely hazardous waste.

Government Publication Date: Jan 31, 2022

RCRA Small Quantity Generators List: RCRA SQG

RCRA Info is the EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Small Quantity Generators (SQGs) generate more than 100 kilograms, but less than 1,000 kilograms, of hazardous waste per month.

Government Publication Date: Jan 31, 2022

RCRA Very Small Quantity Generators List: RCRA VSQG

RCRA Info is the EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Very Small Quantity Generators (VSQG) generate 100 kilograms or less per month of hazardous waste, or one kilogram or less per month of acutely hazardous waste. Additionally, VSQG may not accumulate more than 1,000 kilograms of hazardous waste at any time.

Government Publication Date: Jan 31, 2022

RCRA Non-Generators: RCRA NON GEN

RCRA Info is EPA's comprehensive information system, providing access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. RCRA Info replaces the data recording and reporting abilities of the Resource Conservation and Recovery Information System (RCRIS) and the Biennial Reporting System (BRS). A hazardous waste generator is any person or site whose processes and actions create hazardous waste (see 40 CFR 260.10). Non-Generators do not presently generate hazardous waste.

Government Publication Date: Jan 31, 2022

RCRA Sites with Controls: RCRA CONTROLS

List of Resource Conservation and Recovery Act (RCRA) facilities with institutional controls in place. RCRA gives the U.S. Environmental Protection Agency (EPA) the authority to control hazardous waste from the "cradle-to-grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Government Publication Date: Jan 31, 2022

Federal Engineering Controls-ECs: FED ENG

Engineering controls (ECs) encompass a variety of engineered and constructed physical barriers (e.g., soil capping, sub-surface venting systems, mitigation barriers, fences) to contain and/or prevent exposure to contamination on a property. This database is made available by the United States Environmental Protection Agency (EPA).

Government Publication Date: Dec 30, 2021

Federal Institutional Controls- ICs: FED INST

Institutional controls are non-engineered instruments, such as administrative and legal controls, that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy. Although it is EPA's (United States Environmental Protection Agency) expectation that treatment or engineering controls will be used to address principal threat wastes and that groundwater will be returned to its beneficial use whenever practicable, ICs play an important role in site remedies because they reduce exposure to contamination by limiting land or resource use and guide human behavior at a site.

Government Publication Date: Dec 30, 2021

Land Use Control Information System: LUCIS

The LUCIS database is maintained by the U.S. Department of the Navy and contains information for former Base Realignment and Closure (BRAC) properties across the United States.

Government Publication Date: Sep 1, 2006

Institutional Control Boundaries at NPL sites: NPL IC

Boundaries of Institutional Control areas at sites on the United States Environmental Protection Agency (EPA)'s National Priorities List, or Proposed or Deleted, made available by the EPA's Shared Enterprise Geodata and Services (SEGS). United States Environmental Protection Agency (EPA)'s National Priorities List of the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term remedial action under the Superfund program. Institutional controls are non-engineered instruments such as administrative and legal controls that help minimize the potential for human exposure to contamination and/or protect the integrity of the remedy.

Government Publication Date: Jan 25, 2022

Emergency Response Notification System: ERNS 1982 TO 1986

Database of oil and hazardous substances spill reports controlled by the National Response Center. The primary function of the National Response Center is to serve as the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories.

Government Publication Date: 1982-1986

Emergency Response Notification System: ERNS 1987 TO 1989

Database of oil and hazardous substances spill reports controlled by the National Response Center. The primary function of the National Response Center is to serve as the sole national point of contact for reporting oil, chemical, radiological, biological, and etiological discharges into the environment anywhere in the United States and its territories.

Government Publication Date: 1987-1989

Emergency Response Notification System: ERNS

Database of oil and hazardous substances spill reports made available by the United States Coast Guard National Response Center (NRC). The NRC fields initial reports for pollution and railroad incidents and forwards that information to appropriate federal/state agencies for response. These data contain initial incident data that has not been validated or investigated by a federal/state response agency.

Government Publication Date: Dec 31, 2021

The Assessment, Cleanup and Redevelopment Exchange System (ACRES) Brownfield Database: FED BROWNFIELDS

Brownfields are real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. Cleaning up and reinvesting in these properties protects the environment, reduces blight, and takes development pressures off greenspaces and working lands. This database is made available by the United States Environmental Protection Agency (EPA).

Government Publication Date: Aug 20, 2021

FEMA Underground Storage Tank Listing: FEMA UST

The Federal Emergency Management Agency (FEMA) of the Department of Homeland Security maintains a list of FEMA owned underground storage tanks.

Government Publication Date: Dec 31, 2017

Facility Response Plan: FRP

List of facilities that have submitted Facility Response Plans (FRP) to EPA. Facilities that could reasonably be expected to cause "substantial harm" to the environment by discharging oil into or on navigable waters are required to prepare and submit Facility Response Plans (FRPs). Harm is determined based on total oil storage capacity, secondary containment and age of tanks, oil transfer activities, history of discharges, proximity to a public drinking water intake or sensitive environments.

Government Publication Date: Dec 2, 2020

Historical Gas Stations: HIST GAS STATIONS

This historic directory of service stations is provided by the Cities Service Company. The directory includes Cities Service filling stations that were located throughout the United States in 1930.

Government Publication Date: Jul 1, 1930

Petroleum Refineries: REFN

List of petroleum refineries from the U.S. Energy Information Administration (EIA) Refinery Capacity Report. Includes operating and idle petroleum refineries (including new refineries under construction) and refineries shut down during the previous year located in the 50 States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, and other U.S. possessions. Survey locations adjusted using public data.

Government Publication Date: Feb 4, 2022

Petroleum Product and Crude Oil Rail Terminals: BULK TERMINAL

List of petroleum product and crude oil rail terminals made available by the U.S. Energy Information Administration (EIA). Includes operable bulk petroleum product terminals located in the 50 States and the District of Columbia with a total bulk shell storage capacity of 50,000 barrels or more, and/or the ability to receive volumes from tanker, barge, or pipeline; also rail terminals handling the loading and unloading of crude oil that were active between 2017 and 2018. Petroleum product terminals comes from the EIA-815 Bulk Terminal and Blender Report, which includes working, shell in operation, and shell idle for several major product groupings. Survey locations adjusted using public data.

Government Publication Date: Feb 4, 2022

LIEN on Property: SEMS LIEN

The EPA Superfund Enterprise Management System (SEMS) provides LIEN information on properties under the EPA Superfund Program.

Government Publication Date: Feb 24, 2022

Superfund Decision Documents: SUPERFUND ROD

This database contains a listing of decision documents for Superfund sites. Decision documents serve to provide the reasoning for the choice of (or) changes to a Superfund Site cleanup plan. The decision documents include Records of Decision (ROD), ROD Amendments, Explanations of Significant Differences (ESD), along with other associated memos and files. This information is maintained and made available by the US EPA (Environmental Protection Agency).

Government Publication Date: Nov 16, 2021

State

Solid Waste Landfills: SWF/LF

The solid waste program in the Department of Environmental Quality (DEQ) is designed to encourage the reuse and recycling of solid waste and to regulate the disposal and treatment of solid waste, including regulated medical waste, and to ensure that hazardous waste is properly managed. Standards are designed to protect human health and the environment and driven by regulatory requirements.

Government Publication Date: Oct 13, 2021

Leaking Petroleum Storage Tanks: LST

When a release occurs from an aboveground or underground storage tank, the owner and/or operator of the tank is required to report the release to the Department of Environmental Quality (DEQ). This database contains a listing of releases from tanks both above and underground.

Government Publication Date: Dec 30, 2021

Delisted Leaking Petroleum Storage Tanks: DELISTED LST

Facilities which have been removed from the list of leaking petroleum storage tanks made available by the Virginia Department of Environmental Quality (DEQ). Facilities may be removed from the lists of leaking petroleum tanks when it is determined that the release reported is not an actual release, or the released substance is not petroleum - these sites may still have endured non-petroleum hazardous substance releases.

Government Publication Date: Dec 30, 2021

Underground Storage Tanks: UST

A listing of registered underground storage tanks, made available by the Virginia Department of Environmental Quality (DEQ). Includes records from Tank Registration files as well as records from the Virginia DEQ Open Data Portal.

Government Publication Date: Dec 30, 2021

Aboveground Storage Tanks: AST

Virginia Department of Environmental Quality (DEQ). Includes records from Tank Registration files as well as records from the Virginia DEQ Open Data Portal.

Government Publication Date: Dec 30, 2021

Storage Tank Facilities: TANK

A list of tank facilities where tank details are not available. This list is made available by the Virginia Department of Environmental Quality (DEQ). Includes records from Tank Registration files as well as records from the Virginia DEQ Open Data Portal.

Government Publication Date: Dec 30, 2021

Delisted Tanks: DELISTED TANK

Facilities which have been removed from the list of registered aboveground and/or underground storage tanks made available by the Virginia Department of Environmental Quality (DEQ). Facilities may be removed from the lists of registered tanks when it is determined that the tank does not require registration, for example, due to capacity or contents.

Government Publication Date: Dec 30, 2021

Institutional Controls: INST

Institutional controls are legal or contractual restrictions on property use that remain effective after remediation is completed and are used to satisfy remediation levels. This list is maintained by the Department of Environmental Quality (DEQ).

Government Publication Date: Oct 5, 2021

Voluntary Remediation Program: VRP

The Voluntary Remediation Program is to encourage hazardous substance cleanups that might not otherwise take place. The program is a streamlined mechanism for site owners or operators to voluntarily address contamination at sites with concurrence from the Department of Environmental Quality (DEQ).

Government Publication Date: Oct 5, 2021

Brownfields Site Specific Assessments: BROWNFIELDS

Brownfields are idled, underutilized, or abandoned industrial or commercial properties where expansion or redevelopment is complicated by real or perceived environmental contamination. Examples include factories, railyards, landfills, dry cleaners, etc. This list is maintained by the Department of Environmental Quality (DEQ).

Government Publication Date: Jan 8, 2021

Tribal

Leaking Underground Storage Tanks (LUSTs) on Tribal/Indian Lands: INDIAN LUST

Leaking Underground Storage Tanks (LUSTs) on Tribal/Indian Lands in EPA Region 3, which includes Virginia. There are no LUST records in Virginia at this time.

Government Publication Date: Apr 12, 2019

Underground Storage Tanks (USTs) on Indian Lands: INDIAN UST

Listing of Underground Storage Tanks (USTs) on Tribal/Indian Lands in EPA Region 3, which includes Virginia. There are no UST records in Virginia at this time.

Government Publication Date: May 4, 2018

Delisted Tribal Leaking Storage Tanks: DELISTED ILST

Leaking Underground Storage Tank facilities which have been removed from the Regional Tribal LUST lists made available by the EPA.

Government Publication Date: Oct 12, 2021

Delisted Tribal Underground Storage Tanks: DELISTED IUST

Underground Storage Tank facilities which have been removed from the Regional Tribal UST lists made available by the EPA.

Government Publication Date: Oct 13, 2021

County

No County standard environmental record sources available for this State.

Additional Environmental Record Sources

Federal

Facility Registry Service/Facility Index: FINDS/FRS

The Facility Registry Service (FRS) is a centrally managed database that identifies facilities, sites, or places subject to environmental regulations or of environmental interest. FRS creates high-quality, accurate, and authoritative facility identification records through rigorous verification and management procedures that incorporate information from program national systems, state master facility records, and data collected from EPA's Central Data Exchange registrations and data management personnel. This list is made available by the Environmental Protection Agency (US EPA).
Government Publication Date: Nov 2, 2020

Toxics Release Inventory (TRI) Program: TRIS
The EPA's Toxics Release Inventory (TRI) is a database containing data on disposal or other releases of over 650 toxic chemicals from thousands of U. S. facilities and information about how facilities manage those chemicals through recycling, energy recovery, and treatment. One of TRI's primary purposes is to inform communities about toxic chemical releases to the environment.
Government Publication Date: Aug 24, 2021

Perfluorinated Alkyl Substances (PFAS) Releases: PFAS TRI
List of Toxics Release Inventory (TRI) facilities at which the reported chemical is a Per- or polyfluorinated alkyl substance (PFAS) included in the Environmental Protection Agency (EPA)'s consolidated PFAS Master List of PFAS Substances. The EPA's Toxics Release Inventory (TRI) is a database containing data on disposal or other releases of over 650 toxic chemicals from thousands of U.S. facilities and information about how facilities manage those chemicals through recycling, energy recovery, and treatment.
Government Publication Date: Aug 24, 2021

PFOA/PFOS Contaminated Sites: PFAS NPL
List of sites where PFOA or PFOS contaminants have been found in drinking water or soil. Made available by the Federal Environmental Protection Agency (EPA).
Government Publication Date: Jan 11, 2022

Perfluorinated Alkyl Substances (PFAS) Water Quality: PFAS WATER
The Water Quality Portal (WQP) is a cooperative service sponsored by the United States Geological Survey (USGS), the Environmental Protection Agency (EPA), and the National Water Quality Monitoring Council (NWQMC). This listing includes records from the Water Quality Portal where the characteristic (environmental measurement) is in the Environmental Protection Agency (EPA)'s consolidated PFAS Master List of PFAS Substances.
Government Publication Date: Jul 20, 2020

SSEHRI PFAS Contamination Sites: PFAS SSEHRI
This PFAS Contamination Site Tracker database is compiled by the Social Science Environmental Health Research Institute (SSEHRI) at Northeastern University. According to the SSEHRI, the database records qualitative and quantitative data from each known site of PFAS contamination, including timeline of discovery, sources, levels, health impacts, community response, and government response. The goal of this database is to compile information and support public understanding of the rapidly unfolding issue of PFAS contamination. All data presented was extracted from government websites, news articles, or publicly available documents, and this is cited in the tracker. Disclaimer: The source conveys this database undergoes regular updates as new information becomes available, some sites may be missing and/or contain information that is incorrect or outdated, as well as their information represents all contamination sites SSEHRI is aware of, not all possible contamination sites. This data is not intended to be used for legal purposes. Limited location details are available with this data. Access the following for the most current informations https://pfasproject.com/pfas-contamination-site-tr acker/
Government Publication Date: Dec 12, 2019

Hazardous Materials Information Reporting System: HMIRS
US DOT - Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) Incidents Reports Database taken from Hazmat Intelligence Portal, U.S. Department of Transportation.
Government Publication Date: Sep 1, 2020

National Clandestine Drug Labs: NCDL
The U.S. Department of Justice ("the Department") provides this data as a public service. It contains addresses of some locations where law enforcement agencies reported they found chemicals or other items that indicated the presence of either clandestine drug laboratories or dumpsites. In most cases, the source of the entries is not the Department, and the Department has not verified the entry and does not guarantee its accuracy.
Government Publication Date: Nov 22, 2021

Toxic Substances Control Act: TSCA

The Environmental Protection Agency (EPA) is amending the Toxic Substances Control Act (TSCA) section 8(a) Inventory Update Reporting (IUR) rule and changing its name to the Chemical Data Reporting (CDR) rule.
The CDR enables EPA to collect and publish information on the manufacturing, processing, and use of commercial chemical substances and mixtures (referred to hereafter as chemical substances) on the TSCA Chemical Substance Inventory (TSCA Inventory). This includes current information on chemical substance production volumes, manufacturing sites, and how the chemical substances are used. This information helps the Agency determine whether people or the environment are potentially exposed to reported chemical substances. EPA publishes submitted CDR data that is not Confidential Business Information (CBI).
Government Publication Date: Apr 11, 2019

Hist TSCA: HIST TSCA
The Environmental Protection Agency (EPA) is amending the Toxic Substances Control Act (TSCA) section 8(a) Inventory Update Reporting (IUR) rule and changing its name to the Chemical Data Reporting (CDR) rule.
The 2006 IUR data summary report includes information about chemicals manufactured or imported in quantities of 25,000 pounds or more at a single site during calendar year 2005. In addition to the basic manufacturing information collected in previous reporting cycles, the 2006 cycle is the first time EPA collected information to characterize exposure during manufacturing, processing and use of organic chemicals. The 2006 cycle also is the first time manufacturers of inorganic chemicals were required to report basic manufacturing information.
Government Publication Date: Dec 31, 2006

FTTS Administrative Case Listing: FTTS ADMIN
An administrative case listing from the Federal Insecticide, Fungicide, & Rodenticide Act (FIFRA) and Toxic Substances Control Act (TSCA), together known as FTTS. This database was obtained from the Environmental Protection Agency's (EPA) National Compliance Database (NCDB). The FTTS and NCDB was shut down in 2006.
Government Publication Date: Jan 19, 2007

FTTS Inspection Case Listing: FTTS INSP
An inspection case listing from the Federal Insecticide, Fungicide, & Rodenticide Act (FIFRA) and Toxic Substances Control Act (TSCA), together known as FTTS. This database was obtained from the Environmental Protection Agency's (EPA) National Compliance Database (NCDB). The FTTS and NCDB was shut down in 2006.
Government Publication Date: Jan 19, 2007

Potentially Responsible Parties List: PRP
Early in the cleanup process, the Environmental Protection Agency (EPA) conducts a search to find the potentially responsible parties (PRPs). EPA looks for evidence to determine liability by matching wastes found at the site with parties that may have contributed wastes to the site.
Government Publication Date: Mar 30, 2022

State Coalition for Remediation of Drycleaners Listing: SCRD DRYCLEANER
The State Coalition for Remediation of Drycleaners (SCRD) was established in 1998, with support from the U.S. Environmental Protection Agency (EPA) Office of Superfund Remediation and Technology Innovation. Coalition members are states with mandated programs and funding for drycleaner site remediation. Current members are Alabama, Connecticut, Florida, Illinois, Kansas, Minnesota, Missouri, North Carolina, Oregon, South Carolina, Tennessee, Texas, and Wisconsin.
Government Publication Date: Nov 08, 2017

Integrated Compliance Information System (ICIS): ICIS
The Integrated Compliance Information System (ICIS) is a system that provides information for the Federal Enforcement and Compliance (FE&C) and the National Pollutant Discharge Elimination System (NPDES) programs. The FE&C component supports the Environmental Protection Agency's (EPA) Civil Enforcement and Compliance program activities. These activities include Compliance Assistance, Compliance Monitoring and Enforcement. The NPDES program supports tracking of NPDES permits, limits, discharge monitoring data and other program reports.
Government Publication Date: Oct 14, 2021

Drycleaner Facilities: FED DRYCLEANERS
A list of drycleaner facilities from Enforcement and Compliance History Online (ECHO) online search. The Environmental Protection Agency (EPA) tracks facilities that possess NAIC and SIC codes that classify businesses as drycleaner establishments.
Government Publication Date: May 5, 2021

Delisted Drycleaner Facilities: DELISTED FED DRY
List of sites removed from the list of Drycleaner Facilities (sites in the EPA's Integrated Compliance Information System (ICIS) with NAIC or SIC codes identifying the business as a drycleaner establishment).
Government Publication Date: May 5, 2021

Formerly Used Defense Sites: FUDS

Formerly Used Defense Sites (FUDS) are properties that were formerly owned by, leased to, or otherwise possessed by and under the jurisdiction of the Secretary of Defense prior to October 1986, where the Department of Defense (DoD) is responsible for an environmental restoration. This list is published by the U.S. Army Corps of Engineers.

Government Publication Date: May 26, 2021

Former Military Nike Missile Sites: FORMER NIKE

This information was taken from report DRXTH-AS-IA-83A016 (Historical Overview of the Nike Missile System, 12/1984) which was performed by Environmental Science and Engineering, Inc. for the U.S. Army Toxic and Hazardous Materials Agency Assessment Division. The Nike system was deployed between 1954 and the mid-1970's. Among the substances used or stored on Nike sites were liquid missile fuel (JP-4); starter fluids (UDKH, aniline, and furfuryl alcohol); oxidizer (IRFNA); hydrocarbons (motor oil, hydraulic fluid, diesel fuel, gasoline, heating oil); solvents (carbon tetrachloride, trichloroethylene, trichloroethane, stoddard solvent); and battery electrolyte. The quantities of material a disposed of and procedures for disposal are not documented in published reports. Virtually all information concerning the potential for contamination at Nike sites is confined to personnel who were assigned to Nike sites. During deactivation most hardware was shipped to depot-level supply points. There were reportedly instances where excess materials were disposed of on or near the site itself at closure. There was reportedly no routine site decontamination.

Government Publication Date: Dec 2, 1984

PHMSA Pipeline Safety Flagged Incidents: PIPELINE INCIDENT

A list of flagged pipeline incidents made available by the U.S. Department of Transportation (US DOT) Pipeline and Hazardous Materials Safety Administration (PHMSA). PHMSA regulations require incident and accident reports for five different pipeline system types.

Government Publication Date: Jul 7, 2020

Material Licensing Tracking System (MLTS): MLTS

A list of sites that store radioactive material subject to the Nuclear Regulatory Commission (NRC) licensing requirements. This list is maintained by the NRC. As of September 2016, the NRC no longer releases location information for sites. Site locations were last received in July 2016.

Government Publication Date: May 11, 2021

Historic Material Licensing Tracking System (MLTS) sites: HIST MLTS

A historic list of sites that have inactive licenses and/or removed from the Material Licensing Tracking System (MLTS). In some cases, a site is removed from the MLTS when the state becomes an "Agreement State". An Agreement State is a State that has signed an agreement with the Nuclear Regulatory Commission (NRC) authorizing the State to regulate certain uses of radioactive materials within the State.

Government Publication Date: Jan 31, 2010

Mines Master Index File: MINES

The Master Index File (MIF) contains mine identification numbers issued by the Department of Labor Mine Safety and Health Administration (MSHA) for mines active or opened since 1971. Note that addresses may or may not correspond with the physical location of the mine itself.

Government Publication Date: Nov 2, 2021

Surface Mining Control and Reclamation Act Sites: SMCRA

An inventory of land and water impacted by past mining (primarily coal mining) is maintained by the Office of Surface Mining Reclamation and Enforcement (OSMRE) to provide information needed to implement the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The inventory contains information on the location, type, and extent of Abandoned Mine Land (AML) impacts, as well as information on the cost associated with the reclamation of those problems. The inventory is based upon field surveys by State, Tribal, and OSMRE program officials. It is dynamic to the extent that it is modified as new problems are identified and existing problems are reclaimed.

Government Publication Date: Dec 18, 2020

Mineral Resource Data System: MRDS

The Mineral Resource Data System (MRDS) is a collection of reports describing metallic and nonmetallic mineral resources throughout the world. Included are deposit name, location, commodity, deposit description, geologic characteristics, production, reserves, resources, and references. This database contains the records previously provided in the Mineral Resource Data System (MRDS) of USGS and the Mineral Availability System/Mineral Industry Locator System (MAS/MILS) originated in the U.S. Bureau of Mines, which is now part of USGS. The USGS has ceased systematic updates of the MRDS database with their focus more recently on deposits of critical minerals while providing a well-documented baseline of historical mine locations from USGS topographic maps.

Government Publication Date: Mar 15, 2016

Uranium Mill Tailings Radiation Control Act Sites: URANIUM

The Legacy Management Office of the Department of Energy (DOE) manages radioactive and chemical waste, environmental contamination, and hazardous material at over 100 sites across the U.S. The L.M. Office manages this database of sites registered under the Uranium Mill Tailings Control Act (UMTRCA).

Government Publication Date: Mar 4, 2017

Alternative Fueling Stations: ALT FUELS

List of alternative fueling stations made available by the US Department of Energy's Office of Energy Efficiency & Renewable Energy. Includes Biodiesel stations, Ethanol (E85) stations, Liquefied Petroleum Gas (Propane) stations, Ethanol (E85) stations, Natural Gas stations, Hydrogen stations, and Electric Vehicle Supply Equipment (EVSE). The National Renewable Energy Laboratory (NREL) obtains information about new stations from trade media, Clean Cities coordinators, a Submit New Station form on the Station Locator website, and through collaborating with infrastructure equipment and fuel providers, original equipment manufacturers (OEMs), and industry groups.

Government Publication Date: Dec 21, 2021

Superfunds Consent Decrees: CONSENT DECREES

A list of Superfund consent decrees made available by the Department of Justice, Environment & Natural Resources Division (ENRD).

Government Publication Date: Sep 30, 2018

Registered Pesticide Establishments: SSTS

List of active EPA-registered foreign and domestic pesticide-producing and device-producing establishments based on data from the Section Seven Tracking System (SSTS). The Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Section 7 requires that facilities producing pesticides, active ingredients, or devices be registered. The list of establishments is made available by the EPA.

Government Publication Date: Mar 30, 2022

Polychlorinated Biphenyl (PCB) Notifiers: PCB

Facilities included in the national list of facilities that have notified the United States Environmental Protection Agency (EPA) of Polychlorinated Biphenyl (PCB) activities. Any company or person storing, transporting or disposing of PCBs or conducting PCB research and development must notify the EPA and receive an identification number.

Government Publication Date: Jan 20, 2022

State

Spills: SPILLS

The Department of Environmental Quality (DEQ) Pollution Response Program (PREP), provides for responses to air, water and waste pollution incidents in order to protect human health and the environment. PREP staff often work to assist local emergency responders, other state agencies, federal agencies, and responsible parties, as may be needed, to manage pollution incidents. Oil spills, fish kills, and hazardous materials spills are examples of incidents that may involve the DEQ's PREP Program.

Government Publication Date: Dec 30, 2021

Pollution Complaint: PC SPILLS

The database contains a listing of Pollution Complaints from 1986 to 1994 that include petroleum releases and other releases on state land and waters. This list is maintained by the Department of Environmental Quality (DEQ).

Government Publication Date: 1986-1994

Dry Cleaning Facilities: DRYCLEANERS

A listing of registered drycleaners maintained by the Department of Environmental Quality.

Government Publication Date: Oct 13, 2021

Tribal

No Tribal additional environmental record sources available for this State.

County

No County additional environmental record sources available for this State.

Definitions

Database Descriptions: This section provides a detailed explanation for each database including: source, information available, time coverage, and acronyms used. They are listed in alphabetic order.

Detail Report: This is the section of the report which provides the most detail for each individual record. Records are summarized by location, starting with the project property followed by records in closest proximity.

Distance: The distance value is the distance between plotted points, not necessarily the distance between the sites' boundaries. All values are an approximation.

Direction: The direction value is the compass direction of the site in respect to the project property and/or center point of the report.

Elevation: The elevation value is taken from the location at which the records for the site address have been plotted. All values are an approximation. Source: Google Elevation API.

Executive Summary: This portion of the report is divided into 3 sections:

'Report Summary'- Displays a chart indicating how many records fall on the project property and, within the report search radii.

'Site Report Summary'-Project Property'- This section lists all the records which fall on the project property. For more details, see the 'Detail Report' section.

'Site Report Summary-Surrounding Properties'- This section summarizes all records on adjacent properties, listing them in order of proximity from the project property. For more details, see the 'Detail Report' section.

Map Key: The map key number is assigned according to closest proximity from the project property. Map Key numbers always start at #1. The project property will always have a map key of '1' if records are available. If there is a number in brackets beside the main number, this will indicate the number of records on that specific property. If there is no number in brackets, there is only one record for that property.

The symbol and colour used indicates 'elevation': the red inverted triangle will dictate 'ERIS Sites with Lower Elevation', the yellow triangle will dictate 'ERIS Sites with Higher Elevation' and the orange square will dictate 'ERIS Sites with Same Elevation.'

Unplottables: These are records that could not be mapped due to various reasons, including limited geographic information. These records may or may not be in your study area, and are included as reference.

Appendix IV
Historical Research Records

FIRE INSURANCE MAPS

Project Property:	Prairie Solar Prairie Solar Windsor VA
Project No:	7382
Requested By:	Pilot Environmental Inc.
Order No:	22013100442
Date Completed:	January 31, 2022

Please note that no information was found for your site or adjacent properties.

Environmental Risk Information Services
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ERIS

HISTORICAL AERIALS

Project Property: Prairie Solar
Prairie Solar
Windsor VA

Project No: 7382

Requested By: Pilot Environmental Inc.

Order No: 22013100442

Date Completed: February 01,2022

Aerial Maps included in this report are produced by the sources listed above and are to be used for research purposes including a phase I report. Maps are not to be resold as commercial property. ERIS provides no warranty of accuracy or liability. The information contained in this report has been produced using aerial photos listed in above sources by ERIS Information Inc. (in the US) and ERIS Information Limited Partnership (in Canada), both doing business as 'ERIS'. The maps contained in this report do not purport to be and do not constitute a guarantee of the accuracy of the information contained herein. Although ERIS has endeavored to present information that is accurate, ERIS disclaims, any and all liability for any errors, omissions, or inaccuracies in such information and data, whether attributable to inadvertence, negligence or otherwise, and for any consequences arising therefrom. Liability on the part of ERIS is limited to the monetary value paid for this report.

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Date	Source	Scale	Comments
2018	United States Department of Agriculture	1" = 1000'	
2016	United States Department of Agriculture	1" = 1000'	
2012	United States Department of Agriculture	1" = 1000'	
2011	United States Department of Agriculture	1" = 1000'	
2009	United States Department of Agriculture	1" = 1000'	
2008	United States Department of Agriculture	1" = 1000'	
2003	United States Department of Agriculture	1" = 1000'	
2000	United States Geological Survey	1" = 1000'	Best Copy Available
1994	United States Geological Survey	1" = 1000'	
1989	United States Geological Survey	1" = 1000'	Best Copy Available
1982	United States Geological Survey	1" = 1000'	
1978	United States Geological Survey	1" = 1000'	
1969	National Aeronautics And Space Admin	1" = 1000'	Best Copy Available
1959	United States Air Force	1" = 1000'	
1937	Agricultural Stabilization & Conserv. Service	1" = 1000'	Photo Index-Best Available



Year: 2018
Source: USDA
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 2016
Source: USDA
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 2012
Source: USDA
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



ar: 2011
urce: USDA
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



ar: 2009
urce: USDA
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 2008
Source: USDA
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 2003
Source: USDA
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 2000
Source: USGS
Scale: 1" = 1000'
Comment: Best Copy Available

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



'ar: 1994
Source: USGS
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



ar: 1989
ource: USGS
Scale: 1" = 1000'
Comment: Best Copy Available

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



ar: 1982
ource: USGS
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 1978
Source: USGS
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 1969
Source: NASA
Scale: 1" = 1000'
Comment: Best Copy Available

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 1959
Source: USAF
Scale: 1" = 1000'
Comment:

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS



Year: 1937
Source: ASCS
Scale: 1" = 1000'
Comment: Photo Index-Best Available

Address: Prairie Solar, Windsor, VA
Approx Center: -76.61880107,36.87655495

Order No: 22013100442

ERIS

Appendix V
Site Reconnaissance Photographs

SITE PHOTOGRAPHS



Photograph 1 - View of clubhouse located on the southeastern portion of the site



Photograph 2 - View of agricultural structure located on the southern portion of the site

SITE PHOTOGRAPHS



Photograph 3 - View of a kennel located on the southern portion of the site



Photograph 4 - View of wooded land located on the site

SITE PHOTOGRAPHS



Photograph 5 - View of a field located on the site



Photograph 6 - View of minor ground staining located in the vicinity of an agricultural building on the southeastern portion of the site

SITE PHOTOGRAPHS



Photograph 7 - View of a surface water feature located on the site



Photograph 8 - View of a gravel-covered access road located on the site

SITE PHOTOGRAPHS



Photograph 9 - View of small propane ASTs located in the vicinity of the clubhouse on the southeastern portion of the site



Photograph 10 - View of water supply well located on the southern portion of the site

SITE PHOTOGRAPHS



Photograph 11 - View of discarded propane AST located on the southern portion of the site



Photograph 12 - View of a temporary hunting structure located on the site

SITE PHOTOGRAPHS



Photograph 13 - View of agricultural equipment located on the site



Photograph 14 - View of scrap metal located on the site

Appendix VI
Statement of Qualifications

MIKAYLA A. WHITE

PO Box 128, Kernersville, 27285 | mwhite@pilotenviro.com | 336.701.9356

EDUCATION | BS, Meteorology, North Carolina State University, Raleigh, NC 27607

ENVIRONMENTAL CONSULTING EXPERIENCE

Ms. White is an Entry-Level Project Manager with Pilot Environmental, Inc. Her project experience includes Phase 1 Environmental Site Assessments on residential, commercial, and industrial properties.

PHASE I ENVIRONMENTAL ASSESSMENTS

Ms. White has experience performing Phase I Environmental Site Assessments (ESAs) to determine environmental liabilities for Real Property Transfers. Ms. White has performed Phase I ESAs for sites including residential, commercial, and municipal properties. Phase I responsibilities include collecting historical information including aerial photographs, city directories, fire department records, and NCDEQ records, conducting site and area reconnaissance, and conducting interviews with owners, regulators, and officials. Ms. White has experience with identifying potential environmental conditions, interpreting regulatory data, and communicating with clients.

TOBY S. BENFIELD

PO Box 128, Kernersville, 27285 | TBenfield@pilotenviro.com | 336.708.7812

EDUCATION | BS, General Chemistry, University of North Carolina at Greensboro, Greensboro NC, 1998

REGISTRATIONS CERTIFICATIONS AND AFFILIATIONS | Licensed NC Asbestos Inspector

Environmental Professional as defined in § 312.10 of 40 CFR 312

OSHA 40 Hour HAZWOPER Certified

ENVIRONMENTAL CONSULTING EXPERIENCE | Mr. Benfield has experience in the environmental consulting industry since 2002. He is a Partner and Project Manager with Pilot Environmental, Inc (Pilot). Mr. Benfield's project experience includes Phase I environmental site assessments, Phase II Environmental Site Assessments including regulatory and non-regulatory investigation, and asbestos inspections. He has conducted environmental consulting services on residential, commercial, educational, municipal and industrial properties.

PHASE I ENVIRONMENTAL ASSESSMENTS | Mr. Benfield has experience performing Phase I environmental assessments to determine environmental liabilities for Real Property Transfers ranging from greenfield sites to historical industrial facilities.

PHASE II ENVIRONMENTAL ASSESSMENTS | Mr. Benfield has experience performing Phase II environmental assessments including Site Checks, underground storage tank closures, Phase I and Phase II Limited Site Assessments, Comprehensive Site Assessments, and development of Corrective Action Plans and Remedial Action Plans. Mr. Benfield has experience performing vapor intrusion studies, North Carolina Brownfield's Assessments and development of Soil Management Plans and Environmental Work Plans.

ASBESTOS INSPECTION SERVICES | Mr. Benfield has experience in performing asbestos inspections on office, retail, residential, governmental, educational, university and industrial buildings. He has conducted numerous inspections throughout North Carolina.

PRAIRIE SOLAR

Exhibit H:

Wetland Report

PILOT ENVIRONMENTAL, INC

May 18, 2022

Ms. Gabriella Hernandez
Energix Renewables
1151 Falls Road, Suite 2004
Rocky Mount, North Carolina 27804

Reference: Wetland Delineation
Prairie Solar
Approximate 335-Acre Tract
Longview Drive
Windsor, Isle of Wight County, Virginia
Pilot Proposal 7382.1

Dear Ms. Hernandez:

Pilot Environmental, Inc. (Pilot) is pleased to submit this report of the wetland delineation for the approximate 335-acre tract situated north and west of Longview Drive in Windsor, Isle of Wight County, Virginia.

Background

Wetlands are defined by the United States Army Corps of Engineers (USACE) and the United States Environmental Protection Agency (EPA) as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal circumstances, do support a prevalence of vegetation typically adapted for life in saturated soil conditions." In order for an area to be classified as wetland, hydrophytic vegetation, hydric soils, and wetland hydrology indicators must be present.

Section 404 of the Clean Water Act (CWA) regulates the discharge of dredge and fill materials into waters of the United States (lakes, rivers, ponds, streams, etc.), including wetlands. Waters of the United States include the territorial seas, navigable coastal and inland lakes, rivers and streams, intermittent streams, and wetlands. The EPA and the USACE jointly administer the Section 404 program. Section 401 of the Clean Water Act grants each state the authority to approve, condition, or deny any Federal permits that could result in a discharge to State waters.

Jurisdictional features include wetlands, open waters, ponds, lakes and streams. Jurisdictional features are regulated by the USACE and Virginia Department of Environmental Quality (VADEQ). Permits are required prior to impacting any jurisdictional features. The type of permit required is specific to the type, location and amount of impacts. Stormwater management plans and/or mitigation for proposed impacts could be a requirement of the permit approval process.

The findings and conclusions found in this report are our opinions based on field conditions encountered at the time of the site visit. Changes including, but not limited to, regulations, weather, timber/vegetation removal and usage/development of the site or nearby properties can alter the findings and opinions presented in this report. We recommend that this report only be used for preliminary planning purposes. Agency verifications, followed by a survey of jurisdictional features, are required to determine the exact extent and locations of jurisdictional features and are valid for a period of up to five years following issuance of a USACE Jurisdictional Determination (JD).

Global Positioning System (GPS) location of jurisdictional features has been conducted by Pilot personnel in the field utilizing a Trimble handheld GPS unit capable of sub-meter accuracy. Field GPS data has been post-processed by Pilot personnel and digitally provided to the client for assistance with preliminary planning. Pilot expresses no warranties or liabilities to accuracy of GPS locations and/or provided GPS data.

Scope of Services

Pilot was contracted to perform a wetland delineation for the approximate 335-acre tract situated north and west of Longview Drive in Windsor, Isle of Wight County, Virginia. The site is identified on the Isle of Wight County Geographic Information System (GIS) as parcel identification numbers (PINs) 51-01-009, 50-01-007 and 51-01-006. The scope of services included a delineation of jurisdictional features (streams, wetlands and other surface waters) on the site. The site boundary was not marked at the time of our field delineation.

Literature Review

We reviewed the U.S. Geological Survey (USGS) Topographic Map, the U.S. Department of Agriculture (USDA) Soil Survey of Isle of Wight County, the U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) Map and the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM).

- The USGS Topographic Map (Drawing 1) depicts Chuckatuck Creek and two unnamed tributaries on the northern and eastern portions of the site. Drainage swales that could contain additional surface waters or wetlands are located throughout the site.

- The USDA Web Soil Survey of Isle of Wight County (Drawing 2) identifies the following mapping units on the site:

Map unit symbol	Map unit name	Hydric Soil Listing
9	Myatt fine sandy loam	Yes
10	Nawney loam	Yes
18A	Slagle fine sandy loam, 0 to 2 percent slopes	Yes
18B	Slagle fine sandy loam, 2 to 6 percent slopes	Yes
18C	Slagle fine sandy loam, 6 to 10 percent slopes	Yes

  Pilot also reviewed the last published USDA Soil Survey of Isle of Wight County (Drawing 2A). The published soil survey depicts Chuckatuck Creek and several unnamed tributaries in addition to those depicted on the USGS topographic map.

- The USFWS NWI Map (Drawing 3) depicts riverine features on the northern and eastern portions of the site, consistent with the USGS topographic map. Freshwater forested/shrub wetlands are depicted throughout the site.

- The FEMA FIRM (Drawing 4) identifies the northern portion of the site within Zone A, areas within the 100-year flood plain. The remainder of the site is located within Zone X, an area of minimal flood hazard located outside of the 100-year and 500-year flood plains.

Field Delineation

Pilot conducted the site visits on January 27 and April 14, 2022. Agricultural structures are located on the southern portion of the site. The remainder of the site contains agricultural fields and wooded land. Ponds are not located on the site.

Several streams are located on the site. The streams contain continuous well-defined channels with evidence of an ordinary high water mark. Streams SBA, MSB2 and MSC, as depicted on Drawing 5, contain moderate substrate sorting, and flowing water at the time of our delineation. Based on our observations and the stream characteristics, streams SBA, MSB2 and MSC are perennial. The stream origins, confluences and intersections with the site boundary were marked in the field with blue and white striped surveyor tape. The streams were geo-located using a Trimble handheld GPS unit and digital elevation modeling data.

Wetlands are located adjacent to streams and within flats and depressions throughout the site. The wetlands are separated from surrounding uplands by topographic, vegetation and/or soil breaks. USACE Wetland Determination Data Forms, supporting our opinions, are included as attachments. The wetland boundaries were marked in the field with red and white striped surveyor tape, and geo-located using a Trimble handheld GPS unit.

Drawing 5 shows the approximate locations of the streams (including our designations), wetland, data points and flag numbers.

Buffer Requirements

The site is located in the James River Basin. The James River is a tributary to the Chesapeake Bay. Pilot reviewed the Chesapeake Bay Preservation Ordinance, which have designated the portion of Isle of Wight that contains the site as a Chesapeake Bay Preservation Area (CBPA), areas comprised of Resource Protection Areas (RPAs). RPAs include tidal areas, wetlands, perennial streams and 100-foot buffer areas adjacent to any RPA component. Therefore, 100-foot buffers are required on all perennial streams and wetlands that are directly connected to perennial waters. Our interpretation of the CBPA-RPA buffers are depicted on Drawing 5. Consultation with Isle of Wight County is recommended to determine if the proposed development requires additional development buffers/setbacks from surface waters for compliance with state and local stormwater requirements.

Agency Verification

The delineation was verified by Melissa Nash with the USACE on April 29, 2022. Ms. Nash concurred with our delineation as depicted on the attached Drawing 5. A copy of the USACE JD will be provided upon receipt from the USACE.

Closing

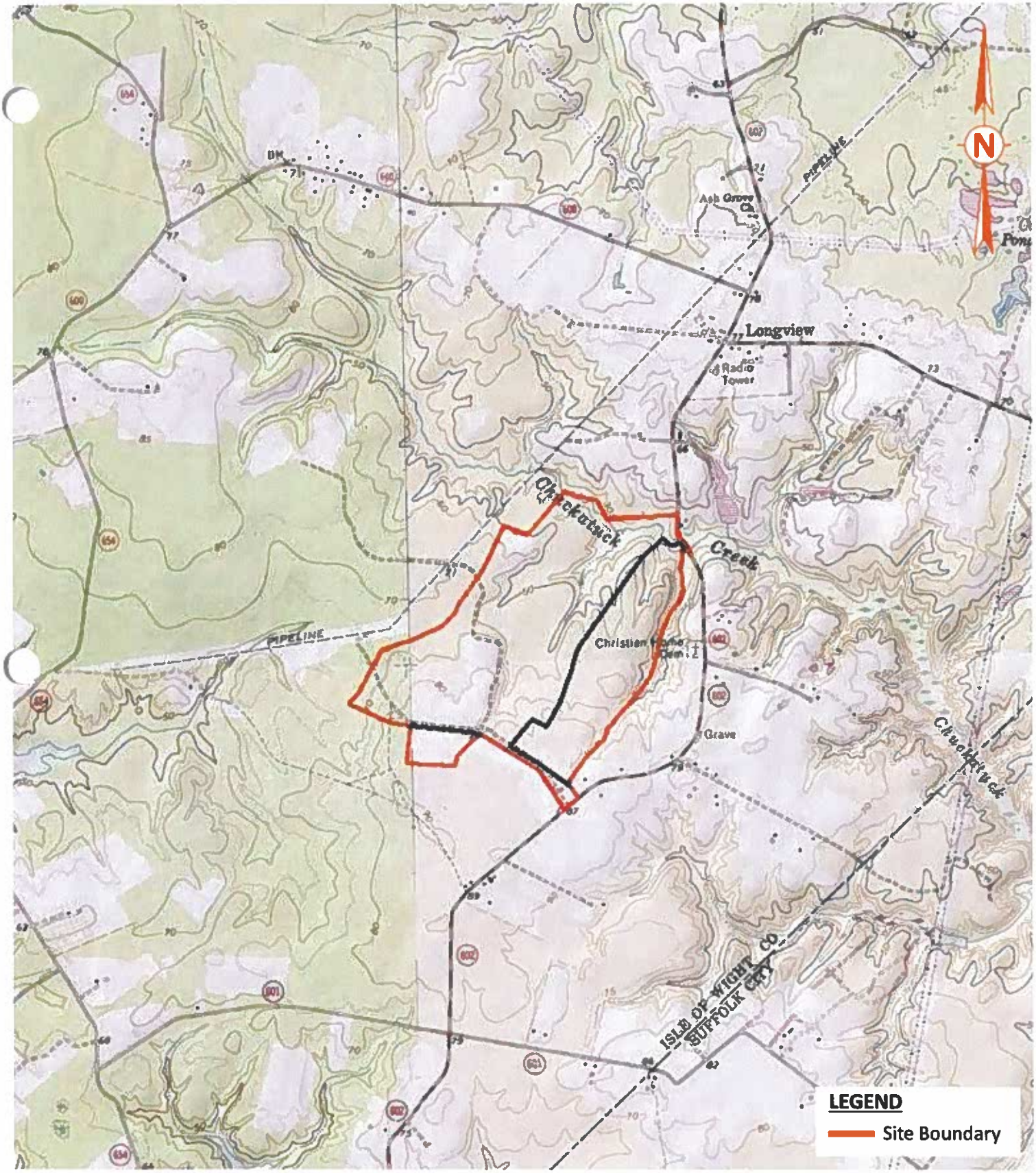
We appreciate the opportunity to provide our services to you. Please contact us at (336) 310-4527 if you have questions or require additional information.

Sincerely,

J. Scott Edwards
Project Manager

David S. Brame, PWS
Senior Project Manager

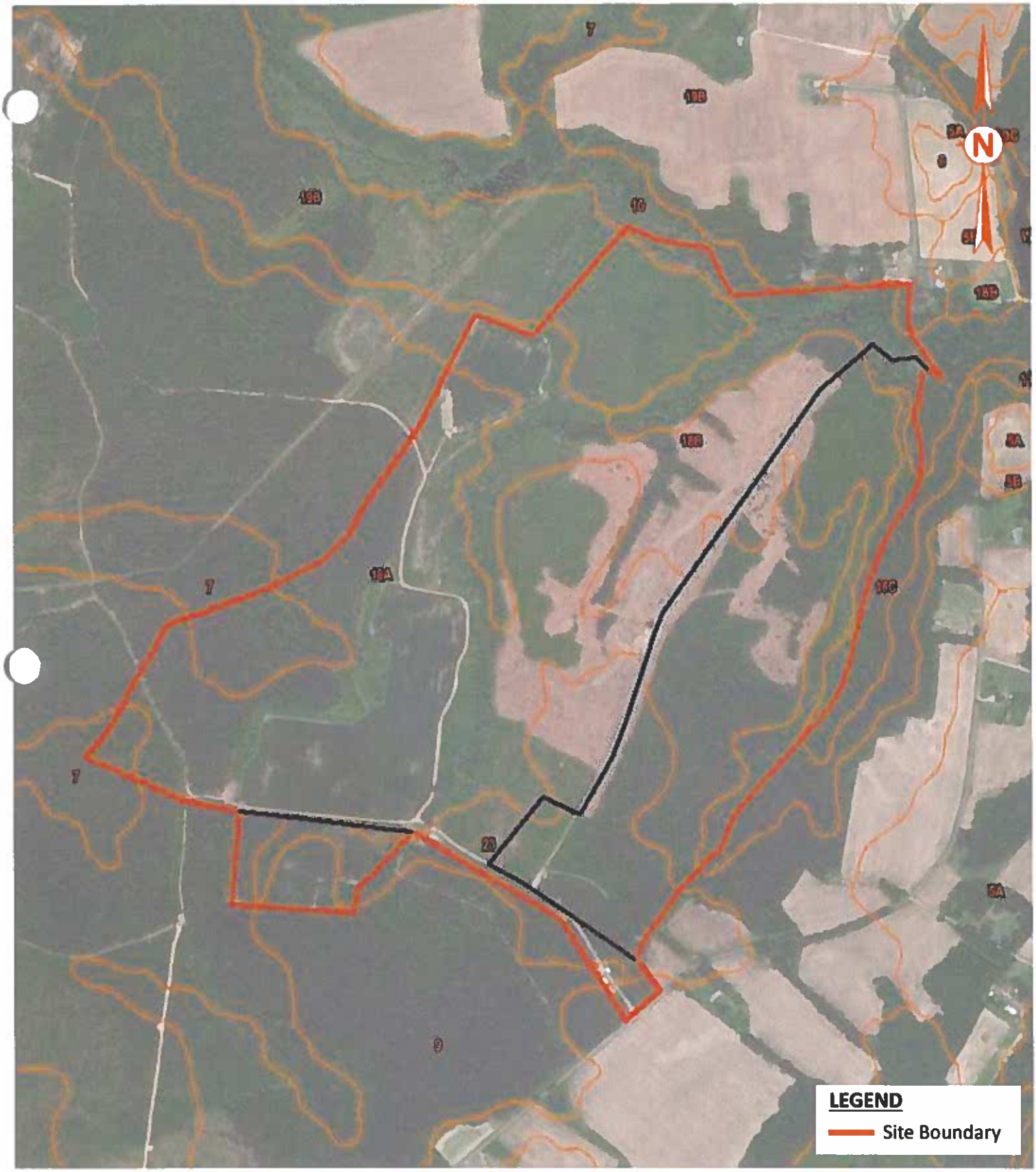
Attachments: Drawing 1 – USGS Topographic Map
Drawing 2 – Web Soil Map
Drawing 2A – Published Soil Map
Drawing 3 – NWI Map
Drawing 4 – FEMA FIRM
Drawing 5 – Wetland Map
Wetland Determination Data Form



Drawing 1
USGS Topographic Map
Windsor, Benns Church, Smithfield, and Chuckatuck, VA Quadrangles
Scale: 1" = 2,000'

PILOT
PILOT ENVIRONMENTAL, INC

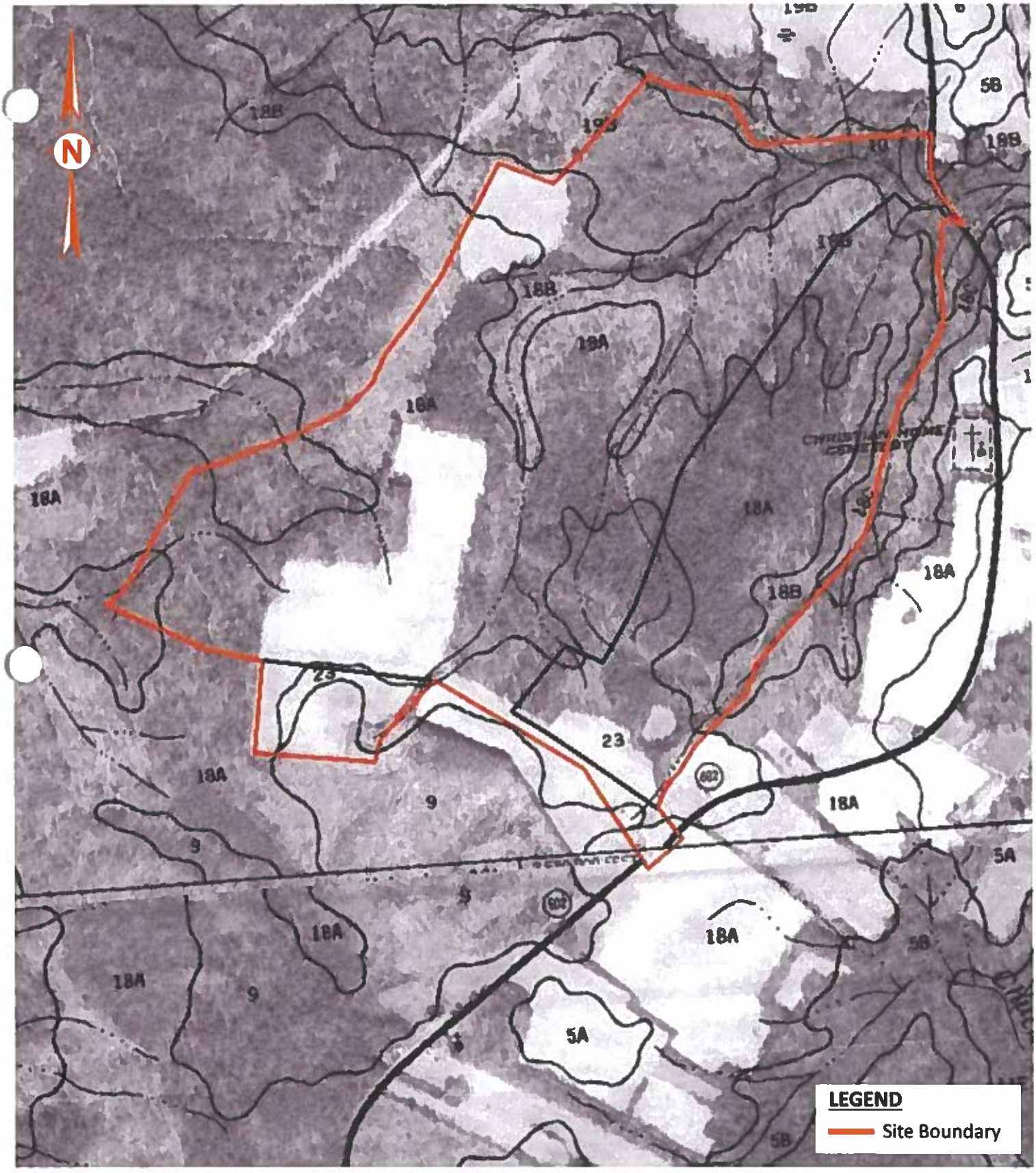
USGS Topographic Map
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wright County, VA
Pilot Project 7382.1



Drawing 2
USDA Web Soil Survey
of Isle of Wright County, VA
Scale: 1" = 800'

PILOT
PILOT ENVIRONMENTAL, INC

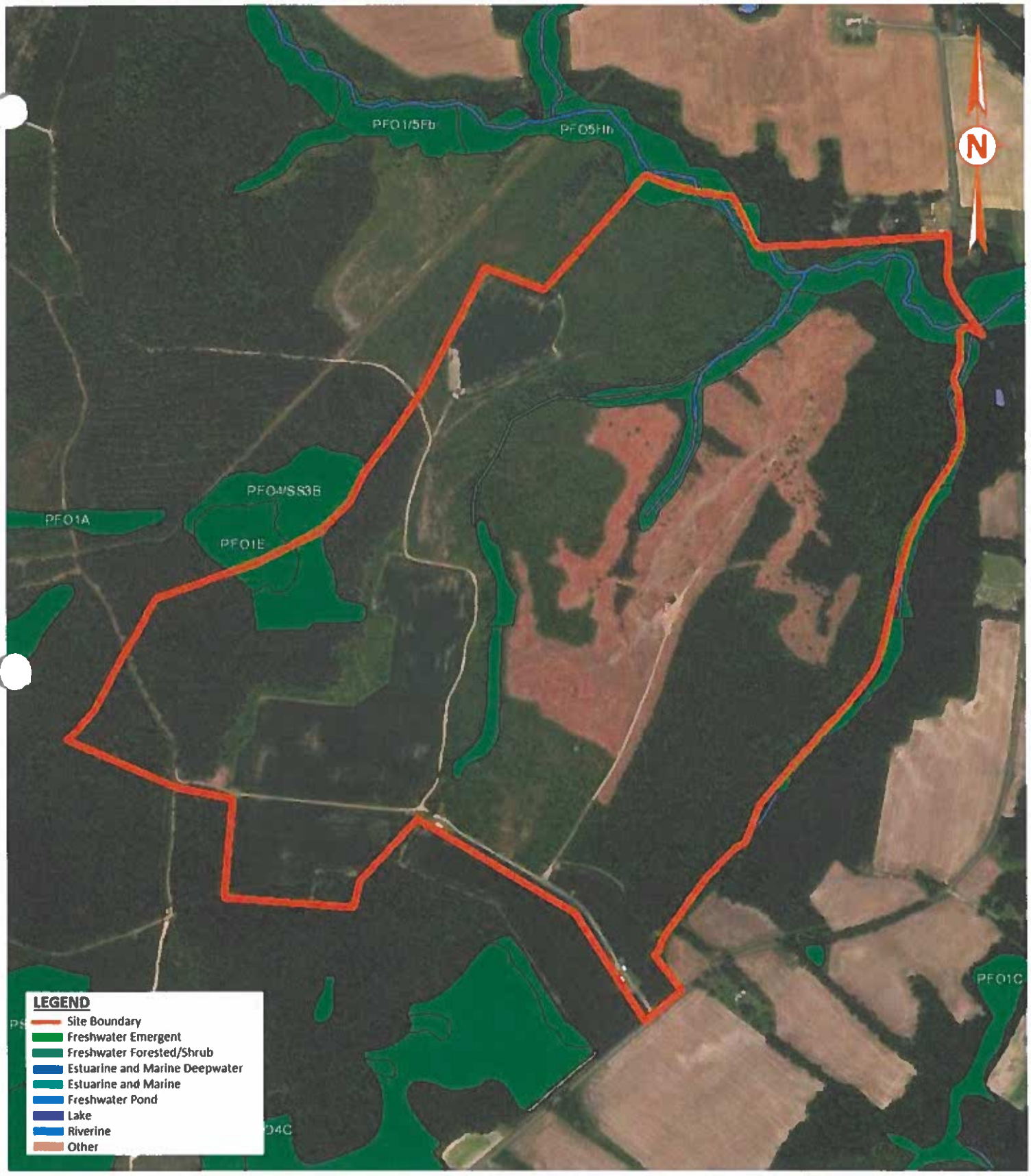
Web Soil Map
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wright County, VA
Pilot Project 7382.1



Drawing 2A
USDA Soil Survey
of Isle of Wight County, VA
Published 1986, Sheet 26, 32
Scale: 1" = 800'

PILOT
PILOT ENVIRONMENTAL, INC

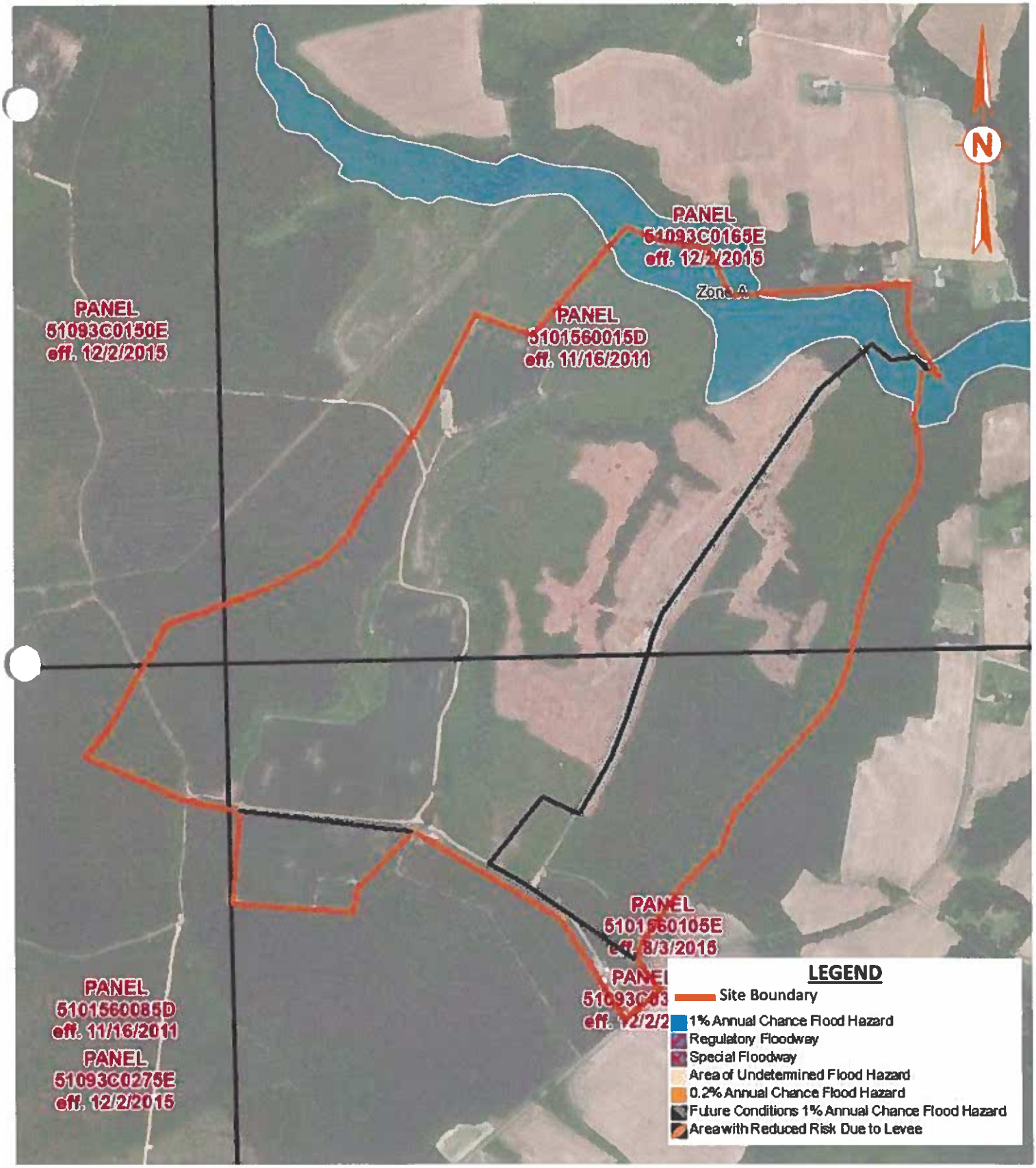
Published Soil Map
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wright County, VA
Pilot Project 7382.1



Drawing 3
USFWS NWI
Wetlands Mapper
Scale: 1" = 750'

PILOT
PILOT ENVIRONMENTAL, INC

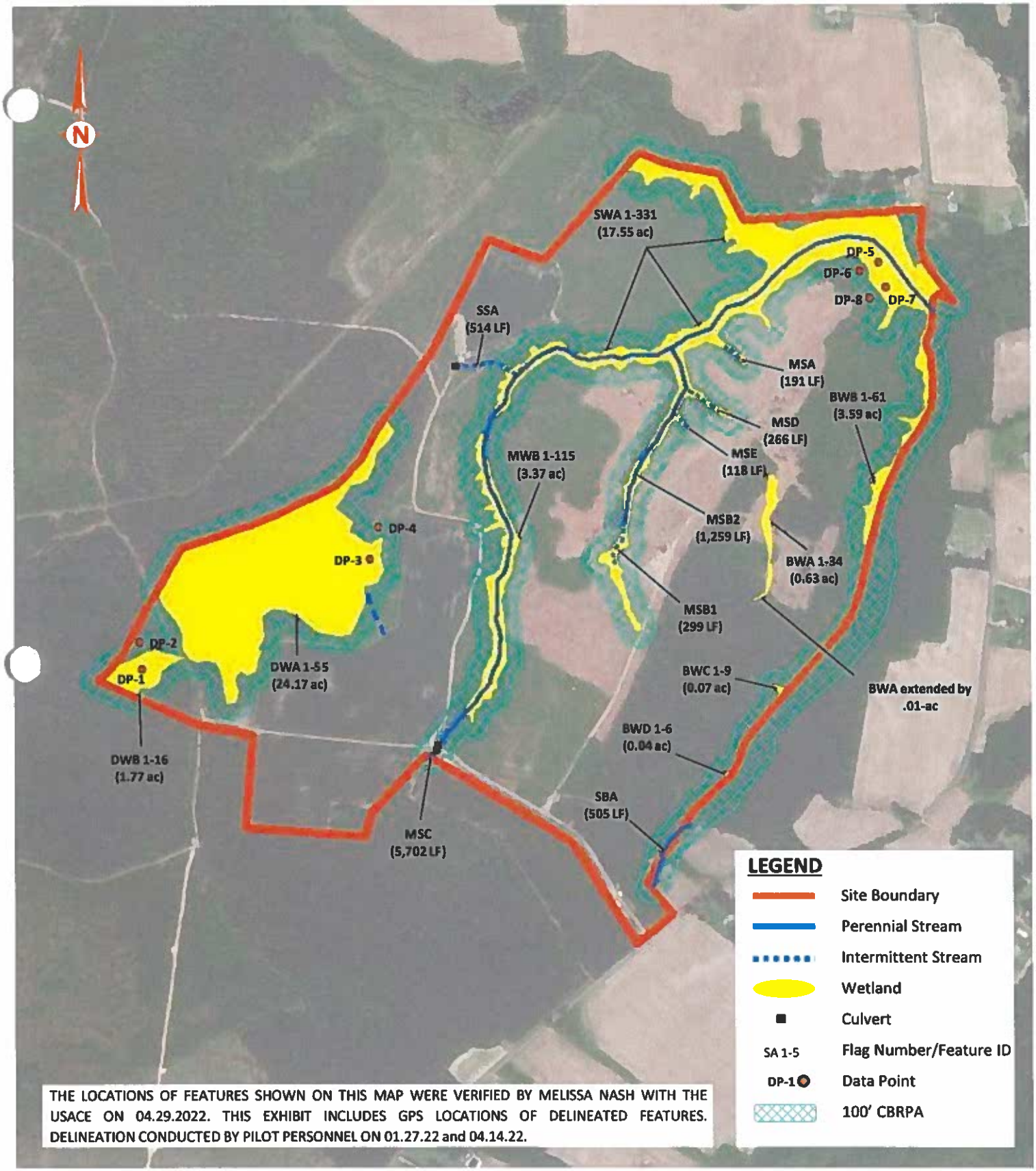
NWI Map
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wright County, VA
Pilot Project 7382.1



Drawing 4
National Flood Hazard Layer
From FEMA Web Map Service
Scale: 1" = 800'

PILOT
PILOT ENVIRONMENTAL, INC

FEMA FIRM
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wright County, VA
Pilot Project 7382.1



THE LOCATIONS OF FEATURES SHOWN ON THIS MAP WERE VERIFIED BY MELISSA NASH WITH THE USACE ON 04.29.2022. THIS EXHIBIT INCLUDES GPS LOCATIONS OF DELINEATED FEATURES. DELINEATION CONDUCTED BY PILOT PERSONNEL ON 01.27.22 and 04.14.22.

Drawing 5
2019 Satellite Imagery from ESRI
and Pilot GPS Data
Scale: 1" = 800'
Date: Revised 05.13.22

PILOT
PILOT ENVIRONMENTAL, INC

Wetland Map
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wright County, VA
Pilot Project 7382.1

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 01.27.2022

Applicant/Owner: State: VA Sampling Point: DP-1

Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A

Landform (hillside, terrace, etc.): slope Local relief (concave, convex, none): None Slope (%): 2-3

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.873631° Long: -76.627190° Datum: WGS-84

Soil Map Unit Name: Kinston loam/7 NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X No ____	**Is the Sampled Area within a Wetland?**	**Yes** X **No** ____
Hydric Soil Present?	Yes X No ____		
Wetland Hydrology Present?	Yes X No ____		

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- X Surface Water (A1)
- ____ High Water Table (A2)
- X Saturation (A3)
- ____ Water Marks (B1)
- ____ Sediment Deposits (B2)
- ____ Drift Deposits (B3)
- ____ Algal Mat or Crust (B4)
- ____ Iron Deposits (B5)
- ____ Inundation Visible on Aerial Imagery (B7)
- X Water-Stained Leaves (B9)
- ____ Aquatic Fauna (B13)
- ____ Marl Deposits (B15) **(LRR U)**
- ____ Hydrogen Sulfide Odor (C1)
- ____ Oxidized Rhizospheres on Living Roots (C3)
- ____ Presence of Reduced Iron (C4)
- ____ Recent Iron Reduction in Tilled Soils (C6)
- ____ Thin Muck Surface (C7)
- ____ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ____ Surface Soil Cracks (B6)
- ____ Sparsely Vegetated Concave Surface (B8)
- ____ Drainage Patterns (B10)
- ____ Moss Trim Lines (B16)
- ____ Dry-Season Water Table (C2)
- ____ Crayfish Burrows (C8)
- ____ Saturation Visible on Aerial Imagery (C9)
- ____ Geomorphic Position (D2)
- ____ Shallow Aquitard (D3)
- ____ FAC-Neutral Test (D5)
- ____ Sphagnum Moss (D8) **(LRR T,U)**

Field Observations:

Surface Water Present?	Yes X	No ____	Depth (inches): 0
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? **Yes** X **No** ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: DP-1

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Pinus taeda*	20	Yes	FAC
2. *Acer rubrum*	10	Yes	FAC
3. *Symplocos tinctoria*	10	Yes	FAC
4.			
5.			
6.			
7.			
8.			
	40	=Total Cover	
50% of total cover: 20		20% of total cover:	8
Sapling/Shrub Stratum (Plot size: 15)			
1. *Ilex opaca*	10	Yes	FAC
2. *Vaccinium stamineum*	5	Yes	FACU
3. *Magnolia virginiana*	5	Yes	FACW
4. *Persea borbonia*	5	Yes	FACW
5.			
6.			
7.			
8.			
	25	=Total Cover	
50% of total cover: 13		20% of total cover:	5
Herb Stratum (Plot size: 5)			
1. *Carex intumescens*	5	Yes	FACW
2. *Chasmanthium sessiliflorum*	5	Yes	FAC
3. *Osmundastrum cinnamomeum*	5	Yes	FACW
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	15	=Total Cover	
50% of total cover: 8		20% of total cover:	3
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
		=Total Cover	
50% of total cover:		20% of total cover:	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 9 (A)

Total Number of Dominant Species Across All Strata: 10 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 90.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	20	x 2 =	40
FAC species	55	x 3 =	165
FACU species	5	x 4 =	20
UPL species	0	x 5 =	0
Column Totals:	80 (A)		225 (B)

Prevalence Index = B/A = 2.81

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL Sampling Point: DP-1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/1	100					Sandy	
3-18	10YR 4/1	100					Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- X Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- X Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes X No ___

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 01.27.2022

Applicant/Owner: State: VA Sampling Point: DP-2

Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A

Landform (hillside, terrace, etc.): hillside Local relief (concave, convex, none): None Slope (%): 1

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.874091° Long: -76.627221° Datum: WGS-84

Soil Map Unit Name: Kinston loam/7 NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T,U)**

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No ____	Depth (inches): ____

Wetland Hydrology Present? Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: DP-2

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Quercus alba*	30	Yes	FACU
2. *Pinus taeda*	30	Yes	FAC
3. *Acer rubrum*	10	No	FAC
4.			
5.			
6.			
7.			
8.			
	70 =Total Cover		
50% of total cover: 35	20% of total cover: 14		
Sapling/Shrub Stratum (Plot size: 15)			
1. *Ilex opaca*	10	Yes	FAC
2. *Oxydendrum arboreum*	10	Yes	FACU
3. *Symplocos tinctoria*	5	Yes	FAC
4.			
5.			
6.			
7.			
8.			
	25 =Total Cover		
50% of total cover: 13	20% of total cover: 5		
Herb Stratum (Plot size: 5)			
1. *Chasmanthium latifolium*	5	Yes	FAC
2. *Smilax rotundifolia*	5	Yes	FAC
3. *Vaccinium X carolinianum*	5	Yes	UPL
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	15 =Total Cover		
50% of total cover: 8	20% of total cover: 3		
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
50% of total cover:	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

Total Number of Dominant Species Across All Strata: 8 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 62.5% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	65	x 3 =	195
FACU species	40	x 4 =	160
UPL species	5	x 5 =	25
Column Totals:	110 (A)		380 (B)
Prevalence Index = B/A =			3.45

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: DP-2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/3	100					Sandy	
3-10	2.5YR 4/4	100					Sandy	
10-20	2.5YR 4/4	80	10YR 4/6	20	D	M	Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (If observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 01.27.2022

Applicant/Owner: State: VA Sampling Point: DP-3

Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A

Landform (hillside, terrace, etc.): slope Local relief (concave, convex, none): None Slope (%): 2-3

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.875498° Long: -76.622113° Datum: WGS-84

Soil Map Unit Name: Slagle fine sandy loam/18A NWI classification: PFO4/SS3B

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes X No ____
Hydric Soil Present?	Yes X	No ____	
Wetland Hydrology Present?	Yes X	No ____	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T,U)**

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? Yes X No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: DP-3

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	=Total Cover		
50% of total cover:	20% of total cover:		
Sapling/Shrub Stratum (Plot size: 15)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	=Total Cover		
50% of total cover:	20% of total cover:		
Herb Stratum (Plot size: 5)			
1. *Andropogon virginicus*	20	Yes	FAC
2. *Carex caroliniana*	20	Yes	FACW
3. *Andropogon glomeratus*	15	No	FACW
4. *Juncus pylaei*	10	No	OBL
5. *Sorghastrum nutans*	5	No	FACU
6. *Panicum dichotomiflorum*	20	Yes	FACW
7.			
8.			
9.			
10.			
11.			
12.			
	90 =Total Cover		
50% of total cover: 45	20% of total cover: 18		
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
50% of total cover:	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	10	x 1 =	10
FACW species	55	x 2 =	110
FAC species	20	x 3 =	60
FACU species	5	x 4 =	20
UPL species	0	x 5 =	0
Column Totals:	90 (A)		200 (B)

Prevalence Index = B/A = 2.22

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: DP-3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 2/1	100				PL	Loamy/Clayey	
3-18	10YR 4/1	90	7.5YR 4/6	10	D	PL	Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ____

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 01.27.2022

Applicant/Owner: State: VA Sampling Point: DP-4

Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A

Landform (hillside, terrace, etc.): hillside Local relief (concave, convex, none): None Slope (%): 1

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.876051° Long: -76.621896° Datum: WGS-84

Soil Map Unit Name: Slagle fine sandy loam/18A NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T,U)**

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No X	Depth (inches): ____

Wetland Hydrology Present? Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: DP-4

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	=Total Cover		
50% of total cover:	20% of total cover:		
Sapling/Shrub Stratum (Plot size: 15)			
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	=Total Cover		
50% of total cover:	20% of total cover:		
Herb Stratum (Plot size: 5)			
1. *Eupatorium capillifolium*	10	Yes	FACU
2. *Ilex opaca*	10	Yes	FAC
3. *Chasmanthium latifolium*	5	No	FAC
4. *Gelsemium sempervirens*	5	No	FAC
5. *Rubus arvensis*	5	No	FAC
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	35 =Total Cover		
50% of total cover: 18	20% of total cover: 7		
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
50% of total cover:	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 50.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	0	x 2 =	0
FAC species	25	x 3 =	75
FACU species	10	x 4 =	40
UPL species	0	x 5 =	0
Column Totals:	35 (A)		115 (B)

Prevalence Index = B/A = 3.29

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes ___ No X

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: DP-4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-6	7.5YR 4/3	100					Sandy	
6-18	10YR 4/4	100					Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ___ No X

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 01.27.2022

Applicant/Owner: State: VA Sampling Point: DP-5

Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A

Landform (hillside, terrace, etc.): slope Local relief (concave, convex, none): None Slope (%): 2-3

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.880581° Long: -76.610683° Datum: WGS-84

Soil Map Unit Name: Nawney Loam/10 NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes X No ____
Hydric Soil Present?	Yes X	No ____	
Wetland Hydrology Present?	Yes X	No ____	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- X Surface Water (A1)
- X High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- X Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T,U)**

Field Observations:

Surface Water Present?	Yes X	No ____	Depth (inches): 2
Water Table Present?	Yes X	No ____	Depth (inches): 2
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? Yes X No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants. Sampling Point: DP-5

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Liquidambar styraciflua*	20	Yes	FAC
2. *Populus deltoides*	10	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	30	=Total Cover	
50% of total cover: 15		20% of total cover: 6	
Sapling/Shrub Stratum (Plot size: 15)			
1. *Acer rubrum*	10	Yes	FAC
2. *Ilex opaca*	10	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	20	=Total Cover	
50% of total cover: 10		20% of total cover: 4	
Herb Stratum (Plot size: 5)			
1. *Clethra alnifolia*	20	Yes	FACW
2. *Arundinaria gigantea*	20	Yes	FACW
3. *Osmundastrum cinnamomeum*	15	Yes	FACW
4. *Juncus effusus*	15	Yes	OBL
5. *Typha angustifolia*	10	No	OBL
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	80	=Total Cover	
50% of total cover: 40		20% of total cover: 16	
Woody Vine Stratum (Plot size: 30)			
1. *Smilax glauca*	10	Yes	FAC
2. *Rubus arvensis*	10	Yes	FAC
3.			
4.			
5.			
	20	=Total Cover	
50% of total cover: 10		20% of total cover: 4	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 10 (A)

Total Number of Dominant Species Across All Strata: 10 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	25	x 1 =	25
FACW species	55	x 2 =	110
FAC species	70	x 3 =	210
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	150 (A)		345 (B)

Prevalence Index = B/A = 2.30

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: DP-5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	Matrix %	Redox Features Color (moist)	Redox Features %	Redox Features Type[1]	Redox Features Loc[2]	Texture	Remarks
0-18	2.5YR 4/2	80	10YR 4/4	20	D	PL/M	Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.

[2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (If observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ___

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 01.27.2022

Applicant/Owner: State: VA Sampling Point: DP-6

Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A

Landform (hillside, terrace, etc.): hillside Local relief (concave, convex, none): None Slope (%): 1-2

Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.880426° Long: -76.611107° Datum: WGS-84

Soil Map Unit Name: Slagle fine sandy loam/18B NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ____ No ____ (If no, explain in Remarks.)

Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____

Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No X	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) (LRR U)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) (LRR T,U)

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No X	Depth (inches): ____

Wetland Hydrology Present? Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DP-6

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	=Total Cover		
50% of total cover:	20% of total cover:		
Sapling/Shrub Stratum (Plot size: 15)			
1. *Pinus palustris*	30	Yes	FACU
2. *Liquidambar styraciflua*	30	Yes	FAC
3. *Ligustrum japonicum*	10	No	FAC
4.			
5.			
6.			
7.			
8.			
	70 =Total Cover		
50% of total cover: 35	20% of total cover: 14		
Herb Stratum (Plot size: 5)			
1. *Clethra alnifolia*	10	Yes	FACW
2. *Rubus argutus*	10	Yes	FAC
3. *Vaccinium stamineum*	10	Yes	FACU
4. *Smilax glauca*	10	Yes	FAC
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	40 =Total Cover		
50% of total cover: 20	20% of total cover: 8		
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
50% of total cover:	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	10	x 2 =	20
FAC species	60	x 3 =	180
FACU species	40	x 4 =	160
UPL species	0	x 5 =	0
Column Totals:	110 (A)		360 (B)

Prevalence Index = B/A = 3.27

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: DP-6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-18	10YR 4/4	100					Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** ___ **No** X

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 04.14.2022
Applicant/Owner: State: VA Sampling Point: DP-7
Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A
Landform (hillside, terrace, etc.): slope Local relief (concave, convex, none): None Slope (%): 2-3
Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.880146° Long: -76.610521° Datum: WGS-84
Soil Map Unit Name: Nawney Loam/10 NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes X No ____
Hydric Soil Present?	Yes X	No ____	
Wetland Hydrology Present?	Yes X	No ____	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- X Surface Water (A1)
- X High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- X Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T,U)**

Field Observations:

Surface Water Present?	Yes X	No ____	Depth (inches): 2
Water Table Present?	Yes X	No ____	Depth (inches): 2
Saturation Present? (includes capillary fringe)	Yes X	No ____	Depth (inches): 0

Wetland Hydrology Present? Yes X No ____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DP-7

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1. *Liquidambar styraciflua*	20	Yes	FAC
2. *Populus deltoides*	10	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	30	=Total Cover	
50% of total cover: 15		20% of total cover: 6	
Sapling/Shrub Stratum (Plot size: 15)			
1. *Acer rubrum*	10	Yes	FAC
2. *Ilex opaca*	10	Yes	FAC
3.			
4.			
5.			
6.			
7.			
8.			
	20	=Total Cover	
50% of total cover: 10		20% of total cover: 4	
Herb Stratum (Plot size: 5)			
1. *Clethra alnifolia*	20	Yes	FACW
2. *Arundinaria gigantea*	20	Yes	FACW
3. *Osmundastrum cinnamomeum*	15	Yes	FACW
4. *Juncus effusus*	15	Yes	OBL
5. *Typha angustifolia*	10	No	OBL
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	80	=Total Cover	
50% of total cover: 40		20% of total cover: 16	
Woody Vine Stratum (Plot size: 30)			
1. *Smilax glauca*	10	Yes	FAC
2. *Rubus arvensis*	10	Yes	FAC
3.			
4.			
5.			
	20	=Total Cover	
50% of total cover: 10		20% of total cover: 4	

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 10 (A)

Total Number of Dominant Species Across All Strata: 10 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	25	x 1 =	25
FACW species	55	x 2 =	110
FAC species	70	x 3 =	210
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	150 (A)		345 (B)

Prevalence Index = B/A = 2.30

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL Sampling Point: DP-7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-18	2.5YR 4/2	80	10YR 4/4	20	D	PL/M	Loamy/Clayey	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- X Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? **Yes** X **No** ____

Remarks:

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Atlantic and Gulf Coastal Plain Region
See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R

Requirement Control Symbol EXEMPT (Authority: AR 335-15, paragraph 5-2a)

Project/Site: Prairie Solar City/County: Windsor/Isle of Wight Sampling Date: 04.14.2022
Applicant/Owner: State: VA Sampling Point: DP-8
Investigator(s): Pilot Environmental, Inc Section, Township, Range: N/A
Landform (hillside, terrace, etc.): hillside Local relief (concave, convex, none): None Slope (%): 1-2
Subregion (LRR or MLRA): LRR T, MLRA 153A Lat: 36.879941° Long: -76.610887° Datum: WGS-84
Soil Map Unit Name: Slagle fine sandy loam/18B NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No ____ (If no, explain in Remarks.)
Are Vegetation ____, Soil ____, or Hydrology ____ significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation ____, Soil ____, or Hydrology ____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes X	No ____	**Is the Sampled Area within a Wetland?** Yes ____ No X
Hydric Soil Present?	Yes ____	No X	
Wetland Hydrology Present?	Yes ____	No X	

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ Marl Deposits (B15) **(LRR U)**
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)
- ___ Sphagnum Moss (D8) **(LRR T,U)**

Field Observations:

Surface Water Present?	Yes ____	No X	Depth (inches): ____
Water Table Present?	Yes ____	No X	Depth (inches): ____
Saturation Present? (includes capillary fringe)	Yes ____	No X	Depth (inches): ____

Wetland Hydrology Present? Yes ____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DP-8

Tree Stratum (Plot size: 30)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	=Total Cover		
50% of total cover:	20% of total cover:		
Sapling/Shrub Stratum (Plot size: 15)			
1. *Pinus palustris*	30	Yes	FACU
2. *Liquidambar styraciflua*	30	Yes	FAC
3. *Ligustrum japonicum*	10	No	FAC
4.			
5.			
6.			
7.			
8.			
	70 =Total Cover		
50% of total cover: 35	20% of total cover: 14		
Herb Stratum (Plot size: 5)			
1. *Clethra alnifolia*	10	Yes	FACW
2. *Rubus argutus*	10	Yes	FAC
3. *Vaccinium stamineum*	10	Yes	FACU
4. *Smilax glauca*	10	Yes	FAC
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
	40 =Total Cover		
50% of total cover: 20	20% of total cover: 8		
Woody Vine Stratum (Plot size: 30)			
1.			
2.			
3.			
4.			
5.			
	=Total Cover		
50% of total cover:	20% of total cover:		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 6 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 66.7% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	0	x 1 =	0
FACW species	10	x 2 =	20
FAC species	60	x 3 =	180
FACU species	40	x 4 =	160
UPL species	0	x 5 =	0
Column Totals:	110 (A)		360 (B)

Prevalence Index = B/A = 3.27

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0[1]

___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody Vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes X No ___

Remarks: (If observed, list morphological adaptations below.)

SOIL

Sampling Point: DP-8

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-18	10YR 4/4	100					Sandy	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Organic Bodies (A6) **(LRR, P, T, U)**
- ___ 5 cm Mucky Mineral (A7) **(LRR P, T, U)**
- ___ Muck Presence (A8) **(LRR U)**
- ___ 1 cm Muck (A9) **(LRR P, T)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Coast Prairie Redox (A16) **(MLRA 150A)**
- ___ Sandy Mucky Mineral (S1) **(LRR O, S)**
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR P, S, T, U)**
- ___ Polyvalue Below Surface (S8) **(LRR S, T, U)**
- ___ Thin Dark Surface (S9) **(LRR S, T, U)**
- ___ Barrier Islands 1 cm Muck (S12) **(MLRA 153B, 153D)**
- ___ Loamy Mucky Mineral (F1) **(LRR O)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)
- ___ Marl (F10) **(LRR U)**
- ___ Depleted Ochric (F11) **(MLRA 151)**
- ___ Iron-Manganese Masses (F12) **(LRR O, P, T)**
- ___ Umbric Surface (F13) **(LRR P, T, U)**
- ___ Delta Ochric (F17) **(MLRA 151)**
- ___ Reduced Vertic (F18) **(MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149A)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 149A, 153C, 153D)**
- ___ Very Shallow Dark Surface (F22) **(MLRA 138, 152A in FL, 154)**

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR O)**
- ___ 2 cm Muck (A10) **(LRR S)**
- ___ Coast Prairie Redox (A16) **(outside MLRA 150A)**
- ___ Reduced Vertic (F18) **(outside MLRA 150A, 150B)**
- ___ Piedmont Floodplain Soils (F19) **(LRR P, T)**
- ___ Anomalous Bright Floodplain Soils (F20) **(MLRA 153B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22) **(outside MLRA 138, 152A in FL, 154)**
- ___ Barrier Islands Low Chroma Matrix (TS7) **(MLRA 153B, 153D)**
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (If observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks:

PRAIRIE SOLAR

Exhibit G:

Threatened and Endangered

Species Report

PILOT ENVIRONMENTAL, INC

May 18, 2022

Ms. Gabriella Hernandez
Energix Renewables
1151 Falls Road, Suite 2004
Rocky Mount, North Carolina 27804

Reference: Preconstruction Wildlife Analyses
Prairie Solar
Approximate 335-Acre Tract
Longview Drive
Windsor, Isle of Wight County, Virginia
Pilot Project 7382.1

Dear Ms. Hernandez:

Pilot Environmental, Inc. (Pilot) is pleased to submit the Preconstruction Wildlife Analyses for the approximate 335-acre tract situated north and west of Longview Drive in Windsor, Isle of Wight County, Virginia. The site is depicted on the attached U.S. Geological Survey (USGS) Topographic Map (Drawing 1) and Aerial Photograph Map (Drawing 2).

Background

In order to meet conditions within the Code of Virginia for issuance of the permit by rule for small renewable energy projects, applicants are required to conduct preconstruction analyses of potential impacts of the proposed project on natural resources (Title 9-Environment, Agency 15-Virginia Department of Environmental Quality (VADEQ), Chapter 60, Section 40). The wildlife analysis should include (1) desktop surveys and maps of known wildlife species and habitat features on the site or within two miles of the site and known or potential sea turtle nesting beaches located within one-half mile of the disturbance zone, and (2) consultation of the Coastal Avian Protection Zones (CAPZ) map to determine whether the proposed solar energy project site will be located in part or in whole within one or more CAPZ. The applicant shall assess and describe the expected beneficial and adverse impacts, if any, of the proposed project on wildlife identified by these studies and analyses.

Applicants are also required to conduct analyses of historic resources and natural heritage resources. Comprehensive architectural and archaeological surveys are required for compliance with these regulations. Pilot understands that the surveys and relevant agency consultations are being completed by others.

Scope of Services

Pilot was contracted to perform a Preconstruction Wildlife Analyses for the approximate 335-acre tract situated north and west of Longview Drive in Windsor, Isle of Wight County, Virginia. The site includes the parcels identified by the Isle of Wight County Geographic Information System (GIS) as Parcel Numbers 51-01-009, 50-01-007, and 51-01-006. The site is being evaluated for proposed development with a solar farm. The purpose of the Preconstruction Wildlife Analyses is to conduct a desktop analysis of wildlife known to occur on or within two-miles of the site. The scope of services included a desktop analysis in accordance with Title 9-Environment, Agency 15-Virginia Department of Environmental Quality (VADEQ), Chapter 60, Section 40. The site boundary was provided to Pilot in a Google Earth digital file.

Pilot was also contracted to perform a Phase I Environmental Site Assessment (ESA) and Wetland Delineation on the site. Details of these assessments are included in separate reports.

Virginia DWR Database Review

Pilot reviewed data available through the Virginia Department of Wildlife Resources (DWR) Wildlife Environmental Review Map Service (WERMS) via ArcGIS on May 4, 2022. The review area included the site and a two-mile radius of the site boundary. Neither state nor federal listed species are identified on the site. Federal species are not identified within 2 miles of the site. Several occurrences of the state protected eastern chicken turtle, eastern tiger salamander, and the Mabee's salamander are identified within two miles of the site. The eastern chicken turtle, eastern tiger salamander, and the Mabee's salamander occurrences are identified approximately 0.5 miles and farther northeast of the site. A copy of the WERMS data is included as an attachment.

Pilot generated a report using DWR's online Fish and Wildlife Information Service (FWIS) for a two-mile radius of the site centroid. The Virginia FWIS search reported 21 species known to or likely to occur within two miles of the site centroid as threatened or endangered at the state and/or federal levels. Of the 21 species, the eastern chicken turtle (*Deirochelys reticularia reticularia*), eastern tiger salamander (*Ambystoma tigrinum*), and the Mabee's salamander (*Ambystoma mabeei)* are known to occur within the two-mile radius around the site, consistent with occurrences from the WERMs data. A copy of the FWIS report is included as an attachment.

Sea Turtle Nesting Beaches

Pilot reviewed the VDGIF WERMS data for known or potential sea turtle nesting beaches located within one-half mile of the disturbance zone. Based on a review of the VDGIF WERMS shapefiles (Feature Class: SppObs Enviro Review Listed), potential sea turtle nesting beaches are not located on or within one-half mile of the site. The nearest documented occurrence is more than 7 miles east of the site (Drawing 3).

Coastal Avian Protection Zones (CAPZ)

Pilot consulted the Coastal Avian Protection Zones map generated on the Virginia Coastal Zone Management Program (CZM) data viewer to determine if the proposed project is located in part or in whole within one or more CAPZ. The site is not located within a CAPZ (Drawing 4). Therefore, mitigation for CAPZ is not proposed.

Conclusions and Opinions

This assessment has revealed that it is not likely for the proposed solar development to adversely affect documented occurrences of federally protected or state-listed threatened/endangered species, critical habitat, or other wildlife resources included in the assessment. If additional information concerning federally/state listed threatened or endangered species, agency involvement, or proposed site development becomes available that makes a material difference in our findings and conclusions, Pilot reserves the right to revise the conclusions and opinions found within this report. Additional assessments or surveys are not recommended at this time.

Closing

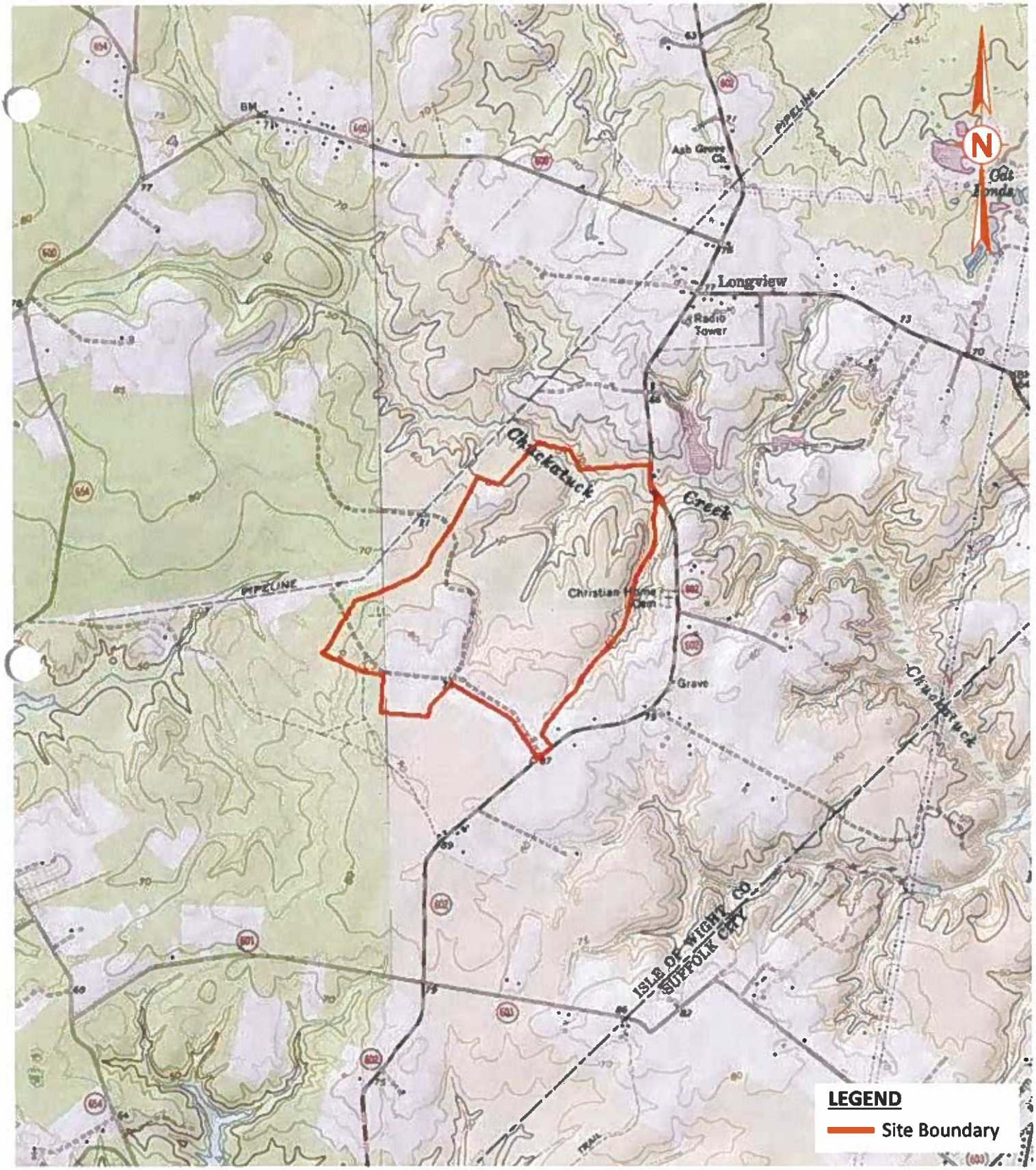
We appreciate the opportunity to provide our services to you. Please contact us at (336) 310-4527 if you have questions or require additional information.

Sincerely,

J. S. Edwards
Project Manager

David S. Brame, PWS
Senior Project Manager

Attachments: Drawing 1 – USGS Topographic Map
Drawing 2 – Aerial Photograph Map
Drawing 3 – Sea Turtle Occurrence Map
Drawing 4 – CAPZ Map
WERMS Species Report dated May 6,2022 (Map and Tables)
DWR FWIS Search Report dated May 6, 2022



Drawing 1
USGS Topographic Map
Smithfield, Benns Church, Windsor, NC Quadrangles
Scale: 1" = 2,000'

PILOT
PILOT ENVIRONMENTAL, INC

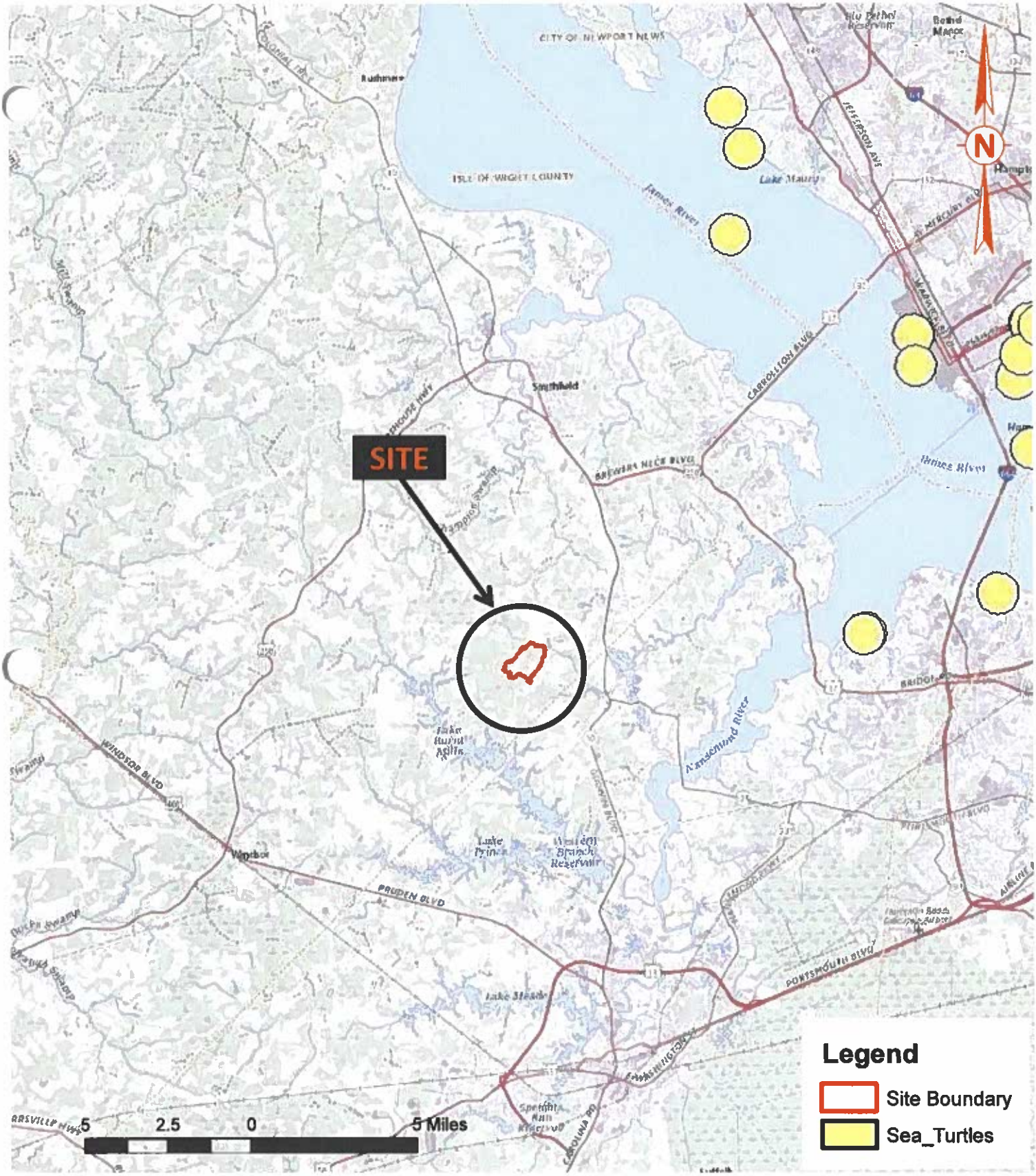
USGS Topographic Map
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wight County, VA
Pilot Project 7382.1



Drawing 2
2017 Google Earth
Satellite Imagery
Scale: 1" = 1000'

PILOT
PILOT ENVIRONMENTAL, INC

2017 Aerial Photograph Map
Prairie Solar
Approximate 335-Acre Tract
Windsor, Isle of Wight County, VA
Pilot Project 7382.1

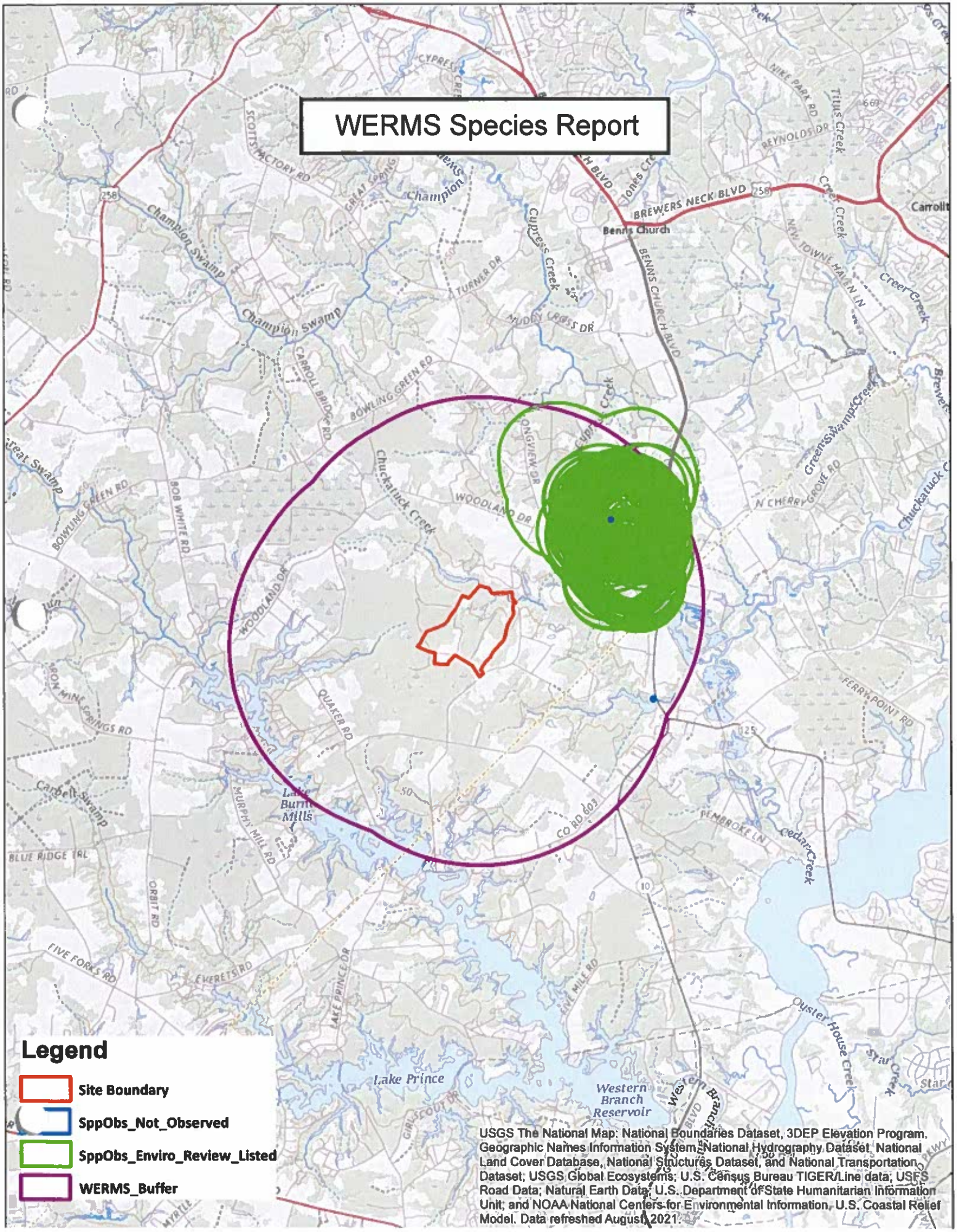


Drawing 3
VADGIF WERMS201602
Feature Class:
Sea Turtles

PILOT ENVIRONMENTAL, INC

Sea Turtle Occurrence Map
Prairie Solar
Approximate 229-Acre Tract
Windsor, Isle of Wight County, VA
Pilot Project 7382.1

WERMS Species Report



Legend

- Site Boundary
- SppObs_Not_Observed
- SppObs_Enviro_Review_Listed
- WERMS_Buffer

USGS The National Map: National Boundaries Dataset, 3DEP Elevation Program, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; USGS Global Ecosystems; U.S. Census Bureau TIGER/Line data; USFS Road Data; Natural Earth Data; U.S. Department of State Humanitarian Information Unit; and NOAA National Centers for Environmental Information, U.S. Coastal Relief Model. Data refreshed August, 2021.

SppObs_Enviro_Review_Listed

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
620425	tigrinum		Salamander, eastern tiger		State Endangered	II	6/1/1994	CAT PONDS
622476	mabeei		Salamander, Mabee's		State Threatened	II	6/1/1994	CAT PONDS
616442	tigrinum		Salamander, eastern tiger		State Endangered	II	2/24/1996	CAT PONDS
617381	tigrinum		Salamander, eastern tiger		State Endangered	II	2/28/1996	CAT PONDS
658856	tigrinum		Salamander, eastern tiger		State Endangered	II	2/28/1996	CAT PONDS
617031	tigrinum		Salamander, eastern tiger		State Endangered	II	2/28/1996	CAT PONDS
582317	tigrinum		Salamander, eastern tiger		State Endangered	II	1/5/1998	Cat Ponds
584267	tigrinum		Salamander, eastern tiger		State Endangered	II	1/8/1998	Cat Ponds
509159	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/10/1999	
509223	tigrinum		Salamander, eastern tiger		State Endangered	II	6/16/1999	
509553	tigrinum		Salamander, eastern tiger		State Endangered	II	7/17/1997	
509160	gratiosa		Treefrog, barking		State Threatened	II	5/11/1999	
509253	tigrinum		Salamander, eastern tiger		State Endangered	II	9/23/1999	
713020	mabeei		Salamander, Mabee's		State Threatened	II	4/16/2003	Cat Ponds
713025	gratiosa		Treefrog, barking		State Threatened	II	4/16/2003	Cat Ponds
509574	tigrinum		Salamander, eastern tiger		State Endangered	II	2/7/1998	
509209	mabeei		Salamander, Mabee's		State Threatened	II	6/13/1999	
509203	tigrinum		Salamander, eastern tiger		State Endangered	II	6/13/1999	
509207	tigrinum		Salamander, eastern tiger		State Endangered	II	6/13/1999	

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
509197	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/3/1999	
509168	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/16/1999	
471829	tigrinum		Salamander, eastern tiger		State Endangered	II	6/22/2005	
509171	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/19/1999	
509247	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/19/1999	
509194	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/30/1999	
509144	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	4/16/1999	
509568	tigrinum		Salamander, eastern tiger		State Endangered	II	1/29/1998	
509179	mabeei		Salamander, Mabee's		State Threatened	II	5/23/1999	
509183	gratiosa		Treefrog, barking		State Threatened	II	5/23/1999	
509521	tigrinum		Salamander, eastern tiger		State Endangered	II	6/28/1997	
733196	tigrinum		Salamander, eastern tiger		State Endangered	II	6/22/2005	cat ponds
757638	tigrinum		Salamander, eastern tiger		State Endangered	II	6/12/2009	
471813	tigrinum		Salamander, eastern tiger		State Endangered	II	6/22/2005	
1018376	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/3/2012	Cat Ponds
1018394	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/21/2013	Cat Ponds
1018404	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1018381	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/26/2012	Cat Ponds
1018399	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1018358	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/23/2012	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
1018363	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/5/2012	Cat Ponds
1025145	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/25/2013	Cat Ponds
1025139	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1025179	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/26/2012	Cat Ponds
1012229	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	8/19/2013	Cat Ponds
1012231	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	8/19/2013	Cat Ponds
1012227	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	8/19/2013	Cat Ponds
1025159	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	10/17/2013	Cat Ponds
1025189	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/26/2012	Cat Ponds
1025162	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1025171	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/5/2012	Cat Ponds
1025136	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018373	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/28/2012	Cat Ponds
1018366	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/7/2012	Cat Ponds
1018364	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/5/2012	Cat Ponds
1018398	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1018371	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/26/2012	Cat Ponds
1018401	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1018387	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018361	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/25/2012	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
1018359	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/24/2012	Cat Ponds
1018380	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/19/2012	Cat Ponds
1018391	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018378	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/5/2012	Cat Ponds
1018385	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018405	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1018393	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/20/2013	Cat Ponds
1018386	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018400	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1025168	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/24/2012	Cat Ponds
1025170	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/25/2012	Cat Ponds
1025166	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/23/2012	Cat Ponds
1025191	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/31/2012	Cat Ponds
1025186	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/5/2012	Cat Ponds
1025153	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1025158	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	10/17/2013	Cat Ponds
1025175	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/14/2012	Cat Ponds
1025183	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/3/2012	Cat Ponds
1025181	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/28/2012	Cat Ponds
1025172	reticularia	reticularia	Turtle, eastern		State Endangered	I	6/5/2012	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
			chicken					
1025167	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/24/2012	Cat Ponds
1025143	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/21/2013	Cat Ponds
1025178	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/19/2012	Cat Ponds
1025134	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1025146	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/26/2013	Cat Ponds
1031557	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/15/2013	Cat Ponds
1031563	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/5/2014	Cat Ponds
1031550	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/8/2013	Cat Ponds
1031548	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/8/2013	Cat Ponds
1031560	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/16/2013	Cat Ponds
1031547	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/8/2013	Cat Ponds
994306	gratiosa		Treefrog, barking		State Threatened	II	6/5/2012	Cat Ponds
994305	gratiosa		Treefrog, barking		State Threatened	II	5/25/2012	Cat Ponds
994308	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/19/2012	Cat Ponds
1012230	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	8/19/2013	Cat Ponds
1012228	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	8/19/2013	Cat Ponds
1018383	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/31/2012	Cat Ponds
1018369	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/19/2012	Cat Ponds
1018414	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1018413	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
1018370	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/19/2012	Cat Ponds
1018395	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/23/2013	Cat Ponds
1018396	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/25/2013	Cat Ponds
1025151	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1025156	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1025147	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1025140	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1025144	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/23/2013	Cat Ponds
1025155	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1025187	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/19/2012	Cat Ponds
1025135	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1025154	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1018388	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018360	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/24/2012	Cat Ponds
1018377	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/5/2012	Cat Ponds
1018390	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018362	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/25/2012	Cat Ponds
1018375	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/3/2012	Cat Ponds
1018408	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1031549	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/8/2013	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
1031555	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/21/2013	Cat Ponds
1018407	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1025185	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/5/2012	Cat Ponds
1025165	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/23/2012	Cat Ponds
1025174	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/7/2012	Cat Ponds
1025142	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/20/2013	Cat Ponds
1025182	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/28/2012	Cat Ponds
1025149	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1025169	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/25/2012	Cat Ponds
1025141	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/19/2013	Cat Ponds
1031551	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/8/2013	Cat Ponds
1031559	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/15/2013	Cat Ponds
1018357	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/23/2012	Cat Ponds
1018382	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/26/2012	Cat Ponds
1018410	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	10/17/2013	Cat Ponds
1018384	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/31/2012	Cat Ponds
1018411	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1018406	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1025163	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1025138	reticularia	reticularia	Turtle, eastern		State Endangered	I	7/10/2013	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
			chicken					
1025192	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/31/2012	Cat Ponds
1025164	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1012232	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	8/19/2013	Cat Ponds
1025160	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1025190	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/26/2012	Cat Ponds
1018379	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/19/2012	Cat Ponds
1018389	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018392	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/19/2013	Cat Ponds
1018409	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	10/17/2013	Cat Ponds
1018365	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/7/2012	Cat Ponds
1018374	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/28/2012	Cat Ponds
1018402	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
994309	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/20/2012	Cat Ponds
1025173	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/7/2012	Cat Ponds
1025184	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/3/2012	Cat Ponds
1031552	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/21/2013	Cat Ponds
1031556	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/21/2013	Cat Ponds
1018367	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/14/2012	Cat Ponds
1018412	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
1018415	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1025177	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/19/2012	Cat Ponds
1025137	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/10/2013	Cat Ponds
1018397	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/26/2013	Cat Ponds
1018403	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1018368	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/14/2012	Cat Ponds
1018372	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/26/2012	Cat Ponds
1031564	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/5/2014	Cat Ponds
1031562	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/16/2013	Cat Ponds
1025152	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1025176	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/14/2012	Cat Ponds
1025148	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1025161	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/5/2013	Cat Ponds
1031561	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/13/2013	Cat Ponds
1025150	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/6/2013	Cat Ponds
1025157	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	9/17/2013	Cat Ponds
1025180	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	6/26/2012	Cat Ponds
1025188	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	7/19/2012	Cat Ponds
1031553	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/21/2013	Cat Ponds
1031554	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	11/21/2013	Cat Ponds

SppObsID	SPECIES	SUBSPECIES	COMMON_NAM	FedStatus	StateStatu	Tier	ObsDate	Waterbody
1031558	reticularia	reticularia	Turtle, eastern chicken		State Endangered	I	5/23/2013	Cat Ponds
1067321	tigrinum		Salamander, eastern tiger		State Endangered	II	3/2/2015	Cat Ponds
1067323	tigrinum		Salamander, eastern tiger		State Endangered	II	3/6/2015	Cat Ponds
1067322	tigrinum		Salamander, eastern tiger		State Endangered	II	3/3/2015	Cat Ponds

VaFWIS - Department of Game and Inland Fisheries

36.87619 -76.61252
is the Search Point
Submit Cancel

Search Point
- **Change** to "clicked" map point
- **Fixed** at 36.87619 -76.61252

Show Position Rings
Yes No
1 mile and 1/4 mile at the **Search Point**

Show Search Area
Yes No
2 Search distance miles radius

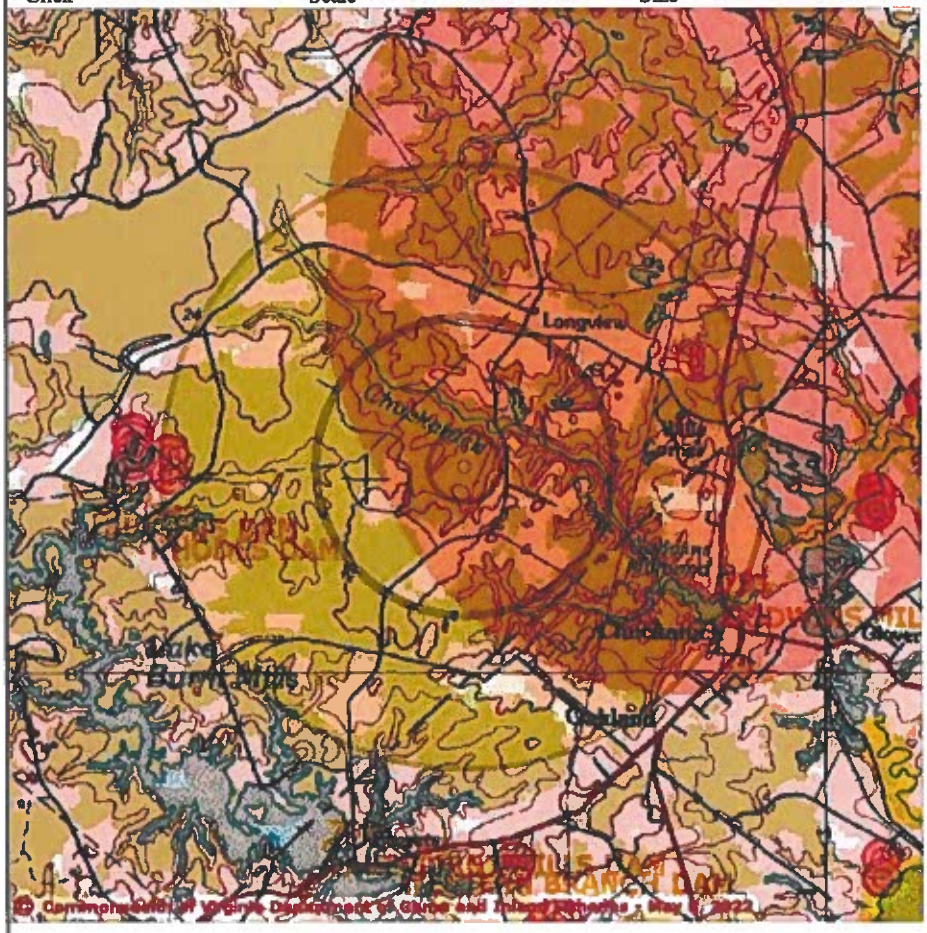
Search Point is at map center

Base Map Choices
Topography

Map Overlay Choices
Current List: Anadromous, TEWaters, BAEANests, BECAR, Trout, TierII, Habitat, Position, Search

Map Overlay Legend

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Map Click Pan
Map Scale In Zoom Out
Screen Size Small Size Big
Help

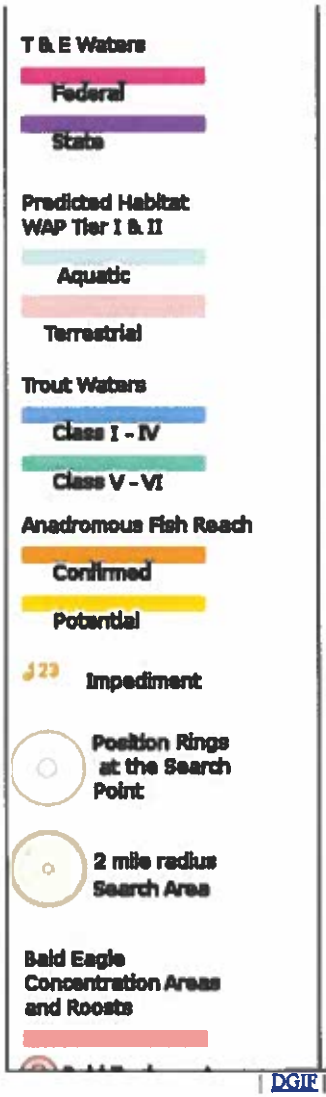


Point of Search 36.87619 -76.61252
Map Location 36.87619 -76.61252

Select **Coordinate System:**
- Degrees,Minutes,Seconds Latitude - Longitude
- Decimal Degrees Latitude - Longitude
- Meters UTM NAD83 East North Zone
- Meters UTM NAD27 East North Zone

Base Map source: USGS 1:100,000 topographic maps (see Microsoft terraserver-usa.com for details)

Map projection is UTM Zone 18 NAD 1983 with left 351488 and top 4087152. Pixel size is 16 meters . Coordinates displayed are decimal Degrees North and West. Map is currently displayed as 600 columns by 600 rows for a total of 360000 pixles. The map display represents 9600 meters east to west by 9600 meters north to south for a total of 92.1 square kilometers. The map display represents 31501 feet east to west by 31501 feet north to south for a total of 35.5 square miles.



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map assembled 2022-05-06 08:29:22 (qa/qc March 21, 2016 12:20 - tn=1180530 dist=3218 V
)
$poi=36.8761920 -76.6125289

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ip_addr 75.191.80.68

VaFWIS Search Report Compiled on 5/6/2022, 8:36:20 AM

Known or likely to occur within a 2 mile radius around point 36.8761900 -76.6125099
in 093 Isle of Wight County, 800 Suffolk City, VA

View Map of Site Location

624 Known or Likely Species ordered by Status Concern for Conservation
(displaying first 37) (37 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name	Confirmed	Database(s)
030074	FESE	Ia	Turtle, Kemp's ridley sea	Lepidochelys kempii		BOVA
040228	FESE	Ia	Woodpecker, red-cockaded	Picoides borealis		BOVA
010032	FESE	Ib	Sturgeon, Atlantic	Acipenser oxyrinchus		BOVA,HU6
030071	FTST	Ia	Turtle, loggerhead sea	Caretta caretta		BOVA
040144	FTST	Ia	Knot, red	Calidris canutus rufa		BOVA,HU6
040110	FTSE	Ia	Rail, eastern black	Lateralius jamaicensis jamaicensis		BOVA,HU6
050022	FTST	Ia	Bat, northern long-eared	Myotis septentrionalis		BOVA
040120	FTST	IIa	Plover, piping	Charadrius melodus		BOVA
030064	SE	Ia	Turtle, eastern chicken	Deirochelys reticularia reticularia	Yes	BOVA,Habitat,SppObs,HU6
050020	SE	Ia	Bat, little brown	Myotis lucifugus		BOVA
050034	SE	Ia	Bat, Rafinesque's eastern big-eared	Corynorhinus rafinesquii macrotis		BOVA,HU6
050027	SE	Ia	Bat, tri-colored	Perimyotis subflavus		BOVA
020052	SE	IIa	Salamander, eastern tiger	Ambystoma tigrinum	Yes	BOVA,Habitat,SppObs,HU6
030013	SE	IIa	Rattlesnake, canebrake	Crotalus horridus	Potential	BOVA,Habitat,HU6
040098	ST	Ia	Falcon, peregrine	Falco peregrinus		BOVA,HU6
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus		BOVA
040379	ST	Ia	Sparrow, Henslow's	Centronyx henslowii		HU6
020044	ST	IIa	Salamander, Mabee's	Ambystoma mabeei	Yes	BOVA,Habitat,SppObs,HU6
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans		BOVA
030067	CC	IIa	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	Potential	BOVA,Habitat,HU6
030063	CC	IIIa	Turtle, spotted	Clemmys guttata		BOVA,HU6
040040		Ia	Ibis, glossy	Plegadis falcinellus		BOVA,HU6
040422		Ic	Warbler, Wayne's	Setophaga virens waynei		HU6
070131		Ic	Isopod, Phreatic	Caecidotea phreatica		BOVA,HU6
100178		Ic	Skipper, Arogos	Atrytone arogos arogos		BOVA
020063		IIa	Toad, oak	Anaxyrus quercicus	Potential	BOVA,Habitat,HU6
020002		IIa	Treefrog, barking	Hyla gratiosa	Yes	BOVA,SppObs,HU6
040052		IIa	Duck, American black	Anas rubripes		BOVA,HU6
040033		IIa	Egret, snowy	Egretta thula		BOVA
040029		IIa	Heron, little blue	Egretta caerulea caerulea		BOVA
040036		IIa	Night-heron, yellow-crowned	Nyctanassa violacea violacea		BOVA
040181		IIa	Tern, common	Sterna hirundo		BOVA,HU6

040320		IIa	Warbler, cerulean	Setophaga cerulea		BOVA,HU6
040140		IIa	Woodcock, American	Scolopax minor		BOVA,HU6
040203		IIb	Cuckoo, black-billed	Coccyzus erythropthalmus		BOVA
040105		IIb	Rail, king	Rallus elegans	Potential	BOVA,Habitat,HU6
040304		IIc	Warbler, Swainson's	Limnothlypis swainsonii		BOVA,HU6

To view **All 624 species** View 624

*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier
Virginia Wildlife Action Plan Conservation Opportunity Ranking:
a - On the ground management strategies/actions exist and can be feasibly implemented.; b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;
c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

View Map of All Query Results from All Observation Tables

Bat Colonies or Hibernacula: **Not Known**

Anadromous Fish Use Streams

N/A

Impediments to Fish Passage (1 records) View Map of All Fish Impediments

ID	Name	River	View Map
791	GODWINS MILLPOND DAM	CHUCKATUCK CREEK	Yes

Colonial Water Bird Survey

N/A

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests

N/A

Species Observations (270 records - displaying first 176 , 176 Observations with Threatened or Endangered species) View Map of All Query Results Species Observations

obsID	class	Date Observed	Observer	N Species		
				Different Species	Highest TE*	Highe
624230	SppObs	May 5 2014	John (J. D.) ; Kleopfer	1	SE	
624420	SppObs	May 5 2014	John (J. D.) ; Kleopfer	1	SE	
623120	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
624419	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
624252	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
624418	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
623143	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
624417	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
623107	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
623106	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
624229	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	

623202	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	
621679	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
619904	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
619907	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
620437	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
621203	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
621293	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
619906	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
619905	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
619908	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
620601	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	
619902	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	
621130	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	
619901	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	
621129	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	
619899	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
621678	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
619896	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
621677	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
620506	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
619898	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
619897	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
619900	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
621128	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
621676	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	
621125	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
619891	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
621127	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
619892	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
619895	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
621675	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
621202	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
621126	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
619890	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
620505	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
619893	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
619894	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	
616822	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	
616818	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	
616819	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	
616820	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	
616821	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	
616823	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	
621201	SppObs	Jul 26 2013	John (JD); Kleopfer	1	SE	
619889	SppObs	Jul 26 2013	John (JD); Kleopfer	1	SE	
619888	SppObs	Jul 25 2013	John (JD); Kleopfer	1	SE	
620436	SppObs	Jul 25 2013	John (JD); Kleopfer	1	SE	
619887	SppObs	Jul 23 2013	John (JD); Kleopfer	1	SE	
621292	SppObs	Jul 23 2013	John (JD); Kleopfer	1	SE	
619886	SppObs	Jul 21 2013	John (JD); Kleopfer	1	SE	
621730	SppObs	Jul 21 2013	John (JD); Kleopfer	1	SE	
619885	SppObs	Jul 20 2013	John (JD); Kleopfer	1	SE	
620600	SppObs	Jul 20 2013	John (JD); Kleopfer	1	SE	
619884	SppObs	Jul 19 2013	John (JD); Kleopfer	1	SE	
621200	SppObs	Jul 19 2013	John (JD); Kleopfer	1	SE	
621674	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	
619878	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	
620504	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	
619877	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	
619880	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	
619883	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	

620435	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
621199	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
619879	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
621729	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
621291	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
619881	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
621728	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
619882	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE
624416	SppObs	May 23 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE
624292	SppObs	May 16 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE
624415	SppObs	May 16 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE
624291	SppObs	May 15 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE
623119	SppObs	May 15 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE
624414	SppObs	May 13 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE
620501	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE
621123	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE
619869	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE
619870	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE
619867	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE
621673	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE
619868	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE
621286	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE
619866	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE
621726	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE
621727	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE
619865	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE
620499	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE
619864	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE
619863	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE
620500	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE
621195	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE
621196	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE
619861	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE
619862	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE
620599	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE
619859	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE
620598	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE
619860	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE
621122	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE
621725	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE
619858	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE
619857	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE
619855	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE
621723	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE
619856	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE
621724	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE
619853	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE
621121	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE
621194	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE
619854	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE
621120	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE
620498	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE
619851	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE
619852	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE
620597	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE
621722	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE
619850	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE
619849	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE
620596	SppObs	May 25 2012	Ryan ; Niccoli	1	SE
619848	SppObs	May 25 2012	Ryan ; Niccoli	1	SE
621285	SppObs	May 25 2012	Ryan ; Niccoli	1	SE

619847	SppObs	May 25 2012	Ryan ; Niccoli	1	SE	
620496	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	
620497	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	
619846	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	
619845	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	
620431	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	
620432	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	
619843	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	
619844	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	
600032	SppObs	May 20 2012	Ryan Niccoli, J. D. Kleopfer - DGIF	1	SE	
600031	SppObs	May 19 2012	Ryan Niccoli, J. D. Kleopfer - DGIF	1	SE	
306881	SppObs	Jul 19 1999	SCHWAB, D	4	SE	
306868	SppObs	Jun 3 1999	SCHWAB, D	3	SE	
306867	SppObs	May 30 1999	SCHWAB, D	2	SE	
306863	SppObs	May 19 1999	SCHWAB, D	4	SE	
306861	SppObs	May 16 1999	SCHWAB, D	3	SE	
306857	SppObs	May 10 1999	SCHWAB, D	1	SE	
306845	SppObs	Apr 16 1999	SCHWAB, D	2	SE	
630084	SppObs	Mar 6 2015	John Kleopfer;	1	SE	
630083	SppObs	Mar 3 2015	John Kleopfer	1	SE	
630082	SppObs	Mar 2 2015	John Kleopfer	1	SE	
321328	SppObs	Jun 12 2009	John Kleopfer	1	SE	
314177	SppObs	Jun 22 2005	Alan H. Savitzky (Permittee), Barbara A. Savitzky & John Kloepfer (Collectors)	1	SE	
314569	SppObs	Jun 22 2005	Alan H. SAVITZKY (PRINCIPLE PERMITTEE)/Collectors: Alan & Barbara-JD Kleopfer-Scott Goetz	1	SE	
309139	SppObs	Jun 22 2005	John Kleopfer, Robin Hughes	1	SE	
306883	SppObs	Sep 23 1999	SCHWAB, D	3	SE	
306872	SppObs	Jun 16 1999	SCHWAB, D	7	SE	
306870	SppObs	Jun 13 1999	SCHWAB, D	12	SE	
306833	SppObs	Feb 7 1998	SCHWAB, D	1	SE	
306830	SppObs	Jan 29 1998	SCHWAB, D	1	SE	
53401	SppObs	Jan 8 1998	Don Schwab, VDGIF, Michael McCoy, VDGIF, Krista Madaris	5	SE	
52399	SppObs	Jan 5 1998	Michael McCoy, VDGIF	1	SE	
306824	SppObs	Jul 17 1997	SCHWAB, D	5	SE	
306812	SppObs	Jun 28 1997	SCHWAB, D	3	SE	
9064	SppObs	Feb 28 1996	S. M. ROBLE, DCR-DNH	1	SE	
9062	SppObs	Feb 28 1996	S. M. ROBLE, DCR-DNH	1	SE	
9063	SppObs	Feb 28 1996	S. M. ROBLE, DCR-DNH	1	SE	
9061	SppObs	Feb 24 1996	S. M. ROBLE, DCR-DNH	1	SE	
7931	SppObs	Jun 1 1994	Dept. of Conservation and, Recreation	3	SE	
300029	SppObs	Apr 16 2003	Donald J. Schwab (Principal Permittee)	9	ST	
306865	SppObs	May 23 1999	SCHWAB, D	12	ST	
3526	SppObs	Dec 11 1988	Div. Natural Heritage	1	ST	
60007	SppObs	Dec 11 1988	PAGUE, C A ET AL	1	ST	

Displayed 176 Species Observations

Selected 270 Observations View all 270 Species Observations

Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species (7 Species) View Map of Combined Terrestrial Habitat Predicted for 7 WAP Tier I & II Species Listed Below

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
030064	SE	Ia	Turtle, eastern chicken	Deirochelys reticularia reticularia	Yes
020052	SE	IIa	Salamander, eastern tiger	Ambystoma tigrinum	Yes
030013	SE	IIa	Rattlesnake, canebrake	Crotalus horridus	Yes
020044	ST	IIa	Salamander, Mabee's	Ambystoma mabeei	Yes
030067	CC	IIa	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	Yes
020063		IIa	Toad, oak	Anaxyrus quercicus	Yes
040105		IIb	Rail, king	Rallus elegans	Yes

Virginia Breeding Bird Atlas Blocks (3 records)

View Map of All Query Results
Virginia Breeding Bird Atlas Blocks

BBA ID	Atlas Quadrangle Block Name	Breeding Bird Atlas Species			View Map
		Different Species	Highest TE*	Highest Tier**	
58045	Benns Church, SW	33		III	Yes
58031	Chuckatuck, NW	1			Yes
57046	Smithfield, SE	63		III	Yes

Public Holdings:

N/A

Summary of BOVA Species Associated with Cities and Counties of the Commonwealth of Virginia:

FIPS Code	City and County Name	Different Species	Highest TE	Highest Tier
093	Isle of Wight	421	FESE	I
800	Suffolk City	532	FESE	I

USGS 7.5' Quadrangles:
Windsor
Smithfield
Chuckatuck
Benns Church

USGS NRCS Watersheds in Virginia:

N/A

USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV Species:

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
JL40	Cypress Creek	75	FTSE	I
JL42	Chuckatuck Creek	88	FTSE	I
JL47	Western Branch Reservoir	81	FTSE	I
JL49	Nansemond River-Bennett Creek	93	FESE	I

Compiled on 5/6/2022, 8:36:21 AM 1180609 reportAll searchType= R dist= 3218 pnt= 36.8761900 -76.6125000
PhotoSize=64; Anadromous=0.018868; BBA=0.031; BECAR=0.017888; Bats=0.017347; Buffer=0.084539; County=0.053673; HUC6=0.070488; Impediments=0.018821; Inlt=0.008238; PublicLands=0.016158; Quad=0.038924; SppObs=0.25187; TEWaters=0.023852; TierRanches=0.03772; TierTerrestrial=0.11459; Total=1.082288; Tracking_BCVR=0.217089; Trout=

| 5/6/2022, 8:36:20 AM | DGIF | Credits | Disclaimer | Please view our privacy policy |
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I 1180609

If you have difficulty reading or accessing documents, please Contact Us for assistance.

151 Species Observations where Turtle, eastern chicken (030064) observed

36,52,34.2 -76,36,45.0 is the Search Point

Show Position Rings
(●) Yes ( ) No
1 mile and 1/4 mile at the Search Point

Show Search Area
(●) Yes ( ) No
2 Search distance miles radius

Search Point is at map center

Base Map Choices
Topography

Map Overlay Choices
Current List: Position, Search, SppObs

Map Overlay Legend

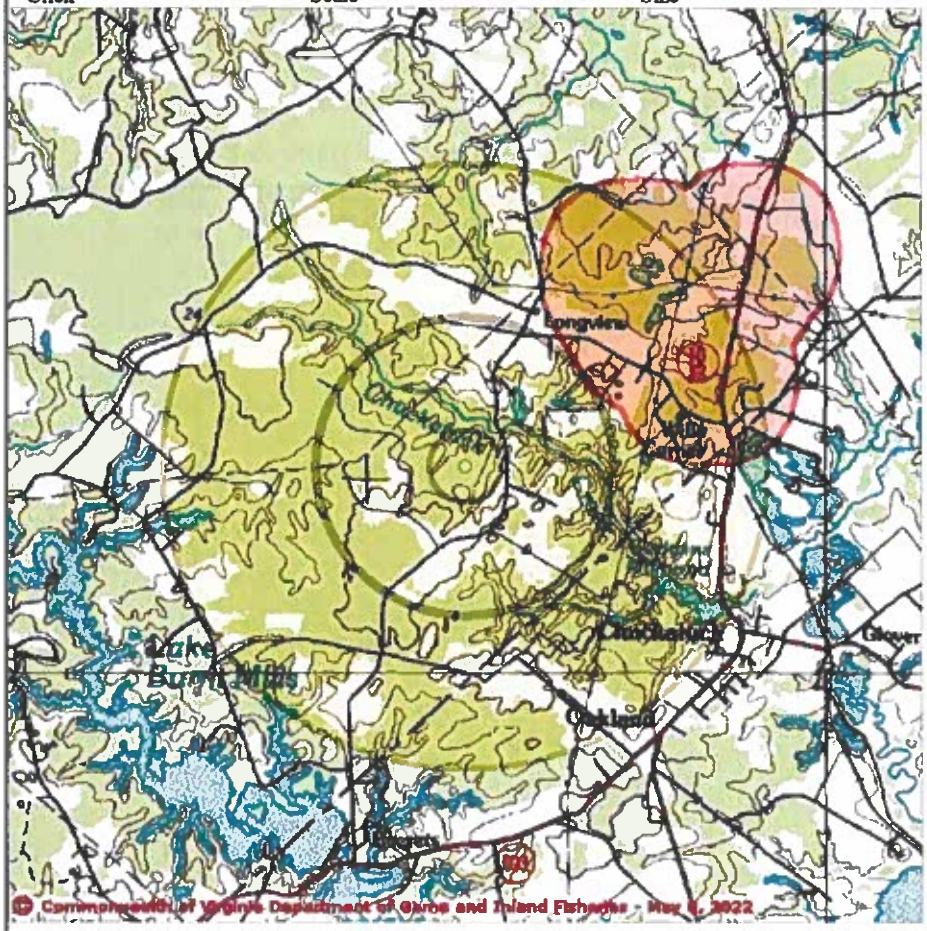
Position Rings 1 mile and 1/4 mile at the Search Point

2 mile radius Search Area

Data Observation Site

Refresh Browser Page

Map Click: Pan | Map Scale: In Zoom Out | Screen Size: Small Size Big | Help





Point of Search 36,52,34.2 -76,36,45.0
Map Location 36,52,34.2 -76,36,45.0

Select Coordinate System:
(●) Degrees,Minutes,Seconds Latitude - Longitude
( ) Decimal Degrees Latitude - Longitude
( ) Meters UTM NAD83 East North Zone
( ) Meters UTM NAD27 East North Zone

Base Map source: USGS 1:100,000 topographic maps (see Microsoft terraserver-usa.com for details)

Map projection is UTM Zone 18 NAD 1983 with left 351489 and top 4087152. Pixel size is 16 meters . Coordinates displayed are Degrees, Minutes, Seconds North and West. Map is currently displayed as 600 columns by 600 rows for a total of 360000 pixles. The map display represents 9600 meters east to west by 9600 meters north to south for a total of 92.1 square kilometers. The map display represents 31501 feet east to west by 31501 feet north to south for a total of 35.5

Virginia Department of Game and Inland Fisheries

VaFWIS Search Report Compiled on 5/6/2022, 9:15:27 AM

Known or likely to occur within a 2 mile radius around point 36.8761900 -76.6125198 in 093 Isle of Wight County, 800 Suffolk City, VA where (030064) Turtle, eastern chicken observed.

View Map of Site Location

Species Observations where Turtle, eastern chicken (030064) observed (151 records , 151 Observations with Threatened or Endangered species)

View Map of All Query Results

Species Observations where Turtle, eastern chicken (030064) observed

obsID	class	Date Observed	Observer	N Species			View Map
				Different Species	Highest TE*	Highest Tier**	
624230	SppObs	May 5 2014	John (J. D.) ; Kleopfer	1	SE	I	Yes
624420	SppObs	May 5 2014	John (J. D.) ; Kleopfer	1	SE	I	Yes
624418	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624419	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624252	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
623120	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
623143	SppObs	Nov 21 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
623202	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624229	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
623106	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
623107	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624417	SppObs	Nov 8 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
621203	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
621293	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
621679	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
620437	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
620601	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
619904	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
619905	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
619906	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
619907	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
619908	SppObs	Nov 5 2013	Ryan; Niccoli	1	SE	I	Yes
619901	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	I	Yes
619902	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	I	Yes
621129	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	I	Yes
621130	SppObs	Oct 17 2013	Ryan; Niccoli	1	SE	I	Yes
621128	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
620506	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
621676	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes

621677	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
621678	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
619896	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
619897	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
619898	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
619899	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
619900	SppObs	Sep 17 2013	John (JD); Kleopfer	1	SE	I	Yes
619890	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
619891	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
619892	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
619893	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
619894	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
619895	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
621675	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
621202	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
620505	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
621125	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
621126	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
621127	SppObs	Sep 6 2013	John (JD); Kleopfer	1	SE	I	Yes
616818	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	I	Yes
616819	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	I	Yes
616820	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	I	Yes
616821	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	I	Yes
616822	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	I	Yes
616823	SppObs	Aug 19 2013	John D. ; Kleopfer| Susan; Watson	1	SE	I	Yes
621201	SppObs	Jul 26 2013	John (JD); Kleopfer	1	SE	I	Yes
619889	SppObs	Jul 26 2013	John (JD); Kleopfer	1	SE	I	Yes
620436	SppObs	Jul 25 2013	John (JD); Kleopfer	1	SE	I	Yes
619888	SppObs	Jul 25 2013	John (JD); Kleopfer	1	SE	I	Yes
619887	SppObs	Jul 23 2013	John (JD); Kleopfer	1	SE	I	Yes
621292	SppObs	Jul 23 2013	John (JD); Kleopfer	1	SE	I	Yes
621730	SppObs	Jul 21 2013	John (JD); Kleopfer	1	SE	I	Yes
619886	SppObs	Jul 21 2013	John (JD); Kleopfer	1	SE	I	Yes
619885	SppObs	Jul 20 2013	John (JD); Kleopfer	1	SE	I	Yes
620600	SppObs	Jul 20 2013	John (JD); Kleopfer	1	SE	I	Yes
621200	SppObs	Jul 19 2013	John (JD); Kleopfer	1	SE	I	Yes
619884	SppObs	Jul 19 2013	John (JD); Kleopfer	1	SE	I	Yes
619877	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
619878	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
619879	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
619880	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
619881	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
619882	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
619883	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
621199	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
620435	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
620504	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
621728	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
621729	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
621291	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
621674	SppObs	Jul 10 2013	John (JD); Kleopfer	1	SE	I	Yes
624416	SppObs	May 23 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624415	SppObs	May 16 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624292	SppObs	May 16 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624291	SppObs	May 15 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
623119	SppObs	May 15 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
624414	SppObs	May 13 2013	John (J. D.); Kleopfer| Ryan ; Niccoli	1	SE	I	Yes
620501	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE	I	Yes
621123	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE	I	Yes
619869	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE	I	Yes
619870	SppObs	Jul 31 2012	Ryan ; Niccoli	1	SE	I	Yes

619867	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE	I	Yes
619868	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE	I	Yes
621673	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE	I	Yes
621286	SppObs	Jul 26 2012	Ryan ; Niccoli	1	SE	I	Yes
621726	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE	I	Yes
621727	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE	I	Yes
619865	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE	I	Yes
619866	SppObs	Jul 19 2012	Ryan ; Niccoli	1	SE	I	Yes
619863	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE	I	Yes
619864	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE	I	Yes
620499	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE	I	Yes
620500	SppObs	Jul 5 2012	Ryan ; Niccoli	1	SE	I	Yes
621195	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE	I	Yes
621196	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE	I	Yes
619861	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE	I	Yes
619862	SppObs	Jul 3 2012	Ryan ; Niccoli	1	SE	I	Yes
619859	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE	I	Yes
619860	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE	I	Yes
620598	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE	I	Yes
620599	SppObs	Jun 28 2012	Ryan ; Niccoli	1	SE	I	Yes
621122	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE	I	Yes
621725	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE	I	Yes
619857	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE	I	Yes
619858	SppObs	Jun 26 2012	Ryan ; Niccoli	1	SE	I	Yes
619855	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE	I	Yes
619856	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE	I	Yes
621723	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE	I	Yes
621724	SppObs	Jun 19 2012	Ryan ; Niccoli	1	SE	I	Yes
621121	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE	I	Yes
621194	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE	I	Yes
619853	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE	I	Yes
619854	SppObs	Jun 14 2012	Ryan ; Niccoli	1	SE	I	Yes
619851	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE	I	Yes
619852	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE	I	Yes
621120	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE	I	Yes
620498	SppObs	Jun 7 2012	Ryan ; Niccoli	1	SE	I	Yes
620597	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE	I	Yes
621722	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE	I	Yes
619849	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE	I	Yes
619850	SppObs	Jun 5 2012	Ryan ; Niccoli	1	SE	I	Yes
619847	SppObs	May 25 2012	Ryan ; Niccoli	1	SE	I	Yes
619848	SppObs	May 25 2012	Ryan ; Niccoli	1	SE	I	Yes
621285	SppObs	May 25 2012	Ryan ; Niccoli	1	SE	I	Yes
620596	SppObs	May 25 2012	Ryan ; Niccoli	1	SE	I	Yes
620496	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	I	Yes
620497	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	I	Yes
619845	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	I	Yes
619846	SppObs	May 24 2012	Ryan ; Niccoli	1	SE	I	Yes
619843	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	I	Yes
619844	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	I	Yes
620431	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	I	Yes
620432	SppObs	May 23 2012	Ryan ; Niccoli	1	SE	I	Yes
900032	SppObs	May 20 2012	Ryan Niccoli, J. D. Kleopfer - DGIF	1	SE	I	Yes
900031	SppObs	May 19 2012	Ryan Niccoli, J. D. Kleopfer - DGIF	1	SE	I	Yes
306881	SppObs	Jul 19 1999	SCHWAB, D	4	SE	I	Yes
306868	SppObs	Jun 3 1999	SCHWAB, D	3	SE	I	Yes
306867	SppObs	May 30 1999	SCHWAB, D	2	SE	I	Yes
306863	SppObs	May 19 1999	SCHWAB, D	4	SE	I	Yes
306861	SppObs	May 16 1999	SCHWAB, D	3	SE	I	Yes
306857	SppObs	May 10 1999	SCHWAB, D	1	SE	I	Yes
306845	SppObs	Apr 16 1999	SCHWAB, D	2	SE	I	Yes

Displayed 151 Species Observations where Turtle, eastern chicken (030064) observed

*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier Virginia Wildlife Action Plan Conservation Opportunity Ranking:
a - On the ground management strategies/actions exist and can be feasibly implemented.; b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;
c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Habitat Predicted for Aquatic WAP Tier I & II Species where Turtle, eastern chicken (030064) observed

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species where Turtle, eastern chicken (030064) observed

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
030064	SE	Ia	Turtle, eastern chicken	Deirochelys reticularia reticularia	Yes

Compiled on 5/6/2022, 9:15:27 AM (I1180627.1 report=BOVA searchType=R dist= 3218 pol= 36.8781600 -78.8125186

| 5/6/2022, 9:15:26 AM | DGIF | Credits | Disclaimer | Please view our privacy policy |
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21 Species Observations where Salamander, eastern tiger (020052) observed

36,52,34.2 -76,36,45.0 is the Search Point

Show Position Rings
(•) Yes ( ) No
1 mile and 1/4 mile at the Search Point

Show Search Area
(•) Yes ( ) No
2 Search distance miles radius

Search Point is at map center

Base Map Choices
Topography

Map Overlay Choices
Current List: Position, Search, SppObs

Map Overlay Legend

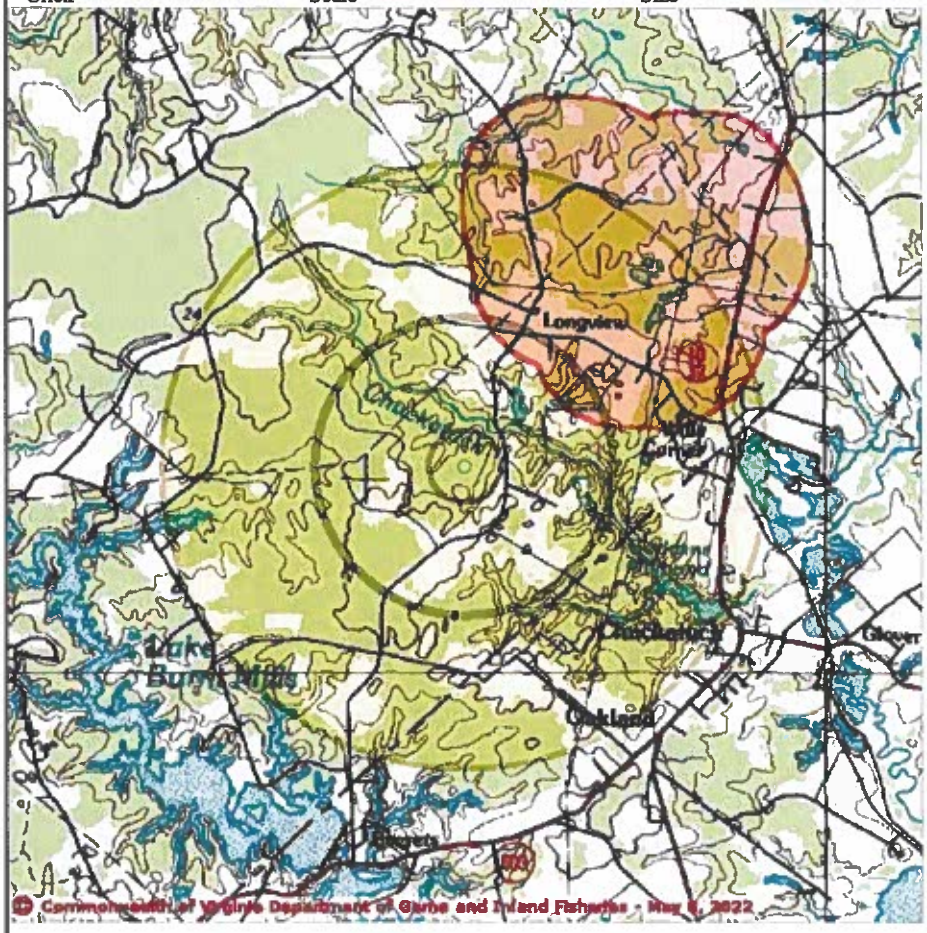
Position Rings 1 mile and 1/4 mile at the Search Point

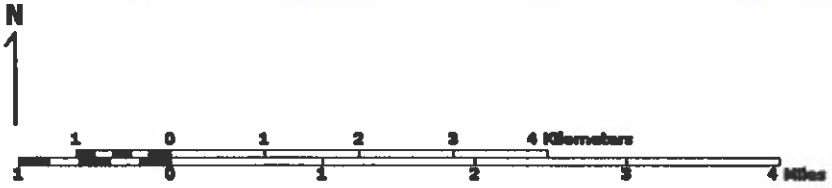
2 mile radius Search Area

Data Observation Site

Map Click Pan | Map Scale In Zoom Out | Screen Size Small Size Big | Help

Refresh Browser Page





Point of Search 36,52,34.2 -76,36,45.0
Map Location 36,52,34.2 -76,36,45.0

Select Coordinate System:
(•) Degrees,Minutes,Seconds Latitude - Longitude
( ) Decimal Degrees Latitude - Longitude
( ) Meters UTM NAD83 East North Zone
( ) Meters UTM NAD27 East North Zone

Base Map source: USGS 1:100,000 topographic maps (see Microsoft terraserver-usa.com for details)

Map projection is UTM Zone 18 NAD 1983 with left 351489 and top 4087152. Pixel size is 16 meters . Coordinates displayed are Degrees, Minutes, Seconds North and West. Map is currently displayed as 600 columns by 600 rows for a total of 360000 pixles. The map display represents 9600 meters east to west by 9600 meters north to south for a total of 92.1 square kilometers. The map display represents 31501 feet east to west by 31501 feet north to south for a total of 35.5

square miles.

Topographic maps and Black and white aerial photography for year 1990+-
are from the United States Department of the Interior, United States Geological Survey.
Color aerial photography aquired 2002 is from Virginia Base Mapping Program, Virginia Geographic Information Network.
Shaded topographic maps are from TOPO! ©2006 National Geographic
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map assembled 2022-05-06 09:16:49 (qa/qc March 21, 2016 12:20 - tn=1180629.1 dist=3218 I)
$poi=36.8761900 -76.6125194

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Virginia Department of Game and Inland Fisheries

VaFWIS Search Report Compiled on 5/6/2022, 9:16:36 AM

Known or likely to occur within a **2 mile radius** around point **36.8761900 -76.6125194** in **093 Isle of Wight County, 800 Suffolk City, VA** where (020052) Salamander, eastern tiger observed.

View Map of Site Location

Species Observations where Salamander, eastern tiger (020052) observed (21 records , 21 Observations with Threatened or Endangered species)

View Map of All Query Results

Species Observations where Salamander, eastern tiger (020052) observed

obsID	class	Date Observed	Observer	N Species		
				Different Species	Highest TE*	Highe
630084	SppObs	Mar 6 2015	John Kleopfer;	1	SE	
630083	SppObs	Mar 3 2015	John Kleopfer	1	SE	
630082	SppObs	Mar 2 2015	John Kleopfer	1	SE	
321328	SppObs	Jun 12 2009	John Kleopfer	1	SE	
309139	SppObs	Jun 22 2005	John Kleopfer, Robin Hughes	1	SE	
314177	SppObs	Jun 22 2005	Alan H. Savitzky (Permittee), Barbara A. Savitzky & John Kloepfer (Collectors)	1	SE	
314569	SppObs	Jun 22 2005	Alan H. SAVITZKY (PRINCIPLE PERMITTEE)/Collectors: Alan & Barbara-JD Kleopfer-Scott Goetz	1	SE	
306883	SppObs	Sep 23 1999	SCHWAB, D	3	SE	
306872	SppObs	Jun 16 1999	SCHWAB, D	7	SE	
306870	SppObs	Jun 13 1999	SCHWAB, D	12	SE	
306833	SppObs	Feb 7 1998	SCHWAB, D	1	SE	
306830	SppObs	Jan 29 1998	SCHWAB, D	1	SE	
53401	SppObs	Jan 8 1998	Don Schwab, VDGIF, Michael McCoy, VDGIF, Krista Madaris	5	SE	
52399	SppObs	Jan 5 1998	Michael McCoy, VDGIF	1	SE	
306824	SppObs	Jul 17 1997	SCHWAB, D	5	SE	
306812	SppObs	Jun 28 1997	SCHWAB, D	3	SE	
9062	SppObs	Feb 28 1996	S. M. ROBLE, DCR-DNH	1	SE	
9063	SppObs	Feb 28 1996	S. M. ROBLE, DCR-DNH	1	SE	
9064	SppObs	Feb 28 1996	S. M. ROBLE, DCR-DNH	1	SE	
9061	SppObs	Feb 24 1996	S. M. ROBLE, DCR-DNH	1	SE	
7931	SppObs	Jun 1 1994	Dept. of Conservation and, Recreation	3	SE	

Displayed 21 Species Observations where Salamander, eastern tiger (020052) observed

*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier
Virginia Wildlife Action Plan Conservation Opportunity Ranking:
a - On the ground management strategies/actions exist and can be feasibly implemented.; b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;
c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Habitat Predicted for Aquatic WAP Tier I & II Species where Salamander, eastern tiger (020052) observed

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species where Salamander, eastern tiger (020052) observed

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
020052	SE	IIa	Salamander, eastern tiger	Ambystoma tigrinum	Yes

Compiled on 5/6/2022, 9:16:35 AM | I1180629.1 | report=BOVA | searchType=R | data= 3216 pairs 36,6761600 -78,8125194

| 5/6/2022, 9:16:35 AM | DGIF | Credits | Disclaimer | Please view our privacy policy |
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6 Species Observations where Salamander, Mabee s (020044) observed

36,52,34.2 -76,36,45.0
is the Search Point

Show Position Rings
(•) Yes ( ) No
1 mile and 1/4 mile at the Search Point

Show Search Area
(•) Yes ( ) No
2 Search distance miles radius

Search Point is at map center

Base Map Choices
Topography

Map Overlay Choices
Current List: Position, Search, SppObs

Map Overlay Legend

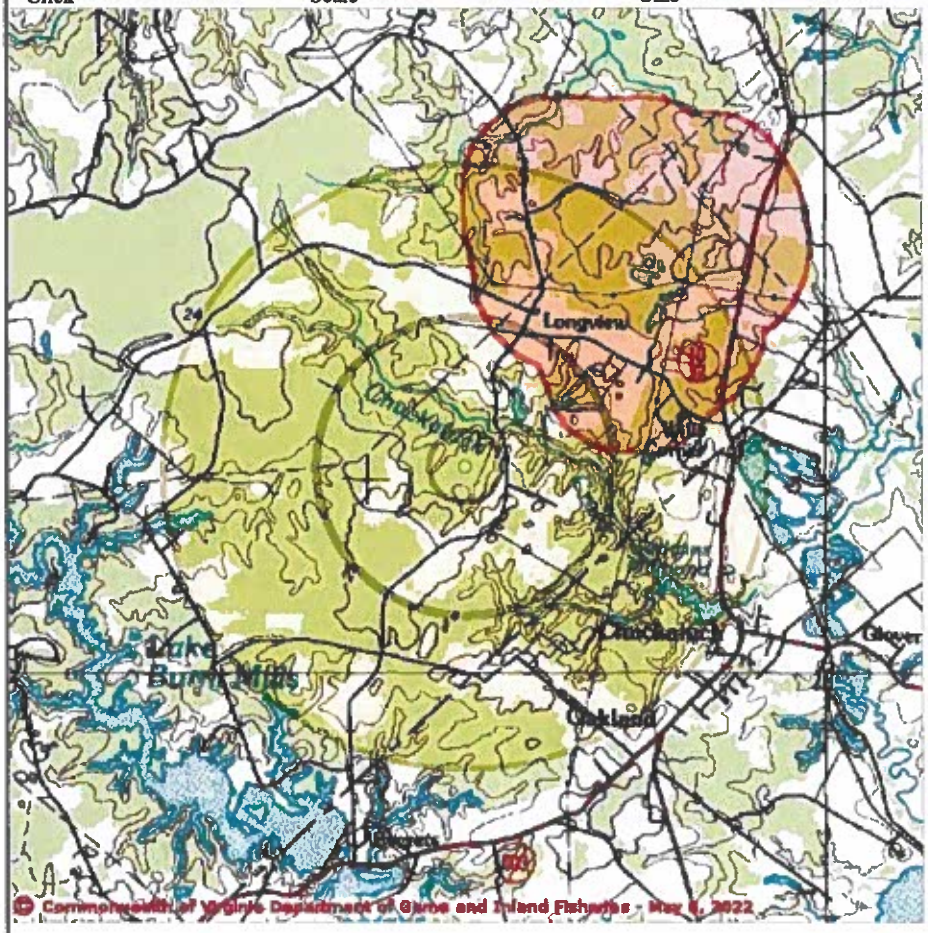
Position Rings
1 mile and 1/4 mile at the Search Point

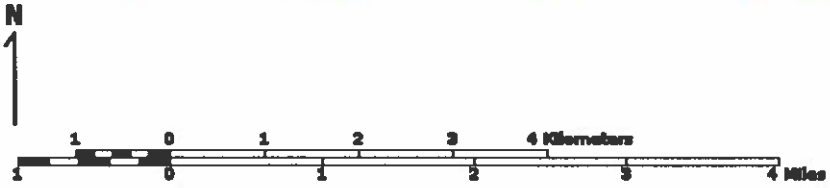
2 mile radius Search Area

Data Observation Site

Refresh Browser Page

Map Click: Pan | Map Scale: In Zoom Out | Screen Size: Small Size Big | Help





Point of Search 36,52,34.2 -76,36,45.0
Map Location 36,52,34.2 -76,36,45.0

Select Coordinate System:
(•) Degrees,Minutes,Seconds Latitude - Longitude
( ) Decimal Degrees Latitude - Longitude
( ) Meters UTM NAD83 East North Zone
( ) Meters UTM NAD27 East North Zone

Base Map source: USGS 1:100,000 topographic maps (see Microsoft terraserver-usa.com for details)

Map projection is UTM Zone 18 NAD 1983 with left 351489 and top 4087152. Pixel size is 16 meters . Coordinates displayed are Degrees, Minutes, Seconds North and West. Map is currently displayed as 600 columns by 600 rows for a total of 360000 pixles. The map display represents 9600 meters east to west by 9600 meters north to south for a total of 92.1 square kilometers. The map display represents 31501 feet east to west by 31501 feet north to south for a total of 35.5

square miles.

Topographic maps and Black and white aerial photography for year 1990+-
are from the United States Department of the Interior, United States Geological Survey.
Color aerial photography aquired 2002 is from Virginia Base Mapping Program, Virginia Geographic Information Network.
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map assembled 2022-05-06 09:20:36 (qa/qc March 21, 2016 12:20 - tn=1180632.1 dist=3218 l)
$poi=36.8761900 -76.6125198

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Virginia Department of Game and Inland Fisheries

VaFWIS Search Report Compiled on 5/6/2022, 9:20:33 AM

Known or likely to occur within a 2 mile radius around point 36.8761900 -76.6125198 in 093 Isle of Wight County, 800 Suffolk City, VA where (020044) Salamander, Mabee s observed.

View Map of Site Location

Species Observations where Salamander, Mabee s (020044) observed (6 records , 6 Observations with Threatened or Endangered species)

View Map of All Query Results

Species Observations where Salamander, Mabee s (020044) observed

obsID	class	Date Observed	Observer	N Species			View Map
				Different Species	Highest TE*	Highest Tier**	
306870	SppObs	Jun 13 1999	SCHWAB, D	12	SE	II	Yes
7931	SppObs	Jun 1 1994	Dept. of Conservation and, Recreation	3	SE	II	Yes
300029	SppObs	Apr 16 2003	Donald J. Schwab (Principal Permittee)	9	ST	II	Yes
306865	SppObs	May 23 1999	SCHWAB, D	12	ST	II	Yes
60007	SppObs	Dec 11 1988	PAGUE, C A ET AL	1	ST	II	Yes
3526	SppObs	Dec 11 1988	Div. Natural Heritage	1	ST	II	Yes

Displayed 6 Species Observations where Salamander, Mabee s (020044) observed

*FE=Federal Endangered; FT=Federal Threatened; SE=State Endangered; ST=State Threatened; FP=Federal Proposed; FC=Federal Candidate; CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need; II=VA Wildlife Action Plan - Tier II - Very High Conservation Need; III=VA Wildlife Action Plan - Tier III - High Conservation Need; IV=VA Wildlife Action Plan - Tier
Virginia Wildlife Action Plan Conservation Opportunity Ranking:
a - On the ground management strategies/actions exist and can be feasibly implemented.; b - On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.;
c - No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Habitat Predicted for Aquatic WAP Tier I & II Species where Salamander, Mabee s (020044) observed

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species where Salamander, Mabee s (020044) observed

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
020044	ST	IIa	Salamander, Mabee's	Ambystoma mabeei	Yes

Compiled on 5/6/2022, 9:20:33 AM I1180632.1 report=BOVA searchType=R dist= 3218 pt= 36.8761900 -76.6125198

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Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Matthew S. Wells
Director

Andrew W. Smith
Chief Deputy Director

Frank N. Stovall
Deputy Director for Operations

Darryl Glover
Deputy Director for Dam Safety, Floodplain Management and Soil and Water Conservation

Laura Ellis
Deputy Director for Administration and Finance

COMMONWEALTH of VIRGINIA

DEPARTMENT OF CONSERVATION AND RECREATION

October 21, 2022

Lauren Parker
Energix Renewables
1201 Wilson Boulevard, Suite 2200
Arlington, VA 22209

Re: Prairie Solar Facility

Dear Ms. Parker:

The Department of Conservation and Recreation's Division of Natural Heritage (DCR) has searched its Biotics Data System for occurrences of natural heritage resources from the area outlined on the submitted map. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations.

According to a DCR biologist and predicted suitable habitat modeling, there is a potential for rare amphibians including Mabee's salamander (*Ambystoma mabeei,* G4/S1S2/NL/LT), Tiger salamander (*Ambystoma tigrinum*, G5/S1/NL/LE) and Barking treefrog (*Hyla gratiosa*, G5/S2S3/NL/NL) to occur in the project area if suitable habitat exists on site.

In Virginia, Mabee's salamander inhabits isolated depression wetlands in pine woods, open fields, lowland deciduous forests (Behler and King, 1979), pine savannas, low wet woods and swamps (Martof et. al., 1980). They breed in fish-free vernal ponds (Pague & Mitchell, 1991) where the eggs are attached to submerged plant material or bottom debris (Behler and King, 1979). This species migrates up to a few hundred meters between their breeding and nonbreeding habitats, although, some adults will remain at the breeding site after the pond dries. Concurrent with heavy winter and springs rains, mass movements of adults to the breeding ponds have been documented (TNC et. al., 1999). Adults and juveniles spend most of the year underground in the upland habitats, but return to the ponds to breed in February or March (VDGIF, 1994). Because of the amphibious life cycle, the presence of sufficient, suitable terrestrial and aquatic habitat is critical (VDGIF, 1994). Threats to Mabee's salamander include habitat loss, habitat fragmentation, and habitat contamination (VDGIF, 1994). The wetland habitats can be degraded or destroyed by filling, draining, ditching, and changing land use in the groundwater recharge zones or by contamination with pesticides or other chemicals. The upland habitats can be compromised by residential, commercial and industrial development, incompatible forest management practices, and other changes. Loss of suitable continuous terrestrial habitat between breeding sites may fragment populations and lead to extirpation through such factors as environmental perturbations, disease, and inbreeding (VDGIF, 1994). Please note that this species is currently classified as threatened by the Virginia Department of Wildlife Resources (VDWR).

The Tiger salamander ranges across much of the United States, extending northward into Canada, and south into Mexico (Petranka, 1998). Populations in Virginia are limited to primarily the Coastal Plain, with disjunct populations in the Ridge and Valley physiographic region (Pague and Buhlmann, 1991). Of six documented records in Virginia, only three are currently thought to be viable. The terrestrial habitat of the tiger salamander has been described as sandy areas near shallow ponds chiefly in pine savannahs (Martof, et al., 1980). In general, tiger salamanders require soils in which it can burrow near suitable breeding ponds. On the Coastal Plain, fish-free vernal pools often provide breeding habitat for the tiger salamander. In the Ridge and Valley, limestone sinkhole ponds are utilized. Similar to other salamanders in this genus, the tiger salamander may migrate up to a few hundred meters between their breeding and non-breeding habitats, although, some adults will remain at the breeding site after the pond dries (Pague and Buhlmann, 1991). Concurrent with heavy winter and springs rains, mass movements of adults to the breeding ponds have been documented. Adults and juveniles spend most of the year underground in the upland habitats, but return to the ponds to breed in February or March (Pague and Buhlmann, 1991). Because of the amphibious life cycle, the presence of sufficient, suitable terrestrial and aquatic habitat is critical. Populations in the southeastern United States appear to be declining as a result of deforestation and loss of wetland habitats (NatureServe, 2009). The major threats to this species in Virginia include draining of crucial breeding habitat, fish stocking, and succession (Pague & Buhlman, 1991). Please note that this species is currently classified as endangered by the VDWR.

The Barking treefrog ranges through the coastal plain from North Carolina to Florida and west to Mississippi and eastern Louisiana (NatureServe, 2009). There are disjunct populations in Delaware, Maryland, Kentucky and Tennessee, and southeastern Virginia (NatureServe, 2009). Across its range, it inhabits areas near shallow ponds in pine savannas and in low wet woods and swamps (Martof et al., 1980). In Virginia, this species breeds in fish-free vernal ponds (Pague & Young, 1991). When inactive during cold or dry seasons, they burrow under tree roots, vegetation, or in the soil; otherwise, this species is mostly arboreal and thus dependent on trees near the water (Pague & Young, 1991). Adult frogs feed on insects and other invertebrates; tadpoles consume primarily algae (VDGIF, 1993). Major threats to the Barking treefrog include continued logging of native pine, destruction of breeding ponds, and over collecting (Pague & Young, 1991).

Due to the potential for this site to support populations of rare amphibians, DCR recommends an inventory for the resources in the study area. With the survey results we can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources.

DCR-Division of Natural Heritage biologists are qualified to conduct inventories for rare, threatened, and endangered species. Please contact Anne Chazal, Natural Heritage Chief Biologist, at anne.chazal@dcr.virginia.gov or 804-786-9014 to discuss availability and rates for field work.

DCR also recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer, to maximize benefits to native pollinators. DCR recommends planting these species in at least the buffer areas of the planned facility, and optimally including other areas within the project site. For screening zones outside the perimeter fencing, DCR recommends native species appropriate for the region be used. Guidance on plant species can be found here: http://www.dcr.virginia.gov/natural-heritage/solar-site-native-plants-finder. In addition, Virginia native species alternatives to the non-native species listed in the Virginia Erosion and Sediment Control Handbook (Third Edition 1992), can be found in the 2017 addendum titled "Native versus Invasive Plant Species", here: https://www.deq.virginia.gov/home/showpublisheddocument?id=2466. Page 3 of the addendum provides a list of native alternatives for non-natives commonly used for site stabilization including native cover crop species (i.e. Virginia wildrye).

In addition, the proposed project will impact Ecological Cores (**C4**) as identified in the Virginia Natural Landscape Assessment (https://www.dcr.virginia.gov/natural-heritage/vaconvisvnla). Mapped cores in the project area can be viewed via the Virginia Natural Heritage Data Explorer, available here: http://vanhde.org/content/map.

Ecological Cores are areas of at least 100 acres of continuous interior, natural cover that provide habitat for a wide range of species, from interior-dependent forest species to habitat generalists, as well as species that utilize marsh, dune, and beach habitats. Interior core areas begin 100 meters inside core edges and continue to the deepest parts of cores. Cores also provide the natural, economic, and quality of life benefits of open space, recreation, thermal moderation, water quality (including drinking water recharge and protection, and erosion prevention), and air quality (including sequestration of carbon, absorption of gaseous pollutants, and production of oxygen). Cores are ranked from C1 to C5 (C5 being the least significant) using nine prioritization criteria, including the habitats of natural heritage resources they contain.

Impacts to cores occur when their natural cover is partially or completely converted permanently to developed land uses. Habitat conversion to development causes reductions in ecosystem processes, native biodiversity, and habitat quality due to habitat loss; less viable plant and animal populations; increased predation; and increased introduction and establishment of invasive species.

DCR recommends avoidance of impacts to cores. When avoidance cannot be achieved, DCR recommends minimizing the area of impacts overall and concentrating the impacted area at the edges of cores, so that the most interior remains intact.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, DCR represents VDACS in comments regarding potential impacts on state-listed threatened and endangered plant and insect species. The current activity will not affect any documented state-listed plants or insects.

There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

New and updated information is continually added to Biotics. Please re-submit a completed order form and project map for an update on this natural heritage information if the scope of the project changes and/or six months (April 21, 2023) has passed before it is utilized.

A fee of $95.00 has been assessed for the service of providing this information. Please find attached an invoice for that amount. Please return one copy of the invoice along with your remittance made payable to the Treasurer of Virginia, DCR Finance, 600 East Main Street, 24th Floor, Richmond, VA 23219. Payment is due within thirty days of the invoice date. Please note late payment may result in the suspension of project review service for future projects.

The VDWR maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters that may contain information not documented in this letter. Their database may be accessed from http://vafwis.org/fwis/ or contact Amy Martin at (804-367-2211) or amy.martin@dwr.virginia.gov.

Should you have any questions or concerns, please contact me at 804-225-2429. Thank you for the opportunity to comment on this project.

Sincerely,

Tyler Meader
Natural Heritage Locality Liaison

CC: Susan Tripp, DEQ
Amy Martin, VDWR
Randy R. Keaton, Isle of Wight County Administrator

Literature Cited

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COMMONWEALTH of VIRGINIA

Travis A. Voyles
Acting Secretary of Natural and Historic Resources

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

Julie V. Langan
Director
Tel: (804) 367-2323
Fax: (804) 367-2391
www.dhr.virginia.gov

June 9, 2022

Dawn Reid
Archaeological Consultants of the Carolinas, Inc.
121 E. First Street
Clayton, NC 27520

RE: Prairie Solar Facility: *Phase I Cultural Resource Survey of the Prairie Solar Facility Tract Isle of Wight County, Virginia Archaeological*
Isle of Wight County
DHR File No. 2021-0039

Dear Ms. Reid:

On April 15, 2022, DHR received for review the document referenced above, prepared by Archaeological Consultants of the Carolinas, Inc (ACC) in support of an application to the Department of Environmental Quality for a Permit-by-Rule application to construct and operate a small solar project in Isle of Wight County. We have reviewed the submitted materials and provide the following comments.

Archaeology

The report documents an archaeological survey of approximately 316.9 acres. During the course of the survey, six new archaeological sites (44IW0345-44IW0350 *inclusive*) and three isolated finds were recorded as part of this investigation.

Site **44IW0345** is an Early to Middle Woodland artifact scatter consisting of five (5) artifacts. ACC recommends the site as *Not Eligible* for listing in the National Register of Historic Places (NRHP).

Site **44IW0346** is a historic artifact scatter consisting of four (4) artifacts and brick fragments. ACC recommends the site as *Not Eligible* for listing in the NRHP.

Site **44IW0347** is a prehistoric ceramic scatter consisting of nine (9) ceramic artifacts dating to the Middle to Late Woodland period. ACC recommends the site as *Not Eligible* for listing in the NRHP.

Site **44IW0348** is a small prehistoric artifact scatter that possibly dates to the Late Woodland period, consisting of six (6) artifacts. ACC recommends the site as *Not Eligible* for listing in the NRHP.

Site **44IW0349**/DHR ID# 046-5665 is a historic African American family cemetery that dates to the mid- to late-twentieth century. It is not within the project tract and will not be affected by the proposed undertaking. It is approximately 700 meters from the eastern edge of the project tract. Three large crepe myrtles and a large holly are present in the western portion of the cemetery. There are 11 graves within this cemetery. Nine of the graves have concrete coverings, three of the graves have headstones, and one grave is marked by a small metal plaque. ACC recommends the site as *Not Eligible* for listing in the NRHP

Site **44IW0350** is a late nineteenth to early twentieth century artifact scatter related to a former residence, consisting of nine (9) artifacts. The house has been razed and no structural features remains. ACC recommends the site as *Not Eligible* for listing in the NRHP.

DHR *concurs* with the eligibility recommendations and that no additional archaeological work is needed within the proposed project area.

Architecture

The report identified thirty-three (33) resources within the 0.5-mile study area. Four (4) resources are previously recorded and nine (9) are newly identified.

Further research on the Christian Home School (DHR ID #046-5053), church (DHR ID #046-5247), ca. 1937 cemetery (DHR ID #046-5659) and Spivey Farm (DHR ID #045-5696) is recommended to determine eligibility for Virginia Landmarks Register (VLR) and National Register of Historic Places (NRHP) listing. The collapsed remains of #046-5053 no longer retain integrity however as an important African-American resource in the area, further research is recommended for its potential eligibility under Criteria A, B, and D and DHR *concurs*. #046-5247 association with African American culture, community, settlement, and education during the reconstruction era into the early twentieth century. Further research into eligibility of #046-5247 under Criterion A is recommended and DHR *concurs*. Further research is recommended for #046-5659 to determine its eligibility for the VLR/NRHP under Criteria A and B and DHR *concurs*. Further survey of ca. 1906, #046-5696 is recommended to, "distinguish the parts of the dwelling, but overall, this resource is a good example of a modest folk house and the change of architectural style and material through time" (page 56) and DHR *concurs*. These resources were treated as eligible for the purposes of this project and impacts assessed. ACC recommends no impacts to these four (4) resources and DHR *concurs*.

Please see the attached table for all eligibility and impact recommendations.

If you have any questions regarding these comments, please contact me at 804-482-8091 or via email, jennifer.bellville-marrion@dhr.virginia.gov.

Sincerely,

Jenny Bellville-Marrion, Project Review Archaeologist
Review and Compliance Division

c.
Chris Egghart, DEQ

Western Region Office
962 Kime Lane
Salem, VA 24153
Tel: (540) 387-5443
Fax: (540) 387-5446

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22655
Tel: (540) 868-7029
Fax: (540) 868-7033

Eastern Region Office
2801 Kensington Avenue
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

ATTACHMENT
June 9, 2022
DHR File No. 2022-3701

DHR ID #	ACC Eligibility	DHR Eligibility	ACC Impacts	DHR Impacts
046-5053	Christian Home School - Further Research	Further Research Needed – Treat as Eligible	No Impact	
046-5247	Christian Home Baptist Church - Further Research	Further Research Needed – Treat as Eligible	No Impact	
046-5507	Not Eligible	Not Eligible		
046-5508	Not Eligible	Not Eligible		
046-5659	Christian Home Baptist Cemetery - Further Research	Further Research Needed – Treat as Eligible	No Impact	
046-5660	Not Eligible	Not Eligible		
046-5661	Not Eligible	Not Eligible		
046-5652	Not Eligible	Not Eligible		
046-5663	Not Eligible	Not Eligible		
046-5665	Not Eligible	Not Eligible		
046-5666	Not Eligible	Not Eligible		
046-5695	Not Eligible	Not Eligible		
046-5696	Spivey Farm - Further Research	Further Research Needed – Treat as Eligible	No Impact	

TABLE KEY:	Warrants Mitigation	Needs Attention	**DHR does not concur**

February 23, 2023

Cheryl Phillips, AICP
Assistant Director -Planning & Zoning
Community Development
Isle of Wight County, VA

Re: Conditional Use Permit for Prairie Solar, LLC

Dear Ms. Phillips,

My name is Al Biagioni, and I am the president of the Rogers Deer Club in Isle of Wight County. I represent a group of approximately 40 hunters from the local area. This hunting club has been around since early 1940's, and we have always been and believed in being good stewards of the land.

The Rogers Deer Club has been renting land from the Rose and Kirk families for over 80 years. In fact, Mills Godwin, Jr. (60th and 62nd Governor of Virginia) was a long-time member of the club, along with his father. I have been a member of the hunting club for 35 years, and president for the past 7 years. The landowners have always been gracious and kind to the club. They have allowed the club to keep a clubhouse on the property, and even an area to house our hunting dogs. They have been great families to work with and we are proud of our successful relationship.

We hunt primarily deer, but also hunt squirrel, rabbits, and turkey. We have hosted hunts for military and veteran organizations throughout the years. We are fully in support of the proposed solar project on this property. The land proposed for panels is not our primary hunting fields, and the land surrounding the panels will still be available for our use. We will be able to continue hunting the land, even with the solar panels being in place.

On behalf of the hunting club, I urge you to approve the Prairie Solar project.

Best regards,

Al Biagioni
President, Rogers Deer Club

March 17, 2023

Pastor Wendell Waller
Christian Home Baptist Church
20123 Longview Drive
Windsor, VA 23487

Dear Pastor Wendell Waller:

Energix Renewables is a proud member of the communities in which we operate in. We are committed to being a good neighbor with open lines of communication and transparency as we work towards a cleaner future. We use our financial stability and extensive project experience to build projects that create long-term value for local counties, landowners, stakeholders, and the environment.

On behalf of Prairie Solar, we are more than happy to continue to work with you and your congregation of Christian Home Baptist Church. As part of our commitment to the neighborhood in which we operate, **Prairie Solar agrees to restrict deliveries to the site from 10:45 am to 1:15 pm, every Thursday, during construction.**

We hope that this consorted effort to ensure that your congregation's time of worship is not disrupted, reassures you of our desire to work with the local community to make Prairie Solar the right fit for the county.

As always, if you need anything else, please do not hesitate to reach out.

Best,

Alexis Ondash

ENERGIX RENEWABLES

Allie Ondash
Project Development Senior Associate
USA
Mobile / 703-965-4176
1201 Wilson Blvd, Suite 2200
Arlington, VA 22201

www.energixrenewables.com

PLANNING REPORT

APPLICATION:

Application of Prairie Solar, LLC, a subsidiary of Energix, US, applicant, and Everets Properties, Inc., property owner, for a conditional use permit to establish a major utility service, specifically a 20 MWac utility-scale solar facility on 152 acres, located on private property located off of Longview Drive (Route 602) at 19604 Longview Drive with tax parcel numbers 41-01-018, 50-01-009, 41-01-019, 41-01-017, 50-01-007, and 50-01-006 in the Rural Agricultural Conservation (RAC) zoning district. The properties are agricultural and silvicultural uses and a portion of the property is used as a private hunt club. This request is also for withdrawal of approximately 103 acres of land owned by Everets Properties, Inc., from the Longview Agricultural/Forestal District.

ELECTION DISTRICT:

District 4

LOCATION:

The proposed project is located on six properties owned by Everets Properties, Inc. The project will have frontage on one public road, limited to the west side of Longview Drive, and within an existing mature wooded area. It will not be visible from the public right-of-way. It is adjacent to agricultural and forestal lands, a few single-family residents, and the Christian Home Baptist Church and Cemetery. A property location map is attached to this staff report.

BACKGROUND:

The properties on which the proposed project is located are currently in agricultural, timbering, and hunting uses. The properties are all zoned RAC. Not all of the land comprising the six parcels is proposed for this use. The excluded southern portion (122.23 acres) will continue to be used for agriculture, timbering, and hunting. The farmer that leases the property rotates through different crops. It is currently planted in soybeans.

The applicant hosted a community information meeting on February 1, 2023, at Christian Home Baptist Church, providing an opportunity for the public to view the project conceptual site plan and to ask questions. The applicant also met door-to-door with all adjacent property owners in advance of the scheduled public hearing and has entertained questions from these property owners ever since. Christian Home Baptist Church has requested the applicant to consider allowing no construction truck traffic on Thursday mornings in order to accommodate elderly members attending a weekly event held at the Church, and the applicant has obliged to this condition of approval.

On February 1, 2023, the Agricultural and Forestal District Advisory Committee held a public meeting to consider an application by Everets Properties, Inc., to withdraw approximately 103 acres of land owned by Everets Properties, Inc. from the Longview Agricultural/Forestal District. The Committee recommended approval of the request by a vote of five in favor and zero against the motion (5-0).

At its meeting on February 28, 2022, the Planning Commission closed the public hearing on this item and voted to table action on it to await the results of the Energy Task Force still to be appointed by the Board of Supervisors, in addition to the outcome of the Ordinance text revisions regarding utility-scale solar energy facilities that were recommended for approval by the Planning Commission to the Board of Supervisors at its meeting on February 28, 2023.

Following the meeting, a Commissioner asked staff questions related to the availability of TCLP testing results by the U.S. manufacturer, First Solar, with specific regard to cadmium leakage during panel breakage through testing for the proposed non-silica-based solar panels to be procured by the developer from First Solar, and to provide the results of such testing to the Commissioner. This request was coordinated by the staff project manager and the

requested information was provided to the requesting Commissioner prior to the March 28, 2023, Planning Commission meeting.

At its meeting on March 25, 2023, the applicant/developer was present to address any further questions. The Commissioner, who requested the TCLP testing results from First Solar provided by the applicant, indicated that he was satisfied with the information provided by the applicant on the manufacturer's testing. Another Commissioner then asked about a fire that was said to have occurred at a solar energy facility in Surry County, and about the status of any required Fire/EMS Personnel Training with regard to incident response at solar energy facilities to date, which is one of staff's recommended conditions of approval with all such applications. The preparation of an Emergency Response Plan by local Fire/EMS, to be coordinated with the developer, inclusive of annual training of Fire/EMS personnel by the developer, is already a recommended condition of approval, as per the staff report for the February 28, 2023, Planning Commission meeting. As part of that recommended condition, the preparation of an Emergency Response Plan is required prior to Final Site Plan approval, not at the time of Conditional Use Permit (CUP) application. Likewise, training must occur prior to the facility beginning operations as per the adopted Emergency Response Plan. Therefore, no such training has occurred yet, because the CUP has not yet been approved, and a preliminary site plan has not been submitted to date. Staff indicated that they would obtain information about the Surry County fire.

The Planning Commission voted again to table action on this application in order to obtain more information about the Surry County fire and about the status of the Emergency Response Plan and EMS personnel training. Staff attempted to contact the Commissioner requesting information regarding the Surry County fire and to discuss the text of the existing staff recommended condition regarding preparation of an Emergency Response Plan, to include annual training on-site and prior to facility operation. The plans reviewer for Fire/EMS, who reviewed the CUP application in Summer 2022 and provided the recommended staff condition for approval, will be present at the April 25, 2023, meeting to address questions regarding the Surry County fire and to also address his recommended condition in the February 28, 2023 staff report regarding the preparation of an Emergency Response Plan as well as training with the applicant prior to the opening of the facility.

Prior to the March 28, 2023, meeting, staff revised the proposed conditions to remove number fourteen, because it was inadvertently duplicative of condition number three. Therefore, there are only 22 conditions versus the 23 originally proposed by staff.

DESCRIPTION:

The applicant has proposed a 20 MWac solar energy generation facility on a total of 152 acres that spans across six different parcels. Any acreage of the property not within the project area will remain in their current uses. The project will be a wholesale distributer of energy. The project will consist of solar panels along with their racking systems and metal posts, inverters, collection lines, a substation constructed jointly by the applicant and Dominion Energy, fencing, underground conduit lines, and access roads that will connect different sections of the project. Upgrades are proposed to the existing overhead transmission lines situated on Longview Drive and elsewhere in the County. No additional right of way will be acquired.

Wildlife corridors and pollinator habitat gardens have been designed into the project. The project area is encumbered by Chesapeake Bay Preservation Area (CBPA) Resource Protection Areas (RPAs) and a 100-foot RPA Buffer Area. The applicant has proposed a 25-foot buffer area around all non-CPBA natural resource features on the property. A 50-foot vegetative buffer consisting of existing mature trees will be protected where present along the project perimeter and, where not present, a 50-foot vegetative buffer, consisting of a triple-staggered row of evergreen and deciduous trees and shrubs, will be planted. All such buffer areas are adjacent to other property owned by the applicant.

No equipment will be located closer than 150 feet to any adjacent residential use, as required by the Zoning Ordinance. The closest equipment to an adjacent residential use property, which is a new substation concrete pad and utility poles for new overhead electrical lines, will be 580 feet away from the home. The closest project-related equipment to be installed by the applicant, which will be the security fence surrounding all project equipment, will be 789 feet away from the home.

The entirety of the project adjacent to other property owners is located entirely within an existed wooded area and, therefore, will not be visible from the public right-of-way. The southernmost portion of the project area where equipment will be located is 680 feet from Longview Drive (Route 602), and the northernmost portion of the project area where equipment will be located is 760 feet from Route 602. A project narrative provided by the applicant is attached to this staff report.

Public Facility Impacts:

The impacts of the proposed facility on public roads will occur primarily during construction and will be minimal once the use is established. The proposed truck route has been reviewed and approved by VDOT and the County's Transportation Manager, as well as the Department of Community Development, and is a proposed condition of approval. It will be limited to Route 10 in the County and in City of Suffolk, accessing the site on Longview Drive via either Audubon Road in Suffolk to Sandy Ridge Drive in the County turning north on Longview Drive to the site entrance, or via Oliver Drive in the County, turning south on Longview Drive to the site entrance. Staff recommends against the use of Sandy Ridge Drive, when possible, due to its narrow width which makes it unable to safely accommodate two-way traffic in most places.

The Route 602 bridge over Chuckatuck Creek is currently under replacement and, once the repair work is complete, will no longer be weight-restricted. No other County roads will be permitted to be used for construction and post-construction traffic. In addition, a baseline conditions photographic survey will be conducted by the applicant and VDOT to document roadway conditions prior to construction to establish background conditions. Any roadway damage within the right-of-way which occurs after project construction begins will be documented and analyzed by both the applicant and VDOT to determine if the damage is attributable to the project vehicles. If it is determined to be attributable to the project, then all costs for damage repairs will be paid by the applicant. The approved truck route will be monitored and enforced as a condition of approval, with permit revocation an option if violations occur.

In establishing the use, the enjoyment of neighboring properties may also be temporarily impacted by construction traffic and noise generation in an amount no greater than has occurred during the Route 602 bridge replacement project.

In order to ensure adequate provision of emergency services, the Fire/EMS Department has reviewed this application and has no concerns. The applicant has proposed to submit an Emergency Response Plan with the first submission of the Preliminary Site Development Plan, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided, at the discretion of the County, to County emergency responders with regard to safety for on-site emergency response. The applicant shall install Knox Box or other remote access technology at the facility to ensure emergency responders have access to the facility should the need arise and include plans for the same on the project site plan.

Environmental Assessment:

The project lies within the Chuckatuck Creek watershed in the County's Chesapeake Bay Preservation Area (CBPA) Overlay District and has several wetland areas within it which have been confirmed by the US Army Corps of Engineers.

All CBPA Resource Protection Area (RPA) features, including perennial and intermittent streams and wetlands, will be protected with the required 100-foot RPA Buffer. No equipment or project activities may occur within the RPA Buffer Area. In addition, the applicant has proposed a 25-foot buffer around all non-CPBA wetland features.

A Threatened and Endangered Species Report was prepared for the applicant by Pilot Environmental, Inc., in May 2022 and is included with the application. For this report, Pilot reviewed the Virginia Department of Wildlife Resources (DWR) Wildlife Environmental Review Map Services via ArcGIS in May 2022 prior to submitting this

application. The review area included the site and a two-mile radius of the site boundary. Neither state nor federal listed species are identified on the site. Federal species are not identified within two miles of the site. Several occurrences of the state protected eastern chicken turtle, eastern tiger salamander, and the Mabee's salamander are identified within two miles of the site, approximately .5 miles and farther northeast of the site. A copy of the WERMS data is included as an attachment. An additional report was generated using DWR's online Fish and Wildlife Information Service (FWIS) for a two-mile radius of the site centroid. The Virginia FWIS search reported 21 species known to or likely to occur within two miles of the site centroid as threatened or endangered at the state and/or federal levels. Of the 21 species, the eastern chicken turtle, eastern tiger salamander, and the Mabee's salamander are known to occur within the two-mile radius around the site, consistent with the occurrences from the WERMS data. A copy of the FWIS report is included as an attachment.

Combined, these two assessments have revealed that it is not likely for the proposed solar development to adversely affect documented occurrences of federally-protected or state-listed threatened/endangered species, critical habitat, or other wildlife resources included in the assessment. A copy of this assessment will be required to be provided by the applicant to the Virginia Department of Conservation and Recreation and DWR for their concurrence and any mitigation recommendations prior to final site plan approval.

No impacts are proposed to wetlands, streams, or floodplains. The concept plan's access roads have been designed such that no stream crossings or crossings of the RPA Buffer Area are necessary. The concept plan shows wildlife movement corridors in several locations, reflecting the current movement of wildlife on the site from/to natural areas. To help ensure such movement opportunities, fencing will be placed around the area proposed to be under panels and not the whole project site. A pollinator habitat is designed to ensure continuation of natural pollination for the surrounding agricultural use properties.

The applicant also requested of the Virginia Department of Conservation and Recreation's Division of Natural Heritage (DCR) a search of its Biotics Data System for occurrences of Natural Heritage Resources within the project area. Natural heritage resources are defined as the habitat of rare, threatened, or endangered plant and animal species, unique or exemplary natural communities, and significant geologic formations. The applicant received a review letter from DCR dated October 21, 2022, for this purpose, which is an attachment to this staff report. According to the DCR biologist and predicted suitable habitat modeling, there is a potential for rare amphibians including Mabee's salamander, Tiger salamander, and Barking treefrog to occur in the project area if suitable habitat exists at the site. Due to the potential for this site to support populations of rare amphibians, DCR recommends an inventory for the resources in the study area. With the survey results, DCR states that they can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources. DCR also recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer, to maximize benefits to native pollinators. DCR recommends planting these species in at least the buffer areas of the planned facility, and optimally including other areas within the project site. For screening zones outside the perimeter fencing, DCR recommends native species appropriate for the region being used. Staff recommends these recommendations as conditions of approval.

<u>Cultural Resources Assessment</u>:

A Phase 1 Cultural Resources Survey of the project area was conducted by Archaeological Consultants of the Carolinas, Inc. (AAC) in April 2022 and included with the application. This report was sent by the applicant to the Virginia Department of Historic Resources (VDHR) for their review and concurrence with the survey findings and recommendations. A letter from VDHR was provided with the application and is included as an attachment to this staff report.

The VDHR letter states that on April 15, 2022, VDHR received for review this survey document in support of this application. The report documents an archaeological survey of approximately 316.9 acres. During the course of the survey, six new archaeological sites (44IW0345-44IW0350 inclusive) and three isolated finds were recorded as part of this investigation. Site 44IW0345 is an Early to Middle Woodland artifact scatter consisting of five (5) artifacts. ACC recommends this as not eligible for listing in the National Register of Historic Places (NRHP). Site 44IW0346 is a historic artifact scatter consisting of four (4) artifacts and brick fragments. ACC recommends

the site as not eligible for listing in the NRHP. Site 44IW0347 is a prehistoric ceramic scatter consisting of nine (9) ceramic artifacts dating to the Middle to Late Woodland period. ACC recommends the site as not eligible for listing in the NRHP. Site 44IW0348 is a small prehistoric artifact scatter that possible dates to the Late Woodland period, consisting of six (6) artifacts. ACC recommends the site as not eligible for listing in the NRHP. Site 44IW0349/DRH ID# 046-5665 is a historic African American family cemetery that dates to the mid-to-late twentieth century. It is not within the project tract and will not be affected by the proposed undertaking. It is approximately 700 meters from the eastern edge of the project area. Three large crepe myrtle trees and a large holly are present in the western portion of the cemetery. There are 11 graves within this cemetery. Nine of the graves have concrete coverings, three of the graves have headstones, and one grave is marked by a small metal plaque. ACC recommends the site as not eligible for listing in the NRHP. Site 441W0350 is a late nineteenth to early twentieth century artifact scatter related to a former residence, consisting of nine (9) artifacts. The house has been razed and no structural features remain. ACC recommends the site as not eligible for listing in the NRHP.

VDHR concurs with the eligibility recommendations and that no additional archaeological work is needed within the proposed project area. The Isle of Wight County Museum also reviewed this report and concurs the findings and recommendations.

The historic architectural report identified thirty-three (33) resources within the 0.5-mile study area. Four (4) resources are previously recorded and nine (9) are newly identified.

Further research on the Christian Home School (DHR ID #046-5053), church (DHR ID #046-5247), ca. 1937 cemetery (DHR ID #046-5659) and Spivey Farm (DHR ID #045-5696) is recommended to determine eligibility for Virginia Landmarks Register (VLR) and NRHP listing. The collapsed remains of #046-5053 no longer retain integrity; however, as an important African American resource in the area, further research is recommended for its potential eligibility under Criteria A, B, and D, and DHR concurs with this recommendation by ACC. Site #046-5247 has association with African American culture, community, settlement, and education during the reconstruction era into the early twentieth century. Further research into the eligibility of this resource site under Criterion A is recommended and DHR concurs with this recommendation by ACC. Further research is recommended for #046-5659 to determine its eligibility for the VLR/NRHP under Criterion A and B, and DHR concurs with this recommendation by ACC. Further survey of circa 1906, #046-5696 is recommended to distinguish the parts of the dwelling, but overall, this resource is a good example of a modest folk house and the change of architectural style and material through time. DHR concurs with this recommendation by ACC. These resources are treated as eligible for the purposes of this project and impacts assessed. ACC recommends no impacts to these four (4) resources and DHR concurs. A copy of this report is included as an attachment to this staff report.

Since no archaeological or architecture features are found within the project area that have been determined to be potentially-eligible for listing on the VLR/NRHP, no further work is needed by the applicant. Any recommendations for additional survey or research contained in the report would be the responsibility of others, not associated with this project, at their discretion.

Economic Impact Assessment:

The property subject to this application is currently leased by the property owner, Everets Properties, Inc., to a local farmer for crop production. Soybeans were cultivated on the property in 2022. The remainder of the parcels included in this application are presently used for silvicultural uses and as a private hunt club. According to the applicant's economic impact report, the project will include 152 acres of improvements for solar panels and equipment (35.11% of total parcels area included with this application), 3.89 acres of setbacks (approx. 1% of total parcels area), and 118.14 acres of wetlands and wetlands setback areas (27.30% of total parcels area), and will exclude 122.23 acres of the southern tract (28.13% of total parcels area). The project improvements will be on property leased or sold by the property owner, Everets Properties, to the applicant and will provide a diversification of income to Everets Properties, Inc. The parcels will continue to be leased for farm use, and forestal and hunting activities will continue on all parcel area not included within the project area or project area setbacks.

The current assessed value of the affected acreage is approximately $2,604.02 under Land Use Value Taxation, or $91,141.00 over 40 years, the proposed lifespan of the solar energy facility. Independent of a siting agreement, the solar facility would be reassessed to $15,000.00 an acre times 152 acres, totaling $2,280,000.00. Dividing the total by 100 to accurately calculate the real estate tax, $22,800.00 is derived. The County's real estate tax is .85 per 100; therefore, $22,800.00 times 0.85 equals $19,380.00 in annual real estate tax revenue generation for the project, or $775,200.00 over 40 years.

In addition, the County would derive revenue from machinery and tools taxes on the capital facilities at $42,000.00 annually, or $2,625,000.00 over 40 years. In total, the facility would generate $3,400,200.00 in additional tax revenue over 40 years.

An Economic Analysis of the contribution of Prairie Solar, Inc. to Isle of Wight County was prepared by Mangum Economics for Energix Renewables in November 2022 and is attached to this staff report. Based on the analysis report and using the IMPLAN model, the proposed Prairie Solar project would provide an estimated one-time pulse of economic activity to the County during its construction phase supporting approximately 33 direct, indirect, and induced jobs; $1.4 million in associated labor income; and, $4.4 million in economic output.

In its current agricultural use, the land provides an annual economic contribution to the County as follows: 1) The current agricultural use of timberland and a rotation of crops which includes soybeans, corn, cotton, and peanuts provides an estimated average annual economic impact to the County supporting approximately 1 direct, indirect and induced job; $15,400 in associated labor income, and $60,300 in economic output.

Impact on Prime Agricultural Soils/Soils of Statewide Significance:

Currently, agriculture and silviculture are two of the County's top industries.

Of the six parcels included with this application totaling 445 acres, 387 acres appear to be either prime, prime if drained or soils of statewide significance, according to the Isle of Wight County Soil Survey prepared by the U.S. Department of Agriculture and as per County GIS mapping. Only 153 acres will be included in the project area. Out of the total 445 acres, 103 acres were requested by the property owner, Everets Properties, Inc., to be withdrawn from the Longview Agricultural and Forestal District, which was recommended for approval by the Agricultural/Forestal District Advisory Committee.

If approved, the Prairie Solar facility would be the eighth energy generation facility in the County if the Carver Solar facility is approved, or it would be the seventh energy generation facility in the County, if the Carver Solar facility is not approved. A table showing the previously approved and proposed solar energy facilities is attached to this report.

Viewshed Analysis:

The proposed project area is located entirely within the presently wooded area of the subject property. The subject property is currently comprised of cultivated fields, which are visible from Longview Drive, with wooded areas interior to these fields between the fields and the proposed equipment areas, and of wooded areas. The proposed project area under panels and equipment, not including vegetative buffers, is not visible from the public right-of-way (Longview Drive - Route 602). The southernmost portion of the project area where equipment will be located is 680 feet from Longview Drive (Route 602), and the northernmost portion of the project area where equipment (invertor and solar array fencing) will be located is 610 feet from Route 602. The proposed substation concrete pad and utility poles will be located 480 feet from Route 602. The closest equipment area to an adjacent residential use property will be 789 feet away from the home.

In the event that existing woodlands, not included in required vegetated buffer areas, are timbered, both a 50 foot vegetative screening buffer and an agricultural-style wood rail fence are proposed along the equipment area that would be exposed and immediately adjacent to the proposed security fence in these areas. These areas are shown

in blue hatch mark and green hatch mark on Sheet CO-002 “Concept Site Plan – Aerial” in the attachments to this staff report.

A viewshed analysis of present-day conditions was provided by the applicant of various vantage points along Longview Drive and along the interior private access road, as well as throughout the site to document existing conditions. It is attached to this staff report.

A conceptual-only landscape screening plan has been included with the proposed concept plan at Sheet LO-001 and is attached to this staff report. A recommended permit condition is that a detailed landscape screening plan will be included with the preliminary site development plan and approved with the final site plan. All proposed landscape screening will require a landscape surety agreement between the property owner, applicant, and the County to ensure enforcement, and a certificate of occupancy for this use will not be issued until a final landscape installation inspection is conducted by staff. The surety will be held for two years to ensure viability of all plantings, and any plantings determined to be not viability must be replaced at the applicant’s expense. Both the agricultural-style fence and the landscape plan must be approved by the Zoning Administrator prior to final site plan approval.

Staff recommends for all major utility-scale solar projects that an enhanced setback of 200 feet be included in the proposed conditions.

COMPREHENSIVE LAND USE PLAN:

The future recommended land use designation for these properties is Rural Agricultural Conservation (RAC) and Environmental Conservation (EC) under the adopted Comprehensive Plan. Appropriate uses for the RAC land use designation include agriculture, horticulture, forest lands, and scattered low-density residential uses. Other uses such as resource extraction and utility-scale solar facilities are also permitted when appropriately sited with a conditional use permit. Appropriate uses for the EC land use designation include wetlands, farms, forest uses, open space, and limited park facilities.

Solar energy facilities are considered compatible with the RAC land use when properly sited and with the application of appropriate development criteria. The areas designed as EC should be preserved due to environmental constraints unless site-specific analysis demonstrates there are no environmental concerns in a specific area. The proposed use will be required to use screening landscaping and appropriate fencing to minimize its visual impacts on the surrounding area.

ORDINANCE REVIEW:

The zoning district classification for the subject parcels is RAC. The RAC zoning district is intended to preserve and protect areas of the County that are predominantly in agricultural and forestal uses and to maintain the existing land base to support those activities.

The applicant proposes to establish a 20 MWac solar energy facility, which is classified as a major utility service use type in the Zoning Ordinance. These facilities are permitted as conditional uses in the RAC zoning district and may be considered compatible with appropriate conditions to mitigate any potential negative impacts on the surrounding community.

No parcels are located in the Highway Corridor Overlay District. At a minimum, the project will be required to meet the minimum setbacks of 75 feet from adjacent property lines and 125 feet from residential use parcels as required by the Zoning Ordinance. Enhanced setbacks of 200 feet are included in the proposed conditions.

Two of the parcels are located in the Longview Agricultural/Forestal District and have been recommended by the Agricultural and Forestal District Advisory Committee for withdrawal at their meeting on February 1, 2023.

Section 1-1017 of the Zoning Ordinance provides standards for review of a conditional use permit application that the Planning Commission and Board of Supervisors shall consider before granting a conditional use permit. They

are as follows:

1. That the establishment, maintenance, and operation of the conditional use will not be detrimental to or endanger the public health, safety, and general welfare;
2. That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity;
3. That adequate utilities, water, sewer or septic system, access roads, storm drainage and/or other necessary public facilities and improvements have been or will be provided;
4. That adequate measures have been or will be taken to provide ingress and egress so designated as to minimize traffic congestion on the public streets;
5. That the proposed conditional use is not contrary to the goals and objectives of the Isle of Wight County Comprehensive Plan;
6. That the conditional use shall, in all other respects, conform to the applicable regulations of the zoning district classification in which it is located and to the special requirements established for the specific use; and,
7. That the use(s) at the location proposed will not result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use.

In addition to the standards and other guidelines described in the Zoning Ordinance, the Board may impose conditions or limitations on any approval, including the posting of performance guarantees. Such conditions may include, but are not necessarily limited to:

1. The number of persons living or working in the immediate area and the proposed hours of operation, as may be applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak period of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
3. The orderly growth of the neighborhood and community and the fiscal impact of the County;
4. The effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services;
6. The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
7. The structures in the vicinity such as schools, houses of worship, theatres, hospitals, and similar places of public use;
8. The purposes set forth in this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
9. The environmental impacts, the effect on sensitive natural features, and opportunities for recreation and open space; and,
10. The preservation of cultural and historic resources or landmarks.

Following approval of the CUP, the applicant will be required to submit a site plan for review and approval in accordance with the Zoning Ordinance requirements and conditions of approval.

AGENCY REVIEW:

The application was forwarded to the following departments for their review:

- Economic Development: No concerns.
- Commissioner of Revenue: The estimated revenue calculations from either the Machinery and Tools Tax method or the revenue sharing method, should a siting agreement be entered into, is acceptable as presented.
- Environmental Planner: All concerns have been addressed.
- Emergency Services: No concerns, will work with applicant during site plan review on required Emergency Response Plan to include annual training.

- Utility Services: No concerns, site plan will have to meet State Stormwater regulations.
- General Services – Transportation Manager: Adherence to Transportation Plan shall be required. Pre-construction photo documentation of roadway conditions at least 1000 feet of the site entrance on Longview Drive to establish baseline traffic type and roadway conditions should be a condition of approval Impacts to any roadways used in the County in accordance with the approved Transportation Plan shall be subject to damage claims by VDOT and repair at applicant's cost if proven to be related to applicant's construction truck traffic. Recommend that Transportation Plan limit truck traffic to only two routes: Route 10 in Isle of Wight County via Oliver Drive then south on Longview Drive to the site entrance and/or Route 10 in the City of Suffolk via Audubon Road to Sandy Ridge Road, then north on Longview Drive to the site entrance. No other local routes in Isle of Wight County may be used and no access to such from Route 460 will be allowed.
- County Attorney: Proposed conditions are enforceable.
- Isle of Wight County Museum: If archaeological artifacts are uncovered during project construction, such items may be donated by the property owner to the Isle of Wight County Museum for public display and historical interpretation.
- Virginia Department of Conservation & Recreation (VDCR): Please see attached review comment letter.
- Virginia Department of Historic Resources (VDHR): Please see attached review comment letter.
- Virginia Department of Transportation (VDOT): Adherence to Transportation Plan shall be required. Pre-construction photo documentation of roadway conditions at least 1000 feet of the site entrance on Longview Drive to establish baseline traffic type and roadway conditions should be a condition of approval Impacts to any roadways used in the County in accordance with the approved Transportation Plan shall be subject to damage claims by VDOT and repair at applicant's cost if proven to be related to applicant's construction truck traffic. Recommend that Transportation Plan limit truck traffic to only two routes: Route 10 in Suffolk via Oliver Drive to Longview Drive and/or Route 10 in Suffolk via Audubon Road to Sandy Ridge Road to Longview Drive. No other local routes in Isle of Wight County may be used and no access to such from Route 460 will be allowed.
- City of Suffolk Department of Planning and City Manager's Office: Forwarded application and proposed Transportation to Plan to Planning Director for review and comment given proximity of project site to the City of Suffolk and as required by the Code of Virginia for public notice. No comments received.

Please note that, should the conditional use permit be approved, the project will be subject to site plan review and approval from all necessary agencies.

STAFF CONCLUSIONS:

Strengths:

1. The proposed use is consistent with the County's adopted Comprehensive Plan for the Rural Agricultural Conservation (RAC) future land use designation.
2. The proposed use is consistent with the County's Conditional Use Permit criteria as set forth in the Zoning Ordinance.
3. The applicant and the County, as well as other reviewing agencies external to the County, have proposed conditions of approval which mitigate any issues addressed in the criteria for consideration of issuance of a Conditional Use Permit.

Weaknesses:

1. The proposed site for this use lies within one (1) mile of an existing major utility-scale solar facility.
2. The proposed use would remove agricultural land from production.
3. Temporary impact to residential development in the area from construction traffic and noise is expected during the construction phase.

STAFF RECOMMENDATION:

As noted in the Background section above, staff recommends approval of the CUP and the Longview AFD withdraw request with the following 22 conditions: 1. The subject property shall be developed in general conformance with the Concept Plan included in the Prairie Solar application as determined by the Zoning Administrator. 2. The portion of the subject property supporting solar panels shall be enclosed by security fencing of a type which is harmonious with the rural, agricultural, and historical character of the County while meeting federal and state regulations for solar electric generating facility fencing as determined by the Zoning Administrator while upon approval of the site plan for the project. 3. The applicant shall preserve and maintain both existing forest and vegetation as well as planted landscape buffering within required setback areas and buffer yards and shall not clear or cut live trees within required setbacks or buffer yards without written authorization from the Zoning Administrator. 4. The applicant shall submit an Emergency Response Plan with the first submission of the site plan, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided, at the discretion of the County, to County emergency response staff with regards to safety for on-site emergency response. The applicant shall install a Knox Box or other remote access technology at the facility to ensure emergency responders have access to the facility should the need arise and include plans for the same on the project site plan. 5. The applicant shall conserve topsoil on the site. Topsoil stockpiled on the site shall be stored out of view from adjacent properties and public roads. 6. The applicant shall reimburse the County for reasonable costs related to retaining such third-party inspectors as deemed necessary for project inspections. 7. The applicant shall submit an invasive species management plan as recommended by DCR with the submission of the final site plan. 8. The applicant will work directly with Isle of Wight County's Chamber of Commerce, the Paul D. Camp Community College, and the Economic Development Department to ensure inclusion of local contractors in the bidding process. 9. The applicant shall submit a seed mix for site groundcover that includes native pollinators blooming in spring/summer as recommended by DCR. 10. A sign shall be installed at the entrance of the site with contact information for the facility. 11. Adherence to the proposed Transportation Plan shall be required. Pre-construction photo documentation of roadway conditions taken within 1000 feet in both directions of the proposed site entrance on Longview Drive shall be undertaken to establish baseline road conditions. Truck traffic shall be limited to only two routes: Route 10 in Suffolk via Audubon Road to Sandy Ridge Road to Longview Drive north to the site entrance until such time as the bridge repair project is completed; then, the truck haul route shall be limited to Route 10 in Isle of Wight or Suffolk via Oliver Drive to Longview Drive south to the site entrance. No other local routes in Isle of Wight County may be used and no access to such from Route 460 will be allowed. Impacts to any County roads and rights-of-way from construction and post-construction vehicles shall be subject to damage claims by VDOT, and repairs shall be undertaken at the applicant's cost based on confirmation by VDOT of such directly-attributable damage. 12. If construction has not begun by August 1 of each ensuing year post-lease or purchase, then the project area shall continue to be managed under prior site cultivation management practices, such as by mowing or cover vegetation. This is to avoid introduction of invasive weed or other species of surrounding cropland owned or leased by others. 13. An enhanced landscape buffer plan proposed on the concept plan exhibit is conceptual only at this time. A detailed landscape plan shall be included with the Preliminary Site Development Plan application for review and will require approval by the Zoning Administrator as part of final site plan approval. At a minimum, a double- or triple-staggered row of evergreen and deciduous trees and shrubs that are designed to form an effective landscape screen at full maturity will be a required design. Trees shall be planted no more than ten (10) feet on center. 14. Excluding the bufferyards described above, the ground between the panels and in areas not otherwise covered by gravel or infrastructure shall be planted and maintained with a vegetative cover. This vegetative cover will be managed with moving and/or grazing. 15. Due to the potential for this site to support populations of rare amphibians, an inventory for the resources in the study area is recommended by the Virginia Department of Conservation's Division of Natural Heritage (DCR). With the survey results, DCR states that they can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources. DCR also recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer, to maximize benefits to native pollinators. DCR recommends planting these species in at least the buffer areas of the planned facility, and optimally including other areas within the project site. For screening zones outside the perimeter fencing, DCR recommends native species appropriate for the region being used. 16. The applicant shall meet any additional delineation and buffer requirements specified by the Virginia Department of Historic Resources prior to receiving final site plan approval. 17. Fencing shall be placed around the solar arrays, inverters, and substation only and not the whole site in order to provide wildlife corridors. 18. In order to minimize the visual impacts to historic, civic,

and residential properties, staff recommends that all solar arrays, substations, and others associated structures be subject to a minimum 200-foot setback from these structures if part of the project, and 200 feet from the property line of these properties if outside of the project. Inverters shall be setback a minimum of 500 feet from these properties. 19. Hours of operation for construction and post-construction operation shall be limited to Monday through Wednesday and on Fridays, 7:00 a.m. to 6:00 p.m., Thursdays 7:00 a.m. - 10:45 a.m. and 1:15 to 6:00 p.m., and Saturdays from 7:00 a.m. to 5:00 p.m. No construction is to occur on Sundays by any party involved with the project, including the solar developer, its contractors, and Dominion Energy contractors. 20. As part of the site plan review, the Applicant shall provide documentation that the selected panels and all power-generating equipment onsite are “Tier 1” modules, as established by the most recent “PV Module Tier 1 List” issued by Bloomberg NEF or a similar third party analysis widely accepted in the solar industry. Additionally, the make and model of the selected panels and all power-generating equipment initially installed and replaced on the site mut qualify, for disposal purposes only, as non-hazardous waste under applicable U.S. Environmental Protection Agency tests (e.g., TCLP). 21. No salvage value shall be added to the decommissioning surety bond. 22. The applicant shall implement a program for the collection of baseline data establishing pre-construction soil conditions for the production of row crops for the agricultural areas within the project area. The program shall establish the relevant characteristics of the topsoil. The baseline data shall be derived from field and laboratory testing of soil conditions, including depth, density and quality from representative locations. Laboratory testing shall be conducted by an accredited laboratory. Parameters for assessing soil quality may include the following: infiltration rate, bulk density, water holding capacity, pH, percent organic matter, cation exchange capacity, Phosphorous/Phosphate (P), Nitrogen (N), and Potassium/Potash (K). After 30 years of operation and again after 35 years of operation, soil conditions shall be determined for the same sampling locations using the same parameters and the results used to plan soil restoration activities. After equipment is removed as part of decommissioning, soil conditions shall be determined for the same sampling locations using the same parameters. Soil restoration activities shall be performed as necessary during operations or decommissioning to return soil conditions to at least baseline conditions. The County will be provided with data of soil conditions within 30 days after the receipt of results.

ATTACHMENTS:

Description	Type	Upload Date
CUP Application Form	Backup Material	4/12/2023
Application Narrative	Backup Material	4/12/2023
Conceptual Site Plan	Backup Material	4/12/2023
Location Map	Backup Material	4/12/2023
Location Map Closeup	Backup Material	4/12/2023
Future Land Use Map	Backup Material	4/12/2023
Zoning Map	Backup Material	4/12/2023
Parcel Map A/F District Withdrawal	Backup Material	4/12/2023
Site Photos/Visual Impact Assessment	Backup Material	4/12/2023
Economic Analysis Report	Backup Material	4/12/2023
Tax Revenue Chart	Backup Material	4/12/2023
Phase 1 Environmental Site Assessment Report	Backup Material	4/12/2023
Wetland Report	Backup Material	4/12/2023
Threatened and Endangered Species Report	Backup Material	4/12/2023
DCR Review Letter	Backup Material	4/12/2023
DHR Review Letter of Phase 1 Cultural Resources Report	Backup Material	4/12/2023
Approved and Pending Solar Energy Facilities Chart	Backup Material	4/12/2023
PC Resolution	Resolution	4/12/2023

ORDINANCE NUMBER _____

AN ORDINANCE TO ISSUE A CONDITIONAL USE PERMIT, CUP-7-22, TO ESTABLISH A MAJOR UTILITY SERVICE, SPECIFICALLY A 20 MWAC UTILITY-SCALE SOLAR ENERGY FACILITY, ON 152 ACRES OF LAND COMPRISED OF A PORTION OR ALL OF TAX MAP NUMBERS 41-01-018, 50-01-009, 41-01-019, 41-01-017, 50-01-007, AND 50-01-006 LOCATED AT 19604 LONGVIEW DRIVE (ROUTE 602) AND TO WITHDRAWAL 34.91 ACRES OF TAX MAP PARCEL 50-01-009 AND 67.91 ACRES OF TAX MAP PARCEL 50-01-007 FROM THE LONGVIEW AGRICULTURAL AND FORESTAL DISTRICT

WHEREAS, Prairie Solar, LLC, a subsidiary of Energix, US, applicant, and Everets Properties, Inc., property owner, have requested the issuance of a conditional use permit for certain portions or all of the property with tax parcel numbers 41-01-018, 50-01-009, 41-01-19, 41-01-017, 50-01-007, and 50-01-006, which land is depicted on Exhibit "B"; and,

WHEREAS, Everets Properties, Inc., property owner, has also requested the withdrawal of 34.91 acres of tax parcel number 50-01-009 and 67.91 acres of tax parcel number 50-01-007 from the Longview Agricultural and Forestal District, which land is also depicted on Exhibit "B"; and,

WHEREAS, the procedural requirements of Appendix B, Zoning Ordinance, of the Code of Isle of Wight County, Virginia, 2005 (as amended) and the Code of Virginia (as amended), have been followed; and,

WHEREAS, in acting upon this request, the Planning Commission and Board of Supervisors have considered the matters enunciated in Section 15.2-2284 of the Code of Virginia (1950), as amended, and Section 1-1017 of the Isle of Wight County Zoning Ordinance with respect to the purposes stated in Code of Virginia (1950), as amended, Section 15.2-2200 and 15.2 2283; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A;"

NOW, THEREFORE, BE IT ORDAINED by the Isle of Wight County Board of Supervisors of Isle of Wight County, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Property Map", and Exhibit "C" Conditions which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

The Board of Supervisors finds that the proposal for a conditional use permit (CUP-7-22) and the withdrawal of enrolled land in the Longview Agricultural and Forestal District, as submitted or modified with conditions herein, the expressed purpose of which is to permit a major utility service, specifically a 20 MWac utility-scale solar energy facility, is in conformity with the standards of the Isle of Wight County Zoning Ordinance, and that it will have no more adverse effects on the health, safety or comfort of persons living or working in or driving through the neighborhood, and will be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, taking into consideration the location, type and height of buildings or structures, the type and extent of landscaping and

screening on site and whether the use is consistent with any theme, action, policy or map of the Comprehensive Plan with the conditions set forth below.

These findings are based upon the consideration for the existing use and character of the property, the Comprehensive Plan, the suitability of the property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements of airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation floodplains, the preservation of agricultural and forestal land, the conservation of properties and their values, and the encouragement of the most appropriate use of land throughout the County.

These findings are based upon a determination that the most reasonable and limited way of avoiding the adverse impacts of a major utility service is by the imposition of the conditions provided herein.

Section 3. Permit Granted.

The conditional use permit for the property be, and is hereby approved for the property, subject to the attached conditions in Exhibit "C" and the general conditions set forth in Section 4 hereof. The conditional use permit specifically allows for a 20 MWac major utility service solar energy generation facility in compliance with the County Zoning Ordinance.

Section 4. Severability.

It is the intention of the Board of Supervisors that the provisions, sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section, and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgement or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrase, clauses, sentences, paragraphs, sections, and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination

Section 5. Effective Date

This ordinance shall be effective upon passage and shall not be published or codified. The conditional use authorized by this permit shall be implemented within two (2) years from that date of approval by the Board of Supervisors and shall terminate if not initiated within that time period.

This ordinance shall be effective upon passage and shall not be published or codified.

DATE: _____

READ AND PASSED: _____

Chairman, Board of Supervisors

TESTE: _____
Clerk, Board of Supervisors

Approved as to Form:

_____
Robert W. Jones Jr, County Attorney

EXHIBIT A

RESOLUTION NUMBER PC-23-4

ISLE OF WIGHT COUNTY PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO THE BOARD OF SUPERVISORS RELATING TO CONDITIONAL USE PERMIT REQUEST CUP-07-22 TO ALLOW A MAJOR UTILITY SERVICE, SPECIFICALLY A 20 MWAC UTILITY SCALE SOLAR ENERGY GENERATION FACILITY AND SUBSTATON, ON 152 ACRES OF PROPERTY WITH TAX MAP PARCELS 41-01-018, 50-01-009, 41-01-019, 41-01-017, 50-01-007, AND 50-01-006
AND
WITHDRAWAL OF APPROXIMATELY 103 ACRES OF PROPERTY WITH TAX MAP PARCELS 50-01-007 AND 50-01-009 FROM THE LONGVIEW AGRICULTURAL/FORESTAL DISTRICT

WHEREAS, Prairie Solar, LLC, a subsidiary of Energix, US, applicant, and Everets Properties, Inc., property owner, has requested approval of a conditional use permit for a 20 MWac utility-scale solar energy facility and substation on 152 acres located on tax parcel numbers 41-01-018, 50-01-009, 41-01-019, 41-01-017, 50-01-007, and 50-01-006 situated in Isle of Wight County; and,

WHEREAS, the specific request is to permit a major utility service, specifically a utility-scale solar energy generation facility and substation, in accordance with sections 1-1017 and 5-5003 of the Zoning Ordinance and to withdraw approximately 103 acres of property with tax parcel numbers 50-007 and 50-01-009 from the Longview Agricultural/Forestal District; and,

WHEREAS the procedural requirements for the consideration of this request by the Planning Commission have been met.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of Isle of Wight County, that:

Section 1. Findings.

✓ A. The Isle of Wight County Planning Commission finds that the proposed conditional use permit is reasonable and has considered the following factors and finds that the proposed use does not conflict with:

1. the existing use and character of property within the County;
2. the Comprehensive Plan;
3. the suitability of the property for various uses;
4. the trends of growth or change;
5. the current or future requirements of the community as to land for various purposes as determined by population and economic studies and other studies;
6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of floodplains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values; and

12. the encouragement of the most appropriate use of land throughout the County.

____ B. The Isle of Wight County Planning Commission does not find that the proposed use is reasonable based on the consideration of the factors listed herein.

Section 2. Recommendation to Board of Supervisors.

The Planning Commission recommends to the Board of Supervisors that the request, CUP-07-22, and the withdrawal of the aforementioned parcels from the Longview Agricultural/Forestal District be:

___ a. Granted as submitted, and that the Board of Supervisors adopt the proposed Ordinance without modification.

___ b. Denied, and that Board of Supervisors not adopt the proposed Ordinance.

✓ c. Granted with the specific recommended conditions in the attached exhibit, and that the Board of Supervisors adopt the proposed Ordinance with such conditions.

DATE: 4.25.23

READ AND PASSED: _____
Chairman, Isle of Wight County Planning Commission

TESTE: _____
Secretary, Isle of Wight County Planning Commission

Approved as to Form:

_____
Robert W. Jones, Jr., County Attorney

EXHIBIT B: CUP-07-22 Conditional Use Permit - Location Closeup

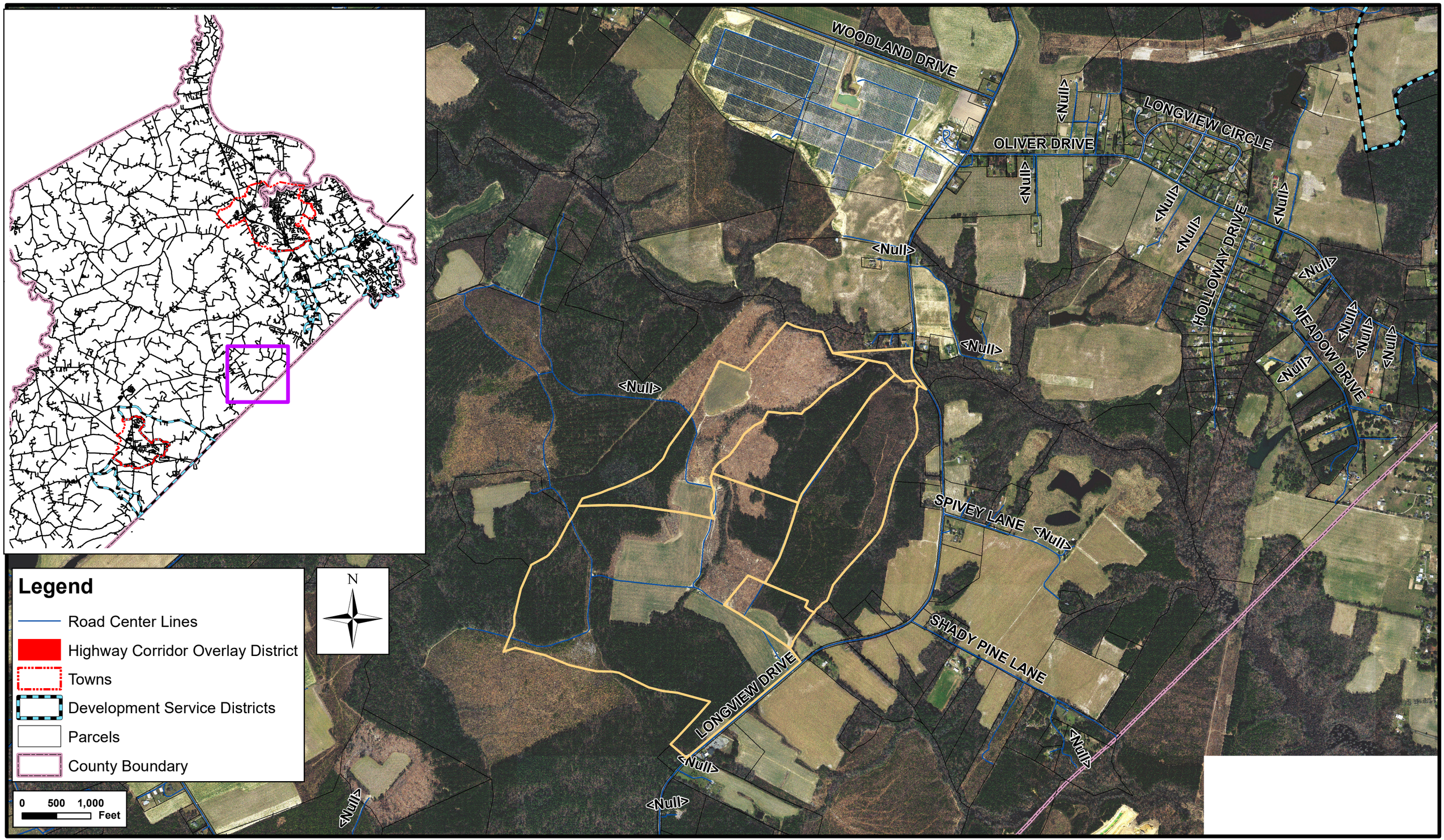


EXHIBIT C – RECOMMENDED CONDITIONS

CUP-7-22

1. The subject property shall be developed in general conformance with the Concept Plan included in the Prairie Solar application as determined by the Zoning Administrator.

2. The portion of the subject property supporting solar panels shall be enclosed by security fencing of a type which is harmonious with the rural, agricultural, and historical character of the County while meeting federal and state regulations for solar electric generating facility fencing as determined by the Zoning Administrator while upon approval of the site plan for the project.

3. The applicant shall preserve and maintain both existing forest and vegetation as well as planted landscape buffering within required setback areas and buffer yards and shall not clear or cut live trees within required setbacks or buffer yards without written authorization from the Zoning Administrator.

4. The applicant shall submit an Emergency Response Plan with the first submission of the site plan, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided, at the discretion of the County, to County emergency response staff with regards to safety for on-site emergency response. The applicant shall install a Knox Box or other remote access technology at the facility to ensure emergency responders have access to the facility should the need arise and include plans for the same on the project site plan.

5. The applicant shall conserve topsoil on the site. Topsoil stockpiled on the site shall be stored out of view from adjacent properties and public roads.

6. The applicant shall reimburse the County for reasonable costs related to retaining such third-party inspectors as deemed necessary for project inspections.

7. The applicant shall submit an invasive species management plan as recommended by DCR with the submission of the final site plan.

8. The applicant will work directly with Isle of Wight County's Chamber of Commerce, the Paul D. Camp Community College, and the Economic Development Department to ensure inclusion of local contractors in the bidding process.

9. The applicant shall submit a seed mix for site groundcover that includes native pollinators blooming in spring/summer as recommended by DCR.

10. A sign shall be installed at the entrance of the site with contact information for the facility.

11. Adherence to the proposed Transportation Plan shall be required. Pre-construction photo documentation of roadway conditions taken within 1000 feet in both directions of the proposed site entrance on Longview Drive shall be undertaken to establish baseline road conditions. Truck traffic shall be limited to only two routes: Route 10 in Suffolk via Audubon Road to Sandy

Ridge Road to Longview Drive north to the site entrance until such time as the bridge repair project is completed; then, the truck haul route shall be limited to Route 10 in Isle of Wight or Suffolk via Oliver Drive to Longview Drive south to the site entrance. No other local routes in Isle of Wight County may be used and no access to such from Route 460 will be allowed. Impacts to any County roads and rights-of-way from construction and post-construction vehicles shall be subject to damage claims by VDOT, and repairs shall be undertaken at the applicant's cost based on confirmation by VDOT of such directly-attributable damage.

12. If construction has not begun by August 1 of each ensuing year post-lease or purchase, then the project area shall continue to be managed under prior site cultivation management practices, such as by mowing or cover vegetation. This is to avoid introduction of invasive weed or other species of surrounding cropland owned or leased by others.

13. An enhanced landscape buffer plan proposed on the concept plan exhibit is conceptual only at this time. A detailed landscape plan shall be included with the Preliminary Site Development Plan application for review and will require approval by the Zoning Administrator as part of final site plan approval. At a minimum, a double- or triple-staggered row of evergreen and deciduous trees and shrubs that are designed to form an effective landscape screen at full maturity will be a required design. Trees shall be planted no more than ten (10) feet on center.

14. Excluding the bufferyards described above, the ground between the panels and in areas not otherwise covered by gravel or infrastructure shall be planted and maintained with a vegetative cover. This vegetative cover will be managed with moving and/or grazing.

15. Due to the potential for this site to support populations of rare amphibians, an inventory for the resources in the study area is recommended by the Virginia Department of Conservation's Division of Natural Heritage (DCR). With the survey results, DCR states that they can more accurately evaluate potential impacts to natural heritage resources and offer specific protection recommendations for minimizing impacts to the documented resources. DCR also recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer, to maximize benefits to native pollinators. DCR recommends planting these species in at least the buffer areas of the planned facility, and optimally including other areas within the project site. For screening zones outside the perimeter fencing, DCR recommends native species appropriate for the region being used.

16. The applicant shall meet any additional delineation and buffer requirements specified by the Virginia Department of Historic Resources prior to receiving final site plan approval.

17. Fencing shall be placed around the solar arrays, inverters, and substation only and not the whole site in order to provide wildlife corridors.

18. In order to minimize the visual impacts to historic, civic, and residential properties, staff recommends that all solar arrays, substations, and others associated structures be subject to a minimum 200-foot setback from these structures if part of the project, and 200 feet from the

property line of these properties if outside of the project. Inverters shall be setback a minimum of 500 feet from these properties.

19. Hours of operation for construction and post-construction operation shall be limited to Monday through Wednesday and on Fridays, 7:00 a.m. to 6:00 p.m., Thursdays 7:00 a.m. - 10:45 a.m. and 1:15 to 6:00 p.m., and Saturdays from 7:00 a.m. to 5:00 p.m. No construction is to occur on Sundays by any party involved with the project, including the solar developer, its contractors, and Dominion Energy contractors.

20. As part of the site plan review, the Applicant shall provide documentation that the selected panels and all power-generating equipment onsite are "Tier 1" modules, as established by the most recent "PV Module Tier 1 List" issued by Bloomberg NEF or a similar third party analysis widely accepted in the solar industry. Additionally, the make and model of the selected panels and all power-generating equipment initially installed and replaced on the site mut qualify, for disposal purposes only, as non-hazardous waste under applicable U.S. Environmental Protection Agency tests (e.g., TCLP).

21. No salvage value shall be added to the decommissioning surety bond.

22. The applicant shall implement a program for the collection of baseline data establishing pre-construction soil conditions for the production of row crops for the agricultural areas within the project area. The program shall establish the relevant characteristics of the topsoil. The baseline data shall be derived from field and laboratory testing of soil conditions, including depth, density and quality from representative locations. Laboratory testing shall be conducted by an accredited laboratory. Parameters for assessing soil quality may include the following: infiltration rate, bulk density, water holding capacity, pH, percent organic matter, cation exchange capacity, Phosphorous/Phosphate (P), Nitrogen (N), and Potassium/Potash (K). After 30 years of operation and again after 35 years of operation, soil conditions shall be determined for the same sampling locations using the same parameters and the results used to plan soil restoration activities. After equipment is removed as part of decommissioning, soil conditions shall be determined for the same sampling locations using the same parameters. Soil restoration activities shall be performed as necessary during operations or decommissioning to return soil conditions to at least baseline conditions. The County will be provided with data of soil conditions within 30 days after the receipt of results.

PROJECT	DEVELOPED AREA (PER CUP)	PRIME FARMLAND /SOILS OF STATEWIDE IMPORTANCE*	% OF TOTAL PRIME SOILS (rounded)	LOCATION	% OF TOTAL FARMLAND**	TOTAL MW	APPROVAL DATE
Woodland	180 +/-	124	0.1%	Longview	0.2%	20	2015
Solidago	170 +/-	170	0.14%	Redhouse	0.2%	20	2018
Ho-Fel	330 +/-	315	0.26%	Lees Mill	0.4%	55	2019; Amended 2023
Windsor PV1	630 +/-	630	0.52%	Windsor	0.8%	85	2019; Amended in 2021
Cavalier	500	500	0.41%	Hardy	0.6%	240	2021
Nuby Run	20	20	0.02%	Orbit	0.02%	2	2022
Carver (Proposed)	637	297	0.24%	Windsor	0.8%	71	In Review
Prairie Solar (Proposed)	152	152	0.12%	Longview	0.2%	20	In Review
TOTAL	**2,619 +/-**	**2,208+/-**	**1.81%**		**3.25%**	**513**	

Prime soils include Prime Farmland, Prime, If Drained, and Soils of Statewide Importance – 122,296 total acres in County

****Total active agricultural lands as of 2017 Census of Agriculture – 80,672 acres***

ISSUE:

Resolution to Amend the Budget and Appropriate Funding for Construction Related to the Hardy Elementary School ($2,299,358)

BACKGROUND:

Bids were recently received for a pump station for the pump station at Hardy Elementary School. Additionally, costs identified for property easement acquisitions and change orders. In this regard, funding in the amount of $2.3 million from proffers, bond funds, school and contractor contributions and Fund Balance needs to be appropriated to the Capital Fund budget for Hardy Elementary School construction.

The costs, items, and sources of funds are provided below:

$2,025,000 Pump Station (Bond - $583,909/Proffers - $1,441,091)
$62,590 BDA (Schools - $5,391/Contractor - $57,199)
$15,096 Marquee (Schools)
$15,733 Kiln & Nook (Schools)
$34,982 Door Locks (Bond)
$27,697 VDOT Traffic Signs (Bond)
$77,980 Property Easements (Bond)
$40,280 Property Purchase (Bond)

BUDGETARY IMPACT:

Appropriation of funds will increase the Capital Projects Fund budget by $2,299,358.

RECOMMENDATION:

Hold a public hearing. Adopt a resolution to amend the budget and appropriate funding to the Capital Projects Fund.

ATTACHMENTS:

Description	Type	Upload Date
Resolution	Resolution	5/18/2023

RESOLUTION TO AMEND THE FY2022-2023 BUDGET AND APPROPRIATE FUNDING FOR HARDY ELEMENTARY SCHOOL CONSTRUCTION

WHEREAS, the Hardy Elementary School water pump station must be replaced to in order to serve the new Hardy Elementary School; and,

WHEREAS, other unforeseen expenses have been identified that will be required outside of the current contract for construction of the new Hardy Elementary School; and,

WHEREAS, the Board of Supervisors needs to budget and appropriate funding in the amount of $764,848 from bond funds, $1,441,091 from voluntary proffer funds, $36,220 from an Isle of Wight County Schools contribution, and $57,199 from a contractor's contribution for costs related to the Hardy Elementary School construction.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the Board of Supervisors of Isle of Wight County, Virginia that the FY 2022-2023 Capital Fund Budget is hereby amended, and funds appropriated in the amount of $2,299,358 for Hardy Elementary School construction.

BE IT FURTHER RESOLVED that the County Administrator of Isle of Wight County, Virginia is authorized to make the appropriate accounting adjustments and to do all things necessary to give this resolution effect.

Adopted this 18th day of May, 2023.

_____
William M. McCarty, Sr., Chairman

_____
Carey Mills Storm, Clerk

Approved as to Form:

_____
Robert W. Jones Jr., County Attorney

ISSUE:

Follow-up Information Regarding True Blue School Zone Speed Enforcement

BACKGROUND:

At its work session on May 4, 2023, the Board received a presentation from Randy Campbell, True Blue Solutions, relative to school zone speed enforcement. Sheriff James R. Clark will provide follow-up information based on questions from Board members.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

For the Board's information.

ISSUE:

Schedule for the 2023 VACo Regional Meetings

BACKGROUND:

VACo recently released the schedule for its regional meetings. The Region 1 and Region 4 combined meeting will be held 5:00pm - 7:00pm on Wednesday, June 28, 2023 in Farmville, Virginia.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

For the Board's information.

ATTACHMENTS:

Description	Type	Upload Date
VACo Regional Meetings Schedule	Backup Material	5/3/2023



IT'S TIME TO HIT THE ROAD FOR THE...

VACo 2023 REGIONAL MEETINGS

IN-PERSON MEETINGS

REGION 12 - MAY 3 | PULASKI

REGION 13 - MAY 4 | WISE

REGIONS 10&11 - JUNE 14 | FRANKLIN

REGIONS 1&4 - JUNE 28 | PRINCE EDWARD

REGION 2 - AUGUST 23 | LANCASTER

REGIONS 3&5 - SEPTEMBER | CHESTERFIELD

VIRTUAL MEETINGS

REGIONS 6&9 - APRIL 13

REGIONS 7&8 - MAY 11

BACKGROUND:

The matters attached to this Board report are included as a means of providing information to the Board relative to matters of interest. These items do not require any action by the Board.

BUDGETARY IMPACT:

None

RECOMMENDATION:

For the Board's information.

ATTACHMENTS:

Description	Type	Upload Date
Delinquent Tax Collections - March 2023	Backup Material	5/15/2023
Cash Position - March 2023	Backup Material	5/15/2023
Statement of Treasurers Accountability - March 2023	Backup Material	5/15/2023
Incidents by Zone Data - April 2023	Backup Material	5/1/2023
Incidents by Zone Map - April 2023	Backup Material	5/1/2023
Station Activity Report - April 2023	Backup Material	5/1/2023
Zencity Summary Report - May 2023	Backup Material	5/18/2023
Museum Report - April 2023	Backup Material	5/1/2023

COUNTY OF ISLE OF WIGHT

TAX BILLINGS & COLLECTIONS AS OF MARCH 2023

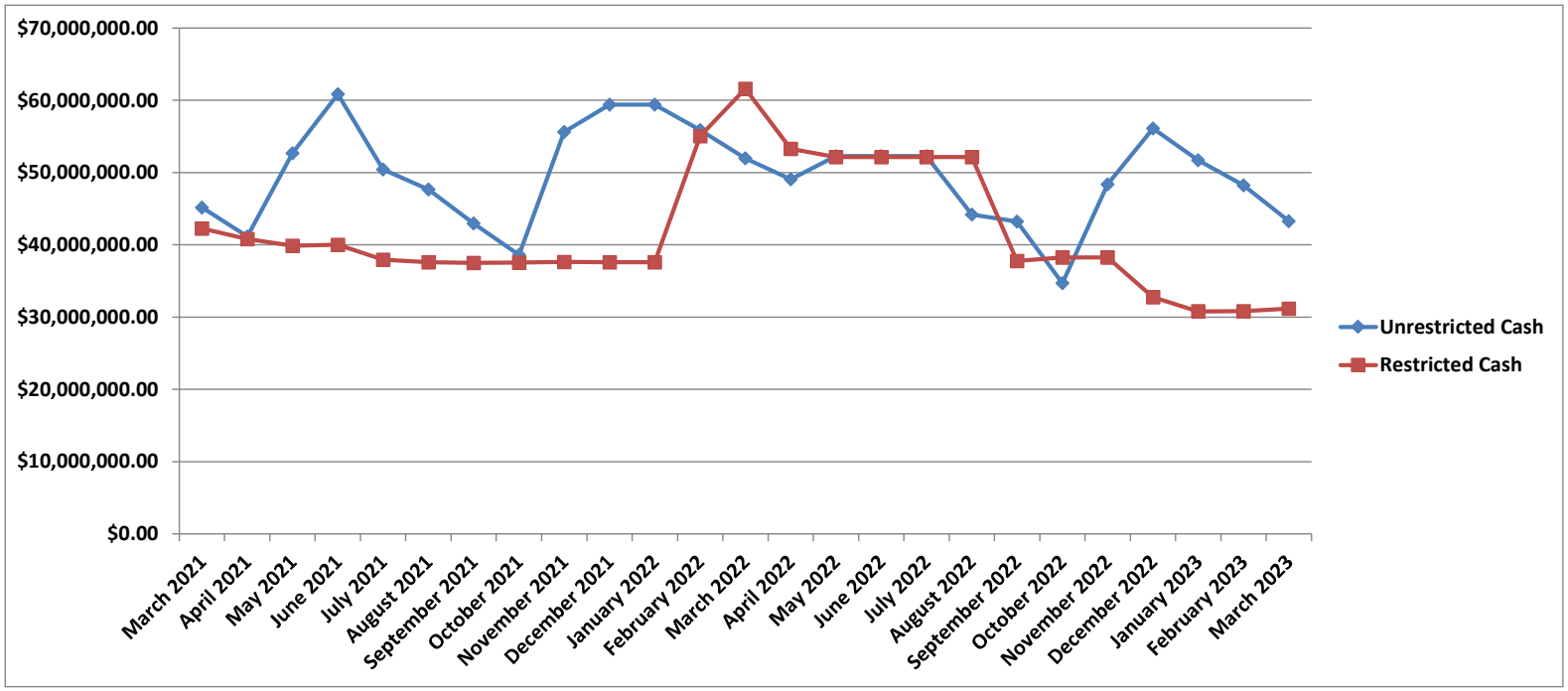
REAL ESTATE

TAX YEAR	TAX LEVY	SUPPLEMENTS	PUBLIC SERVICE	ADJUSTMENTS & ABATEMENTS	TOTAL TAX LEVIES	TAX COLLECTED	TAX OUTSTDG.	% COLLECTED	% UNC.
2016-2017	$ 36,430,832.13	$ 325,926.29	$ 1,450,155.11	$ (703,233.97)	$ 37,503,679.56	$ 37,501,600.36	$ 2,079.20	99.99%	0.01%
2017-2018	$ 37,210,991.03	$ 238,757.39	$ 1,499,216.98	$ (791,598.91)	$ 38,157,366.49	$ 38,151,894.15	$ 5,472.34	99.99%	0.01%
2018-2019	$ 37,640,722.98	$ 257,930.17	$ 1,395,368.74	$ (915,974.50)	$ 38,378,047.39	$ 38,369,212.56	$ 8,834.83	99.98%	0.02%
2019-2020	$ 39,703,728.23	$ 249,669.62	$ 1,455,114.04	$ (1,131,288.42)	$ 40,277,223.47	$ 40,258,431.01	$ 18,792.46	99.95%	0.05%
2020-2021	$ 40,264,498.73	$ 380,652.37	$ 1,637,435.57	$ (1,253,579.78)	$ 41,029,006.89	$ 40,938,259.84	$ 90,747.05	99.78%	0.22%
2021-2022	$ 41,155,420.28	$ 353,132.98	$ 1,532,654.01	$ (1,484,989.97)	$ 41,556,217.30	$ 41,314,087.96	$ 242,129.34	99.42%	0.58%
2022-2023	$ 20,981,383.38	$ 102,988.79	$ 1,428,098.18	$ (844,876.38)	$ 20,136,507.00	$ 19,807,863.61	$ 328,643.39	98.37%	1.63%
Notes:						**DELINQUENT REAL ESTATE =**	$ 696,698.61	99.73%	0.27%

PERSONAL PROPERTY

TAX YEAR	TAX LEVY	SUPPLEMENTS	PUBLIC SERVICE	ADJUSTMENTS & ABATEMENTS	TOTAL TAX LEVIES	TAX COLLECTED	TAX OUTSTDG.	% COLLECTED	% UNC.
2016	$ 13,507,039.33	$ 1,380,771.71	$ 33,805.90	$ (1,077,947.10)	$ 13,843,669.84	$ 13,803,271.57	$ 40,398.27	99.71%	0.29%
LIC. FEE	$ 922,063.00	$ 172,022.00	$ -	$ (48,633.00)	$ 1,045,452.00	$ 1,037,130.41	$ 8,321.59	99.20%	0.80%
2017	$ 20,526,955.84	$ 1,403,869.87	$ 30,862.41	$ (7,879,598.96)	$ 14,082,089.16	$ 14,034,534.40	$ 47,554.76	99.66%	0.34%
LIC. FEE	$ 953,161.00	$ 175,816.00	$ -	$ (50,613.00)	$ 1,078,364.00	$ 1,067,687.03	$ 10,676.97	99.01%	0.99%
2018	$ 14,385,655.01	$ 1,445,325.25	$ 29,880.46	$ (1,099,840.16)	$ 14,761,020.56	$ 14,705,422.76	$ 55,597.80	99.62%	0.38%
LIC. FEE	$ 995,518.00	$ 172,363.00	$ -	$ (90,335.00)	$ 1,077,546.00	$ 1,064,523.55	$ 13,022.45	98.79%	1.21%
2019	$ 15,920,628.76	$ 1,442,262.52	$ 38,859.89	$ (1,054,517.09)	$ 16,347,234.08	$ 16,255,056.54	$ 92,177.54	99.44%	0.56%
LIC. FEE	$ 986,732.00	$ 154,039.00	$ -	$ (45,484.00)	$ 1,095,287.00	$ 1,076,551.76	$ 18,735.24	98.29%	1.71%
2020	$ 16,352,666.74	$ 1,397,433.58	$ 38,691.28	$ (1,015,562.94)	$ 16,773,228.66	$ 16,654,230.43	$ 118,998.23	99.29%	0.71%
LIC. FEE	$ 942,740.00	$ 130,804.00	$ -	$ (29,447.00)	$ 1,044,097.00	$ 1,021,966.56	$ 22,130.44	97.88%	2.12%
2021	$ 19,301,665.16	$ 1,274,245.44	$ 46,882.14	$ (1,503,593.97)	$ 19,119,198.77	$ 18,845,769.40	$ 273,429.37	98.57%	1.43%
LIC. FEE	$ 959,443.00	$ 161,693.00	$ -	$ (37,625.00)	$ 1,083,511.00	$ 1,045,912.23	$ 37,598.77	96.53%	3.47%
2022	$ 22,290,687.31	$ 2,015,390.26	$ 34,783.40	$ (1,666,784.56)	$ 22,674,076.41	$ 21,031,022.33	$ 1,643,054.08	92.75%	7.25%
LIC. FEE	$ 971,360.00	$ 125,997.00	$ -	$ (29,890.00)	$ 1,067,467.00	$ 951,696.08	$ 115,770.92	89.15%	10.85%
						DELINQUENT PERSONAL PROP. =	$ 2,497,466.43	98.00%	2.00%
						TOTAL DELINQUENT=	**$ 3,194,165.04**	99.16%	0.84%

CASH POSITION



COUNTY OF ISLE OF WIGHT



STATEMENT OF THE TREASURER'S ACCOUNTABILITY

March 2023

Institution	Instrument	Rate	Earnings Credit	Balance	Previous Year Balance
	Cash				
	Petty Cash			$1,950.00	$2,050.00
SUB TOTAL					
	Checking Accounts				
Bank of America	General Fund Checking		2.17%	$1,869,751.22	$1,909,682.13
Bank of America	School General Fund Checking		2.17%	$5,502,384.50	$3,862,564.36
Bank of America	DSS General Fund Checking		2.17%	$2,290,385.44	$2,560,016.41
Bank of America	County Payroll Account	1.80%		$98,711.61	$80,033.93
Bank of America	School Payroll Account	1.94%		$262.67	$838,785.73
Bank of America	DSS Payroll Account	1.91%		$29.41	$7,894.06
SUB TOTAL				**$9,761,524.85**	**$9,258,976.62**
	Investments				
Bank of America	Emergency Fund Checking	2.07%		$2,629.98	$2,602.05
LGIP	General Fund Investment	4.70%		$19,754,708.58	$24,170,898.91
VIP	VIP Long Term	4.84%		$79,212.76	$78,714.46
VIP	VIP Short Term	4.84%		$13,671,837.02	$13,258,125.46
SUB TOTAL				**$33,508,388.34**	**$37,510,340.88**
	Restricted Funds				
Bank of America	School Escrow Fund	2.07%		$0.00	$0.00
Bank of America	General Recoupment Funds	2.07%		$13,786.14	$21,079.50
Bank of America	Special Welfare Funds	2.07%		$0.00	$0.00
Bank of America	Special Welfare Donated Funds	2.07%		$21,614.14	$6,158.79
Bank of America	Special Welfare Child Support	2.07%		$2,417.54	$1,111.38
Bank of America	School's Camp Foundation	2.07%		$25,178.26	$24,910.87
Farmers Bank	School Food Service Funds	2.07%		$1,631,236.32	$744,653.56
BNY Mellon	Pace Funds			$2,282,432.21	$2,486,926.23
Bank of America	County Escrow Fund	2.07%		$10,730.96	$6,282.43
SUB TOTAL				**$3,987,395.57**	**$3,291,122.76**
	Bond Proceeds--Invested in SNAP				
	2012 Public Utility Bond	4.88%		$0.00	$1,873,229.55
	2012 Public Utility Bond Interest	4.88%		$0.00	$334,748.52
	2016 Bond	4.88%		$334,009.58	$355,264.97
	2016 Bond Interest	4.88%		$216,518.24	$200,635.60
	2020A Bond	4.88%		$7,150,884.58	$28,641,303.18
	2020A Bond Interest	4.88%		$427,264.81	$64,300.07
	2022 GO Bond	4.88%		$18,509,158.87	$18,509,158.87
	2022 GO Bond Interest	4.88%		$555,113.70	$13,239.53
SUB TOTAL				**$27,192,949.78**	**$49,991,880.29**
TOTAL OF ALL FUNDS				**$74,452,208.54**	**$100,054,370.55**

ISLE OF WIGHT

Incident by Zone

Agency: IWFR, Event date/Time range: 04/01/2023 00:00:00 - 04/30/2023 23:59:59

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	ACCIDENT UNKNOWN INJURIES	0	3	3	33%	0:01:26	0:08:26	0:05:08	0:40:30	0:13:30
	ACCIDENT WITH INJURIES	0	1	1	11%	0:01:32	0:00:00	0:00:00	0:11:30	0:11:30
	SEIZURE	0	1	1	11%	0:01:58	0:04:13	0:19:57	0:26:08	0:26:08
	SICK / ILL OR RESCUE	0	1	1	11%	0:02:27	0:07:32	0:05:43	0:15:42	0:15:42
	Subtotals for EMS	**0**	**6**	**6**	**67%**	**0:01:51**	**0:06:44**	**0:10:16**	**1:33:50**	**0:16:42**
	ASSIST BOATER	0	1	1	11%	0:01:43	0:14:49	0:02:15	0:18:47	0:18:47
	HAZARDOUS MATERIALS INCIDENT	0	2	2	22%	0:01:37	0:09:17	0:22:48	0:39:55	0:19:58
	Subtotals for FIRE	**0**	**3**	**3**	**33%**	**0:01:40**	**0:12:03**	**0:12:32**	**0:58:42**	**0:19:22**
	Totals for	**0**	**9**	**9**	**100%**	**0:01:47**	**0:08:51**	**0:11:10**	**2:32:32**	**0:17:36**
1010	ABDOMINAL PAIN	0	2	2	2%	0:01:06	0:05:43	1:15:13	2:44:02	1:22:01
	ACCIDENT UNKNOWN INJURIES	0	8	8	9%	0:01:34	0:06:00	0:23:25	3:59:15	0:29:54
	ACCIDENT WITH ENTRAPMENT	0	2	2	2%	0:01:08	0:02:58	1:08:46	2:25:44	1:12:52
	ACCIDENT WITH INJURIES	0	1	1	1%	0:02:58	0:05:04	0:59:32	1:07:34	1:07:34
	ALARM - MEDICAL	0	2	2	2%	0:02:56	0:06:39	0:42:23	1:43:55	0:51:58
	ALLERGIC REACTIONS	1	0	1	1%	0:00:00	0:00:00	0:32:55	0:32:55	0:32:55
	BLEEDING/HEMORRHAGING	0	1	1	1%	0:02:05	0:07:01	1:22:14	1:31:20	1:31:20
	CARDIAC ARREST	0	2	2	2%	0:00:52	0:04:54	0:18:57	0:49:27	0:24:44
	CHEST PAIN	0	3	3	3%	0:01:57	0:11:03	0:41:48	1:57:50	0:39:17
	DIABETIC PROBLEMS	0	3	3	3%	0:01:25	0:06:25	0:54:35	3:07:18	1:02:26
	DIFFICULTY BREATHING	0	12	12	13%	0:01:45	0:06:58	0:58:35	13:27:49	1:07:19
	FALLS AND RELATED INJURIES	0	12	12	13%	0:01:32	0:06:46	0:51:03	11:52:14	0:59:21
	FRACTURES OR BROKEN BONES	0	1	1	1%	0:02:40	0:06:29	1:33:20	1:42:29	1:42:29

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	LIFT ASSIST	0	4	4	4%	0:01:32	0:07:41	0:39:29	3:14:51	0:48:43
	PAIN	0	3	3	3%	0:01:32	0:07:02	1:11:09	3:59:11	1:19:44
	PSYCHIATRIC PROBLEMS	0	2	2	2%	0:00:08	0:06:22	1:00:58	2:14:54	1:07:27
	SEIZURE	0	2	2	2%	0:01:56	0:04:10	1:29:33	3:11:19	1:35:40
	SICK / ILL OR RESCUE	0	18	18	19%	0:02:12	0:06:43	0:49:09	17:25:10	0:58:04
	STROKE	0	3	3	3%	0:01:52	0:05:40	0:54:49	3:07:02	1:02:21
	UNCONSCIOUS OR FAINTING	0	4	4	4%	0:01:30	0:07:15	0:58:20	4:28:23	1:07:06
	Subtotals for EMS	**1**	**85**	**86**	**92%**	**0:01:43**	**0:06:22**	**0:56:19**	**84:42:42**	**1:03:10**
	ARCING WIRES DOWN POWER LINES	0	1	1	1%	0:02:22	0:12:52	0:15:16	0:30:30	0:30:30
	ASSIST BOATER	0	1	1	1%	0:02:48	0:04:59	0:12:59	0:20:46	0:20:46
	FIRE ALARM	0	1	1	1%	0:02:17	0:06:55	1:06:04	1:15:16	1:15:16
	FIRE DEPT COMMUNITY RELATIONS	0	1	1	1%	0:04:54	0:08:41	0:11:52	0:25:27	0:25:27
	FIRE OTHER NOT LISTED	0	1	1	1%	0:00:50	0:04:51	0:30:18	0:35:59	0:35:59
	SMELL OF GAS INSIDE/OUTSIDE	0	2	2	2%	0:02:17	0:04:04	0:16:01	0:44:43	0:22:22
	Subtotals for FIRE	**0**	**7**	**7**	**8%**	**0:02:35**	**0:07:04**	**0:25:25**	**3:52:41**	**0:35:03**
	Totals for 1010	**1**	**92**	**93**	**100%**	**0:01:56**	**0:06:32**	**0:49:11**	**88:35:23**	**0:56:41**
2020	ACCIDENT UNKNOWN INJURIES	0	4	4	12%	0:00:50	0:06:22	1:13:06	5:21:09	1:20:17
	ACCIDENT WITH INJURIES	0	1	1	3%	0:00:22	0:09:18	0:23:24	0:33:04	0:33:04
	ALARM - MEDICAL	0	2	2	6%	0:01:25	0:08:18	0:31:35	1:22:36	0:41:18
	CARDIAC ARREST	0	3	3	9%	0:01:26	0:06:49	0:28:37	1:50:36	0:36:52
	CHEST PAIN	0	1	1	3%	0:01:11	0:03:23	0:57:10	1:01:44	1:01:44
	CHILD OR ANIMAL LOCKED IN CAR	0	1	1	3%	0:00:07	0:04:53	0:14:05	0:19:05	0:19:05
	DIFFICULTY BREATHING	0	2	2	6%	0:01:12	0:11:04	0:42:21	1:49:14	0:54:37
	FALLS AND RELATED INJURIES	0	4	4	12%	0:02:38	0:10:23	0:36:19	3:17:21	0:49:20
	HEADACHE	0	1	1	3%	0:00:42	0:03:59	0:36:16	0:40:57	0:40:57
	HEART PROBLEMS	0	1	1	3%	0:00:47	0:11:49	0:57:42	1:10:18	1:10:18

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	LIFT ASSIST	0	1	1	3%	0:02:24	0:09:48	0:33:37	0:45:49	0:45:49
	PAIN	0	2	2	6%	0:01:30	0:10:28	0:39:44	1:43:23	0:51:42
	SEIZURE	0	3	3	9%	0:00:51	0:07:43	1:15:46	4:13:00	1:24:20
	SICK / ILL OR RESCUE	0	2	2	6%	0:01:46	0:09:33	1:11:24	2:45:24	1:22:42
	STROKE	0	1	1	3%	0:01:46	0:06:43	0:41:03	0:49:32	0:49:32
	Subtotals for EMS	**0**	**29**	**29**	**88%**	**0:01:16**	**0:08:02**	**0:44:09**	**27:43:12**	**0:53:26**
	BURNING COMPLAINT	0	1	1	3%	0:05:11	0:13:31	0:08:10	0:26:52	0:26:52
	FIRE ALARM	0	1	1	3%	0:00:54	0:00:00	0:00:00	0:14:15	0:14:15
	STRUCTURE FIRE	0	2	2	6%	0:01:08	0:09:18	1:36:58	3:34:47	1:47:24
	Subtotals for FIRE	**0**	**4**	**4**	**12%**	**0:02:24**	**0:11:24**	**0:52:34**	**4:15:54**	**0:49:30**
	Totals for 2020	**0**	**33**	**33**	**100%**	**0:01:27**	**0:08:26**	**0:45:08**	**31:59:06**	**0:52:47**
3060	FALLS AND RELATED INJURIES	0	1	1	8%	0:02:22	0:14:59	2:43:29	3:00:50	3:00:50
	LIFT ASSIST	0	1	1	8%	0:02:02	0:11:46	0:14:26	0:28:14	0:28:14
	PAIN	0	3	3	23%	0:01:27	0:15:23	1:01:55	3:56:17	1:18:46
	SICK / ILL OR RESCUE	0	4	4	31%	0:02:17	0:16:17	0:12:15	2:03:15	0:30:49
	UNCONSCIOUS OR FAINTING	0	2	2	15%	0:02:30	0:10:34	2:02:51	4:31:51	2:15:56
	Subtotals for EMS	**0**	**11**	**11**	**85%**	**0:02:08**	**0:13:48**	**1:14:59**	**14:00:27**	**1:30:55**
	ARCING WIRES DOWN POWER LINES	0	1	1	8%	0:02:47	0:16:15	0:18:26	0:37:28	0:37:28
	STRUCTURE FIRE	0	1	1	8%	0:01:07	0:15:30	1:32:29	1:49:06	1:49:06
	Subtotals for FIRE	**0**	**2**	**2**	**15%**	**0:01:57**	**0:15:52**	**0:55:28**	**2:26:34**	**1:13:17**
	Totals for 3060	**0**	**13**	**13**	**100%**	**0:02:05**	**0:14:23**	**1:09:24**	**16:27:01**	**1:25:53**
4070	ABDOMINAL PAIN	0	3	3	3%	0:01:52	0:10:58	0:38:57	2:35:23	0:51:48
	ABRASIONS BRUISES ETC	0	2	2	2%	0:00:19	0:09:33	0:58:11	2:16:05	1:08:03
	ACCIDENT UNKNOWN INJURIES	0	3	3	3%	0:01:04	0:06:42	0:16:41	1:13:22	0:24:27

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	ACCIDENT WITH ENTRAPMENT	0	1	1	1%	0:00:14	0:00:00	0:00:00	0:02:50	0:02:50
	ACCIDENT WITH INJURIES	0	1	1	1%	0:01:30	0:04:58	1:00:48	1:07:16	1:07:16
	ALARM - MEDICAL	0	2	2	2%	0:02:09	0:11:13	0:35:27	1:37:37	0:48:49
	BACK PAIN (NON TRAUMATIC)	0	1	1	1%	0:01:56	0:09:20	0:57:26	1:08:42	1:08:42
	BLEEDING/HEMORRHAGING	0	3	3	3%	0:02:35	0:05:59	0:44:48	2:40:08	0:53:23
	CARDIAC ARREST	0	1	1	1%	0:01:22	0:04:17	1:36:47	1:42:26	1:42:26
	CHEST PAIN	0	7	7	6%	0:01:57	0:12:08	0:49:27	7:24:50	1:03:33
	DIABETIC PROBLEMS	0	2	2	2%	0:01:22	0:14:18	0:53:42	2:18:42	1:09:21
	DIFFICULTY BREATHING	0	4	4	4%	0:01:36	0:10:13	1:12:06	5:35:39	1:23:55
	FALLS AND RELATED INJURIES	1	13	14	13%	0:01:36	0:10:41	0:32:22	10:12:44	0:43:46
	FRACTURES OR BROKEN BONES	0	1	1	1%	0:03:29	0:09:27	1:53:04	2:06:00	2:06:00
	HEART PROBLEMS	0	3	3	3%	0:01:13	0:09:38	0:41:10	2:36:01	0:52:00
	INDUSTRIAL ACCIDENT	0	1	1	1%	0:01:53	0:09:26	0:42:16	0:53:35	0:53:35
	LIFT ASSIST	0	2	2	2%	0:01:39	0:11:07	0:10:56	0:47:23	0:23:42
	MEDIC STANDBY	4	0	4	4%	0:00:00	0:00:00	5:32:07	22:08:28	5:32:07
	OVERDOSE	0	1	1	1%	0:01:11	0:10:53	0:33:16	0:45:20	0:45:20
	PAIN	0	7	7	6%	0:02:09	0:12:41	0:42:50	6:43:40	0:57:40
	PSYCHIATRIC PROBLEMS	0	3	3	3%	0:02:21	0:06:13	0:53:20	3:05:42	1:01:54
	SEIZURE	1	5	6	5%	0:00:59	0:09:35	0:32:39	4:09:44	0:41:37
	SICK / ILL OR RESCUE	1	19	20	18%	0:01:32	0:11:08	0:49:05	20:22:27	1:01:07
	UNCONSCIOUS OR FAINTING	0	2	2	2%	0:01:15	0:10:51	1:27:13	3:18:37	1:39:19
Subtotals for EMS		**7**	**87**	**94**	**85%**	**0:01:37**	**0:09:36**	**1:03:15**	**106:52:41**	**1:10:57**
	BRUSH FIRE	1	1	2	2%	0:02:32	0:02:32	0:11:21	0:53:21	0:26:41
	BURNING COMPLAINT	1	1	2	2%	0:02:33	0:06:38	0:01:56	0:13:03	0:06:32
	CAR FIRE	0	2	2	2%	0:00:38	0:09:32	1:04:53	2:30:05	1:15:03
	FIRE ALARM	0	9	9	8%	0:01:44	0:09:15	0:17:24	2:34:59	0:17:13
	FIRE OTHER NOT LISTED	0	1	1	1%	0:01:59	0:00:00	0:00:00	0:13:01	0:13:01

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	SMELL OR ODOR OF SMOKE	1	0	1	1%	0:00:00	0:00:00	0:18:52	0:18:52	0:18:52
	Subtotals for FIRE	**3**	**14**	**17**	**15%**	**0:01:53**	**0:06:59**	**0:22:53**	**6:43:21**	**0:26:14**
	Totals for 4070	**10**	**101**	**111**	**100%**	**0:01:40**	**0:09:12**	**0:56:02**	**113:36:02**	**1:02:00**
5060	ABDOMINAL PAIN	0	5	5	2%	0:02:00	0:12:22	0:50:07	5:22:26	1:04:29
	ABRASIONS BRUISES ETC	0	1	1	0%	0:01:44	0:13:03	0:19:39	0:34:26	0:34:26
	ACCIDENT UNKNOWN INJURIES	0	6	6	3%	0:01:45	0:06:40	0:35:46	4:25:11	0:44:12
	ACCIDENT WITH INJURIES	1	1	2	1%	0:00:31	0:02:49	0:49:00	1:44:40	0:52:20
	ALARM - MEDICAL	0	3	3	1%	0:03:00	0:13:32	0:05:49	1:07:04	0:22:21
	BACK PAIN (NON TRAUMATIC)	0	4	4	2%	0:02:07	0:13:30	1:00:14	5:03:24	1:15:51
	BLEEDING/HEMORRHAGING	0	11	11	5%	0:01:39	0:10:31	0:32:19	8:09:25	0:44:30
	CARDIAC ARREST	0	3	3	1%	0:01:35	0:06:08	0:23:57	1:35:03	0:31:41
	CHEST PAIN	0	11	11	5%	0:01:23	0:09:25	1:11:20	15:03:36	1:22:09
	CHILD OR ANIMAL LOCKED IN CAR	0	3	3	1%	0:00:25	0:08:21	0:28:43	1:52:28	0:37:29
	CHOKING	0	2	2	1%	0:01:54	0:07:45	1:21:57	3:03:11	1:31:36
	DIABETIC PROBLEMS	1	7	8	4%	0:01:06	0:09:01	0:40:19	6:43:35	0:50:27
	DIFFICULTY BREATHING	0	21	21	10%	0:01:35	0:09:12	1:01:44	25:23:17	1:12:32
	FALLS AND RELATED INJURIES	0	17	17	8%	0:02:18	0:09:12	0:38:03	14:02:28	0:49:33
	FRACTURES OR BROKEN BONES	0	3	3	1%	0:02:03	0:07:55	0:50:55	3:02:39	1:00:53
	HEADACHE	0	2	2	1%	0:00:23	0:07:51	1:46:32	3:49:33	1:54:47
	HEART PROBLEMS	0	2	2	1%	0:02:41	0:06:05	0:57:31	2:12:34	1:06:17
	LIFT ASSIST	0	17	17	8%	0:02:17	0:12:06	0:09:29	6:45:44	0:23:52
	MEDIC STANDBY	1	1	2	1%	0:00:22	0:00:00	6:10:29	12:21:21	6:10:41
	OVERDOSE	0	2	2	1%	0:02:06	0:07:33	0:51:49	2:02:56	1:01:28

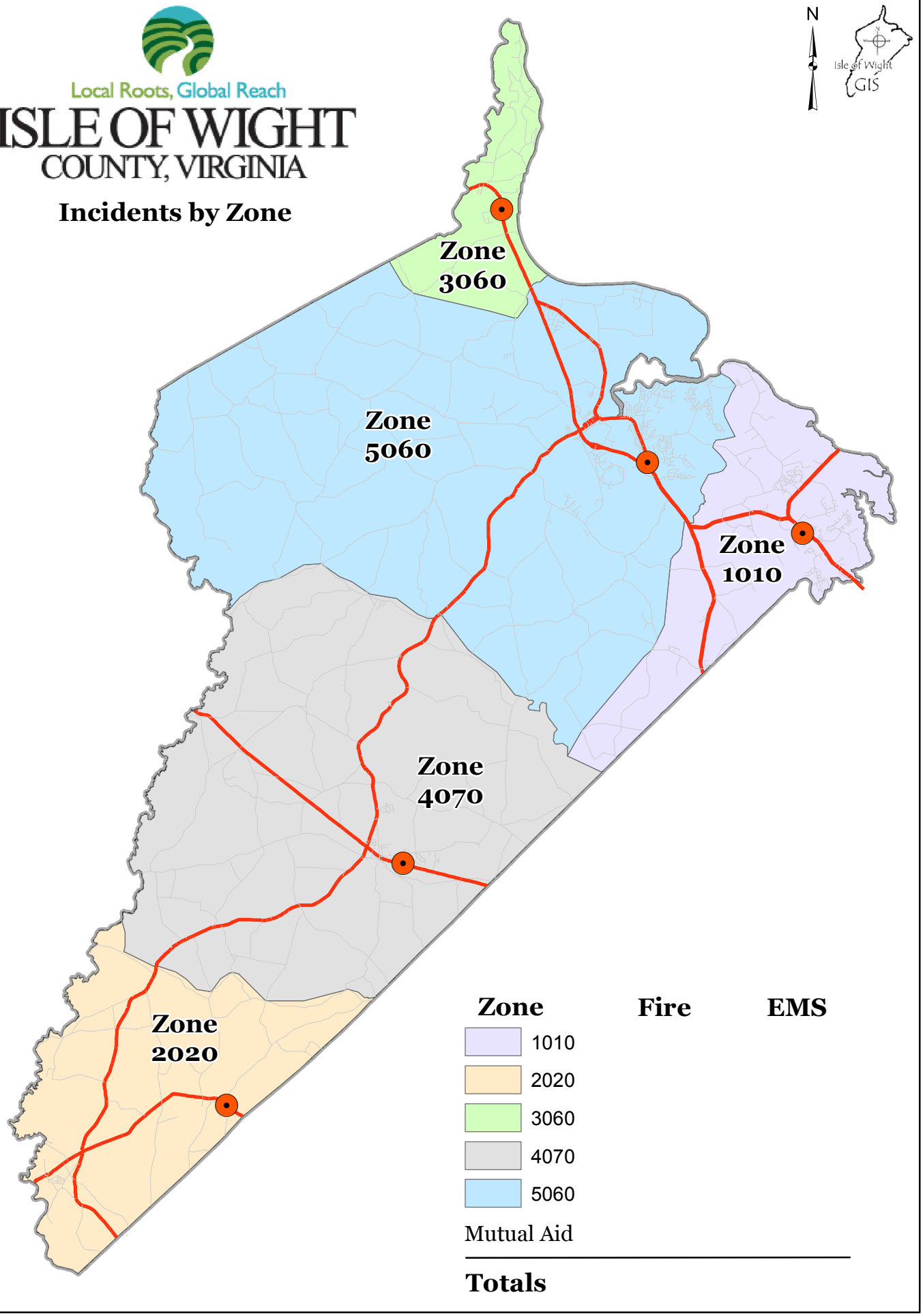
Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	PAIN	0	9	9	4%	0:02:16	0:10:30	1:17:35	13:33:21	1:30:22
	POSSIBLE DOA	0	1	1	0%	0:00:31	0:00:00	0:00:00	0:03:34	0:03:34
	PSYCHIATRIC PROBLEMS	0	6	6	3%	0:00:36	0:19:15	0:33:30	4:42:38	0:47:06
	SEIZURE	0	2	2	1%	0:00:49	0:08:58	1:08:46	2:37:06	1:18:33
	SICK / ILL OR RESCUE	1	33	34	16%	0:01:54	0:11:11	0:52:54	37:10:44	1:05:37
	STROKE	0	7	7	3%	0:01:42	0:11:14	1:02:48	8:50:08	1:15:44
	UNCONSCIOUS OR FAINTING	0	8	8	4%	0:01:57	0:05:17	1:05:08	9:38:57	1:12:22
	Subtotals for EMS	**4**	**188**	**192**	**93%**	**0:01:35**	**0:09:35**	**1:01:47**	**201:01:29**	**1:09:49**
	ARCING WIRES DOWN POWER LINES	0	3	3	1%	0:02:34	0:12:32	0:29:51	2:14:51	0:44:57
	BACKFILL STATION	0	1	1	0%	0:01:15	0:24:11	0:14:53	0:40:19	0:40:19
	BURNING COMPLAINT	1	1	2	1%	0:02:43	0:10:42	0:06:04	0:36:15	0:18:08
	FIRE ALARM	0	2	2	1%	0:01:14	0:05:48	0:14:15	0:42:34	0:21:17
	FIRE OTHER NOT LISTED	0	3	3	1%	0:01:48	0:04:08	0:10:26	0:44:59	0:15:00
	SMELL OF GAS INSIDE/OUTSIDE	0	2	2	1%	0:01:52	0:05:00	0:20:33	0:54:48	0:27:24
	STRUCTURE FIRE	0	2	2	1%	0:02:33	0:06:38	0:39:37	1:37:37	0:48:49
	Subtotals for FIRE	**1**	**14**	**15**	**7%**	**0:02:00**	**0:09:51**	**0:19:23**	**7:31:23**	**0:30:51**
	Totals for 5060	**5**	**202**	**207**	**100%**	**0:01:40**	**0:09:38**	**0:52:47**	**208:32:52**	**1:01:47**
FRA	BACKFILL STATION	0	1	1	100%	0:01:42	0:15:00	3:05:14	3:21:56	3:21:56
	Subtotals for FIRE	**0**	**1**	**1**	**100%**	**0:01:42**	**0:15:00**	**3:05:14**	**3:21:56**	**3:21:56**
	Totals for FRA	**0**	**1**	**1**	**100%**	**0:01:42**	**0:15:00**	**3:05:14**	**3:21:56**	**3:21:56**
SOU	BRUSH FIRE	0	1	1	33%	0:03:32	0:03:06	0:14:56	0:21:34	0:21:34
	Subtotals for FIRE	**0**	**1**	**1**	**33%**	**0:03:32**	**0:03:06**	**0:14:56**	**0:21:34**	**0:21:34**

Station/Beat Code	Nature Code	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	RESCUE MUTUAL AID	0	2	2	67%	0:01:32	0:16:01	1:07:29	2:50:03	1:25:02
	Subtotals for MUTA	**0**	**2**	**2**	**67%**	**0:01:32**	**0:16:01**	**1:07:29**	**2:50:03**	**1:25:02**
	Totals for SOU	**0**	**3**	**3**	**100%**	**0:02:32**	**0:09:34**	**0:41:12**	**3:11:37**	**0:53:18**
SRY	RESCUE MUTUAL AID	0	4	4	100%	0:01:54	0:21:01	1:03:13	4:37:53	1:09:28
	Subtotals for MUTA	**0**	**4**	**4**	**100%**	**0:01:54**	**0:21:01**	**1:03:13**	**4:37:53**	**1:09:28**
	Totals for SRY	**0**	**4**	**4**	**100%**	**0:01:54**	**0:21:01**	**1:03:13**	**4:37:53**	**1:09:28**
SUF	DIABETIC PROBLEMS	0	1	1	20%	0:01:35	0:05:50	0:35:49	0:43:14	0:43:14
	UNCONSCIOUS OR FAINTING	0	1	1	20%	0:01:36	0:03:47	0:02:36	0:07:59	0:07:59
	Subtotals for EMS	**0**	**2**	**2**	**40%**	**0:01:36**	**0:04:48**	**0:19:12**	**0:51:13**	**0:25:36**
	RESCUE MUTUAL AID	0	3	3	60%	0:02:46	0:06:38	0:59:27	3:26:34	1:08:51
	Subtotals for MUTA	**0**	**3**	**3**	**60%**	**0:02:46**	**0:06:38**	**0:59:27**	**3:26:34**	**1:08:51**
	Totals for SUF	**0**	**5**	**5**	**100%**	**0:01:59**	**0:05:25**	**0:32:37**	**4:17:47**	**0:40:01**

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

Incidents by Zone



ISLE OF WIGHT COUNTY

FIRE-EMS ACTIVITY REPORT 2023

STATION RESPONSES	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	YTD
CARROLLTON	121	128	141	117									507
CARRSVILLE	40	37	30	49									156
RUSHMERE	4	7	7	5									23
WINDSOR FIRE	30	37	37	33									137
SMITHFIELD FIRE	61	63	76	47									247
IOW RESCUE	264	267	289	223									1043
WINDSOR RESCUE	119	113	114	106									452
TOTAL STATION RESPONSES													**2565**

VOL. ACTIVITY HOURS	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	YTD
CARROLLTON					0
CARRSVILLE					
RUSHMERE					0
WINDSOR FIRE					0
SMITHFIELD FIRE					
IOW RESCUE					
WINDSOR RESCUE					0
TOTAL VOL. HOURS REPORTED					**0**

Note: *1. Station Responses- Data pulled from E911 Computer Aided Dispatch (CAD) system* *n/r not reported*

2. VOL. Activity Hours- Information as reported by Volunteer Agencies

Isle of Wight County, VA | Apr 18th - May 17th, 2023

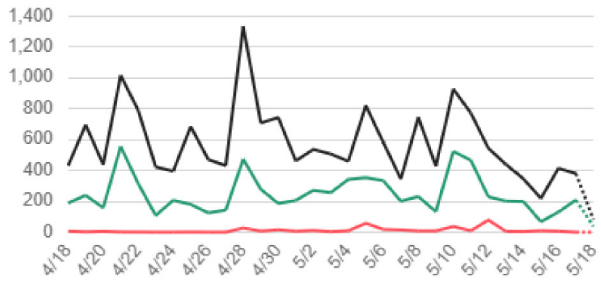
Conversation Summary

Conversation snapshot

The volume and sentiment of the organic resident feedback, as measured by totaling the interactions across local channels and classifying each as positive, negative, or neutral using Zencity AI.

Volume of interactions

Total	Positive	Negative
17.5K	7,507	351
↓ 6.7%	↑ 1.5%	↓ 67.6%



Sentiment analysis



What are residents talking about

Most popular topics and words

Most popular topics

Public Safety (23%)
Interactions: 4,060 · ↓ 5.6%
43% 3%

Local Economy (14%)
Interactions: 2,525 · ↑ 3%
46% 0%

Education (14%)
Interactions: 2,378 · ↓ 18.8%
60% 0%

Popular words



Takeaways from the data

This period, **positive sentiment** in the conversation was slightly higher as compared to last period (43% vs. 40%), while **negative sentiment** was significantly lower (2% vs. 6%).

The most negative interactions were found on **Windsor Castle Park**, totaling 82 interactions and making up 53% of the conversation on that source.

Where the conversation is happening

Most popular channels and sources

Channel Breakdown



Source breakdown

Isle of Wight County Sheriff's Office (13%)
Interactions: 2,222 · ↓ 5.5%
43% 2%

Isle of Wight County Schools (12%)
Interactions: 1,997 · ↓ 32.7%
66% 0%

Visit Smithfield VA (8%)
Interactions: 1,347 · ↑ 16.1%
54% 0%

Top stories

Interactions: 383 16% 8%

Isle of Wight County Sheriff's Office Post
April 28th, 2023 · Other

Press Release
April 28, 2023

A Suffolk man was arrested for homicide after an autopsy deemed a natural death suspicious. 74-year-old Mark Wayne Honaker was arrested by Isle of Wight County Sheriff's Office Investigators late last night for the murder of 54-year-old Stephen William March of…

196 79 26

Interactions: 339 0% 2%

Isle of Wight County Sheriff's Office Post
May 8th, 2023 · Public Safety - General

**** Missing person ****
If you have any information please contact the Isle of Wight County Sheriff's Office. 757-357-2151

34 302 2

Interactions: 308 99% 0%

Visit Smithfield VA Post
April 19th, 2023 · Transportation - General

BIG NEWS! Heading to the Smithfield Farmers Market this Saturday? The parking lots at the SMITHFIELD CENTER & the SMITHFIELD LITTLE THEATRE are now available for PARKING during the market hours of 9 - 12:30. Courtesy wagons are available to haul your goodies too. See you at the Market!
#visitsmithfieldva #HamtownUSA #hamsideattraction #LoveVA Virginia is for Lovers

266 32 6

Interactions: 283 98% 0%

Isle of Wight County Sheriff's Office Post
May 1st, 2023 · Public Safety - General

Everyone wish our favorite rescue, K9 Max, a very happy 2nd Birthday Deputy Forni took time out of their busy day to give him a special treat! Max has been busy sniffing out drugs and keeping our community safer!

218 7 53

Interactions: 274 99% 0%

Isle of Wight County Sheriff's Office Post
April 21st, 2023 · Public Safety - General

Last week Human Resources recognized employees for their years of service working for Isle of Wight County (5-35 years). Everyone please Congratulate Major Willard on 35 years with Isle of Wight Sheriff's Office. Thank you for your dedicated service to this county!

211 4 57

Interactions: 263 25% 0%

Isle of Wight County Sheriff's Office Post
April 30th, 2023 · Public Safety - General

Sunday afternoon Mack attack. He says rainy Sundays are for napping

208 5 6

Interactions: 260 2% 0%

Visit Smithfield VA Post
April 19th, 2023 · culture

Don't miss "Sounds of Revolution," a live reenactment of an actual case from Isle of Wight County's historical court records! This Court Day Drama is presented by the 1750 Isle of Wight Courthouse on Saturday, April 29 with performances at 10, 11, noon, 2 & 3.
$10 per person, Children 6 and under are FREE. Tickets available at

225 27 3

Isle of Wight County Museum &
Isle of Wight County Historic Resources



April 2023 Report

J.L. England, Museum Director & Isle of Wight County Historic Resources Manager

Isle of Wight County Museum 103 Main Street, Smithfield

- **VISITATION**: 693
- **SPECIAL EVENTS**
  - **April 5. Historic Wharf Hill Signage Ribbon Cutting.** In conjunction with Historic Smithfield, the sign at the base of Wharf Hill was rewritten and redesigned to be more reflective of the history in that location and to be more structurally sound. Signage was installed, and a ribbon cutting was held.



  - **April 16. Virginia Honey: A Sweet History.** Honeybees have been a part of Virginia's history since they arrived with the first European colonists. They were Jamestown's valuable addition and served as homefront heroes when world wars caused sugar shortages. In recent years, mead has seen a resurgence along with beekeeping. Join author Virginia Johnson to hunt escaped swarms flying wild in the forests, visit modern-day observation hives and follow the mead path across the Commonwealth for a taste of history. Other buzzing surprises await this fascinating lecture and perhaps a few samples. Ms. Johnson's book will be available for purchase in the museum's gift shop. 25 guests & bees.



  - **April 27. Share Your Memories of Hardy Elementary School.** As part of the final walk-throughs scheduled for the circa-1961 Hardy Elementary before demolition in June, students, staff and members of the public are invited to bring items reflecting their memories of the school and their time there. The Isle of Wight County Museum will attend these two events to scan or document those items for the museum's collection. Of particular interest are photographs, cards, fliers, homework, programs, school menus, textbooks, patches, report cards and spirit items. Many guests.



- **LIVESTREAMING EVENTS.** We continue to connect to visitors, supporters, fans and the community via social media. Our livestreaming tours and programs on Facebook are driving traffic and enhancing interaction on our sites. Events this month, still viewable in the videos section of our Facebook page, include:
  - **April 4. LIVE at 12:05: Mercantilism.** Today, the economy of Virginia and the U.S. is based on Capitalism but colonial Virginia experienced Mercantilism as its primary economic theory. A Mercantile economy typically focuses on exports to a mother country and is closely tied to colonialism. England expected its colonies to provide important goods, especially natural resources like lumber, naval stores, tobacco and more.



  - **April 6. LIVE at 12:05: Barracks Building at Carrollton-Nike Park.** Director Jennifer England was on location today inside the former 1954 barracks building at Carrollton Nike Park,

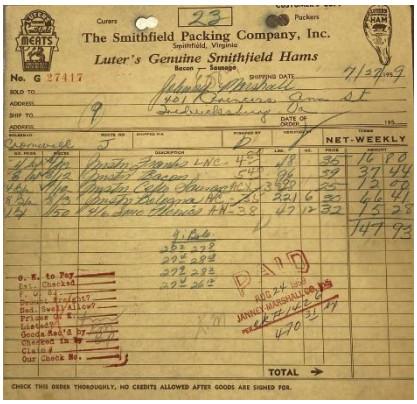
which is on the National Register of Historic Places. Join us for our next lecture and guided tour of this site at 2 p.m. Saturday, April 22. Meet us in this building at Nike Park, 13036 Nike Park Road, Carrollton.



- **April 11. LIVE at 12:05: National Pet Day.** Happy National Pet Day! Few pets are more interesting than our pet ham here at the Isle of Wight County Museum. The ham was first cured in 1902 and accidentally left behind during shipment. A few years later, P. D. Gwaltney Jr. had a collar and tag made for his pet ham, carrying his new pet around with him as a genius marketing ploy. Today, his pet ham is almost 121 years old, the world's oldest edible ham. Join us from 1 to 3 p.m. on Saturday, July 8, 2023, to celebrate Hammy's 121st birthday at the museum.



- **April 13. LIVE at 12:05: Honey History.** A discussion of colonial honey in preparation for our lecture and demonstration on Sunday. Join us, author Virginia Johnson and the head beekeeper from Breezy Hill Meadworks for an afternoon of history and nature. You'll wanna BEE here!
- **April 18. LIVE at 12:05: Receipts & Invoices Tell Stories.** Receipts are documents that confirm a transaction. The concept of a receipt has been around for at least 5,000 years and represents one of the oldest known examples of writing. Recently added to our collection were these 1959 Smithfield Packing Company receipts for franks, bacon, sausage, bologna and hams sold to the Janney-Marshall Company, a wholesale grocery business at Fredericksburg, Virginia. On them, we can see the company logos, descriptions and prices of the items sold and a story of what this grocery wholesaler was able to sell on a weekly basis from Smithfield Packing.

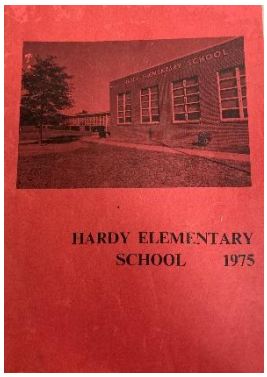


- **April 20. LIVE at 12:05: Bee Skeps...Colonial Pet Carriers?** Curator Rachel Popp discusses the purpose and use of bee skeps in the colonial era.
- **April 25. LIVE at 12:05: Midget Brand Wheeled Seed Planter.** Patented in 1914, the Midget Wheeled Seed or Garden Planter was a useful tool. The design was thoughtful with a small plow on the front, a tube where the seeds would agitate out just behind the plow, and a small piece behind the tube that could help pull dirt over the seeds as the tool rolled along the ground. A simple design that made planting so much easier, especially smaller gardens.



- **April 27. LIVE at 12:05: Share Your Memories of Hardy Elementary School.** As part of the final walk-throughs scheduled for the circa-1961 Hardy Elementary before

demolition in June, students, staff and members of the public are invited to bring items reflecting their memories of the school and their time there. The Isle of Wight County Museum will attend these two events to scan or document those items for the museum's collection. Of particular interest are photographs, cards, fliers, homework, programs, school menus, textbooks, patches, report cards and spirit items. Walk-throughs are scheduled at the school, located at 9311 Hardy Circle in Smithfield, for: 1-2 p.m. Friday, April 28, 2023, and 4:30-5:30 p.m. Monday, May 15, 2023.



- **BEHIND THESE WALLS**
  - People, objects and places all tell stories, and it is the history of a community that shows its unique character. This video series, launched in 2020, allows some of the county's most interesting structures to share their stories. On April 20, video and interviews were collected for the **former library** on South Church Street in Smithfield. This episode will air in May. View all episodes in this series on the museum's YouTube Channel, Facebook page or website. YouTube link: https://www.youtube.com/watch?v=RKfQqNu8tVY.

- **GROUPS/TOURS/PROGRAMS**
  - **April 4. Mineral Springs Baptist Church**, Roanoke, Va. 45 guests.
  - **April 13. Smithfield Shakespeare Class**, Smithfield. 12 guests.
  - **April 17. Noble Care**, Suffolk. 5 guests.
  - **April 17. Country Travel Discoveries**, Wisconsin. 32 guests.
  - **April 21. Country Travel Discoveries**, Wisconsin. 38 guests.





- **GIFT SHOP**
  - Resin pig magnets are a new addition, $2.95 each, while Wight Salt was re-ordered.





- **EXHIBIT/PROJECT UPDATE**
  - **Taste of Smithfield Cookbook**. The republication of this 1978 cookbook – in conjunction with the Isle of Wight County Museum Foundation – is underway. A proof is anticipated from the printer in April.
  - **Sprigg Wing, Phase II: Crops, Trade & Merchants.** A new timeline as well as exhibits about colonial businesses, the tobacco industry and mills are in production. Isle of Wight County General Services designed and installed a shingled roofline above a corner case.
  - **First Residents.** This exhibit space will be complete once our longleaf pine tree's branches are mounted.
  - **Civil War Trails.** New signage for Fort Huger and Fort Boykin is in production.
  - **Local Treasures**. Currently on display is the collection of **Robert Cox** which showcases artifacts recovered from one of Isle of Wight County's early courthouses, the **Mount Holly Courthouse**. Artifacts date to the 1600s and include coins, buttons, leather ornaments, pottery and harmonica reeds. This exhibit concept displays the private collections of Isle

of Wight County residents and/or those with a connection to the area. For more information and applications: www.historicisleofwight.com/local-treasures.html.
    - **English Telephone Box**. The phone box in front of the Bank of Southside Virginia is part of the Isle of Wight County Museum's collection. Dishman Fabrications LLC of Yorktown repaired and media blasted the box, and it was returned to its permanent location in April. Once the door and glass installation are complete, a reception and/or ribbon-cutting will be organized.
    - **Steamboats & Life on the Water; Colonial Isle of Wight; Unusual Objects.** Under development.
    - **Online Exhibits Under Development**: Vietnam War Veterans in Isle of Wight County, Unsung Heroes of Isle of Wight County.
    - **ISLE Be Home for Christmas.** This book project is collecting photographs, postcards, stories, mementos, songbooks, recipes and more that detail the holiday season in Isle of Wight County. This book will be published in November 2023.



- **ARTIFACTS**
    - On April 26, the James River Institute for Archaeology returned four boxes of 17th century artifacts from their investigative analysis project of Basse's Choice/Site 44IW0013.
    - Objects added to the museum collection include photographs, documents, tools, a bee skep, a retractable pen featuring the image of the First Pig of Virginia and receipts.
- **STAFF TRAINING AND REQUIREMENTS**
    - April 18. Town of Smithfield staff meeting.

Financials

• Gift Shop Sales (including tax):	$	1,426.35
• Donations:	$	304.00
• Admission:	$	902.00
• Program/Lecture Fees:	$	0.00
Total Monthly Deposit:	**$**	**2,632.35**

Social Media/Online Presence

- Visit our website at www.historicisleofwight or www.hamcamva.com.
- **LIVE at 12:05.** Each Tuesday and Thursday, we host pop-up broadcasts on the museum's Facebook page. These programs were seen on the Ham Cam, but since COVID-19, programs and livestreaming from Facebook make these programs more mobile. Our segments – shot in the museum or at any of our historic sites - highlight events at the museum, announcements or artifacts from our collection. Tune in each Tuesday and Thursday at 12:05 p.m. on the museum's Facebook page to learn a bit about local history.



- **Facebook:** Isle of Wight County Museum: 3.4K likes and 3.8K followers. Daily posts.
- **Facebook:** World's Oldest Ham: 211/223 likes/followers. Semi-weekly posts.
- **Facebook:** Town of Smithfield. Periodic posts, responses and maintenance.
- **Twitter.** @WorldsOldestHam. The world's oldest ham has his own account. 1,362 followers.
- **Instagram.** @Isleofwightcountymuseum. 1,088 followers.
- **YouTube.** Isle of Wight County Museum. 57 subscribers.
- **Google Reviews.** 4.7/5 overall rating.
- **TripAdvisor.** 4.5/5 star overall rating.
- **Yelp.** 4.5/5 star overall rating.
- **Foursquare/Swarm.** 7.3/10 rating.

Media Coverage/Promotion/Advertising/Lobbying



- Various pieces in area publications to include calendars and events.
- **April 10. Destination Virginia**. Article/Video/Social Media: Isle of Wight County Museum - https://www.yurview.com/sponsored-post/isle-of-wight-county-museum.
- **April 12. *Smithfield Times***. Article: Liftoff: Westside students learn rocketry at former missile base; Cutline: Wharf Hill's history documented.
- **April 18. WTKR News 3**. Meteorologist Myles Henderson interviewed museum staff for several upcoming packages. Airtimes TBA.
- **April 21. *Smithfield Times***. Article: Country ham – Luter-style - https://www.smithfieldtimes.com/2023/04/21/country-ham-luter-style.
- **April 21. *Windsor Weekly***. Article: Reflecting on pop culture in the Atomic Age - https://www.windsorweekly.com/2023/04/21/reflecting-on-pop-culture-in-the-atomic-age.

Outreach Lectures & Events



- **April 6. Grace Church, Yorktown**. Topic: Cemetery preservation. 10 guests.
- **April 11. Isle of Wight County Parks and Recreation Spring Break Camp, Carrollton-Nike Park.** Topic: Cold War history and its influence on pop culture, specifically B-list monster movies. 28 kids.
- **April 12. Isle of Wight County Parks and Recreation Spring Break Camp, Windsor Town Center.** Topic: Cold War history and its influence on pop culture, specifically B-list monster movies. 20 kids.
- **April 18. Main Street Baptist Preschool, Smithfield**. Topic: Earth Day. 14 students.
- **April 19. Warwick County Historical Society, Newport News**. Topic: Cemetery Preservation. 35 guests.

- **April 19. Warwick County Historical Society, Newport News**. Topic: Assistance and training with PastPerfect, collection management software. 3 members.
- **April 20. Carrollton Elementary School, The Learning Center**. Topic: Earth Day. 18 students and 2 teachers.
- **April 21. Hardy Elementary School, The Learning Center**, Session 1. Topic: Earth Day. 18 students and 3 teachers.
- **April 21. Hardy Elementary School, The Learning Center**, Session 2. Topic: Earth Day. 18 students and 3 teachers
- **April 21. Hardy Elementary School, Multiple Disabilities**. Topic: Earth Day. 4 students and 3 teachers.
- **April 28**. **Hardy Elementary School, Community Walk-Through**. Document scanning and outreach. Many guests.



Windsor Castle 705 Cedar Street, Smithfield

- **April 2. Walking Tour.** From the site's pre-colonial existence to the present day, Windsor Castle tells the fascinating history of the development of Smithfield. Join us for this walking tour through history as we explore the house and several of the outbuildings. Meet on the front steps of Windsor Castle, 301 Jericho Road, Smithfield. $5 per person. To reserve your spot: www.windsorcastlepark.com/walkingtours.html. 5 guests.



Fort Boykin 7410 Fort Boykin Trail, Isle of Wight County

- No updates.

Fort Huger 15080 Talcott Terrace, Isle of Wight County

- Improvements to the park entrance sign as well as a replacement of the Captain John Smith Trail sign are in progress.
- **April 8. Walking Tour.** Visit this Civil War fort and learn the significance of this gateway to the Confederate capital. Tour meets at Fort Huger, 15080 Talcott Terrace, Smithfield. 7 guests.



Nike-Carrollton Park 13036 Nike Park Road, Carrollton

- **Nike-Ajax Missile Restoration**
  - Isle of Wight County Public Utilities is at work on the site plan for the missile.
  - Repairs were made April 25 by Big Daddy Edwards Welding and Repair LLC. With 3D scanning and printing, they fabricated the two missing radio antennae. Additionally, they repaired the guidance fins and several cracks.
- **Signage.** The replacement of four panels of interpretive signage regarding the former Nike-Ajax missile battery (N-75L) as well as Jones Creek (N-75C) are in production.
- **April 6. Westside Elementary School.** Staff and volunteers were on-site for lectures and a guided tour of this former U.S. Army missile base during this day of Cold War history, Nike-Ajax missiles and rocketry. Four classes of sixth graders.
- **April 22. Walking Tour.** Visit Nike-Ajax Missile Site N-75L, one of the Cold War's few surviving Army Air-Defense Posts. Local historian Albert Burckard, along with former missile mechanic Ira Abbott, hosts a short presentation and a walking tour of this site which contains the original barracks, mess hall, administration and recreation building, officer/non-commissioned officer family housing, fueling area and underground missile magazines. Event begins in the Recreation Hall (former soldier barracks) at Nike Park, 13036 Nike Park Road, Carrollton. 14 guests.







Boykin's Tavern, 1820 Clerk's Office & Isle of Wight County Court House Complex 17146 Monument Circle, Isle of Wight County

- Boykin's Tavern Visitors: 9
- April 19. Museum staff cleaned the exhibit spaces of Boykin's Tavern.

Meetings

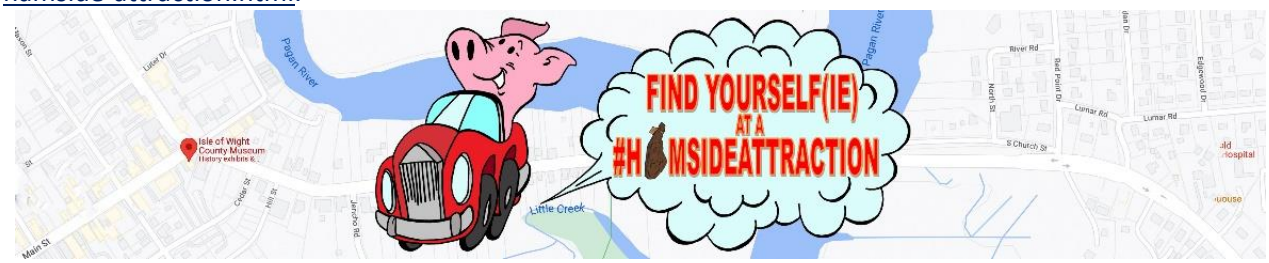
- **April 5. Peninsula Museums Forum.** Zoom meeting.
- **April 20. CivicPlus.** Zoom meeting regarding Town of Smithfield's website.
- **April 26. Blackwater Regional Library.** Regarding digitization, programing, documents and partnership projects.
- **April 27. Wight Salt of Newport, Isle of Wight, United Kingdom, and Isle of Wight County Department of Economic Development.** Zoom meeting regarding development of product and marketing opportunities.
- **April 27. City of Newport News Boards & Volunteers**. Reception at the Mariners' Museum, Newport News.

Other Events & Notable Information

- **Volunteer Hours**: 101
- **Ivy Hill Cemetery**. Provided promotion for Ivy Hill Cemetery's walking tour on April 8.
- **Closed.** The museum was closed on Easter, Sunday, April 9.
- **April 13. Evacuation Assembly Center Activation Training with Isle of Wight County Department of Emergency Management.**
- **April 14. Calvert Marine Museum,** Solomons, Maryland. Reception for James Adams Floating Theatre exhibit. Museum staff provided images and research for this temporary installation. Museum volunteer attended the reception.
- **April 28-30. Isle of Wight County Springfest.** Museum staff, as a member of the Isle of Wight County Fair Committee, provided all voiceover announcements for the event.
- **Virginia American Revolution 250 Commission.**
    - No updates.



- **Virginia History Day**. Museum volunteer served as a judge for Virginia History Day state competition on April 29, held at the Virginia Science Museum in Richmond. Virginia History Day is **the state affiliate of National History Day**, a project-based learning program for students grades 4-12.
- **Virginia Tourism Corporation Small Business Marketing Leverage Grant.** This month, social media advertising continues. Further promotion included one campaign email. Visit our campaign landing page here: https://www.historicisleofwight.com/find-yourselfie-at-a-hamside-attraction.html.



Safety

- All staff reminded of Distracted Driving Awareness Month.
- April 12. Town of Smithfield Safety Committee meeting.

Selections from Our Website and Social Media





World's Oldest Ham @Worldsoldestham · Apr 25

Instead of taking a bite out of the Big Apple, Stuart and Sally Henley of Glen Falls, N.Y., visited and took a bite of #3dprinted me!
#newfriends #ILoveVisitors



World's Oldest Ham @Worldsoldestham · Apr 27

Sometimes time is surreal.
And sometimes you sport your Salvador Dalí-inspired Cartier Crash.
@Cartier #WhatTimeIsIt



ISSUE:

Proposed Solar Energy Facility Ordinance Changes

BACKGROUND:

At its November 22, 2022 regular meeting, the Planning Commission voted to hold a work session on December 13, 2022, in order to discuss the form and location of solar energy generation facilities in the County.

After its December 13, 2022 work session, the Planning Commission directed staff to prepare draft ordinance changes based on the discussion at the meeting.

Staff prepared draft Zoning Ordinance changes for the major utility type Utility Scale Solar Energy Generation facilities. The draft Ordinance changes are attached to this staff report. Based on the discussion at the Planning Commission meeting, staff also included a table showing the number of approved and proposed solar energy generation facilities and the number of acres of prime, prime if drained, and soils of statewide importance included within the developed area of each project based on the County's GIS information.

Staff presented the draft changes to the Planning Commission at their January 24, 2023, regular meeting. Following discussion on the proposed changes, the Planning Commission directed staff to advertise the proposed changes for a public hearing.

The Planning Commission held a public hearing on the proposed Ordinance changes at their February 28, 2023, regular meeting. Following the public hearing, Commissioner Distefano made the motion to recommend approval of the ordinance changes with the following revisions:

1. On page 2, section 4.a.viii, add companies can meet this requirement by submitting a third-party report that provides relevant transmission capacity information.
2. Section 4.l on page 4 should read, “For projects that are connected to transmission lines, the applicant shall provide detailed capacity information to the Planning Commission for each project which shall include at a minimum, but not limited to, available capacity in MW on the effected transmission lines and any details that may impact future energy generation projects, such as scheduled power generation facility decommissionings, transmission system capital improvements or other events impacting transmission line

capacity."

3. Item k on page 4 should read, "The total acres of prime farm soils and soils of statewide importance that may be within the fence of a utility scale solar facility pursuant to issued and active CUPs shall be limited to a maximum of two percent of the County's total number of prime farm soils and soils of statewide importance of 2,446 acres."
4. Include a requirement for an independent appraiser to assess the impact of the facility on nearby house values.

Commissioner Bowser seconded the motion, which was adopted with Commissioners Bowser, Boykin, Distefano, Rawls, Taylor, Sienkiewicz, Gibbs, Smith, and Carroll voting in favor of the motion, and Commissioner Ford voting against the motion (9-1).

The Board of Supervisors held a public hearing on the proposed Ordinance changes at their April 20, 2023, regular meeting. Following the public hearing, the Board discussed the changes and asked staff for additional information on the effect of distance on noise levels, impacts of solar facilities on nearby property values, and whether the County's Emergency Services personnel had any training on solar facility emergency management.

Staff prepared a memo on the impact of distance on noise levels for solar energy generation facilities and attached it to this report for your information. Noise impacts can vary based on the type of equipment used, adjacent land uses, and location of the facility. Setbacks from property lines for all inverters, transformers and substations associated with solar energy generation facilities should be set on a case by case basis based on individual circumstances. Staff recommends that setbacks for this equipment be set at a minimum of 250 feet from property lines, to be consistent with other setbacks in the proposed ordinance revisions, with the ability to increase this distance based on the noise level of the equipment in order to minimize the impact of sound levels from project equipment on nearby properties. A revised redline version of the proposed Ordinance changes is also attached.

With regard to emergency response training, staff learned there has been a preliminary meeting between Cavalier solar staff and the County's EMS staff to coordinate a training program and schedule. There was not a condition to require emergency response training for the Solidago Solar, Windsor PV1, or Woodland Solar energy generation facilities.

Staff has also requested information from the County's latest real estate reassessment to determine whether solar facilities impacted nearby property values. Staff will provide this information as soon as it is received. Also attached for your information is a copy of an appraisal report previously provided.

BUDGETARY IMPACT:

None.

RECOMMENDATION:

The Planning Commission voted to recommend approval of the proposed Ordinance changes with a few minor revisions by a vote of nine in favor and one voting against the motion (9-1). The revisions have been incorporated in the current draft attached to this report.

Staff recommends approval of the draft Zoning Ordinance changes.

ATTACHMENTS:

Description	Type	Upload Date
Noise Setback Memo	Backup Material	5/8/2023
Southampton County Ordinance	Backup Material	12/7/2022
Draft Surry Energy Policy	Backup Material	12/7/2022
BOS Solar Facility Memo August 2021	Backup Material	12/7/2022
Envisioning the Isle - Community Energy Section	Backup Material	12/7/2022
Ordinance Revision Redline rev 050823	Backup Material	5/8/2023
Solar Facility Revisions Adoption Ordinance	Backup Material	5/8/2023
Approved and Pending Solar Project List	Backup Material	5/8/2023
Kirkland Appraisal Report	Backup Material	5/10/2023

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF COMMUNITY DEVELOPMENT

MEMORANDUM

May 8, 2023

TO: **Honorable Members of the Isle of Wight County Board of Supervisors**

FROM: **Amy Ring, Community Development Director**

SUBJECT: **Solar Equipment Setback Information**

At their April 20, 2023, regular meeting, the Board of Supervisors asked staff to provide additional information to support the proposed 500 foot setback for solar array inverters, transformers, and substations to mitigate noise impacts to surrounding properties. In response, staff provides the following information on the impact of setbacks on the average noise levels of solar array equipment commonly used for utility scale solar energy generation facilities.

Solar Energy Generation Facility Noise Levels and Distance

The noise level of a typical inverter is 69 dBA, and both transformers and substations generate 60-80 dBA. To compare, the noise level of normal speech from three feet away is about 65 dBA. The sound of a typical vacuum cleaner measured from ten feet away measures at 70 dBA. Typical noise levels are illustrated in the decibel level comparison chart from Yale University below. According to the Inverse Square Law, sound level reduces by six decibels as distance away from the source is doubled.

According to the 2020 Clearview Solar study in Champaign County, Ohio, the PV inverter model used for the project produces a sound level of approximately 69 dBA at a distance of 1 meter, or about 3 feet. Using the Sound Attenuation Calculator found at https://www.wkcgroup.com/tools-room/inverse-square-law-sound-calculator/ and confirmed by staff calculations, the noise level of an inverter at 200 feet would be 33 dBA, or slightly less than the ambient noise level of a quiet suburban area at night. At 500 feet, the inverter noise level would be approximately 25 dBA which is about the same as a whisper according to the Yale chart below. In the County, only one solar generation facility has been constructed. The distance between the closest inverter to a property line is 300 feet. No noise complaints have been received for this property.

Decibel Level Comparison Chart

Environmental Noise	*dBA*
Jet engine at 100'	140
Pain Begins	*125*
Pneumatic chipper at ear	120
Chain saw at 3'	110
Power mower	107
Subway train at 200'	95
Walkman on 5/10	94
Level at which sustained exposure may result in hearing loss	*80-90*
City Traffic	85
Telephone dial tone	80
Chamber music, in a small auditorium	75-85
Vacuum cleaner	75
Normal conversation	60-70
Business Office	60-65
Household refrigerator	55
Suburban area at night	40
Whisper	25
Quiet natural area with no wind	20
Threshold of hearing	0

Note: dBA = Decibels, A weighted

The Clearview solar project study evaluated the noise level of 61 inverters, a transformer and one substation to be used for a 1,060 acre solar energy facility in Champaign County, Ohio. The study measured existing ambient noise levels at 99 nearby residences and projected any changes to these levels after the inverters were installed. Prior to the solar facility construction, existing noise levels measured 44 dBA and 57 dBA during daytime hours, which coincided with the time that the solar facility would be generating power from sunlight. The closest residence to an inverter would be 596 feet. The noise level created by the inverter at the closest residence was expected to be 36 dBA. The current noise level at this residence is 57 dBA, therefore the study concluded the facility would not increase the ambient noise level for nearby properties.

A similar study was performed by San Diego, California for the 308 acre Borrego 1 Solar Project. The project specified noise levels for the inverters to be 65 dBA measured at a five foot distance, the transformer would be 58 dBA at five feet, and the substation would be 71 dBA at five feet. This study also found that the resulting noise generated by these structures would not violate the 45 dBA noise restriction established for the area based on a minimum setback of over 100 feet from the closest property line for these structures.

Recommended Actions

Noise impacts can vary based on the type of equipment used, adjacent land uses, and location of the facility. Setbacks from property lines for all inverters, transformers and substations associated with solar energy generation facilities should be set on a case by case basis based on individual circumstances. Staff recommends that setbacks for this equipment be set at a minimum of 250 feet from property lines, to be consistent with other setbacks in the proposed ordinance revisions, with the ability to increase this distance based on the noise level of the equipment in order to minimize the impact of sound levels from project equipment on nearby properties.

cc: Randy Keaton, County Administrator
Donald T. Robertson, Assistant County Administrator.

10A. PUBLIC HEARING – SOLAR ORDINANCE

OPENING STATEMENT

Attached is the proposed utility scale solar ordinance. The Planning Commission held a public hearing on this matter at its June 9, 2022 meeting and made a unanimous recommendation of approval from the eight (8) members in attendance.

Beth Lewis, Planning Director is in attendance to provide you with an overview of the proposed ordinance.

Attachments

Ordinance
Public Hearing Advertisement
PowerPoint Presentation
Memo from Beth Lewis, Planning Director
Minutes from previous Planning Commission Meetings

MOTION REQUIRED:	If the Board is so inclined, a motion is required to adopt the attached ordinance.

ORDINANCES TO REPLACE REPEALED ORDINANCES UNDER ARTICLE XXII. UTILITY SCALE SOLAR ENERGY PROJECT FOR SOUTHAMPTON COUNTY, SECTIONS 18-621 THROUGH 18-637 WITH THE PURPOSE AND INTENT TO PROTECT ACTIVE VIABLE FARM AND FORESTED LAND WHILE PERMITTING THE INSTALLATION OF UTILITY SCALE SOLAR ENERGY PROJECTS IN LIMITED AREAS THROUGHOUT THE COUNTY ENCOURAGING THE USE OF BROWN FIELDS AND OTHER MARGINALLY PRODUCTIVE LAND

BE IT ORDAINED, by the Southampton County Board of Supervisors, that the Southampton County Code is hereby amended by the addition of Sections 18-622 A through 18-636 A, set out herein below:

Article XXII.A - Utility Scale Solar Project for Southampton County

Sec. 18-622.A - Purpose and Intent

The purpose and intent of the Utility Scale Solar Project regulations is to protect active, viable farm and forested land while permitting the installation of utility scale solar energy projects in limited areas throughout the County, encouraging the use of brownfields and other marginally-productive land.

Sec. 18-623.A - Definitions

- *Applicant* means the person or entity who submits an application to the locality for a permit to install a solar energy project under this article.
- *Disturbance zone* means the area within the site directly impacted by construction and operation of the solar energy project.
- *Integrated PV* means photovoltaics incorporated into building materials, such as shingles.
- *Operator* means the person responsible for the overall operation and management of a solar energy project.
- *Owner* means the person who owns all or a portion of a solar energy project.
- *Photovoltaic or PV* means materials and devices that absorb sunlight and convert it directly into electricity.
- *Rated capacity* means the maximum capacity of a solar energy project based on the sum total of each photovoltaic system's nameplate capacity.
- *Site* means the area containing a solar energy project.
- *Utility scale solar energy project, solar energy project or projec*t means a renewable energy project that either:

  (a) Generates electricity from sunlight, consisting of one or more PV systems and other appurtenant structures and facilities within the boundaries of the site; or

(b) Utilizes sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar-generated energy; and
(c) Does not meet any of the following criteria: has a disturbance zone equal to or less than two acres, is mounted on or over a building or parking lot or other previously disturbed area, or utilizes integrated PV only.

Sec. 18-624.A - District Boundaries
The utility scale solar energy project regulations shall apply to all properties seeking a zoning map amendment and/or a Conditional Use Permit to install such a development in the unincorporated portions of Southampton County.

Sec. 18-625.A - District Regulations
All Utility Scale Solar Energy Projects shall meet the following district regulations:

1. The minimum rated nameplate capacity of any utility scale solar energy project shall be at least twenty (20) megawatts (MW).
2. The maximum rated nameplate capacity of any utility scale solar energy project shall be no more than one hundred (100) megawatts (MW).
3. The total land area devoted to utility scale solar projects shall be no more than one (1) percent of the area of Southampton County, with the current ratios between farm and forested land being used as determined by information from the Virginia Farm Service Agency and the Virginia Department of Forestry at the time of application.

Sec. 18-626.A – Zoning Considerations
Utility scale solar energy projects shall only be permitted in the M-1, Limited Industrial, zoning district with a Conditional Use Permit.

Sec. 18-627.A - General District Standards
In addition to the standards contained in Article XVIII, Conditional Use Permits, all applications shall comply with the following standards for a utility scale solar energy project:

1. The subject properties shall be served by an existing electrical transmission/distribution line, so as to not require an extension to connect to the receiving line.
2. Any utility scale solar energy project shall be located in its entirety at least one (1) mile from the corporate limits of any incorporated town or city.
3. The project shall comply with all applicable federal and state regulations.

4. Decommissioning shall be accomplished in accordance with the requirements of Sec. 18-631 A of this ordinance and the approved decommissioning plan.
5. Technical/review fees. Applications for utility scale solar energy projects shall require a technical review that will be conducted by a consultant selected by the County. Any fees associated with performance of this review will be paid by the applicant.
6. Should property proposed as part of a utility scale solar energy project be included in a Voluntary Agriculture and Forrestal District, a request to withdraw the property from said District shall be submitted and approved in advance of a submittal of a request for a zoning map amendment and Conditional Use Permit to install the proposed project.
7. Any required siting agreement shall be approved by the Board of Supervisors prior to submittal of an application for a zoning map amendment and/or Conditional Use Permit.

The Board of Supervisors may modify the standards of Sec. 18-627A upon application for an approval of a Conditional Use Permit specific to the standard for which a modification is requested, upon a finding by the Board that the applicant has demonstrated that the proposed modification reasonably protects and promotes the public health, safety, and welfare with respect to the application.

Sec. 18-628.A – Setbacks

1. Utility scale solar energy projects shall meet the front, side, and rear setbacks of the M-1, Limited Industrial district for the exterior parcel boundaries of the project unless specified otherwise elsewhere in these regulations. Buildings and equipment may cross property lines interior to the utility scale solar project, however, subsequent to development, should properties be removed from the project, perimeter setbacks must be installed on properties remaining within the project.
2. New substations or connector stations shall be set back at least five hundred (500) feet, and inverters and transformers set back at least two hundred and fifty (250) feet, from existing dwellings, schools, places of worship, State Scenic rivers, and rights-of-ways.

The Board of Supervisors may modify the setbacks of Sec. 18-628A as it deems necessary to ensure adequate buffer yards and screening to mitigate the visibility of the utility scale solar energy project from the exterior of the property to residential property, public facilities, places of worship and public rights-of-way and site conditions specific to the project.

Sec. 18-629.A - Additional Submission Requirements

In addition to the Submission Requirements of Sec18-678, the following additional requirements shall be satisfied with the filing of an application for a Conditional Use Permit:

1. Documentation evidencing control over the properties for the intended use, including decommissioning. Sensitive financial or confidential information may be redacted. Power of attorney must be provided if the applicant for the zoning map amendment and/or Conditional Use Permit is not the property owner
2. A narrative describing the proposed utility scale solar energy project, including how it meets the purposes and intent noted in the Comprehensive Plan and this ordinance
3. The intended end user(s) of the electricity generated by the project. No speculative projects will be considered by the Board of Supervisors and Planning Commission.
4. The preliminary site plan and supporting documentation shall demonstrate that the project meets the design and development standards set forth in Article XX of the zoning ordinance. Additionally, the plan shall indicate the following:
    a) The approximate location and dimension of solar panels, inverters, existing and proposed structures, fencing, property lines, ancillary equipment, transmission lines, vegetation, waterways and streams, and the location of residences within three hundred (300) feet of the perimeter of the facility, buffers, boundaries, and acres of the limits of disturbance
    b) The amount of energy in megawatts (MW) that the facility is designed to generate in alternating current (AC) and direct current (DC)
    c) Dimensions, locations, orientation and typical section of the solar energy equipment, and the type of system proposed (i.e. tracking or stationary)
    d) The materials that are to be utilized (e.g. aluminum, copper, glass, etc.) in the construction of the facility and approximate percentages
    e) Location of interconnections to any existing or proposed substations or connector stations
    f) Existing structures on the parcel(s) and occupied structures on adjacent properties that may be affected by the placement of solar panels. Include places of worship, schools, public buildings, and State Scenic rivers
    g) Parking and access areas, including proposed construction and permanent driveways
    h) Location of proposed access and utility easements

i) A general landscape and buffering plan that demonstrates that the application meets the buffering requirements of Sec. 18-630A.

j) Demonstration through project siting and proposed mitigation, if necessary, that the project mitigates impacts on the visual character of adjacent properties, designated scenic roads or rivers, or historic properties as designated in the Comprehensive Plan or the Virginia/National Register of Historic Places

k) A construction management plan which includes, but is not limited to, the location of staging areas for construction materials and equipment, hours of operation, estimated duration of construction, number and type of vehicles entering and leaving the site, including a traffic impact analysis of same, temporary lighting, anticipated noise and dust generation and corresponding mitigation measures;

l) Proof of adequate liability insurance for the project, which shall be maintained throughout the life of the project

m) The name and contact information for the owner, who shall be responsible for all aspects of the operation and maintenance of the facility for purposes of compliance with the Conditional Use Permit.

Notwithstanding the approved preliminary site plan, the final site plan may be modified to meet federal, state or local regulations, site design, or engineering requirements provided such modifications do not materially change the approved site plan.

5. A statement signed by the applicant that the electrical utility provider or regional transmission authority has been informed of the applicant's intent to install an interconnected project.
6. A description of the upgrades or improvements to the current electrical grid required to support the proposed solar energy facility and the status of the applicant's application for interconnection to the grid.
7. Stormwater management plan as required by Chapter 13.5 of the Southampton County Code.

Sec. 18-630.A - Design and Development Standards

Utility scale solar energy projects shall comply with the following design and development standards:

1. Exterior Buffer Area

Within the required exterior setbacks, a minimum of one-half the setback shall provide a buffer area on all sides of the project, including areas around any new substation or connector station, to any adjacent parcel or public right-of-way. If the adjacent parcel includes a residence, a place of worship, a structure with documented historical

significance, a cemetery, or a school, the minimum buffer width shall instead be one hundred (100) feet. Any combination of landscaping, fencing, berms, or natural areas may be used to satisfy this standard as outlined in this section, which shall screen the project from view from the exterior of the property.

The following activities may be permitted within the buffer:

a) Vehicular access drives which ties into approved access points to the public right-of-way system as determined by VDOT
b) Landscaping and landscaping features
c) Security lighting in accordance with Sec.18-630A
d) Fencing in accordance with Sec.18-629A(4)
e) Signage in accordance with Sec 18-629A(5)
f) Utility lines, provided such lines cut through the buffer areas at an angle, as shown on the site plan, to protect the viewshed provided by the buffer
g) Erosion and sediment control/stormwater management measures

The Board of Supervisors may modify the buffer area as it deems necessary to ensure adequate screening to comply with this standard.

2. Landscaping and Buffering

Fencing abutting public rights-of-way - As part of the conditional use permit application, zoning map amendment request, or site plan approval request, a landscape plan for the perimeter of the project in areas that the required fencing will abut a public right-of-way must be provided. Such plan must provide an intermittent screen along such roadways to reflect the agricultural nature of the surrounding countryside. Plantings at intersections are to reduce the visual impacts of the solar panels and equipment on drivers. Plantings along the public rights-of-way are not meant to completely screen the solar installation, but to break up the impact of the installation on drivers and nearby residents. Four (4) foot tall landscaped berms planted with grass shall be required as necessary abutting all public rights-of-way, with such requirements specifically imposed by the board of supervisors at the time a conditional use permit is issued.

Fencing not abutting public rights-of-way - Plantings in areas that the required fencing will abut residential uses, cemeteries, schools, structures with documented historical significance, places of worship, or State Scenic rivers shall provide an opaque screen of the solar installation to the abutting properties. Such plans shall to the greatest extent possible use native and locally adapted vegetation. Opaque screening to a height of eight (8) feet within three (3) years of installation must be provided along these areas. If the fence abuts any property in residential use, a

four (4) foot tall landscaped berm planted with grass shall be part of the opaque screening.
If landscaping is proposed and/or required to meet the visual screening requirements, plantings shall be installed during the first available planting season following issuance of a land disturbing permit to ensure viability of the plantings, as determined by a Landscape Design Professional. Vegetation to be installed shall be of such size and variety so as to achieve required screening effects within three (3) years of installation.

It is preferred that natural areas be retained to meet some or all of the buffer requirements, provided a Landscape Design Professional determines the existing vegetation is of adequate size and health to meet the screening requirements. Vegetation to be retained for this purpose shall be shown on the site plan, type and size enumerated.

Native vegetation and pollinator species shall be incorporated into landscape plans and natural areas to the extent possible. The planting of non-native plant species is discouraged. If non-native species must be utilized, such planting shall not constitute more than twenty five (25) percent of all new plantings, unless the Landscape Design Professional determines additional non-native plantings are necessary to meet the desired buffering standards. All landscape material must be certified nursery stock, so as to ensure invasive species and insects are not in the material.

The landscape plan shall also include information regarding the grass or ground cover to be installed within the solar installation. Such ground cover or grass is limited in height to twelve (12) inches by Southampton County Code Sec. 10-48. A landscape plan for the installation and maintenance of the plantings, natural areas, and other vegetated areas within the buffer shall be provided, which shall ensure the long-term viability of the buffer area. Invasive species plans and pest management plans specific to the site for both insects and vegetation, prepared by a licensed landscape architect or certified agronomist or equivalent, shall be incorporated into all landscape plans. Such landscape plans shall be approved by the County as part of the site plan review process.

Prior to the issuance of the first land disturbance permit, appropriate surety equal to fifty (50) percent of the cost of the installation of the landscaping for the entire project shall be submitted. Additionally, a $50,000 landscape bond shall be submitted that remain in effect for the life of the project. Once 100% of the landscaping for the entire project has been installed and verification by the

Landscape Design Professional is provided that the landscaping is healthy and meets the mitigation requirement, the fifty (50) percent surety shall be released upon request. However, the $50,000 landscape bond shall remain in effect for the life of the project. That bond, to be renewed if/when the County needs to pull from it, shall cover landscaping that needs to be replaced, damaged fencing, tall vegetation that needs to be mowed, or complaints of glare from the project from an abutting neighbor, should the owner of the project not accomplish those repairs in a timely manner upon receiving knowledge of the issue. Any dead, diseased, or dying vegetation shall be replaced in accordance with the specification of the maintenance plan in the first planting season after such replanting is required. Annual inspection of the landscaping and ground cover shall be made by a licensed Landscape Architect and a report provided to the Community Development Department.

The Board may determine that further screening improvement may be reduced or are not required based on supporting documentation provided by the Landscape Design Professional.

3. Fencing

Fencing shall be as required by the National Electric Code. It shall be screened from exterior view from occupied adjacent properties and public rights-of-way. Screening may include plantings to mitigate the view of the fence. Breaks in fencing shall be provided to facilitate wildlife movement corridors where necessary to address findings and recommendations of the studies pursuant to Sec. 18-633A(1).

4. Grading

Clear-cutting and grading of the development zone shall be prohibited, except in areas where panels, internal paths, and equipment are to be installed. Existing buffer areas must be protected from clear-cutting. The Southampton County Code Ch. 6, Erosion and Sediment Control, shall be adhered to. The use of existing contours shall be utilized to the extent practical. Where grading is necessary because of slopes or other topographic features, slopes exceeding fifteen (15) percent and/or slopes defined as critical slopes by the Virginia Erosion and Sediment Control Handbook, shall not be disturbed. All site development shall be performed in phases so that not more than fifty (50) percent of the land disturbance areas reflected on the site plan shall be disturbed without stabilization at any time. Site specific plans shall be prepared and approved that may limit or phase the amount of disturbed acreage as determined by site characteristics. Topsoil is not permitted to be removed from the property. For purposes of erosion and sediment control, stabilization shall mean the application of seed and straw or mulch to disturbed areas. The applicant shall be responsible for any costs incurred by the County for additional staff and/or third party inspectors for inspection services. If

forested land is to be included, the requirements of the Virginia Department of Forestry BMP standards shall be included. Southampton County Community Development may permit selected thinning in areas based upon best management practices and in accordance with the approved landscape plan. The provision shall not be deemed to preclude cutting or thinning necessitated by disease or infestation and recommended by the Virginia Department of Forestry or other qualified professional.

5. Signage

Signage shall be limited to a notification sign placed at each site entrance and at locations along the exterior fence that states (a) the rated nameplate capacity, (b) the name of the project owner, and operator (if different from the owner), (c) the street address of the site, and (d) a 24-hour emergency contact phone number for the operator. Signage is prohibited on solar equipment except as follows: (a) appropriate warning signs and placards; (b) signs required by a federal or state agency; (c) signs that provide a 24-hour emergency contact phone number, and (d) panel manufacturer information and/or other identifier. If the contact information changes, new signage with up-to-date contact information is required.

6. Height

Solar Energy Arrays shall not exceed eighteen (18) feet in height when oriented at maximum tilt, as measured from the ground, and shall be screened to meet the visual buffering requirements at the time of site plan approval. Ancillary non-solar collector equipment and/or structures, including, but not limited to inverters and transformers, may exceed the height limitation of eighteen (18) feet, provided such equipment or structures are not visible from the exterior of the property.

Sec. 18-631.A - Additional Requirements

1. Site access shall be designed to mitigate site visibility from the public road, residences, schools, places of worship, properties on a historic register or listing, and state scenic rivers.

2. Security lighting shall be the minimum necessary for security of the site. All lighting shall be sourceshielded and downcast to prohibit glare onto abutting properties. The maximum height of any light structure shall not exceed twenty (20) feet along the exterior boundary or within the approvedsetback/buffer areas and thirty-five (35) feet in the interior. Motion sensitive lighting shall be utilizedto the maximum extent possible. Except for site entrances, all lighting shall be internal to the facility.

3. New and/or relocated on-site electrical interconnections and powerlines shall be installed underground unless otherwise approved by the Board of Supervisors with the issuance of the Conditional Use Permit.

4. The project upon completion shall not exceed the noise limitations throughout Southampton County at the exterior boundary of the properties. During construction, noise shall be minimized using acceptable industry practices for back-up alarms that do not emit traditional warning sounds. The hours of operation of post-driving and other construction equipment shall be limited to sunrise to sunset, Monday through Saturday.

5. All solar collection devices shall be located to avoid directing glare or reflection onto adjacent properties and roadways so as to not create a traffic or safety hazard or nuisance to adjacent properties. In the event that glare is identified as an issue after construction, the owner of the solarenergy facility, or its assigns, shall prepare and implement a corrective plan of action that is acceptable to the County sixty (60) days after notification of the issue to the owner by the County. The required landscape bond may be utilized by the County to abate the condition should the operator fail to do so.

6. The development area shall not include any area in an identified 100 year floodplain, except asminimally necessary for service utility or access road crossing areas, provided such improvements are permitted in accordance with the Southampton County Code. The development shall comply with Article XIV of the Southampton County Code.

7. All solar photovoltaic (electric energy) projects, shall utilize generally accepted national environmental protection and product safety standards for solar panels and battery technologiessuch as those developed for existing product certifications and standards; including the NationalSanitation Foundation/American National Standards Institute No. 457, International Electro technical Commission No. 61215-2, Institute of Electrical and Electronics Engineers Standard 1547, and Underwriters Laboratories No. 61730-2. Sourcing all equipment from facilities located in the United States is encouraged.

8. No utility scale solar energy project shall be located within five (5) miles of another major solar energy project permitted under this section as measured at the nearest exterior boundary of each project.

9. All Southampton County Fire and Rescue Departments shall be provided emergency response training by the owner or its assigns prior to commencement of commercial operation.

10. Community meeting. Prior to submittal of an application, the applicant shall hold a meeting to inform the community about the planned utility scale solar installation. Said meeting shall be open to the public. Notice of the date, time, and place of the meeting, as well as a contact name and phone number of the project representative and a summary of the request, shall be delivered by first class mail to all property owners as noted in Southampton County tax records within one (1) mile of the perimeter of the project. Such notice shall be mailed so as to be delivered at least five (5) and no more than twenty-one (21) working days prior to the community meeting. Upon conclusion of the community meeting, a mailing list of property owners notified, a sign-in sheet from the community meeting, an agenda from the meeting, and a written summary of the meeting shall be included with the application. Such meeting shall take place no more than six (6) months prior to complete submittal of an application for a utility scale solar Conditional Use Permit.

The Board of Supervisors may modify the provisions of Section 18-630A provided the Board finds that the amended provisions protect the public health, safety and general welfare.

Sec. 18-632.A - Decommissioning

1. A decommissioning plan signed by the project owner and binding upon their successors and assigns, who shall be responsible for decommissioning the project. Elements shall include, but are not limited to:

(a) The anticipated life of the project.

(b) An equipment and materials analysis that includes deconstruction, reclamation, salvage,recycling, transportation, labor and estimates for the amount and types of materials to be salvaged, including contingencies in the event that the local salvage market is inundatedand disposal of materials is required outside of the local market area.

(c) The estimated decommissioning costs in current dollars, based upon the equipment andmaterials analysis above, based upon the recycling market for materials at the time of the preparation of the estimate.

(d) The method for ensuring that funds will be available for decommissioning and restoration.

(e) The anticipated timeline and manner in which the project will be decommissioned and the site restored to agricultural ready. Agricultural ready condition means the property is ready for agricultural/silvicultural use at the beginning of the next growing cycle.

2. Decommissioning shall be required following a continuous period of twelve (12) months of thecessation of use for the electrical power generation or revocation of the special exception permit,whichever shall first occur. The owner shall have not more than twelve (12) months to complete decommissioning of the solar energy facility.

3. Decommissioning shall include removal of all solar panels, footers, foundations, structures, cabling,electrical components, conduit, and any other associated facilities and equipment as described in tedecommissioning plan, both above and below the surface of the Earth.

4. All fences, access roads or other non-utility improvements shall be removed unless an executedagreement is provided to the Community Development Department indicating that the property owner agrees for these improvements to remain.

5. Prior to site plan approval, the applicant shall provide the County with a performance guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the County in the amount of one-hundred (100) percent of the estimated decommissioning cost, with no allowance for salvage value. Estimates shall be determined by an engineer licensed to practice in the Commonwealth of Virginia. An administrative fee in the amount of $1000 shall be paid with the delivery of the estimate or any recalculation thereof or with the recalculation of the surety.

6. A revised engineer's estimate of probable cost of decommissioning shall be submitted for review approval every five (5) years in the same manner as the initial submission, and the surety shall bee adjusted appropriately. If at any time the County has questions or concerns about the decommissioning cost estimate, then the County may prepare its own decommissioning cost estimate with the cost to be borne by the owner(s) of the facility.

7. The decommissioning plan shall be referenced in either the site plan, the Siting Agreement or both as applicable. The site plan and any Siting Agreement shall be recorded in the land records of the Clerk of the Circuit Court of Southampton County. The instrument shall identify the street addresses, parcel number(s), owners of record, deed book and page number, and identify the location and availability of the approved decommissioning plan. Proof of recordation shall be provided to the Director of the Community Development Department prior to site plan approval.

8. Project Owners and any landowners on which a major solar facility is located, in applying for a site plan approval, acknowledge the County's ability to enter their property to effectuate decommissioning pursuantto Va. Code §15.2-2241.2.

9. Project Owners and any landowners on which a utility scale solar project is located acknowledge that nothing herein shall limit other rights or remedies available to the County to enforce the obligations of the Applicant, including under the County's zoning powers. The County reserves the right to enter the property up to three (3) times per calendar year for unannounced inspections. In the event of emergencies in which damage to person or property has occurred or is imminent, the right of access by County representatives shall be immediate.

10. Any changes to the ownership of the project shall require an updated plan and surety reflecting same. Southampton County shall be named as additionally insured on bonds/surety/insurance policies.

Sec. 18-633.A – Additional Resources required

(1) Environmental resource impact analysis

The Southampton County Comprehensive Plan stipulates that the natural and scenic beauty of the County shall be protected and preserved through the development process. The inventory and analysis requirements contained herein implement that stipulation and are coordinated and compatible with other environmental resource protection measures in this Code including erosion and sediment control, stormwater management, wetland protection, and floodplain management. A natural resources inventory, prepared and submitted in accordance with the provisions established herein, shall be required for all properties seeking a zoning map amendment and/or conditional use permit and/or site plan approval request for a utility scale solar installation and shall be the basis for environmental resource impact analysis and mitigation efforts. The inventory shall meet the following requirements:

(a) The inventory shall be prepared and certified by a professional qualified to perform environmental inventories. Evidence of the professional qualifications of the person preparing the inventory shall be submitted as a part of the inventory.

(b) The inventory shall contain a plan sheet that clearly depicts the extent and location of any sensitive or environmentally significant features and areas. For each feature and area, descriptive information such as: flood plains; tree lines to be impacted (including the limits of clearing and where buffers will be installed); slope precents (with topography shown at five-foot contour intervals); wetlands classification; groundwater to be impacted (to include ponds, lakes, stream, rivers, etc.); soil type; habitat (including endangered native plant and animal life); etc. shall be provided.

(c) The applicant is responsible for having a site-specific in-field determination for perennial flow made by a qualified professional. The agent shall confirm the site-specific in-field perennial flow determination. For the purpose of determining whether waterbodies have perennial flow, a state approved, scientifically valid system of in-field indicators of perennial flow must be used.

(d) The inventory shall also contain a narrative element that describes and defines the relative values of the natural resources which are found to be present on the site, including flora and fauna.

(e) Natural resources inventories shall be submitted to the County for review and approval concurrent with the submission of applications for a zoning map amendment, conditional use permit, or site plan approval. The County shall not approve the submitted documents unless the natural features and ecological relationships inherent on the site have been identified as deemed appropriate by the reviewer and plans for avoidance and/or mitigation of environmental impacts are fully incorporated into the proposed plan of development for the district.

Proposed utility scale solar installations shall be planned and undertaken in accordance with the following standards, depending on the type(s) of natural features and resources present on the site

(1) Wetlands delineation shall be performed in accordance with the comprehensive onsite determination method specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1987, as it may be amended from time to time.

(2) All construction within flood plain areas shall be in accordance with the requirements of erosion and sediment control chapter of the Southampton County Code and the most recent version of the Virginia Uniform Statewide Building Code and any special requirements of the National Flood Insurance Program applicable to such area.

(3) In areas having excessive slopes or having highly erodible soils, no roads, driveways, structures, or land disturbing activities shall be allowed except where no other practical option exists, as determined by the County, and then, such activities shall be conducted in a manner which does not contribute to increased stormwater run-off velocities or erosion.

(2) Community impact assessment.

An assessment of the impact on the immediate vicinity of the proposed utility scale solar project as well as the greater Southampton County community shall be prepared and submitted to the County with a zoning map amendment and/or Conditional Use permit request and/or site plan approval request. The report shall be prepared by a professional acting within his or her competency, shall be presented in written form and shall analyze in specific terms the probable impact of the project on the vicinity and community over time. Specific attention, as may be appropriate to the individual proposal, should be given but not be limited to the following elements:

(a) Anticipated direct revenues to the county from real estate and other taxes.

(b) An assessment of the short and long term economic impact of the proposed development. If the development is replacing an existing enterprise, including agriculture and forestry, an assessment of the impact the current enterprise has on the local economy and how the local economy will be impacted by the loss of the existing enterprise.

(c) An assessment of temporary and permanent employment opportunities to be created by the proposed development.

(d) Fire, rescue, and law enforcement requirements as compared to existing capacities and facilities.

(e) Water, sewer and stormwater management needs as compared to existing capacities and facilities to address adequacy of existing utilities, water, sewer, public services and public facilities in the vicinity of the development, as well as public and private improvements both offsite and onsite that are proposed for construction and a cost estimate for providing these improvements.

(f) Other public and quasi-public facility and service impacts intended to serve the development.

(g) Socioeconomic changes and impacts to result from the proposed development.

(h) The budgetary costs to Southampton County both in capital and operating costs of providing services to the proposed development.

(i) What efforts, if any, are proposed to mitigate the service demands or costs to the County.

(3) Traffic impact analysis

Pursuant to the Code of Virginia, § 15.2-2222.1, a traffic impact analysis shall be prepared and submitted to the agent at the time of request for a zoning map amendment and conditional use permit for a utility scale solar project. The traffic impact analysis shall include sufficiently detailed information to reasonably determine the impact of the proposed development on the existing and planned transportation network and systems and shall be prepared in accordance with the relevant provisions of the zoning ordinance. The traffic impact analysis shall include all pertinent information relative to the proposed development phasing and shall be correlated with that phasing.

All zoning map amendment and conditional use permit requests must include estimated driveway traffic volumes based on the anticipated traffic generation, using the Trip Generation Manual (Institute of Transportation Engineers, Seventh Edition or as it may be amended from time to time). Where only a portion of the entire property is being used, the traffic projections for the balance of the land remaining to be developed shall be based on the most traffic-intense uses permitted under existing zoning. The applicant shall provide driveway (street intersection) volume data for 24-hours, AM peak hour, PM peak hour, and peak hour of use for weekday and weekend. In addition, the development proposal must show the existing volume of adjacent streets.

The submitted traffic impact analysis shall contain the information and analysis and be in the format as required in 24 VAC 30-155, as amended.

All existing or planned intersections, commercial entrances, median breaks, pavement markings, driveways, or other roadway features potentially affecting traffic flow located within five hundred (500) feet of the proposed development as well as all intersections and driveways internal to the development shall be considered and either shown or clearly noted on a scaled plan submitted with traffic impact statement.

The developer shall be responsible for paying all review fees required by the Virginia Department of Transportation for the review of traffic impact statements. Such fees shall be submitted by check paid directly to the Virginia Department of Transportation.

(4) Historic resource impact analysis.

In accordance with the objectives of the adopted comprehensive plan and specifically with § 15.2-2306, Code of Virginia, the purpose of the historic resources impact analysis is to protect the historic cultural resources of the county by ensuring that historic buildings and archeological sites are acknowledged and incorporated into the overall design of a utility scale solar installation.

Specifically, these provisions apply to all development in areas of the county which have or are predicted to have historic and archaeological resources present on the site. However, because of the high potential that any land in the county could contain resources of sufficient historical value as to warrant additional study, any utility scale solar installation comprising twenty-five (25) acres or more in any location in the county shall prepare and submit the studies and reports in the manner specified below. The historic resource impact analysis for a proposed utility scale solar installation should identify historic resources to be impacted including, but not limited to locally identified historic areas, sites and structures, all historic places designated by the state, and all historic places designated by the National Register of Historic Places.

Special requirements for archaeological sites and structures are as follows:

(1) *Archaeological sites.*

a. A Phase I archaeological study, as defined by the Virginia Department of Historic Resources in Guidelines for Archaeological Investigations in Virginia Department of Historic Resources (1996, as amended), shall be undertaken for all developments described above.

b. If, based on the "Guidelines for Preparing Archaeological Resource Management Reports" of the Virginia Department of Historic Resources, the Phase I study indicates the desirability for additional studies, a Phase II (as defined by the Virginia Department of Historic Resources, above) and, if warranted, a Phase III (as defined by the Virginia Department of Historic Resources, above) study of the site shall also be completed. The recommendations of such studies shall be incorporated into the plan of development and any clearing, grading, or construction activities.

c. Alternatively, instead of performing additional studies, the archaeological resource may be preserved in place provided, whoever, that the county shall

require that sufficient study analysis are performed which shall determine the location al extent of the resource so as to ensure its future accessibility.

(2) *Architectural structures.*

a. The Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be used in performing appropriate architectural studies or analyses of standing structures.

b. In the case of demolition of historic standing structures, the county may require that a set of measured drawings be prepared by a licensed architect and filed with the county and the state historic preservation office prior to demolition occurring.

(3) All archaeological and architectural studies shall be submitted to the county for review and approval and shall be made a part of any development plan approval.

Upon written request from the developer, the Board of Supervisors may waive any of the above requirements for community, environmental, or historic resource analyses deemed not to be necessary for the proposed project. The Virginia Department of Transportation will analyze the project to determine the need for a traffic impact analysis.

Sec. 18-634.A - Ground water monitoring.

Ground water monitoring to assess the level of groundwater contamination shall take place prior to, during, and upon completion of construction of the project throughout the area of the utility scale solar project. Ground water monitoring shall take place every five (5) years of the operation of the project, and upon completion of decommissioning. Results from said monitoring shall be delivered to the Southampton community development department.

Sec. 18-635.A - Phasing plan.

As part of the master plan submitted for review in conjunction with a zoning map amendment for a utility scale solar installation, or a request for site plan approval, a phasing plan shall be provided. Such plan shall show in general how the property will develop so as to be able to discern the timing for necessary infrastructure extension. No speculative applications will be accepted.

Sec. 18-636.A - Commencement of Construction

Notwithstanding any provisions related to the timing and validity of site plan approvals set forth in the Code of Virginia, construction shall commence within twelve (12) months from the date of approval of the Conditional Use Permit or the Conditional Use Per shall be void. Not less than six (6) months prior to the expiration date of the original Conditional Use Permit, the owner may request a one-time extension from the Board of Supervisors for an additional twelve (12) months to commence construction. The Board of Supervisors may grant the extension, based upon satisfactory evidence that the applicant has proceeded in good faith with the permitting process. In no case shall the permit be extended beyond twenty-four (24) months.

This ordinance shall become effective at 12:01 a.m., _____.

A copy teste:

_____, Clerk
Southampton County Board of Supervisors

Adopted:_____

Proof

Client	SOUTHAMPTON CO BOARD SUPERVISOR	Phone	(757) 653-3015
Address	MIKE JOHNSON PO BOX 400	EMail	
		Fax	
AD #	1477882	Requested By	SOUTHAMPTON CO BOARD SUPERVISOR
Account	222301		
Class	2610	PO #	MIKE JOHNSON
Start Date	07/13/22	Created By	
End Date	07/20/22	Creation Date	BRITTANY.SCH
Run Dates	10	Dimensions	07/08/2022
Pubs	The Tidewater News, TheTidewaterNews.com	**Price**	1 X 8.778 **$571.46**
Order #			
Sales Rep	Brittany Schofield	Phone	
		EMail	brittany.schofield@shelbycountyreporter.com
		Fax	

NOT AN INVOICE

PUBLIC NOTICE

SOUTHAMPTON COUNTY BOARD OF SUPERVISORS NOTICE OF PUBLIC HEARING

Notice is hereby given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended that the Southampton County Board of Supervisors will hold a public hearing on Tuesday, July 26, 2022 at 7:00 p.m., or as soon thereafter as may be heard, in the Board Room of the Southampton County Office Center at 26022 Administration Center Drive in Courtland, Virginia to consider the following matter:

1. **Amendment to Chapter 18, Art. XXII of the Southampton County Code.** Petition to rescind the current Art. XXII of Chapter 18 of the Southampton County Code, Utility Scale Solar Energy Project for Southampton County, and replace it with a proposed Art. XXII. The proposed ordinance includes limits on the land area of the County to be devoted to utility scale solar projects, directs the location of said projects, includes landscaping and buffering provisions, and includes decommissioning requirements, among other amendments.

A full copy of the proposed ordinance is on file and available for public inspection in the County Administrator's office, 26022 Administration Center Drive, Courtland, Virginia during normal office hours of 8:30 a.m. to 5:00 p.m., Monday through Friday.

Any person desiring to be heard on this matter should appear at the time and place referenced herein above and offer his or her comments to the Board of Supervisors.

The hearing is held at a public facility designed to be accessible to persons with disabilities. Any persons with questions on the accessibility of the facility or need for reasonable accommodations should contact Brian S. Thrower, Clerk, at (757) 653-3015. Persons needing interpreter services for the deaf must notify Mr. Thrower at least seven (7) days in advance of the hearing.

Southampton County Board of Supervisors Brian S. Thrower, Clerk

Tidewater News:
July 13 and 20, 2022
PUBLIC HEARING

Utility Scale Solar Regulation in Southampton County

July 26, 2022

Where are we now?
How did we get here?

Moratorium was put in place September 9, 2021 to allow for study of current ordinance so as to:

- Mitigate loss of valuable farm and forested land
- Review long-term effect on tax base
- Study decommissioning process

A lawsuit was filed questioning the ability of the County to enact a moratorium

Highlights as recommended by Planning Commission

- Minimum 20MW, maximum 100 MW
- 1% of County land area to be dedicated to utility scale solar. Existing facility is 1,418 acres, leaving 2,437 acres available.
- Land to be used must be ratio of land use at time of application. Today, 69% of the County is in forestry use, so at least 69% of any proposed solar project must be forested at time of application.
- Land in Voluntary Agriculture and Forestal District must be removed from district prior to application submittal.

Continued

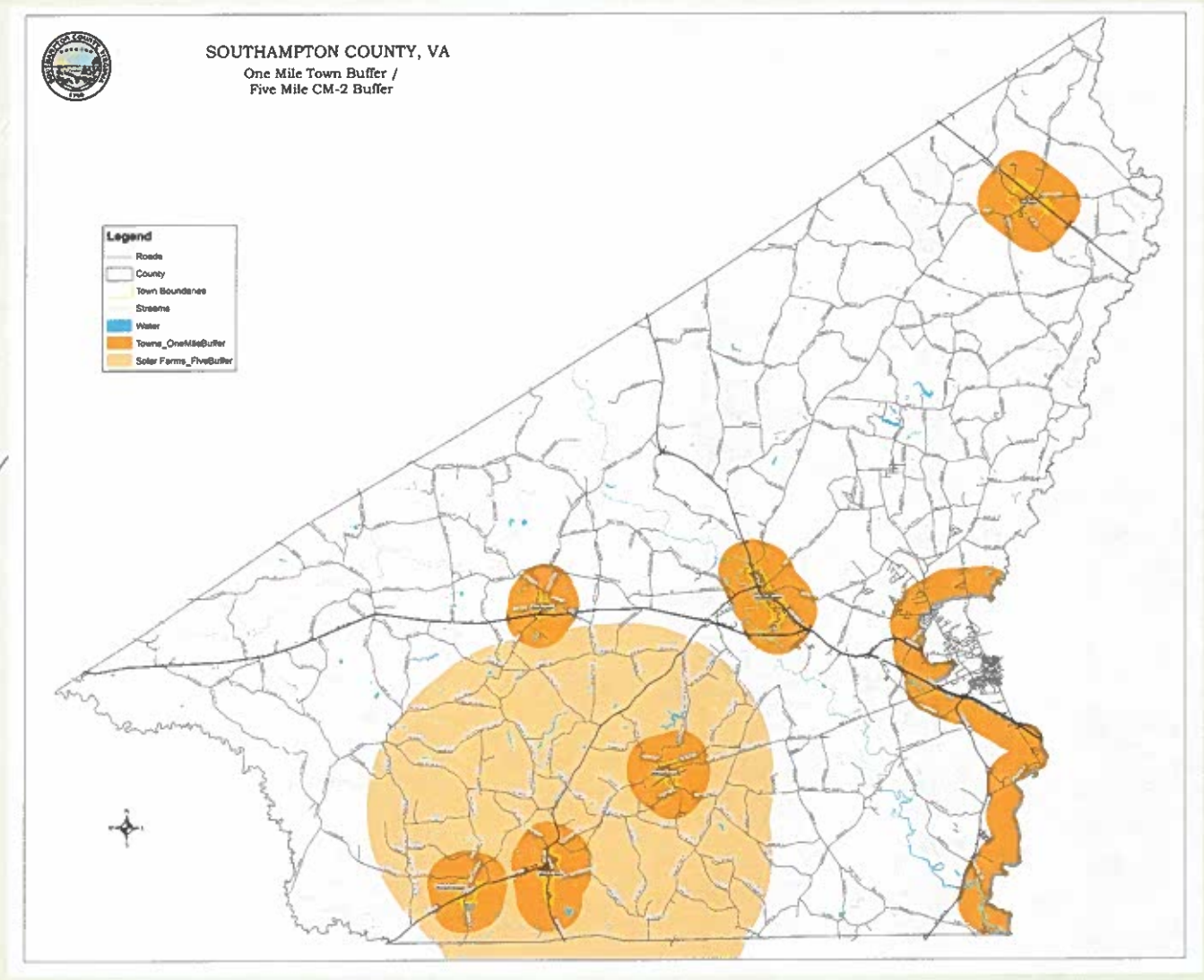
- Buffers must be planted during first growing season after land disturbance permit issued.
- Non-native vegetation limited to 25% of new plantings, all new vegetation must be certified nursery stock
- 100% landscape surety required prior to land disturbance permit. 50% may be released upon request when work complete. $50,000 landscape surety to remain for life of project

Continued

- 1 mile from incorporated places, 5 miles apart
- Setbacks and buffers expanded, including from schools, places of worship, State Scenic rivers, cultural and historic resources
- No topsoil removed from site
- No grading of slopes exceeding 15%
- Community meeting no more than six months prior to application submittal
- Decommissioning: 0% credit for salvage value
- All documents recorded with Clerk of the Court

1 mile/ 5 mile buffer map

Exhibit only, not to be adopted as part of the ordinance



Adoption

- The Planning Commission held the required public hearing June 9, 2022. After the close of the hearing, at which three individuals spoke, the eight (8) attending members of the Commission made a unanimous recommendation of approval of the ordinance to the Board of Supervisors.

Questions?

DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING - BUILDING INSPECTIONS – ZONING

MEMORANDUM

TO: Brian S. Thrower, County Administrator
FROM: Beth Lewis, AICP, Planning Director
DATE: June 24, 2022
RE: Proposed Utility Scale Solar ordinance

Attached please find the proposed utility scale solar ordinance replacement for review by the Board of Supervisors. The Planning Commission held the required public hearing on Thursday, June 9, 2022, and made a unanimous recommendation of approval from the eight (8) members in attendance.

Three members of the public spoke at the public hearing. The first spoke in favor of respecting property rights by permitting the development of utility scale solar projects as a property owner might choose to. They also did not agree with the acreage and megawatt limitations. The second asked for consideration of limiting the use of active agricultural land to thirty (30) percent, rather than the current ratio of forest/agricultural land, and permitting projects of over 100MW. The third recommended consideration of potential projects within one (1) mile of incorporated places and five (5) miles of another such project. They also had concerns about the acreage and megawatt limitations.

There are several places within the proposed ordinance that the Board of Supervisors is specifically noted as being able to modify the requirements, without the applicant seeking variances from the Board of Zoning Appeals. These would not be variances in the strictest sense of the word, they would be modifications based on the specific site conditions. One area the Board could consider is the requirement that utility scale projects be one (1) mile from any incorporated place and five (5) miles from another utility scale solar project. Another is the buffer widths, based on what the project is being buffered from. One Planning Commission member provided they thought the land use ratio between forested and agricultural land should be another area the Board of Supervisors should be able to modify, but no other Commission members advanced the idea, so it is not an area the proposed ordinance gives the Board of Supervisors latitude to modify.

Attached is a compilation of the minutes from all of the Planning Commission minutes at which the proposed utility scale solar ordinance was discussed, beginning with the evening the moratorium was imposed September 9, 2021, through the recent June 9, 2022, public hearing. Pages for the months are as follows:

Sept. 2021	Pages 1-16	Joint meeting with Board of Supervisors
Oct. 2021	Pages 17-33	
Nov. 2021	Pages 34-44	
Dec. 2021	Pages 45-51	
Jan. 2022	Pages 52-76	
Feb. 2022	Pages 77-88	
Mar. 2022	Pages 89-102	
Apr. 2022	Pages 103-109	
May 2022	Pages 110-119	Joint meeting with Board of Supervisors
June 2022	Pages 120-125	Public hearing and recommendation

Attached also is a pictorial representation of the approximate limits of the one and five-mile buffers around incorporated places and the existing utility scale solar facility. This is not part of the ordinance for adoption, merely a representation. Any applicant would need to supply documentation as to their project's location with regard to incorporated places and the existing solar facility as part of their application.

Article XXII. - Utility Scale Solar Project for Southampton County

Sec. 18-621. - Purpose and Intent

The purpose and intent of the Utility Scale Solar Project regulations is to protect active, viable farm and forested land while permitting the installation of utility scale solar energy projects in limited areas throughout the County, encouraging the use of brownfields and other marginally-productive land.

Sec. 18-622. - Definitions

- *Applicant* means the person or entity who submits an application to the locality for a permit to install a solar energy project under this article.
- *Disturbance zone* means the area within the site directly impacted by construction and operation of the solar energy project.
- *Integrated PV* means photovoltaics incorporated into building materials, such as shingles.
- *Operator* means the person responsible for the overall operation and management of a solar energy project.
- *Owner* means the person who owns all or a portion of a solar energy project.
- *Photovoltaic or PV* means materials and devices that absorb sunlight and convert it directly into electricity.
- *Rated capacity* means the maximum capacity of a solar energy project based on the sum total of each photovoltaic system's nameplate capacity.
- *Site* means the area containing a solar energy project.
- *Utility scale solar energy project, solar energy project or proje*ct means a renewable energy project that either:

  (a)Generates electricity from sunlight, consisting of one or more PV systems and other appurtenant structures and facilities within the boundaries of the site; or

  (b)Utilizes sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar-generated energy; and

  (c)Does not meet any of the following criteria: has a disturbance zone equal to or less than two acres, is mounted on or over a building or parking lot or other previously disturbed area, or utilizes integrated PV only.

Sec. 18-623. - District Boundaries

The utility scale solar energy project regulations shall apply to all properties seeking a zoning map amendment and/or a Conditional Use Permit to install such a development in the unincorporated portions of Southampton County.

Sec. 18-624. - District Regulations

All Utility Scale Solar Energy Projects shall meet the following district regulations:

1. The minimum rated nameplate capacity of any utility scale solar energy project shall be at least twenty (20) megawatts (MW).
2. The maximum rated nameplate capacity of any utility scale solar energy project shall be no more than one hundred (100) megawatts (MW).
3. The total land area devoted to utility scale solar projects shall be no more than one (1) percent of the area of Southampton County, with the current ratios between farm and forested land being used as determined by information from the Virginia Farm Service Agency and the Virginia Department of Forestry at the time of application.

Sec. 18-625. – Zoning Considerations
Utility scale solar energy projects shall only be permitted in the M-1, Limited Industrial, zoning district with a Conditional Use Permit.

Sec. 18-626. - General District Standards
In addition to the standards contained in Article XVIII, Conditional Use Permits, all applications shall comply with the following standards for a utility scale solar energy project:

1. The subject properties shall be served by an existing electrical transmission/distribution line, so as to not require an extension to connect to the receiving line.
2. Any utility scale solar energy project shall be located in its entirety at least one (1) mile from the corporate limits of any incorporated town or city.
3. The project shall comply with all applicable federal and state regulations.
4. Decommissioning shall be accomplished in accordance with the requirements of Sec. 18-631 of this ordinance and the approved decommissioning plan.
5. Technical/review fees. Applications for utility scale solar energy projects shall require a technical review that will be conducted by a consultant selected by the County. Any fees associated with performance of this review will be paid by the applicant.
6. Should property proposed as part of a utility scale solar energy project be included in a Voluntary Agriculture and Forestal District, a request to withdraw the property from said District shall be submitted and approved in advance of a submittal of a request for a zoning map amendment and Conditional Use Permit to install the proposed project.
7. Any required siting agreement shall be approved by the Board of Supervisors prior to submittal of an application for a zoning map amendment and/or Conditional Use Permit.

The Board of Supervisors may modify the standards of Sec. 18-626 upon application for an approval of a Conditional Use Permit specific to the standard for which a modification is requested, upon a finding by the Board that the applicant has demonstrated that the proposed modification reasonably protects and promotes the public health, safety, and welfare with respect to the application.

Sec. 18-627. - Setbacks

1. Utility scale solar energy projects shall meet the front, side, and rear setbacks of the M-1, Limited Industrial district for the exterior parcel boundaries of the project unless specified otherwise elsewhere in these regulations. Buildings and equipment may cross property lines interior to the utility scale solar project, however, subsequent to development, should properties be removed from the project, perimeter setbacks must be installed on properties remaining within the project.
2. New substations or connector stations shall be set back at least five hundred (500) feet, and inverters and transformers set back at least two hundred and fifty (250) feet, from existing dwellings, schools, places of worship, State Scenic rivers, cultural resources, and rights-of-ways.

The Board of Supervisors may modify the setbacks of Sec. 18-627 as it deems necessary to ensure adequate buffer yards and screening to mitigate the visibility of the utility scale solar energy project from the exterior of the property to residential property, public facilities, places of worship and public rights-of-way and site conditions specific to the project.

Sec. 18-628. - Additional Submission Requirements
In addition to the Submission Requirements of Sec18-578, the following additional requirements shall be satisfied with the filing of an application for a Conditional Use Permit:

1. Documentation evidencing control over the properties for the intended use, including decommissioning. Sensitive financial or confidential information may be redacted. Power of

attorney must be provided if the applicant for the zoning map amendment and/or Conditional Use Permit is not the property owner

2. A narrative describing the proposed utility scale solar energy project, including how it meets the purposes and intent noted in the Comprehensive Plan and this ordinance
3. The intended end user(s) of the electricity generated by the project. No speculative projects will be considered by the Board of Supervisors and Planning Commission.
4. The preliminary site plan and supporting documentation shall demonstrate that the project meets the design and development standards set forth in Article XX of the zoning ordinance. Additionally, the plan shall indicate the following:
   a) The approximate location and dimension of solar panels, inverters, existing and proposed structures, fencing, property lines, ancillary equipment, transmission lines, vegetation, waterways and streams, and the location of residences within three hundred (300) feet of the perimeter of the facility, buffers, boundaries, and acres of the limits of disturbance
   b) The amount of energy in megawatts (MW) that the facility is designed to generate in alternating current (AC) and direct current (DC)
   c) Dimensions, locations, orientation and typical section of the solar energy equipment, and the type of system proposed (i.e. tracking or stationary)
   d) The materials that are to be utilized (e.g. aluminum, copper, glass, etc.) in the construction of the facility and approximate percentages
   e) Location of interconnections to any existing or proposed substations or connector stations
   f) Existing structures on the parcel(s) and occupied structures on adjacent properties that may be affected by the placement of solar panels. Include places of worship, schools, public buildings, and State Scenic rivers
   g) Parking and access areas, including proposed construction and permanent driveways
   h) Location of proposed access and utility easements
   i) A general landscape and buffering plan that demonstrates that the application meets the buffering requirements of Sec. 18-629.
   j) Demonstration through project siting and proposed mitigation, if necessary, that the project mitigates impacts on the visual character of adjacent properties, designated scenic roads or rivers, or historic properties as designated in the Comprehensive Plan or the Virginia/National Register of Historic Places
   k) A construction management plan which includes, but is not limited to, the location of staging areas for construction materials and equipment, hours of operation, estimated duration of construction, number and type of vehicles entering and leaving the site, including a traffic impact analysis of same, temporary lighting, anticipated noise and dust generation and corresponding mitigation measures;
   l) Proof of adequate liability insurance for the project, which shall be maintained throughout the life of the project
   m) The name and contact information for the owner, who shall be responsible for all aspects of the operation and maintenance of the facility for purposes of compliance with the Conditional Use Permit.

Notwithstanding the approved preliminary site plan, the final site plan may be modified to meet federal, state or local regulations, site design, or engineering requirements provided such modifications do not materially change the approved site plan.

5. A statement signed by the applicant that the electrical utility provider or regional transmission authority has been informed of the applicant's intent to install an interconnected project.

6. A description of the upgrades or improvements to the current electrical grid required to support the proposed solar energy facility and the status of the applicant's application for interconnection to the grid.
7. Stormwater management plan as required by Chapter 13.5 of the Southampton County Code.

Sec. 18-629. - Design and Development Standards

Utility scale solar energy projects shall comply with the following design and development standards:

1. Exterior Buffer Area

Within the required exterior setbacks, a minimum of one-half the setback shall provide a buffer area on all sides of the project, including areas around any new substation or connector station, to any adjacent parcel or public right-of-way. If the adjacent parcel includes a residence, a place of worship, a structure with documented historical significance, a cemetery, a cultural resource, or a school, the minimum buffer width shall instead be one hundred (100) feet. Any combination of landscaping, fencing, berms, or natural areas may be used to satisfy this standard as outlined in this section, which shall screen the project from view from the exterior of the property.

The following activities may be permitted within the buffer:

a) Vehicular access drives which ties into approved access points to the public right-of-way system as determined by VDOT
b) Landscaping and landscaping features
c) Security lighting in accordance with Sec.18-630
d) Fencing in accordance with Sec.18-629(4)
e) Signage in accordance with Sec 18-629(5)
f) Utility lines, provided such lines cut through the buffer areas at an angle, as shown on the site plan, to protect the viewshed provided by the buffer
g) Erosion and sediment control/stormwater management measures

The Board of Supervisors may modify the buffer area as it deems necessary to ensure adequate screening to comply with this standard.

2. Landscaping and Buffering

Fencing abutting public rights-of-way - As part of the conditional use permit application, zoning map amendment request, or site plan approval request, a landscape plan for the perimeter of the project in areas that the required fencing will abut a public right-of-way must be provided. Such plan must provide an intermittent screen along such roadways to reflect the agricultural nature of the surrounding countryside. Plantings at intersections are to reduce the visual impacts of the solar panels and equipment on drivers. Plantings along the public rights-of-way are not meant to completely screen the solar installation, but to break up the impact of the installation on drivers and nearby residents. Four (4) foot tall landscaped berms planted with grass shall be required as necessary abutting all public rights-of-way, with such requirements specifically imposed by the board of supervisors at the time a conditional use permit is issued.

Fencing not abutting public rights-of-way - Plantings in areas that the required fencing will abut residential uses, cemeteries, schools, structures with documented historical significance, places of worship, cultural resources, or State Scenic rivers shall provide an opaque screen of the solar installation to the abutting properties. Such plans shall to the greatest extent possible use native and locally adapted vegetation. Opaque screening to a height of eight (8) feet within three (3) years

of installation must be provided along these areas. If the fence abuts any property in residential use, a four (4) foot tall landscaped berm planted with grass shall be part of the opaque screening.

If landscaping is proposed and/or required to meet the visual screening requirements, plantings shall be installed during the first available planting season following issuance of a land disturbing permit to ensure viability of the plantings, as determined by a Landscape Design Professional. Vegetation to be installed shall be of such size and variety so as to achieve required screening effects within three (3) years of installation.

It is preferred that natural areas be retained to meet some or all of the buffer requirements, provided a Landscape Design Professional determines the existing vegetation is of adequate size and health to meet the screening requirements. Vegetation to be retained for this purpose shall be shown on the site plan, type and size enumerated.

Native vegetation and pollinator species shall be incorporated into landscape plans and natural areas to the extent possible. The planting of non-native plant species is discouraged. If non-native species must be utilized, such planting shall not constitute more than twenty five (25) percent of all new plantings, unless the Landscape Design Professional determines additional non-native plantings are necessary to meet the desired buffering standards. All landscape material must be certified nursery stock, so as to ensure invasive species and insects are not in the material.

The landscape plan shall also include information regarding the grass or ground cover to be installed within the solar installation. Such ground cover or grass is limited in height to twelve (12) inches by Southampton County Code Sec. 10-48. A landscape plan for the installation and maintenance of the plantings, natural areas, and other vegetated areas within the buffer shall be provided, which shall ensure the long-term viability of the buffer area. Invasive species plans and pest management plans specific to the site for both insects and vegetation, prepared by a licensed landscape architect or certified agronomist or equivalent, shall be incorporated into all landscape plans. Such landscape plans shall be approved by the County as part of the site plan review process.

Prior to the issuance of the first land disturbance permit, appropriate surety equal to fifty (50) percent of the cost of the installation of the landscaping for the entire project shall be submitted. Additionally, a $50,000 landscape bond shall be submitted that remain in effect for the life of the project. Once 100% of the landscaping for the entire project has been installed and verification by the Landscape Design Professional is provided that the landscaping is healthy and meets the mitigation requirement, the fifty (50) percent surety shall be released upon request. However, the $50,000 landscape bond shall remain in effect for the life of the project. That bond, to be renewed if/when the County needs to pull from it, shall cover landscaping that needs to be replaced, damaged fencing, tall vegetation that needs to be mowed, or complaints of glare from the project from an abutting neighbor, should the owner of the project not accomplish those repairs in a timely manner upon receiving knowledge of the issue. Any dead, diseased, or dying vegetation shall be replaced in accordance with the specification of the maintenance plan in the first planting season after such replanting is required. Annual inspection of the landscaping and ground cover shall be made by a licensed Landscape Architect and a report provided to the Community Development Department.

The Board may determine that further screening improvement may be reduced or are not required based on supporting documentation provided by the Landscape Design Professional.

3. Fencing
   Fencing shall be as required by the National Electric Code. It shall be screened from exterior view from occupied adjacent properties and public rights-of-way. Screening may include plantings to mitigate the view of the fence. Breaks in fencing shall be provided to facilitate wildlife movement corridors where necessary to address findings and recommendations of the studies pursuant to Sec. 18-632(1).

4. Grading
   Clear-cutting and grading of the development zone shall be prohibited, except in areas where panels, internal paths, and equipment are to be installed. Existing buffer areas must be protected from clear-cutting. The Southampton County Code Ch. 6, Erosion and Sediment Control, shall be adhered to. The use of existing contours shall be utilized to the extent practical. Where grading is necessary because of slopes or other topographic features, slopes exceeding fifteen (15) percent and/or slopes defined as critical slopes by the Virginia Erosion and Sediment Control Handbook, shall not be disturbed. All site development shall be performed in phases so that not more than fifty (50) percent of the land disturbance areas reflected on the site plan shall be disturbed without stabilization at any time. Site specific plans shall be prepared and approved that may limit or phase the amount of disturbed acreage as determined by site characteristics. Topsoil is not permitted to be removed from the property. For purposes of erosion andsediment control, stabilization shall mean the application of seed and straw or mulch to disturbed areas.The applicant shall be responsible for any costs incurred by the County for additional staff and/or third party inspectors for inspection services. If forested land is to be included, the requirements of the Virginia Department of Forestry BMP standards shall be included. Southampton County Community Development may permit selected thinning in areas based upon best management practices and in accordance with the approved landscape plan. The provision shall not be deemed to preclude cutting or thinning necessitated by disease or infestation and recommended by the Virginia Department of Forestry or other qualified professional.

5. Signage
   Signage shall be limited to a notification sign placed at each site entrance and at locations along the exterior fence that states (a) the rated nameplate capacity, (b) the name of the project owner, and operator (if different from the owner), (c) the street address of the site, and (d) a 24-hour emergency contact phone number for the operator. Signage is prohibited on solar equipment except as follows: (a) appropriate warning signs and placards; (b) signs required by a federal or state agency; (c) signs that provide a 24-hour emergency contact phone number, and (d) panel manufacturer information and/or other identifier. If the contact information changes, new signage with up-to-date contact information is required.

6. Height
   Solar Energy Arrays shall not exceed eighteen (18) feet in height when oriented at maximum tilt, as measured from the ground, and shall be screened to meet the visual buffering requirements at the timeof site plan approval. Ancillary non-solar collector equipment and/or structures, including, but not limited to inverters and transformers, may exceed the height limitation of eighteen (18) feet, provided such equipment or structures are not visible from the exterior of the property.

Sec. 18-630. - Additional Requirements

1. Site access shall be designed to mitigate site visibility from the public road, residences, schools,

places of worship, properties on a historic register or listing, a cultural resource, and state scenic rivers.

2. Security lighting shall be the minimum necessary for security of the site. All lighting shall be source shielded and downcast to prohibit glare onto abutting properties. The maximum height of any light structure shall not exceed twenty (20) feet along the exterior boundary or within the approved setback/buffer areas and thirty-five (35) feet in the interior. Motion sensitive lighting shall be utilizedto the maximum extent possible. Except for site entrances, all lighting shall be internal to the facility.

3. New and/or relocated on-site electrical interconnections and powerlines shall be installed underground unless otherwise approved by the Board of Supervisors with the issuance of the Conditional Use Permit.

4. The project upon completion shall not exceed the noise limitations throughout Southampton County at the exterior boundary of the properties. During construction, noise shall be minimized using acceptable industry practices for back-up alarms that do not emit traditional warning sounds. The hours of operation of post-driving and other construction equipment shall be limited to sunrise to sunset, Monday through Saturday.

5. All solar collection devices shall be located to avoid directing glare or reflection onto adjacent properties and roadways so as to not create a traffic or safety hazard or nuisance to adjacent properties. In the event that glare is identified as an issue after construction, the owner of the solar energy facility, or its assigns, shall prepare and implement a corrective plan of action that is acceptable to the County sixty (60) days after notification of the issue to the owner by the County. The required landscape bond may be utilized by the County to abate the condition should the operator fail to do so.

6. The development area shall not include any area in an identified 100 year floodplain, except as minimally necessary for service utility or access road crossing areas, provided such improvements are permitted in accordance with the Southampton County Code. The development shall comply with Article XIV of the Southampton County Code.

7. All solar photovoltaic (electric energy) projects, shall utilize generally accepted national environmental protection and product safety standards for solar panels and battery technologies such as those developed for existing product certifications and standards; including the National Sanitation Foundation/American National Standards Institute No. 457, International Electro technical Commission No. 61215-2, Institute of Electrical and Electronics Engineers Standard 1547, and Underwriters Laboratories No. 61730-2. Sourcing all equipment from facilities located in the United States is encouraged.

8. No utility scale solar energy project shall be located within five (5) miles of another major solar energy project permitted under this section as measured at the nearest exterior boundary of each project.

9. All Southampton County Fire and Rescue Departments shall be provided emergency response training by the owner or its assigns prior to commencement of commercial operation.

10. Community meeting. Prior to submittal of an application, the applicant shall hold a meeting to inform the community about the planned utility scale solar installation. Said meeting shall be

open to the public. Notice of the date, time, and place of the meeting, as well as a contact name and phone number of the project representative and a summary of the request, shall be delivered by first class mail to all property owners as noted in Southampton County tax records within one (1) mile of the perimeter of the project. Such notice shall be mailed so as to be delivered at least five (5) and no more than twenty-one (21) working days prior to the community meeting. Upon conclusion of the community meeting, a mailing list of property owners notified, a sign-in sheet from the community meeting, an agenda from the meeting, and a written summary of the meeting shall be included with the application. Such meeting shall take place no more than six (6) months prior to complete submittal of an application for a utility scale solar Conditional Use Permit.

The Board of Supervisors may modify the provisions of Section 18-630 provided the Board finds that the amended provisions protect the public health, safety and general welfare.

Sec. 18-631. - Decommissioning

1. A decommissioning plan signed by the project owner and binding upon their successors and assigns, who shall be responsible for decommissioning the project. Elements shall include, but are not limited to:

    (a) The anticipated life of the project.
    (b) An equipment and materials analysis that includes deconstruction, reclamation, salvage, recycling, transportation, labor and estimates for the amount and types of materials to be salvaged, including contingencies in the event that the local salvage market is inundated and disposal of materials is required outside of the local market area.
    (c) The estimated decommissioning costs in current dollars, based upon the equipment and materials analysis above, based upon the recycling market for materials at the time of the preparation of the estimate.
    (d) The method for ensuring that funds will be available for decommissioning and restoration.
    (e) The anticipated timeline and manner in which the project will be decommissioned and the site restored to agricultural ready. Agricultural ready condition means the property is ready for agricultural/silvicultural use at the beginning of the next growing cycle.

2. Decommissioning shall be required following a continuous period of twelve (12) months of the cessation of use for the electrical power generation or revocation of the special exception permit, whichever shall first occur. The owner shall have not more than twelve (12) months to complete decommissioning of the solar energy facility.

3. Decommissioning shall include removal of all solar panels, footers, foundations, structures, cabling, electrical components, conduit, and any other associated facilities and equipment as described in the decommissioning plan, both above and below the surface of the Earth.

4. All fences, access roads or other non-utility improvements shall be removed unless an executed agreement is provided to the Community Development Department indicating that the property owner agrees for these improvements to remain.

5. Prior to site plan approval, the applicant shall provide the County with a performance guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the County in the amount of one-hundred (100) percent of the estimated decommissioning cost,

with no allowance for salvage value. Estimates shall be certified by an engineer licensed to practice in the Commonwealth of Virginia. An administrative fee in the amount of $1000 shall be paid with the delivery of the estimate or any recalculation thereof or with the recalculation of the surety.

6. A revised engineer's estimate of probable cost of decommissioning shall be submitted for review and approval every five (5) years in the same manner as the initial submission, and the surety shall be adjusted appropriately. If at any time the County has questions or concerns about the decommissioning cost estimate, then the County may prepare its own decommissioning cost estimate with the cost to be borne by the owner(s) of the facility.

7. The decommissioning plan shall be referenced in either the site plan, the Siting Agreement or both as applicable. The site plan and any Siting Agreement shall be recorded in the land records of the Clerk of the Circuit Court of Southampton County. The instrument shall identify the street addresses, parcel number(s), owners of record, deed book and page number, and identify the location and availability of the approved decommissioning plan. Proof of recordation shall be provided to the Director of the Community Development Department prior to site plan approval.

8. Project Owners and any landowners on which a major solar facility is located, in applying for a site plan approval, acknowledge the County's ability to enter their property to effectuate decommissioning pursuant to Va. Code §15.2-2241.2.

9. Project Owners and any landowners on which a utility scale solar project is located acknowledge that nothing herein shall limit other rights or remedies available to the County to enforce the obligations of the Applicant, including under the County's zoning powers. The County reserves the right to enter the property up to three (3) times per calendar year for unannounced inspections. In the event of emergencies in which damage to person or property has occurred or is imminent, the right of access by County representatives shall be immediate.

10. Any changes to the ownership of the project shall require an updated plan and surety reflecting same. Southampton County shall be named as additionally insured on bonds/surety/insurance policies.

Sec. 18-632. – Additional Resources required

(1) Environmental resource impact analysis

The Southampton County Comprehensive Plan stipulates that the natural and scenic beauty of the County shall be protected and preserved through the development process. The inventory and analysis requirements contained herein implement that stipulation and are coordinated and compatible with other environmental resource protection measures in this Code including erosion and sediment control, stormwater management, wetland protection, and floodplain management. A natural resources inventory, prepared and submitted in accordance with the provisions established herein, shall be required for all properties seeking a zoning map amendment and/or conditional use permit and/or site plan approval request for a utility scale solar installation and shall be the basis for environmental resource impact analysis and mitigation efforts. The inventory shall meet the following requirements:

(a) The inventory shall be prepared and certified by a professional qualified to perform environmental inventories. Evidence of the professional qualifications of the person preparing the inventory shall be submitted as a part of the inventory.

(b) The inventory shall contain a plan sheet that clearly depicts the extent and location

of any sensitive or environmentally significant features and areas. For each feature and area, descriptive information such as: flood plains; tree lines to be impacted (including the limits of clearing and where buffers will be installed); slope percents (with topography shown at five-foot contour intervals); wetlands classification; groundwater to be impacted (to include ponds, lakes, stream, rivers, etc.); soil type; habitat (including endangered native plant and animal life); etc. shall be provided.

(c) The applicant is responsible for having a site-specific in-field determination for perennial flow made by a qualified professional. The agent shall confirm the site-specific in-field perennial flow determination. For the purpose of determining whether waterbodies have perennial flow, a state approved, scientifically valid system of in-field indicators of perennial flow must be used.

(d) The inventory shall also contain a narrative element that describes and defines the relative values of the natural resources which are found to be present on the site, including flora and fauna.

(e) Natural resources inventories shall be submitted to the County for review and approval concurrent with the submission of applications for a zoning map amendment, conditional use permit, or site plan approval. The County shall not approve the submitted documents unless the natural features and ecological relationships inherent on the site have been identified as deemed appropriate by the reviewer and plans for avoidance and/or mitigation of environmental impacts are fully incorporated into the proposed plan of development for the district.

Proposed utility scale solar installations shall be planned and undertaken in accordance with the following standards, depending on the type(s) of natural features and resources present on the site

(1) Wetlands delineation shall be performed in accordance with the comprehensive onsite determination method specified in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, 1987, as it may be amended from time to time.

(2) All construction within flood plain areas shall be in accordance with the requirements of erosion and sediment control chapter of the Southampton County Code and the most recent version of the Virginia Uniform Statewide Building Code and any special requirements of the National Flood Insurance Program applicable to such area.

(3) In areas having excessive slopes or having highly erodible soils, no roads, driveways, structures, or land disturbing activities shall be allowed except where no other practical option exists, as determined by the County, and then, such activities shall be conducted in a manner which does not contribute to increased stormwater run-off velocities or erosion.

(2) Community impact assessment.

An assessment of the impact on the immediate vicinity of the proposed utility scale solar project as well as the greater Southampton County community shall be prepared and submitted to the County with a zoning map amendment and/or Conditional Use permit request and/or site plan approval request. The report shall be prepared by a professional acting within his or her competency, shall be presented in written form and shall analyze in specific terms the probable impact of the project on the vicinity and community over time. Specific attention, as may be appropriate to the individual proposal, should be given but not be limited to the following elements:

(a) Anticipated direct revenues to the county from real estate and other taxes.

(b) An assessment of the short and long term economic impact of the proposed development. If the development is replacing an existing enterprise, including agriculture and forestry, an assessment of the impact the current enterprise has on the local economy and how the local economy will be impacted by the loss of the existing enterprise.

(c) An assessment of temporary and permanent employment opportunities to be created by the proposed development.

(d) Fire, rescue, and law enforcement requirements as compared to existing capacities and facilities.

(e) Water, sewer and stormwater management needs as compared to existing capacities and facilities to address adequacy of existing utilities, water, sewer, public services and public facilities in the vicinity of the development, as well as public and private improvements both offsite and onsite that are proposed for construction and a cost estimate for providing these improvements.

(f) Other public and quasi-public facility and service impacts intended to serve the development.

(g) Socioeconomic changes and impacts to result from the proposed development.

(h) The budgetary costs to Southampton County both in capital and operating costs of providing services to the proposed development.

(i) What efforts, if any, are proposed to mitigate the service demands or costs to the County.

(3) Traffic impact analysis

Pursuant to the Code of Virginia, § 15.2-2222.1, a traffic impact analysis shall be prepared and submitted to the agent at the time of request for a zoning map amendment and conditional use permit for a utility scale solar project. The traffic impact analysis shall include sufficiently detailed information to reasonably determine the impact of the proposed development on the existing and planned transportation network and systems and shall be prepared in accordance with the relevant provisions of the zoning ordinance. The traffic impact analysis shall include all pertinent information relative to the proposed development phasing and shall be correlated with that phasing.

All zoning map amendment and conditional use permit requests must include estimated driveway traffic volumes based on the anticipated traffic generation, using the Trip Generation Manual (Institute of Transportation Engineers, Seventh Edition or as it may be amended from time to time). Where only a portion of the entire property is being used, the traffic projections for the balance of the land remaining to be developed shall be based on the most traffic-intense uses permitted under existing zoning. The applicant shall provide driveway (street intersection) volume data for 24-hours, AM peak hour, PM peak hour, and peak hour of use for weekday and weekend. In addition, the development proposal must show the existing volume of adjacent streets.

The submitted traffic impact analysis shall contain the information and analysis and be in the format as required in 24 VAC 30-155, as amended.

All existing or planned intersections, commercial entrances, median breaks, pavement markings, driveways, or other roadway features potentially affecting traffic flow located within five hundred (500) feet of the proposed development as well as all intersections and driveways internal to the development shall be considered and either shown or clearly noted on a scaled plan submitted

with traffic impact statement.

The developer shall be responsible for paying all review fees required by the Virginia Department of Transportation for the review of traffic impact statements. Such fees shall be submitted by check paid directly to the Virginia Department of Transportation.

(4) Historic resource impact analysis.

In accordance with the objectives of the adopted comprehensive plan and specifically with § 15.2-2306, Code of Virginia, the purpose of the historic resources impact analysis is to protect the historic cultural resources of the county by ensuring that historic buildings and archeological sites are acknowledged and incorporated into the overall design of a utility scale solar installation.

Specifically, these provisions apply to all development in areas of the county which have or are predicted to have historic and archaeological resources present on the site. However, because of the high potential that any land in the county could contain resources of sufficient historical value as to warrant additional study, any utility scale solar installation comprising twenty-five (25) acres or more in any location in the county shall prepare and submit the studies and reports in the manner specified below. The historic resource impact analysis for a proposed utility scale solar installation should identify historic resources to be impacted including, but not limited to locally identified historic areas, sites and structures, all historic places designated by the state, and all historic places designated by the National Register of Historic Places.

Special requirements for archaeological sites and structures are as follows:

(1) *Archaeological sites.*

a. A Phase I archaeological study, as defined by the Virginia Department of Historic Resources in Guidelines for Archaeological Investigations in Virginia Department of Historic Resources (1996, as amended), shall be undertaken for all developments described above.

b. If, based on the "Guidelines for Preparing Archaeological Resource Management Reports" of the Virginia Department of Historic Resources, the Phase I study indicates the desirability for additional studies, a Phase II (as defined by the Virginia Department of Historic Resources, above) and, if warranted, a Phase III (as defined by the Virginia Department of Historic Resources, above) study of the site shall also be completed. The recommendations of such studies shall be incorporated into the plan of development and any clearing, grading, or construction activities.

c. Alternatively, instead of performing additional studies, the archaeological resource may be preserved in place provided, however, that the county shall require that sufficient study analysis are performed which shall determine the location al extent of the resource so as to ensure its future accessibility.

(2) *Architectural structures.*

a. The Secretary of the Interior's Standards for the Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be used in performing appropriate architectural studies or analyses of standing structures.

b. In the case of demolition of historic standing structures, the county may require that a set of measured drawings be prepared by a licensed architect and filed with the county and the state historic preservation office prior to demolition occurring.

(3) All archaeological and architectural studies shall be submitted to the county for review and approval and shall be made a part of any development plan approval.

Upon written request from the developer, the Board of Supervisors may waive any of the above requirements for community, environmental, or historic resource analyses deemed not to be necessary for the proposed project. The Virginia Department of Transportation will analyze the project to determine the need for a traffic impact analysis.

Sec. 18-633. - Ground water monitoring.

Ground water monitoring to assess the level of groundwater contamination shall take place prior to, during, and upon completion of construction of the project throughout the area of the utility scale solar project. Ground water monitoring shall take place every five (5) years of the operation of the project, and upon completion of decommissioning. Results from said monitoring shall be delivered to the Southampton community development department.

Sec. 18-634. - Phasing plan.

As part of the master plan submitted for review in conjunction with a zoning map amendment for a utility scale solar installation, or a request for site plan approval, a phasing plan shall be provided. Such plan shall show in general how the property will develop so as to be able to discern the timing for necessary infrastructure extension. No speculative applications will be accepted.

Sec. 18-635. - Commencement of Construction

Notwithstanding any provisions related to the timing and validity of site plan approvals set forth in the Code of Virginia, construction shall commence within twelve (12) months from the date of approval of the Conditional Use Permit or the Conditional Use Per shall be void. Not less than six (6) months prior to the expiration date of the original Conditional Use Permit, the owner may request a one-time extension from the Board of Supervisors for an additional twelve (12) months to commence construction. The Board of Supervisors may grant the extension, based upon satisfactory evidence that the applicant has proceeded in good faith with the permitting process. In no case shall the permit be extended beyond twenty-four (24) months.

September 9, 2021 Joint Public Hearing

Mr. Scott Foster comes to the podium. He says, I will do my best to speak through my mask. He says, I am Scott Foster, an attorney with Gentry Locke out of Richmond. He says, I live in Williamsburg so I took the ferry over here this evening. He says, we provided Mr. Railey with a letter regarding the opinion and the status of legal moratoriums in Virginia as it relates to filing zoning applications, in fact the consensus is that sort of moratorium is generally disfavored. He says, in the local governing attorney practice group, we feel that they are generally invalid. He says, as an alternative, we would appreciate if you all would engage with us on behalf of the industry to take a look at your ordinance, if you have questions or concerns about the status of solar in Southampton, take a look at your ordinance which I think is actually pretty good. We've got several solar land use applications in over seventy jurisdictions in Virginia, some of which had solar ordinances, some of them don't, as yours goes, it's pretty good. There are a number of subsequent matters that I could suggest that might make you all more comfortable going forward but on a whole, I feel like what you have today, both with requiring a rezoning to industrial and then requiring a use permit, the Board of Supervisors and the Planning Commission is in control of solar moving forward. We've had great success working with localities on behalf of the industry to come to consensus ordinances that are really reflective of all the realities of solar development from a practical perspective and also understanding the prospective of localities wanting to restrict and provide reasonable regulations as to buffering, setbacks, proximity, etc. Some of the most recent ones that we've done that I'm proud of are in Caroline County and Lancaster County, and I will point to those as two really good examples, for your reference.

Mr. Foster says, we have one client who is currently interested in Southampton, several others have mentioned interest. He says, that one client is still working to tie up land, tie up options to land. He says, one thing that has changed, this was discussed with Chip Dix, the leader of our practice group changed by practice group that Mr. Railey. It has changed substantially since you all approved the project, is the revenue situation as it relates to solar. The early projects were either completely exempt or partially exempt from machinery and tools taxes. We realize that machinery and tools taxes is not a very good method for taxing solar facilities, you are subject to depreciation schedules so over the life of the project, the payments decline. He says, there are applicable exemptions, they are less than there used to be, but they are still 70-60, depending on when the interconnection was filed, that's the most recent iteration for machinery and tools taxes. In the 2020 session of the General Assembly, our practice group drafted legislation providing for what they call solar revenue share, which in its first iteration was called solar capacity tax of $1400 per megawatt. This past legislative session, they amended the provisions to provide for an escalator, it's an escalation of five percent, excuse me, ten percent every five years beginning in 2026, meaning that first escalation will happen in 2026, it's not the years and time the project exists. That money is going to automatically increase as time moves forward. The beauty of solar revenue share is because it's a capacity tax, it's a local option tax, you all would have to adopt an ordinance enacting solar revenue share. When a locality adopts an ordinance, that revenue generated by solar revenue share is much harder for the state government to re-allocate. As you all know, the state can pass a budget, take money from localities and re-allocate it to the state. I served eight years on the Williamsburg City Council and we referred to that as "death by a thousand cuts", we would have a good thing going and then the state law would change. Solar revenue share would be protected from that. As an example, say 130-150 megawatt project over its lifetime with solar revenue share, you are looking at five to seven million dollars over the lifetime of the project, that's solely from solar revenue share. The other new element, and I'm not sure one has been adopted in Southampton just yet but it is a solar siting agreement, so local government, attorneys and counties realize that solar developers were proposing what they refer to as voluntary payment agreements to house the additional money beyond the statutory tax allegations to be paid to the county for the County development purposes associated with a solar facility. That wasn't a good fit so there needed to be some other vehicle to house that additional voluntary funds flow into the localities, that's why we came up with a site agreement process. It's loosely modeled, based on the agreement process that would relate to siting for landfill, that's where the idea started. Additional revenue can be routed through the siting agreement and that's provided by the applicant to the County on a volunteer basis. The beauty of the siting agreement, once that money

has passes through that document, it can really be used for any lawful purpose for the locality so in Halifax County we funded a massive improvement to their EMS communication system, in King and Queen County, we, on behalf of a different client, we funded their VATI-Match for their broadband department. In other jurisdictions, we've helped defray the cost of fire trucks, etc. It's really a beautiful tool in the local government tool box to route that money. He says, the second feature of the site agreement that is really special is, because the revenue is flowing through that document that is created by statute, it can be used as a financing instrument. Say that a solar facility will produce seven or eight million dollars over its lifetime. Because that money is secured by a siting agreement, you can reduce the total value, the total number to net plus the value for the bond to secure that money up front. That's the newest and frankly the best feature of the site agreement that is now at the disposal of localities. On the whole, I haven't been involved with this for some time, the revenue dynamics for solar has shifted dramatically so we are on somewhat of an educational mission, just a general mission to make sure folks understand and appreciate the power the localities now have as it relates to solar. The development communities is meeting, the solar development communities, is meeting localities half-way, proposing a site agreement for a large project is now standard operating procedure. We know we need to come up with an additional proposition to make sure that solar is economically developed so I would encourage you not to adopt the solar moratorium and absolutely put myself at your disposal to rely on for potential ordinance updates or other questions you have about solar energy in general. Thank you. Mr. Foster says, I'm happy to take your questions.

Mr. Randall says, I have lots of questions. He says, ok. He says, who do you represent? Mr. Foster says, I represent a company called Clenara. Mr. Randall says, and you are speaking of..... Mr. Foster says, I would say also that we represent the organization called CHESA which is the solar trade association in Virginia so we are attuned to and represent the industry in general but tonight I'm here on behalf of Clenara. Mr. Randall says, and you said you are referencing a solar development committee, what is that? Mr. Foster says, excuse me, I think you misheard me, I apologize. Mr. Randall says, maybe I did, but I heard solar development committee. Mrs. Allston says, me too. Mr. Randall says, did anyone else hear that? Mrs. Allston says, yes. Mr. Foster says, I'm sorry, I was referring to the solar siting agreement. He says, that's the newest instrument to house the financial economic development piece concerning solar. Mr. Randall say, I could have misheard you, that's ok. He says, so your belief is that the moratorium should be disfavored. He says, is it your view that it is unconstitutional. Mr. Foster says, it is. Mr. Randall says, ok.

Mr. Randall says, and you say that some localities have an ordinance and some don't. Mr. Foster says, correct. He says, I'll take that a step further. He says, some localities have a specific ordinance, like you all. He says, some localities just have it listed as a specific use that is allowed with a special use permit or conditional use permit and those generally applicable SUP or CUP conditions will apply to solar development. He says, and then some, don't regulate solar at all. Mr. Randall says, in the state of Virginia, you say its split evenly with those with ordinances and those without? Mr. Foster says, I would say it's moving rapidly that folks are adopting ordinances, so I would say that you all are ahead of the curve, it's a minority now that do not have some sort of additional solar regulation on the books. Mr. Randall says, ok. Mr. Foster says, it is a different land use than other uses typically permitted by CUP or SUP.

Mr. Randall says, you reference a figure of five to seven million from a project, so is that a hypothetical Southampton County project of two hundred acres, I didn't really know what you were referring to. Mr. Foster says, that ballpark is from like, let's say a one hundred twenty, hundred thirty to hundred fifty megawatts project over its lifetime. Mr. Randall says, and how many acres would that be? Mr. Foster says, it largely depends on site conditions but you can bet that a one hundred and fifty acre project given eastern Virginia's density or wetlands, etc. is probably going to be about a thousand acres, I think that's a safe estimate. Mr. Randall says, and then you talked about the economics has shifted dramatically towards the locality. Mr. Foster says, bingo.

Mr. Randall says, ok, and are you familiar with our history? Mr. Foster says, I am, you all approved another project, the name of which shows up on my door steps multiple times a week, you got a big amazon project.

Mr. Randall says, and you referenced a little bit of depreciation and the taxes that relate to machinery. Mr. Foster says, correct. Mr. Randall says, you said it shifted dramatically, define dramatically, because I'm looking at specific numbers. He says, my opinion, which is just subjectively my opinion, is that Southampton County did not benefit significantly monetarily or terribly from the one large project that we had. He says, now that's my subjective opinion. Mr. Foster says, now that was 2017 approval. Mr. Randall says, I believe so.

Mr. Foster says, so this new legislation was effective July 1, 2020. Mr. Randall says, so, just give me just a quick summary of how it swung to the government's favor and not businesses favor with depreciation schedule. He says, because my CPA would disagree with you, so I want you to educate me. He says, now I could be wrong.

Mr. Foster says, absolutely, so the old regime, machinery and tools taxes was subject to exemptions and depreciation. He says, there is now a local option to create a solar revenue share ordinance which replaces the old M&T regime, with a capacity tax of fourteen hundred dollars per megawatt, subject to the ten percent escalator every five years, beginning 2026. He says, as the revenue goes over the life of the project, let's say this is a hypothetical one hundred and thirty megawatt project, M&T will keep pace with solar revenue share, for let's say, the first ten or twelve years and then once you get about half way through the life cycle of a project, that's when revenue share really picks up and the escalator kicks in. He says, so if it was on a graph related to a particular project, M&T starts here and goes down and eventually flattens out. He says, revenue share is a straight line out. Mr. Randall says, but can't a company, just say Company X, they start the project, get it approved and they have the option of their depreciation on the front end heavy or the back end heavy and then they are going to flip the project.

Mr. Foster says, if you all adopt the solar revenue share ordinance, you all are taxing at fourteen hundred dollars a megawatt, subject to the escalator and the depreciation question and M&T is out of the question. He says, you all as the locality would say, we are going to access solar facilities on per megawatt basis moving forward and you have moved away from the M&T regime and the depreciation schedule is set by the state corporation and it's the same one that applies to every project across the state. Mr. Randall says, but that's moving forward and not back. Mr. Foster says, correct. He says, your existing projects and your projects that have been approved, that's water under the bridge. He says, the distinction that I would make is, solar in Southampton to date is not representative of what solar in Southampton will be from a revenue perspective. Mr. Randall says, now, what did you call that ordinance? Mr. Foster says, a solar revenue share. Mr. Randall says, ok, so the solar revenue share ordinance will be separate from our current ordinance that we started working on. Mr. Randall says, Mike, when did we have that workshop to start working on the ordinance? He says, do you remember that date? Mr. (Mike) Johnson says, maybe three years ago. Mr. Randall says, three or four? Mr. Johnson says, yes.

Mr. Foster says, you're talking about you adding to your zoning ordinance? He says, it would go to a different part of your code because it relates to that and I would be happy to provide you all with the draft ordinance. Mr. Randall says, the way that I read it, so it would work in conjunction. Mr. Foster says, correct, it really only relates to revenue paid by project, it doesn't relate to any land use approval what-so-ever, it's only how you tax it.

Mr. Randall says, ok, my next question. He says, so, if hypothetically speaking, and you're going to know my position here in a second, we repealed the current ordinance that we've been working on since 2017 and spent countless hours upon hours and talked about things no one is ever going to know the answer of and we did it by special use permit like many localities do, we could still have the solar revenue ordinance with the special use permit and still have significant control. Mr. Foster says, absolutely. Mr. Randall says, thank you, that's all that I need right there.

Dr. Edwards says, let's keep it in perspective. He says, we are not here tonight deciding on ordinances or conditional use permits, we are here deciding solely on the moratorium and that would give us time to decide what to do, that's the issue here tonight.

Mr. Foster says, if it would interest you all, I'd be happy to provide some financials on model projects for your consideration so you can see what you would do on, from a comparative prospective, under the M&T regime versus the revenue share regime on just a hypothetical project with hypothetical capital expenditure value. He says, it's considerable and most of these localities where we are proposing a project that are considering revenue share and when we are proposing a siting agreement, it has some other additional economic development value. He says, it can be a game changer, it's the difference between financing public works projects and not or in one locality that's been in the red for a number of years, we are proposing one project that will completely flip their county finances on its head. He says, it's a whole new look at solar. He says, the other thing that I will say is, the solar industry has gotten a lot better at hiding projects so we all drive past projects that were approved kind of in the early days, from a buffering and setback perspective, frankly, they make me cringe because it's my job to go get permits for projects today and those older, not well setback, not well screened projects ultimately make my job a lot harder. He says, so the industry has responded to that, they anticipate having to have robust buffers and setbacks and like I say, they've gotten a lot better at hiding projects and understanding things. Chairman Drake says, If you could pass that along to Mrs. Lewis' office, we would greatly appreciate that, to see some of the things that's changed.

Mrs. Allston says, I have one question. Chairman Drake says, yes, Mrs. Allston. Mrs. Allston says, which counties have adopted a solar revenue share ordinance? Mr. Foster says, Lancaster is the most recent one that I've been in, Caroline County has as well. He says, Middlesex County probably will within the next several months, we just developed an energy storage facility there that they want to use the capacity tax on. He says, last feature of the solar revenue share and capacity tax, because it is a capacity tax, it is not a factor in your local composite index for calculations of school cost. He says, so today, the machinery and tools taxes paid on an existing solar facility in this jurisdiction, are an input into your local composite index calculations for school funding. He says, solar revenue share is not part of that formula so localities (A) were subject to steep depreciation schedule and subject to exemptions and (B) took a ding on your local ability to pay when looking at the composite index calculations. He says, so it was like a double whammy from that perspective and solar revenue share is not a factor there. Mr. Foster says, I could talk about this all day, y'all, you have to rein me in.

Mr. Mann says, I've got a question. He says, you keep referring to the lifetime of a project, what is your definition of a lifetime? Mr. Foster says, so the industry says these panels are anticipated to last about forty years, so that's what we consider the lifetime of a project. He says, what we do know is panels are increasing in efficiency so it's my theory that in fifteen or twenty years, the panels will be more efficient so that we can get more megawatts out of a certain acreage, such that it will be financially beneficial to the developer and the locality to retool those panels and essentially extend the life of the project. He says, so beginning to end of a specific panel is forty years, but odds are I can see us retooling the projects, just from a gain in efficiency prospective. Mr. Mann says, the fourteen hundred dollars per megawatt is based on what the facility was designed for initially, correct. Mr. Foster says, well, correct, but in the event that the capacity of a facility would ever increase due to increases in efficiency etc., that means your payment goes up. He says, in essence, you could tie up the same amount of land and increase the output, which frankly is good for everybody. Mr. Mann says, so when they increase the megawatt per facility, are they going to have to come back to the County and get a conditional use permit, amendment or something?

Mr. Foster says, depends on how you draft it. He says, what we are doing now is leaving it open-ended, making sure that the County remains on notice, so that as the megawatts increases and the footprint stays the same, then you all get an additional bump in your annual check. He says, a lot of localities say, hey, you're going to build a one hundred fifty megawatt project and if you are going to increase the megawatts,

you have to come back to use to amend your permit. He says, but my perspective is, if the footprint stays the same and the overall layout and function stays the same, the megawatts ought to be able to increase without bothering everybody to come back and amend the permit. He says, so long as you all are put on notice when that megawatt capacity does increase. Mr. Mann says, so there will be no measuring of how many megawatts a facility puts out on a per year basis; that has anything to do with this tax. Mr. Foster says, correct, the tax is based on what they call, the name plate capacity of the project, so if it is rated at one hundred fifty megawatts, you all get a payment for one hundred fifty megawatts. He says, it doesn't matter what it actually produces, you are not going to exceed your name plate capacity. He says, it wouldn't work with the interconnection fee.

Mr. Mann says, well, I drive by the facilities that you see the panels that rotate. He says, I imagine it's designed for it to be efficient and be x number of megawatts. Mr. Foster says, yes. Mr. Mann says, but then you ride by and see spotted out there, some of the panels are not pivoting and you would think that would go on for maybe a week and it's gone on for months, so somebody is not maintaining or keeping an eye on it. He says, to me I would think that it won't keep it efficient, making a point that efficiency is not necessary. Mr. Foster says, and to your point there, it is based on the rating capacity of the project not on its production.

Chairman Drake says, any other questions, we are going to move along. Mr. Foster says, and I'm happy to provide Mr. Railey with a sanitized siting agreement so you can understand what that looks like. He says, I guess the closest one that we have done to you all, I think it was the first one done in the state, was over in Sussex County that was the Catapoint solar project. He says, that was permitted this time last year and that's the one where we assisted, in addition to a number of things, with purchasing a fire truck. He says, all that information is public.

Mr. Drake says, alright, any other questions. Mr. Drake recognizes Mr. Chesson. Mr. Chesson says, have you seen any studies in your work, that, and I guess we've been provided a study by Magnum Economics Group, have you seen in your experiences any studies that have an impact or studied the impact, the negative impact of taking agriculture workers out of the economy as a result of the projects.

Mr. Foster says, so your question is the opportunity cost of the solar facility to the general local economy. Mr. Chesson says, yes, sir. Mr. Foster says, yes and I believe Fletcher Magnum has offered something to that effect and the conclusion is on the macro scale, solar still is more productive than the underlying agriculture or forestry from a macro tangential ripple effect, in the economy perspective. Mr. Chesson says, only since the solar revenue share and the siting agreement changes. Mr. Foster says, that has certainly helped become more so since the law changed and the local revenue has increased. He says, plus it does a really good job of quantifying and extrapolating the ripple effect of spending and etc. and what that does, the cost to the local and regional economy solar stands out.

Dr. Edwards say, is it not true that we have not had this situation long enough to see what the side effects are going to be or the consequences. He says, that's the way I look at it, I mean everybody is saying it's fine, it's great. He says, we haven't had that much experience with it, we don't know what it is and I'd like to see somebody from that industry tell us, "ok, we have no idea". Mr. Foster say, you are exactly right, it's a young industry. He says, I make the point, you know we never decommissioned the solar facility, they are all too new but we know how to do it and we know how to estimate the cost but to your point, this is still very much a developing industry. He says, there is a lot we know, there is a lot we don't. He says, I can say that one of the reports I read that Fletcher had done, it took into account for the impact of the revenue payments to the landowner and when landowners live in the jurisdiction and are local, the ripple effect of that additional income is significant. He says, it's per acre, it's one heck of a land use for those who own the land and when you have that in a locality and it's local land users who are involved, it makes a big difference. He says, one of the examples, out at the Lancaster project we have, that project is primarily on timberland but I'd say thirty percent is actively farmed. He says, those farmers who are only using part of

the property as part of the project have made a very strong point that the guaranteed revenue every year from that solar lease is a welcome benefit to someone who's annual paycheck is not guaranteed so in that situation, those farmers have said that it's kind of guaranteed income, its allowing them (A) to farm better and (B) to experience some financial security they haven't otherwise. Mr. Foster says, so done right and with the right landowners and the right parties, it can be a real shot in the arm to the local economy.

Chairman Drake says, how do you farm better by having a solar lease, what's that mean? Mr. Foster says, it means there is more money coming in, you can pay your bills and you can invest in new equipment, you can farm the remainder of your land with a better cash flow. He says, the balance sheet looks better, it's not as much of a year-to-year revenue perspective. Chairman Drake says, we are a farming community. Mr. Foster says, that you are.

Chairman Drake says, you also made a comment, it had not effect, the comment earlier, no effect on the farming economy. He says, how do you say that when you displace the acres that would typically be farmed, how does it not affect the farming economy. Mr. Foster says, I comment from the landowner perspective. He says, if you own land and the solar facility is on your land and generation revenue and maybe you're still farming land elsewhere, you balance sheet looks better. He says, now I will acknowledge that if you lease land and have to compete with the solar facilities, it's a difficult situation because solar can pay more per acre than a farmer can. He says, it's a fact but if it's your property and you are leasing it, you are in a good position. Chairman Drake says, why don't the electrical companies buy the property instead of leasing it? Mr. Foster says, that's a good question and thinking about our client base, it's a mix as to ones who will come in and purchase and one's who will lease. Chairman Drake says, you might as well sell it, you can't go on it, that's been a couple of complaints over in the Newsom project. He says, they don't even have access to the property, it's under a lease, it's gated. He says, I'm really getting off subject because this is all about the moratorium tonight. He says, we would like to have you back again possibly as we explore this further, you seem to have a point of interest.

Mr. Foster says, I'm happy to. He says, we've got a number of folks that we work with, both from the appraiser community and the economics community so I'd be happy to come back and do the work and speak about the state of the industry because like Mr. Edwards pointed out, this is a developing industry. He says, we are trying to assemble as much information as we can because we are coming to the county just like you, we want to be able to present a really good land use case with a true economic development proposition. He says, we want to go into it with our eyes wide open. He says, I think we are doing better at that as an industry than we have in the past. Chairman Drake says, I'm going to leave this thought with you. He says we are not opposed to solar. Mr. Foster says, I understand.

Chairman Drake says, I think I can speak for everybody in this room, we all love our electricity. He says, we love it, we just don't know if solar is right for Southampton County, that's the big question we have to decide. He says, is it right for our jurisdiction and that's why we need to explore this a little further. He says, but we appreciate your coming tonight and we will certainly be in touch. He says, Mrs. Lewis, do we have his contact information? He says, we may actually invite you back again. Mr. Foster says, happy to do it, it's just an easy, nice scenic ride over here for me and the folks at Clenara are really good company. He says, hoping that they are getting their options tied up so we will be able to maybe talk brass tacks at some point in the future. Chairman Drake says, ok.

Mr. Randall says, can I ask one more question. He says, do you have some information on other solar revenue ordinances that you've advised on or contributed to, that would be very helpful, hypothetically, if you come back. Mr. Foster says, absolutely, I've got a spreadsheet that I can send you that does the basic run of what a project does over its lifetime at fourteen hundred dollars per megawatt with the escalator, you can punch in the different project sizes. Mr. Randall says, if you would send that to Mrs. Lewis, that would be very helpful.

Mr. Foster says, I will do it and the last point I will make is, you all know this because you've approved solar projects, what we are seeing is when land is coming out of land use, which most of it is rural Virginia is, and going into the solar use, the assessed tax value per acre goes anywhere between from whatever is in land use to ten to twelve thousand dollars an acre. He says, that is kind of the hidden revenue, the increase per localities from solar, you are still paying full rate at a higher intensity of use on your underlying real estate so you break up the strings of revenue generated by solar, from real estate taxes, solar revenue share and then potentially additional payments via the site agreement. He says, it becomes a pretty good value proposition. Mr. Randall says, thank you.

Mr. Mann says, I've got one observation and something that I've noticed since July, we've done a lot about the revenue but decommissioning is a big concern of ours and that's not getting addressed and forty years down the road, the cost of decommissioning a facility, I do not want to see it hung around the neck of the County that it's in and that needs to be engraved in stone, not where somebody can file bankruptcy or hide between an LLC or a corporation. He says, I'm not asking for an answer tonight. Mr. Mann says, that is just something that if you've got some more information on that you can forward it to Beth but that is a big factor for me. He says, get paid now, at some point, you've got to pay later on.

Mr. Foster says, your concern is echoed by every jurisdiction we are in. He says, what I can do is provide some use permit conditions on decommissioning that we have come up with that does the best we can do to tie up that loop of the initial potential abandonment of a property. He says, I hate to use that word because it's highly unlikely. He says, state code requires solar operators to re-evaluate their facilities every five years and update the cost of decommissioning and provide that update to the jurisdiction. He says, that has to be done by a professional engineer and stamped. He says, some localities allow for the capitulation of salvage value, some don't. He says, that ensures that (A) inflation, which we are all experiencing and (B) the cost of recycle and disposal is accounted for over time. He says, we are required by statute every five years to update that estimate. Mr. Foster says, some early projects didn't have a condition to that effect, they all do now and a lot of times, they are pretty specific. He says, like I say, I can provide you some information.

Mr. Mann says, abandonment of a project is possible and it doesn't take but one project to be abandoned and then all the revenue we've gained is gone, if the County has to pay for cleaning it up. Mr. Foster says, some of these projects are ultimately purchased by people like Dominion who, if you are a rent payer, you're a guarantor of that project to some degree. He says, in those situations, usually a parent guarantee will suffice. He says, projects that are owned and built and operated and are sold by a private company, there's a bond to that effect. He says, we've built provisions in the use permit where the county is put on regular notice that the bond is in good standing and everything has been paid so the county can take remedial action if someone wasn't going to make the bond payment. He says, pulled a lot of experience, sadly, out of the residential subdivision process and the bonds that were issued during that time, the 2008 financial crisis, and localities having to fight to get their bonds secured and so they defaulted in complete neighborhoods. He says, a lot of lessons learned from that industry that we are applying here. Mr. Mann says, you made note of ownership of the facility but once again, we are back to those companies do not own the property. Mr. Foster, correct. Mr. Mann says, so that is a red flag to me and most of them don't want to own the property, they want to lease it. Mr. Foster says, in the conditions I'm referencing, we agreed to add the landowner as an additional insured as it relates to the security so in the event the company were to go bankrupt and go away, the landowner wouldn't be sitting in the vulnerable position of having this thing on their property that they couldn't get rid of. He says, they could call in the bond and insurance as well. He says, we are coming at it the same way you are, trying to protect everybody that's involved because nobody wants abandoned solar fields in fifteen or twenty or thirty years.

Chairman Drake says, with that said, I'm going to call for a question so we can give other people the opportunity to speak. Chairman Drake says, thank you so much for coming tonight, I appreciate your

comments. Chairman Drake says, so at this time, would anyone else like to come forward, if you have anything relating to the moratorium that is the topic tonight.

Chairman Drake invites Phil Bain to come forward. He says, thank you for being here. Mr. Bain says, yes sir, I appreciate the opportunity to speak. Chairman Drake say, give me your name please for the record. Mr. Bain says, Phil Bain from Ivor, VA. Chairman Drake says, thank you.

Mr. Bain says, I'm here to speak in opposition to the moratorium that is being proposed. He says, I go back in history a little bit, Smithfield Foods, I remember when hog farms came out, much opposition to the hog farms. He says, there are groups like Dogwood Alliance, they are non-profit, they are opposed to cutting any trees. He says, we have opposition to the farming community and I'm in agriculture myself. He says, pesticides, herbicides, secondary discharge, there is a lot of opposition to various business types. Mr. Bain says, I feel that the solar industry is being caught up in this and I hope the County can take, the Planning Commission, excuse me, can take that into view and look past that. He says, at the past meeting, the joint meeting at the high school, there were some negative comments about the panels, about the discharge of the harmful chemicals, I'll say, from the panels. He say, I heard no scientific evidence cited from anybody who spoke and feared the chemicals and the negative effect that can come from these panels, negative chemicals, for lack of a better word. Mr. Bain says, the gentleman who spoke before me talked a lot about the revenue stream. He says, I didn't hear anyone at the last meeting cite an alternative. He says, what are you going to replace, what can you use for a revenue stream if you have a moratorium that blocks the revenue stream that these solar farms will generate. He says, these solar farms do not require more school buses, more infrastructure, none of that takes place. He says, granted, there are potential threats with removal of these panels if the site is abandoned. He says, I know a little bit about financing and banking. He says, an upfront lump sum bond can be purchased and whether the company goes bad or not that bond is I place. He says, I hope that comforts some of those making this decision. Mr. Bain says, I don't want to get too technical but a utility scale, I hope the Planning Commission will look carefully at how they define utility scale. He says some of these projects I learned, can go into a town's substation, provide electricity for the town and potentially provide other benefits for those residents in that town. He says, if that definition of a utility scale is too tight and I've heard anything over two acres or x number of kilowatts, that would eliminate the chance for these community solar farms that are not utility scale. He says, so please keep that in mind when you draw the lines on utility scale. He says, I have heard Commissioner Chesson say that he favors doing this on a conditional use permit basis, that way if it is a good project, if the project is deemed appropriate, you can take each project and evaluate it on an individual basis. He says, the old saying, "don't throw the baby out with the bathwater", I feel a conditional use permit does just that. He says, again, I hope the County does not adopt such a moratorium. He says, I feel like there is a lot of good that can come from solar, I'm in agriculture myself. He says, I've also learned that solar projects can't go anywhere, they have to be within a certain proximity of a high voltage line or substation. He says, you can't afford to run miles and miles of power lines, this will by itself, limit the amount of acreage, if it transitions from agriculture to solar project. I thank the Board, the County, the Planning Commission for all the work you do, you do a great job, thank you for providing a good County for us to live in. He says, I hope you will look at the positives of this as well as the negatives.

Dr. Edwards says, can I ask you a question? Mr. Bain says, yes sir. Dr. Edwards says, how would a moratorium affect any of the positive things that you talked about tonight? Mr. Bain says, how would that affect the positive? Dr. Edwards says, yes, how would a moratorium have a negative effect on the things that you are proposing tonight? Mr. Bain says, I'm not sure if I'm understanding your question but my answer would be that a moratorium would not allow a conditional use permit to be presented; therefore, we.....

Dr. Edwards says, no, you've got the wrong idea then. He says, the moratorium is a temporary thing so we can decide how we want to do this, whether through ordinance or conditional use permit. He says, ultimately, all the things that you are saying that you are for, will probably be allowed, you know, down the

line. He says, what we are trying to decide tonight, you know, whether the moratorium for a year or whatever we set, but down the line it's not going to affect any of the positive things that you've said. Mr. Bain says, let me re-phrase my answer then, please. He says, within the next year, it will prevent any opportunity for a solar farm to be developed and that would eliminate these positives within the next year. He says, someone said they had been exploring, I think Mr. Johnson said for three years he's been looking at a conditional use permit, I would think the County could hammer out a good conditional use permit in three years. Dr. Edwards say, my point is, a moratorium is not going to affect any of these positives or negative things up here, it's going to delay them maybe a year, ok, so what is wrong with trying to find out what's the best way to go about this. He says, that's what we are here for tonight, we are not here discussing the ordinance versus conditional use permit, that's something we plan on doing if we got a moratorium. He says, we would have time to sit and look at it, see what other people, what problems they have had and make a very good scientific, moral decision on which way we want to go. He says, so in essence, it might delay your gratification on whatever you want to do but that would be, in my opinion, a benefit of the County and the people who live here. Mr. Bain says, I understand, maybe I'm under the wrong impression. He says, I was under the impression that's what has been occurring for three years and I just don't understand the time frame that's involved. He says, I thank you for your work on it and hope you can uncover all the facts. Chairman Drake says, thank you very much, Mr. Bain, appreciate it. Mr. Bain says, thank you.

Chairman Drake says, anyone else like to come forward? Mr. Glen Updike comes forward and says, I'm Glen Updike from Newsoms and think you do a lot more than you can on the timetable. He says, I would suggest a minimum of five years. He says you've got all these new ideas, you want to go before the General Assembly and all that stuff and they haven't settled on anything. He says, just look at the trouble the solar panels presented to the County. He says, it's costing the citizens an extra three to five cents on the electric bill because it's not efficient. He says, you can't show me efficiency or production. He says, why do you want to put the citizens, not just that one person that's making a windfall profit, when you've got eighteen hundred other people paying the bills? He says, please take us poor people that doesn't need these new so called feel-good proposition of our political officials, no new taxes, but they will do away with gas lines, forcing me to pay at least thirty dollars every time I fill up that old pickup that's a gas guzzler. He says, that is a huge taxes. He says, food, timber, all of this is taxes. He says, look at the total effects of these projects, for goodness sake. He says, don't just go, this person is going to make a million dollars off a deal and he's going to pay the political official to write articles that are going to benefit him. He says, China, Russia and all the foreign countries paying millions of dollars to our president's son and what he do, cut the gas lines that put us in a big hole. He says, so look at the economics of everybody, everybody, not just of one person, for goodness sakes. He says, and half of the people in our county that order solar panels, doesn't even live in the County, they live in NC, and other counties throughout the United States. He says, what benefit are we getting besides less farm workers, less fertilizer, less businesses? He says, I just can't see how narrow-minded we are in coming up with solar panels. Also, too, I'm not a predictor but we can very easily lose the western part the United States in drought, California, Oregon, Washington, all the way up and down the west coast. He says, where are we going to grow food and I still haven't heard the first one get up here and say "those solar panels are going to take the carbon out of the atmosphere. He says, I want some good oxygen and the only way I can get oxygen is by the plants producing it for me. He says, I can't survive on the solar panels because they cannot, again they cannot produce any benefit for the environment He says, I can go on longer but I'm going not going to take up any more of your time but, I'll be back.

Chairman Drake says, thank you for your comments. He says, anyone else like to come forward. He says, last call, anyone else like to come forward. Chairman Drake recognizes Mr. Gary Cross. Mr. Cross says, good evening gentlemen, ladies and gentlemen, the Board, Gary Cross from Black Creek Virginia. He says, I'm only going to make two statements tonight. He says, if a moratorium is illegal then there are a lot of jurisdictions around us who are breaking the law. He says, the paid employee that came in here with a suit on and spoke the first time, if you heard one thing he said was, he enjoyed the scenic view riding over here to Southampton County. He says, thank you all. Chairman Drake says, thank you sir.

Closed session was held

Return to open session

Chairman Drake says, now, I will ask is there any other discussion about the ordinance, establishing the moratorium on the receipt of applications for utility scale solar energy projects. He says, any discussion or a motion. Mr. Randall says, I would make a motion that we adopt a moratorium for a period of six months. Chairman Drake says, ok, I have a motion on the floor for a moratorium for applications for a six month period of time. He says, do I hear a second to that motion? Mr. Tennessee says, second. Chairman Drake says, I have a second. He says, any other discussion.

Dr. Edwards says, I vote we go twelve months. He says, I think six months is too short. He says we will get caught short on that and not be able to complete it. He says, I think if we are going to do this right, I don't see any harm in twelve months. Dr. Edwards says, I'm going to vote for the moratorium but my vote is against six months. Chairman Drake says, any other discussion, any other comment.

Chairman Drake says, if not, I'll call for the vote. He says, all in favor of the motion presented, say AYE. He says, any opposed, like sign.

Michael Drake	AYE
Dr. Alan Edwards	NO
Lynette Allston	AYE
Keith Tennessee	AYE
Brad Turner	AYE
John (Jack) T. Randall	AYE
Doug Chesson	AYE
Michael Mann	NO
Bill Day	ABSENT

Dr. Edwards says, I oppose six months and vote for twelve. Mr. Mann says, I vote for twelve months, I oppose the six months. Mrs. Lewis says, so we have six in favor of a six month moratorium and two opposed to a six month moratorium. Chairman Drake says, yes. Chairman Drake says, ok, Dr. Edwards.

Dr. Edwards says, I will come down there and be with my crew. Dr. Edwards says, we will entertain any discussion from the Board. He says we can go along with the recommendation or we don't have to go along with it. Mr. White says, I, myself, think we can get it done in six months. He says, I would like to make a motion that we move forward with the six month moratorium. Mr. Faison says, second. Dr. Edwards says, any further discussion. Dr. Edwards says, I can make another motion to that, can I not? Dr. Edwards says, I'd like to make a motion that not for six months, for twelve months. Dr. Edwards says, we have a motion for six months on the floor and we will go ahead and vote on that. He says, six months was brought up and seconded. Mr. Cornwell says, just for clarity sake, Mr. Chairman, are we voting on one at a time. Dr. Edwards says, he says there is already one on the floor so we have to vote on this one first as far as I know. Mr. Faison says, if we vote and you vote against it, we'll just do like they did, so many for it and so many against it. Mrs. Lewis says the Planning Commission didn't have a second motion. Mr. White says, we don't need a second motion, some are for and some are against. Dr. Edwards says, is there any further discussion. Mr. White says, wait a minute, what are you voting on. Mr. Gillette says, the first motion, the six month moratorium. He says, if that fails, if that doesn't pass then we will have to vote on the twelve month. Mr. Gillette says, we've got a motion and a second.

Dr. Edwards says, let's go ahead and have a voice vote on that.

Mr. Jones	YES
Mr. Faison	YES

Mr. Cornwell	NO
Mr. White	YES
Mr. Gillette	NO
Mr. Updike	NO
Dr. Edwards	NO

Dr. Edwards says, four to three, no. Dr. Edwards says, I made a motion that we go twelve months. Mrs. Updike says, doesn't that motion stand. Dr. Edwards says, I made a motion that we go for twelve months. Mrs. Updike says, second. Dr. Edwards says, any discussion on that.

Dr. Edwards says, all that in favor of the twelve months.

Mr. Jones	NO
Mr. Faison	NO
Mr. Cornwell	YES
Mr. White	NO
Mrs. Updike	YES
Mr. Gillette	YES
Dr. Edwards	YES

Dr. Edwards says, it passed four to three that we go for twelve months.

Joint Public Hearing ends, Planning Commission meeting resumes

Chairman Drake reconvenes the meeting. He says, ok, we are going to get back started, ladies and gentlemen. Chairman Drake says, ok, now we are going to go to the next item on our agenda, which would be unfinished business. He says, of course, that is discussion on the utility scale solar amendments. Chairman Drake says, maybe just for a few minutes, we won't keep you all much longer. He says, if you want to go back and review some of those key elements from that workshop meeting. He says, I think Mrs. Lewis had those itemized (I'm looking for the paper where they are at). He says, I thought she did a good job picking the points up at that meeting. Chairman Drake says, of course you know, in considering the buffer areas next to the townships in incorporated towns and areas that we had identified as the R-1, R-2 designations on the county map as well as the, she had gotten the technical IT person for the county to identify those that are prime farmland. He says, a lot of those technical issues have already been addressed and we need to make a note of those and as we come back to the next few meetings, what are we going to suggest that we send forward to the Board for their consideration. He says, of course, these matters, what's coming down the General Assembly that so-called may make solar a little more attractive than what it was with our first project. He says, you know, we are also getting additional information there to get a more comprehensive understanding as to some of the benefits of where solar installation will be provided to go into.

Chairman Drake says, that's kind of where we are at but we need to get some points written down, concrete points that as we go through this process, that's going to be part of our suggestions to the Board for their consideration as we go forward with amending the ordinance that we have today. Chairman Drake says, am I saying that correctly, is that what we are in agreement to. He says, that is our purpose at this point. He says, we can certainly as Mrs. Lewis, for any speaker or anyone you think we need any other consultation with to come forward. He says, there are several people that have volunteered their time to come and speak with us and looks like we could have, should have adequate time. He says, it's a monumental tasks and we will certainly be as efficient as possible to get this job done, hopefully, in a timely manner. Dr. Edwards says, what we have to take away tonight, I believe, is the Planning Commission and the Board of Supervisors all want the same thing, the only divergent of opinion was about how long you want to do it. Chairman Drake says, correct. Dr. Edwards says, we are about all on the same page, we're all on the same team. Chairman Drake says, I think Dr. Edwards, to expand on that the work shop proved

that, that joint meeting, I think we all were eye-to-eye but I think the time limit, hearing differences of opinions, you know, I think the time constraints was probably our division tonight. He says, but I do think that we have the same interests, it seems to be collaborative as we move forward.

Dr. Edwards says, one other thing from that meeting caught my attention. He says, do you remember that lady from Dominion. Chairman Drake says, yes. Dr. Edwards says, she said if you don't want us in your neighborhood, we don't want to come. Chairman Drake says, correct. He says, well, we just want to find out where those places are at.

Mr. Mann says, some of the other things we were talking about was screening the facility, I think that came up tonight. Chairman Drake says, yes it did. Mr. Mann says, changing a little bit of the ordinance on screens. He says, I think we have a lot of them that would like for us to define the difference between large scale facilities and a small scale facility. He says, make note of that. He says, maybe we should encourage the solar on top of rooftops. Chairman Drake says, correct. Mr. Mann says, and try to work that the larger facilities help with the cost of individual land owners, and homeowners. Mr. Mann says, and then the bond issue versus decommissioning. He says, decommissioning is a big topic for me and seems like everybody wants to stay away from it. He says, but forty years down the road, cleaning up a facility can be, we've seen that in use with military dumping, dump sites with military, and then forty years later, it has to be cleaned up. Dr. Edwards says, there's only one thing sure about this, most of the people sitting on this board tonight will not be around to find out.

Mr. Randall says, I'd want to stay away from it because we don't have the answers. He says, I just want to have a productive discussion and I have concluded, and I could be wrong, you could be right, I could be wrong, that we are not going to have a productive discussion on it because we don't have the information, so. Mr. Mann says, I can understand that, we can look at the decommissioning cost as it is now and be sure that it is re-evaluated every three years or every five years, but just make sure it is re-evaluated. Mr. Mann says, and it was brought up tonight that we have been working on this for three years. He says, look at what has changed in three years. He says a lot of times, you hear people say "re-evaluate decommissioning every five years". He says, I still am very concerned about a bond not getting paid and we are left holding the bag. He says, so its little things like that tightening the noose on the decommissioning part. He says, I realize we cannot project the cost forty years from now but we won't put an escalation clause in there that the clause grows with the cost of decommissioning. He says, we have talked in the past about allowing recycling, what money they get from that. He says, I've been opposed to that from day one. He says, I don't want to be in a trading commodities with the County's money.

Mr. Randall says, and maybe we have a philosophical difference, I think that our problems are so catastrophic with the statute because we are restricted to M1. He says, that's why I'm of the essence that we repeal it. He says, I think it is such a disaster. He says, I don't like it and I think it is not three years, I think it is six months. He says, the technology is just light speed ahead of us and I just think procedurally, I just don't like the statute. He says, and when I get into something very specific that I think is bad, I guess maybe that's our difference. He says, but I agree with you, I agree with you about decommissioning and I think it is such an important issue but I'm hung up on some procedural stuff instead of sustenance stuff. He says, and I know you've heard me talk about it, but all the literature out in California where they are so far ahead of us, we just don't know how much it's going to cost, but it's going to be a lot. He says, that's really all we can do and with our bankruptcy code, we are going to be stuck with holding the bag and the way that they are doing all of this amortization, with CPAs doing all the money, is they are going to take it all on the front end of the tax credit and then we are going to be holding the bag. He says, I guess I'm taking that as a given, right off the bat and I think it is going to be such a problem moving forward, more of a fifteen year or a ten year problem, than a thirty year problem. He says, but I really, really think that it's dangerous and I think there are warning signs all around us, all around us right now. He says, and I would have voted for the twelve months but I took Mr. Railey's advice, I voted six months, so. He says, but I think philosophically everybody is in agreement, we are just at different places in this ordinance.

Mr. Tennessee says, we are at a transition period. He says, as the world goes green by what 2030, fifty percent of the cars got to be electric. He says there is so much change, by the next General Assembly session, we will be talking about other changes. So there's going to be working on it as we go forward. He says, we just need to find the best of the best, incorporate that and continue to look at what changes and make changes accordingly as we go along. He says, we are not going to have a hard document that is going to be good for twenty years. He says, it going to constantly change. Mr. Mann says, and I understand that. He says, I think we have learned a lot in the last three years and we learned a lot in the two years we worked on it prior and some of what we learned in the two years prior has gotten ignored when the solar facility came in. He says, we are learning something every day and we learned a lot tonight. He says, I agree with you, we are going to have to review this every twenty-four months really, but we already know we've got to tighten some stuff up tonight.

Chairman Drake says, there's an obvious pressure interest to develop the projects here and my big concern is the best use of the land. He says, it's so many acres in Southampton County. He says, Southampton County is the largest acreage County in the state of Virginia. Dr. Edwards says, three hundred sixty-eight thousand acres.

Mr. Drake says, it's the number one producer of peanuts, it's the number one producer of soybeans, it's the number one producer of cotton in the Old Dominion. He says, we are also considered western Tidewater. He says, now for the Tidewater area to grow, there's going to be another front of westward movement, I refer to it as. He says, because once they come across the Blackwater River, here we are. He says, that's going to be another pressure that's going to come and it's going to be, you know it's going to be hard to resist that because they can't go easterly into the ocean. He says, so it's going to be another thing that is going to conflict with the agriculture community and the agriculture community is a very balanced, a very balanced network in reference to the businesses that are already in the County and surrounding area. He says, and to upset, to dramatically upset that balance is going to affect a lot of other industries. He says, now, at the same time, something else may evolve, that's pretty much the way it works. He says, we have to listen to the people, we have to look at the investments that are going into the agricultural community since that is our largest industry here in the County. He say, and that is where I think some of my issues come from. He says, if we were only talking about a few acres, like the development acres for homesteads or such in a year's time, but I'm going to tell you the project in the Newsoms-Boykins area, and that's the only project that's been approved thus far. He says, we got a bad taste, it just put a bad taste in everybody's being, you might say. He says, it was pushed on us, we got no, very little return. He says, I'm not going to say no, we probably got some return, very little return. He says, the promises that we made never came to be. He says, they came in and built it, they left, developed the fire ants, which the certification of the nursery stock is one of those points of concern as well because I had to deal with the fire ants. He says, I sincerely believe, and that's documented by the Cooperative Extension by the way, they came in those potted plants. He says, but that won't happen again, that's a lesson learned. He says, the Comprehensive Plan clearly mentions, and I've got it somewhere in my notes here, its various pages about the land being our most precious resource, including our forested lands, our water, our clean air. He says, we have an obligation to protect that unless we are going to change our Comprehensive Plan. He says, so, that is a lot of my concern and I value the other concerns that you all have as well, but. He says, so we want to get it right. He says, we did a lot of hard work on the original ordinance as some of these proposals came forward, we saw some places that we were lacking. He says, a lot of the references we were making to other counties in the state, what they had done so it's not like we are out on a limb doing something different from anyone else. He says, there are a lot of things to be considered because we are at a pivoting point. He says, if too many acres are diverted to some other industry, not to sale, I love my electricity, I don't care if it is water, I don't care if it is solar, I don't care if it gas, I don't care if it is wind, but I love my electricity, ok. He says, but I just don't know if the County, for the resources that we already have, we've been blessed with, I just don't know if right here is the best place to do a heavily concentration of this type of industry. He says, that's my major concern.

Mr. Tennessee says, I think not only our locality but localities all across the state is faced with the same thing because for the state of Virginia, by x date, they want so many megawatts of power to be green. He says, so we are not the only County faced with it, it may just seem that way. He says, but as you get out and about throughout the state, you will see a lot of different places with solar farms are coming up. He says, I think we need to be educated because understanding how the grid works and the part that solar is going to play in the future, and then be educated on that. He says, we need to be educated on the efficiency of the panels because we've had a lot of information put out there that may not necessarily be true. He says, so we need a subject matter expert to talk about that. He says, and then the other thing, is the smaller scale solar, it seems to be the way lots are going now, the reason being is because you can supply power to five to six thousand homes in these small areas. He says, and that's why understanding the future of the grid is important because all this is going to play a part into it. He says, planning from their perspective is to get these solar panels in place in different localities, to be able to provide power. He says, we need to understand how it works and then maybe we can envision a little bit something different here in the county. He says, but not knowing that, we make assumptions of a lot of things that may not necessarily be so.

Chairman Drake says, and Mr. Tennessee, I appreciate your opinion. He says, I value your opinion greatly but I want to see more effort put forward in rooftops of the really big warehouses, the really big buildings, our schools possibly. He says, I don't know about our new courthouse addition, I don't know if we are going to incorporate solar there. He says, the Amazon building, I think in Northern Suffolk, I've been wanting to know because Amazon is a big purchaser of solar. Chairman Drake says, did they put solar on their building. Mr. Tennessee says, I don't know. Chairman Drake says, it's such a huge building, let's practice what we preach.

Mr. Tennessee says, also Southampton don't have that many rooftops. He says, I'm saying, we don't have that many rooftops in Southampton. He says, see that's what I'm saying when I say we need to be educated as working together because some of the rooftops here, as we heard at the last meeting, may not, older buildings or older schools were not designed to have solar panels. He says, so from an architectural standpoint, that might not be something we can do, so that's what I mean when I say, we need to be better educated on where they can go, how efficient they are and where they need to be at. He says, sort of like we did when we hired an outside consultant to do the cellphone tower thing. He says, because same way, just like now, we've got private industries coming wanting to build these solar farms, they were the same way when they were building a cell tower. He says, you had private individuals building cell towers trying to sell spots on the tower to carriers and so, you know, we educated ourselves, brought a consultant in to help us understand that. He says, now did we do it right, maybe not, we don't have cellphones sectioned throughout the County everywhere. He says, but we still need to understand. He says, what I'm saying is how it all plays out is, we are planning for a future and we need to make sure that it's going.

Dr. Edwards says, let me say something to you. He says, I grew up in rural Rockingham County, it's not so rural anymore. He says, but the growth up there is so unplanned and haphazard. He says, I want to let everybody know here that the Supervisors and Planning Commission of Rockingham County have contacted us, contacted me, and they are looking at our ordinances and stuff. He says, ok, so there's nothing wrong with us being pioneers in this situation. Mr. Tennessee says, I think we've done some good work and like I said we are going to continue to building on it. He says, we are not going to develop something here in six months that is going to be good for twenty years. He says, we are going to have to continue to work at it. Dr. Edwards says, I agree. He says, the other thing is, you know how much you want to put up with for six to eight percent of your electricity. He says, alright, this is not going to supply everything that we run. He says, there will be a very small amount. He says, the lady from Dominion agreed with that, I asked her if that number was wrong. He says, solar is not the power of the future. He says, it's going to be obsolete in a few years. He says, the Navy has these little panels now that they put up on ships about the size of a shoebox, which are more efficient than a whole field full of these things we

have now. He says, of course, it's very expensive but in the future, you know you may have one the size of a shoebox that you put up on your house and that's all you need.

Chairman Drake say, I'm going to say this and you all stop me if you want to. He says, it is about a quarter to ten, I don't want to keep you all too long but how about, as we recess tonight, Mrs. Lewis, I'll ask again. He says, in our packet that you send out for us at our next meeting, if you will itemize those, it's approximately six to eight points of interest. He says, maybe we will go over those again to be sure as we present those and think of anything else you can bring to the table. He says, whether you read or hear or if you know of a person that might be of interest that might be able to come here and speak with us. He says, I would certainly ask you to share the information, Mrs. Lewis, see if you can get that scheduled.

Mr. Randall say, I'd like to see Mr. Foster come at the next meeting. He says, if we can make that request for him to come. Chairman Drake says, is that ok with everybody, if he came back to the next meeting. Mrs. Lewis says, and Mr. Heck from FSEDI as agreed to come to your October meeting. She says, would you like for me to put him off?

Dr. Edwards says, there's an engineer that just recently retired from Duke Power. He says, I can't remember his name right now, I've got it on my desk, but he has written several editorials that have been in the North Carolina papers, including the Coastal Pines or whatever. He says, and if you read what he puts in there, it's really scary. He says, but you know, I can talk to him. He says, I tried to get in touch with him today but I couldn't, but I'll talk to him to see if he will come to the meeting. He says, he's retired. He says, I think he's about eighty years old but I think it would be worth it. Chairman Drake says, so in fairness... Mrs. Lewis says, so let me get a list of the six to eight things. Chairman Drake says, that we discussed at the workshop, yes. He says, if you could itemize those things, just for a refresher, yes ma'am.

Mrs. Lewis says, ok, so you want Mr. Heck and you want me to ask Mr. Foster to come back. Chairman Drake says, yes. Mrs. Lewis says, and you want him to talk about what? She says, do you want him to talk about the financial side of things or the solar technical side of things or the land development side of things? Mr. Randall say, I want him to talk about an ordinance side of things and how the financial ordinance relates to the basis of a locality's ordinance. He says, that's what I'd like. Mr. Tennessee says, he also spoke that there are some examples of how they are handling the bonds as well for the decommissioning. Mr. Mann says, the financial part is not our discussion. Mr. Randall says, it's not but we've got to understand it in drafting our ordinance because the whole point is to facilitate economic development and hopefully, our new economic director guy can chime in on some of it. He says, I just think they completely play together. He says, and I agree that we don't have any say in that but that's what it's about is economic development and we have to be stewards of the County that if it happens, wherever it happens. He says, you know, I would love it to go on the schools too but it ain't going to happen, it ain't going to happen not in the next twenty years. He says, so we can talk about it but it ain't going to happen. Chairman Drake says, but some schools have it. Mr. Randall says, in Northern Virginia, not in Southampton and no rural jurisdictions. He says, I've researched. Chairman Drake says, but if we get warehousing like is going to Suffolk right now. Mr. Randall says, I don't think that's going to happen. Chairman Drake says, if there are programs available that would help the incentives for these mega warehouses that put solar on top. He says, it looks like me that all we are talking about here now is an open flat field, that's what everybody is looking at. He says, is that the best use of the land. Mr. Tennessee say, that's what I'm saying, like with the warehouses, say for example it depends on what they have in there, as to how much power they can make to run it. He says, if they are just running lights and stuff, you know, maybe they can have enough panels to do that but if they have refrigeration or machinery, they won't make enough off of rooftop. He says for an example, use Franklin Mill. He says, Franklin Mill makes its own power now, it makes about four to five megawatts but it burns black liqueur so that's a by-product of the paper, the froth making process. He says, previously they had power boards as well, they used chips and all that stuff like that and they made enough power to sell back on the grid. He says, now they have to buy a little power, don't have

enough to sell any back but they can suffice themselves. He says, but there is no other facility around here in this area that can do that.

Mrs. Lewis says, while the Planning Commission doesn't have to have a public hearing on the fourteen hundred dollars a megawatt because it is a taxation issue. She says, that doesn't mean that the financial concerns don't impact the Planning Commission's decision. She says, and one of the things that Dr. Edwards said at the joint workshop was that he wanted the Planning Commission to study the long term effects of utility scale solar development on the County's tax base. She says, while you don't have to vote the tax amendment, it is a part of your decision-making process. Chairman Drake says, ok.

Mr. Mann says, also, decommissioning was mentioned as well, correct? Mrs. Lewis says, right, and that is, as you've learned over the past however many years, six, seven, eight years, that's a tough nut to crack. Mr. Mann says, I think adding on, that was one of the things that I mentioned that Mr. Foster could add to. He says, and the General Assembly cannot keep their heads buried in a bucket of sand but so much longer. He says, they address it with other industries... Mrs. Lewis says, right. Mr. Mann continued, and within the same Mineral Mine and Energy department with the state, that department has, they are just looking up in the sky on the energy part. He says, there should be some input from the state in that area, they do it with other industries, they shouldn't turn away from it with the solar energy. He says, decommissioning is a big thing. Mrs. Lewis says, and decommissioning is done in other industries. She says, in some localities, when someone wants to build a new Wal-Mart, that Wal-Mart has to approve the decommissioning plan because it's known that in ten to fifteen years, that store is going to be abandoned for the new one down the road. She says, so decommissioning might not have taken place in the solar industry but it takes place in other industries.

Mr. Mann says, anyway, that's a topic I'd love to hear a little more on, let's get caught up-to-date just like we got caught up-to-date on some of the July 1st issues.

Mr. Drake says, we will go down to Item #5, which is Unfinished Business. Discussion of the utility scale solar amendments. He says, I know Mrs. Lewis included several items of interest in our packets and if you recall, the last meeting there was a year-long moratorium placed in effect for any applications at this time until we get this ordinance right and a recommendation sent to the Board. He says, that being said, Mrs. Lewis, I think we might have a guest here tonight. Mrs. Lewis says, yes we do. She says, last month, Mr. Foster was here. She says, he worked with Caroline County in the creation of their ordinance, which you have. She says, you have Caroline County's ordinance, you also have some work that Greensville County did recently, (they updated their ordinance) and Mr. Foster is here and he'd be glad to talk to you.

Mr. Foster says, good evening, thank you all for having me back. Chairman Drake says, thank you, sir. Mr. Foster says, Beth and I had a good discussion last week, we kind of talked about scoping and we started a dialog that might lead to a really good ordinance for you all. He says, so what I started doing is looking at your ordinance, looking at other ordinances and I realized that I need to hear more from you all before I start carving on an ordinance to make specific suggestions. He says, I am not an engineer, I'm just a solar attorney. I'm in charge of getting these permits, I'm not the person who would do site selecting and things like that. And then from a local government perspective, I think I mentioned last time, I spent eight years on the City Council in Williamsburg so I can appreciate what you all are doing from a Comprehensive Planning perspective. He says, and I've got a lot to learn about your vision or different areas of the County. I've learned a lot by doing my own research and attending this last meeting and the gentleman who spoke just before. He says, but what I hope tonight, we can do is start a dialogue around themes that I've seen and then over the next month or so, Mrs. Lewis and I can work on an update to your existing ordinance. He says, and I'll talk about that in a second, but pulling provisions and pulling ideas and concepts from other areas that have worked well and bolting them onto the frame work that your existing ordinance has because all-in-all, your existing ordinance is better than most jurisdictions have, it's fair, it's pretty straightforward, you've got a lot of protections already built in t there. There are some things I'm going to kind of walk through here that you can add that would provide the type of protection I thing you are looking for. That's my goal in this conversation is hearing from you all what it is you are looking for, what are you trying to control and try to fit that in there in a way that works for everybody. Some themes here, this is similar from Beth's memo, from our conversation the last time, you all are concerned about the impact on agricultural lands, protection of growth areas and kind of concerned with opportunity cost. What are you foregoing by allowing a solar facility to locate in a given area in future development? Sounds like that's coming from the east and then you have same important entrance corridors that are valuable for other type developments. You've got questions and concerns about decommissioning which you are not alone in that. Also, visual impact, it's something that I saw in your ordinance that I think you can do, probably do a little bit more on, be a bit more restrictive and build in some additional language I think would help you, would result in really well designed and well implemented facilities. So just for my edification, do you feel like that's a good summary of your concerns tonight? Am I missing anything?

Chairman Drake says, the main thing, from my perspective, we don't want to disrupt the agricultural community. Agriculture is very important to this county. Mr. Foster says, right. Chairman Drake says, and as I have mentioned before, now this again is coming from me, like I say, I love my electricity, I don't care what form it comes in. I love to hit that button. I'm actually getting ready to put another phase in my three phase current on my farm, that's in the preliminaries right now. And so, I use electricity but at the same point, there is a place for everything. I cannot see, it's hard for me to see, how solar taking up the land compliments agriculture. There is a direct contrast as solar develops on the prime farm land that's taking away from the agricultural community. And I read the description in the notes that was sent out. You know it goes so much further, I appreciate the numbers you submitted but I think about the businesses that the farms are associated with and I think you can go to any business in the County and I'm just going to speak what's right here in the County not what's outside the County. How directly they would be affected by the

potential of their business to expand or even being in existence and it's not just the seed and the fertilizer. It could be Mr. Randall's office. Mr. Foster says, or insurance or anybody.

Chairman Drake says, it's hardly a business in the County that's untouched by the agricultural community. Because that's the way it's always been. So that is a huge interest to me and of course it's listed as one of those and I will put a lot of emphasis that the nature of the farming community needs to be protected. We have enough pressure already from development of other issues, whether it be the industrial type or residential and we seem to manage that in being limited acreage per, on a yearly basis we have, an analysis is put forth each year. But when you are talking about the possibility of, like the project in Newsoms, Boykins, that I'm familiar with, when you are talking fourteen hundred acres at one drop, that takes a lot, it affects a lot of people. Mr. Foster says, right. Chairman Drake says, it's a social impact, it's a physical impact, it's an economic impact. Mr. Foster says, right. And that one was primarily on actively farmed land. Chairman Drake says, that is correct, yes sir.

Dr. Edwards says, how long has your ordinance been in effect. Mr. Foster says, the Caroline ordinance, that one, they adopted back this spring, early summer and since then there's been just a line of applicants all operating within this one so they have yet to approve a project because those applications were made but they are coming to fruiti9on and it will start happening within the next two months. Dr. Edwards says, looks like it's pretty thorough. Mr. Foster says. Extremely thorough.

Dr. Edwards says, so you haven't' had a lot of experience to see what the effect is. Mr. Foster says, right. So we have one project where we are the applicant and several we've tapped on. The really nice thing about having an ordinance that thorough is your conditions can be pretty light because your use permit conditions, because the ordinance is so comprehensive, it speaks to so many aspects of the facility and it's rather descriptive in its design. Dr. Edwards says, where did you come up with, get your information for this. Mr. Foster says, so.. Mr. Randall says, which one are you referring to Dr. Edwards. Mr. Foster says, the Caroline ordinance. Mr. Randall says, was this in our package? Chainman Drake says, yes. Mr. Foster says. We were lucky in that the Caroline Planning Director reached out to us and that ordinance was really developed, kind of through, consensus negotiation, over a period of several months. Really the work product is the County's and then the industry came in and offered our input and that's the results you've seen there. I've got some thoughts on the Caroline ordinance and what parts might apply well to Southampton County and what parts may not.

Dr. Edwards says, was the impetus for developing this problems that you were starting to experience? Mr. Foster says, well, no, it was just an interest, it was an interest in Caroline County and the solar community. But that ordinance does reflect a lot of the lessons learned and issues that have come up in solar because they were kind of late to the game. A lot of these south side counties have had projects for a while. They had not had a lot of interest until Clean Energy Act passed and then that's when they took on the ordinance adoption process. Dr. Edwards says, I read this through a couple of time. I must admit you've covered some things in there that I think we probably haven't thought about. I think it's very thorough and I would hope that we, the Planning Commission, could take this and take it through a step at a time and tweak those areas and see what we can leave in or leave out or add to, to our specific County. Mr. Foster says, and that's what I was thinking. With your existing ordinance, you could go through an ordinance like Caroline and kind of pull concepts in and drop it into your existing form. I think you would be well served in doing that. Dr. Edwards says, in the past, we usually benefitted from problems that have occurred east of us, and the Counties east of us have taken advantage of that. So, I want to thank you for this, this is very thorough and a very good start for us. Mr. Foster says, we are proud of that because it was a consensus driven document and the industry had a heavy hand in it make sure it worked. You know, the realities of solar development were reflected in the ordinance.
Mr. Randall says, I looked at my packet about fifteen times trying to find it and I didn't have this in mine. But I've been looking at a lot of ordinances and just to kind of bring you up to speed and I'm going to give you my take. It's just a little bit different from Mr. Drake's. It is the consensus of the folks that come before

us and speak, from my perspective, is we want to save all the prime agricultural land and then if it has to go somewhere in the vicinity of agricultural land, a cutover or somewhere not in direct view. And a lot of folks have used Gates County. I guess blight would be a strong word but I think it's been used. That it's taken prime agricultural land out of production and then putting solar farms there which don't look very good. Mr. Foster says right. Mr. Randall says, and then they get all the tax breaks and it doesn't benefit the locality and then you are stuck with it for a long time. Those are the concerns and in our solar discussion, from my, again, my perspective, is we go from that. We start going somewhere productive and then we jump and this is a business man, drives me crazy. Well, let's put them on schools, let's put them on, you know, rooftops or whatever and from everything that I read, it's not economically feasible because people are doing this to make money. Mr. Foster says, right, it's just a different product.
Mr. Randall says, yes, it's kind of like a filler and I kind of check out. That's just me and the same. I'm trying to get that transition of how we can protect agricultural farm land and, make that distinction and put it in a very concise and clean way because it's just so amorphous and I'm not a farmer. I lean on Mr. Drake here. How do we do that economic balancing act because I think that's what it is and then pulling that into an ordinance that will be some application that's economically feasible. Does that make sense?
Mr. Foster says, understood.

Dr. Edwards says, if you look at this ordinance that you have, I think that addresses that. Mr. Foster says, it does. Dr. Edwards says, I mean, it is very thorough and I've gone through it two or three times and I tell you, it brought up a lot of points I never thought about. Mr. Randall says, I didn't have it in my package.
Dr. Edwards says, have you got the right one? Mrs. Lewis says, you got it by email. Dr. Edwards says, it's four or five pages and like I said, there is a lot of thought went into this, I'm impressed with the intensity and the completeness of this ordinance.

Mr. Foster says. So let's talk a little about the themes that are in, things that you've covered. Let's talk about the themes that are in the Caroline County ordinance. I think it can help you all. It sounds to me you are looking for some guardrails, A. one solar proliferation and then B, on protecting farm land so the methods people have used to put up those guardrails, this is beyond Caroline County, this is industry wide, are the overlay district and I'll talk about that in detail, that's in Caroline County where you essentially create an overlay surrounding transmission lines and the solar ordinance overlaps the underlying zoning and applies to the parcels within that district. Some jurisdictions, including Caroline, have adopted a total acreage cap in the jurisdiction, so like a total area under panel in the jurisdiction. That provides some sort of backstop for you all to say, ok, we think we can handle, you know, x acres of solar and still keep an adequate balance. In the jurisdictions that have done that, I think they feel like they are in some sort of control. Also some jurisdictions have done a total megawatt cap, which is just a different way of calculating the acreage gap, just kind of depends on how you look at it. In Caroline, particularly, there is a project size cap of one hundred fifty megawatts, reason they picked one hundred fifty is because that's what the size of project that can be built and still go through the permit by rule process administered by DEQ and not have to go through the traditional State Corporation Commission permitting process for a solar facility. I don't particularly like this, like a project size cap, because you can design a two or three megawatt project very well and it functions just like as if you would have approved two or three smaller projects so, you know, area under the panel is area under the panel, no matter the size of the project. One of the things to note, you know, is your project here, that's really in a fairly dense area, it's kind of all, there are not, all the parcels are not adjoining, but they are really close so sometimes you have, the Cabin Point project that got approved in Sussex, that's one big block of land, that's all solar. A lot of projects we are seeing now are, you know, will be one hundred fifty megawatts but its spread out over two hundred fifty acres here, two hundred fifty acres there, sites that can't be seen from each other and sometimes, you know, maybe have a mile or three quarters of a mile between each node so that's a long-winded way of saying the project size cap is kind of a blunt tool so I think that, 1, can actually end up doing more harm than good for all parties involved because you could approve a larger project all at once, capture that really good revenue and it's the functional equivalent of approving several smaller projects. Then some Counties have debated a minimum project size but they still permit the small five megawatt and below projects that you can really hide in the

wood lot that may take up thirty-five or forty acres. So, other guardrails for, like proliferation and current capacity purposes, I think one of your better tools would be an acreage or megawatt type cap. That way you've kind of got a backstop for what you all feel comfortable entertaining for a given period of time.
Mr. Foster says, to talk a little bit about the overlay district and why that works so well in Caroline, I don't know if you saw at the end of the ordinance, if you pull it off-line, they've got a map of the way their transmission lines intersect so they kind of overlay in a portion of the County that they were relatively ok with turning into solar. It was not an area where it was a whole lot of other economic opportunity that they would be off-setting by approving solar in that area. It's also because of the way the lines overlapped, it provided a fairly nice block that was open for development. The reason I don't think an overlay district will work for you all is because your 500kv line parallels 460, that's probably, I'm going to assume, some of your more valuable future industrial highest and best type of area. And then your, I think that's a 230kv line, is kind of running south west at the southern end of the county, that too based on your Comp Plan seems like an area that you all have targeted for growth and there is a number of growth area boundaries... Mrs. Lewis says, community areas.

Mr. Foster says, community areas or the integrated communities along that line, so if you box in, let's say, a mile or two miles around those, you're kind of running counter to your other stated economic goals. So that's why I don't think an overlay is the best fit for Southampton. You know. We talked about this before. Through the conditional use permit process. You all can make a judgment call based on an independent application and say, hey, yes, this touches one of those two transmission lines but it really saves the more developable areas for some other use. It's arranged in a way that doesn't conflict but so much with our other stated goals. So, I would stay away from the overlay in this situation, just because of the way it's laid out.

Mr. Randall says, what about an acreage maximum, like zero percentage. What is something that you would recommend, in your expert opinion? Like one percent? Mr. Foster says, given your County size, overall County acreage, that's the, I'd have to think about that. And that's kind of current capacity that you all would want to retain. The megawatt cap, acreage cap, usually will allow for two to three large projects to be built so that developers have the opportunity to come in and figure out what works but we can discuss a specific number. I really would, frankly, need an industry to kind of look at Southampton, all your area that is flat enough and dry enough to put a solar facility on and then make a call based on that number.

Chairman Drake says, so are all counties looking at it from this perspective? Mr. Foster says, I don't think so, I think a lot of counties are somewhat prescriptive in what they are doing and they are just drawing a line in the sand instead of looking at what land is available and kind of backing in to it that way. I think a lot of people say, just back off regulations and you are not really looking at it in a holistic sense. But about the guardrails, I think if you wanted some assurance, the acreage or the megawatt cap would be the way to go. Protecting your sensitive growth areas. Mr. Foster says, Beth showed a map that showed a number of factors. Let's talk about the high value of economic development type of areas that you want to be considered of. If you all put in line a hard and fast, let's say, I think it was a one mile radius of certain... Mrs. Lewis, incorporated towns. Mr. Foster says, incorporated town. Again that's a blunt instrument and it really takes away you all's independent analysis. To say, hey, this area of the one project is within one mile but it's on old cutover timber, it's not close to anything that we think is going to be developed in any near time, so it's ok to put in those parameters but so long as you provide for flexibility where the Planning Commission and Board of Supervisors can look at an independent project and say, ok, as to X solar, we choose not to apply the one mile ban from that independent town. That's the type of flexibility you can build in but still putting in the lens for you all to look through and say, hey, is this a good project or not. So, go ahead and say one mile but allow for flexibility and variation based on independent project features.

Mrs. Lewis says, there are limited areas in the County that are served by water and sewer. Mr. Foster says, correct. Mrs. Lewis says, and so maybe you would say if it served or can reasonably be served by water and sewer, you don't really want to use it for solar installation because you don't want to waste the

opportunity for that, to be able to use that infrastructure. Mr. Foster says, correct. I saw some notes in there to about your A2 district and that kind of surrounds those areas. And one of the visions for the A2 district is helping to buffer residential and commercial development, human centric development from the realities of farm and you know, frankly, I see solar as a useful tool to also play a role in that buffer because solar panel is not going to complain when you are spraying or you know, making noise or spreading litter. Whatever, it is so, solar can be a good neighbor to farming in ways that residential development can't. I think it was mentioned of not allowing it at all in A2 when in reality, it might help you achieve your goals on certain parcels in A2. So allowing for the type of flexibility is a good idea.
Mr. Foster says, Beth also came up with a pretty impressive map of, it's the same map that had the bubbles around it, the independent towns. Regarding protection of prime farm land and farmland of state wide importance. If you all noticed on that map, all the areas that weren't prime farm land usually surround some sort of body of water or swamp so the areas that are, the areas that aren't prime farm land are also likely to be unbuildable from a solar perspective.

Chairman Drake says, that's a major initiative in the county because we are blessed to have prime farm land. Mr. Foster says, yes.
Chairman Drake says, that's what makes us unique from neighboring counties, from neighboring areas, so go ahead and proceed. Mr. Foster says, my thought on that is when it comes to prime farm land. Farmland is of statewide importance. Maybe have a threshold where the project can consume no more than X percent of prime farm land, or farmland of statewide importance that is in current agricultural production. Because if you notice, there is a lot of land that is designated prime farm land that's probably been planted pines or commercial timber. In anyone's recollection or memory, that's worked well in other jurisdictions. When you narrow the prime farm land designation to an active production, so you are not taking land that is currently tilled in agricultural. You are setting a threshold for the amount of that land that can be consumed but if it's not in agricultural production, it's a different consideration because that map is all encompassing and if it's not in planted pines we can put a solar facility there in a really efficient way and frankly, that's kind of the lowest hanging fruit in Virginia in my opinion and the timber companies are participating with solar and they are in on it, a lot of times..

Chairman Drake says, timber companies are? Mr. Foster says, absolutely, a lot of times, our land owners are timber companies because, A, they control thousands and thousands of acres of land and the revenue per acre relative to planted pines is significantly higher for them to put it in solar. So farm land of statewide importance, that's in timber or not in current agricultural production, probably ought to be considered for solar development. Another parallel, and you all probably know this, the lifetime of a pine plantation with thinning is about forty years which is the same lifetime of a solar facility. Mr. Randall says, so in essence, how do we know that though? You said forty, right? Mr. Foster says, right, we know that because that's how long these panels are expected to last so the productivity of the panels is the highest at the beginning and it wanes over time. So they say a productive lifespan of a panel is forty years now.

Mr. Randall says, there are a lot of inconsistencies, at least in the research I'm doing as it relates to that and decommissioning, what I'm reading, especially from California. Mr. Foster says, right. We are talking about new panels coming on the market today. Mr. Randall says, sure, technology. Mr. Foster says, there's a shorter window of when those panels are guaranteed and that varies by manufacturer. It's like, they are guaranteed to be productive for twenty years, but they expect them to be, it's like the roof on your house you know, it says it's a twenty-five year roof but it will probably last forty or so. In the industry, we say, it's safe to expect a forty year time rising. Now, it's also safe to expect that as panel efficiency increases, it will be economically, it will make sense financially for panels to be retooled so in fifteen years, the panel efficiency increases so much, they can go in and re-panel the entire project. You just re-started the clock. So that is a consideration that some of these projects will be built, live out their lifespan and be decommissioned. Some of these projects will likely be retooled and their life will; be extended. So I think what we are probably going, this is again, I'm not an engineer. I think what we will probably see over the next twenty-five or thirty years, panel efficiency will increase such that we're going to end up using the same

amount of land and produce a whole lot more power so over time, we are going to consume a lot less land in solar than you think you will. But yes, on the protected farm land, setting some threshold and tying it to the land in active production is, I think, that's a god way to go. The other things in our ordinance that I think we can bolt some stuff onto that would really help you all. Decommissioning. Your decommissioning section is as good as any jurisdiction's. There are two small things you might consider adding, is that, in the event if the project is sold, that the CUP does not transfer until proof of surety held by the new owner is given. That's often something we put in conditions. Also, we learned this from the old residential subdivision context, maintaining and watching bonds and make sure they are current and paid. That's a heavy lift for a lot of localities. Even today, neighborhoods built in the 90's, chasing people around to make sure they've made their installation payments. We built in a helpful provision so it kind of takes the work off the locality to insure those things are kept up. And it's like an automatic notice to the jurisdiction and within a certain period of time, it hasn't been paid, so that you can step in if necessary in the event someone is going to default on a bond. Decommissioning is a tough one because nobody is really done it yet on a large scale. The best we can do is provide strong financial security to ensure that it gets done. What we often do is, I believe you all's ordinance has some mention of land owner in the context of decommissioning which is a concern for us as well because if the solar company defaults, being the landowner is first in line. So what we typically do is (this is often added in the conditions) add the landowner as an additional insured in the financial instrument. In the event that the solar company were to default, the landowner would benefit from that policy and be able to do it before the county was forced to step in to it. So we want to make sure the landowner is protected as well, that's in the solar company's interest. There was a period of time there where it looked like we might have to do double bonding, so we have a bond for the landowner, have a bond for the company. We can accomplish that as an additional insured. Visual impact. I believe I mentioned this before to but having been in so many jurisdictions, I've seen some projects be built and well screened and other ones that aren't. It's like, what I feel is like, hierarchy of visual buffering for solar. So your highest order is existing timber or existing vegetation that is retained around the perimeter of the project, that's your best available to buffer and screen a project from the outset. And then second to that, if it's the right area, this doesn't necessarily work in land that has be inactive agricultural production but it it's a recent cutover, The second is letting a natural regenerative buffer come back, you know, this part of Virginia, if it is cutover land, you kind of have to work hard not to grow new trees. There is a project in New Kent near the Henrico jail in New Kent that they just let grow back up around the edges. It was an old cutover and I could tell you where it is today, you could drive by even during wintertime, you wouldn't know a solar farm is there. Poplars come back super quick, you know, poplars, gums. That kind of thing. That first succession trees, they will hide a solar facility in a hurry. Probably third on the rung is a planted buffer. You all have driven past plenty of projects with the buffer that has kind of intermittent evergreen trees and maybe some kind of bayberry looking low shrubs. It's not really hiding anything and a lot of cases, it looks like you are going to drive past a golf course or something. It's very landscaped, it's not, doesn't blend in to the natural setting. I've' seen some really good ordinances that require kind of scattered buffer so like there's no rhythm to it, you know. Things are grouped so really, in effect, when you are driving by, it looks like you are driving by a block of woods. It's like, a nice design so that it doesn't look like a landscaped planted buffer. The new planted stuff, and you all have experience with this, it's tougher to get started, and they don't grow as fast. Small trees have a much higher success rate and are much move likely to survive which is why a lot of times, you have small trees planted. If you want to plant a six or eight foot tree, A, that's expensive, B, the mortality rate is really high. When you can retain existing timber and then where possible, allow natural regeneration to grow back. Other things some jurisdictions have done, (they did this in Lancaster) is provided, cause you all got a lot of area in the county, if you built a solar farm, even if you built it all the way up to the property line, the abutter is another pine plantation so there is really nobody there to offend. That's the area that we think works really well for that natural regenerated buffer. Just allowing a portion of the setback to grow back in a natural state. But then as you come in and say there is a public road or a nearby residence, you can require, within a specific distance of that occupied residence, something more robust So to me, that allows the solar company to spend its money in an efficient way so you are buffering an area where there is actually a viewer that would benefit from the buffer. I think we can be more prescriptive there and kind of provide you all with that hierarchy. But also, we want to build in the

flexibility for you all on the Board of Supervisors to look and say, alright you got, you know, five houses here, what you've done here isn't really enough, you've got to do more and then you also need the discretion to say, yes this thing abuts a swamp and you know, that swamp's going to be there because it's RPA and you can't touch it. We will let you just let that grow back in trees. Let's come at you with that custom approach with a really good landscaping plan but backed up with some rather specific ordinance provisions.

Mrs. Lewis says, and I saw in one ordinance, I don't know if it was Caroline County or Greensville County, that any landscaping that need to be planted and buffered, needs to be planted in the first growing season after the building permits were issued, not at the end but at the first possible growing season. So by the time the work gets done, any landscaping that needs to be planted has been in the ground for a year. Mr. Foster says, yes a year. Sometimes we do that by condition too, when it's a really sensitive issue. We will proffer to plant upfront so that like you say, you've got an extra year of growth. It's that much more mature. One thing we don't love to do are berms because berms can be hard to get trees to grow on. The way I look at berms is like if you have a very specific feature of, say like the road grade is bad, the road comes up out of the ground and you are going to be looking off and seeing it. Maybe use a berm there but that's kind of a feature of last resort.

Mr. Foster says, tell me about, am I correct in the protection of the 460 corridor and the Boykins corridor. Chairman Drake says, well we thought we were. He says, we thought we had a good argument last time. The Boykins-Newsoms corridor has water, sewer, rail, cable. We faced current and we still couldn't break it and it's on the highway. Most of it is on the major highway or either the county roads across the railroad tracks. Chairman Drake says, actually years ago, we had talked about putting a sewer line from the pumping station out on 671 to the treatment plant to give the town of Newsoms more capacity. Now the solar project is located in that right-of-way. Mr. Foster says, same spot? Chairman Drake says, what would have been the right-of-way. He says, it was just a thought and a concept, it never came to being and at the time, the governing body then still approved it. He says, because we had a very good argument as why that was not the proper place. I mean, if you got utilities there, we got fire hydrants right down beside the solar fence, right down beside the fence. It's crazy.

Mr. Foster says, got you. That's a consideration when you can put that in the ordinance. Another thing I failed to mention, we can be solar prescriptive in setbacks and ensure that the setbacks are appropriate when it's on a public highway. Says it's a divided highway, maybe even have a bigger one. Setbacks from lots that contain a residential dwelling with a certain distance. Chairman Drake says, so that's been a major concern, is that residents that have come from outside the area or it could be people that we born and raised here, have built their home, probably spent more money there than any other place than they've ever spent in their livelihood and then the solar project appears and we've got very limited setbacks of where that fencing and all is at.

Chairman Drake says, now what I have been intrigued with your presentation. You've mentioned several times, if you can get off that highway, go that back field, that back corridor so to speak. He says, and I like that natural barrier, I like the idea of just letting, like you said, nature will take its place. He says, if you don't farm the fields, it will be a forest land in ten years or less. He says, much less, believe it or not. It just comes up natural. Chairman Drake says, going from Newsoms to Boykins, on 671, like I said, it give you the idea you are pulling into a golf course if you didn't see the panels. Mr. Foster says, right.
Chairman Drake says, now I was all in favor of that. He says, I voted for that, what little bit of say we did have over there. He says, at least we had some landscaping but it does not suit the natural esthetics of Southampton County. Mr. Foster says, right.

Dr. Edwards says, I do like a lot of the concepts. Mr. Foster says, and I think we can get there in a way that works for both of us too. Because solar companies don't love requiring four rows of evergreens panted on X increments, etc. because it's expensive. What we want is to, is buffer the project as effectively as we can and in a most cost efficient manner. So that natural regenerative buffer and retaining existing trees is

the key. Chairman Drake says, I think one of the drawback of that is you got to get a tree that won't get so tall because of the shade. Mr. Foster says, a nice setback helps you there.
Dr. Edwards says, that's an issued as well. He says, you are taking up more land space because of the shade area. Mr. Foster says, you got it.

Mr. Mann says, what's your definition of a nice setback? Mr. Foster says, so most jurisdiction, I would say, the average is about one hundred feet if it's abutting a residential property or let's say the solar facility is going to be a certain distance of that residence. Mrs. Lewis says, or church. Mr. Foster says, church, business, what have you. You can go a little further. Frankly, we are working on one up in Surry right and the last time I checked there's no place where a panel will be within any closer than five hundred feet of an occupied residence and that one is on, it's mostly pines plantation. It's kind of a recreation property so it's mostly open ground. But, there we are keeping nice trees, it's very flat parcel, so you just drive down the road and really not never know it's there. And I'm biased because I work for the solar industry but, it's just in that situation, you are building a solar facility in an area abutting, that abuts several residential dwellings. Those residential dwellings are guaranteed to have those trees on that property for the life of that project, that's in essence putting that buffer in a conservation easement. So, not many other uses do you get a guaranteed visual buffer, for the project so that in my opinion eschews in favor of that nearby residence because, you know, a timber company can come in there and cut to the line if they wanted to.

Mrs. Lewis says, but when you increase the buffers, it's like air in a balloon. Mr. Foster says, got it. Mrs. Lewis says, you need to take more space someplace else, right? Mr. Foster says, exactly, you're right. He says, but there is a happy medium there, there's a number there that's going to work. He says, and frankly, you know, we can build in flexibility where you have robust setbacks in certain areas and in areas, like we're talking about may abut a swamp or some other non-offended party, you can reduce your setback there, maybe go to fifty feet there. So that will help put some more air in the balloon, more room in the balloon before it starts expanding.

Mr. Mann says, I think out of the project, we have only two tracks that is off the road, is that right? He says, the Cook farm and the Smith farm. Chairman Drake says, I think that's correct. Mr. Mann says, everything else is on the road. Chairman Drake says, I think it's on the road, yes. Mr. Mann says, and the Smith and the Cook, you can ride by the road and you cannot see the project. Chairman Drake says, you don't see them. Mr. Mann says, you've got to ride through the farm to get to it, right. Mr. Foster says, it's possible. He says, good project location and even if it is on the road, you leave enough of a setback and you do your project right, you know, within a reasonable number of years, you are not going to know that it's there. Frankly, a lot of these projects that aren't well buffered and well-designed make my job so much harder because that's what's imprinted in people's mind is what a solar facility looks like. But you are driving past others that you don't know are there.

Mrs. Allston says, are there ever instances where sloped land is used? Mr. Foster says, so they say the grade tolerance is fifteen percent, anything greater than fifteen percent, they really try to avoid. He says, frankly, slope is a cost center for solar as well because even if it's less than fifteen percent, they end up doing some grading which is expensive and causes a whole host of other issues that they usually have to attend to, so, the flatter the better. Mrs. Allston says, that is why the eastern part of the state is better than going further west, which is also our farmland. Mr. Foster says, you've got it. Mr. Mann says, but they've done an awful lot of grading on the project we have here and I don't think there was any tract that was any ways close to fifteen percent. He says, I don't even think we've got fifteen percent on our end of the county, do we Mike? He says, do you know of any place that's fifteen percent grade?

Mrs. Lewis says, I saw one ordinance that prohibited removing topsoil from the tract. Mr. Foster says, so, what we've done in certain conditions is require that any topsoil that is graded has to be retained on site so, the same. He says, we've also done a fairly prescriptive, I think it's in the Caroline ordinance, about what agricultural ready means. He says, after decommissioning, what it means for it to be ready it to be

used again for agricultural purposes. Mrs. Lewis says, because I guess, Southampton Solar, they removed topsoil. Mr. Mann says, and gave it away. Mrs. Lewis says, by the truckload. Mr. Mann says, people were just hauling it like I don't know what and it went off-site.

Mr. Foster says, we are also learning a lot from that erosion/sediment control and storm water for solar and really trying to, you know, make sure that what we are doing is solar specific because it is a bit different and insuring things are de-compacting and what not prior to stabilization so that you can reduce your run-off rates. You are essentially building a better product. That's been the cool thing for me to watch. A lot of these engineering teams are taking info in real time and building a better project at each one they go to. That's been fun. Mr. Foster says, do y'all have any more questions for me?

Dr. Edwards says, yes. He says, I looked at your grading ordinance. He says, topsoil is not prohibited to be removed from the property. Mr. Foster says, exactly. Dr. Edwards says, good idea. Mr. Foster says, and you know, my understanding is, they try to avoid as much grading as possible and they want that topsoil in areas that they are going to have to stabilize because they want the grass to grow in short order so they can move on to the next area of the project. Mrs. Lewis says, right. Dr. Edwards says, we realize once the topsoil is gone, that line is gone forever. He says, it takes five hundred years to make an inch of topsoil Mr. Foster says, even if it's in timber.

Mr. Mann says, so we have a DMME for the state of Virginia, Division of Mineral Mines and Energy, and the energy part catches my attention. He says, but there is no regulatory of DMME for the energy part. He says, now for mineral and mines, they can walk in, do an inspection, lock your gate and shut you down. He says, but when it comes to the solar facility, it's like they are there just to be there. He says, so now, is there any discussion of DMME becoming some type of regulatory teeth put in that organization, I mean, it gets it back to a state level so that big companies have a tendency to listen to state government more than they do the County government. Mr. Foster says, sure. Mr. Mann says, so is there any discussion about them?

Mr. Foster says, not that I've heard. He says I think the DMME, because mining is what it is, it's not what it once was, they are kind of looking at what do we do now so. He says, but I don't know how that relates to solar. He says, I will say that during construction, the entity who is in charge is DEQ. They have added people specifically to process solar applications and handle solar design work, administer permit by rule process, which is for projects between five and one hundred fifty megawatts. But that process ends once the project is complete, you make it through PBR and get your permit, then it moves back to kind of a combination of DEQ and the locality. But I don't know of any move by DMME, I think it's called the Department of Energy now, to play a role in solar.

Mir. Mann says, that would certainly be an avenue for decommissioning, they do that with mines. He says, for the permitted area, you have to pay a fee every year. Mr. Foster says, this is something our firm has been thinking about because everywhere we go, everyone is worried about decommissioning. It's figuring out some state wide solution to the decommissioning question and it's essentially, we don't have an implementation plan yet but building a fund that will cover the cost of decommissioning in the event the solar company were to be defunct. There's several models out there, you know. This industry is pretty new. It's really been booming for about five years and the last two, it's really been booming. So, we are going to get there, I think, but we don't have that product yet. We are thinking about it. Mr. Mann says, well it's new but some of the end results are not any different than a mine. Mr. Foster says, right. Mr. Mann says, I feel like we are five years behind on that. He says, we should have been creating this fund from day one and.

Mr. Foster says, that's another one where the industry is invested in figuring out decommissioning because, A, they get this question but B, when you are holding that bond or surety, it's on your balance sheet for four years. He says, that's a big weight on the industry so they are trying as much as anybody to figure out like a macro state wide solution for this so that you all are protected and it takes a little bit of weight off of them

from a financial perspective. Mr. Mann says, so if you have a facility also that, they go through some financial difficulty and they are not able to maintain it, they are not keeping the equipment up. He says, I already see that in some facilities. Mr. Foster says, yes, Beth mentioned that. He says, the one in North Carolina. Mr. Mann says, so you get to a point that the County doesn't have the staff that can go in to see if that facility is actually still producing energy. He says, you know, it may still be there, they are still getting their tax credit but it's actually not producing energy. He says, so at what point, and this might be where DMME comes into play, is there somebody who's qualified to make sure that facility is producing and some point, when it's not producing for a twelve month period, then they have to start decommissioning. Mr. Foster says, right. Mir. Mann says, instead of just sitting there collecting government funds and it's not doing what it was built to do. Dr. Edwards says, that's covered in your ordinance, isn't it.

Mr. Foster says, it is. He says, two things. I like to call it the decommissioning trigger, the things that have to happen before decommissioning occurs. And I think that we can build that out in here so that you all, there is no gray area to when it's time to decommission. Often we will add a condition, and I don't see any reason this couldn't be in your ordinance, that the operator is to provide the County an annual report of total production, etc, so that's kind of like an automatic generator, auto generated report so that you all get at least once a year notice about what's going on at the facility for the past year. So that's one way of knowing whether or not it's producing energy and you're going to trigger in your decommissioning provisions. Yes, that is a good question. Mrs. Lewis says, yes, you can't tell by looking at it. Mr. Mann says, you can't tell by looking at it but even with a mine, you have to do a tonnage report. Mr. Foster says, right. Mr. Mann says, technically, the state could come in and look at your sales and get some idea of whether your tonnage report is accurate. Mr. Foster says, right. Mr. Mann says, electricity, you can't smell it, you can't see it, it just knocks you out of your shoes. Mr. Foster says, right. Mr. Mann says, so they say we are producing but at some point in time, somebody needs to be qualified to be able to walk in that facility unannounced, just go to the gate and go in and spot check and I don't think nobody gas done that now. He says, they just have free reign to do what they want to do, how they want to do and keep the gate locked. Mr. Foster says, right. Mr. Mann says, and that's like letting the fox look after the chickens.

Mr. Foster says, I'm not sure that's in Caroline but there are access provisions where regular inspectors, with a certain amount of notice but in the event of an emergency, you can go in immediately. Mr. Mann says, you say with a certain amount of notice. He says, I'm not talking about notice, I'm talking about they can come to the gate and they are there to do a spot check. He says, that's the way it's done in other industries, that's the way OSHA or OSHA, however way you want to pronounce it. He says, the mining industry. He says, if you make it announced, everybody can put lipstick on. Mr. Foster says, right. Mr. Mann says, we want to catch them with no lipstick.

Mr. Foster says, right. He says, the other thing is too, from a local revenue perspective, if you are operating under solar revenue share, that's a per megawatt tax. Say the name plate capacity of the project is eighty megawatts, it's based on that. So that's paid to the county annually for any year that it's in operation so that's a stiff enough number that the project's probably not going to sit there and not be operated because you are paying a pretty hefty fee, $1400 a megawatt, subject to a ten percent escalator every five years starting 2026. So that's putting some skin in the game on the part of the operator that will distance it from a project just sitting there. Mr. Mann says, well, I guess I'm looking at the big picture too you know. He says, they pushed the energy thing that we've gotten out a certain amount of energy and clean energy for the next forty years. He says, but yet we had a letter that was sent in here that the food industry, our food supply is going to be having an overburden in forty years as well. He says, so we've got, are we making a decision or what's more important, our energy or our food. Mr. Foster says, right.

Mr. Mann says, and I'm looking at the big picture that's probably beyond the scope of the Planning Commission but hungry stomachs starts war, you know. He says, that's why I say, if that facility is sitting there and not producing energy, then it's time for it go. Mr. Foster says, right. Mr. Mann says and nobody is checking on that. Mr. Foster says, there may be a way the regulatory entity let's say like PJM produces

some public reports that you all would receive an annual notice that wasn't from the company. There may be some way to generate that to ensure the facility is operational.

Mr. Mann says, and on the other hand, you know, I'm not advocating more government control, that's, it can be irritating, but also it would be nice to have some type of spot check. He says, not send you a two week notice and say we are coming so. Mr. Foster says, I think the ones I've drafted, you can go in with twenty-four hours' notice to the project liaison, That's one of the things we typically put in conditions is establishing a person for the facility that is the local; government contact and the public contact so that any of those questions are answered in short order. And if there is a violation, that person receives notice and you've got specific provisions on how to remedy the violation. So trying to building, trying to remove that anonymity that you often feel; with something that's sitting there.

Mr. Mann says, and that's where the vision of energy comes into play, you know. He says, I talked with somebody that worked with the federal government looking at solar and he said what you are going to run into is one county requires this, one county , you need some consistency and it's got to be done on either a state level or federal level because if everybody's running in different directions. Mr. Foster says, we are feeling it too. Every jurisdiction's zoning ordinance is at least a little bit different. I don't have one set of conditions that works in every situation because the conditions kind of wrap around the ordinance like a puzzle piece, every puzzle piece is different. Mr. Mann says, I don't know that you can do your zoning, your zoning has got to fit the locality a little bit. He says, as far as your facility producing electricity, that's pretty standard.

Mr. Foster says, one thing, I don't expect you all to take this up because it's kind of a hard and fast item, but requiring a rezoning to industrial is from my perspective, local government perspective, it's kind of, to me an unnecessary burden on the solar developer, because I've never seen a situation where the CUP is approved but not the rezoning. It's always about the project and you all have, in the CUP process, you really have the same amount of power that you do in the rezoning. So, to me, it's a little bit of an additive administration hurdle. What it ends up doing is, in my opinion, it scares adjoining and nearby neighbors to hear, o man, so and so's farm is going to be rezoned to industrial. When in reality, you know, we could agree or disagree, I would say it's a light industrial use but whether or not, the effect is the same. More often than not, when we do that rezoning we end up disclaiming all the other industrial uses so what you are going to end up with is industrial zoned land where all you can do is one item in the industrial list and that's build a solar facility. And it's going to make your zoning map, over a period of time, look really weird because you've got the rural back 40 type parcels that are surrounded by A-1 and A-2 zoned land that are zoned industrial. So you are going to have these industrial islands throughout the county. So to me, that's painting yourself into a bit of a land use issue twenty or thirty years down the road if the projects are ultimately decommissioned because someone is going to have to effectuate a down zone or a rezoning of those properties down the road so like I say, I've never seen a situation where the CUP wasn't approved but the rezoning was or vice versa. It's always about the project and if the project is right, you've got all the controls you need during the CUP process. The zoning is kind of, it's really an addictive. I would say you all are maybe one of three or four that require a rezoning to industrial, almost everybody else permits it with a CUP in a variety of districts.

Chairman Drake says, if it wasn't fenced and gated and locked, it just makes me think it's an industrial site and its producing energy. Mr. Foster says, agreed. Chairman Drake says, it's a hazard as well. Mr. Foster says, they don't let you in for a reason. Chairman Drake says, right. He says, like I said, it's gated and it's locked. He says, I know of a landowner in Newsoms that could not take his friends on to the site. He says, it's his farm, he was not permitted in. He says, he wanted to go show his neighbor, he lives out of state. He says, he brought his friend over to see it, they wouldn't let him in on his own farm. Mr. Foster says, wow. Chairman Drake says, and he was the owner.

Mr. Mann says, I disagree with you. He says, I think that added protection for the County, it does make the neighbors aware of what's going on because even with as much publicity as the facility had over in Newsoms-Boykins area, it was actually people that approached me, and I didn't know this was going on. Mr. Foster says, yes. Mr. Mann says, and they were in a house that the facility was coming close to. Mr. Foster says, close by. Mr. Mann says, I don't know where, during that point of time but at least when it got rezoned... Mr. Foster says, aware. Mr. Mann says, they were definitely getting a note.

Mr. Foster says, you all send notice whether it's CUP or rezoning, right? Mrs. Lewis says, that is correct. We put up a sign too, so the one in Newsoms-Boykins, our department put up approximately sixty signs. Mr. Mann says, you did a great job on that. He says, when they said, I didn't know this was going on, I just kept my mouth shut.

Mr. Foster says, my main take away is when people hear industrial use, they are thinking dirty, noise, smells and that's not, solar is a lot less than that. I've said this several times, it's a blunt instrument and I understand why you do it to. It's just one more layer where you all can make a determination, the Board of Supervisors can make a determination and say, no this is the wrong fit for X number of reasons. You've got one more layer of protection. I only bring that up just as a comparison to other jurisdictions.

Mr. Mann says, as you said, a while ago, you were biased because you were in the solar industry. He says, I am biased because I am a Southampton County resident. Mr. Foster says, right. Mr. Mann says, and I intend to say here and that's against big government and big industry. He says, we need as many layers as we can. Mr. Foster says, right. Mr. Mann says, especially without any signed guidance from the state or federal, without politics getting involved in it and politics definitely got involved in the last project big time. Mr. Foster says, got you.

Mr. Chesson says, I guess I'll tag on the idea of the closing, when to decommission. He says, if the ordinance did include the right or requirement that PJM, in other words, the owner of the grid work that this electricity is going to be inserted into, they've got to have, they can produce, probably an annual report of how many kilowatts of power and whatever, however you want to measure it, how many went in to that line. He says, can the county ask for an annual report from that. Mr. Foster says, the operator will send an annual report to the county of some variety. Mr. Chesson says, I'm not talking about one from the..... Mr. Foster says, we can have it notarized or some certified form. We will try to figure that one out to make sure you all have notice that the project is operational .from some third party verified.

Mr. Chesson says, the other thing that would do is, and I haven't had the opportunity, I'm kind of like Jack, I didn't receive that, of course even if I did see it, whether I would have spent time to study it, I don't know. He says tying in the size of the facility or the farm to acres or kilowatt hours because panels are going to become more efficient over time. Mr. Foster says, correct, that's a good point.

Mr. Chesson says, how can the county protect itself? He says, I guess number one, or stand to gain more tax revenue as these things become more efficient. Mr. Foster says, exactly. Mr. Chesson says, and also battery storage. Mr. Foster says, first you all are going to fall asleep with me if I talk about battery storage. That's my second favorite topic. Mr. Chesson says, did you say, favorite? Mr. Foster says, yes. The megawatt? It's probably a better nexus with you all's land use concern to not do a megawatt cap and do an acreage cap. If you are going to do anything, for that very reason. You know what your concern is, what land is taken up, what space is taken up. Mr. Foster says, I'm getting there, hold up. Mr. Foster says, what you want is the most megawatts generated by the same amount of land. That's particularly under the solar revenue share regime, where you are paid by the megawatt. You don't care, if the acreage is what it is, if its producing more megawatts, that benefits you all and there's no really, there's no land use nexus with that increased productivity. So I think the more precise guardrail, if you are going to put one in, would be a total acreage cap than a megawatt cap for the point you just made and you are exactly right, more megawatts out of the same acreage, more local government revenue, assuming you are willing to

adopt a solar revenue share ordinance. Mr. Foster says, when I come back, I'll have some numbers so that you can start to noodle over what solar from, like a local government revenue perspective as a land use because I think revenue generated by a particular land use is a major concern of you all's Comp Plan implementation and consideration. So, I'll try to give you a good overview of some of these other projects we have worked on and their lifetime projected local government revenue. It's pretty significant so and it's a lot different from what you've experienced to date.

Mr. Mann says, well, the megawatt revenue, if somebody, they get into the retooling mode and they go in and increase the facility, how can we work in the ordinance that if they retool, they have to get a permit so that if they change a one hundred megawatt facility with the same footprint to a two hundred megawatt facility, then our revenue goes up accordingly. Mr. Foster says, you don't even have to require to do a new permit because the per megawatt capacity tax is based on what they call name plate capacity so it's like a rating capacity. So if the name plate capacity changes and they are producing more electricity, they are required to pay you for that additional production. Mr. Mann says, so if they are retooling and it goes from a hundred to two hundred, they are going to be... Mr. Foster says, publicly known that the project is now producing more than one hundred megawatts. Mrs. Lewis says and there's no reason for more public hearings because nothing of the site of it changes at all. Mr. Mann says, and I guess, I wasn't talking about a public hearing as it was a survey to retool. He says, just like if I added an extra room to my house or whatever. Mr. Foster says, they would have to pull a new building permit right, to retool solar. Mrs. Lewis says, if they just put new panels on existing post, no. She says, you don't need any permits. Mr. Foster says, we are ten to fifteen years from that but that is a good consideration. Mr. Mann says, we are trying to look.... Mr. Foster says, longer than that.

Mr. Mann says, we are looking forty years down the road for decommissioning so we want to be sure the county doesn't miss out on that revenue. Mrs. Lewis says, right, but that's automatic. Mr. Mann says, ok. Mr. Foster says, we will make sure. I'll come back to you on that. That sort of process is automatic. The county gets a letter in the mail. That next month, there's going to be a bigger check or next year, there will be a bigger check.

Mr. Foster says, point battery storage. Because I'm here, battery storage is often considered in the same breath as solar because they, usually, a lot of times they are co-located with solar facilities. So there's co-located energy storage and standalone energy storage. Standalone energy storage sits adjacent to a substation and pulls electricity off the grid at non-peak ties and puts it back on. It's just a big battery. Helps with peak shaving, helps you get more mileage out of the existing transmission infrastructure. Batteries are what's going, like, what's going to allow us to really transition in to a more modern grid. That's the standalone storage. Those things are maybe fifteen acres maximum. So you can stick one beside an industrial type substation in a way that is well buffered, hidden easy access. So from a land use lift, from a permitting perspective for me, they are a lot easier to process because it's just a lot smaller site. The only real concern is EMS and fire response and what we have done on a number of the projects is get the engineering team, get the fire expert with your local EMS people, develop a derailed plan and once you answer that safety question, battery storage is a really good land use. Super helpful to the grid assuming you take care of your, you know, your nearby neighbor's concerns.

Mr. Mann says, how about the toxicity or leaking of a battery. He says, environmental use. Mr. Foster says, lithium battery of any variety. They are dry so it's not like a car, an old car battery where there is something to leak. These things are solid state so really the only risk is what they call thermal runaway event. You can google thermal runaway or battery fire and there have been some but like relative to other industrial uses, it's about the same type of fire risk. And from the EMS perspective, one of the risk is, you know how, what comes off the fire when you approach it. It's the same type of risk as if an Ace Hardware or your house or whatever caught on fire. There is nothing else extra in there that makes it a dirty fire. Where you have to worry about a long plume. It would be the same as if or other commercial business caught on fire. The co-located storage is, functions the exact same way. It allows the solar facility to put

power on the grid throughout the day for a longer period of time. If it is well designed, it's buffered and screened just like everything else, it increases the overall function of the project. From a local government revenue perspective, co-located storage is a little bit more complicated so the default is machinery and tools taxes from solar. The option is revenue share which is capacity tax. Because revenue share is a capacity tax, if there is a one hundred fifty megawatt project that gets a one hundred fifty megawatt battery, the capacity of the project being put on the line, if the maximum is one hundred fifty megawatts. So, you don't capture your additional megawatt under revenue share for a co-located project. So when you are approving those, you have to kind of do a balance, say ok, is it better since it has battery storage to keep it under the old M&T regime and that just becomes and accounting and Commissioner of the Revenue question for you all when you look at those. In order to capture that co-located storage, that value, you would have to tax that project under machinery and tools. But, yes. You can slide them in a solar facility and buffer them just like everything else. They typically do, you know, what they look like? It's like they are fifteen feet tall, look like a Con X sort of trailer, just a metal box and they are all controlled in a big computer lab and each unit, each battery unit has all its own safety and monitoring technology. So they know what's going on all the time with each component. If one starts to get hot, they can cut it off. So pretty cool technology but it often gets considered context. With solar, both standalone and co-located. Co-located of course, would get considered in the same context but the standalone storage is really a different land use because of its small footprint.

Mr. Chesson says, I guess my thing on the battery was that are you protecting yourself in your new ordinance, the ordinance that you had worked on in the past, do you protect yourself from the solar company, Management Company, to come and drop five Con X boxes that have these batteries in the facility. He says, they wire them up and say it's just part of the solar facility. Mr. Foster says, if your ordinance doesn't address energy storage, which currently today, yours does not, you would have to either pursue a zoning text amendment or build that in some other way. You can maybe build it in through the site agreement, that's not a permanent fix. As it sits today, if somebody wanted to bring energy storage to Southampton, you, they would have to go through an additional zoning process. It's not, it wouldn't be covered by your existing ordinance, that's my understanding.

Mrs. Lewis says, for next month's meeting, Mr. Foster is going to provide a marked up ordinance. You get your zoning packages two weeks before the meeting. If I get it from him after that, I'll send it to your e-mail, which is how you got this Caroline County one. I sent that by e-mail to you because I received it from Mr. Foster after the packages were already put together. These packages went out three weeks before this meeting because your last meeting was earlier in the month, it was the 9th, the 8th or 9th and this meeting is late in the month, this is the 14th so there were five weeks. Mr. Randall says, I want it put in the minutes that I missed your e-mail. Mrs. Lewis sys, that's fine. Mr. Randall says, that was on me, but I just kept looking for it, you sent it to me.

Mr. Foster says, so the end of this month is my deadline. Mrs. Lewis says, two weeks from tomorrow they will go out but if I get it later then, I'll send it by e-mail and I'll have paper copies here but that's why you got this one by e-mail because there was an extra week in there. She says, but I wanted to get these out because I know those of you in the agricultural industry this is just one more thing this time of year. Mr. Foster says, I appreciate you all coming. Mr. Randall says, thank you for your presentation. Mr. Foster says, I appreciate your good questions. He says, you all are coming at this from the right perspective. He says, I think we can get you to a position where you feel comfortable.

Mrs. Lewis says, I told Mr. Foster that if he can figure out a way to protect prime farm land and crack a nut that is decommissioning, that is something this Board and the Board of Supervisors is very much looking forward to. Mr. Mann says, you may be able to retire because that decommissioning goes nationwide. Mr. Foster says, because it's so good, I'm going to have to figure out a way I can get a check every time somebody copies my work, Mr. Mann says, maybe we can do it together and we can all retire. Mr. Foster

says, I like that, we can all retire. Chairman Drake says, thank you sir, thank you very much. Chairman Drake says, alright, that was very informative, I must say.

Dr. Edwards says, what are we going to decide to do tonight? He says, I'll make a motion that we take this Caroline County ordinance, starting with the next meeting and go through it, a section at a time and tweak it to what we think we need in Southampton County. He says, then I think we need to, because time is of the essence, go ahead and get started. He says, I'm just going to make that a motion.

Chairman Drake says, so on an individual basis, come back with some thought? Dr. Edwards says, we can go through each section at a time like we've done things before, you know. He says, before we've been very organized and we're going here, there and we've gotten nowhere. He says, I think this gives us a chance to build on this, tweak it how we want and get the job done. Dr. Edwards says, now I've talked with five other members of the Board of Supervisors, they like this and I think we can go through it as the Planning Commission. He says, we can change some of these things we don't like, we can delete what we don't like, we can add what we think needs to be added. He says, well, I think we need to get started so I'll make that motion. Chairman Drake says, alright, I have a motion on the floor about reviewing the Caroline County ordinance and making that as a template to, as we proceed forward. Mr. Chesson says, can I just get a clarification from the motion maker? Chairman Drake says, yes. Mr. Chesson says, so you are, you would be a proponent of taking our old ordinance and throwing it out the window and just working with this one. Dr. Edwards says, yes. Mr. Chesson says, ok.

Dr. Edwards says, if you look into it, if you read this and study it. He says, I've been through it four times, ok and it's much more complete than our ordinance, He says, it answers a lot of questions that I don't think we even thought about. He says, I think it's a better plan than our ordinance and like I said, I think going through our ordnance again and not looking at this, we can put our ordinance in this wherever but this takes sections from sections and it answers questions I never thought about. He says, so I'm making a motion we get started and use that as a base. Dr. Edwards says, we don't have to adopt the same ordinance but use it as a base.

Mr. Mann says, well I got, I want to get clarification on something from Mr. Foster and I guess you need to be at the mike but do you have anybody in North Carolina that you work with that, has possibly looked at this as well, that is trying to adopt something in North Carolina. Mr. Foster says, I do not. He says, we represent a couple of companies that had projects in North Carolina, building projects in North Carolina, and frankly, a lot of this, a lot of the companies who have built projects in Virginia today were there five, seven, ten years ago, both are private. He says, no I don't have anything from North Carolina but I would say that's just about as state of the art as Virginia gets. He says, and direct me otherwise, because my plan was to work within your existing ordinance and bolt on to Caroline County to what you've already done, eliminate any redundancy, etc. and pull in the parts that we think we like bur if you want me to go in the other direction, I'll do that, I just thought since there are some really good parts in your existing ordinance, we could, it might be easier to flow there instead of the other direction. Just let me know.

Mr. Randall says, and this is an administrative, do you think we can, if we approve this motion, we can have that ordinance and our ordinance together, kind of, because I think you are right. Dr. Edwards says, well that's the idea. He says, I'm not saying incorporate, I said take this as a foundation, look at our own ordinance and go through step-by-step to see what in our ordinance we want to put in this or what we want to delete here but use this as a foundation. Mr. Randall says, put both of the ordinances together and pack it under unfinished business maybe, or solar discussion for every meeting. He says, because I think that's what the Board wanted us to do in the joint meeting. Chairman Drake says, correct, and then we can highlight our progression in red so we are more productive, more like a workshop. He says, I mean, we can get things accomplished because I think that's what the Board is expecting. Dr. Edwards says, exactly. He says, I think we need to make this a regular project in every meeting and go through this step-by-step. Chairman Drake says, maybe put the changes in bold. Dr. Edwards says, twelve months is going to end

up in a hurry. Chairman Drake says, like we've done before. Dr. Edwards says, twelve months is going by in a hurry.

Mrs. Lewis says, and this solar has been on your agenda every month for a year and a half, but we can... Mr. Randall says, it just keeps us more organized because I think there are some god things in our ordinance and I agree with Mr. Mann. He says, I don't like some of the stuff in our current ordinance, I guess. Mr. Mann says, and I guess the fear is when I hear you saying, throw the old one out, take this one and do a foundation. He says, I guess I don't want to think of throwing our old one out. Mr. Randall says, and that's not what I'm saying. Mr. Mann says, I know that's not what you are saying. He says, I just like to combine the two and what your intent is, we need to get to work on that. Mr. Randall says, but I'm not exactly following this because as I understood, Mr. Foster, that he was going to take something from the Caroline and draft it and more or less present it to us next meeting and do a lot of the heavy lifting.

Mr. Foster says, correct. He says, I guess what I can do to, is maybe set up some decision points for you because, just take the Caroline ordinance, there are just pure use regulations in there that are in a lot of ways overlapped with what you already have. He says, but you all have some decision points on what your mechanics are so one of the fundamental questions is..... Mr. Randall says, that's why I want it because I want to have a reference point and then our current ordinance and that's why I kept looking through what you were referring to because I want to know exactly what you are saying. Mr. Foster says, right. Mr. Randall says, and I think that would be helpful, at least for me, in processing the information and kind of comparing it and contrasting some of your suggestions. Mr. Foster says, right. Mr. Randall says, changes, etc. Mr. Foster says, right. He says, so think on this but, you know, Caroline County.... Mr. Randall says, I understand completely what you are saying. Mr. Foster says, ok.

Mr. Randall says, but I still want that as a reference point because it's going to come up in the discussion. He says some of the public policy changes from what they have, what we currently have and what you are recommending and I'll be able to follow with that. He says, that's why I guess, it's just more of a procedural issue than a substantive issued because I want to see your suggestions. Mr. Foster says, sure, ok. Mr. Randall says, but, I kind of want to look at what you've changed too. Mr. Foster says, right. Mr. Randall says, and I want what exactly it is, is.

Mr. Foster says, right. He says, I guess if I start with your existing document that will be falling under the manner that you have regulated solar today. He says, if I start under the Caroline document, we are going to be starting under the regime of the overlay district and that's kind of how they administer where solar can get. He says, you all administer industrial only and if it's not industrial, you have to apply for a rezone, so that's kind of the overarching umbrella. He says, the use regulations really fall under all of that and that's where, you know, Caroline is very comprehensive. He says, but that's you know, they administer the district in a different way than you do and if we are going to stay under the existing regime of industrial zoning, it's probably best to start with yours. He says, if you are going to go a different direction, then we can talk about Caroline, use Caroline as the base.

Mr. Mann says, personally, I like staying with ours and growing from there. He says, and I agree with you, we need, twelve months is going to get by quick, but I still like ours. Chairman Drake says, but we've got a good template, that's a good template to go by to get where we want to. He says, now we do have a motion on the floor. Dr. Edwards says, my motion is to take this, take this as a basis, take our ordinance and sit down and go through each section, see what we want to keep and what we throw out. He says, we can combine the two, get the best of the two, but get to work on it and have a regular session every month. He says, as Mrs. Lewis says, she's going to put on there and get this done. Mrs. Lewis says, I should think in three or four meetings, you should have worked through this and gotten it.
Mr. Mann says, I agree. Dr. Edwards says, so this is my motion. Mr. Railey says, we've got some good help. Chairman Drake says, yes we do. He says, alright, the motion on the floor to get on with it and to use Caroline County as a model and combine the two. He says, do I have a second to that motion. Mr.

Randall says, I'll second it because that's what the Board asked us to do. Chairman Drake says, right. He says, ok, any discussion.

Mr. Mann says, my discussion is I still want to use ours and us it on the side of industrial. He says, I still think it's necessary that we rezone these sites to industrial because you are, I mean, it's electricity, it's, you need a fence around it. Chairman Drake says, and I think Mr. Foster being here tonight hearing the discussion, I think he understands some of what our priorities and how we want to proceed. He says, you may come back with some different opinions but you know where we are coming from and we may be a little bid argumentative if you make significant changes but you know the direction we are sending it anyway. Mr. Foster says, understood.

Dr. Edwards says, well if you look at Caroline County, it's not a whole lot unlike us. He says, you are on the Rappahannock River, you've got thirty thousand people in the County, you do have farming, you do have forestry and you have mining and Bowling Green is your capital there. He says, and everybody there, I think enjoys the quality of lie they have. He says, that's what I get from talking to people when I go there. Mr. Foster says, they have a very large federal installation that you all lack but that's about it. Chairman Drake says, alright, I have a motion, any more discussion. He says, if not, I'll call for the vote.

Chairman Drake says, all in favor, say AYE.

Michael Drake	AYE
Dr. Alan Edwards	AYE
Lynette Allston	AYE
Keith Tennessee	ABSENT
Brad Turner	ABSENT
John (Jack) T. Randall	AYE
Doug Chesson	AYE
Michael Mann	AYE
Bill Day	ABSENT

Chairman Drake says, any opposed, like sign. Chairman Drake says, it's unanimous.

Chairman Drake says, ok, so Mrs. Lewis, we appreciate taking your time too. He says, I hope you and Mr. Foster can.... Mrs. Lewis says, we are like this.

Chairman Drake says, we appreciate your, but in the meantime, I would encourage the Commissioners to go back and review the Carol document that we have in our presence tonight and our back and highlight and make notes so we will all be on the same page.

Chairman Drake says, we appreciate you getting that out to us, Mrs. Lewis. He says, I encourage any one that has seen the new Greenville update, that's pretty interesting too, that's right next door to us. He says, it seems like a lot of localities are doing the same thing we are doing. He says, they had an ordinance and now they've gone back and made revisions and you know, for whatever reasons, so we are not alone in this. He says, but anyway, I think we made good progress tonight and I think we are going to get some good assistance as we proceed forward. Dr. Edwards says, I'd like to thank Mrs. Lewis for sending this to each member of the Board. Mrs. Lewis says, you are very welcome. Mr. Foster says, if you all have suggestions as you go through the ordinance, if you send, Mrs. Lewis has my contact information.

Mrs. Lewis says, ok, I sent in your agenda package the Caroline County ordinance marked up with Southampton County kind of put in and it's noted in bold the things that are Southampton County, from Southampton County's ordinance. She says, that's what was requested last month, that we use Caroline County as the base and put in the Southampton County issues. She says, so you got that with your agenda package. Mrs. Lewis says, in an email today, you got from Mr. Foster his version of the Caroline County ordinance with the Southampton County things added and then his comments. She says, you got that by email and I printed one out for you and put at your place, with the purple along the side. She says, so I guess you wanted to go through this item by item and now you have it. Mrs. Lewis says, you also have at your place tonight, I think I mailed them to you, a map of Farmland of Stateside Importance. She says, that strip through Southampton County that goes from, goes down to the state line and starts, I can't remember where but, far north of Southampton County. She says, you can see the green areas are in the web soil service USGS mapping. She says, these are the areas of Farmland of Statewide Importance and the version of the ordinance that I sent you, number 4 under General District Standards, the project shall not be located on property designated as Farmland of Statewide Importance in the Natural Resources Conservation Service Soil survey of Southampton County.

Vice-Chairman Randall says, can I ask, I hate to interrupt you but, for us my grandad was a peanut farmer but I don't quite understand the Farmland of Statewide Importance. He says, can someone just clarify that definition for me. Mrs. Lewis says, that is a definition from the Natural Resources Conservation Service Soil survey. She says, that is soil that is exceptionally good at producing crops and is the best for growing. She says, it's flat, has the right amount of water, it has the right amount of.... Chairman Drake says, slope. Mrs. Lewis says, amount of chemistry, yes. She says, so that is from the Natural Resources Conservation Service Soil survey.

Vice-Chairman Randall says, I would just ask the question and I hope some of our farmers could help me out but let's say that you own a farm that's in this, I guess, the Eastern, the southeastern part of our county, I guess that's Forks of the River area. He says, I do a little fishing down there around Round Gut, but there's some fields there that have crops in them and if I own a four hundred acre farm and I have a farm of "not of statewide importance", it's pretty important to me. He says, I mean, should we restrict it to Farmland of Statewide Importance or agricultural farmland or farm land in cultivation.

Vice-Chairman Randall says, I'm just thinking, restrict our definition because I looked at this and I'm thinking to myself, "man, I thought we had more Farmland of Statewide Importance than what's showing here" and I don't know what the percentages are but do we have an idea of, is this twenty percent, is this sixty percent?

Mrs. Lewis says, it doesn't look like more than ten percent, to tell you the truth. She says, but there are other categories. She says, the next best category is prime farming and prime farm land takes up well over sixty percent of Southampton County. She says, the next highest level is prime farm land, if drained. She says, so that means that there's some water issues and the lowest grade of farmland is called not prime farm land. She says, that doesn't mean that it doesn't grow the crops, that doesn't mean that it doesn't grow trees but its soil types are not the most conducive to growing. She says, the Farmland of Statewide Importance is made up of soil types that the Natural Resources Conservation Service and the USDA has determined have the combination of soil types and hydrology that make it the most productive land. She says, that doesn't mean that other soil types and other classifications aren't productive but.... Dr. Edwards says, is forestry included in that too? Mrs. Lewis says, yes.

Mr. Day says, some of the best, some of the not the highest and driest land is not the best timber growing area but it's our wintertime logging that I think we would like to preserve, your Rumford soils, your Eucha, very sandy sites. Vice-Chairman Randall says, and that's been in play recently because it's been so wet.

Mr. Mann says, pretty much so. Vice-Chairman Randall says, and they can't find sites to log because it's too……

Mrs. Lewis says, but you see in Mr. Foster's version, he added not using Farmland of Statewide Importance but perhaps a percentage that is currently in agricultural crop production. She says, so that brings in your point, Jack, that it is in active agricultural use. Vice-Chairman Randall says, so now, I'm reading page one on the bottom, that's what you were trying to project, "the project shall not be located on property designated as Farmland of Statewide Importance in the Natural Resources Conservation Service Soil Survey of Southampton County that is currently in agricultural crop production. Mrs. Lewis says, and that's the note that Mr. Foster added, yes. Vice-Chairman Randall says, but isn't that even overly restrictive, I mean, but, that's like element one and element two, the way it is written is, the project shall not be located on property designated as Farmland of Statewide Importance in the Natural Resources Conservation Service Soil Survey of Southampton County that is currently in agricultural crop production. So there is some of this that is not in agricultural, so that is even more overly restrictive, which I don't like. He says, I don't know how you all fee but I don't like that at all.

Mr. Day says, what is timber considered? Is that an agricultural crop? Vice-Chairman Randall says, yes but it's just saying this and it has to be in agricultural use. Mrs. Lewis says, right, so the areas, these green areas that are not in agricultural use would be available for solar installations. She says, it's this minus… Vice-Chairman Randall says, I agree but… Mrs. Lewis says, but Mr. Foster is here and he can answer questions. Vice-Chairman Randall says, I don't think that protects enough farmland. Mrs. Lewis says, ok, you want to protect more farmland? Vice-Chairman Randall says, absolutely. Mrs. Lewis says, ok. Vice-Chairman Randall says, I think it is overly…. Mrs. Lewis says, permissive? Vice-Chairman Randall says, right. Dr. Edwards says, I think it's ridiculous.

Vice-Chairman Randall says, but this definition would allow some of the small percentage that, you know, qualifies with the soil samples, etc. He says, but it would have to be actively farmed, basically. Dr. Edwards says, you put in there, A1 is actively farmed, I guess. He says, if you want to get more protected then of course, if you want to get rid of your place, you just quit farming it. He says, I don't know. He says, this map is disappointing to me. He says, I just don't follow that, I thought. He says, who decides if it is Farmland of Statewide Importance. He says, I mean what. Mrs. Lewis says, the Natural Resources Conservation Service. Vice-Chairman Randall says, the science decides it, you know, the soil. Mrs. Lewis says, yes. Vice-Chairman Randall says, I'm just trying to get a discussion going about it, but… Mrs. Lewis says, it's a combination of the natural. Vice-Chairman Randall says, it looks great on paper but then, in application, it's not so great. Mrs. Lewis says, right. Vice-Chairman Randall says, that's just the way I see it and I'm just giving my, you know, subjective opinion.

Mrs. Allston says, someone last month stated that Southampton was the largest producer, agricultural producer, in the state and… Chairman Drake says, row crop. Mrs. Allston says, right. Chairman Drake says, row crop production, that's correct. Mrs. Allston says, right and this map does not, to me, does not reflect that. Mr. Turner says, not all the maps that we've been seeing up to this point with prime farmland. He says, I mean, it's all over the whole area, not these little teeny dots, all over. Mrs. Lewis says, right. Dr. Edwards says, this map was drawn by a pro-solar farmer. Mrs. Lewis says, no, this map just used the Soil Survey map. Dr. Edwards says, I disagree. He says, I agree with his reservations, I look at this and say, wait a minute here. Mrs. Lewis says, your maps that you had in the past that showed the areas that were not prime farm land, the tan-shaded areas.

Vice-Chairman Randall says, Mrs. Lewis, I was very poor in taking notes. He says, can you give me the levels of…. So Farmland of Statewide Importance is basically the…. Mrs. Lewis says, best. Vice-Chairman Randall says, cream of the crop. He says, what was the next level? Mrs. Lewis says, prime farmland. Vice-Chairman Randall says, prime farmland and then what's the next one? Mrs. Lewis says, prime farmland if drained. Vice-Chairman Randall says, if drained. Mrs. Allston, says, drained. Mrs. Lewis says,

drained, yes. Vice-Chairman Randall says, ok. Mrs. Lewis says, and not prime farmland. Dr. Edwards says, four levels, right. Mrs. Lewis says, correct. Mr. Tennessee says, so for example, does not prime farmland become prime farmland if you irrigate it, or Mrs. Lewis says, no, it's the soil types. Vice-Chairman Randall says, I think this is just based on soil testing. Mrs. Lewis says, that's correct.

Mr. Mann says, but to answer your question, there is some, that would not have prime farmland, that if you put irrigation on it, it turns into productive land and there's an awful lot of land in Southampton County that's got drain tile on it and there was an awful lot of money spent in that process and you are grandfathered in to keep it maintained, keep it drained, even though we have a lot of wetland laws on the book.

Mrs. Allston says, repeat what you said about the forest, the timberland. She says, did you say that is categorized as prime farmland? Mrs. Lewis says, it all depends on what the soil is not what's growing on it. Mrs. Allston says, all of it is based on the quality of the soil. Mrs. Lewis says, the soil and the hydrology, not what's growing on it. Mrs. Allston says, ok. Mrs. Lewis says, and some of the land that is Farmland of Statewide Importance has timber growing on it and some of the land that is designated as not prime farmland has timber growing on it. She says, all the categories have... Mrs. Allston says, cross-overs. Mrs. Lewis says, right, but this is indicative of the type of soil and the hydrology.

Dr. Edwards says, it seems to me that we need a map that shows those four stages before we make a decision. He says, this bothers me. He says, I mean we are the top row crop county in the state, aren't we sir. Chairman Drake says, that is correct. Dr. Edwards says, and you are going to tell me you get to the top of the state by having, this little dream you got put in here. He says, he's right, there are a lot of farms that have tile in them and that's very expensive.

Chairman Drake says, Mr. Chairman, Vice-Chairman, can I make a comment, please. Vice-Chairman Randall says, yes. Chairman Drake says, I'm going to try to get through this if I can. He says, this may be of some help as we go forward. He says, the USDA requires every farmer to certify the crops that are planted and harvested in the county each year. He says, it's been going on for many, many, many years. He says, so every acre, every field that you see throughout the county, throughout the state of Virginia, throughout the nation actually, every acre that, once it's planted has to be certified by June 15, for traditional row crops. He says, I think small grains may be a little later and it has to meet the acreage of the GSI map. He says, I mean, every tenth acre has to be accounted for. He says, the planting date has to be recorded and what the crop is on that particular piece of land. He says, same thing when it is harvested and that goes back to property insurance situations. He says, if it is harvested on time or if it is not harvested, it has to be recorded, has to be checked so that claims can be adjusted accordingly. He says, but there are acreage or there is acreage in the county that is not planted crops. He says, Mr. Mann may have some acreage, I'm not sure, I know we do. He says, I have some personal that I own, I have some that I rent. He says, now I don't like to rent acreage that I can't plant because when you rent a farm, you rent the farm with the notion that you are going to work the land that will produce a crop to make a profit on.

Chairman Drake says and then those fields or corners of fields or it could be an abandoned pasture land, we refer to as marginal land. He says, marginal land can be really iffy about putting a crop on because it can come back to bite you. He says, you might get it planted and maybe a prettiest crop growing. He says, if the rains come early in the fall or if they come in the summer, they may drown and you may not be able to go out and retrieve the crop. He says, so the marginal land we tend to stay away from but the landowner, he wants the farmer to continue to mow and keep his farm looking nice. He says, so when you, when we say farm that has marginal land on it, you still have to maintain it. He says, for some reason, some people just don't want it to grow back up in trees. He says, so that being said, those records are available on file at the FSA office, which here, it would be in Courtland. He says, and you know, if a parcel of that farm is not being tended like say, if it is marginal, wet or it could be converted wetlands for whatever reason, not being actually row cropped, there's going to be a record in the FSA office. He says, and I would say, you know that would be a place that solar would definitely have a place. He says, if the landowner doesn't want

it to grow up in trees, he may want to put a solar project there. He says, but at the same time, be careful because you don't want that same tenant or owner to say, well I got this, you know, prime tract here, I'm going to lay out one year and I'm going to say it wasn't a farm last year. He says, you can do that but that's going to kind of defeat the purpose of what we are trying to protect tonight. He says, but if it's been abandoned for ten years or more, like I say, the records would be available. He says, if it's been marginal land and been laid out for ten years, well, it probably has another better use than being row cropped. He says, I don't know if that adds any light to your question or not but there are parcels, many, many parcels in the county that are not being tended that this may be a good use for.

Vice-Chairman Randall says, can I ask a quick question? Chairman Drake says, yes. Vice-Chairman Randall says, so that would most likely, probably not in every case, but in the majority would fall in not prime farmland category. Chairman Drake says, that is correct, that would be a correct statement, yes. Vice-Chairman Randall says, I just want to make sure that I'm following it. Mr. Mann says, but a lot of times, that's going to end up being small acreage. He says, I mean, it's going to be a place in the field, or at one edge of the farm or somewhere close to a creek or swamp so it's not going to be something that is big enough for a solar facility to be interested in. Vice-Chairman Randall says, well...

Mr. Mann says, I will say that we've had land that was in pasture for forty years and then because of genetically altered crops, the possibility of using Roundup, we converted it to row crops. He says, and the biggest thing we have to contend with is the fact of whether the river comes up and goes across that crop. He says, that's where our biggest risk is and it makes a good crop and I have learned that if it doesn't get deep, cotton can set up there above it and it doesn't hurt if it's flooding in September. He says, so we've got land that because of science that has created the genetically altered crop has brought land in that is very productive to especially certain crops, maybe not peanuts but other crops. He says, so it has made some property, that years ago they said this is not worth farming, we've converted it and done that and we've got, like Mr. Drake said, we are used to having wet soil conditions but with the equipment we've got now, I have actually picked beans that the combine was doing a great job standing up on it, but when I went to walk out there, I was miring down above my tennis shoes. He says, but the picker was floating like it was floating on top of the ground so we've lightened up the weight of the equipment, put more tires on it, under it, taller tires and we've put stuff in production. He says, and my point of all this and I think we've got this in the record, that with the last solar project that came into this county, we had different food processes in this county, different AG industries and the AG industry is big to this county, sent letters to the Board of Supervisors stating in comparing the need for food was just as urgent in forty years as the need for energy and we can produce solar energy on rooftops, on Brownfield sites and we can now produce food, we cannot produce it on top of an airstrip, an old airstrip. He says, we cannot produce it on top of rooftops except in small containers. He says, but that's not going to feed the masses. He says, so you know, we don't want to restrict it, we wouldn't want to put language in here that turns around and sneaks up behind us and bites us because in forty years, I say this all the time, I can sleep by cutting the lights off at night but I cannot sleep with an empty stomach and the demand for food is going to be there so I don't want to put something in here that we wish we hadn't.

Dr. Edwards says, American Farmers supply thirty-five percent of the world's food right now and it's going to get... Chairman Drake says, short. Dr. Edwards says, more than that. Mr. Mann says, and only ten percent of the American Farm, I think produces ninety percent of the crops. He says, it is a lot of gentlemen farmers out here that are rated as farmers but ten percent of them are the ones that produce most of the food and whether it is food, fiber or whatever and we don't want to forget our timber industry either because I have seen times when they've cut timber and the forestry person said, you know, I don't know that we need to plant pine trees back in there. He says, our suggestion is the person that looks at soils and down beside the river, we say, well you know the best thing to do is try and there's a perfect stand of timber, pine timber right next to the river. Now once in a while, it floods but I dare say that our forestry industry forty years ago was saying don't put pines in that spot so some things just, they just work. He says, and NRCS has to look at the broad picture with a man out there that knows the difference between this soil and take

twenty steps and knows the difference in that soil. He says, the soil maps, they look at the broad picture, they do not, a lot of times they have to, I've had NRCS to come to my farm with their GPS unit to really narrow down whether I was in a wetland issue or whether I was in good soil issues and the person is walking around me, around the edge of a field, whereas looking at the map, the map is saying one thing and this person is walking around, you are in compliance. He says, no problem. He says, so it's the boots on the ground that really makes the decision and I just want, I'd like to and I think I've got a copy of some of those letters, the last time that showed the importance of what we are going to be facing with the food supply in forty years. He says, and I want my energy but I certainly want my food and fiber as well.

Dr. Edwards says, you know, I agree with you. He says, if you look at this, Jack and I live in Darden Mills. He says, you come out 646, the Beale Farm on one side and the Lee Farm on the other side. He says, hardly any of that's green. He says, I mean they are very productive farms, they irrigate, they take care of it. He says, you are right about that now. He says, some land might not be judged as prime or whatever but with a little push, a little tweak, it's good. He says, that's just why I don't like this map. He says, I just don't think this map shows us what really we need.

Mr. Mann says, I'm looking at a lot of land that I farm personally and it's not planted green but with a little TLC, I can produce the same yield that the next guy can and the biggest restricted thing that we have is water. He says, I don't care what I do if I do not get the rain or I cannot put irrigation water on it, I don't care what kind of land you go, you not going to make a crop. He says, so, but I do see a lot of land that I personally work and I've been farming since 1978 so I haven't gone broke yet. He says, farmland is not planted green on this map.

Chairman Drake says, I'd like to make one other comment if I could. He says, to continue along with your comment, Mr. Mann, of course the numbers are not out yet because the harvest is still going on. He says, but we will have those the first part of the year but I think the corn, the peanuts, the cotton and probably soy beans, for the first time, it's all going to be record yields in Southampton County this year and probably could actually top some state yields. He says, and of course, we've had a blessed year. He says, we've had water when we needed it and never had too much at one time. He says, but it goes by, it reflects about what's in our Comprehensive Plan and I'm sorry I don't have that tonight. He says, I actually bring it with me but some of those maps in the Comprehensive Plan, you can go back and review them about the prime farmland and such but the twenty mile barrier inclusion going through right here in the middle of Courtland, you know, just substantiates that remark that up to Colonial Beach, I mean, this is the best, some of the best row crop land for productivity, not only for row crops but vegetable crops, vegetable crops are coming into Southampton County for the first time. He says, there seems to be a move to produce or a market rather for vegetable type crops grown locally and some farmers are starting to experiment with those. He says, so it just re-enforces that fact, you know, and the whole thing about it is, you know, we need it all. He says, we need food production, we need our solar, we need our energy. He says, we've got to find the best places for it. He says, we've got to be real, we've got to be stewards of the land and use the land for what the best purpose is. He says, and that's what our major reason for being here tonight as we continue these discussions. He says, what's the best use of the land in Southampton County?

Mr. Foster says, do you mind if I offer a suggestion? Vice-Chairman Randall says, sure. Mr. Foster says, just listening to you all talk, I can maybe add a little bit of a summary. He says, I think Mr. Mann put it pretty well. He says, you all's primary concern is land that is currently in agricultural production, whether it's that off lowland or true prime farm or land you can prove, whatever. He says, so if your primary goal is preserving land in agricultural production, then it may be best not to rely on the NRCS for the Farmland of Statewide Importance designation and just set a threshold with no more than X of private area can impact land that currently in agricultural production. He says, and that was the basis for my comment to number 4, is that a percentage threshold could be added there where no more X number of, X percentage of a given project could impact land currently in production. He says, if you took away the NRCS designation and set the directional for impact, I think you'd be on the right track. He says, this is something, I'm going to repeat

myself a bunch from the last time I was here, you all are in the driver's seat in the rezoning and use permit process to look at a particular application and say, hey, you know, that land is low or is wet or whatever, the data doesn't bear out from the farm service agency where you report your yield. Vice-Chairman Randall says, FSA. Mr. Foster says, then you can say, hey, that's a good call. He says, it makes sense, it's not productive. He says, you guys can evaluate that data during the use permit process, you don't have to hold yourself to a hard and fast threshold, it would just be one factor.

Vice-Chairman Randall says, can I ask one question? Mr. Foster says, sure. Vice-Chairman Randall says, and I'm jumping up. He says, I recall reading that it was just a half a mile from any town. He says, I'm trying to remember where that was. Mrs. Lewis says, it's on the first page, 235.2 Dr. Edwards says, what number is it? Mrs. Lewis says, the bottom of the first page. Mr. Turner says, 235, number 2. Vice-Chairman Randall says, why did you just say half a mile? He says, I was thinking some of the other ones that I've seen was minimum of one mile. Mr. Foster says, and that wasn't me, I believe that was straight out of you all's current ordinance. Mrs. Lewis says, our current ordinance says a mile. Mr. Foster says, Caroline County, maybe said a half. He says, just to be clear, you are looking at the red line with the comments. He says, my comments are through the red line in the margin. Vice-Chairman Randall says, ok, I got you.

Mr. Foster says, I believe Mrs. Lewis additions are in bold. Mrs. Lewis says, are in bold, yes. Mr. Foster says, everything else is kind of static language, either pulled from Caroline County or that's in your current. Mrs. Lewis says, the base of the Caroline County ordinance and my additions are in bold and Mr. Fosters are in purple.

Vice-Chairman Randall says, what's some of the language you would recommend with percentages? Mr. Foster says, percentages is ultimately up to you all. He says, but I think if you take the category of land that is currently in agricultural production and set a threshold, I think you are on the right track. He says, but, you know with the way these projects are designed, you are signing the lease for something that may be fifty percent timber, fifty percent crop and then, but that's but one part of may be up to a one thousand acre project. He says, I think having some percentage for variance into that land in current agricultural production is a good thing because it affords you some flexibility. He says, the other alternative is, and this goes back to the nature of the conditional use permit, is you all can just make, you can provide language that makes the impact to land currently in agricultural production a factor for consideration and approval or disapproval of a project.

Mr. Foster says, now if somebody brings a project that's ninety percent in agricultural production, you can say, hey this isn't what we had I mind and deny the project. He says, you know, if they bring you a well-designed project that impacts forty percent, most of which is the type of land you all have been describing, it might be well suited for solar then we can say, well, sure that makes a lot of sense. Mr. Foster says, backing away from the hard and fast line in the sand threshold is probably not a bad thing and it gives you all, gives you all some discretion to evaluate projects on a case-by-case basis and puts the onus on applicants to bring you the data on what's gone on with this land in the past. He says, so two options there, either go general or set a threshold on land currently in agricultural production, would be my suggestion. Vice-Chairman Randall says, thank you.

Mr. Foster says, and I've got a lot of thoughts for you all. He says, just like from a procedural perspective, there's a lot on your plate here. He says, what Mrs. Lewis has put together and this re-work of the ordinance, so it might be worthwhile to identify like, five to seven topics that you want to hit per meeting and kind of maybe, develop a consensus on each one. Mr. Foster says and then send Mrs. Lewis and I back to put our heads together and I'll draft it up, so that's just a thought but you are jumping into.

Dr. Edwards says, if we get back to the map. He says, is it a consensus that we need a map that shows those four categories, just not what we've seen here? Vice-Chairman Randall says, I think that would be

helpful. He says, I'm leaning more towards, you know, getting rid of this completely and saying that you know, land in agricultural production and then we can consider a percentage but I'm... Dr. Edwards says, well, how about a map that shows that. Vice-Chairman Randall says, I mean I... Dr. Edwards says, I mean, if it's in production, its farmland. He says, there's no farmer here that's going to farm something he can't make a profit on. Vice-Chairman Randall says, and I guess the contrary position is someone is selling their land and they've got a percentage, I guess that is timberland, non-productive, not in use, it would restrict them, I guess in doing the deal. He says, so I'm trying to look at both sides but I think whatever we do, we have to protect the farmland. He says, I think that is of paramount importance and I think it definitely has to be significantly, and again, I'm talking my perspective, significantly more restrictive than what's written here. Chairman Drake says, if it's being farmed, it's productive land. He says, a farmer is not going to raise a crop... Vice-Chairman Randall says, its capitalism, why would he do it if he wasn't making any money. Chairman Drake says, like I said earlier, if it's not productive, I don't plant it, I just cut it for the landowner, you know, for cosmetics. Vice-Chairman Randall says, yes, I understand.

Chairman Drake says, but that same land probably hasn't had a crop ever on it. He says, it was just cleared up for the wrong intention. He says, like Mr. Mann said, it's not a huge amount of acreage but everybody has a spot here and there. He says, but if it's being farmed, its farmland and we need to protect the farmland. He says, I'm also, I know we keep talking about the cutover and the forest areas, to me that is just as important, that's a crop. He says, if the land is capable of growing trees and fiber, that's a renewable resource. Chairman Drake says, it is aesthetically pleasing to a rural area. He says, it promotes the wildlife, it cleans the air. He says, it cleans and filters the water. He says, it's a reason, there's a reason our forefathers cleared the parcels that are clear today. He says, you've got to remember now when this area was discovered and we are going back a long ways back in our history. He says, this was all wooded area, this was all wooded, it was just a forest land. He says, it wasn't fields out there automatically, all this land has been cleared. He says, it was cleared for a reason, it was cleared to produce crops and the reason this area was not cleared was because they were better suited for growing trees.

Chairman Drake says, so there's a reason that our fields are so odd-shaped because if you go to the edge of the field, there's usually a drop off. He says, you are getting in to the edge of a marginal area or wetland or whatever, but there's a reason the fields are shaped the way they are, just like roads, you know. He says, I don't know how people pay attention to the highways, generally, generally the highways are, you know, going between the crest of the runs and the creeks. He says, now I know at some point, you've got cross over but to me, the wooded land is just as important. He says, I'm not in favor of allowing solar for someone to go up and clear, you're going to clear the woods and develop solar on it. He says, are you kidding? He says, I mean, you need to, for you all to have not experienced the Newsoms-Boykins project, you need to come over and see. He says, you can't just do it riding by one time but to see a deer run up to that fence and can't cross-over. He says, know my wife, my son, we see it all the time. He says, they'll come across the road and run right up to that chain link fence like, oh my gosh, I can't go any further and they don't know what to do. He says, so then they are out in the middle of 671, you know.

Chairman Drake says, you know, it's very disruptive to the wildlife. He says, now I'm not a hunter but I do enjoy the animals. He says, you know, I enjoy the wildlife, I enjoy taking a walk through the woods. He says, but I think anybody that owns land in this room tonight, the trees are just another crop and in the meantime, those maturing, you know, the wildlife and the hunters get to enjoy it, get to enjoy that. He says, it takes twenty or twenty-five years to produce that timber. He says, the truth of the matter is, I'm doing more talking than I thought, I'm going to get to coughing in a minute. Vice-Chairman Randall says, that's ok. Chairman Drake says, the truth of the matter is, you know I've gone back and read... Vice-Chairman Randall says, that's why you are sitting back there tonight I think.

Chairman Drake says, I've read through this a couple of times and I've noticed the changes. He says, I've noticed the megawatts and the land masses and you know, it's all been increased from the original ordinance. Chairman Drake says, I don't like any of it. He says, I'm going to be honest with you. He says,

I just like those numbers being inserted because it's all been inflated and you know, we've already took in fourteen hundred acres of mostly prime farmland in Newsoms and Boykins and I've seen, I've seen how disruptive it's caused our community. He says, for one reason or another. He says, and the monies, you know, those few landowners, a lot of that money is out of state. He says, it's not ever here local, it's not being spent here. He says, it's not doing anything as far as I'm concerned for us. He says, as far as I'm concerned with this whole solar issue is, you know that lady that came to our workshop. He says, do you all remember the lady that came from Dominion Power and she stood up, she said, look, if you all don't want it, you don't have to accept it, it will go somewhere else. Dr. Edwards says, that is exactly what she said.

Chairman Drake says, and I had thought about that, I said, you know, that's a pretty abrupt statement from Dominion. He says, but you know, that's true and now I'm seeing this cap and Mr. Foster brought that to our attention last meeting. He says, I didn't realize we could put a cap on it, I didn't know. He says, to me, I thought it was being very restrictive, I was trying to bend the rules a little bit but find places that we maybe could put solar and everybody would be happy. He says, but people that call me and associate me, I don't know if you all get calls or contacts but I do have several people, they just don't want it. He says and we got a taste of it in Newsoms. He says, I think it is mentioned here we can have another solar project within a mile. He says, are you kidding? He says, wait for the public hearing and my people are going to be over here. He says, they just don't want it ten miles of Newsoms, another one. He says, believe me, we don't want another one, we got enough of solar, we are done with it. He says, so we can cap it, I say cap it at fourteen hundred acres, which we already have it. He says, we've got some, we got one of the first ones in Virginia so our supervisor said a few years ago. He says, we started it, let's cap it at fourteen hundred acres and just move forward. Mr. Day says, fourteen additional acres? Chairman Drake says, no, fourteen. He says, we've got it, we've already got our project. He says, we are doing our solar thing and if we need to come back and review it in a few years, we will come back and review it then. He says, but just think, we just tossed this thing in circles, it's not pleasing anybody but my people just don't, they don't want another one. He says, believe me, within a mile. He says, we just don't want another one on the south side of 58 as far as I'm concerned.

Mr. Mann says, and to piggyback on that, how big is that project that was proposed over around Ivor? Mrs. Lewis says, that was about the same size. Mr. Mann says, ok, I was thinking it involved more acres than the acres they are talking. Mr. Day says, a thousand acres.

Mr. Mann says, ok, and I just sent a text to a friend of mine that's from Charlotte County and the acres they are talking about proposing up there is, makes a thousand acres look small. He says, and when I hear that, it shows me what kind of stewards that the solar energy is. He says, they will take whatever they can get and Charlotte County is just getting wrapped up with people signing over their rights to the property. He says, and as far as, Pete Barham used to say that we are just the caretakers, we don't own this property, we are the caretakers for the next generation. He says, if we allow an industry to just come in and rape a county, shame on it and that's where we are headed in and Charlotte County is right in this state and it's not but two hours away from us. He says, so as long as we give it somebody will take it and forty years down the road, I've got three grandchildren right now and I do not want to have to depend on food coming across the ocean to feed my grandchildren because if you think food is not safe now, Lord help us in forty years.

Mr. Mann says, you know, we got so many places, you know, something I didn't even bring up, if we are going to do solar facilities then we should just do like the housing industry too. He says we have proffers and we've got the tax thing that's proposed but if we are going to give up a thousand acres of land, then we ought to have five thousand houses in the county that the solar industry pays to put the solar panels on top of that house and we are not dependent upon the grid. He says, so when the grid goes down, those five thousand houses have energy, at least during the daylight hours. He says, we are not even addressing that but I don't know, we've got brownfields, you can Google it, look at in Europe and when we had this last

solar industry, this solar company came before us and we mentioned brownfield solar, the guy stood right there, looked us in the eye, told us he didn't know what that was. He says, in fact, he stood right there and told us a lot of things he didn't know what it was and he really put a bad taste in my mouth. He says, and then to hear what they are doing in Charlotte County, it hasn't stopped. He says, it's like as long as we can move into a county and catch them off guard, let's stick it to them and I'm just, I just, I can get upset about it. He says, but I'm trying to be objective as well, but anyhow.

Mr. Day says, one question I've got is, across the state of Virginia, across the nation, what percent of solar panels and batteries are made in China versus US produced. Mr. Foster says, I don't know the exact percentage, I can find out for you. Mr. Day says, ninety percent? Mr. Foster says, I wouldn't be surprised if it was ninety percent. He says, First Solar is one you may have heard of who's based in Ohio and they assemble and manufacture all of theirs in the states. He says, they are kind of the star of the solar energy right now because they are domestic. He says, but you are exactly right, right now for the most part, they are all imported. Mr. Day says, I would have a more different perspective if it was produced in the US. He says, I would have a little bit more, maybe we will try it here. He says, I'm not a fan of supporting Chinese government and I'm not there and I can't get there.

Mr. Foster says, and a number of them are manufactured in China but also the South East Asian countries. He says, but if you all don't mind, this might be some helpful content too. He says, because you brought up Charlotte and we are working on that big project, so. He says, I don't know the specific numbers on it but I kind of wanted to contextualize. He says, because you all have pulled the six hundred megawatts number in so you guys are making a land use call and you are saying, ok, what's the value proposition of this land use relative to its detractors so I kind of wanted to go through what solar means today, 2021, for local government revenue and what it can mean, possibly mean to the bottom line.

Mr. Foster says, so there is three primary buckets where solar generates local government revenue, real estate taxes, that's just largely derived by the change in use so land that's zoned for solar is usually assessed at about ten to twelve thousand dollars per acre so you all know what your land is currently accessed for, particularly if it's in land use, so that results in a big bump. He says, there are three, what I call statutory streams of revenue related to solar. He says, so one is solar revenue share which is fourteen hundred dollars per megawatt of rated name plated capacity which means the label on the facility that says this facility can produce one hundred megawatts, you pay a tax based on that production every year and that's fourteen hundred but it's set to increase every five years by ten percent every five years beginning in 2026. He says, that's a years and time increase, so it's not like if you build a project it goes up ten percent in five years, it goes up ten percent in five percent increments, starting 2026, from there forward. He says, we refer to that as a capacity tax because it's a tax on the productive capacity of the project. He says, that stream of revenue is not factored into your local composite index for school funding meaning its revenue that comes to you without that off-setting factor of causing the state to view you as more able to pay for local schools. He says, so that's a major feather in the cap of solar revenue share.

Dr. Edwards says, you know to me, this tax stuff, you are just trading the land for money, ok, and you have to decide which you want. He says, I agree with Mr. Mann, you know, I just can't see this. He says, you can talk about taxes all you want but the bottom line is, are you willing to trade the land for money, ok. He says, that's the bottom line, everybody needs to understand that. He says, and you know, the people are going to come in here and bring this stuff in here, are going to put it in, make their money and get out, whatever, and go back to their homes ok. He says, now one hundred fifty years ago, they called them carpetbaggers. He says, I put them in the same category.

Vice-Chairman Randall says, alright, I'm going to jump in here to try to get a laser focus. He says, we have a job from the Board of Supervisors to get this ordinance done. He says, I think we've got a good core to start with and tonight, we've talked about philosophy, ok of our, I guess philosophical views. He says, I think we need to get this to the Board of Supervisors, whatever it's going to be, whether it's capped at

fourteen hundred or it's less restrictive, ok. He says, so I would recommend that we put this on our agenda and this is nine pages. He says, I would say that three months, because there is a lot to this, I would suggest we do three pages a meeting and we get it done. He says, on the third month and we present it after the third meeting from today and we present it to the Board of Supervisors as our final product. He says, because we need to get this to them, we need to stop talking philosophy and start putting whatever it is that we want that we can agree upon. He says, and maybe we don't agree but the majority rules, and we get this to the Board of Supervisors, to us appointed officials, to the politicians, to the people that make the big bucks. Dr. Edwards says, I agree with that, what I envision is the best thing to do is take each section and top it off in a month.

Vice-Chairman Randall says, can you put that on there, on the agenda, it's basically pages one through three, three pages each, the next three meetings. He says, we need to submit it and hold ourselves accountable and get it done in our next three meetings. He says, can we commit to that. He says, I think that's a reasonable time line, it's three pages a night and we can do our pen and ink changes, submit them and that way, we can kind of review it and I would ask everyone too, you know, some homework. He says, get your pen and ink of what you want so we are not looking for language and lets come with specific, you know, suggestions and you know, we can discuss it, I'm not saying we can't discuss it but the philosophical stuff, I think this body is in fair agreement of what we want to do but we've got to take our concepts and put them specifically into writing. He says, so I would just ask everyone here to do some homework on the three pages in advance and come up with some language that meets your philosophy, because Mr. Chesson isn't here tonight so I'm going to pick on him, because he's a philosophical, I think he majored in it, philosophy, I think he was on top of a mountain top at some point. He says, but we don't need to talk about it for thirty minutes of four or five sentences. He says, we need to put it down and vote on it and make a decision, ok.

Dr. Edwards says, I can say this from the Board's point of view, you are exactly right. He says, that's what we envisioned and everybody do their homework and everybody get here. He says, this is one night a month. He says, unless you are in the hospital or you are dead, make some plans to get in here and represent your district. He says, that's how important this is, it might be one of the most important things that this Planning Commission does. He says, we've got forty percent of the Board here tonight and I think they will agree with me that's what we need to do.

Vice-Chairman Randall says, so is everybody in agreement and I just, because I think they are looking for something and you know we are going to give our vision to them and then you know, they will probably have some changes too. He says, but I think we've got to get pen to paper and whatever it is, but I think this Board has, I think we are eighty percent, I don't think we have any, you know, far left. He says, I think we are all fairly central in what, we all want to protect agricultural land. He says, it's just how we do it, we've got some different ideas but if we come ready with specific changes, we can, you know, go down the line, boom, boom, boom, discuss it, agree to some language because we need to be more procedural in some of the substance, you know, I think we could have done, not all of it. He says, but I'm saying eighty percent just so we can throw it out there and we can kind of just go down it, boom, boom, boom.

Mrs. Allston says, we have a lot of information we've been given over the past two years. She says, I went back and pulled the report and some other things. She says, at this point, I think, if we went through it point by point in three pages is objective and gets us to where we need to be but.... Vice-Chairman Randall says, the general standards are certainly going to be more discussion than setbacks. He says, you know, we don't need to waste two hours on setbacks. Mrs. Allston says, my concern and my thought is that we do not need to forget what was discussed tonight because I think that is like a dome over the rest of this. Vice-Chairman Randall says, sure. Mrs. Allston says, that we have that in our mind that this is an agricultural county and that we protect our land so I don't want us to forget that and if that can be clearly stated as a tenant in our overall discussion, I think we need to keep that focus.

Vice-Chairman Randall says, I think our overall, and I'm just going to try and summarize because we've been here for a while, is that on number four, on number two, we are somewhere between one mile and ten miles and I'm drawing that from Mr. Drake, and I just said one because that stuck in my head from our ordinance. Mr. Turner says, that's what we discussed before.

Vice-Chairman Randall says, I certainly wasn't trying to be disrespectful to any of the Newsoms residents. He says, I was just referring to what we discussed before and I understand the sentiment because I've given my comments on that project it's not positive for me because they couldn't cut the grass, couldn't do basics. He says, but I don't want to get bogged down in that and then I think number four, we've pretty much decided that we want to not use the map, we want to see the map but, you know, agricultural land in production, so a very general instead of a specific and then we would consider percentage, I'm just reading my notes, or other alternatives. He says, and Mr. Drake has made his position clear so I think when we come back, do page one through three, we will discuss that and make a decision of whether it's restricted at fourteen hundred or there's a percentage of the agricultural farmland. He says, I think that's our specific where we are at from the discussion. Dr. Edwards says, the other thing that concerns me, Mr. Chairman is, we are not deciding on protecting our farmland. He says, the byproduct of protecting our farmland is protecting our way of life and I think all of us love what we have so, by protecting the land we do that also.

Vice-Chairman Randall says, alright, so we have a schedule so we are going to stick to our schedule. He says, we are going to hold ourselves accountable and in four months, we should have a proposal for the Board of Supervisor's review. He says, do we all agree to that. Mrs. Lewis says, so those first three pages, which you will discuss next month are a cap. She says, if you are going to have a cap of some sort, how you are going to determine where it's going to be, whether in agricultural production or some percentage of that and the only, the larger thing in those three pages is discussion of the buffers. Vice-Chairman Randall says, ok and can you make sure you put this in our proposal. He says, I mean in our package so we have them and can take notes against. Mrs. Lewis says, yes.

Chairman Drake says, Mrs. Lewis, I'll let you bring us up to the point where we're at and we will go through the worksheet. Mrs. Lewis says, ok, I didn't know if this would be helpful to you. She says, this is kind of the way I think, to have a place to write while you think. She says, use it if you want. She says, I'll make it look different if it's not useful or not at all. Mrs. Lewis says, last month you said you wanted to talk about the first three pages of the ordinance so that's what this worksheet does. She says, it turns it into nine pages because there's spaces to scribble, but it asks some question. She says, you also have a series of maps. She says, you have a map that shows farmland of statewide importance, that's the first map. She says, the second map is prime farmland. Mr. Day says, and that's the big difference. Mrs. Lewis says, yes that's a big difference. She says, the third map is prime farmland if drained and the fourth map is not prime farmland. She says, the green is not prime farmland. She says, if you look at the tan, the underlying part, that's all prime farmland. She says, and you have a map that shows where all the Voluntary Agricultural and Forestry districts are. Mrs. Lewis says, and then the GIS Company was able to take the Commissioner of Revenue's list of all the properties that are in the land use program, that's this set of papers, and he turned them in to a map of everything that is in the land use program, that is in green.

Mrs. Lewis says, now that there's no income requirements, there may be some parcels of property that are in the land use program that are not especially income producing. She says, and there may be some parcels of property that are in agriculture and forestry use that are not in the land use program. She says, but these are the properties that are in land use so if you are looking for a measure of lands to exclude from potential solar. She says, I don't know if you want to use any of these but you have all the information. Chairman Drake says, we thank you for compiling for us.

Mrs. Lewis says, so if we start with the worksheet where it talked about the purpose and intent, the purpose and intent, the way this is written, to me, says that you are facilitating commercial installation and I don't know if you want the purpose and intent to say that Southampton County's purpose and intent is agriculture and forestry and the purpose of this ordinance is to make space for some utility scale solar. She says, I don't know if you want the focus to change. She says, then you go down to, on district regulations, how you are going to measure.

Chairman Drake says, excuse me, let's have a little discussion as we go forward. He says, so you know, with the purpose and intent, if we are going to enter this in the ordinance, you know, how do we want to word it. He says, is it to, is it direct enough? He says, I actually, personally like your last statement, the purpose and intent is to protect active viable farmland while permitting, if it has to be a solar project in a limited area. He says, but we need to protect the active viable farmland and forest land, and forest land.

Mrs. Lewis says, and that may be the purpose and intent of... Vice-Chairman Randall says, say that again, we need to write that down. Mrs. Lewis says, it is under questions. She says, it is the last sentence under questions. Chairman Drake says, but we need to add.... Vice-Chairman Randall says, you added some stuff. Chairman Drake says, you need to add to forestland, forested land. Mrs. Lewis says, viable farm and forest land. Vice-Chairman Randall says, limited. Mrs. Lewis says, right. Vice-Chairman Randall says, the way you worded it was good. Chairman Drake says, well, it was pretty much the way she had it written. He says, I just added forested land.

Chairman Drake says, now any other discussion. He says, that was my opinion, any other discussion. Vice-Chairman Randall says, I agree. Dr. Edwards says, that's a good point. Chairman Drake says, now we proceed on.

Mrs. Lewis says, the next talks about you are going to measure it and how you are going to limit it. She says, do you want to say that you are going to start measuring at twenty megawatts, that kind of excludes the little three to five megawatt ones. She says, do you want an overall maximum one hundred fifty

megawatts of project. She says, do you want to have no more than six hundred megawatts in the county, say one or two percent of the county's acres. Mrs. Lewis says, Southampton County is three hundred eight-five thousand five hundred eight acres, one percent of that is three thousand eight hundred fifty-five acres and Southampton Solar is one thousand seventeen acres. She says, so if you said one percent, if you limit to one percent, that would be two more Southampton Solars, maybe not all in one big piece but another you know, two hundred megawatts or another two thousand acres of solar. She says, if you want to do it that way.

Vice-Chairman Randall says, Mr. Railey, one percent is pretty restrictive but I think that would pass constitutional muster. He says, what's your take? Mr. Railey says, I'm willing to try it. Vice-Chairman Randall says, I'm willing to try it too.

Chairman Drake says, and another thing is you know, if you, if, and I'm talking ok, it is just my opinion. He says, if we are going to be more restrictive on the prime farmland.... Vice-Chairman Randall says, this is how you do it. Chairman Drake says, because you get to a point if you allow, you allow more capacity than what we have suitable areas presented, we could be challenged with that, so. Vice-Chairman Randall says, we've talked about that so I think the Board is, so I think we go with the one percent and I think there's other localities actually going with the one percent. He says, so I think that would be permissible. Mr. Day says, are we already at half of that right now with what we've got? Mr. Turner says, not quite but we are close. Mr. Chesson says, you got eight thousand eight hundred thirty-eight acres left.

Mr. Day says, do we have a person that will be designated in the county to look out for solar facilities or would that be you? Mrs. Lewis says, we have a very lean staff in Southampton County so we all wear lot of hats. Vice-Chairman Randall says, I think we should do one percent, I think that's the most restrictive that we can do. Chairman Drake says, that's the least I've seen is one percent, I haven't seen.... Dr. Edwards says, if you go under that, you are going to leave yourself open. Chairman Drake says, correct. Vice-Chairman Randall says, so I think we should go with one percent. Vice-Chairman Randall says, does everybody agree with that? Mr. Tennessee says, yes. Vice-Chairman Randall says, ok. Chairman Drake says, one percent.

Mrs. Lewis says, ok, now on the second page of the notes, do you want to continue to remain in the M-1 district with a conditional use permit or do you think that just a conditional use permit is strong enough? She says, do you want to say, in any zoning district with a conditional use permit? Vice-Chairman Randall says, can I ask Mr. Railey a question. He says, if we, because we are already restricting it to one percent, if we do the M-1 and not any, could we get ourselves in trouble from a constitutional perspective? He says, in your opinion, would you recommend, because we still need the conditional use permit but should we allow A-1 or M-1 or just A-1 because we've already restricted it to one percent?

Chairman Drake says, and Mr. Railey, I'm going to ask you before you answer, I'm politely interjecting, the Southampton Solar project in the Newsoms-Boykins, we did rezone that to M-1, is that correct? Dr. Edwards says, M-2. Mrs. Lewis says, it was M-2 then. Chairman Drake says, it was M-2 then. Mrs. Lewis says, at that point before we had the current solar ordinance, the only zoning district that permitted solar generation was the M-2 district. Chairman Drake says, M-2. He says, my question is, my comment, do we need to follow suit to keep it the same? Mr. Railey says, I think so. He says, I think you need as many tools as you can get to accomplish what you are after. He says, it's not, the whole idea is consistent with agricultural land is to put a solar on it. Vice-Chairman Randall says, correct. Mr. Railey says, that's not farming, that's an industry. Vice-Chairman Randall says, correct.

Mr. Railey says, so consequently, it ought to be rezoned that way. He says, now out of this, you can accomplish a whole lot or maybe everything you want in a conditional use but still I would like you to have both. Vice-Chairman Randall says, and I'm asking the question, I just want to make sure. Mr. Railey says, I agree with you. Mr. Randall says, I'm with you that if we are right, there is a line we make sure we don't

invite unneeded litigation because those drums are already beating. He says, I think it is fairly apparent but I, if Mr. Railey gives the green light, I'm fine with leaving it like this. He says, I just want to hear him say it. Mr. Railey says, you've got the green light.

Mr. Day says, can I ask a question? Chairman Drake says, yes sir. Mr. Day says, going back up top, are we just going to say one percent no matter what size they are or are we going to restrict the size to twenty megawatts or what? Mrs. Lewis says, that was my question too. Mr. Day says, or are we going to have a bunch of three, five, ten megawatt facilities out here or are we going to restrict to twenty and bigger? He says, in my opinion, I think we ought to do the bigger, if we are going to do them, do the bigger ones and not the threes and fives. Mr. Chesson says, the three and the five hide better. Vice-Chairman Randall says, have we had any three and five? Mr. Day says, we have two. Mrs. Lewis says, the one on Flaggy Run Road is five. Vice-Chairman Randall says, ok. Mr. Turner says, the Boykins one that got pulled, how big was that? Mrs. Lewis says, that was five megawatts as well. Mr. Turner says, ok.

Mrs. Lewis says, on one hand, the small ones, the three to five megawatt ones are thirty to fifty acres. She says, they are less intrusive, you know, they can fit more places. Mr. Day says, can the three to five megawatt feed back into the grid, Mr. Tennessee? Mr. Tennessee says, yes. Mr. Day says, they can? Mr. Tennessee says, yes. Vice-Chairman Randall says, what do you think about that Mr. Railey?

Mrs. Lewis says, the gentleman that was here that spoke, he said that the one that was just outside Boykins, it was a fault further down the line, that small facility could serve Boykins, is that accurate? Mr. Tennessee says, I do believe so. He says, so those might be useful to have some of this smaller size ones near the incorporated towns for the more populated areas like Sedley. Chairman Drake says, but for that to happen though, there has got to be a substation. Mr. Tennessee says, in the area. Chairman Drake says, plus.... Mr. Tennessee says, and that's why the areas they've chosen are close to substations because if there is not a substation, they can't get it to the grid. Chairman Drake says, and plus, until we have batteries, they can't do nothing at night, correct? Mr. Tennessee says, correct. Chairman Drake says, until they have the batteries. Mr. Tennessee says, until they get batteries.

Vice-Chairman Randall says, can I ask Mr. Railey a question? He says, so do you think we are pushing our luck a little bit in restricting the size or no? He says, you think going to twenty will be overly restrictive? Vice-Chairman Randall says, that kind of answers my question, with your silence. Mr. Railey says, it's not an absolute yes or no question. Chairman Drake says, we are getting close though? Mr. Railey says, yes, you are getting close. Mr. Tennessee says, if we think we are ok with the three and five, then I would say just restrict the large, here it says one hundred fifty. He says, I would say we keep it at one hundred because that's the largest one we got currently, He says, I wouldn't want to put anything bigger than that so that's enough under that one percent, even if it's one hundred or less, until they use that one percent up. Dr. Edwards says, on the other hand, the bigger they go, the least they are to bother the rest of the county or some part of it. Mrs. Lewis says, right. Chairman Drake says, then my concern is, I want to enforce, like I say, personally I want to say, that mile in the corporate limits. He says, I don't want to see that small site because at some point, it's going to be developed around it, at some point as the pressure keeps coming our way.

Dr. Edwards says, the other thing is, you are right about that and they won't be able to build there so they will be coming out in farmland and forest land to build. He says, you are right about that concept. He says, if you let, if you get too close to the townships, for the natural things to build but if you have these things there, they can't. He says, so what are they going to do? He says, they go out in the farmland, out in the forest. He says, the way to keep them there is, you are right, keep that area preserved so they can't expand. Dr. Edwards says, and we also used that as a so-called argumentative point with one of the other projects in the Courtland area. He says, I'm just trying to follow suit, I'm not going to do too much changing. Mrs. Lewis says, and also in the incorporated, there is often municipal water and sewer available so there are services that wouldn't be used if it was developed with a solar installation.

Chairman Drake says, but I agree with Mr. Tennessee, the Newsoms-Boykins project is one hundred megawatts and if you all haven't seen that, you need to ride over and take a look at it. He says, most of it, you can see from the highway, there are a couple pods back off the road. He says, it encompasses a lot of land, it is a lot, it is a lot in that general area. He says, so I don't even want to see a one hundred fifty megawatt project in a certain locality, that would really be overwhelming, I think. Mrs. Lewis says, do you want to keep maximum of one hundred megawatts per project? Mr. Tennessee says, yes, that's what I think. Mrs. Lewis says, ok. Vice-Chairman Randall says, sounds good.

Mr. Chesson says, and do we need to put area in parenthesis to let the reader know that two projects maximum side-by-side is not what we are looking for? Mrs. Lewis says, right, do we want to put distance between them? Chairman Drake says, yes. Mr. Chesson says, and then how would you regulate it? Mr. Railey says, only thing that troubles me about that if you say once you have one, you can't build another one for ten miles, then you are telling me it's alright on your farm but I can't get it on mine. Chairman Drake says, that's restrictive. Mr. Chesson says, that's what we're doing to the whole county with this ordinance.

Mr. Tennessee says, the best one that I've seen, if you get a chance to ride through Emporia on Dry Bread Road, it's the Elliott Sadler Solar Farm. He says, and that's in a cutover and in a few more years, you won't even know that solar farm is over there. He says, that's a very nice one and that's one hundred megawatts, that's one of the nicest ones I've seen. He says, you can see some of the panels now but when they went and put it, they left enough growth to almost cover it up now. He says, you can't hardly see it. He says, in a couple of years, you won't even know it was there. Chairman Drake says, so it is natural? Mr. Tennessee says, yes. Chairman Drake says, it's a natural screen? Mr. Tennessee says, yes, left a ten to fifteen foot buffer, natural trees and all way around that thing, that's one of the best looking one's I've seen.

Mrs. Lewis says, so do you want to say they need to be so far apart or not? Vice-Chairman Randall says, I wouldn't do that. Chairman Drake says, I don't want to be challenged. Mrs. Lewis says, do you want to have the minimum twenty megawatts or do you want the three and five megawatt ones? Mr. Day says, how many acres approximately would be a twenty megawatt? Mrs. Lewis says, well, five megawatts is about forty acres, so. Mr. Railey says, I think they ought to be, that's policy, but I think they ought to be. Vice-Chairman Randall says, I think so. He says, and that makes it overall consistent. He says, if you believe in the process, you ought to believe in doing it. Mr. Turner says, we are basically saying we will entertain five to one hundred, that's the limit we are saying right now. Vice-Chairman Randall says, correct. Mr. Turner says, ok.

Mrs. Lewis says, do you want to do a distance from the incorporated places? Mr. Turner says, I think that mile buffer we talked about. Mr. Tennessee says, yes. Vice-Chairman Randall says, other localities have that, I think that's safe.

Mrs. Lewis says, do you want to use, when you go to the page labeled 15-3, it's the third page of your worksheet. She says, it talks about the project shall not be located on property designated as farmland of statewide importance, do you want to use any of those maps, do you want to use any of those things? Vice-Chairman Randall says, doesn't the one percent kind of handle that? Mrs. Lewis says, ok.

Chairman Drake says, you know, I don't mean to get so technical but I think it was mentioned last month at the meeting that we've got to state the land type that we are trying to protect. He says, it was mentioned about having a variance or percentage. He says, my position is zero tolerance on that tract, you got, instead of using a field, it's per, you've got to have some parameter to designate it to. He says, it would be a tract number correct? He says, that's my feelings. He says, if that prime land is in the tract, well it's a no go, that's my thoughts. He says, I welcome y'alls comments. Vice-Chairman Randall says, I think the one percent because we were kind of sold last time, you know with that map. He says, the prime, we were

thinking that, it would be a huge acreage and it wasn't. He says, it was kind of like smoke and mirrors. He says, I think we are being very specific at one percent. He says, we know that there is some certain that's left.

Mr. Tennessee says, then taking into consideration that the one percent, we are already a third into that. He says, only two thirds of that one percent is left. He says, I think like Jack said.... Vice-Chairman Randall says, I think that's almost over, choose my words very carefully on the record here, that's our most politically aggressive maneuver. He says, we decided it so we don't need to beat a dead horse, does that make sense? Mrs. Lewis says, it's very measurable. She says, there's this many acres in the county and one percent can be used for solar installation.

Chairman Drake says, so you are saying you can use one percent of any of the farm lands, is that correct? Mr. Tennessee says, county, as a total, only one percent of, Mrs. Lewis gave the number. He says, they have already used a third of that with the project in Newsoms. Dr. Edwards says, three hundred eighty six thousand. Mr. Tennessee says, so, it's only a certain amount. Chairman Drake says, but it could be on prime farm land, is that correct? It could be on prime farm land. Vice-Chairman Randall says, because we are doing the one percent.

Dr. Edwards says, but on the other hand, it is most likely to be on prime farm land, that's likely to be sold as farm land that's not productive, correct? Vice-Chairman Randall says, its buyer caveat emptor. He says, I mean, buyer whatever he wants to do and wherever he can get it. Mrs. Lewis says, between the one percent and a mile from the incorporated places, you have kind of pushed it to certain areas.

Mrs. Lewis says, ok, then we go to the page labeled 15-4, it talks about number 2, the substations or connector stations shall be setback at least five hundred feet and inverters and transformers at least two hundred fee from existing dwellings, churches, schools and public right-of-way. She says, do you want that? She says, that's not for the panels themselves, that is the workings of it, the mechanics of it. She says, do you want them to have those setbacks? She says, today's ordinance doesn't have those setbacks but Caroline County did have those setbacks.

Vice-Chairman Randall says, I mean, I think that's beneficial, right? He says, there is nothing detrimental to that, it is beneficial. He says, I would say yes. Mr. Chesson says, is there anything we could put in here to govern, I guess we are thinking about aesthetics and these structures that they are putting up. He says, if they were all fluorescent orange, would it make it look less appealing? He says, so if the answer to that question is yes, then should we not consider putting something that would dictate the color?

Mrs. Lewis says, Mr. Tennessee, would that ever in the world ever happen? Mr. Tennessee says, not that I know of. He says, I've never seen it any other color than the galvanized steel that you see out there, but that don't mean that they don't exist. Vice-Chairman Randall says, I mean the conditional use permit, that's the whole point, right? He says, I mean, we can ask, I guess you can ask for color in your conditional use permit. He says, it is kind of like a case-by-case. Mr. Tennessee says, the inverter boxes are kind of a beige color, they look like they.... Mr. Chesson says, they are today Mr. Tennessee says, you might see them green or army green or something like that sometimes.

Mrs. Lewis says, but when you, when you get to landscaping and buffering, so perhaps when you get to those last pages that talk about landscaping and buffering and leaving the existing vegetation. Chairman Drake says, like Mr. Tennessee was speaking about, that may help a lot, hopefully alleviate some concerns about what can be seen. He says, also I know the setbacks are pretty standard for what's allowed in an M-1 district but in a case, cases where the homeowner doesn't own the property and he or she is affected with the solar installation being so close to their property, is there anything , you know, the homeowner that builds next to the project, he pretty much governs what he is doing but I do have the greatest respect for the ones that have come out here and built their dream home and maybe didn't buy enough frontage or

beside the lot or whatever and then that was a major issue in the Newsoms-Boykins area about it being so intrusive to their property line.

Chairman Drake says, now I know it is a setback and it's a place for the shrubbery and flowers and whatever they plan and then the fence, you know, but that seems to be, that was the big issue and I know when I went to the Ivor, it was a presentation that a group there gave, the locals there, and when I came out, that seemed to be a big issue with the homeowners that were not participating but they were concerned about the visual and that type of thing. He says, anything we could do, I listened to Mr. Tennessee, you know, there is something to say about the natural vegetation and I made this remark before, in going to one of the farms I tend at Newsoms, when I come out to the intersection and see the shrubs, and it's shrubs and dwarf trees and landscaping. He says, you know, that little corner, but it looks like you are going into a golf course or subdivision, it doesn't really match, you know, the aesthetics of the rural Southampton. He says, I wish if they were built, I wish they could all be kind of in the back forty and not along the highway or around, especially somebody's house. He says, I just have a sentiment because I wouldn't want them around my house. Mrs. Lewis says, well then maybe when you talk about buffers, you want to have at least a one hundred foot buffer along the property line that abuts a school, church or residence. She says, and this ordinance encourages leaving the existing vegetation and supplementing it if it is not opaque enough but leaving the existing. She says, if you leave a fifty or one hundred foot natural buffer, that's going to be, you know....

Vice-Chairman Randall says, we are on setbacks right now, right? Mrs. Lewis says, yes. Vice-Chairman Randall says, ok, let's talk about setbacks. He says, this is something I talked about. He says, we've got to stay on focus so when we get to that, we can talk about one hundred foot. He says, so anything else on setbacks? He says, is that everything, Mrs. Lewis? Mrs. Lewis says, yes, and that's for equipment and not the panels themselves. She says, and if you talk about the setback for the panels, that's on page 15-6 and that talks about, asks what you want for the setbacks. She says, only fifty feet from the side property lines but only if it abuts a residential zoning district. She says, there are residences but there aren't residentially zoned land. She says, perhaps, you want to say, your setbacks are one hundred feet from an existing residence, church or school.

Vice-Chairman Randall says, take any of the districts and residents, churches, schools. He says that will solve it right? He says, let's do that. Mrs. Lewis says, and you want to encourage that they leave the existing vegetation as they can, that's what this ordinance says. She says, it also says, any planting they have to do, they have to do it while they are still under construction in the first growing season while they are still under construction, not at the end so that it has nine months or a year to grow before they are done. She says, you want to leave that, do you want that? Vice-Chairman Randall says, yes.

Mr. Day says, can we also say that they will be free of fire ants? Mrs. Lewis says, it talks about certifying nursery stock. Mr. Day says, I would say add that certified nursery stock. Mrs. Lewis says, and would that solve the problem, Mr. Turner? Mr. Turner says, it should, it should.

Mrs. Lewis says, ok, see we needed you a couple years ago. She says, and this talks about them having to put up a bond for their landscaping, fifty percent of the cost of installation and then it goes down to thirty percent, then it goes down, goes away after three years or something, down to fifteen percent. She says, that seems to me to be a lot of paperwork.

Chairman Drake says, and if we are doing natural buffers like they were talking about, how much landscaping plan are we going to be doing. She says, we are trying to leave the natural vegetation around the perimeter. She says, but I guess if it is farmland, we got to put something, obviously to give it privacy. Mrs. Lewis says, and with Southampton Solar, they have put up a fifty thousand dollar landscaping bond to be in place for the life of the project and that's to take care of the dead vegetation, tall grass. She says, it says, if the neighbors complain about the glare from their equipment and they don't do anything about it,

the county will use.... Vice-Chairman Randall says, I think there's no detriment to that, I think we just keep the fifty thousand dollar bond. He says, that can't hurt us in anyway. Mrs. Lewis says, that's your first three pages of the ordinance.

Chairman Drake says, the worksheet was great. He says, I've got one other point I want to bring up and I don't remember if this was done with the Southampton Solar project or not but was there a schematics map. He says, was that given to the county with all the underground burial of all the cabling. He says, are you aware, any kind of, not really inventory but where it's located at. Mrs. Lewis says, I think there was a general, like the collector lines or whatever but I don't think all the underground. She says, the solar plan showed where all the panels were going to be when it got to be to the site plan stage but I don't know how much of the construction plans included every buried wire. Chairman Drake says, the reason I mention it was because in the decommissioning plan it talked about everything had to be removed but thirty years from now, a lot of people going to be coming and going or gone and they are going to have to know where those lines are located at. He says, is that asking too much, you think? Mrs. Lewis says, I'd have to look at those construction plans to see exactly how much of that was included. She says, that is a good point.

Chairman Drake says, the thig about it is with that project, with those pods, you know, they went across tracts of land. Mrs. Lewis says, but these are all showing... Chairman Drake says, they are showing, they were right-of-ways purchases and easements. Mrs. Lewis says, there are easements and all those are showing. Chairman Drake says, ok, in the middle of where the panels are. Mrs. Lewis I don't know that every wire is showing but the ordinance only requires that you remove down to three feet below ground. She says, after thirty years, it might be deeper than three feet so you probably don't want to say only the top three feet you have to remove. Chairman Drake says, ok, alright, I think we pretty much got that part covered. Mrs. Lewis says, yes.

Chairman Drake says, I think it was good. He says, we made some determinant answers and maybe you can, I hate to ask, but can you reprint for the ones that were not here tonight? He says, we can all review it before the next meeting and then we will take on. Mrs. Lewis says, I have a worksheet almost done. Chairman Drake says, the worksheet is great. He says, that give us the pinpoint of what we need to be looking at. Mrs. Lewis says, ok.

Chairman Drake says, any other comments on how were are proceeding. He says, we are going to knock it on out. He says, we've had so many times we've talked but....

Mr. Tennessee says, keeps us from chasing rabbits.

Chairman Drake says, we are getting there, we are trying to be precise and productive. He says, the way it looks, we hope to send this to the Board by May, April or May, we will probably be able to send this to the Board.

Mrs. Lewis says, well you will do pages in January and February and then in March, you will look at the whole. She says, in January, you will look as you go along but in March, you should have it altogether and you can have a public hearing.

Chairman Drake says, it's unanimous. Thank you, now we'll move down to item number five, Unfinished Business, which is continued discussion of the utility solar amendments. We certainly thank Mrs. Lewis for bringing us up to date from the December meeting where we're at and how we can proceed forward. She requested that we go back and review her interpretation of what we have gotten to this point. Do you all have any questions about that part, what we have reviewed before we go further into the chapter?

Chairman Drake recognizes Mr. Chesson. r. Chesson says, I've got one. He says, I guess on the district regulations, fourth section down and this is just my personal thoughts. In reading number two, it's talking about megawatts and item number three is talking about acres. To me, I think it would be helpful even if we only tag number two, to kind of put in parentheses after it and then it's the currently estimated to be how many acres does a 100, no more than a 100 megawatt, I mean because that, I think, as we know is changing as technology in panels change, a 100 megawatts might be 50 acres but today it's 100 acres and that's something I don't know. To me, it would be helpful to have that defined in this. Mrs. Lewis says, that's why number three says no more than one percent that is about 3850 acres. Mr. Turner says, you can't consume any more than one percent of county land so if they make more megawatts in a small area, it's not going to change the land value or the amount of land that's going to be consumed. Dr. Edwards says, I think we've got about 1600 acres left. Mr. Chesson says, so what's the purpose of item number two then? Mrs. Lewis says, to prevent projects that are.... Chairman Drake says, too large. Mrs. Lewis says larger than 100 megawatts, however much space that takes up. She says, the technology may improve that you can build a 100 megawatts on half the land that you can build it today but it's probably not going to get that efficient before the one percent is used up. Mr. Day says, the one now is what, 1400 acres? Mrs. Lewis says, it is, yes, 1400 acres. Mr. Day says, and that's a 100 megawatts? Mrs. Lewis says, it is 100 megawatts. Chairman Drake says, I think, and I was part, I think that is where that came from, they decided the Newsoms/Boykins project was pretty large project for the first one and we used that as an example that may want to have that intensity in one area any more than that. He says, so it's kind of a double sword, you might say. He says, I'm not saying that would take up the remaining land space but that would kind of limit the size If it is another huge project and then it'd be enough for a secondary project or maybe several other projects smaller. He says, and it may be several smaller projects anyway, we just don't know it but that would kind of limit the individual project maybe. Chairman Drake says, does that answer your question? Mr. Chesson says, yeah, I mean I recognize it. He says, I'm just trying to figure out how to make things clearer. He says, but if it's clear to you all, I'm ok with it, I understand it.

Chairman Drake says, well, since we're right there on that Item three, I had a question, I had made a note. He says, like Mr. Day mentioned, I think we're saying the Newsoms/Boykins project takes up approximately fourteen hundred acres of land mass, made of fourteen hundred acres. He says, again, Mrs. Lewis, I'm going to ask, is that within the fenced area or is that of all the land, being wooded land that was converted over or the farmland or whatever, is the fourteen hundred acres the total land of the tracks that were affected, or is it the land inside the fenced area? Mrs. Lewis says, the portion of land that went through the zoning map amendment process, which is everything inside the fence and access areas outside the fence. She says, everything that is used for that project today was one thousand four hundred eighteen acres. She says, not all of it is covered by panels, some of it is pathways, roadways. Mr. Day says, buffers. Mrs. Lewis says, buffer areas, landscape areas, but that entire project today takes one thousand four hundred eighteen acres.

Chairman Drake says, I have trouble identifying the project but to me, the project includes all of the lands that have no use at all. He says, there's no buffer, there is no crop being grown on it and some of it is inside the project is fenced out. He says, but there's one project there on Cross Keys Road that goes inside, I guess it's a low area like a wetland area, but it was cleared, but it doesn't have panels on it.

Mrs. Lewis says, but certainly everything that is fenced off, everything that is inside the fence is part of that 1, 418 acres. She says, there are some areas outside the fence that are used for that project that are part of the 1,418 acres. Chairman Drake says, ok, then that's what I'm asking. He says, are those areas outside the fence that were taken out either for forestry, harvesting or crop production, are they included in the project? Mrs. Lewis says, yes. She says, the area that has a zoning designation of conditional M2 is part of the project and is 1,418 acres. Dr. Edwards says, everything that's fenced up is included.

Chairman Drake says, but that's what I wanted clarification because I know it's a lot of areas they're being mowed and they're being mowed by the Strata Solar, I think, I guess the group in Newsoms that's charge of the mowing, they're mowing these areas that are outside the fence. Mrs. Lewis says, yes, because that it's all part of that. Chairman Drake says, all part of the project. Mrs. Lewis says, yes. Mr. Mann says, so all of that will be contributed to the one percent. Mrs. Lewis says, yes. Mr. Mann says, ok. Chairman Drake says, that's what I'm getting to. Mr. Mann says, the industrial sites, the roadways, and all of it is part of the project. Chairman Drake says, yes, that's what I'm assuming. Yes. Mrs. Lewis says, yes. Chairman Drake says, ok. He says, so actually, the land mass inside of the fenced area is considerably less, I mean like a couple hundred acres but less probably. Mrs. Lewis says, it's about thirteen hundred acres of panels, twelve to thirteen hundred acres of panels, yes. She says, but everything that underwent a zoning map amendment is part of the project in that count. Chairman Drake says, ok. Mrs. Lewis says, and there are three hundred eighty-five thousand and some change acres in Southampton County, so that is three thousand eight hundred fifty acres is one percent and one thousand four hundred eighteen acres has already been used. She says, so little more than a third of it has already been used.

Mr. Mann says, you all discussed last month the one percent. He says, there was some discussion about making a distinction between clear land and wood land. He says, there is no distinction here, all you said was one percent of the total amount of land in Southampton County, right? He says, I read that and I got to thinking about it, if we just say one percent of the acres in Southampton County, then what's going to get hit is all clear land. He says, that's what they're going to hit. He says, if we're going to do one percent, it should represent the ratio of woods land and open land. Mr. Mann says, in other words, out of that one percent, if we got the ratio of woods land and clear land in this county, it should apply to the one percent. He says, in other words, out of that one percent, there should be a certain amount of acres in woods land and a certain amount in clear land. He says, and that affects all the land within the county and doesn't put the burden on just one. Mr. Mann says, I'm not trying to throw the timber industry under the bus, but technically the way this is written, the Ag industry is thrown under the bus because they're not going to voluntarily say, "Well, I'm going to put it over here in the woods land". They're going for that cleared land. He says, I noticed there was some discussion about it and that would certainly be a fair equation because Southampton County is not, would you say three hundred thirty-five thousand acres. Mrs. Lewis says, three hundred eighty-five thousand.

Mr. Mann says, ok, well Southampton County is not..... Mr. Chesson says, three eighty six. Mr. Mann says, of what? Dr. Edwards says, the total number of acres, three eighty six. Mr. Mann says, three eighty six, well we don't have three hundred eighty-six thousand acres of clear land. He says, part of it is woods and part of it is open, so we should apply that to a whole different way. He says, then put that equation in the one percent. Mr. Mann says, it's just something that hit me, something to carry home, give it some thought because we're not voting on passing this tonight, but it thought one industry is carrying the burden. He says, and the one percent is, I noticed that Mr. Updike talked extensively about we could do better and that kind of rang out in my head.

Chairman Drake says, well, I agree, I think it's hitting agriculture pretty hard because I'm involved in Ag industry but you know it's, I guess we're pretty proud of our history of being the largest row crop farmer, I mean row crop county in the state. He says, of course, we're leading in corn, peanut and in cotton crops, especially, but we take almost two thousand acres out of fifteen hundred, is it fifteen hundred acres remaining? Is that right, Mrs. Lewis? Dr. Edwards says, sixteen hundred. Mrs. Lewis says, twenty-four

hundred. Mr. Day says, twenty-four hundred, right, twenty-four sixty.. Chairman Drake says, they might make some changes, it may be Isle of Wight. He says, someone else might take over. He says, I'm just saying that it could change things.

Mr. Mann says, well, the other thing that hit my attention was that Mr. Tennessee brought out that there was a project in Greenville County and didn't you say that was put over on cut over land? Mrs. Lewis says, yes. Chairman Drake says, that was the Sadler track, is that correct? Mr. Mann says, yes. He says, I promoted that. He says, I think it was one of the applicants that we had years ago and I went to him personally and asked him would they agree to put in a certain percentage of it on woods land and certain percentage on clear land and they said they would certainly consider that but as it turned out, they pulled the application anyway.

Mr. Mann says, I know of other projects that they come in and they start out saying we'll put the solar panels on your marginal land but then as discussions go on and the land owner says, let's include some timberland. He says, well, if we're going to include timberland, we're not going to pay you as much so they're forcing the landowner to go towards cleared land but in this case, we don't have all clear land in the county so if we're willing to share one percent, then we share it accordingly.

Mr. Mann says, the other thing that's caught my attention is this is all solar, so when the wind folks come in here are we going to have to do another one percent or do we class this as our wind and solar ordinance, do we piggyback on the other and we're contributing one percent to any type of renewable energy, green energy. He says, we're starting out with a title that is just talking solar and wind is on its way. Mr. Mann says, I saw a wind turbine this weekend instead of having the blades on it, it was a spiral blade on it, it was down at the Outer Banks. He says, it was suitable, it looked like to me for a home owner but yet I could see where it might catch more wind than the blades could, but the thought is that's coming. Mrs. Allston says, that's the new style that is going in residential areas. She says, the two big wind farms that are off the coast, one of the coast at Virginia Beach, the other one's down at Kitty Hawk, and so..... She says, wind farms are coming into our area and that is a big push within the state, but I had a question about the one percent. Chairman Drake says, yes' ma'am. Mrs. Allston says, does it include the few brownfields we do have in the county? Is that included in the one percent? Mrs. Lewis says, one percent is the..... Mrs. Allston says, anything..... Chairman Drake says, landmass..... Mrs. Lewis says, the landmass of Southampton County. Mrs. Allston says, right, because I know that there are several places in Southampton that are flat but the land has been ruined as far as cultivation is concerned. Mrs. Lewis says, and if somebody wanted to use that, that would be part of the one percent. Mrs. Allston says, ok.

Mr. Mann says, we've pushed it. He says, I'm glad you brought that up because in the past, we've always tried to push, what was the proper terminology? Mrs. Allston says, brownfields. Mr. Mann says, brownfield. He says, I know with our first applicant, we mentioned that and the gentleman looked at us like he did not know what we were talking about. He says, you can google it and there's an issue in Europe, so obviously, he was leading us down a road in the first place. Mr. Mann says, so my thinking is with the ordinance, that we say in the ordinance, we want to use our brownfield acreage first. He says, that it is suitable for that and then we do the balance of it accordingly percentage wise, timber, open land with the balance of the one percent to be in use, but encourage in writing the use of the brownfield. He says, so we're still contributing to renewable energy, but we're using it wisely. He says, we don't know how many brownfield acres we have in the county.

Mrs. Allston says, I know the one down on the far end of the county that was part of animal by-product processing plant. She says, that was where they diffused anything that they needed, water that had been affected. She says, there's a huge field, it used to be a productive farmland but now it has these sprinklers sporadically placed out but it's just a wide open field. Mrs. Lewis says, I think it's been recently sold. Mrs. Allston says, you know where I'm talking about. Mrs. Lewis says, yes, Valley Proteins. Mrs. Allston says, Valley Proteins, right.

Mr. Mann says, well, you could have a project that might be 500 acres and if they're in an area and there is brownfield acreage there, then they have to use the brownfield acreage and then work the rest of it, a certain percentage of open land and timber land. Mrs. Lewis says, well, you may want to discuss some sort of incentive that there can be less buffering around the edges or something if you do use brownfield land but I have to say that I think if you turn this into a wind and solar ordinance, it's not going to get done in any reasonable length of time and you have to remember that the moratorium ends September 10th. Mr. Mann says, well, I understand that and I guess I don't want us to set one percent to solar energy and then two years down the road, we're looking at well, wind energy want one percent, so.

Mrs. Lewis says, when you look at wind farms, I'm sure they call them wind installations, just like we call them solar installations, there are crops and grazing animals right up to the edge of the pedestal that holds the turbines. Mrs. Lewis says, well, they are usually quite impactful, that landmass that they take up is very minimal. Mr. Mann says, well, we were told that when solar started. Mrs. Lewis says, you can graze around them. She says, I've seen the animals and the crops right up to the edge. She says, when you drive through Kansas, you spend an entire day seeing wind installations with crops and animals right up to the pedestal. Mr. Turner says, even in North Carolina like down Elizabeth City, they still have tillable farmland around all those windmills. Mrs. Lewis says, that's right. Mrs. Allston says, you see them in the mountains where they have cattle and everything's open and is big. Mrs. Lewis says, yes. Mr. Turner says, I think I have to agree with Mrs. Lewis. He says, I think that's a whole different animal, and I think if we start doing that, we're never going to finish this vote of Board of Supervisors. He says, I think we just need to concentrate on solar for now and bring up wind later. Dr. Edwards says, Amen. Mrs. Allston says, focus. She says, I think we're wasting too much time trying to combine it when we just need to focus on these three pages and keep moving forward. Mr. Mann says, well, I understand where you're coming from and I just know that we're going to be faced with wind in the future and we could change it to renewable energy and take the solar out of it. Mr. Turner says, we can always do an amendment to our ordinance when that comes about, but I think we need to stay on track with this one. What the Board of Supervisors is requesting. Dr. Edwards says, if you look at the science of this, people who know, say natural gas and small compact nuclear units are what we're going to end up with. He says, this is probably going to be obsolete in a few years. He says, we have enough natural gas in this country. He says, the power of this country for fourteen hundred years, one thousand four hundred years is the estimate. He says, clean, nonpolluting. Mr. Mann says, well I would like to think you are right.

Mr. Chesson says, Mr. Chairman, can I move. He says, you asked for comments regarding this page, the Item number 6, I guess my question is, can we simplify this to just say that no property in the application is to be an Ag and Forestry district. He says, to me, the application would, from that, they would know they would need to get it all of the Ag and Forestry district. Mrs. Lewis says, for this just affects the timing. She says, this says that the one process has to be done before the second process begins. Mr. Chesson says, well, I'd say it's just semantics. My other thought, note on questions on Item 7, help me on this. He says, the State change some rules that allowed for revenue sharing in a solar project that would be identified during this siting agreement process. He says, maybe I'm mixing two together and you'll help me if I am. He says, but has the Board of Supervisors adopted the necessary ordinance that would allow the county to participate in the revenue sharing yet? Mrs. Lewis says, that would be a question for an attorney but since the state law requires it, the county has to take part in it. She says, there is in the question if anyone wants to develop solar, they have to have a discussion with the county elected officials regarding a siting agreement right. Mrs. Lewis says, the fourteen hundred dollars versus the personal property machine and tools tax. She says, that's a whole different question. That's something that the Board of Supervisors would have to adopt but the siting agreement is state law. She says, procedurally, I don't know if the county Board of Supervisors has to adopt that but that's required by state law. She says, and that is different than the revenue share. Mr. Chesson says, ok. Mrs. Lewis says, the revenue share is a taxation question.

Chairman Drake says, I'm going to share a comment. He says, I picked up this information sheet, I was at a meeting in Williamsburg back in December. He says, I had a breakout session that I got to attend on solar impact. He says, well just general questions, information but just to kind of let you know where we are at in Virginia today, in case you don't know. He says, this was updated in the third quarter of 2021 and it's entitled, "What the solar will look like in Virginia today". Chairman Drake says, well Virginia has right now at least five thousand nine hundred eight-seven megawatts of solar installed on just over sixty-seven thousand eight hundred eighty acres of land. He says, that's listed on the DEQ permanent by rule database. He says, this number does not include the thousands of additional acres installed or already approved to be installed outside the PBR process. He says, I thought this was interesting. Chairman Drake says, Virginia ranked fourth in the nation, last year, solar isolation. He says, that's hard to believe isn't it. He says, we ranked fourth for solar installation in 2020. He says, so to meet the goals of the Virginia Clean Economy Act right now is estimated that Virginia will need at least an additional one hundred thirty thousand acres of land for solar installation. He says, so it looks like with just a little over the halfway point. He says, in other words, if every locality, I'm just using an analogy, if every locality would double what they ought to have, we're going to exceed the number of required for that mandate on the Virginia Clean Economy Act. He says, so Virginia, nobody can say Virginia has been lagging behind and I guess that's why we have so much attention in our State because we all forerunner for solar installation. Dr. Edwards says, I won't say we're probably lagging behind. Chairman Drake says, we are on the front burner. Dr. Edwards says, we shouldn't be accused lagging behind. Dr. Edwards says, it's going to furnish, getting back to the basics, about six or seven or eight percent of our electricity at most. He says, that's the price we have to pay for it. Mr. Day says, say that again, what percent? Dr. Edwards says six to eight percent, that's the goal.... Mr. Day says, of green energy.

Dr. Edwards says, of our electricity. He says, a lot of it is not going to be used for us, it's going to be used for shipping off to New Jersey and wherever, you know, the capitals are. He says, and like I said, I, the way it looks, look what happened in France. He says, they shut down on nuclear stuff, they went wind. He says, their gas is almost nineteen dollars a gallon. He says, there's a lesson to learn there. Dr. Edwards says, and like I said, I think most experts in this area say, we got all the natural gas in the world and nuclear power is safe. He says, I think one of these days we're going to really be sorry, we went down this track with the solar and wind. He says, in Europe, they tried it before us and it didn't work. He says, they had wind towers all over the Mediterranean Sea, they are now taking them down. He says, every one of those towers, those windmill you see, uses eighty gallons of oil per year to lubricate. He says, if you add up the carbon footprint to make that and run that, they won't to get it back in fifty years. He says, the stuff that's going in is not carbon efficient, this is all political. Dr. Edwards says, we have to live with it. He says, I think one percent, you said the other, I'd go for zero percent, tell the truth. He says, some of these counties that go to four percent more power to them, then they can have the four percent, ok. He says, maybe that'll take the pressure off of us. He says, maybe they don't care about preserving their land and their way of life for their farmland, so.

Chairman Drake says, let's move on. He says, we could go on and on. He says, I don't want to talk in circles but anyhow, I appreciate everybody's comments. Chairman Drake says, alright, we got clarification that the project area is the entire site's being rezoned, and that will be considered into one percent.

Chairman Drake says, Mr. Mann, I'll come back to you just for clarification before we go forward. He says, do you have a proposal, are you ok, do you want to put a percentage of clear versus forestry? He says, plus, Mrs. Allston mentioned about using those brownfield area. He says, is there any way we could specify, Mrs. Lewis? He says, is that being to capricious and limiting. He says, you know, it goes back to the prime farmland in the Comprehensive Plan. Chairman Drake says, if a person comes in, the greatest developer of them, you know, he uses a high percentage of prime farmland only, I'm going to vote against it. He says, that's just my right because I don't think he's utilizing or following language that we all have in the Comp Plan. Chairman Drake says, so can we put percentages? Is that allowable? Mr. Mann says, one percent

of the land that Southampton County has to offer as it stands right now based on forestry open with brownfield being an emphasis that we won't use to perk.

Mrs. Lewis says, we know how many acres there are in Southampton County. She says, how do we come up with how many acres are forested. How many acres are crop land? How many acres are..... Chairman Drake says, residential, and everything else. Mrs. Lewis says, right. Mr. Mann says, the Department of Forestry has that information. Mrs. Lewis says, well can somebody come up with a number? Mr. Mann says, we can do that. Chairman Drake says, let's get Mrs. Lewis some number. He says, I would think the FSA would have a cropland, wouldn't they? Mr. Mann says, we can come up with it now and I imagine we can come up with the residential land but I was just looking at the fact that a cleared land and forested land and that ratio there is how we apply it to the one percent.

Mrs. Lewis says, so would you say if the land area of the County, excluding residential areas and paved areas and water areas is forty percent cleared land and sixty percent forested, then would you say of this one percent, forty percent of the one percent could be used and sixty percent of the other percent could be used. Mrs. Lewis says, we have to have something that you all can work with. Chairman Drake? Chairman Drake says, yes, I think we can use vague numbers, we can set those standards. He says, so they have the exact, I don't think they have the exact. Mrs. Lewis says, in your description at the beginning of the ordinance, you're already saying that the purpose and intent is to protect active, viable farm and forested land while permitting the installation of utility-scale solar energy projects in limited areas throughout the County. She says, you've already said that you want to protect farm and forest land. Mr. Turner says, so that's why we're keeping the conditional use permit because then that would be when you would evaluate those things that you're concerned about. Mrs. Lewis says, and as Chairman Drake says, if they come in and they use one hundred percent of the land that's now in farmland, this body has the right to make a recommendation of no and the Board of Supervisors has the recommendation not to approve it. She says, but I think when your purpose and the intent is to protect it while permitting this development in limited areas, I think you have pretty much stated what you're looking for. Chairman Drake says, it does counter-act.

Mr. Turner says, I think Mr. Randall has made a couple of comments about it. He says, if you keep it a little bit vague, it gives you more control than if you outline everything so specific. Mrs. Lewis says, right. Chairman Drake says, I agree with that. Mr. Mann says, and I agree with that, that's why I said using the same ratio of the land that we have to offer. Dr. Edwards says, you want to move with that, what exactly is it we're moving with that, what are the numbers? He says, what numbers? Chairman Drake says, do we want to put numbers on it or not put numbers on it. Mr. Mann says, you don't want to put numbers on it. He says, it's the ratio of the land that we have to offer, so you ratio the land we have to offer. He says, well part woods land, well part open land and you might want to include that the brownfield is an emphasis of what we want to see go into solar. Chairman Drake says, right, incorporate those brownfield areas. Mr. Mann says, incorporate the brownfield land. Chairman Drake says, that looks more attractive

Mr. Mann says, with the ratio and you don't put numbers on it because those numbers can change but the ratio is going to be pretty much the same. He says, I mean, I understand where you're coming from. He says, if you start putting acreage on, it's going to tie our hands but when you say that the ratio of how our land stands right now based on forest being cleared then at the time of the application, they know they've got to come in here with part of their project on woodland and part of it on cleared land with the emphasis on brownfield use. Mrs. Lewis says, so are they going to tell us the percents when they come in? Mr. Mann says, that's easy enough. He says, once again, they know they've got to come in here. He says, when they come in here, we can know that the acreage of the forested land in this County. Dr. Edwards says, what's the ratio number? Mr. Mann says, I didn't look that up before I came. He says, I made these notes now. He says, we can get that number. Mrs. Lewis says, but that's going to change tomorrow and next week. Mr. Chesson says, and that's what your consultant that's being hired to look at the application, to me, that would be an expectation of the consultant to go out and get that number, could be.

Mr. Day says, does the solar facilities have to be near a substation within what, a mile or whatever it might be? Chairman Drake says, according to what we'll writing here, we want to not have to add a lot of additional land. Mr. Day says, right, what I'm saying, the brownfield might be in the western part of the County, there might not be a substation within twenty miles of it correct? He says, so they couldn't use it anyhow. He says, am I saying that correctly? Mr. Mann says, they ran lines all over that end of the County. They ran from one pod to the next pod and they put in a substation. Mr. Day says, but they tied it into Boykins, right.

Mr. Mann says, no, they built a substation for that run. He says, and they started out saying, we're putting it close to a substation and then when the project got started, they built a substation. He says, they can do what they want to do because money is no object. He says, brownfield can be twenty miles away where they run a wire twenty miles down to where they got a substation. He says, all they got to do is acquire the right-of-way. He says, I'm just looking at the fact that we've got a certain amount of land in this County and it's not all cleared land. He says, so we're asking one industry to take the lead and so we're emphasizing brownfield and we'll just say that we want one percent of the ratio that we have tied up and cleared and forest land. Mr. Mann says, the wording may have to come back to an attorney. He says, I didn't come prepared tonight with the proper wording but the wording will have to come from an attorney, how we want do it. He says, I'd hate to tie down to X number of acres so-and-so because we won't keep it broad like Jack said, but it's just food for thought. He says, we can come up with the wordage and bring it back next month. Dr. Edwards says, I'm actually mentioning to do that. He says, let's get it finalized and get it in there. Mr. Mann says, yes, ok. Dr. Edwards says, it's a good idea, we're going to pursue it. Mr. Mann says, I second the motion.

Mr. Chesson says, let me tag, let me give a suggestion to tag Item #3. He says, we move the period and include with open and woods land ratios being considered. Mr. Mann says, which three are you talking about? Mr. Chesson says, Item #3 on district. Chairman Drake says, in the middle of the page Mr. Mann says, under district regulations? Mr. Chesson says, yes. Mrs. Allston says, would you repeat that statement. Mr. Chesson says, yes, with open and woods land ratios being considered. He says, if they have a question about what that means, then send them to the minutes of this meeting. He says, I don't know, that's just some language

Mr. Mann says, what did we refer to it earlier, forestland? He says, did we refer to it woods land earlier or the forest land? Mrs. Lewis says, in the purpose and intent, you call it farm and forested land. Mr. Chesson says, rather than woods land, but forested land. Mr. Mann says, forested land and what was the other, open land? Mrs. Lewis says, Mr. Chesson said open and woodlands. She says, the purpose and intent, says farm and forested land. She says, you can make a match or you can make them different. Mr. Mann says, I would think we would keep them matching. Mr. Chesson says, I'm thinking matching too. Mr. Mann says, ok, that might be sufficient there but I think we need to have an attorney look at it but I second the motion in the guideline.

Chairman Drake says, then we want to vote on this or do you want Mrs. Lewis to come back with wordage. Mr. Mann says, well the motion was made that we wait until next week Mrs. Lewis says, we are not doing any motions. Chairman Drake says, this is just a discussion. Mr. Mann says, I understand that, but didn't you make a motion a while ago. Dr. Edwards says, yes I did. Mr. Mann says,, that's what I'm getting at, Dr. Edwards made a motion and I seconded it. Dr. Edwards says, then we proceed with that plan. He says, take it back, bring it back, document it, take it to the next meeting and move on. Mr. Mann says, ok. Chairman Drake says, to change the statement under Number 3, is that right? Mrs. Lewis says, yes. Mr. Mann says, ok. Chairman Drake says, to the one-to-one ratio, is that what we are saying? Mr. Mann says, no, we are just saying we going to move it until next month and look at it with this idea. He says, I have seconded your motion so you won't reword it, however you want to do it.

Chairman Drake says, do we really need a motion to just go forward? He says, I mean, we're just discussing. Dr. Edwards says, no, we probably didn't. He says, I said, to move forward with that idea. Chairman Drake says, will you withdraw the motion since it's just discussion or do you want to consider going forward. Dr. Edwards says, yes. Chairman Drake says, for the record? Dr. Edwards says, yes. Chairman Drake says, go forward. Dr. Edwards says, that way it'll be on there if you move it back. Chairman Drake says, so, we have a motion and a second that we come back and review the number three item on a district regulations that we're going to rewrite it to include both wooded and forested and open land. Mrs. Lewis says, if we are going to make the language match, it would say with farm and forested land ratios being considered. Chairman Drake says, ok. Dr. Edwards says, got it. Chairman Drake says, do you understand that motion. Mrs. Lewis says, none of the other words have been made with motions just so you know. Chairman Drake says, ok. Mrs. Lewis says, now are we ready to move on to what you were going to talk about tonight. Chairman Drake says, do we need a vote on this? Mrs. Lewis says, I guess so. Dr. Edwards says, no we are going to bring it back and vote on when we come back. He says, I just made a motion to put it in place, bring it back whatever you want to bring it back. Chairman Drake says, so this motion does not require a vote, is that what we are saying? Mrs. Lewis says, if it is a motion. Dr. Edwards says, let's get it in printing, let's get it in writing. Chairman Drake says, if it is a motion second, we need to proceed. Mrs. Lewis says, yes you do need a.....
Chairman Drake says, is there any other discussion, everybody understands where we are at? Mrs. Lewis says, and is that all that you are going to just make changes on this first part of the ordinance. Mr. Mann says, I doubt it. Mrs. Lewis says, because then we are never going to get to what we're going to discuss tonight. Chairman Drake says, if we ready, we are going to vote, all in favor say Aye. Any opposed, like sign. He says, majority have it. Chairman Drake says, alright, let's go forward. He says, anything else under the general district standards, anything there that seem out of the ordinary

Chairman Drake says, the only question I have there is it mentions corporate limits of any incorporated town. He says, you've got seven towns in the county. Mrs. Lewis says, six. Chairman Drake says, six. He says, are they not all incorporated. Dr. Edwards says, no. Chairman Drake says, they are not? Mrs. Lewis says, there are six incorporated towns, there are six mayors in Southampton County. Chairman Drake says, which one is not, what little settlement is not incorporated Mr. Turner says, Sedley. Mrs. Lewis says, Drewryville. Mrs. Allston says, Drewryville is not incorporated. Chairman Drake says, Sedley is not incorporated. Mr. Turner says, Sedley is not incorporated either. Mrs. Lewis says, the incorporated towns are Boykins, Branchville, Capron, Courtland, Ivor and Newsoms. She says, everything else is not incorporated. She says, it may have a name and a place but there are six mayors. Chairman Drake says, ok, thank you.

Chairman Drake says, any other discussion on that page. He says, I'm going to call it page 2 or page 1 rather. He says, ok, let's flip over. He says, anything in the second page. He says, alright, we'll go to the third page. He says, anybody have any notes there. He says. I encourage you all to make notes when you are reading this.

Chairman Drake says, so we will move our way up to come to the meeting. He says, what I did like and I know we talked about this, under some of these provisions, you know, that the governing body, the Board of Supervisors, will still have the flexibility to modify the buffer areas which I like, Mrs. Lewis, how you put that in, so that the unusual circumstance where a house ends up being and surrounded, if it was like a horse shoe of our solar project at least they will be able to have that flexibility to maybe offer a little different of buffer. He says, but that's the way I perceive this

Chairman Drake says, is that correct, Mrs. Lewis? Mrs. Lewis says, yes, in areas where a buffer isn't required as if..... Chairman Drake says, we don't need it. He says, it could be a natural buffer that doesn't need, or the so-called back forty, nobody can see it anyway. Mrs. Lewis says, it could a creek or a stream or river. Chairman Drake says, correct. Mrs. Lewis says, or Southampton Parkway. She says, you don't need to buffer the people on the other side of Southampton Parkway.

Chairman Drake says, on the bottom, I'm going to call it page three, the landscaping, it's next to the last paragraph, the first word is, if the landscape is proposed. He says, the last statement if vegetation is to be installed, wait a minute, that's not where….. He says, no, I got that wrong. He says, ok, I'm sorry.

Chairman Drake says, they're going to maintain the vegetation for three years. He says, well the Newsoms project, we are still having trouble with some of the trees surviving and what effect they are going to have, I don't know why some of these established trees, Mr. Turner, why they can't get them to take root, but are we saying that after three years they can abandon that task of getting those trees to take root and grow? Mrs. Lewis says, no. Dr. Edwards says, what do you say, Mr. Turner. Mr. Turner says, just because of the maintenance part of it, they are just not maintaining them like fertilization schedules and all of that kind of stuff. Chairman Drake says, ok. Mrs. Lewis says, once a site plan is approved, it is in effect until the property changes use, so.

Mr. Turner says, one quick question. He says, I know in the city if you apply for a business license and you would get a site plan they have to maintain that landscape plan as long as the business is occupied. Mrs. Lewis says, that's correct. Mr. Turner says, so, who is going to enforce that. He says, is it our building officials going to be able to go to these sites to enforce if the vegetation is dead? Mrs. Lewis says, that would be me, yes. Mr. Turner says, and they all get replaced? rs. Lewis says, yes. Chairman Drake says, but they are being replanted, the ones that are, they come back and replant it but for some reason we haven't got them all going yet. Mrs. Lewis says, right.

Mr. Day says, what is the term that we were talking about with the plantings? He says, is it certified plants? Mr. Turner says, certified nursery stock, so basically it's a nursery they get it from and it goes through inspections. Mr. Mann says, I don't see that in here. Mrs. Lewis says, that's in this section that we are going to talk about tonight. Chairman Drake says, it is.

Mr. Turner says, what I think you were commenting about was the three years of installation, basically if the Board of Supervisors deems it they need a buffer because of a house, house of worship whatever the list is sending prior application on a paragraph and it has to be of that height within a three year period. He says, so they can't put like a little shrub like this and in three years is only going to be four feet. He says, they're going to have to put a bigger nursery stock in so it gets mature faster. Mrs. Lewis says, that's what this paragraph says, it says, it has to achieve the required screening effects within three years. Mr. Mann says, so they got to put something ten foot tall. Mrs. Lewis says, they have to put something that grows quickly, yes, then intersperse it. She says, Norfolk Pines, they grow quickly but they only live ten to fifteen years. She says, so when you plant them you have to intersperse them with something that grows more slowly but that is going to still be alive after the Norfolk Island Pines no longer are alive. She says, but they have to achieve their screening purposes within three years. Mr. Mann says, that's not happening either because they started out very small. Mrs. Lewis says, and the County didn't have any landscape regulations at that time. Mr. Mann says, I understand. He says, I'm not griping with you, I'm just saying they put smallest thing out there that cost the least amount of money. Mrs. Lewis says, right. Mr. Mann says, they didn't obviously care about the screening. Mrs. Lewis says, and when they built that installation in Newsoms, they didn't have to plant anything except grass to cover the ground. Mr. Mann says, that's why I like my berm. Mr. Chesson says, I'm with you on the berm. Chairman Drake says, we've got berm in here, I saw it, that's a possibility for it. Mr. Mann says, that's why I like my berm, you put grass on that, you get the screening, anyhow.

Chairman Drake says, are there any other concerns about where we are at so far. Chairman Drake recognizes Mr. Chesson. Mr. Chesson says, I know you all are going to throw shoes at me and I know we've already been by the page that I was afraid to say something but I feel like I need to. Chairman Drake says, what page was that, Mr. Chesson? Mr. Chesson says, back on the previous page. Chairman Drake says, ok. Mr. Chesson says, number 2, nobody had any comment on. Chairman Drake says, ok. Mr.

Chesson says, in the buffer area, the last sentence of that first paragraph, it says any combination of landscape and fencing berms, natural areas may be used to satisfy this standard which shall screen the project from view from the exterior product. He says, the natural areas, I guess as long as everybody understands the natural area of the buffer that everybody seems to be in favor of is not favorable for the solar panels because the trees grow higher than what they would want to be for. Chairman Drake says, I agree. Mr. Chesson says so the natural, and the way we think about it is, yeah, yeah, but the companies that are managing those solar panels are not going to let the tress that shade grow up so.... Chairman Drake says, it's taking up more land. Mr. Chesson says, so it's not going to be natural the way we think natural is and I just want everybody to understand that. Mr. Mann says, I thought the project on the Low Ground Road did have a natural buffer. He says, are going to leave the timber in the buffered area. Mr. Day says, they cut it down and now it's planted back.

Mrs. Lewis says the section of worksheet that I am working on now I think, because it all kind of runs together, the last couple of pages talks about the areas that are natural vegetation. She says, first the landscape professional has to certify that it is in healthy shape and that it's going to stay and if it doesn't do the screening job year round, then it has to be supplemented with something that is of size and type that is going to provide that screening year round. She says, so a lot of the natural area is already deciduous so they are bare in the Fall and Winter. She says and if it abuts a place of worship or school or house, that buffer has to be supplemented with something that's going to provide that screening year round. Chairman Drake says, ok.

Mr. Chesson says, and the other thing I had was the fact that we've got planting season and I understand that it's best to plant trees and things in the Fall but I also understand that if you plant something in the springtime and keep it watered, it will also live. Chairman Drake says, true. He says, are you suggesting limiting? Mr. Chesson says, I don't know, I'm just throwing that out there because that's going to be a screen that I think a potential developer is going to hide behind to kind of say, hey, the planting season is not right. Chairman Drake says, ok. Mrs. Lewis says, most of the year is planting season. She says, some localities say you can't plant anything in June, July and August that's a required landscape feature but, you know, nine months out of the year, Mr. Turner, you can plant stuff. Mr. Turner says, yes.

Mrs. Lewis says, you can plant in June, July and August if you are going to water enough but... Mr. Turners says, these big scale projects, I just don't see them being able to water or make it happen enough, I think, I mean you see what is happening in Newsoms, fertilization and watering and pruning , that's just not happening so. He says, if you take out that where they have to plant in the summertime, they are just going to have to replant it again, it's all going to die. Mr. Chesson says, that's not our concern. He says, we want the buffer, they need to figure out how to get the buffer, shouldn't be our concern. Mr. Mann says, DMME, which has been changed to Virginia Department of Energy, they have some verbiage in some of their stuff pertaining to planting. He says, I don't know whether that would be helpful in this or not and I've never looked at it that much but they do pertain to planting. Mr. Chesson says, well anyway, we can move on. Chairman Drake says, we will keep the worksheet as presented.

Mr. Chesson says, the other thing, middle of the page, Item F, the last five words, viewshed provided by the buffer, that's just my opinion, the shed, what's that mean? Mrs. Lewis says, viewshed should be one word. She says, it's a word that means what you can see. Mr. Chesson says, ok, thank you.

Chairman Drake says, ok, any other comments on what we have already talked about? He says, so it seems the big question was up in the front about the land masses being equated. He says, the other, Mrs. Lewis, seems to be. Chairman Drake says, ok, alright. Mrs. Lewis says, ok. Chairman Drake says, I don't see any need in re-writing this but we will start the next meeting with that discussion. He says, we will see how you write it up.

Mrs. Lewis says, so next meeting, you are going to look at Section 1 again and Section 2 again and new Section 3, right? Chairman Drake says, I'm going to say, right, yes. He says, we need to get on with it, yes. Mrs. Lewis says, thank Heavens there are no public hearings next month.

Chairman Drake says, good, appreciate you arranging that. He says, alright, anything else on solar. Mrs. Lewis says, now you have Section 2 to look at. She says, the worksheet I sent you at the beginning of, before Christmas, pages four through six. Mrs. Lewis says, this talks about more landscaping and it talked about the surety of fifty percent and then it's reduced to forty percent and then gets reduced to thirty percent then down to fifteen percent. She says, the question was, do you want the Board to be able to reduce or alter the landscape requirements based on the specifics of the site. She says, it seems logical and it may give the Board more latitude to reduce landscaping in an area where it isn't needed and increase it elsewhere. She says, and at your December meeting, the Commission decided a flat fifty thousand dollar ($50,000) landscape bond was preferred. She says, the landscape professional should be required to submit the findings to the County and to provide a schedule to fix any problems found in a reasonable length of time prior to the end of the next planting session. Mrs. Lewis says, anything else. She says, and that fifty thousand dollar bond would be forever, as long as the project's there. She says, and if gets used, it has to get refilled. Chairman Drake says, right. Mrs. Lewis says, and that would be for landscaping, screening if a neighbor experiences glare, which is improbable because the purpose of the panels is not to create glare but to retain all that light, but that fifty thousand dollars would be available for use as needed and then refilled. Chairman Drake says, any discussion on that? He says, I think we are good there.

Mrs. Lewis says, the next one talked about fencing. She says, this is from the Caroline County ordinance. She says, fencing shall not exceed a height of eight feet top by three strands of razor wire or otherwise as required by the National Electric Code. She says, perhaps the fencing requirement should just refer to the National Electric Code that's the most up-to-date rather than saying eight feet and three strands razor wire, they might change over the years so then the Counties would have to go back and change to meet the National Electric Code. She says, if you just say that you have to meet the National Electric Code that seems to be the cleanest way to do it, to me. Chairman Drake says, and that will always be some type of chain link fence, would you say? Mrs. Lewis says, yes chain link fence. Chairman Drake says, I think the fence became a big issue because the Eastern Shore project in the very beginning was, what my knowledge was, was a wire fence and that's why we had a big to do with the fence, but long as it is chain link and that code will take care of, I think its fine. Mrs. Lewis says, the code will require a fence with razor wire. Chairman Drake says, I think that's fine. Mr. Mann says, what do they require now, eight foot with razor wire? Mrs. Lewis says, yes, the County code today requires seven feet with razor wire and doesn't tell how many strands of razor wire but the National Electric Code today says eight feet and three strands. Mr. Mann says, ok.

Mrs. Lewis says, and the next one is grading. She says, this says that you have to meet, this talks about exceeding the fifteen percent slopes and all site development shall be performed in phases so that not more than fifty percent of the land disturbance area reflected on a site plan shall be disturbed without stabilization at any time. She says, site specific plans shall be prepared, approved that may limit or phase the amount of disturbed area and for purposes of erosion and sediment control, stabilization shall mean the application of seed and straw. Mrs. Lewis says, and the applicant shall be responsible for any costs incurred by the County. She says the County has erosion and sediment control ordinances so that perhaps should be included as well as the Virginia Erosion and Sediment Control handbook because Counties can be more strict than the handbook, but they cannot be less strict. Mrs. Lewis says, and if a forested area is to be developed, it might not be economically practical to clear in phases. She says, so those are two things you may want to consider.

Mr. Day says, when you start pushing stumps in timberland, you're going to run into the Corp of Engineers issues there with getting into wetlands and the stumps. He says, I'm not sure how much of that can be done. He says, that will be an interesting topic, I guess, down the road. He says, that's why I'm assuming

they were doing it in open fields because there are no regulations with pushing stumps with the Corp. Chairman Drake says, well it's, if they are going to develop forest land, it's going to have to be high elevation lands. He says, and I don't see them going, I don't see what happened in the Boykins area, happening again. He says, that was unusual, that was very unusual what they did up there, if course, what they are telling me is DEQ has control over everybody and they allowed it to happen up there. Mrs. Lewis says, and they never entered that site one time.

Chairman Drake says, really. He says, they really turned that around, that's crazy. He says, but anyway, Mrs. Lewis, personally, I agree that we should incorporate, if this County has anything in addition, I would say that would be in addition to the State code and so far as the, if there is a forest area as much as I hate that might happen, I do see where, and Mr. Day, I want you to comment, is they going to clear up a portion of high land where it's got stumps on it, it's probably more practical to do the entire site instead of doing in phases, would you agree? Mr. Day says, sure. Chairman Drake says, from a standpoint of construction, like I say, I don't endorse it but I reckon it would be more practical to go in and finish that process. He says, so I would say to allow that, to not have to be done in phases for the forested area. Mr. Day says, well can we look at the timber aspect on timber land. He says, is going through the Department of Forestry the best management practices. Chairman Drake says, I think that's good, we'll use their guidelines, yes. Mrs. Lewis says, and this does require that even if you do it much earlier than you need it, you need to stabilize it with seed and straw. Chairman Drake says, do I hear additional comments, Mrs. Allston, anybody? Mrs. Allston says, I'm good with that.

Mr. Mann says, and I agree with that. He says, I just want to point out that with the titanium mines that were up there the other side of Emporia, they stopped for nothing. He says, they went right on through wetlands, they went right across highways, there was no boundaries whatsoever, saying they got the blessing of the state government. He says, so when it comes to the solar, they may get the very blessings of the state government, DEQ didn't even go out there to Newsoms. He says, so we say what people can't do unless the government wants them to do it, then they can do it. He says, but I agree that they are perfect but if they get into woodlands and its wetlands, I guarantee you they will pull enough political strings and get it done. He says, and the titanium people, of course, they're bankrupt but they still did it. Mr. Mann says, I had a guy from DMME, I asked that question too and he said that's not in my district and I'm not going to answer that question.

Chairman Drake says, alright, we will proceed with number three. Mrs. Lewis says, ok, signage just says, one sign at each side entrance that provides information. She says, and I believe Southampton Solar has signs along the entirety of the fence with a contact number. She says, so you might want to include that. Mrs. Lewis says, I think the discussion was at the time, if a dog or a deer gets over the fence or under the fence, you he want to see pretty quickly who to call to be able to get in there, get somebody in there, rather than go and find and entrance and whatever. Mr. Mann says, on a case like this, the sheriff's office has the contact numbers for a facility like that, wouldn't it. Mrs. Lewis says, I don't know. She says, if your dog's on the inside and you call the Sheriff's office, who calls the whoever, if there was just, you know, some five foot signs around the outside of the fence, that doesn't seem to impose on anybody but provides information that's needed readily. Mr. Mann says, I understand, I agree with that. Chairman Drake says, I agree too.

Mrs. Lewis says, ok, on height. She says, the Caroline County ordinance says, "shall not exceed fifteen feet in height when oriented at maximum tilt". She says, Southampton Solar has a height limit of eighteen feet because the panels they used were that tall when they are perfectly vertical. Mrs. Lewis says, you might want to say eighteen feet. Mr. Mann says, ok. Chairman Drake says, and I guess, I'm trying, I guess, it's three foot, just bringing a little continuity between what we have and you know.... Mr. Mann says, I'm just thinking, we are talking about the panels getting smaller and we already have them on ships. He says, I'd hate to see a little bitty panel put up to eighteen feet tall just because there are trees around them buffering them and they say we would get more sunlight. Mrs. Lewis says, well the only time that it's eighteen feet tall is perfectly perpendicular. She says, the legs aren't that tall, it's the time of the day that

switches from that way to facing this way. Mr. Mann says, that is with your present technology, right? Mrs. Lewis says, that's right. Mr. Day says, but it can't be any taller than that. Chairman Drake says, that's right that would be the maximum. Mrs. Lewis says, that's right, at any point of the day.

Mrs. Lewis says, number five at the bottom of the page says, site access shall be designed to mitigate site visibility from the public road, and the question is, what do you want to accomplish? Do you want to say the panels can't run parallel to an abutting right-of-way? She says, depending on the location of the road, there might not be possible, the buffer should accomplish the screen, so maybe this needs to be removed. She says, seems maybe we want to limit visibility from homes, schools, churches, state scenic rivers more so that roadways because roadways will have some buffering. Mrs. Lewis says, at the December meeting, the Commission decided on a one hundred foot buffer along property lines of schools, churches and residences, not residential zoning as it is now. She says, do you want a one hundred feet along public rights of way and state scenic like rivers as well. Mrs. Lewis says, you have to remember the greater the buffer is, the more land is necessary to accomplish the megawatts, but if buffers can narrow in places where it isn't necessary, then maybe the extra buffer which won't impact the project. She says, if you think of a balloon, you squeeze a balloon, it gets bigger here and gets smaller there. She says, so that may be what you do with buffers that can vary in width. She says, you don't take up more land area altogether. She says, you just take up more land area and buffer in this place and a little less land area here. Mrs. Lewis says, but that sentence from the Caroline County ordinance that says site access shall be designed to mitigate site visibility from the public road, I'm not sure what that means. If it's well buffered. Whether you see a row of solar panels this way or you see a number of the ends or rows of solar panels running perpendicular to the road, I don't know that that changes its impact on you very much when you're driving by. Mrs. Lewis says, so do you want to add the 100 foot buffer along public rights-of-way in state scenic rivers as well as churches, schools and residences? Mrs. Allston says, yes. Mrs. Lewis says, ok. Mr. Day says, yes. Mrs. Lewis says, ok. Mr. Turner says, I would agree because none of that land is going to be counted as the one percent. Mrs. Lewis says, right.
Mr. Mann says, if it's not a solar panel, is it still included in that one percent. Mrs. Lewis says, that's correct.

Mr. Chesson says, but to build a berm, you can do it fifty feet, is that right Mr. Mann? Mr. Mann says, well berm was on my mind but I was scared to bring it up. He says, anyway, I like the idea of keeping one hundred feet along the road. He says, you can do a conditional use permit and if somebody brings up, they just don't like it. He says, I would like for somewhere in this ordinance allow the governing body to have the authority to require a berm when it's necessary. Mrs. Lewis says, right. Mr. Mann says, in a conditional use permit.... Chairman Drake says, and I think we have that.

Mrs. Lewis says, correct and if you think of you're driving along the road and the road is at this elevation and the land, the abutting land is five or eight feet above that..... Chairman Drake says, you might not need, you might not notice it. Mrs. Lewis says, it's the other way around. Mr. Mann says, yeah, the berm would cover the block. Mrs. Lewis says, right. Mr. Mann says, I understand around Drewryville and Capron, my ears would pop up by it. Mrs. Lewis says, right. Mr. Mann says, It might call elevation and might be twenty five feet.

Mrs. Lewis says, that's what this ordinance does is give this body the authority to look at it and flip over them and the Board of Supervisors to have a look over them as well to make it appropriate for the site and the surrounding area. Mr. Mann says, I just wanted to be sure that a governing body realizes they have berm as a tool and I guess it just sticks out in my mind because of a gravel pit in Suffolk and I brought this out. He says, it amazed me how well they hid that facility and you didn't even know it was there. He says, out of sight, out of mind. He says, you get less complaints from people that don't see what you are doing. Mr. Mann says, same thing with solar, I would think they would certainly be encouraged, the less the guy driving by sees what I'm doing, the better off with it. Mrs. Lewis says, right. Dr. Edwards says, but it has to come through here so you can make those comments, when it comes through here. Mr. Mann says, I understand that. Dr. Edwards says, pay attention to A,B,C, whatever. Mr. Mann says, I'm not going to live

forever, so somewhere at the front of this, put in bold print some of the tools that are available. Dr. Edwards says, give it some notice then will you. Mr. Mann says, yeah, I try to. Chairman Drake says, alright.

Mrs. Lewis says, number six is about security lighting. She says, the maximum height of any light structure shall not exceed twenty feet along the exterior or within the approved buffer area and thirty-five feet in the interior and motion sensitive lighting shall be used to the maximum extent possible. She says, and except for entrances all lighting shall be internal to the facility. Mrs. Lewis says, do you want any changes to that? She says, that seems logical. Chairman Drake says, yeah, that's good. He says, any questions? He says, alright we will proceed, number seven.

Mrs. Lewis says, number seven is new or relocate on-site electrical interconnection shall be installed underground unless otherwise approved by the Board of Supervisors, and so the question is if the Board wishes to permit the above ground power lines. She says, it's unlikely, just be outlined in a site plan and not require a special conditional use permit? She says, it seems to because they're already getting a conditional use permit for the solar installation as a whole. Mrs. Lewis says, so that could just be one of the conditions that is part of the conditional use permit. Mr. Mann says, some above ground. Chairman Drake says, I agree and the underground is, do we have language for the schematics to be outlined where there is underground wiring is located. Mrs. Lewis says, the National Electric Code requires that. Chairman Drake says, so the County will have that on file? He says, very good, I'm good with that. He says, any other questions. Mr. Mann says, yeah, I'm sitting here thinking that so, thirty years down the road we turn to that, we can pull out the schematic. Chairman Drake says, very good. Mrs. Lewis says, their plans were, I don't know, several inches thick, their construction plans. Chairman Drake says, yes.

Mrs. Lewis says, number eight, the project shall not exceed the noise limitations throughout Southampton County at the exterior boundary of the property during construction noise shall be minimized using acceptable industry practices for backup alarms that do not emit traditional warning sounds.

Mrs. Lewis says, hours of operation, post driving and other construction shall be limited to sunrise to sunset Monday through Saturday. She says, with Southampton Solar, they said they wouldn't start before one 'o clock on Sunday rather than just Monday through Saturday. Mrs. Lewis says, so what do you want to do? Chairman Drake says, any discussion on the Sunday operation right now being.... Mrs. Allston says, one o'clock on Sunday. Chairman Drake says, being none. Mrs. Lewis says, the Caroline County ordinance doesn't permit it on Sunday at all. She says, Southampton Solar request included working on Sundays after one. Chairman Drake says, well I'm going to suggest to just leave it Monday through Saturday. Mr. Day says, I agree. Chairman Drake says, if the Board, if the governing body thinks it's necessary, we will let them decide if they need to make allowance but we will say Monday through Saturday. Mr. Mann says, we have stuff that comes through here, we limit them six days a week. Chairman Drake says, I agree, ok.

Mrs. Lewis says, ok, number nine says all solar collection devices shall be located to avoid direct and glare or reflection onto adjacent properties. She says, but if a surety bond is required for landscaping, it could be used should glare arise, if you choose. Mrs. Lewis says, so do you want to leave the language of number nine as it is and just know that there is a way to fix it? Chairman Drake, says, yea, I think that's good.

Mrs. Lewis says, number ten, the development area should not include any area now identified as 100-year floodplain except as minimally necessary for service access roads, provided the improvements are permitted in accordance with the Southampton Code. She says, and that needs to say Article 14, the floodplain district of the Southampton County code that was adopted by the Board of Supervisors several years age and it mirrors the state code and it's very specific as to what can go in a floodplain. Chairman Drake says, everybody good with number ten, ok. Mr. Mann says, so we are going to add that article? Mrs. Lewis says, yes. Mr. Mann says, ok.

Mrs. Lewis says, the development area should not include any land that's part of a Voluntary Ag district. She says, do you want to be able to do it? She says, do you want them to be two separate requests or one request? She says, do you want to have to finish withdrawing it from a Voluntary Ag district before they submit their request? She says, the risk is that the property could be withdrawn from a voluntary Ag district and the solar installation request denied, then they would have to reapply to put it back into an Ag District. Chairman Drake says, you know what I'm going to say. Mr. Turner says, I think that's another tool we can use, you have to finish the Ag district process before you submit for the solar installation. Chairman Drake says, well, is that your recommendation. He says, I'm just curious, you know, at your office that that's the intention. He says, that's the reason, right? He says, there will have to be a reason for withdrawing, so we would know at that point. Mrs. Lewis says, that's right. Mr. Mann says, or we could say, if an application comes to withdrawal, can we say, we'd allow you to withdraw or you cannot put this into solar or whatever, I don't know. Mrs. Lewis says, but the application to withdraw from a Voluntary Ag district requires that you state why you're doing it. Mr. Mann says, ok. Chairman Drake says, plus there is a fee involved. Mrs. Lewis says, there's $500. Chairman Drake says, well I'm in favor of two-step process, but what do y'all think. Mr. Turner says, yeah, I think that's another tool we can use to limit. Mrs. Lewis says, it's like an early warning system between that and the siting agreement because the siting agreements have to have a public hearing before the Board of Supervisors before they can submit an application for the solar installation so the siting agreement is all out in the open before they even submit an application. Chairman Drake says, are you ok with that? Mr. Mann says, I'm ok with that. Chairman Drake says, two step, everybody good with that? Chairman Drake says, alright.

Mrs. Lewis says, ok, number twelve. She says, number twelve just says, you have to follow the National Electric Code, there isn't any reason to make any changes to that.

Mrs. Lewis says, number thirteen says, from the Caroline County ordinance, no major solar energy project shall be located within one mile of another major solar energy project, as measured at the nearest exterior boundary of each project. She says, at your December meeting, you decided to do away with that because when this one thousand acres solar project on it, that excludes the rights of everybody within a mile from even applying. She says, so do you want to do that. Mr. Mann says, now I was in a conversation with Greenville County, apparently they've put distances between their facilities, am I correct on that? He says, I just know that the man I was talking to brought it up and what hit my mind was if we don't put some type of distance between it, we could end up with all the solar facilities on our end of the County because they've already got the substation there and they go, shoot, it's better for us to put it all on one end. Mrs. Lewis says, whether they're spread out or close together, it's still one percent, but that might not be the feeling this evening. Mr. Mann says, well, we do that with rural residential, don't we? Mrs. Lewis says, that they have so many feet apart? Mr. Mann says, no, the fact that we limit the amount on each farm that can go to rural residential. Mrs. Lewis says, I don't know that applies on that.

Mr. Mann says, it just hit my mind that we could end up with every bit of it on one end of the County. He says, I noticed it was one hundred megawatts. He says, I like the idea of putting some distance in it. Chairman Drake says, that's the maximum, correct, one hundred megawatt site is the maximum for that project. Chairman Drake says, and then Mrs. Lewis, it kind of gets to if the project is hard to put a parameter on the project, if you don't put a distance because you can actually connect those parts together, I see it both ways. Mrs. Lewis says, right. Chairman Drake says, I also agree but if somebody, if a landowner wants to participate, it's kind of putting him, if he's within that one mile of that, I'm going to say the Newsoms project, the Boykins project, it eliminates him from even participating in a plan so I don't know how to address that, trying to be fair to everybody. Mrs. Lewis says, it's right across the street from each other. She says, then are you meeting the spirit of the ordinance that you don't want more than a hundred megawatts in one place. Chairman Drake says, so that's another philosophical question, but I also agree.

Chairman Drake says, I know that we don't have lodging in the County or the City but most of them stay in Roanoke Rapids and Emporia, it's so many facts, or so many points of interest come before us, a lot of it

in the end doesn't really facilitate, I really didn't, but any way, that's another point, we keep on going. Mr. Mann says so we are going to require that emphasis be put on US made products. Mrs. Lewis says, yes, during the conditional use permit process.

So that was twelve, was that right? Mrs. Lewis says, yes. Chairman Drake says, that's twelve. Mr. Mann says, so that gets us down to thirteen again about the one mile. Chairman Drake says, yeah. Mr. Mann says, we backed off from there. Chairman Drake says, I guess. r. Mann says, I'm excited about my forty megawatts.

Mr. Day says, Mecklenberg County just turned down one Monday morning because it was closer than their two miles, it was 1.7 miles and their restriction was two miles apart and this was a massive five hundred, six hundred acre and they just turned it down because of that. He says, that was one of the reasons. Mr. Mann says, well there was discussion last month about doing away with it. He says, there was no discussion about increasing it from one mile to two mile. Chairman Drake says, yeah. He says, I think I said ten miles away from it. Mrs. Lewis says, you also said you want zero more, so. Chairman Drake says, I did. He says, well I just gave my opinion, I know I shouldn't do that.

Mr. Mann says, well, I'm back. We've got other counties that have got to miles. He says, I'm not sure what Greensville County's is but I wasn't even picking the guy, he just brought it up that they had put a mileage thing on it and I was listening on the phone, didn't ask. Mr. Mann says, are you aware, Mrs. Lewis? Mrs. Lewis says, no. Mr. Mann says, I didn't know whether that was a standard because I think y'all had said anywhere from 1,2,3 and 4 percent of what other Counties was doing. Chairman Drake says, some.... Mr. Mann says, there's no consensus. Chairman Drake says, it seems like somebody had done up to four. He says, I don't know where that came from, somebody has done up to 4%. r. Mann says, well I guess there is no consensus on, like the mileage between projects within the Counties in Virginia. Chairman Drake says, I'm not sure. Dr. Edwards says, what's your question? Mr. Mann says, pardon me. Dr. Edwards says, what's your question?

Mr. Mann says, my question is, is it any consensus on what other counties are doing, keeping it a mile between projects, two miles or five miles or six miles. He says, is there some type of thing we can hang our hat on just like we did the 1, 2, 3 and 4%. Dr. Edwards says, I don't know if we need to hang our hat on everything everybody else does. He says, let's do our own and see what happens. Mr. Mann says, and I understand that. He says, I understand but I think Jack brought up the point about let's not open up the legal door so.... Dr. Edwards says, well if it opens up a legal thing, then we can change it. He says, I don't think we need to be afraid, unless we do something really stupid by a legal situation as long as we're not really arbitrary and capricious about what we put down there, if it's reasonable we back it up with this so it could be hard to get around.

Mrs. Lewis says, and the next page after number fifteen says, the Board of Supervisors may amend the provisions of these sections provided the Board finds that the amended provisions protect the public health, safety and general welfare. She says, all of these things are discussion items. Mr. Mann says, I understand that but I sat here and watched this project get approved and watch this Board never ask a question. He says, so if we don't put it in the ordinance, the next Board, ten years down the road may just sit here and say nothing. Mrs. Lewis says, ok, do you all want to pick a number? She says, do you want it to be a mile, do you want it to be more? Mr. Mann says, how far, seriously how far is it from one end of the County to the other? Mrs. Lewis says, I don't know. Mr. Mann says, well I guess I'm just saying I was looking at two or three miles, and I didn't want to be, I'm just, was looking for the.... Dr. Edwards says, put it in furlongs if you want to. Mr. Mann says, put it in what? Dr. Edwards says, furlongs.

Mrs. Lewis says, there's a difference in how long it takes to drive from one end of the County and how many miles it is. Mr. Mann says, well, I'm saying air miles. He says, I'm thinking air miles. He says, I'd say let's put two or three miles in there and the next meeting, I'll know how many air miles it is from one end of the

County to the other, from whatever to whatever, the narrowest point to the longest point. He says, but when we say miles, we're talking about air miles, correct? Mrs. Lewis says, yes. Mr. Mann says, I certainly wouldn't delete it. Mrs. Lewis says, what number do you want to put in there? Mr. Mann says, three miles. He says, if that's too much we will go to two. He says, and I'm throwing a number out there. Mrs. Allston says, three miles sounds good. Chairman Drake says, it's going to be close to a substation one way or another. He says, it's going to be relatively close so they can attach on to something. Mr. Mann says, I see them in Carolina. Chairman Drake says, well, it's the smaller one can go on a smaller line but the bigger ones are going to have to be on a main transmission line, I think.

Mr. Day says, don't we have ten substations in Southampton County? He says, I believe it's ten. Mrs. Lewis says, that's a question that's hard to get out of Dominion. Mr. Mann says, yeah. He says, we allow them. He says, we got one hundred megawatt system out there, that's what they put in the last time, right? Mrs. Lewis says, yes. Mr. Mann says, ok. He says, well they built the substation.

Mrs. Lewis says, Southampton County is served by six facilities, so you want to say three miles? Chairman Drake says, give three miles tonight and we'll need to review that next meeting. Chairman Drake says, let's go ahead and say the three. He says, I'm getting a lot of knowledge on that.

Mrs. Lewis says, ok. She says, our fire and rescue department shall get emergency response training prior to the commencement of commercial operation and now we're fifteen as a community meeting. She says, do you want to keep the requirement for our community meeting and do you want to say that it can take place no more than six months prior to the submittal of the application? She says, now there's no time period, so they could have a meeting and they might not submit their application for two, three, four, five years and the property's changed hands. Chairman Drake says, I like six months. Mrs. Lewis says, ok. Mr. Mann says, I agree with that. Chairman Drake says, and Mrs. Lewis, how is that meeting announced? He says, do the adjoining property owners get a notice? Mrs. Lewis says, everybody that owns property within one mile. Chairman Drake says, one mile, ok. rs. Lewis says, the small one on Flaggy Run Road, that was only forty acres but there were three hundred property owners within one mile and they all had to get a notice in the mail. Mr. Mann says, who pays for that? Mrs. Lewis says, they do all of that. She says they set up the meeting, it outlines exactly what has to be submitted to the County. Chairman Drake says, they've got plenty of money. Chairman Drake says, let's go to six months. Mrs. Lewis says, ok. Mr. Mann says, now how soon after that, so what you are saying, they've got to present an application within six months. Chairman Drake says, correct. He says, this is an important meeting.

Mr. Mann says, now once they get a positive response from the Board of Supervisors or the governing body, how long do they have before they have to start? Mrs. Lewis says, conditional use permit in today's ordinance requires that you do something within twelve months. She says, that could be surveying, that could be soil borings, but you have to do something within twelve months to keep any conditional use permit alive. Mr. Mann says, I agree because if they start doing surveying, the people in there would know that because they go all the way in everybody's property like they want to. Mrs. Lewis says, by the time they get to that point, they've already had both the community meetings and the required public hearings. Mr. Mann says, I understand.

Mrs. Lewis says, the middle of the page says that the Board of Supervisors may amend the provision and that question is, this is generally part of the conditional use process. She says, the Board of Supervisors can't reduce the requirements found in the zoning ordinance, but there is some give-and-take. She says, is that what you would like to continue to do? She says, that is the purpose of a conditional use permit. Mrs. Lewis says, for some discussion that takes place based on the property itself and what's around it. She says, I think this Board has decided that they don't want to be so prescriptive that your ordinance is one hundred twenty pages long and there's no room for any discussion because you might be presented with a wonderful project but if it doesn't meet the one hundred twenty page ordinance, you can't say yes, and you might be presented with a terrible project that does meet all the requirements and then you can't

say no. She says, so, you want some discussion room. Mrs. Lewis says, do you want to continue that? Chairman Drake says, any comment? Mr. Day says, I agree. Chairman Drake says, yeah, I think so, I think so.

Mrs. Lewis says, then we go to decommissioning which is the nut that nobody seems to be able to crack. She says, from the Caroline County ordinance says 1A through E, agricultural ready condition means the property is ready for agriculture or silviculture use at the beginning of the next growing cycle and any changes to the ownership of the property shall require an updated plan and surety reflecting the same. Mrs. Lewis says, my question is, how do you want to ensure the County's apprised of a change of ownership? She says, do you want an annual report? Chairman Drake says, now this is the ownership of the..... Mrs. Lewis says, project. Chairman Drake says, leasing the project, correct? Mr. Day says, can't you do it like an additional insured every time or something. He says, if your insurance lapses, you're notified. He says, can you do it something similar to that?

Mrs. Lewis says, that would be a question for Mr. Railey but that's certainly a consideration. Mr. Mann says, but this is under decommissioning. Mrs. Lewis says, right. Chairman Drake says, that would be the easiest way, I think. Mr. Day says, let's go with additional insured. Mr. Turner says, so they would have to produce a certificate of insurance every year to the County. Mr. Day says, and if they ever drop their insurance, the County would be..... Chairman Drake says, that would be a red flag. Mr. Day says, yeah. Mr. Mann says, insurance for decommissioning. Mr. Day says, it would be similar to that. He says, I'm not saying that at it would be insurance but it would be similar to that. Mr. Mann says, you are not talking about a bond. Mr. Day says, no. Mr. Mann says, bond insurance. He says, but if the facility is sold prior to decommissioning, it gets up running in five years down the road, say Dominion wants to get out of this one and then sell it to another electric company. He says, are we notified of that? Mrs. Lewis says, I don't know. Chairman Drake says, we didn't have any guidelines, we don't know.

Mr. Mann says, ok, do we have any annual inspections at all with the facility we have now? Mrs. Lewis says, we don't have any annual inspections now. r. Mann so is this ordinance have anything built into it as an annual inspection? Mrs. Lewis says, a physical inspection of the site? Mr. Mann says, yeah. Mrs. Lewis says, no. Chairman Drake says, well, I'm going to ask something precarious. He says, I don't mean to be funny, please don't take it the wrong way but do we actually know it's in operation? He says, do we really know it's in operation? Mrs. Lewis says, are you asking if I know? She says, I do not know. Chairman Drake says, does the County know, not you? Mrs. Lewis says, I do not know who in the County would know, I do not know. Mr. Mann says, I agree with you. Chairman Drake says, we can't look at it and tell. Mrs. Lewis says, that's correct.

Chairman Drake says, it don't know either, I don't know. He says, it looks like it is but I don't know. Chairman Drake says, and Mrs. Lewis the reason I asked that is because we say if it's not in operation for a twelve month period and they can't give a reason for update by getting it back online, they have to start decommissioning process, but how do you know? He says, if they keep cutting the grass, maintaining the nursery stock. He says, how do we know it's actually producing energy? Mr. Day says, well, do the landowners get paid whether it's running or not? He says, because if they're not running, the landowner doesn't get paid, then somebody would be raising cane right now. Chairman Drake says, I agree, but I don't know. He says, I can't answer that either, but you're right. He says, but there is so much money in this, they get paid five years before they even start a project, it's crazy. He says, and since if kind of, once it's constructed, it's kind of a passive use. Mrs. Lewis says, the panels go back and forth and somebody mows the grass but do you care if it's operational? Mr. Chesson says, if it's not operational, it needs to be decommissioned, so yes, we do care. Mrs. Lewis says, but if the grass continues to be cut and it looks like it does when it's operational for all intents and purposes. Mr. Turner says, they can't build another one because it takes up fourteen. Mrs. Lewis says, that's right. Chairman Drake says, that's right, they can't build another one. Mr. Turner says, it's under one percent so they can't build another one.

Mrs. Lewis says, if it's still maintained and the grass is cut and the trees are taken care of and you know everything looks nice and shiny, who cares if it's running? She says, if it's abandoned, if you can look at it and see that it's abandoned, that's something. She says, but if it looks like it always does, I don't know who in the County would know if it's creating electricity and I don't know why it matters if it's maintained. Chairman Drake says, well, I guess you're right, unless you had a megawatt cap. He says, you want to know what it's producing and is it one hundred megawatts or is it eighty or is it one hundred twenty. He says, they say it's a one hundred, who knows. Mrs. Lewis says, I believe that Mr. Foster, when he was here, the attorney was here, says that there is a report to the state every year as to how much electricity it's creating. Dr. Edwards says, why don't we just check with Mr. Tennessee, he would know the answer to that. He says, everybody up here needs to know. Mrs. Lewis says, yes. Dr. Edwards says, we can debate that all night. Mr. Day says, I'm assuming we are all paying for solar in one way, shape or form. Chairman Drake says, my electric bill is steady going up. Mr. Day says, it affects me if my energy costs are going up and they're not using it. rs. Lewis says, well, I don't know if even at its most, it's only going to provide six percent of the electricity. She says, I don't know if making it or not making it makes any difference to your bill. Mr. Day says, which is costing them millions of dollars, solar facilities. Mrs. Lewis says, and you're paying that today, whether it's creating electricity or not. Chairman Drake says, it's a footprint. He says, you've got to meet that footprint by 2030.

Chairman Drake says, let's continue on the decommissioning. Mrs. Lewis says, the ordinance from Caroline County says, decommissioning shall be required following a continuous period of twelve months of cessation of use or revocation of the conditional use permit. She says, the owner shall have not more than twenty-four months to clean it up. She says, it only takes a year to install it, twenty-four months seems like a long time. Chairman Drake says, is that something we put into the first ordinance, twenty-four months? Mrs. Lewis says, no, that's from the Caroline County ordinance. Mrs. Allston says, will one year be enough, one year, twelve months? Chairman Drake says, well, I kind of like it, I agree with you. He says, a year probably could do, because it goes up quick. He says, when they start, once they get in land level like they wanted or whatever they're going to do, the panels go up quick. He says, I think a year. Mrs. Lewis says, and they have no incentive to drag it out. Chairman Drake says, well it shouldn't. He says, once that crew comes in that's going to do that, it's probably going to be very quick anyway.

Mrs. Lewis says, number three says, decommissioning shall include removal of all panels, footers, foundation structures, cabling, electrical components and any other associated facilities and equipment as described in the decommissioning plan. She says, this is basically what yours says now.

Mrs. Lewis says, number four says all fences, access roads and non-utility improvement shall be removed unless an executed agreement is provided indicating that the property owner agrees for these improvements to remain. Chairman Drake says, agreed. Mrs. Lewis says, today some communities say you only have to remove down to three feet below the surface but your ordinance says everything. Mr. Turner says, I would say everything. Mrs. Lewis says and because what's three feet below the surface, thirty years from now might be five or six feet below the surface or it may be less depending on how the soil moves. She says, so today your ordinance says everything, unless the owner wants it to remain. Mrs. Allston says everything. Mr. Turner says, I would say everything. Mr. Day says, everything. Mrs. Lewis says, unless the owner wants it to remain, unless they want the gravel roads to stay or whatever. Chairman Drake says, that right now, unless the owner wants it to remain. Mrs. Lewis says, unless the landowner wants to keep it. Mr. Mann says, can the landowner say, I want the wiring to remain? Mrs. Lewis says, no, because number three requires that they take out all that. She says, number four says, fences, access roads and non-utility improvement. Mr. Mann says, ok. Chairman Drake says, I agree as it's written. Mr. Turner says, so it's just fencing and gravel road specifically?

Mr. Day says, does it have to be left in a graded condition or not? Chairman Drake says, but if you put back like it was. Mrs. Lewis says, it has to be. Mr. Day says, that would be in there as well. Mrs. Lewis says, that is.... Mrs. Allston says, and landscaping. rs. Lewis says, that is in the page before the one that

talks about decommissioning. She says, it needs to be left in agricultural ready condition. Chairman Drake says, if the, Mrs. Lewis, unless the land owner wants to remain, the landscaping has been added. He says, is that option for the landowner as well? Mrs. Lewis says, yes because that's a non-utility improvement. Chairman Drake says, so if the landowner wants it to stay, it's fine. He says, ok, alright. He says, I think we're good with that as presented.

Mrs. Lewis says, ok, number five talks about the salvage value. She says, this says the Caroline County ordinance says you get a one hundred percent of the salvage value. She says, and this Board has discussed for years that you think it should be no percent for the salvage value and do you continue to believe that and do you want a one thousand dollar administrative fee each five years that the decommissioning value is reassessed? She says, that seems reasonable to me. Chairman Drake says, and that will be for, hiring a person to do that? Mrs. Lewis says, no, that is just on our end for us to take it over. Chairman Drake says, administrative duties with that. Mrs. Lewis says, right.

Chairman Drake says, I'm good with that. He says, anybody got a comment? Mr. Chesson says, the current ordinance's salvage value is zero. Mrs. Lewis says, no, the current ordinance's salvage value is fifty percent. Mr. Chesson says, fifty percent. He says, I mean, my thought would be leave it at fifty percent or zero. Mrs. Lewis says, I think some on this Board have had concerns for years that who can tell what the salvage value is going to be and if there is salvage value, then if they get zero credit for salvage value, then either the private company that does the decommission either.....

Chairman Drake says, they will negotiate it out with the cleanup.

Mrs. Lewis says, they'll do well because there's salvage value or they won't do well because there's no salvage value. She says, but that doesn't burden your children and grandchildren with that amount.
Mrs. Lewis says, I think the discussion has been to lessen the potential burden on future taxpayers as much as possible, saying a zero percent salvage value. Mr. Mann says, I had said zero all along. Mrs. Lewis says, yes, you have. Mr. Chesson says, I'm alright with zero. Mr. Mann says, zero percent, berm is just two things sticking in my head. Mrs. Lewis says, well, perhaps that can be accomplished. Chairman Drake says, yes.

Mrs. Lewis says, ok, number six on the last page talks about a review every five years. She says, do you think that's the right review period? She says, that seems to be pretty common in other ones. Chairman Drake says, ok. He says, are we in agreement there? Mr. Mann says, is there anything else in the County that has to be reviewed sooner than five years? Three years sticks out in my mind. He says, it's an industry right now that technology just changes. He says, I mean computers change quicker than five years apart. Mrs. Lewis says, there isn't anything else in the County that our department reviews on any schedule. Mr. Mann says, ok. Mrs. Lewis says, you want to take five years, you want to take a different number? Dr. Edwards says, five years is good. Chairman Drake says, is that going to be a timely process? He says, we are all guessing for, I guess would that be your department? Mrs. Lewis says, yes.

Mr. Mann says, how often do we have to revalue the property values in Southampton County? He says, is it once every seven years or five? He says, what does the state require to reassess property? Mrs. Lewis says, I thought it was like six years. Chairman Drake says, I'm not sure. Mrs. Lewis says, that's a question for the attorney. Dr. Edwards says, it was five, wasn't it. Mr. Mann says, do we re-evaluate property values every five years? He says, the state requires something. Dr. Edwards says, we could do it every year if you want to but it would cost you about three hundred, four hundred thousand dollars to do it, so you will go in the whole doing it. Mr. Mann says, but the state requires you to do it at least once every five, six or seven years. Dr. Edwards says, I think it is five years. Mrs. Lewis says, I don't know. Dr. Edwards says, somewhere around there. Mr. Mann says, let's leave it at five. Chairman Drake says, ok, let's do that.

Mrs. Lewis says, number seven talks about the siting agreement and the site plan and the decommissioning plan being recorded at the Clerk of the Court's office. She says, now the survey outlining the area of the project is required to be recorded at the Clerk's office but the site plan and the decommissioning plan are not required to be recorded. Mr. Mann says, I think it should be recorded. Mrs. Lewis says, ok. Chairman Drake says, as long as it says long-term. Mrs. Lewis says, so you want all of it. Chairman Drake says, do you agree? Mrs. Lewis says, ok. Chairman Drake says, alright.

Mrs. Lewis says, in case you all don't know, the clerk of the courts office has moved to Hunterdale Elementary School and they will open to the public next Tuesday. She says, so just a little information, doesn't have anything to do with this except the recording part. She says, if you need anything recorded, they will open again to the public next Tuesday.

Mrs. Lewis says, the last one says property owners acknowledge the County's ability to enter the property to effectuate decommissioning pursuant to Virginia code. She says that Uniform Statewide Building code permits inspectors to enter any site with an active building permit and a decommissioning plan would require demolition permit. Mrs. Lewis says, they can do this anyhow, but there really isn't anything wrong with saying it again. Mr. Mann says, is there anything that allows the County to enter the property? Mrs. Lewis says, do you mean a project that's done? Mr. Mann says, yes. Mrs. Lewis says, a warrant. She says, you could get a judge to issue a warrant unless there is a life safety issue, then an inspector can enter the property. She says, but just driving by and want to go in there for no complaint, no active life safety issue, not active building permit, they would need to be invited in the property or get a warrant.

Mr. Mann says, well, there's a lot of things that the State government is allowed to come in, all they got to do is announce it, but they do not have to have a warrant to come in. He says, they come to my farm, they don't have to have a warrant. Mrs. Lewis says, they can't come in your house, though. Mr. Mann says, ok, they can't come in my house but we're not talking about a house on a solar project. Mrs. Lewis says, right. She says, there are things that the building inspectors can do, but without any active building permit or any active life safety issue to go inside your house or a factory or anything else, they have to be invited in or get a warrant.

Mr. Mann says, ok, well, I get back to the Department of Energy or DMME, they've changed it to the Virginia Department of Energy. He says, they come in on a facility without a warrant. Mrs. Lewis says, I expect they can go into these facilities without a warrant. She says, and when, with DEQ, there is a pollution issue, somebody is spilling oil or there's Styrofoam in the river as there was a number of years ago, we get a call from DEQ asking if we would be their legs and go in and investigate on their behalf. Mr. Mann says, well, I guess what I'm looking at, I understand, is there any agency in the State, they can actually go in and we say that possibly the Virginia Department of Energy could, but in my conversation this week, they've changed names but they have no regulatory authority over facilities. He says, I keep asking that question on a regular basis and the answer is no and that's coming from a State level. Mrs. Lewis says, and unless there was a fire or some sparks or something. Mrs. Lewis says, I'd have to admit that if a building inspector walked in to the facility, I don't know what he or she would look at. She says, unless there's something bad going on they can see, I don't know what you would want a building inspector to look at. Mr. Mann says, well, you get back to eventually batteries are going on these facilities. He says, I can see that there should be some type of ability or a way that a County can go in if they see the need, not that they have to have a complaint. He says, just as technology changes. He says, I don't know how to word it but I'd like to leave the door open where we could at least have the opportunity of two or three annual inspections a year. Mrs. Lewis says, that may be a question that needs to be answered through the Uniform Statewide Building Code. Mr. Mann says, ok. Mr. Chesson says, if you put it into the code to say the applicant, as a condition, that an inspection of the facilities needs to happen. Mrs. Lewis says, for all intents and purposes, I don't know what the inspector would be looking at.

Mr. Chesson says, would be looking for, we could look for damage. He says, it could be for whatever reason, it may be zero reason, you don't need to visit. He says, but if you had it in the ordinance and say we can visit, one of the hot topics today is fire ants, is my understanding. He says, there's problems with fire ants, well maybe there is a problem, maybe there isn't. He says, if there is not an inspection of it, how do you know? He says, they're not going to tell you about it. Mrs. Lewis says, but the agency that oversees the treatment of fire ants can probably go in there and they are certified and trained. She says, their machinery inside the facility might not be working at all, or might be working completely backwards but I do not believe a building inspector is going to be able to tell that by looking at it. Mr. Chesson says, well, and it may not be necessary of the building inspector, but at least what we're doing is looking. He says, I think what Mike (Mann) is asking for is a key to get into the facility and it may be two people. He says, it may be a building inspector official from our department and another consultant. He says, but at least, if we'd have something in our ordinance to say we have the right to go in.

Mrs. Lewis says, perhaps, the ordinance needs to say, we have the right but to require an annual inspection when no one knows what they're looking at when they go in there. Mr. Mann says, I guess what I'm saying is we have the right to go at least three times in the facility and keep it broad spectrum. He says, I mean, I get visits all the time. He says, they come unannounced, they don't come with a warrant and I'm very polite when they get there because I don't want to tick them off, so the same thing here. He says, the County should reserve the right to be able to enter the facility being that this is an electrical facility. He says, they would have to be accompanied by personnel because they wouldn't let us in the facility up there at Roanoke Rapids. Chairman Drake says, that's right. Mr. Mann says, I'm not saying we just have a key to the gate and we'd go in any time. He says, whereas I do get visits whether the gate is locked, they can climb over the gate and go in anytime and I can't stop them. He says, so, I'm just saying we build into our ordinance that we have the right to go in a minimum of three times during the year. He says, of course, if we see a problem that we can't foresee now in the ordinance, then we know who to contact the appropriate authority to force further inspection into it. He says, but it is a facility that's in our County. He says, the State's not going to look after our County as much as our County. He says, I'd just like to build in somehow or another that they will have to grant us at least three times a year entrance. He says, how we word that would be up to Richard Railey. Mrs. Lewis says, perhaps, including that "we can" rather than "we have to". Mr. Chesson says, right.

Mr. Mann says, that's right. He says, we can because we may pick up something in the future that we have not seen today and it's like, ok, we have the right to do it at least three times. He says, we can do it, we've got the right to. He says, I mean, with my mess, they're required to come three times. He says, I think the State makes them come at least three times a year. Mrs. Lewis says, and they probably know what they're looking at and looking for when they go in. Mr. Mann says, I do and as time goes on, we're going to learn that too. He says, we might not be able to learn about the facility but there's going to be things that pop up eventually that we're going to say, I wish we could go in and look and we didn't build it into our ordinance. He says, of course, we can get high-tech and take a drone to fly over. Mrs. Lewis says, they've made stricter rules about drones in this most recent session. Mr. Mann, well I'm sure they probably got restrictions over the solar facility, it's an electrical facility, but I'm just saying that I'd like to at least.... Mrs. Lewis says, reserve the right. Mr. Mann says, reserve the right, there you go. Chairman Drake says, yeah, I like that because you may not, you may not have any reason. Mr. Mann says, that's right. Chairman Drake says, but if something pops up, that would get you the ticket to the door with accompanying personnel. He says, I think reserve the right, good. Mrs. Allston says, I could see you, if where you live and you're driving past and you see broken panels. She says, because I have seen broken panels going down the interstate and things kind of just turned every which way. She says, and maybe the people who operate the facility don't know about it. She says, so if you have the right to go on the property, you can examine where things are not quite what they should be.

Mr. Mann says, it just concerns me that the Virginia Department of Energy still has no regulatory authority and that's where the authority should be on the state level, rather than a local level. He says, because

we're not trained, we don't have trained professionals in the County to know what we're looking for. He says, I'm not trying to add a job description by any means to anybody in the County but out of sight, out of mind, so sometimes just being able to walk through. He says, and the thing is, we've got a facility already at fourteen hundred acres. He says, is there any other business in the County with fourteen hundred acres big that nobody has the authority to walk in on. He says, mine, they have the authority to walk in on, the Department of Forestry, they can come in. Mr. Turner says, I think the way that you can piggyback with the building inspector is kind of like the State Fire Marshall because they can go into a business and do a random inspection anytime they want to do for signage, fire extinguishers, all that kind of stuff. He says, so you can kind of maybe coordinate that with that building inspector for an inspection. Mrs. Lewis says, but it's not a required inspection, just reserve the right. Mr. Mann says, reserve the right, yeah, that's right. Chairman Drake says, I think that's the language, reserve the right to go into it, if needed. Chairman Drake, says, ok, that's agreeable. He says, anything else? He says, can you, do you mind bringing up the additions and changes on this part for our packet.

Mrs. Lewis says, you want the changes that you made to the first section again? Chairman Drake says, kind of give us just an update and I think we're pretty good on the majority of it. He says, now I still, make it when you get your packet next week, make your notes so you will be ahead of the game. He says, then you can see anything that you don't like or wasn't worded quite right because I know we had a lot of discussion points tonight. He says, next month will be the last section, is the correct? Mrs. Lewis says, yes. Chairman Drake says, and you're going to forward that to us in our agenda package. Mrs. Lewis says, you'll get the worksheet..... Chairman Drake says, beforehand. Mrs. Lewis says, right, next week. Chairman Drake says, that will be good. He says, I found mine by the way, after we got started.

Mr. Chesson says, may I just add, I guess I was thinking about, the only thing I had a little indigestion with is the one mile or two mile rule or three mile rule. He says, I don't know how that would be written up but I guess my thought process is if there was a forty acre project proposed to be on the Back 40 as you were saying, very well hidden, within a mile of another facility or within a mile and a half of another facility and is close to the substation, I don't know that I'd have a problem with that. He says, I mean especially if it didn't take up valuable farmland. Chairman Drake says, it might be that brownfield area. Mr. Chesson says, I'm not as strict on the mileage as everybody else, I guess is what I'm saying. He says, depending on how it is written, I guess. Mr. Mann says, that's why I brought up a while ago that anything over forty megawatts has to be two, three miles or whatever away, anything less could be within a mile. He says, but I don't know whether that would encourage them to make forty megawatts right down just like a chain, like dominoes.

Chairman Drake says, I'm going to go back to Mrs. Lewis. He says, the Board of Supervisors would have that discretionary clause, correct? Mrs. Lewis says, yes. She says, if they thought it was suitable, the Back 40, so to speak, within one mile. Chairman Drake says, if they thought that it was a perfect example, but certainly not bothering the residences, wouldn't that supersede? Mrs. Lewis says, yes. Chairman Drake says, do you put the two or three mile, I'm just going to say two, or do you suggest the three mile or just put nothing, to answer Mr. Chesson's question. He says, can you put the word "suggest" or that doesn't matter? Mrs. Lewis says, you just put the number 1, 2, 3, 5, whatever. She says, and the last sentence says that the Board of Supervisors has the ability to vary any of these things. Chairman Drake says, I think that's good. Mr. Mann says, well, he only said it, he didn't get warm and fuzzy about it. Chairman Drake says, if it's a perfect location, if it's a brownfield location. Mr. Mann says, I still like the three miles. Chairman Drake says, I agree, if it's a perfect location, if this is suitable, it's in that one mile, I concur, that doesn't rule it out. Mr. Man says, you're saying the Board of Supervisors has the right to change any part of this? Chairman Drake says, not all of it, you didn't put that clause.

Mrs. Lewis says, they can, they have the right to make decisions based on the general welfare. Chairman Drake says, the acreage and the megawatts was not debatable or changeable in the first section, you should not put that. Mrs. Lewis says, this says that the Board can modify the standards, which is the one

mile from an unincorporated place. She says, decommissioning, the technical fees, the Voluntary Ag District, the siting agreement, they can modify that. She says, they can modify the setbacks, they can modify the buffers, so it spells out in here what they can modify. She says, the Board can determine that further screening improvement may be reduced or not required based on supporting documentation. She says, so it spells out in here what they can do. Dr. Edwards says, a recommendation to do that would come through here. Mrs. Lewis says, yes. Dr. Edwards says, I can almost guarantee you if the recommendation came from here, that it will be followed.

Mr. Mann says, yeah, but that's with the present Board. He says, we have seen history that what we said here never got listened to. He says, I witnessed that. Dr. Edwards says, I don't think in five or six years, you'll have to worry about it, it will be obsolete, everything you're talking about. Chairman Drake says, it will be outdated. Mrs. Lewis says, and the one percent will be used up by then. Mr. Turner says, yeah. Mrs. Lewis says, and it doesn't, this ordinance as it stands now, doesn't give the Board of Supervisors the authority to waive the one percent. Chairman Drake says, that's right. He says, Mr. Chesson, does that answer your question? Mr. Chesson says, yeah, I hated to rehash. Chairman Drake says, no, no, no. He says, do we leave the three mile and then leave it to the discretion of the Board, if they think it has a fit. Mr. Chesson says, that's fine. Chairman Drake says, ok, we'll leave it like it is. He says, I think it's good. He says, I commend all of you.

Chairman Drake says, anything else to come before the Board on the solar part. He says, when you get your worksheet, just go ahead and follow through that and make your notes and hopefully, we can sum it up. He says, we want to sum it up in the next meeting, correct? He says, the February meeting and then have the hearing at the March meeting, correct?

Mrs. Lewis says, well, next month, you'll get revised the first section and the revised second section. She says, you'll have the third section to look at so maybe at the March meeting, you'll look at the whole thing as a piece and have the public hearing in April. Chairman Drake says, April? Dr. Edwards says, the public hearing will be April? Chairman Drake says, ok. Dr. Edwards says, then it will go to the Board then we will be having a public hearing and we just slide in under twelve months. Mr. Mann says, and the twelve months is September, right? Mrs. Lewis says, September 10th.

Mr. Mann says, September 10th. He says, I was sitting here thinking that before we carry this to a public hearing, do we want to have a joint meeting with the Board of Supervisors and give them a copy of what we've done and get some feedback from them before we carry it to a public hearing and the Planning Commission. He says, just a suggestion, just food for thought. Dr. Edwards says, I'll bring it up with them and see. Mr. Mann says, ok. Chairman Drake says, that would be good. Mr. Mann says, and that way, we're getting a unified page ahead of time instead of having a public hearing and then the Board change something. He says, we have some great ideas that we got from there.

Dr. Edwards says, I would venture to say that the Board feels that this level of expertise in land use in this group, it would be very hard for the Board. He says, the Board is not educated enough, not as much as this group. He says, I think getting together, I'd prefer, but I think it would be very unusual for the Board to make any major modifications, unless legal or an attorney said something like that. He says, we have a very good relationship with the Board, I hope we can stay like that. Mr. Mann says, I do too. Dr. Edwards says, one decision in the last thirty-two years the Board didn't go with and you know what happened, they went to court. He says, what's that telling you? Mrs. Lewis says, I believe that the Board of Supervisors trusts this Board's work. Dr. Edwards says, well, you don't see that at other places. He says, I've got a friend who is on the Planning Commission in Virginia Beach and he's getting ready to quit. He says, he said no matter what we do, the City Council does what they want to do.

Mr. Mann says, I'll admit in a public hearing, you get some good ideas from a public hearing, people start looking at it. He says, if they attend and study, and most of the time that's in the heat of the moment. He

says, but there's a lot of ideas that can come off that podium that sounds good. Chairman Drake says, alright, we'll go to Item number 6. He says, no new business. He says, we've already adopted our schedule for the year.

Chairman Drake says, we'll go to the public comment period.

Mr. Cox says, my name is Blake Cox and I'm with the Virginia Land and Liberty Coalition. He says, first, I just want to start, I really commend you guys because people do not have the robust discussion that you guys had tonight about solar and that, from a younger person to see that, means a lot. He says, also Mr. Railey, I'm sorry to hear about that. He says, I've got to know him this past year, so really sorry to hear about that. He says, but quickly, I just want to introduce the coalition. He says, we are a diverse group of farmers, landowners and stakeholders who are concerned about protecting private property rights, increasing local economic development opportunities and being good stewards of the land. Mr. Cox says, we support renewable energy development by doing grassroots support based on facts and not fear. He says, we utilize communications, industry relationships and direct on the ground advocacy to equip rural communities with the tools they need to engage in utility-scale siting efforts in a way that benefits the entire community while honoring individual rights.

Mr. Cox says, my main goal tonight is really just, I won't get into anything specific here otherwise I'll be up here for a while. He says, but I just would like to engage with you all personally after the fact, particularly before the next meeting just to have this discussion with you guys. He says, I won't do the seven or eight on one right here but I would love to talk to you guys seriously about some of these issues that you brought up. He says, I might have some pretty strong views on this so I would really love to talk with you guys and have a real conversation about it. Mr. Cox says, so I have a letter for you guys here and it's got my card attached to it. He says, I hope you guys would read this and I will be reaching out to all of you individually. He says, so I just hope we can have that conversation and I'll just finish with this, is that I just hope you can consider each project on its merits. He says, don't box yourself into anything, like you got the power. He says, don't take it away from yourselves, just consider each project on their merits.
Mr. Cox says, thank you guys, I appreciate it. Chairman Drake says, thank you.

Chairman Drake says, ok well, if not, and remember, now when we come back, if we go through Section three tonight and we finish that tonight, we'll have also have the March meeting to kind of go over all of it again, if we see anything that when you come back and address. Hopefully after that we'll come back, we'll plan our public meeting or public hearing at the April meeting, that's kind of the schedule.

Mr. Chesson says, the one thing you did ask about, I guess I'm just for clarification. Chairman Drake says, where are we at, Mr. Chesson? Mr. Chesson says, the first page that it's, yes, you've got the highlight and says something about the Board of Supervisors may not modify these regulations per this draft. I mean, they can do what they want to do. That's what I didn't understand. Mr. Chesson says, I mean they have the power to change the regulations. I don't understand the highlighted note. Chairman Drake says, well someone help me. You're welcome to step in. Chairman Drake says, what I got from that was, some of the logistics of that particular part of the draft, we were kind of so-called etching that in stone. But when it comes over to like, there's a lot of other areas that modifications can be made if the governing body decides to do so, like the bulk, to make it fitting for a particular circumstance. But I think the cap, some of those things, we were thinking that we didn't want it to, we were hoping that wouldn't be changed but I guess you're right, the Board of Supervisors can do as they please. But I guess we were trying to say that we hope it is not modified. Vice-Chairman Randall says, yeah, they're saying that the Board, when we put this very strict cap, unless they take additional action to change this, they have no flexibility. Does that make sense? They could always amend the ordinance, ok, but without an amendment of the ordinance, they don't have the discretion to kind of come close. Dr. Edwards says, they can't do that anyway.

Vice-Chairman Randall says, well, it's so in some of the way that our ordinance is written, they do have some discretion. But in this, it would be absolute. Vice-Chairman Randall says, let me give an example because she's put it in red for us. She's kind of walking us through it. It's like, you know, the ratio is being considered say one percent so if we've met the one percent.... Chairman Drake says, right. Vice-Chairman Randall says then the Board of, doesn't have any discretion to go above that one percent at all. Zero, unless, say they would modify it and go to two percent. Mr. Chesson says, right. Vice-Chairman Randall says, that's what she's saying. Dr. Edwards says, we, but that wouldn't mean to have to be, go through the process. Vice-Chairman Randall says, correct. Chairman Drake says, right. Vice-Chairman Randall says, she's just pointing that out to us that we can't come one point o one percent, theoretically. Chairman Drake says, right. He says, does that address your concern. Mr. Chesson says, yeah, sure.

Chairman Drake says, ok, is there anything else in the first and section that we need to take a look at tonight? Mr. Day says, I've got one question on, you know, I think Mr. Mann brought up the idea of going in and inspecting the sites. And I think Mrs. Lewis asked you, what's the purpose of the visitation? Have we talked about any fire ant suppression? There's that, even an issue. Mr. Day says, we're seeing fire ants more and more in the County and could that be addressed as well? Chairman Drake says, I know it was addressed in the nursery stock that has to be certified coming in. I don't know about, you know, so far as any measures they would take on site. Mr. Day says, when you're bringing in equipment from other areas, you can bring in the ants there. Chairman Drake says, that's correct. Mr. Day says, when they're cutting grass, they're going from site to site and they can carry them on their machines as well. So I would like to put something in there with they're responsible for hopefully maintaining the site free of fire ants, if possible. Chairman Drake says, ok, alright. I'll tell you, we'll bring that up at our next meeting and see if we can get some language put in there to address that. Mr. Mann says, and maybe we don't need to tie ourselves just to, just to fire ants. Mr. Day says, correct. Mr. Mann says, we need to have it that they maintain their equipment for noxious weeds or.... Chairman Drake says, ok. Mr. Mann says or any insects that could be a detriment to the County. Chairman Drake says, and that's a good point because a lot of the construction firms are from across the country, it's not really what you call local. And I know the previous project, they were out from the southwest part of the country so that's a very good point. And we'll certainly address that and see if we can get some kind of language inserted, ok.

Chairman Drake says, alright, anything else before we go forward. Alright, if not, I'm going to ask you if you will pull out your worksheet. This is the one that she mailed out to us. We've certainly had ample time to review it and I hope if you saw any issues, I hope you made some notations and put some question marks in.

Chairman Drake says, we'll start on the first page at the top of the page, the final pages of February 2022. I don't mind reading through this, it's just for the sake of time. Does anybody have a question on the first page of the worksheet? Everybody has the worksheet in front of them, any questions on the first page? Mr. Chesson says, my only thought, it was designated County representatives or employees, about the fourth line down. And I was thinking, ok, fire department. The fire department needs to get in that fence at that. Will they be designated County representatives at that point in time? They have to cut a lock to get in there to get to a fire, do they become designated County or do we need to .... Vice-Chairman Randall says, I think it's under police power. At my storage facility, there was a fire back there one time. I mean, obviously, they're acting under the police powers of the government. If they see smoke, they're authorized, they have to have a reasonable, reasonable basis, and obviously smoke coming up, I think would meet that, every time. Mr. Chesson says, ok. Vice-Chairman Randall says, I mean, there's an inference that there's damage to property that's occurring. Like for police, someone screams, you know, there's a basis that a police officer can check on that. Well, the police powers work the same way with firemen. Mr. Chesson says, ok. Chairman Drake says, so is that satisfactory, Mr. Chesson? Mr. Chesson says, yes.

Chairman Drake says, alright, anything else on page one? Mr. Chesson says, item number one on the second section, the twenty-three ten section, item number one, the amount of energy and megawatts. Mr. Chesson says, my only thought process is the inserting the word maximum. So what does that do for it, wouldn't it improve it because as these panels become more efficient and they start aging out and they replace them, panel by panel. He says, all of a sudden, a one hundred fifty megabyte, megawatt facility becomes a two hundred fifty. He says, is that, it going to be a concern of ours? Mr. Turner says, I personally think it wouldn't. We're still consuming the same footprint and if we're getting money or revenue from the County from one fifty to two hundred, we're going to be making more money as a County if we do the fourteen hundred per megawatt. So the more megawatts, the more money the County brings in and you're not changing the footprint. So I don't know if I would put a max on it. Mr. Mann says, I thought Beth mentioned something about that, if we went over a hundred megawatts, they would have to make the County aware of that. Chairman Drake says, correct, that's correct. Mr. Mann says, the permit is only on megawatts. So they'd have to come back before the County anyway. Now I think she mentioned it. Chairman Drake says, some type of reporting that's done and there would be, if it goes up, they would be aware. I agree with Mr. Turner, I think we're more concerned about the footprint and if it gets more efficient, that would be just more revenue for the County. Mr. Turner says, yeah.

Chairman Drake says, anything else on page one? Alright, let's go to page two. We will start at the top and work down. Anybody see anything there that you think needs any attention. Mr. Chesson says, item number eleven. Chairman Drake says, ok. Mr. Chesson says, the name and contact information of the owner. Are we talking about the landowner or the equipment owner? And if we're talking about one or the other, to me, I think we ought to designate this. Mr. Mann says, I think it says, for purposes of compliance with the conditional use permit. So the conditional use permit has a name on it doesn't it. Chairman Drake says, and that's going to be the owner of the project, not necessarily the landowner. Mr. Chesson says, ok, I think I know what you are trying to get at. Chairman Drake says, do you think we need to get more specific? Mr. Chesson says, well I'm just saying if we just put the equipment owner, I don't know, that's just my thought when I was reading it. Chairman Drake says, alright, we will note that. Ok, so noted. Anything else, we're on page two.

Mr. Chesson says, and item number twelve, the natural resource inventory that's required in the middle of that, it talks about. Have we as a Planning Commission ever been presented with a natural resource

inventory that we've looked at in other applications? Does anybody recall, I mean, I don't know what one looks like. Chairman Drake says, isn't that referring to the watersheds, is that correct? Mrs. Allston says, that's the time that we've, it's been pointed out to us that certain areas or wetlands..... Chairman Drake says, right. Mrs. Allston says, that have a, that should be preserved. Chairman Drake says, you're asking is there is a particular listing, if that's mapped out in the Comprehensive Plan or not. Mrs. Allston says, he was wondering if it was noted on the maps that we see, or that we look at and then they are identified that way, but there's nothing that identifies other natural areas in the county other than wetlands. Mr. Chesson says, I mean, just to propose an ordinance with this requirement. Chairman Drake says, we need something specific. Mr. Chesson says, well, I'm just not familiar with it. I just say, and the same thing when it goes down to item number three, when it talks about this perennial flow. What are we talking about there, what is a perennial flow. Chairman Drake says, that's going to be the, that's the direction that the water is traveling, I think. Mr. Day, is that correct. Mr. Day says, I'm assuming they're talking about perennial versus intermittent. Any perennial runs, you know, mostly year round. Intermittent, it's just an intermittent stream. He says, I'm assuming that's what they're referring to there. Chairman Drake says, alright, so noted. Mr. Chesson says, I just like to learn. Mr. Day says, we talked about that in the BMP for forestry. Mr. Turner says, yeah, I think it's in the grading section. It's got it forestry guidelines, the requirements for the Virginia Department of Forestry BMP standards should be included.

Chairman Drake says, ok, alright, let's go the page three. Did you have any notes there. Mr. Chesson says, my only thought in reviewing the wetlands stuff is do we really care if the panels are flooded or not? Chairman Drake says, well, I think we had a..... Mr. Mann says, yeah, I think when it comes to construction time, that's where the problem can develop. Chairman Drake says, yeah, you can't develop wetlands, can't disturb anything in the wetlands. Mr. Mann says, disturbing the wetlands during construction, that's only the titanium companies can do that. Chairman Drake says, right.

Mr. Chesson says, item number three, when we talk about in areas having excessive slopes and having highly erodible soils. Who defines and what is the definition an excessive slope? Mrs. Allston says, well, the panels cannot be on a grade more than ten percent, I believe. She says, so.... Mr. Mann says soil scientists and soil conservation, they have a chart that they go by. They rate slopes and what is more hazardous and what is highly erodible. We refer to it a lot of times as hel land, highly erodible land.

Vice-Chairman Randall says, wouldn't the County come in to regulate some of that? I mean, I know they were at my project about every day, watching the grass grow. So I think they're pretty intense on that, I mean every day. Especially when there's not a lot of projects. And they do a good job, I'm saying that, but you know, they're out there and maybe not every day, but they're out there at least three times a week. And if something, any type of earth moving is done, they're going to know. So, I mean, it is a surprise when they get that permit. Vice-Chairman Randall says, so it's, the County does a very diligent job and, I'm trying to use the correct word, evaluating that and regulating that to make sure that the contractor is not doing something improper. Chairman Drake says, they have a set of standards that they're enforcing. Mr. Chesson says, I mean my thought processes, if you've got a highly erodible soil, I mean, the thing to do is put pasture on that and let the cows grow on it. He says, well, I mean, what's wrong with a solar panel. Vice-Chairman Randall says, they still have to get like an E&S certificate. The building code is still an issue here, that's an overlay for the statute. Mr. Chesson says, yeah, I mean my thought processes..... Chairman Drake says, it could be, it could be just requiring a certain type of vegetation and that would be the control measure for a highly erodible site, I would think.

Vice-Chairman Randall says, yeah, but they are not going to approve the final in section if there are signs of erosion, does that make sense. So the statute kind of places that E&S certificate, because there's building code requirements and then the ordinance I think in theory takes it to, elevates it. But if there is a significant erosion, the E&S certificate for the building permit will never be approved. Vice-Chairman Randall says, and I guess the philosophy behind it is there can't be significant erosion because this project is going to be there for a significant period of time. So in theory, the building inspector, when he approves

it, that this site is going to maintain itself for a significant period of time. Does that make sense. Chairman Drake says, it does, but then again, the vegetation is important because I know..... Vice-Chairman Randall says, well, I'm not saying that it is not important. Chairman Drake says, because you just can't go up and control the vegetation by annihilating. The grass, the natural cover has to be established and continue to be, you know, mowed or cut, whatever. You can't just go in and so-call spray it to control it. Chairman Drake says, so, correct. Vice-Chairman Randall says, I was speaking specifically erosion, right. Chairman Drake says, so, but if there is a weak point, for whatever reason, I'm sure that it had to be addressed and remedied in some other measure, which had been in place because you couldn't allow you know, wash out or whatever in those situations, especially with all the underground wiring. Chairman Drake says, ok.

Mr. Chesson says, and the only other thing, number five, the sentence structure or is that, does that "if" need to be "is? And that sentence didn't read quite right to me, didn't understand it. And maybe we'll just point that out further. Chairman Drake says, alright, we'll have to check it out. But I guess, I could go either way, Mr. Chesson, but we'll certainly look at that as well. Mr. Chesson says, just that we're leaving the word "if" in there, I mean. The sentence should go on, I would think. Chairman Drake says, ok.

Mr. Day says, am I reading number four correctly, that clear cutting of trees shall not be permitted as part of the utility scale solar installation. So are we assuming there's going to be farmland only for solar? I thought we discussed that as being, we did not wat to do just fields. Am I reading that correctly? Mr. Chesson says, good point. Mr. Day says, and I thought we were trying to encourage more non-field solar applications where we were trying to be diverse..... Chairman Drake says, trying to be some type of ratio. Mr. Mann says, but there would be some type of ratio, that ratio that we have established now, right. And follow that through the, through the installation process so that would affect. Chairman Drake says, alright, so what do we need to change? Well, I'm going to make a note of that, but what do we need to change that to, to make that correct? Mr. Chesson says, delete the "not". Mr. Day says, it shall be permitted. But once again, how do you do that if you have to go in and remove stumps for a level topography, correct? Then you're under the Corp of Engineer's jurisdiction. Chairman Drake says, and I'm not sure on that, if it has to be stumped or just cut it to ground level. Anybody know? Mr. Chesson says, I would think, I mean, if you had the right equipment, you go in there and pound those I-beams right in the ground. Chairman Drake says, that's a good question, I don't know.

Mr. Mann says, where is this? As you read down it talks about the buffers. It talks about establishing a site and keeping the natural cover there so that there just wouldn't go in and clear cut everything and install the facility and then go back and plant something in the buffers. They need to establish buffers for the project. Mr. Mann says, so then the buffer areas, yes it would not allow clear cutting in the trees, except for that but unless we put in that, except for maintaining the wood land cleared land ratio stated in section so-and-so, I forgot where that was, but. Chairman Drake says, alright, so we need to find out if this is referring to the buffer or this is referring to the project itself. He says, I understand, I see what you are saying. Chairman Drake says, alright, I've got a note on it. It just still won't take long at our next meeting. We'll get some clarification on it.

Mr. Chesson says, in item number four, it talks about, maybe in the middle area, and it talks about with an approved plan. Who approves the plan? Is it an external approval or is it an approval by our agents, the County's agents. When they talk about thinning, is it a, I'm just trying to clarify who approves the plan. Chairman Drake says, Mr. Day, is that referring to the forestry representative you think. Mr. Day says, I would think that the Department of Forestry would maybe help us with guidelines on that. Chairman Drake says, that's kind of, that's the way I'm interpreting it. Mr. Chesson, that would be a personnel, from the Forestry Department that would suggest what the best method was, whether it be thinning or cutting it. Is that what you're saying? Mr. Chesson says, yeah, I was just saying, Chairman Drake says, I know you want to know who that person is. I think that is referring to the Department of Forestry. Chairman Drake says, alright, we'll make a note of that too. Mr. Chesson says, I mean, we just want to make sure that.....

Chairman Drake says, who it is right? Mr. Chesson says, if it was the gardener outside, right, or the landscaper, and he approves the plans, is that ok? Chairman Drake says, we just need to get clarification on that. Ok. I'm not rushing you at all, we just, we just. Anybody see anything, just bring it to my attention and we're going to bring this back up at our next meeting.

Mr. Day says, you know, we could go back to the buffers. You can cut a tree out of the buffers if you stay within the BNP guidelines. So I think if we would stay within those guidelines, we're ok with that. You can cut fifty percent of the crown cover within those buffers, so as long as we stay within those guidelines, I think we're alright. Mr. Mann says, but when you cut fifty percent, are you still thinning it out so much that you can see through it? Mr. Day says, you can, yes. Mr. Mann says, the purpose of keeping those.... Mr. Day says, a buffer is a buffer. I think the purpose of keeping those..... Chairman Drake says, screening. Mr. Mann says, screening. With forestry, you know, you cut fifty percent, you may be able to see through it, but I don't know. Mr. Day says, typically, it's going to grow at, you know, if you cut out more trees, it stands to reason it's going to grow up and create that buffer. It might take a few years. Chairman Drake says, with all old trees, you don't end up in the undergrowth so you've got to have a balance because if you going to do screening you want some of that undergrowth growing to. Mr. Mann says, thin it out to get the undergrowth, right?

Chairman Drake says, alright, anything else on page three, if not, we will flip over, then page four, anything there? Mr. Chesson says, item number three, assessment of employment opportunities created by the proposed development. I would suggest, and number seven talks about associate economic changes and impacts that result from the proposed development. You know, to me, I would either put number seven close to number three or even maybe tag number seven at the end of that and just make it one requirement to include employment opportunities and socioeconomic, I think they're related. Chairman Drake says, they are related. I had made a note. I would like to know the assessment of short and long term opportunities because I know the previously, you know, we were talking about the hundreds and hundreds of jobs created. Then we found out it was mostly, people from other areas came in to construct it. And it's not a lot of lingering jobs other than pretty much the grass control. Chairman Drake says, I would like to see is short and long term employment opportunities. I had a note on number two and this, and this goes back, if it was to encompass, you know, prime farmland.

Chairman Drake says, I would like to see just how much impact or an impact statement, you know to production records. Now at that point, if the landowner is going to put his land up for a potential project, he would be able to access those records. The landowner is the only one, the landowner and the tenant are the only ones that can, you know, get access to those records. But I'd like to know is if really a high producing tract. Now if you are not a farmer, you don't understand exactly what I'm saying, but you know, if it's so-called better than average yields and all that's terribly lost statistics on the farming side, that would be available and normally they don't like to share that information but if you are getting ready to forfeit your tract of land, at that point, it don't make any difference.

Chairman Drake says, you can show that there's that previous history. That's not necessary, but it might be something that might look into because that goes back to the economic impact. And that's something we talked about before the impact study. They could not get their hands on that information and that's what's critical when you want to find out what the economic impact is, what was the production of those soils or those tracks or fields or whatever, where at that point, it would be available and they should be willing to share it with us. That's something that we couldn't do before, the impact study before. I think that was the tract right outside of Courtland, they couldn't get access to it, they weren't willing to share it. But I think, I think in this case, if you are going to do a full impact study, or how it's going to be negatively impacted, I think those records should be forthcoming. That's just my thought. Mr. Mann says, if the landowner that wants the project to go on their property, they've got to produce the yield data. Chairman Drake says, for the previous five years. Mr. Mann says, right. Well, the other thing you know, we've brought up about drain tile in residential areas. Chairman Drake says, correct. Mr. Mann says, and we have never

mentioned that on any of these, I don't believe on any of these. Chairman Drake says, we haven't, and that's a good point. Mr. Mann says, and we might need to address that because there's a lot of open land that has been improved with drain tile. And it was promoted tremendously in the sixties, seventies and eighties, and you know, it can generate that if there's drain tile in an area where in open land, there's got drain tile, and if for some reason, there is a spill of some shape, form or fashion of anything, I mean, we're looking in the future that drain tile is a direct avenue to go to the streams. Chairman Drake says, correct, I made a note of that, that's a good point and I totally had slipped my mind on that. Chairman Drake says, ok.

Mr. Chesson says, so Mr. Chairman, what you are saying about the yield data, if you were to take the first sentence in item number two and just tag that to include yield data or farmland being proposed. Chairman Drake says, it will be farmland, yes. And I think, the reason I say, the reason I say five years, because typically when you're assessing the property that you're going to like, if you being a farmer or tenant, you look at the five year data, you look at it, you throw out the best year and the worst year and the average the remaining three. That's part of the set formula. That's how you come up with rental proposals that type of thing. So that's why I mentioned the five year, just to kind of get a very good, it wouldn't be fair. Last year was a great year, probably tops of all. It wouldn't be fair to take that one top year if you look at an average, so.

Mr. Mann says, well, if you think about it, crop insurance runs a ten year average, they look it at ten years at a time. Chairman Drake says, it's very easy, it very easy data to obtain. It's very simple, you put your tract number into the computer, it spits it out, but you had to be designated as the tenant or the owner. That's the only way to have access to it. Mr. Mann says, well, I'm thinking we might jump back to ten years that is what crop insurance as a federal agency..... Chairman Drake says, right. Mr. Mann says, uses to determine, they drop the highs and the lows, so you end up with eight years. Right, right, it's still a good, good assessment. Chairman Drake says, ok, I've got a note on that. He says, anything else?

Mr. Chesson says, item number eight, requesting that applicant to include the cost of both capital and operating funds. I guess, I was thinking, ok, well, what are we asking for? Is it, or we asking for the initial capital cost? And if so, that, and the thing about operating funds are we looking for an operating budget. I mean, that's all they're going to have is a proposed budget that's going to include income and expenses. To just say operating funds, what does that mean. Mr. Chesson says, I mean, if we're going to put it in there, I would recommend.... Chairman Drake says, Mr. Randall, what's your analogy on that? How do you interpret number eight? Vice-Chairman Randall says, I mean, I think it's just a plain writing of it. I don't think we can get much more specific unless Mr. Chesson has some type of enlightenment. But, you know, I think it's pretty clear, at least from my plain reading of what I guess Ms. Lewis put that down. What would you suggest, Mr. Chesson?

Mr. Chesson says, well, I mean, I first had the thought process or question to say, well, why do we need this or why would we want even want this? So if not, if we don't just delete it or if you are going to include it, you know, to me, it's replacing capital with initial capital cost and replacing the operating funds to an operating budget. Vice-Chairman Randall says, and Mr. Chesson has got a background in banking, we want to point that out. Chairman Drake says, well, and remember too, we're getting, we're getting some of this outline from the Caroline County ordinance, correct? Vice-Chairman Randall, says, most of it.
Dr. Edwards says, a lot of it. Chairman Drake says, so we need to get a further explanation on that, Mr. Chesson. I've got a note on that as well, ok. Mr. Mann says, we're talking about injecting the word cost, capital cost and operating budget and comparison. I like that idea. Vice-Chairman Randall says, I don't think that hurts in any way. Mr. Mann says, no I don't because.....

Chairman Drake says, well, let's go over to page five. Mr. Chesson says, my only thing is just on the traffic analysis. Is that really needed? I mean to me, that's..... Chairman Drake says, well..... Mr. Chesson says, I mean, we kind of know a little bit about..... Chairman Drake says, yeah, I'm going to tell you, all I

can say is, you've got to remember now that if Newsom-Boykins project was not really on my beaten path, even though I do have a farm adjacent to one of the pods but it was, it was probably in excess of five hundred people working that particular construction job when it came to be and a lot of, a lot of heavy equipment, a lot of, I mean, it was just fleets of trucks and things, you know, going back and forth. And if you were on that corridor between the, I'm going to call it laydown area or laydown yard from that point where kind of everybody met at in the morning and then going out to the different sites, it was, it was a lot of congestion, it really, it really was. But, I know, I know where you're coming from because it's not, it's just a construction phase, actually. I don't know. Mrs. Allston says, I think it would be an issue if it's on Highway 58 or any other major artery. Chairman Drake says, right. Mrs. Allston says, because if you create any congestion on 58..... Chairman Drake says, correct. Mrs. Allston says, it is going to be a danger to people traveling that highway. Chairman Drake says, and mostly needs to avoid spots, I call it kind of like back roads, basically, so it would. If it was on 460 or 58 or 35, it would be warranted. Mr. Chesson says, I'm sure that's fine, that's fine. Mr. Mann says, I mean, in this case, with Newsoms, it was on 671 and there's an awful lot of truck traffic on that. So it has an impact during construction time on the enormous amount of truck traffic Chairman Drake says, and the laydown yard was on 671, by the way. So that it actually may be warranted. Chairman Drake says ok, it doesn't take long to build it out but it's, its busy when it's going on.

Chairman Drake says, anything else on page five, if not, let's flip over to page six. age six, at the top is number fourteen, a historic resource impact analysis. Anything on page six, and with archeological sites or architectural structures?

Chairman Drake says, anything on page six? Anything with archeological sites or architectural structures. Like I said, a lot of this information, I think is copied from the Caroline ordinance. We thought that was a good ordinance to kind of copy from. Mrs. Allston says, Southampton has a potential for a lot of archeological sites. Chairman Drake says, yes. Mrs. Allston says, so, having it, it's based on a US Department of Historic Resources Guide and that is pretty comprehensive Chairman Drake says, do you think, do you think it's adequate, Mrs. Allston? Is this covering all the points you think? Mrs. Allston says, I believe it is because I, I've read their ordinance and I think that if you use that as a reference, then yes. Chairman Drake says, ok.

Mr. Mann says, then something you may want to look at in item two where it says that architectural structures where it says 2B, it talks only about demolition. It may be a structure in there that it is necessary to actually move it rather than take it down and I'm not so sure we might not all agree that it is possible that it could be required to be moved. Mrs. Allston says, historic preservation. Mr. Mann says, that's right. Mrs. Allston says, so that probably should be added. Chairman Drake says, so we need to add, how would you, how would you want to word that to be proper? Mr. Mann says, I guess, I don't know how to word it, I'm just saying that we may need to include it in there that some historic structures may be required to be moved..... Chairman Drake says, physically moved and not torn down. Chairman Drake says, ok, alright. Mrs. Allston says, and the fact that archeological reports and archeological and architectural studies are submitted to the county for review. You've got two years of examination, so that's a safety right there that we don't lose something that's important to the County.

Chairman Drake says, ok, are we good on page six? Alright then, flip over to page seven, any notations there? Mr. Chesson says, I like Michael's berm so the comment section where that was asking, do we want to continue to require four foot tall berms all around. I mean, I don't know that we require, in some cases, I think we might want to use it. He says, I don't, I'd hate to delete them. Chairman Drake says, ok.

Mrs. Allston I think you talked about that in certain instances where there might be a glare from lights or a reflection that the berm was the best way to go. Chairman Drake says, right. Mrs. Allston says, so.
Mr. Mann says, well, you look at your buffers. I mean, if you look at a lot of the facilities in North Carolina, they have a buffer around them and they're there. But on paper, but literally, they are not buffering anything,

whereas, a berm is going to buffer and you can put low growing shrubbery or bushes on it. It's an instant screen. Chairman Drake says, exactly.

Mr. Mann says, and with the facility we had in the Newsoms/Boykins area, they gave away, gave away a lot of topsoil and which is going to come into play when they claim that they're going to put it back like they found it. They moved the topsoil off and gave it away, they'll never put it back like they found it unless they're planning on buying the same tonnage of topsoil and putting it back out there. Mr. Mann says, but my point is they moved a lot of earth so that some of that same soil can be used to make the berm. It's not so much as an extra cost as it is they're going to move it. Mrs. Allston says, that's a good point. Chairman Drake says, and we hoping, hoping this ordinance will retrofire that, that that won't happen again. Very good point.

Mr. Mann says, which put a, to be honest with you, it affected other businesses in the County because the businesses that we're in, in the business of selling soil, that's just directly competed. There's no way that you can give that away. Chairman Drake says, they were giving it away if you brought the truck to haul it away. Mr. Mann says, right, no charge for labor, nothing, just come get it. Mr. Day says, topsoil. Mr. Mann says, right, topsoil, any material that they classed as an overburden for them, right.

Chairman Drake says, alright, so do we want to continue about the four foot berm or use it as needed. How do, what is your, what is your feeling on that. She mentions about the elevation, you know, we talked about that before, if the elevation is already there, it wouldn't be warranted. Do we want to make a requirement. Mr. Mann says, on our end of the County, I don't know that we have a whole lot of elevation at all, it's just flat. Now you can get on the western part of the County, you can have that type of situation but, and they seem to like flat areas anyway. Mrs. Allston says, I think we should leave it, Chairman Drake says, leave it as is.

Chairman Drake says, ok, alright, any other comment then on page seven. Chairman Drake says, any other changes or any other discussion. Mr. Chesson says, looking at the heading that's got landscape and noxious weed spraying. Is that where we want to put insects? Mrs. Allston says, the insects are in another section. Chairman Drake says, I don't think it was, Mrs. Allston about that. Was it the certified nursery stock. I thought I saw that somewhere else, but we've got to insert it somewhere. Mrs. Allston says, and it doesn't hurt to put it two places. Chairman Drake says, and that's true. Alright, let's go over to page eight. Anybody have any notes on that, any concerns or questions?

Chairman Drake says, if you notice in the middle of the page in her listener's comment, she mentions, do you want to add a pest management plan? Is this, is this the place to put that? About insects, that's pest management, correct? Mrs. Allston says, yes. Did you ask about other pests, other than fire ants, I don't know, other foreign? Mr. Mann says, that may not be something that we are aware of now..... Chairman Drake says, today. Mr. Mann says, but twenty years from now, we need to leave that door open, you know, fire ants, twenty years ago, I'd never heard of them and I guess maybe just because we didn't have them in the area. So there's going to be other pests, that's just like with the cotton plant, boll weevil is a pest. It became... Mrs. Allston says, what's the bee, murder bees? Mr. Mann says, well, you're exactly right, you know, just anything. We want to word it so that we keep the door open to.....

Chairman Drake says, because a lot of, well, go back to our, you know, farming background, a lot of equipment, things that we use on the farm, if it's, if it's brought in from, if it's brought in the state from another locality, it's supposed to be inspected and certified clear or clean of any noxious weeds or insects. Believe it or not, I mean things, it could bring in a real ordeal you know if you bring in things from other areas, I think about the boll weevil. Right now, we've kind of, we kind of eradicated the boll weevil in the State of Virginia and North Carolina. They still have trouble down in the Texas area, but we've done a very good job of not bringing that pest back to the area, to this local area.

Mr. Mann says, thirty years ago, the State was, actually equipment that was brought in, they had to inspect it, if they found any insects that were not already a problem in the State, they would actually tent the equipment and fumigate it so that they killed anything that was on that equipment and, and that was part of the program that we paid into. But even with forestry equipment, when fire ants first started, they quarantined that equipment in a certain County, unless it was cleaned before it moved to another one. Is that correct? Mr. Day says, that's correct. He says, that's how the gypsy moth got spread so rampantly.

Mr. Mann says, ok, well, there's another thing, I didn't even think about the gypsy moth. There's just things that constantly crop up and maybe we need to include the forestry service, the USDA and whatever. I mean, I've, years back in the seventies, we put up a wind break and it was designed by soil conservation. These were all these engineers and talented people. Today, I've got a wind break that to one third of it is a noxious weed classed in the State of Virginia, and, but yet it was recommended in the seventies, so stuff can change over time.

Chairman Drake says, alright, page eight, anything there, anything else, I got to, we're going to add noxious weeds and, I've got the fire ants, we'll be sure, sure that we've got it covered somewhere. Ok, anything else there.

Chairman Drake says, ground water monitoring, I think that's pretty clear, pretty clear. We'll flip over to page nine, the first, the phrase being phase in plan. Anything there, any notes there. I didn't, I didn't have anything.

Chairman Drake says, I think we've talked about the commencement of construction, if that happens and you know, they don't get an extension, they will have to come back and reapply after twenty-four months. I think, we think we've discussed that before, anything else on page nine, page nine is the last page.

Chairman Drake says, go ahead Mr. Chesson. Mr. Chesson says, looking at Beth's comment on page nine talking about, she was, I think her thought process was if we were wanting to require a plan that would go in this section I guess that's kind of the way I'm reading it maybe I'm reading it wrong. Mr. Mann says, started construction. Mrs. Allston says, she wants, it seems like she wants to put something that requires, more to this section. Maybe we should ask her for some language there. Chairman Drake says, now do you interpret this to be, maybe a tract where it currently has timber that may be considered, is that, is that the way you're reading this and to get with the department of forestry about what the..... Mr. Chesson says, yeah.... Chairman Drake says, what type of planning to go for. Mr. Chesson says, if you're asking me, I'm not sure. Chairman Drake says, we'll get clarification on that as well, ok. That's the way in interpret it. Chairman Drake says, Mr. Day, you got a comment on that.

Mr. Day says, it looks contradictory to what we just talked about and section four about clear cutting of trees, right, is it going to be permitted or not and here you're talking about, you know, cutting timber and getting to the opinion or plan from the Department of Forestry, right? Chairman Drake says, that's correct. Mr. Day says, I think we need to clarify what we're, what our intent is there with, how much farmland, how much timberland do we want to maybe specify for solar projects. Mr. Mann says, well, we'll be following the ratio of what we've got right, so how it's going to effect a project that's being presented.

Chairman Drake says, and Mr. Mann do we, it seems like I'm trying to recall the last meeting and I remember seeing the notes, did we ever really decide about that ratio? We said something about letting one of the departments come up with that ratio or we are going to set the ratio? Mr. Mann says, I don't think we, I don't know that we can set it but I basically after the meeting just went home and googled, you know..... Chairman Drake says, correct. Mr. Mann says, the amount of total acreage in the State of Virginia and then I googled the amount of forestry acres and kind of did the difference. And I guess you, you know, I didn't go there and pull out residential areas, but I think it's just a matter of math, really. The Forestry department can come up with their acreage. Chairman Drake says, I guess we need to set, may need to

set those parameters, Mr. Mann says, we may, may need to, yeah. Chairman Drake says, alright, we'll go.

Mr. Mann says, but Doug brought up a bit at the bottom of page nine, if you notice in the comments, she's asking us, do we want the twelve months to also require start of construction as well, to be included in that section, twenty-three point nine? And it talks about they can extend it, but they cannot extend it beyond twenty-four months, but it doesn't spell out. I don't believe that at some point they got to start construction and I think start construction, the definition would be anything they do out there, really, Chairman Drake says, it could be, yes, Mr. Mann says, I guess surveying, correct. Chairman Drake, says, I guess, yeah. You want to think it would be more than that, but I guess it's just the idea setting the transit up, they can say they've started construction. So what do you think we need to be a little more specific? Mr. Mann says, they can spend twenty-four months surveying things. I don't know.

Chairman Drake says, Mr. Randall, what do you, how could we put a little more teeth into that so far as the construction starting to be more than just putting a driveway in? I mean, we're thinking about, you know, something being anchored in the ground and some digging and we're thinking about some actual work being performed. How would you word that? Vice-Chairman Randall says, I think we need to send it Beth Lewis and have the code enforcement folks put, say, we want some more teeth in it and let them. Chairman Drake says, ok. Vice-Chairman Randall says, and let them, because it can look beautiful on paper, right but have no teeth for enforcement. Chairman Drake says, right. Vic-Chairman Randall says, and that's what, that's what we're looking for is enforcement. So, the way I learn is actually doing it and sometime I can think theoretically about something and it looks really good but it has no impact in the courtroom, if that makes sense. Chairman Drake says, ok. Vice-Chairman Randall says, it looks beautiful on paper and I thought that was going to work out really great and then I'll walk in court and the judge doesn't think it was very eloquent. I've had that happen firsthand so I would have them take a crack at it and then we kind of come at it from each direction. Chairman Drake says, ok. Dr. Edwards says, I like that idea.

Chairman Drake says, alright, any other comments on page nine, have been our last page corruption, I think. Thank you all for reviewing that, I really appreciate, you know, Mrs. Lewis, coming up with this format. This has made it a lot easier. You know do a section at the time and we're getting there, we're getting there. And when we come back, I've made notations about everybody's comments and the questions that we had. When we come back at our next meeting, we'll spend a little bit of time on, get some clarification on those points and then we'll review everything that she has submitted so far and hopefully if everybody is satisfied at that point, hopefully we will be able to schedule a hearing, that would be at the April meeting, possibly.

Mr. Mann says, did we be talk about meeting with the Board of Supervisors about this once we get it all ironed out before we go to a public hearing. Yea, we..... Chairman Drake says, Mr. Edwards, we did, didn't we? Dr. Edwards says, yeah, the Board would like that, we'd like to have a joint meeting, Mr. Mann says, yeah, that, that way we have a joint meeting and in that case, it would be back in public. Dr. Edwards says, we can invite you to our meeting. Chairman Drake says, ok. Dr. Edwards says, we've got a lot of meetings, we don't need it there. Chairman Drake says, we want to get, we want to move along, you know, before you all get in your budget process again. Dr. Edwards says, the Board unanimously wanted to get together. It's a very complex issue.

Chairman Drake says, so, Dr. Edwards, what do you think would be fitting just, to kind of give us a heads up. We says, would it be, would it be sometime after our March meeting? He says, is that what we're thinking. Mr. Mann says, I guess we would need March to kind of iron all this out and then vote to join the Board of Supervisors in April or May or sometime in there. He says, But we've got to leave enough time because we need this done by August and we got that September..... Dr. Edwards says, September 9, September 9 is the deadline. Chairman Drake says, and we don't have to wait until the last minute just in case. Mr. Mann says, we've got all those thirty day advertising. Dr. Edwards says, I'd recommend we go

ahead and get it all finalized and before the public hearing..... Chairman Drake says, set a meeting. Dr. Edwards says, set a meeting. Chairman Drake says, so, we'll make a note of that. Dr. Edwards says, that gives us plenty of time, September nine, is the magic day. Mr. Mann says, right. Mr. Mann says, so, you'd rather invite us to your meeting instead of us inviting you to ours and I understand. Dr. Edwards says, we'd like to invite you to our meeting, ok. Mr. Mann says, you're not adding another meeting to your schedule? Dr. Edwards says, we're going to have three or four or five every month from now on, you know, getting a new administrator, and the Courthouse.

Chairman Drake says, alright, well, thank you all for your due diligence here. Any of the comments before we go comment period. Is there any other business before the Board before we go forward.

Chairman Drake says, alright, well, thank you all for that.

Chairman Drake says, so at this time, we will go down to item number six, which is public comment period. At this time, I will invite anyone from the audience. If you have anything you would like to come up and speak to us about, you're welcome to come forward now. We just ask that you recite your name for the record. At this time, the public comment period is open. Chairman Drake says, Hello Mr. Gillette.

Mr. William Gillette comes forward and says, Good evening, my name is William Gillette and I live on Old Belfield Road, Capron and I want to thank you all for your due diligence and thorough preparation to prepare the new solar ordinance. I just wanted to ask a question. I don't know, at our last meeting Board of Supervisors meeting, they left the new addition of the Virginia Economic Review, I don't know if you all have seen, did you all get one was my question. Chairman Drake says, No, no, I have not seen this, no sir, I have not seen this.

Mr. Gillette says, there are a lot of things in here concerning new technologies and it's already been written the way Virginia is going and having read this, and I was going back through it a second time earlier this morning, the plan is set for our County, whether we do anything or not in Virginia and this magazine will illustrate it and it's interesting to me of all the new technologies that they talk about in here; they don't have one picture of a solar facility. Now, they've got high rise hydroponic buildings, they've got data processing centers all over the state that are going up and in this major interview in here, it stated that the person that comes up with the technology is the one that's going to reap all the benefits. And it leaves you to wonder who's going to pay for all of this. And I don't think there's any question it would be us and the residents of the County and other rural Virginians outside of this high tech world. Most recently, I'm sure that you all have followed the situation in Canada with the protest by the truck drivers. And I was talking to my wife this morning about that particular incident and how most of the entrepreneurs in a certain section of our country had to be laughing at that. The reason is they're not going to even need truck drives. In Pulaski, I'm sure you all are familiar with the Volvo plant up there that's already retrofitting chassis for tractor trailers to haul thirty thousand pound payloads and they're retrofitting the chassis right now for the battery operated trucks to be autonomous in port. It's a pretty good article in here. There's a port in Portsmouth that will do away with manpower to unload those container units and so you all are familiar with that. Here we are talking about jobs, jobs, jobs, I hear it all the time and I know you do, this is shocking to say the least, when you're considering going over a solar ordinance in a twenty year lifespan, maybe even a thirty year lifespan. It's unpredictable what's going to land in Southampton is totally, totally unpredictable and so I just hope you get a change to read this new issue. They've got pictures of cities and what they're going to look like and what agriculture in those cities is going to look like with high rise agriculture going up, dirt less, meatless, it's all kinds of changes and we're going to end up having to pay for it with no way to do it. So, anyway, they are my comments and by the time we get to our joint meeting, I'd be very interested in your ideas and thoughts. Thank you. Chairman Drake says, thank you, Mr. Gillette.

Dr. Edwards says, you know, getting back to solar power, we've drawn up, I think it's extremely unproductive and I think it's very wise because you see what's going on in Europe now. Wind power or solar power, they

have discovered it's extremely ineffective and very expensive. Gas in France is about nineteen dollars a gallon now and they're starting to go back to nuclear power, what they call smaller, small units. So I don't see solar power is going to be something that will help this country. I mean, it's going to be a transient thing, a lot of political pull and power behind it so I think what we did, we sat down and hammered this thing out and we, you know, we spent a long time on this thing. You know, I think we've done the right thing because I think the limits that we put on it are very, very practical, very real.

Mr. Mann says, well, I think it's, I think solar power is going to have an impact but it think where it's going out, the impact is the individuals, the small, low solar panel that controls that stop light way out in the county, but the homes that have it but to force solar facilities, the thousand and two thousand and the five thousand size facilities and the taxpayer has to come up with the money to create the tax write offs for the major companies, that I think is a waste of our time and a waste of money.

Dr. Edwards says, but what's going to happen to the energy industry then, as far as, then there's more people that won't have a job. He says, see this technology, I've seen it in medicine, the more technology we get in medicine the few jobs there are for people, you know, there's a no win situation a lot of times with that. I don't know what the answer is but that seems the way where we're going. I mean.....

Chairman Drake says, come back up, Mr. Gillette, come back to the front. The public hearing is still, still open, public comment. Mr. Gillette says, I apologize for not including this, but I can't help but wonder there's a cost that's not associated with this. A lot of this is, well, they don't talking about any savings, they never talk about savings but I got to ask in these new facilities, what's the cost of fossil fuels to put those cities up. All of this is going to require that, but yet our County is not going to be able to take advantage of the fuel that's going to be needed to put together structures in our own state that are going to require the fuel that could come right through here. Chairman Drake says, right.

Mr. Gillette says, and the County can reap big benefits of that and in the Richmond-Times Dispatch, the answer was we'll purchase it from outside the state and I think that's a slap in the face to our localities and our rural counties. The energy is here in Virginia, a lot of it but it can also come through here, go to the ports to use to make these structures that you see in this progressive agenda that Virginia has and the one number that I never see is a dollar amount of fossil fuels that it's going to take and where it's going to come from. But Dominion and Duke Energy have already stated in the press that it's going to come from outside Virginia, period. So they're leaning on us to, as a rural county to provide an energy to replace our economic growth in our own county, it makes no sense, makes no sense whatsoever to me.

Mr. Gillette says, if you could see those figures and those numbers might become a little more realistic, but until then we're missing out on a lot because I don't think if it's five hundred thousand dollars for this battery storage, over twenty years, that's what, twenty-five thousand a year and a lot of the equipment that we have is for supervisors having to go agricultural equipment, logging equipment and these kinds of things will generate a whole lot more money than that number, so.

Chairman Drake says, alright, any other questions before we proceed? Ok, so we are going to item number four, unfinished business, which is discussion of our updated draft of the solar ordinance and I hope you've had time to review it. Of course, the first two portions, we pretty much gone over. He says, Mrs. Lewis, I think you did a great job in interpreting our comments from it, from home last meeting from what we were deliberating and speaking about. But tonight, I hope you have had time to look at the entire draft and to see if there is anything we need to review, anything we need to add or reconsider.

Mrs. Lewis says, if I might interrupt, I did add definitions from current ordinances, none of the drafts had definitions so I took the definitions from the current ordinance and just drafted them in the right places. You can consider that tonight as well. But these are word for word, what is adopted today. Chairman Drake says, and on the first page, you did make a couple of comments about maybe some things we weren't clear of, or maybe we gave two answers instead of one at the previous meeting. I'm going to start off with a couple of comments and things I denoted. It seems to be a, we didn't really specify what are the AG acres and what are the forest acres in the County at present. And I know we spoke about ratios between the two. Do you think, and I'm asking, I'm asking the panel as well as Mrs. Lewis, this is for all of you to consider, do we need to go ahead and put some reasonable number? I mean, as close as we can estimate, if we don't put a number for what those acres consist of today, would that be questionable as we proceed forward with requests. Don't we need to put a specific number as to what those acres are today or as we amend this, we'll recommend this proposal? Vice-Chairman Randall says, do you mean like currently there are a total of.... Chairman Drake says x number acres. Chairman Drake says, 12. Vice-Chairman Randall says, two hundred twenty thousand acres in cultivation in Southampton County. Chairman Drake says, if we are going to a base a percentage off of some number, don't we, and I think we I think we have mentioned this before and we didn't get to that point. Maybe we are looking into it but can we get specific, would that be constructive? Mrs. Lewis says, as I recall, Mr. Mann... Chairman Drake somebody was looking into that thing. Mrs. Lewis says, and I believe Mr. Mann said that his feeling as that it should be the consultant's responsibility at the time of the application to get the current ratio whether it was at that season. Mr. Mann says, I said we should get the average from the Forester's office Vice-Chairman Randall says, the FSA office should have that, when you do the farm leases, you have to register. Mrs. Lewis says, but that is what it is today, so your ratio. Vice-Chairman Randall says, well we can put it, I mean you could put as of 2022, Southampton County currently has whatever thousands of acres in agricultural use.

Chairman Drake says, and ok now I see where you are coming from, you are saying it should be revised at the time that new application comes forward because it could change. Mrs. Lewis says, I think that was the thought that it would, it was stated that way so that it could be current when an application was submitted rather than current as of the adoption of the ordinance. Vice-Chairman Randall says, and I wasn't saying put it in the ordinance, I don't know how you would do that, but of course, it's always changing. Mr. Mann says, well, right, I am wondering if we should put an example. Vice-Chairman Randall says, that is what I was saying. Mr. Mann says, in the ordinance as of March 2022 or whenever we approved this so that five years down the road, when they come in and there is no misunderstanding about it. Chairman Drake says, can we do that, have an example, a current example, would that be necessary. To show how the ratio works between... Mr. Railey says, why don't you just put next to the percentage as of the time of the application. Chairman Drake says ok, that would cover. Mr. Railey says, and then because if you put in what it is today, I don't know if that serves any useful purpose. Chairman Drake says, we want to get reliable and correct information. Mr. Railey says, and that is for you to determine as the deliberative body. Chairman Drake says, ok.

Mr. Day says, but we only do have twenty six hundred acres remaining, is that correct? Of solar facilities, if they are AG or timberlands converted. Mrs. Lewis says, that is correct. Chairman Drake says, if we do the one percent. Mrs. Lewis says, if you do one percent, the County's land acres aren't growing and the mapped area of Southampton Solar is one thousand four hundred and eighteen. And that is not changing

so yes. Mr. Day says, so it was all that AG land that was correct. Mrs. Lewis says, I believe I don't know that very much of it was forested, I believe it was all AG. Mr. Mann says, one thousand one hundred and fourteen acres. Mrs. Lewis says, 1, 4, 1, 8. Mr. Mann says, so even though that 1, 4, 1, 8, some of that is paths and fences and borders and everything else, correct, it's part... Mrs. Lewis says, yes, so it is everything that had the zoning changed and had the conditional use granted to it because they were required to turn in a survey that outlined their boundaries and that is what was mapped, yes. Mr. Mann says, I just don't want somebody to come in and say, well, you are saying one percent of the land should go to solar facilities and they say, you know, the actual footprint of the facility, you know that we are including that the fact that it's got setbacks and fence area and... Mrs. Lewis says, buffers, that was not only what was underneath the panels, that was the whole project. Chairman Drake says, alright. Mr. Mann says, and the one percent is twenty, what did you say, twenty-six hundred. Mrs. Lewis says, no, the one percent is thirty six hundred. Mr. Mann says, thirty six hundred, ok. Mr. Day says, 3860. Mrs. Lewis says, I think, yes. It's 3860, and fourteen eighteen is already gone.

Chairman Drake says, alright, I will make another comment. Mrs. Lewis says, so how did you want, well, that one percent phrase worded, to the bottom of page one. Chairman Drake says (to Mr. Randall) go ahead. Vice-Chairman Randall says, I think we have a good statute, you know we are just worried but I think we have done our job. Let's let the Board of Supervisors, I mean, you know, let's let... Chairman Drake says, I'm going to tell you my feeling. Vice-Chairman Randall, says, ok.

Chairman Drake says, I mean, I'm going to tell you the incentives are going to get, are going to be huge if you wait for it. We're going to go electric, there is no question, I mean right now we need fuel, ok, and I don't mean, I'm not going to, but the country and other countries would, everything will be electrified at some point, this is just the way people are thinking. I can't imagine driving an electric tractor, but I might, I might live long enough to see it, driving an electric truck. Dr. Edwards says, people have to get educated about this electric stuff. You are, you are burning much more of a carbon footprint building the thing and then disposing of that twelve hundred pound of battery. You dig up half a million per feet of mining just to make that battery for that car. I won't agree with you. But, the mindset of the populace is to go green, and they are willing to do whatever to say they are going green. So we have got to think of the two different fields. Dr. Edwards says, I think the mindset, I disagree a little bit, certain public certain...
But the reality is we are going to have to keep using fossil fuels as much as it is going to cost. But as a group of people and segments of society, they are just bent on green, ok.

Dr. Edwards says, Mr. Chairman, let me say one thing. We have learned from mistakes that are made to the east of us, so other counties and profited by that. We need to learn what mistakes, look what is going on is Europe. If the solar power and the windmills were so great, why is Germany and France reliant on this so much and I will tell you why, because it is unreliable. We don't have the technology at this point to make it that reliable and France is going back, my understanding, to building more nuclear facilities right now. I mean they have found out this stuff doesn't work and if we are not smart enough to learn from that, well so be it, but why do you think now Germany won't even go along with centering Ukraine because they are going to get their gas and oil cut off so.

Chairman Drake says, so anyway, I'm still having a hard time with one percent, I just think it is too, it is too much. I think as we go forward, like I said, I think there is going to be incentives that is going to pay local governments and jurisdictions that is going to be even greater. We have got to remember, I got big concerns about the one in my neighborhood. But if we had just waited to this point, we would have been collecting a lot more revenue that we are through those same incentives. If we wait a little longer, I think it is going to be even greater, a lot greater. So while we are on this subject with the ratios and such, I just want to go on the record, and I know, like I said, we are reviewing the entire draft right now before we have our public hearing. I still have an issue with the one percent, I just think it is too great. I said before, 1418, for my neck of the woods and I speak, I think for the County, I don't find the support. The information I am receiving is that the people, and I am speaking for the people, I am not getting the people that is supporting

it unless you all enter into a contract. If you enter into a contract, you are all in but everybody else, it is restriction, it is restriction, this is the most restrictive thing I have ever seen. But I am like, Jack, it is good, this is what we came up with but everything in this ordinance is about restrictions and it shows that we had the people's center in mind that we are trying to limit. We are actually trying to limit how much development in solar that we have so why don't we just say enough is enough for right now and see where it goes, one, two, five years from now.

Vice-Chairman Randall says, well, didn't we, and I think I recommend the one percent and I think I said that it was the most restrictive that I could find. I mean, I think from a legal, I was leaning on Mr. Railey quite a bit. I just don't know how you would do it any differently than we did. It is the most restrictive way to do it in Virginia and we followed suit. We hear the word precedent and it is always used improperly, at least ninety percent of the time. I don't see a better way that we could implement public policy better than restricting it by one percent, and that is what we are doing. Mr. Mann says, unless we are restricted by half. Mrs. Allston says, half a percent, yeah. Mr. Mann says, and I know... Vice-Chairman Randall says, and again, I gave my comments, and I think Mr. Railey agreed with me. You know, there could be a constitutional challenge. Mr. Railey says, it could be. Vice-Chairman Randall says, I mean, I...

Mr. Railey says, and plus this, as much as some people, perhaps some of us, perhaps a lot of us would love just to say there shall be no solar farms in Southampton County. Period. Well, you know, what that is going to trigger. Chairman Drake says, yeah, I understand. Mr. Railey says, you know what that is going to cause. Not only litigation but legislation and not legislation right here. It is already a bill. Couldn't determine where it was in the General Assembly, I hope it is dead. Then you have a committee that said, there will be no local control over any solar farm in excess of two hundred acres. It will be completely controlled by state rules. Now I am not saying that's the law because I don't know. It's, I mean, it's got to pass the General Assembly and the government's got to sign it but such ideas are out there. Mr. Mann says, well, isn't it a projection of how many kilowatts or megawatts that the state wants to have by 2030. Mr. Railey says, absolutely.

Mr. Mann says, so where do we find that figure that we can hang our hat on and that we can say according as of date, so and so, is a projection of so many megawatts that the State wants. We look at the acreage, we look at our acreage in the State, we look at acreage in the County, we do the math and if it falls at one percent, eight tenth of a percent, but we have come up with the formula of how we justified our percent and not just sat here and said, I think it ought to be a half, I think it ought to be one. We have got a formula, a format, and we are relying on somebody else's thoughts in the future. So and I have seen that figure somewhere and maybe I saw it from some Farm Bureau information or something. But you know, it's got to be somewhere in the State that we've got that other than coming out of Dominion. So you know, I guess it is just something that we can hang our hat on and divide all the acreage in the State and we contribute our fair share based on the acreage in Southampton County.

Mr. Day says, well, let me ask this question, how are we going to get, if we are talking about AG Forestry districts tonight and if we get a proposal for a solar facility and they are in the AG Forestry District, they have to meet the four requirements, correct? So, the first one proposed new land use will not have significant adverse impact on agricultural or forestal operations doesn't meet it, it is nixed, is that correct? Chairman Drake says, that's correct. r. Day says, so then what is the term significant? Vice-Chairman Randall says, can you ask that question again. Mr. Day says, we are talking about AG forestry. Vice-Chairman Randall says, because the applicant gets into the AG district for their benefit. Mr. Day says, correct.

Vice-Chairman Randall says, so if they don't want that benefit anymore because it is supplemental to land use basically, politically, so they own, and then we are getting into landowners rights and I think how that is going to go when the AG Board says, it's a, you know, I'm just hearing terms like a signed contract. Well, it is a benefit that the government gives and the landowner who has his bundle of landowner rights wants

to get into it to supplement land use. Right, that is the public policy behind it, which is a great way, being a, you know, owning two farms myself, something that is a benefit to me because I own the property and when government gets the view is, you know, well, we are not letting you out. I mean, just think of that politically, we have to be politically consistent in what we do. Then if he doesn't want the benefit anymore, my view is the landowner wants to do something else, you let him out.

Mr. Day says, but it does not meet the criteria of the four guidelines that we have proposed, correct. Vice-Chairman Randall says, that this Board did, but we could have a whole lot of criteria like less than one percent and then the judicial branch will get involved and...Mr. Day says, well, this to me...Vice-Chairman Randall says, and tell us what we can and what we can't do. Mr. Day says, take care of that one percent, correct, if we are not going to let them out of the AG use district that would be an out to say, you can't put solar here because of this, Chairman Drake says because solar is an industrial use. Vice-Chairman Randall says, it would be against the public policy. It's like using that word for the minutes.

Chairman Drake says, it's not promoting AG and Forestry. Vice-Chairman Randall says, correct, that's public policy. Chairman Drake says, basically. Mr. Chesson says, unless you use the power to charge up to your electric tractor. Chairman Drake says, which they promote, they promote everyone, everyone, whether you are farming or whatever, put it on your house top, put on your garage top, put on your shed out in the back yard. You know, that's what we need to be doing more of. Vice-Chairman Randall says, I just think we have to be intellectually consistent in what we do. I just think it is important.

Chairman Drake says, the Ag and Forestry district was, my interpretation was to promote and to keep that in our County and you are not going to expand your utilities absolutely. You are not going to expand. Mr. Mann says, well that comes down to the State right-of-way. That's coming on. Chairman Drake says, I guess I'm waving off the subject but it is good discussion. Mr. Mann, go ahead, I didn't mean to cut you off. Mr. Railey says, remember one thing, the agricultural districts should be taken very seriously. It should be very hard to get out of them or they don't accomplish what... Chairman Drake says, what they were meant to be.

Mr. Railey says, were put there and give you an example, and it is not the same thing but I've been representing this Board for a long time and I can remember twenty years ago when we wanted to stop stripping in Southampton County, building the houses all over A1, and we were largely unsuccessful because people felt like if you own the land, you were entitled to sell a lot or two. If you are a farmer, you are entitled to sell it in a bad year and guess what's happened. Ride the countryside in Southampton County and it's not rural anymore. Everybody can't live in the country. If everybody tries to live in the country, nobody lives in the country. Right. There are houses up and down secondary roads all over the county that weren't dreamed about twenty-five years ago. So it's the same thing. Dr. Edwards says, but those were organized before we came up with the rural residential. Mr. Railey says, absolutely. Dr. Edwards says, there was a panic during that year and everybody went out and set out a couple of lots, remember. Mr. Railey says, yeah, well, I still think, and Beth can correct me, I think about a big number of lots that were put on before we put the rule. Mrs. Lewis says, as I recall, I have heard a number over the years of over three thousand. Mr. Railey says, yeah. Mrs. Lewis says, lots. Mr. Railey says, my friends, the surveyors were very busy.

Mrs. Lewis says, when you talk about using the AG Forest Districts as a restriction, you know, not being able to meet those four criteria, this map was part of that request and the colored areas are the areas that are in the AG and Forestry Districts and the plain light green areas are the areas of the County that are not. So you can see that there are large swaths of land that are not within agriculture and forestry districts, mostly in the north of 58. Thousands and thousands of acres that you wouldn't have the tool of the Voluntary Agriculture District as your first hurdle.

Chairman Drake says, and just to follow up on that, and I knew the same thing, and I kind of wondered, you know, why it was concentrated like below highway 58 and not above, so to speak, but, you know, when the applications cut off, they cut off. We haven't had more people come forward, they wanted to apply for a district or to join a district, maybe one or two, but it was a big rush for several months, a big rush. Mrs. Lewis says, one year, there were thirty-eight. Chairman Drake says, and then it kind of subsided. So I guess that decision, you know, that motivation, has subsided now. So you know, if we are going to recognize the ones that have been established, I think we should follow the same four criteria, you know to the bound to ensure we have that part protected, if that is the word. Well, that being said. Dr. Edwards says, you have the opportunity to get in one or not. Chairman Drake says, that's right, it's your right. Dr. Edwards says, make up your mind.

Chairman Drake says, so let's go back to the other, and I know I'm doing all the talking. Mrs. Lewis mentioned about the areas, the brownfield areas, which she thought of some I have forgot about, tell you the truth, but we are missing the packing plant, which was the Beale packing plant on 616, there's an abandoned school up near Drewryville, the race track, that we are aware of and you right, there are many, many abandoned poultry houses around the County. I think I guess my comment is, I think they should be considered that one percent, I'm being a little greedy. What do, we could do it either way. Would they be considered or not be considered? Some of the properties are already zoned different, correct, Mrs. Lewis? Mrs. Lewis says, no. Chairman Drake says, No? rs. Lewis says, well, the racetrack has industrial zoning but would still need a conditional use permit, but the purpose of the incentives was, if there is no incentive then it may be... Chairman Drake says, never be developed.

Mrs. Lewis says, right, and if you think of that old, what used to be an elementary school between Drewryville and Capron, I don't know that there is much anyone could build there that would look worse than what is there today, and the worst part of that is, you can very easily tell that it was a school. So it looks like Southampton County is not taking care of it. Even though it has not been in Southampton County's ownership for years and years. So I was just trying to offer some suggestions for some incentives to get some of the less utilized and more unsightly tracts of land in some use. But that may not be what this Board and the Board of Supervisors finds important. But I believe that the ordinance that you have in front of you tonight that you all have worked on for so long is, in my opinion, is very good.

Vice-Chairman Randall says, if we send it to the Board of Supervisors, which I think we are a little ahead of schedule, I'm asking it to you, Mrs. Lewis, but I hope Mr. Edwards answers the question, do you think the Board of Supervisors would send this back for additional comments? Mrs. Lewis says, well, I believe what they would like is to have a joint meeting with you before this body holds a public hearing and I believe that... Vice-Chairman Randall says, trying to make Mr. Drake feel better. Mrs. Lewis says, I believe that at that meeting you will get the feedback from the Board of Supervisors to make what may be very likely be minor tweaks before you hold your public hearing so that when it goes to the Board of Supervisors, they will know the work that you've done and be happy with it. Vice-Chairman Randall says, so we will have additional bites at the apple per say to make changes. Mr. Mann says, I would like the Planning Commission and Board of Supervisors meeting together before we have a public hearing.

Dr. Edwards says, I think we have already decided that. The only thing I put forth is, you know, we are going to have a new administrator and I'd like to see us wait if we could until we get the new administrator here. So we have one guy going out and then we have a new guy coming in and get hit with this and not know much about it. Might be the best plan. Mrs. Lewis says, if the, the moratorium ends the middle of September, that means that if an ordinance is going to be in place before that moratorium ends, it would have to be adopted at the August Board of Supervisors meeting. That means that this Board would have to hold a public hearing, if you're going to make a decision in one night no later than the July Planning Commission meeting and we are already looking at the calendar for the April Planning Commission meeting. That notice will go to the newspaper tomorrow, so. Dr. Edwards says, I think the moratorium runs out on September 23rd, doesn't it. Mrs. Lewis says, it was the middle of the month, I think it was the 9th or

10th. Dr. Edwards says, I looked at it and it's about a week before the Board of Supervisors meeting. Mrs. Lewis says, yeah. Mr. Mann says, so when is the new country administrator start? Dr. Edwards says, well, hopefully, we've been working on that since December. Hopefully, officially July 1, but we may have somebody in here in the interim type of position. Mr. Johnson sticking on and with orientation for a while, which we hope so. Be ready to go July 1. Mr. Mann says, well, Mr. Johnson not supposed to leave until July 31st, is that right? Mrs. Lewis says, no, June, July, June 30th. Dr. Edwards says, the last day of June. Mr. Mann says, ok, ok. I knew it was the end of one month because he went to work the next day somewhere else. Mr. Day says, so, does the Board of Supervisors have a copy of this yet? Mrs. Lewis says, no. Mr. Day says, when will they get that? Mrs. Lewis says, when y'all are ready to send it to them. Mr. Day says, they will have plenty of time to look at it and review it, though, correct? Dr. Edwards says, that would be a great idea. Once we get settled, I wouldn't want to send them something that's got ifs and ands in it. Mrs. Lewis says, right.

Dr. Edwards says, you know, I can say from the Board of Supervisors, Mrs. Lynda's here tonight, that we have the utmost faith in what the Planning Commission is going to bring us. The Board of Supervisors has a lot of faith in this Commission and my opinion that there's not going to be a whole lot of changes, there might be some minor things, but I just don't think there's going to be any major change. This Board to have spent almost a year thrashing this thing out and I just don't think the Board of Supervisors has the time or I got to say this, too, the expertise that this Board has been involved with to change a whole lot. And if you look at the past history, like I said before, and I can only remember one decision in the last thirty years where the Board of Supervisors did not go with the recommendations of the Planning Commission.

Chairman Drake says, alright, I got one other comment, I think probably, on page seven of the draft ordinance, item number seven, page seven, item seven, all solar projects environmental protection, safety standards for solar panels and battery technologies. Now we haven't talked, you know, we had a guest speaker last meeting that was talking about, possible battery storage. Do we want to add that term here? Is that something we are going to look at separately later? And I don't mean to exhaust it, I'm just bringing it to your attention if you didn't catch that. Mrs. Lewis says, this means batteries that are part of the solar installation. Chairman Drake says, right. Mrs. Lewis says, the people that came and spoke last time were free-standing. Chairman Drake says, correct. Mrs. Lewis says, they were getting their power from someplace else but these are battery technologies like you have today at substations. There are batteries at substations today that help them function. Chairman Drake says, ok, I wasn't aware of that, I'm sorry. Mrs. Lewis says, so this is batteries that would be part of the solar installation that would... Chairman Drake says, and I guess I am thinking about the... Mrs. Lewis says, you're thinking of the freestanding. Chairman Drake says container. Chairman Drake says, ok. Mrs. Lewis says, that aren't connected to... Chairman Drake says, so this is already being used today at the substations, correct? Mrs. Lewis says, yes. Chairman Drake says, ok, so we probably got some in the Newsoms project, maybe. Mrs. Lewis says, there probably are some between the two substations that are out there, yes, but they are just part of the function. Chairman Drake says, ok, I was just thinking there was going to be twenty-five or fifty on the lot. Mrs. Lewis says, no, no, that's not what this refers to.

Chairman Drake says, so then item number eight on page seven, and this is just my comment and I will say this before, I never got, I think we agreed on three miles of another major solar project and I mentioned before, several meetings back, you know, it could be five miles. I don't know if y'all want to reconsider that, just go to three but I would like to see it go a little further. My district, we just don't want another one close to us, we want to get it away, so if nobody agrees with me, I understand but I wish that could be changed to five. Dr. Edwards says, what do you want change you to? Chairman Drake says, well, I had suggested at an earlier meeting five but I think it was the consensus of the group that night to do three, that was, I'm just asking would you reconsider? Vice-Chairman Randall says, five doesn't bother me. Mrs. Allston says, five sounds good to me. Mr. Chesson says, let's go with five. Chairman Drake says, trying to be democratic. Dr. Edwards says, everything is on a five year plan anyway. Chairman Drake says, and I think that

concludes mine and Mrs. Lewis, you did a great, I'm not picking, I'm not being, well I am too, I am being nitpicky. What am I saying but anyway.

Mr. Chesson says, while everybody's on page seven. Chairman Drake says, ok, go ahead, Mr. Chesson. Mr. Chesson says, my comment on number three. Practically when you present a plan and the contractors come in there and install, according to the plan, there is usually some things that happen that precludes the contractor from doing it exactly like the plan. Chairman Drake says, right. Mr. Chesson says, they have to make some modifications. I'm just wondering should we anticipate that and basically saying they need to come back and give us, have the contractor sign the plan saying either I made some amendments to it and here's the amendments or I installed it exactly like so that the County will have a record of just what we were intending to have, where stuff is underground, maybe that's getting too detailed but I mean, that was my thought when I read number three. Chairman Drake says, Mrs. Lewis, would you like to comment on that?

Mrs. Lewis says, well, they turn in as builts at the end so we know where all the conduits and wires and all that are, but the number three says that they have to anticipate that up front, if they are going to put in any, if they are going to put in any aboveground wiring, they have to anticipate that up front and ask for it in the conditional use permit process and I expect that most of them would because they are going to anticipate that they are going to run into times they can't put it underground. And they may have, be far enough along in the process that they can tell not exactly where that wire is going to go but in this area because of the earth, we may have to use above ground.

Chairman Drake says, and I am assuming the pods were established in the Newsoms Boykins project, I guess everything in the public right-of-way is, I guess is the Miss Utility Network. They know like, because I know we have sewer and we have water lines, the County has especially down the 671 corridor. They know where the crossings and things and... Mrs. Lewis says, because everything that is in the public right-of-way, even that just and they had to get a land use permit for that from VDOT, so their agreements and plans... Chairman Drake says, so we don't have to worry, that's already being done. Mrs. Lewis says, correct.

Chairman Drake says, because that would be critical, you know, anytime, like we put a driveway or such in, you know, we had to call Miss Utility just to be sure there is nothing, because there's phone wires and things that run across farm paths and so you never know what you can dig up. Mrs. Lewis says, right, and when that driveway connects to a public right-of-way, you have to get a permit from VDOT to do that. Chairman Drake says, it's a five hundred dollar permit and they keep your money for ten months. Even though you do the work in one day and then ten months later, they send your check back to you, they use your money for ten months. Mr. Mann says, unless it is grandfathered in, if it's an existing driveway. Mrs. Lewis says, that's a VDOT question. r. Mann says, yeah, if it's an existing driveway, you don't have to get a permit but if you are creating a driveway, you're going to get a permit. All the facilities for, they have the farm path that's touching the public right-of-way. So now if they go there and expand it to eighty feet or whatever, might be a different story. But like the one that went in behind the substation in Boykins, that driveway has been there forever so grandfathered driveways preclude that five hundred dollars.

Chairman Drake recognizes Mr. Chesson. Mr. Chesson says, yeah, I guess a couple of things and just so that you all know, I can write a letter today and read it tomorrow and still come up with some, you know, it can be perfect the first day and then if I read it the second day, I can still have comments on. Beth, on our existing solar farm, if you have an issue with the maintenance of the buffering area and you need to contact the owner of the facility, do you have an easy way and an enforceable way of doing that and if so is that incorporated in this ordinance? I guess specifically, you know, we are looking at bottom of page five where it talks about in a, in a timely manner upon receiving knowledge of the issue. You know, in my opinion, now is the time to tighten that up. If you are having a tough time communicating and documenting that and I am saying something other than having to go and write a certified letter and walk to the post office and you

know. Mrs. Lewis says, with the facility that is in place right now, we do have a contact. We do know a person and they work at Strata Solar and we know a phone number and they are the ones that maintain the facility. Mr. Chesson says, do you have an email address. Mrs. Lewis says, yes. Mr. Chesson says, ok, and that's my thought process is that you make a phone call but you really can't prove that you made that phone call really easy but if you write an email to them saying you need to cut this buffer zone. Mrs. Lewis says, we would do it all by certified letter anyhow. Mr. Chesson says, I know, can we make it easier rather than... Mrs. Lewis says, that's not a difficult thing to do but yes we have a name, a phone number, an email address of the people that run the facility in the Boykins area, yes. Chairman Drake says, they actually have a physical office in Newsoms for that facility. So you do have a place you can go and visit. Mr. Chesson says, I just know that if I have to send a certified letter to somebody, it is laborious, it is expensive but to send an email, it doesn't cost me much. rs. Lewis says, we do five, ten, fifteen, twenty certified letters a week so. Mr. Chesson says, I know and that is what I would like for that to reduce because I think that is expensive for the County. Mrs. Lewis says, it's... Vice-Chairman Randall says, they don't respond, then they don't respond, email, carrier pigeon, whatever. Mr. Chesson says right, so why not implement something that is cheaper to do, rather...
Mrs. Lewis says, because this way you have, this way you have a certified trail. Vice-Chairman Randall says, with certified letter, they are sure not going to fix it with an email. Mrs. Lewis says, with a certified letter, you have a... Mr. Chesson says, ok, I mean, I am just, I'm just bringing up my thought process when I read that. Mr. Mann says, I know I brought it up before and the response was what do we look for, but I think the County still should reserve the right to be able to enter the property three or four times a year. Mrs. Lewis says, well, that is in here. Mr. Mann says, ok, so where was that and I guess the thing is, you know, it kind of piggybacks on what Doug has said. So I have scanned this and I just, I guess I was looking for it too hard. Mr. Chesson says, I think I read something too.

Mr. Mann says, because DMME had changed their name to Department of Energy of the Virginia Department of Energy, they have changed their names and like Doug says, if you have an issue with anybody that they have regulatory authority over, all you got to do is call them and they're Johnny on the spot. Except with solar facilities, they've got no regulatory authority over solar facilities. And they are the Virginia Department of Energy.

Vice-Chairman Randall says, Mrs. Lewis do we need a motion to send this to the Board of Supervisors? Mrs. Lewis says, if you are ready to do that at this step. Dr. Edwards says, I don't think you need a motion, if you want to it would be fine, make sure everybody is on the same page Chairman Drake says, do you still want to have a meeting? Dr. Edwards says, yeah. Vice-Chairman Randall says, yeah, because we are hitting the same issues. Chairman Drake says, but we'll, this it. Vice-Chairman Randall says, I think we've got to jump into the pool and start swimming at some point. Chairman Drake says, I think you all have done a great job, I do Mrs. Lewis says, you want to change the three miles to five miles. Dr. Edwards says, yes Mrs. Lewis says, and I still am not clear what you want to do about the ratio.

Chairman Drake says, well, I agree with what Mr. Railey, you mentioned earlier, maybe it should be apt to change as the timeline goes forward because those acres may, instead of using today's, which I was thinking of a way to put a specific number on it but that's going to change, that could change. Mrs. Lewis says, right. Mr. Railey says, it is going to change. Chairman Drake says, you are right. Mr. Mann says, but since there's already confusion now and we are the ones doing this, maybe what we ought to do is put a ratio in there as of a certain date and it has to be revised every three years by the County.

Vice-Chairman Randall says, or ten years, because isn't the trend in agricultural land shrinking. So if you put today's amount in and you have to change every ten years, you are always going to protect the most possible agricultural land, right. I don't think in the graph that I saw it ever increases. It always decreases and it is not a lot. So if we put, I mean the FSA office, when register, excuse me, I'm not a farmer, nor have I ever held out to be, I have problems with my food plots and tomatoes, is that, they should have that amount of Southampton County. We insert that amount and then, I mean, how can that be or we have the thought

process at the meeting and maybe discuss that with the Board of Supervisors. Mrs. Lewis says, or say as determined by the FSA at the time of application Chairman Drake says, I like that. Mr. Railey says, keep it simple. Mr. Mann says, I like that but we don't need to say FSA and Department of Forestry. Chairman Drake says, one or the other. Mr. Mann says, the FSA does the cleared land and the Department of Forestry does the forestry land. Mrs. Lewis says, at the time of application. Mr. Railey says, you got it Chairman Drake says, that's it, bingo.

Mr. Mann says, but you got to include both of them because FSA is not going to be able to tell you about forestry land. Chairman Drake says, that's true, that will work. Dr. Edwards says, make yourself a purse out of a sow's ear. Chairman Drake says, thank you.

Mr. Mann says, but I guess my thing is if we are getting confused over how to word it and whatever, that is why I say we put a ratio in there and upgrade every ten years. But based on FSA and Department of Agriculture's, I mean, the Department of Forestry's figures, we review it every ten years, six years, three years, whatever, but we do the math now so that somebody is going to know ten years how we intended for it to be. Chairman Drake says, right, I agree, have the formula in place, correct. Which is the numbers are going to be coming from the FSA for cleared or farm land and the Department of Forestry. Mrs. Lewis says, but you don't want to in this ordinance say forty percent at the time of adoption, forty percent forested and sixty percent agriculture, you just want to say as determined by FSA and the Department of Forestry. Chairman Drake says, yes, and one percent of that Mrs. Lewis says, ok. Dr. Edwards says, right, that's the only thing we can go by. Chairman Drake says, ok, and what I meant with the formula was the way we are going to get the information.

Mr. Mann says, let's back up, you said that's where we get to one percent, right. Chairman Drake says, yeah. Mr. Mann says, but the other thing about this that we are discussing is that we are offering that one percent and we also got to know how they are going to develop it by ratios. So and I guess saying one percent of the AG land and one percent of the forest land, will do that with, in other words, we are not going, if we say one percent of our total acreage can go to the solar facilities, but we can say one percent of the AG land and one percent of the forest land gives us the same answer. Mrs. Lewis says, no, then you have two percent. Vice-Chairman Randall says, yeah, it is only one percent Chairman Drake says, yeah, one percent, total. Mr. Mann says, yeah, one percent. Mr. Railey says, I think you got it.

Vice-Chairman Randall says, and now, we are just creating ways to, hypotheticals. Mrs. Lewis says, ok, we are going to add that and change it to five years and Dr. Edwards says, five miles. Mrs. Lewis says, five miles right, and you want to, you are going to make a motion to send it to the Board of Supervisors... Mr. Mann says, and have a joint meeting. Mrs. Lewis says, and ask them if they would schedule a joint meeting to discuss it before your public hearing. Vice-Chairman Randall says, I think the Board needs to look at it, we have a joint meeting and some different, because we have been hammering away at this you know, and we are kind of, you know, I think we have done what we have been asked and then the Board is going to kind of give us a different perspective, I think. And then we will probably make a, and then the public hearing that we have, we are going to say, hey, I didn't think of that...Chairman Drake says, that's right. Mr. Randall says, but I think we are asking hypotheticals like Mr. Chesson likes to. Dr. Edwards says, I don't think the Board is going to have a big disagreement with this.

Vice-Chairman says, that is good, I mean, you know, you think it is different perspectives in your thinking, like Mr. Mann was taking, you know, remediation and when he brings those issues up and makes me think of possibilities, you know. In his line of work, he deals with a lot of different things than I deal with that are more applicable to this type of process. Dr. Edwards says, I don't think the Board's mindset is any different than this committee. The makeup of the Board and the makeup of this Committee is tremendously alike. The Board is just as concerned about the County, more as we are. Ok and I just don't think it is going to be a whole lot, there might be some small things. I bet the, I don't think there is going to be a whole lot of

problem. Mr. Mann says, well, it just adds another layer of eyes and minds on this to get some input so that we've got a very strong document by the time we go to a public hearing. Chairman Drake says, exactly.

Mr. Mann says, that's kind of what I'm looking for because we go to a public hearing, that's a lot of times there's people that bring some go of ideas. I try not to be locked in on an issue. There's a lot of smart people in this County and it amazes me sometimes, they come up with ideas and I'm thinking, why didn't we think of that in the first place. Mrs. Lewis says, and that is why it is nice to have the cushion to have the public hearing one month and make our decision the next month. If you have listened to an hour or a couple of hours of comments, it is hard to digest it all and Mr. Mann says, I agree. Chairman Drake says, and a lot of times, it is good to go back and read the minutes, it refreshes you. Mr. Mann says, and I want to keep the new county administrator on board but I don't want to run out of time either for this ordinance.

Dr. Edwards says, well, you know, we can plan that, I mean, I don't think it would be good to do this and then he or her or whoever is out of the loop when this comes through. This is one of the biggest things that's cone down the pipe in a long time. Mr. Mann says, well that might be that first line of homework. When you do the interviewing, by the way, whether we hire you or not. Dr. Edwards says, you put this to them, they might turn around and leave. Mr. Mann says, I don't know, it may scare them off.

Chairman Drake says, yeah, all right, Mrs. Allston, you have been kind of quiet. Mrs. Allston says, I'm down here and by my lonesome. Chairman Drake says, I feel like you are. Do you have a comment ma'am. Mrs. Allston says, just other than Mr. Mann wanted to know, page nine number nine, the County reserves the right to enter the property up to three times per calendar year. Mr. Day says, can we also say, is there anything in here that if we find noxious weeds, fire ants that they have to suppress those? Is that in here or not? Mrs. Lewis says, there is a requirement for a noxious weeds and invasive species plan. Mr. Day says, so do they have to take care of these? Mrs. Lewis says, the plan would require that they take care of them and if they don't take care of them, then they are in violation of the plan.

Chairman Drake says, alright, any other comments. So what we are suggesting to do is get another revised, a couple of issues here changed and get this draft to the Board of Supervisors as well as ourselves, we will get another copy as well and let everyone review it and then at some point we are going to be invited to a supervisor's meeting, possibly and have a brief... Vice-Chairman Randall says,so we're going to send this with the revisions to the Board for their next meeting. Dr. Edwards says, that's good. Chairman Drake says, that's what I would say, yes. Vice-Chairman Randall says, so I make a motion that we do that. Chairman Drake says, is that what we are saying we are going to do now, I don't mean to put words in your mouth, is that what we want to do. Mrs. Lewis says, I will make these two little revisions. Vice-Chairman Randall says, yes, I will make that motion that it is to be sent to the Board at their next meeting Vice-Chairman Randall says for review, and then the Board can then, and then that motion, we would be glad to have a joint meeting if they deem it appropriate. Chairman Drake says, right, that's good. Dr. Edwards says, I'm not. He says, you want to the Board... Chairman Drake say, to review the draft, they should see it first. Dr. Edwards says, I think the Board ought to individually review it, I think each member should get a copy. Chairman Drake says, correct, yeah, that's right. Vice-Chairman Randall says, that's what I am saying. Dr. Edward ok, that's what he is saying, not to review it officially at the meeting? Mrs. Lewis says, no. Vice-Chairman Randall says, no, it's just to be sent to the Board.

Chairman Drake says, well I meant to the Board members, correct, we would be willing to meet at a joint meeting if so appropriate as determined by the Board members. Dr. Edwards says, and Mrs. Lewis, can work with Mr. Johnson, we'll set up, or the new administrator or whatever, and we'll set up an appropriate schedule so we don't get messed up on the deadline here. Mr. Mann says, but I still like to see the Board of Supervisors and the Planning Commission sitting in the same room... Dr. Edwards says, that's definitely... Mr. Mann says, like we did one time before. Dr. Edwards says, that's what we need to do. Vice-Chairman Randall says, that's what I mean with the joint meeting. Mr. Mann says, right, I know but we want to be sure. Vice-Chairman Randall says, we're showing our deference, we would be willing to

meet if they deem it so appropriate. We don't want to run out of time. Chairman Drake says, that's right, keep us on schedule. Dr. Edwards says, that's why we wanted the whole year. Mr. Mann says, yeah, so if you have to send us an email. Vice-Chairman Randall says, I made the motion. Chairman Drake says, we do have a motion on floor, do I have a second. Dr. Edwards says, I second the motion. Chairman Drake says, everybody knows what the motion is, to have the revised draft sent to each Board member. Chairman Drake says, alright, Mr. Chesson, you have a comment.

Mr. Chesson says, discussion and I guess I wrote I've looked through some of my notes, I'm not going to talk about all of my notes but some of my notes, we include signage, reduce the amount of signage because of the appearance of the facility what may be, we concerned about the buffer zone because of the appearance. Would this Board have a problem if the owner of the company put up these chain link fences and they were bright orange and all the I-beams that were put in were bright yellow? Should we be concerned about the looks of these things? And if so, does this draft include that? Dr. Edwards says, let's go with what we got. Mr. Chesson, says, ok. Mr. Mann says and keep that comment and bring it up. Mr. Chesson says, I mean, I'm not going to bring it up anymore. Chairman Drake says, well, I think you should. Mr. Chesson says, this is the second time I brought it up. Dr. Edwards says, we can repeat and go back and forth about this a thousand different times. The way to learn from this is put what we've got, what we think we got. Chairman Drake says, make a note of that Mr. Chesson, I'm going to hold you responsible for that. Mr. Chesson says, I guess it is a concern, I don't guess it will happen, but you know, you never know, you would never know.

Dr. Edwards says, Mr. Chairman, I call for the question here. Chairman Drake says, alright. I've got a call for the question, so we're going to vote. He says, all in favor of the motion on the floor to send the revised draft, have it sent to the Board of Supervisors, as well as we receiving a copy, say AYE.

Michael Drake	Aye
Dr. Alan Edwards	Aye
Jack Randall	Aye
Michael Mann	Aye
Doug Chesson	Aye
Bill Day	Aye
Keith Tennessee	Absent
Brad Turner	Absent

Chairman Drake says, and opposed, like sign. Carried unanimously.

Let's go to item number six, public comment period. At this time, I will open the public comment period. Anyone wishing to come forward to speak of any County matter, you can come forward now. Did you all see Mr. Updike turn around? He looked at the clock and its twenty-eight until ten. Yeah. Come forward Mr. Updike.

Mr. Updike comes forward and says, you see what happens, I'm hard of hearing. My wife told me to shut up, I thought you said, stand up. You see what happens. Well, I didn't hear her say that. I promise to get you out of here by twelve o'clock. So, thank you, Jack, for inviting me to express my opinion. At your last meeting you were here, you ask the question and I will answer it. The answer is, have the guts enough to stand up and say no more solar panels in the County. And that's a, put it up to vote for the common man out here in the Country and that see what the answer would be. I begged and pleaded with some of you to please have a complete analysis of what we've already done. If you have a complete analysis of the current solar panels here, you wouldn't come to these meetings. We're losing a fortune in tax revenue and not only tax revenue, jobs, businesses, then you go on down the list you're losing maybe five to ten thousand dollars a year on revenue coming to the County because of the solar system. What do we get out of it, nothing. The state is collecting eighty percent of the tax revenue. We get nothing, so then what happens? We sit here with our hands crossed, dictatorship from my government most, what do you do,

what is it our current president does? If that's not a dictatorship, I don't know what it is. He gets up there, writes his John Hancock on a piece of paper, and he bankrupting our Country to no end. You talk about fuel and, I mean solar cars. You might be wealthier than I, which you all are. I know I will never be able to afford a solar car. We will not and I repeat able to exist.
I heard and this was from National Congress person, he said two thirds, repeat it, two thirds of our country is under drought conditions with the coming year. What would you rather do? I hope you can eat those solar panels that you were lined up, you are going to be eating something besides food. Solar panels don't add one thing to our environment and I want anyone, I know you all are a brilliant group of individuals. How can you or anyone explain to me, with my pea brain, what's the difference in our country producing oil, coal or natural fuel for that country as the foreign countries begging them, please buying fuel from them when we are sitting here the fuel. How can you explain to me that it makes sense, common sense? And this is with solar panels, you can't put common sense or economic on the solar panels. No way, no how, look at the solar panels we got. The property owners, we thought, no, it's never going to reduce the value of the property surrounding it. I got an example. The assessors, before the solar panels went in, the house was valued at $75,000, the owner tried to sell it for four years. They finally had to sell it for less than $50,000, if that's not a thirty percent reduction. Then your people are surrounding it is going to receive the same devaluation of your property and your property values. How can you expect these people to carry the load and that is exactly what it is when you are stealing, solar panels are stealing the money from the poor people in the area. And for y'all, excuse me, I don't want to be very critical, but here's one thing I am critical about. It's alright to put solar panels up five hundred feet from your house. How many of you all, land I want to see hands, would like to have solar panels next to your house within five hundred feet surrounding it? Let me see the hands. Well, y'all voted for it. How many hands would go up? I don't want solar panels surrounding my house. It's all right to put on your house, on vacant land, and on builders and driveways and whatever. But to have the agriculture land taken out with solar panels. It's unconscionable to me and I want, the whole shebang goes back to one thing. Why is all these mandates coming down that you can have one percent or two percent? Why are we got to do it so the solar panels can make a living? Who is making a living in China? They the ones producing most of the solar panels and yet we're gung ho because the government is so eager to get green deal passed. They are forming a dictatorship.

Chairman Drake says, Mr. Updike, limit it to what they are charging us with, we can't help what the government does. Please direct your remarks to what this panel can do.

Mr. Updike says, I just got through with making my remarks. Ok, you look at the financial analysis of what's been done. And look at what our future of agriculture is in the County and in the world and look at your dinner plate. You all have a shirt on your back in thirty years with inflation, gas and everything else, but the only place that I can see solar panels are is on the rooftops of buildings. With the land that's been, like been minded and reclaimed land, things like that, and we are being robbed when you say you got to have two percent or one percent, whatever percentage might be. We've got over close to five thousand acres of woods underwater. Donate that five thousand acres to the solar people. Go ahead, I won't say anything about those putting it on the wetlands but they take the food off my, I love to eat so they're taking the food off my plate then I've got a whole lot to say about it. And I'm sick of it. So I don't think we've been treated right with the amount of wetlands that we have included in the summary of woods. You think they going down there in the swamp to build it? No, where are they going to build it, on the best land in the County, period. And you say, no, no, we will won't let them. You just sit back and watch. So, this is not a simple answer and nothing more than the solar panels and y'alls agreement to settle on solar, it's alright but it is bigger than that. And, you know, it's bigger than that and in a couple of years with the environment like it is, you are going to pay for it. Fertilizer going up thirty-six hundred percent, how are we going to make it? And y'all want to take the good land and give it away. Basically, that's what it is. I can't see and you say we got to do it. I want someone, need to stand up and have courage enough to say, NO, this does not benefit our County whatsoever and we cannot afford the extra expense that you are putting on us. Now, let me see. Vice-Chairman Randall says, I don't think you listened to her Mr. Updike, I don't think you

listened to her. Mrs. Updike says, he never does. Mr. Updike says, I listen to you. Vice-Chairman Randall says, but Mr. Updike... Mr. Updike says, but you asked me...

Vice-Chairman Randall says, what we're recommending to the Board of Supervisors is the most restrictive, we are following the most restrictive ordinance that is currently in effect in the state of Virginia. He says, will you just acknowledge that for me? Because the last time you were up here, I told you this, this is maybe three, four months ago. But you understand, we are following the most restrictive ordinance in the State of Virginia that is in effect right now. I just want you to understand that is what we are sending to the Board of Supervisors. Mr. Updike says, what I'm saying is this, we need to have a backbone enough to stand up and say this is not benefitting our citizens, our County, therefore; the answer is NO, except for these pure and simple solar panels on roofs, desert lands, reclaimed land. It's not to go on any agricultural land, forestry is agricultural except for in the swamp. I will let you get by on that one.

Chairman Drake says, alright, thank you, Mr. Updike, anyone else. I know.

Gary Cross comes forward and says, it's quarter to ten. I'm Gary Cross again, and I want thank y'all for the work that you've done with the solar ordinance. And I just want to touch on two points, Mr. Randall, I know as a lawyer it's your job to find gray areas in every rule but if it was so easy for folks to be able to get out of the AG and Forestry districts, if there wasn't some stipulation and some backbone to it, then every acre in land use taxation would have been put in Agricultural and Forestry districts to protect themselves. So there's some backbone there for a reason, and just because a person wants to get out, I don't think, it's allowed to. But I will let you all pass that at a later time. I called a man from Farm Bureau, I texted him while we were back here listening and because you had questions and there currently just plus of sixty-three thousand acres in Virginia, approved for solar facilities now, already installed or already approved, ok, sixty-three thousand acres. That's a drop in the bucket. Dominion wants to produce sixteen gigawatts of solar over the next fifteen years that would require one hundred and sixty thousand acres of land. Virginia's Clean Economy Act says all electricity generated must be one hundred percent carbon free by 2045. Y'all have heard them figures before. Dominion must supply forty-one percent of its power from renewables by 2030, including all the carbon emitting power plants by 2045. Their energy portfolio, whatever that is, includes twenty-seven thousand megawatts of power generation. If you don't know how much that is in Virginia, but it would be about two hundred and seventy thousand acres to generate that much electricity. So one percent of the land in Southampton County, what did we decide it was. Thirty-six hundred acres? Mrs. Lewis says, thirty-eight, six. Mr. Cross says, you know, multiply, we are one of the largest counties in the State, so just multiply thirty-eight hundred by eighty. How many counties? Eighty-one counties in Virginia. Dr. Edwards says, ninety-five.

Mr. Cross says, ninety-five. Just do the math and then if everybody did one percent, Virginia should get what they need to meet any kind of goal. So they're just facts I had for you and the only thing I see we are lacking moving forward at this point is true information. Michael was talking, his thoughts, a way the general public thinks and where we should be with green electricity. Dr. Edwards was trying to bring points forward that has already been discovered by other countries in Europe that it doesn't work. We talk about batteries and how much it cost to mine to make them batteries. As we move forward and you are going to have the general public hounding you about wanting or either not wanting it. I thought you should have had already as many speakers with pure, sound facts, scientific facts about what's involved in putting solar together, what's involved in making batteries, where other countries are, how it's affected their economies. These are things moving forward that we're going to need to let our public in Southampton County realize, hey, we think one percent Southampton County is more than enough to decimate other countries, mine their soils and have slave labor working in mines to build batteries. So points like that is what we are lacking moving forward as y'all address the public and I was just hoping that as many people are going to come up here in coats and ties and tell y'all how my solar facility is a good deal. You need to have as people stand over to the side telling you it didn't work in Europe and they are going broke. To me, that is what I think we

are missing. I commend you for your work and I think most of us are on the same page and I applaud your work. Thank you.

Dr. Edwards says, storage batteries bother me too. There are no different from the current batteries, you know and its take a half a million cubic feet of earth to get the elements to put these things, and sixty percent of it is cobalt. Cobalt comes from, sixty-eight percent of it comes from the Belgian Congo, which is poisoning kids. They are slave labor and kids working there and we are supporting that. So like I said, we need to take a look and the people need to be educated as to what is going on in Europe. People who, you know, when we see stuff, we see something happens in Isle of Wight, we listen to it, ok, it happened to them and it ain't going to happen to us, we are going make sure and I don't know why we're not doing the same thing with looking at other countries. Well, I know why not, because good sense is not prevailing here. It's a political thing.

Mrs. Allston says, today they were talking about there is a lithium shortage, which means there is a shortage in making batteries for electric cars and the electric cars are going to be more expensive because of that and then there are more and more places putting in small scale nuclear. Dr. Edwards says, you know, the energy, the carbon footprint to make that electric car, that car can never neutralize that in its life. And, you know, why are we doing that? Chairman Drake says, very good comments. He says, anyone else like to come forward for public comment period. If not, I will close the public comment period.

Chairman Drake says, ok, alright. At this point, we will go down to Item number four on our agenda under Unfinished Business and we'll take up where we left off at our last meeting on utility scale solar discussion with the revisions of that ordinance. Chairman Drake says, and Mrs. Lewis, again I'll call on you to brief us on where we're at with that.

Mrs. Lewis says, I think that the ordinance that I put together for you and that you have is everything that you asked for in the last couple of meetings. If it is not, just let me know and we'll get it changed up. At your last meeting, one of the final things you talked about was a buffer around a five mile buffer between projects. So if you see the map that was included that was made by the, our GIS company, the dark gold is one mile around all the towns, the incorporated towns, which is part of the ordinance and the, and Franklin and Suffolk because they are incorporated places as well. And the lighter gold is a five mile buffer around the existing Southampton Solar. Mrs. Lewis says, and the GIS Company looked at solar facilities in other counties to see if any of them were less than five miles from Southampton County. And there isn't anything that would be within that five mile area. She says, I thought maybe that one in Emporia, the one, the Sadler Road might be, but he said it's more than five miles. So this is, these by this proposed ordinance would be areas that solar development could not take place by this ordinance. And another thing you talked about was the ratio between farmland and forest land and that the Department of Forestry provided that there's two thousand sixty-nine acres, I mean, sixty-nine percent of the County is forested land. Mrs. Lewis says, he gave me the acreage that leaves, thirty-one percent is agricultural land minus the places that have houses on them. But it's not very much so that if you took the total acres in Southampton County, did the one percent, took out the Southampton Solar that's already developed, that would leave you two thousand four hundred thirty-seven acres available for utility scale solar development. Under this proposed ordinance, sixty-nine percent of that is one thousand six hundred eighty-two acres of forested land that could be developed and seven hundred fifty-five acres of agricultural land that could be developed. That ratio may change as years go by but that's the figures that it was on March 25th when I got it from the Department of Forestry.

Chairman Drake says, you know, it depends on how, well, if this is eventually passed as presented, is this something we need to review each year to get those figures updated? Mrs. Lewis says, well I think your discussion has been at a couple of different meetings that it would be the applicant's responsibility to coordinate with the Department of Forestry at the time they submit their application. Chairman Drake says, right. Mrs. Lewis says, rather than, you know, using a figure that is not up to date. That would be one of their responsibilities, just like all the other studies that have to be done. Chairman Drake says, ok, very good. Mr. Chesson says, you did a good job and your table, and it's very understandable. Mrs. Lewis says, thank you.

Chairman Drake says, and the map with the shaded areas. Your research, I really appreciate all the technical ability they can share with us but if it got to where, I don't want to, I don't want someone to come back and say, well, you missed it by a quarter of a mile. Well, a thousand feet, whatever. Is it on a bigger scale, is there some way to narrow it down? Mrs. Lewis says, well, the map would typically not be part of the adopted ordinance. Mr. Turner says, it's just a visual reference, right? Mrs. Lewis says, right. Mrs. Lewis says, so when an applicant submits an application, they would have to show how far it is from the, and since the only existing solar facility Southampton County is plotted on the County's GIS with metes and bounds measurements, they can, they can do that.

Chairman Drake says, ok, so I concur with Mr. Chesson and some of the, some of you spoke earlier before the meeting started that a lot of hard work, a lot of a, lot of discussion, a lot of good points brought forward and a lot of compromising was done. But I think the finished product, I think personally is exactly what we had discussed and asked for and I asked for other people to comment what your feeling are.

Chairman Drake says, is there any other, do you all see anything different from what we have talked about before. Mrs. Lewis says, now just today, I received and I forwarded to you and you have paper copies of a letter from a company called US Solar out in Minneapolis, Minnesota, asking you to consider permitting distributed solar less than twenty megawatts abutting or within three hundred feet of an otherwise approved utility scale solar project. Dr. Edwards says, I feel particularly honored that somebody in Minneapolis, Minnesota, would care that much about Southampton County to send us a letter and after reading this, it's obvious that he doesn't want to help us out, he wants to swing things back in his favor so he can do what he wants. So, I think it indicates to us we have a pretty good ordinance.

Mrs. Lewis says, and at the meeting last month, I did bring up various incentives that maybe you could consider for re-using brownfield properties like the old school out by Drewryville and an old hog farm in the packing plant for projects that were less than twenty megawatts and there wasn't much interest. So, I told them thank you and that I would provide this to you and you could direct your questions to them.

Mr. Mann says, do we have US Solar in the County as far as on a project that you've seen anywhere? Mrs. Lewis says, no, I don't have any outstanding or pending projects. Mr. Mann says, I don't know whether it was any in the past that they'd sent in and pulled back out or whatever. So, this is your first time, you've spoken to them? Mrs. Lewis says, I've spoken to them, I expect I have to admit, I have a stack of business cards, it's no kidding, an inch and a half thick of solar companies so, if I dug through my phone messages, perhaps I expect I've spoken to them, but I don't have a specific project, no.

Mrs. Lewis says, anybody have any little tweaks here and there, anything that doesn't make sense, anything that's unclear. The way the ordinance was before different you know, it talked about what's required in a site plan in a couple of different places. I tried to gather them all together so the ordinance kind of made sense. But if you see anything, just let me know and we'll get it fixed. Mrs. Lewis says, Mr. Johnson is coordinating with the Board of Supervisors as to when we can have a joint meeting before your public hearing. It may be at this meeting next month, it may be another time. Dr. Edwards says, we have a new man coming on June 1. Chairman Drake says, ok. Dr. Edwards says, I would like to see him involved. Chairman Drake says, certainly, yes. Mrs. Lewis says, as long as, as long as the Planning Commission has their public hearing and makes the recommendation no later than your July meeting, then the Board of Supervisors can have their public hearing and make their decision at their August meeting and that will be before the moratorium expires. Dr. Edwards says, so a September 13th or something like that. Mrs. Lewis says, yes, it's before the Board of Supervisors meeting in September.

Mr. Mann says, so have we got a date? Did you want to wait for us to meet with the Board of Supervisors until the new guy comes on? Dr. Edwards says, that's around, you know, I've got a new guy coming on, I'd like to, I think we'd like to see him get his feet wet here too. Chairman Drake says, right. Mrs. Lewis says, and, I don't know if the new person would be interested in participating before they're officially an employee. Just that might be something that Mr. Johnson or the Board of Supervisors can ask. You hate to run out of time. Chairman Drake says, right. Mrs. Lewis says, you know, you hate to have the moratorium expire without an adopted new ordinance. Chairman Drake says, correct.

Mrs. Lewis says, but from the Board of Supervisors meeting discussion and Dr. Edwards can confirm that the Board of Supervisors members who expressed any opinion, felt that this ordinance was what they were seeking. Mr. Mann says, but we don't have a tentative date. Mrs. Lewis says, not yet, hopefully in the next couple of weeks. I can let you know. Dr. Edwards says, whatever we work out. We've got to make sure we meet the deadline. Mr. Mann says, yes, you know, the sooner the better. Mrs. Lewis says, right. Mr. Mann says, something might set the meeting up, have a tornado come through and have to cancel at the last. You just don't want to get backed up. Chairman Drake says, correct, I agree.

Mrs. Lewis says, so anybody have anything else, they, any other additions, changes, amendments, whatever. Mr. Chesson says, yes, I'll bring up one. And I guess one of the things I feel like and kind of

enjoy about this job is sometimes you communicate with others in the community. And I guess one of those others is here. But, and he was, I guess and it may come forth in a public hearing, but I'll go ahead and put it out there. Mr. Chesson says, is that possibly, if we've got property identified as M1 or if in our Comprehensive Plan we have property already zoned for industrial. Would we consider allowing that, even though it's within some of the buffers? Mrs. Lewis says, yes, I think that was part of the incentive discussion last month too. Like the racetrack has industrial zoning, but it couldn't house twenty megawatts, it's only seventy some acres, so. Chairman Drake says, but then we all, I'm trying to think weren't we also trying to identify those M1 areas that we would, we would look at it in receptive means because to just and I'm just thinking I'd, because then it could go to and I'm just thinking that I don't know exactly where you're coming from Mr. Chesson but if it's just a general M1 designation and not one that we have identified, I don't know how I would answer that, you know. Mr. Chesson says, I just want to throw it out there.

Chairman Drake says, well, I'll think about, I'll just, I'll just use the example and it just might be what you're speaking of. I don't know. But I think about the Camp Parkway parcel, so I don't think that would be, I don't think that would be what we're looking for. I don't think that's what I would look favorably upon, is putting a solar project. Mr. Turner, says wouldn't that be within a mile of Franklin? Chairman Drake says, well, but, but..... Mrs. Lewis says, and I don't that it would house twenty megawatts. Chairman Drake says, ok, well, I guess I was using that as an example because when I think about the racetrack, if that would be a possibility or I think about the Beale's packing plant on Ivor Road location or the school site, I'm thinking about Drewryville. You know, I don't know if that, some of those restrictions that we have put on or stipulations that we had put on, I don't know if that would because, like I say, we were trying to identify areas, we would welcome it, correct? Mrs. Lewis says, right. Chairman Drake says, I don't know. It's just a general, let's take, let's take the Turner Tract for instance, the business park outside of Franklin. Again, you are probably within that one mile perimeter possibly. But you follow what I'm getting at, you know, I don't know if it's just because it's been identified as a potential M1 designation or could be rezoned M1 from the Comprehensive Plan. I don't know, I don't know if I want to.

Dr. Edwards says, I think you better stick with the rules and regulations and then somebody else comes along and they say, ok, you made a, you bent over here. I want it too. Chairman Drake says, yes, well, I don't want to set a precedent. Mr. Chesson says, I'm just throwing it out to consider. I think we will hear it. Chairman Drake says, right, right. Mr. Chesson says, I was just hearing..... Mr. Mann says, was this in the five mile area of existing or was in one mile. Mr. Chesson says one mile. Chairman Drake says, one mile of the town. Mrs. Lewis says, there aren't a lot of areas that have M1 zoning that are not already in use. There are a lot of areas that are identified as industrial on the Comprehensive Plan but they still have agricultural zoning. Chairman Drake says, right. Mrs. Lewis says, so most of the M1 zoning is right in that strip along 671. Chairman Drake says, right. Mrs. Lewis says, by the new Birdsong warehouse and the peanut butter plant and that whole strip, but there isn't a lot of M1 zoning. Chairman Drake says, and I'll give my reason. Mrs. Lewis says, except the racetrack.

Chairman Drake says, you know, I give them a reason, my reason being that if it's like, we're like an industrial park setting. You know, we've already spent the infrastructure, the utilities being installed in some of these locations and I don't know, you know, just for that reason. That's not really going to benefit a solar project, if you follow me. Mr. Chesson says, yes. Chairman Drake says, ok, ok. Mr. Chesson, just trying to give you my personal, in an area possibly like that. Mr. Chesson says, in an area like that at, maybe wasted infrastructure expense. I understand that. Mr. Mann says, which we did in the last property we brought at that. Mr. Chesson says, that's right, it is. Mr. Mann says, we had sewage line running close to it, nobody cared. Chairman Drake says, but that may come up like at the hearing and we'll discuss. Mr. Chesson says, yes, and I'm thinking perfectly ok pushing this thing along as is. Chairman Drake says, now that's a good point, good point. Mr. Chesson says, just wanted to bring it out.
Chairman Drake says, good point. Mr. Chesson says, because I mean, that's to me, that's our job as far as this Board, is to flush out the issues and recommend something and the Board of Supervisors can tweak it if they want to. Chairman Drake says, exactly. Dr. Edwards says, the job of this Board is to do the work.

Chairman Drake says, right. Dr. Edwards says, these are things that the Board of Supervisors doesn't necessarily have the time or talent to do.

Chairman Drake says, is there any other comments, any other section that we need to go over. I mean, I really, I'm glad we did it step-by-step. It took a long time to get through it, but we did it. And like I said, to me, I read through it a couple of times this past thirty days and it looks like it covered all the objectives that we were seeking after. And, Mrs. Lewis, you have interpreted our sentiment and put it on paper and I thought you're doing a great job.

Chairman Drake says, any other comments? Mr. Turner, do you have any comment?

Mr. Turner says, I think she's done a great job putting it together. It was a lot of discussion over the last five months, a lot. Chairman Drake says, Dr. Edwards, you got any other comments? Dr. Edwards says, no, I'm happy with it. Actually, it's been over a year. Mr. Turner says, well since we've taken it to three pages. Mrs. Lewis says, right, since you had your worksheets. Mr. Turner says, it was the worksheets were definitely a good, good way to tackle it. Chairman Drake, a great concept, yes. Chairman Drake says, Mr. Chesson, any other concerns. Dr. Edwards says, the Board of Supervisors has recognized your contribution and we are very thankful. Chairman Drake says, Mr. Mann. Mr. Mann says, the sooner we get it done, the better. Chairman Drake says, alright, so can we empower Mrs. Lewis to maybe help with the Chairman Edwards to maybe set a meeting. Mrs. Lewis says, yes. Chairman Drake says, if they like to come here to our meeting or we'll come to theirs, whatever's appropriate for them. Alright, we will certainly abide by that. Alright, very good, this is going to be a, it's been a tough session, but we've gotten through it and a sigh of relief. I think we've accomplished what we're looking for.

Chairman Drake says, alright, if nothing else on the solar discussion, there was no new business listed in the agenda. Does anyone have anything to bring forward.

If not, we'll go to Item number six, which is public comment period and I will open the public comment period. If anyone would like to come forward to speak on anything we have talked about tonight or something relative to the County. Mr. Glenn Updike comes forward. Dr. Edwards says, Mr. Updike wasn't at the meeting last night to speak so I think he's probably saved up a lot. Chairman Drake says, Mr. Updike give you name and address for the record pleas. Mr. Updike says, Glenn Updike, Newsoms, VA. Chairman Drake says, ok, welcome.

Mr. Updike says, the first thing I want to say is it's obvious to everyone that I oppose solar one hundred percent. There is no rhyme or reason to have solar in the County. You talk to individuals and they agree with me and in the public meeting everybody wants to get along. I'm not that type of person just to say yes just to get along. I think you should look at the facts and the facts are look at our economy, look at the direction of the food supply. In this country, we are running out of food. Agriculture only takes three percent increase. We'll see a big drop in prices. We have three percent shortage and prices going out of this world. We are looking at right now twenty-four percent shortage of wheat in this country, in the world. Where does it come from? You can put it in, say whatever you want, we are not being affected and we are affected greatly. And if you think that solar panels are going to answer all our problems, I would like to know somebody tell me how the solar panels is going to produce food. I'm going to listen, tell me. And you got to have backbone enough to say enough is enough. We got to have food for our country and the people of the world. You can check with any source you want to. Religious, I guess you call people that's finding food for the world, and they are panicking from shortage of food. We can take it lightly, say it's not going to affect us, it's sort of like gas. Take your pen and scratch it off. What has happened? What's going to happen to our country? We've had the environmentalist are predicting a shortage drought in the western part of the United States coming up this year. What's going to happen? You going to take it out and put in solar.

Mr. Updike says, the second thing I want to mention. The electric companies could care less how much it cost. Well, what benefits or what is of anybody. The more it cost, the richer they become. The state corporation committee allow them eight percent. They, you can jack up your price eight percent and make, that's eight percent income for the business. So, the, you can put all these things and it's going to prevent you from doing this and doing that. No. You just helping them to make money for them. Then you can say what you want to. If you talk to people right straight up and down they will, they say no way in the world that they need to take agricultural land out and put in the solar. No way. I was disappointed in like, give you an example. Designate, if you want to come here, we've got some property that I would say, is almost useless. To give the example like Valley Proteins that's so, I guess, five or six hundred acres and that property is useless as far as I'm concerned as far as agriculture is concerned, things like that. Put them on rooftops, put them on things that it's not affecting the agriculture whatsoever. Valley Proteins don't have any timber, so it's useless. Put in the ordinance here's places we will accept it. We look at the woodlands around the edge of the, just well as say, the swamp, where half of our timberland is underwater. Yet, we are expected to give up our prime farmland because our woods is underwater. And I can't agree. I know you all worked hard and all kinds of arguments one way or the other. I appreciate you working to try to come up with something. But have a backbone, enough teeth in it to say we'll have, you can go take X, Y, and Z for your solar panels. Put it on the rooftop, put it. Look at the number of places you can put it. But you know what they're going to do, regardless of how many sheets of paper you're writing down where are they going? They going to the best agricultural land in the County. And like I say, they don't care how much it costs. They make money on the more it costs. So, I know you're not going to change your mind. I think you, down in your heart, you know I'm right and you. I'm just sick and tired of the solar being pushed down our throats. So, like I say, I know nobody is going to change their minds or change any one word and I know that people on this Board will speak your mind honestly, they'll tell you this needs to be kicked out.

Dr. Edwards says, I would like to say I think a lot of us agree with you. If I had my druthers, I would say no, but we have to be realistic about it. If we fail to set up some sort of ordinance and Richmond's going to come down here and say, well, you guys, we are going to take over and you are going to have to listen to our rules. So it's a choice you got to make that's a realistic choice. Mr. Updike says, I disagree with that. I've heard that for the last twenty years, the state coming down making you do this. The state's going to do this, the state's going to do that. I haven't seen the first rules or regulations come down from the state on solar. Chairman Drake says, alright, we'll take your words at heart, Mr. Updike, thank you for your comments tonight. Chairman Drake says, anyone else like to come forward.

Peter Copeland comes forward and says, Mrs. Lewis, Mr. Railey and members of the Planning Commission. My name is Peter Copeland. My address is 29075 Bethany School Road. Chairman Drake says, welcome. Mr. Copeland says, thank you. He says, I would like to make a few comments and I will go ahead and say that Mr. Chesson has already kind of broken the ice for where I am going. I would like to make a few comments and then I would like to make a request. When I stood up to come up here, my wife made a comment, something we quite often say to each other. And she said, cool heads prevail. And I am going to try to have a cool head tonight. If I told you I wasn't aggravated and frustrated about the subject I am going to address, I would be lying to you. Cool heads prevail. If I make it through this plant and harvest season this will be my forty-third year farming in Southampton County. There's good years and some bad years. This year coming up, I don't know what to expect. Michael, I heard you talking about pricing and it's going to be, it's going to be a very challenging year. I've also served on the BZA of this County for twenty plus years, I served with Doug Chesson. And, believe it or not, I think in the years I've served, we've agreed at least two times on subject matters. If you've seen me around, I'm usually dirty. I'm usually got work clothes on. And I'm probably wearing a shirt which has my farm name on the front, Topeka Farms and on the back, I'm not going, I'm not going to show you my political statement but it's a picture of a farm scene and says, American Farmers working to provide you with food, fiber and energy. Mr. Copeland says, Michael do you produce any energy on your farm. Chairman Drake says, do I produce any energy? I produce commodities which is used for energy, yes. Mr. Copeland says, thank you, that's point I was getting at. I believe energy, and its many different forms, is the lifeblood of this country. Right

now, the war going on is because of energy, in my opinion. It's a lifeblood of this country, it's the lifeblood of the world. Some crops we grow are, as Michael said, related to or actually produce energy. Soybeans are crushed for oil. They go, they go in biodiesel fuel. We grow cotton. That's a natural fiber that competes with and replaces polyester which is made of petroleum products. So by growing cotton we are adding to the supply of petroleum products. Corn is instilled in the ethanol. It is predicted this year that thirty-five to forty percent of the corn acres grown in this country will go into ethanol production. That's a lot of corn. That's a lot of acres that's been used to fuel this country. Right now, it's ten percent blends. You probably heard on the news they are talking about bumping it up to fifteen. So that's probably going to increase acres to go in the ethanol production. I follow the minutes of this Commission and I get it. I understand where you guys are coming from. I am a farmer. I understand exactly where you're coming from. This country has a deep heritage of agricultural production and we are farm families. I want to see the family farm go on just like you all do but having said that, I also believe the aspects, there are other aspects we need to look at. Right in front of me, talking to farm families, Michael Mann, he's got a son, Cole, coming on board, already on board. Michael Drake's got a son, Wesley, already on board. I've got son, Landon, he's an active participant in my farming operation. So I get what you all are coming from. I understand completely. But having said that, I am also an advocate of landowner's rights. I grew up thinking that if I owned something, I controlled it. But that is the way I was raised. If you own something, it is yours. You control it. But sadly, that is not the way of the world. It is not the way of the world. Producers in this country are fortunate to have many crops to choose from. Just as farms are diversified, I feel we need energy diversification. I want to be clear, I am not a tree hugger. I am not in favor of the green new deal. I think those people are crazy. But do I feel wind and solar are the answer to everything? No, not in any way, not in any stretch of the imagination but I do feel they have a place and they are part of the overall solution. According to the US EIA, which is the Energy Information Administration, this past year, renewable energy sources produced twenty-one percent of the electricity that this country used. Twenty-one percent. Twenty-one percent was produced by renewable energy sources. That exceeds both coal and nuclear. This year, it is expected that this amount will increase by ten percent. Wind and solar themselves contributed thirteen percent. In 2020, the Virginia Clean Economic Act was passed into law. This law mandates, as Mr. Updike was talking up in Richmond, this law mandates that Dominion Energy is to transition to one hundred percent clean energy by 2045. How is that going to happen? How is that going to happen in Southampton County if only one percent of the land is allowed to go into solar farms? I don't see how it can happen. Years ago, I entered into a solar contract on two parcels that I own, I take that back, I don't own them. Farm Credit and I own one of them. I do own one them by myself. They are still, still being paid for. We are still trying, trying to own them. These two parcels, if you don't mind, can I, can I give you a map which shows the location so you all know what I am talking about. Mr. Copeland passed out maps to the Commission and Mr. Railey.

Mr. Copeland says, alright, as I was saying, years ago, six to be exact, I entered into a solar contract with two parcels that I owned. They are in close proximity to a substation and major overhead transmission lines. Right along highway 58, if you see where I am talking about, a twenty foot berm, it runs along 58 for a good portion of the distance and then there's an eighty foot forest buffer that's been left on the balance. These parcels are labeled as industrial under the Comprehensive Plan. I thought, I thought I had the perfect solar site. I mean, I thought, it's perfect for a solar farm. But as Mr. Chesson said, under the current ordinance, the site isn't acceptable because right across the road is an industrial park, Pretlow Industrial Park and that's the city of Franklin. So that knocks me out. So my request is kind of like what Doug said. I am asking you to consider to allow the site which has an industrial zoning to be exempt of this ruling. I understand where you are coming from on the industrial side but let me just put, let me just throw this out there. This site was put up for sealed bids when I bought it. If Southampton County wanted it for an industrial site, why didn't they buy it? I bought it and I have no intention of selling it. That's not an interest. A lease, a lease, gets my interest but a sale doesn't. Alright. And another thing I keep hearing, it's going to ruin the land. Solar, most solar projects are twenty to twenty-five years. They are not permanent. I don't see a lot of difference in going in and pulling solar up as I do clearing forest land for farmland. Maybe you can correct me but I mean it can come back to farm land, it could come back the industry, it could come

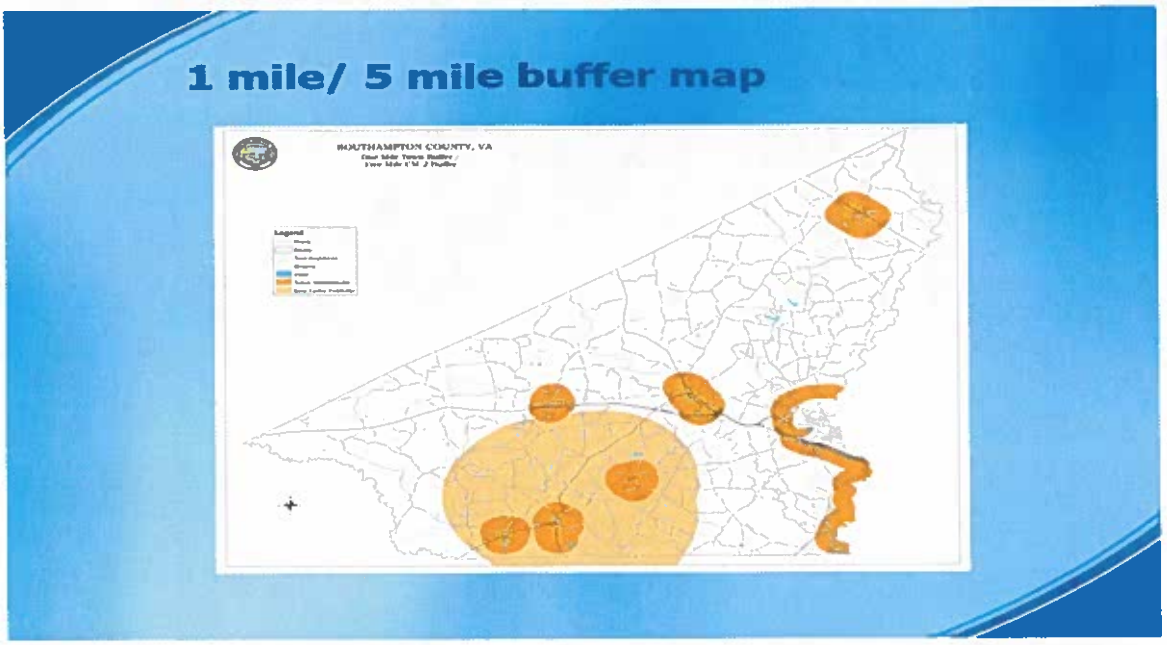
back to anything. As far as industrial development on the site, I don't see it happening. Number one, it is not for sale. Number two, when you look at this location, it is on a limited access highway. You've got to cut through somebody else's property to get to it from 58. I mean, it is not, it is not easily accessible. And one more thing in closing, you know, I look around this county, I don't see a lot of industry. Where is our tax base? Where is this County getting money from? And when I talked to this developer, I was concerned, concerned with the fact that they would pull out and leave it or whatever. He said, Peter, we are not going to leave a forty million dollar investment. Isn't there a lot of money to be made tax wise from something like that. I would think there is. Anyway, I've said my piece. I appreciate your time. If you all have any questions or comments that you want me to hear, I will stand right here.

Chairman Drake says, any questions for Mr. Copeland? Mr. Turner says, just out of curiosity, what is the acreage that you own in that area there? Mr. Copeland says, probably four hundred fifty. Mr. Turner says, ok. Chairman Drake says, any other questions? Mr. Copeland says, thank you for your time.

Chairman Edwards says, okay. With that out of the way, I think I'll just open the meeting up and see if Mrs. [Beth] Lewis would come up and give us a run down on what's been going on the last year or so.

Mrs. Beth Lewis approaches the podium saying, good evening. It's been a long road to get here. As you recall, last August 5, the Board of Supervisors and Planning Commission had a joint meeting at Paul D. Camp Community College to take comments on updating the solar regulations. At that meeting, the Board of Supervisors asked the Planning Commission to start the process to set a moratorium. On September 9 of last year, the Planning Commission and Board of Supervisors had a joint meeting in this room. The Planning Commission had a public hearing about installing a moratorium and they forwarded a recommendation of a six month moratorium. Two of the members preferred 12 months, but the overwhelming vote was for a six month moratorium. The Board of Supervisors had a public hearing and they, in the end, voted for a 12-month moratorium. So, that started September 10, 2021 at 12:01 a.m. Since that time, the Planning Commission has been working on replacing the existing solar regulations. They had help from an Attorney, Scott Foster, who works for a renewable energy company. He also worked on provisions for the Caroline County Utility Scale Solar Ordinance. He was very helpful. The Planning Commission choose to use the Caroline County Ordinance as the basis of their revised Southampton County Ordinance. So, these are the highlights of the Ordinance. The Planning Commission worked very diligently. They broke it down into sections and took a few sections at a time. They had hours of discussion and lots of study at home and contemplation and took lots of comments from whoever happened to be a Planning Commission meeting. And they have come up with a [inaudible; off microphone] that they think meets the desires of the Board of Supervisors and they would like to get your comments, concerns, and questions before they hold a public hearing. The highlights include a minimum of 20 megawatts and a maximum of 100 megawatts per project. The minimum was so there was not small projects scattered around the County.

Mrs. Lewis continues, some of the Planning Committee has seen the smaller projects in northeastern North Carolina and they didn't want that spread throughout Southampton County. Their feeling is the larger projects are probably better kept. The guiding tool in this Ordinance is the Planning Commission recommends that only 1% of the County land area be devoted to Utility Scale Solar. Other counties that have percentages, that percentage ranges from one to four percent, but the Planning Commission recommends 1%. You can see the math in the little summary that I did. The total acres for Southampton County is 385,508. One percent would be 3,855 acres. Southampton Solar already uses 1,418 so that leaves 2,437 acres. The Planning Commission wanted to make sure it wasn't just agricultural land that was used for Utility Scale Solar taking the best, easiest to use out of agricultural use. So, they recommend having a ratio between forested land and agricultural land in each project and have that ratio based on what the Department of Forestry says is Southampton County's ratio between those uses at the time of application. Today, that is 69% that Southampton County is forested. So, that would be 1,682 acres of forested land and about 755 acres of agricultural land. There are Planning Commission members who wish there wasn't one more acre of Southampton County land used for Utility Scale Solar, especially not one more acre of valuable, productive agricultural land. The Ordinance requires the projects to be at least one mile from incorporated places, which would be the six incorporated towns, City of Franklin, and Suffolk. Then they have to be within five miles of each other. Mr. Lewis continues, I have a map and a Power Point Presentation. Go down to that slide number four, please.



Mrs. Lewis continues, this shows the darker mustard color is the one mile boundary around each of the incorporated places. The lighter mustard color is five miles around Southampton Solar. So, those areas would be in this proposed Ordinance not available for Utility Scale Solar Development. We can just leave that up, if you don't mind. There aren't any projects outside of Southampton County that would be within the five mile radius. I had the County's GIS person check. I thought perhaps that the one in Greensville County was within five miles, but it is not within five miles. There aren't any in Isle of Wight County that are within five miles either so this is the only areas of Southampton County that would be effected. The recommendation is if the property is within the Voluntary Agriculture District that process to be completed before they submit their application. That would make it very clear that the applicant is seeking to take land out of the district and put it in the Utility Scale Solar and not try to slip it in, mix it in, and try to make it all one process. It would have to be a separate stand-alone process. It may not get approved at that stage. The Planning Commission and Board of Supervisors may not choose to take that property out of a Voluntary Agricultural District and the process would stop at that point. The state law requires siting agreements now, which Southampton County has not received any. But, this proposed Ordinance requires that the siting agreement process be completed, which requires a public hearing before the Board of Supervisors before any application is submitted so that process would also be out in the open and free standing and available for anyone to see before an application is submitted. It requires that substations and other parts of a solar installation be 500 miles from dwellings, schools, places of worship, State Scenic Rivers, and rights-of-way. And the invertors and transformers must be 250 feet away. That is much greater setbacks than the M1 Zoning requires for any other type of use.

Mrs. Lewis continues, this Ordinance requires landscaping and buffering. The current ordinance is not very specific. It just says it needs to be shielded, but this Ordinance is specific about what the landscaping and buffering needs to be and it requires that the landscaping be installed in the first planting season after a land disturbance permit is issued so it has time to grow while the rest of the project is being put in. This also gives the Board of Supervisors some opportunity to shrink and grow the buffers depending on a project and what's around it. If it is abutting not a state scenic river, but with a lesser river you might not need as much of a buffer because it's not going to impact anyone there. It gives the Board of Supervisors some guides as to what the buffer should be. It discourages non-native vegetation, which is helpful so it stays alive. We have a problem out at Southampton Solar where the buffering is not staying alive. This also requires a $50,000 Landscape Bond that does help with the life of the project so that if the owners of the project or operators don't fix dead landscaping, the County will go in and do it. But the $50,000 Bond has

to be removed if we [noise; inaudible] don't use it. No topsoil may be removed from the site. Southampton Solar removed truckloads of topsoil and removing topsoil makes it difficult, if not impossible, for the property to revert to agricultural use again unless they bring all those truckloads of top soil back in.

Mrs. Lewis continues, this Ordinance requires that the community meeting must be held no more than six months before the application being submitted. In the Ivor area, there were community meetings. It's probably been three years ago. On that project, people were thinking of doing a project in that area [noise; inaudible]. But when you wait a year, two years, or three years, properties change hands and people don't even know about it because they weren't there when the community meetings were held. So, this requires that the community meeting and the submission be much closer together. It requires that the site plans, decommissioning plans, and siting agreements must all be recorded with the Clerk of Court so it's not just dependent on someone remembering something. So, five, ten, or twenty years from now, it's a court record. And one of the things that the Planning Commission has discussed for years is giving 0% credit for salvage value to the decommissioning plans. The Planning Commission does not want to burden their children or grandchildren with cleaning up these projects 35 years from now. Who can guess what the salvage value of material may be. It may be substantial and perhaps whoever does the decommissioning is going to be financially rewarded for it. More power to them. But it may not be. The Planning Commission has felt strongly for years that the salvage value should be zero. The Planning Commission looks for your comments and questions tonight. If there are changes that you want, the Planning Commission is more than willing to make those changes if the changes aren't too extensive or need a lot of discussion before the public hearing June 9 meeting. That means they could make a recommendation and pass this on to the Board of Supervisors for their July meeting, which will give an opportunity for the Ordinance to be in place before the [background noise; inaudible.] I'd be happy to answer any questions. Chairman Edwards says, any questions? Mrs. Lewis says, thank you.

Chairman Edwards says, before we get started, let me check this. William Hart are you with us? Supervisor Gillette says, I am. Chairman Edwards says, good to see you. Supervisor Updike says, what about Doug [Chesson]? Chairman Edward says, Doug Chesson, are you with us? [No response.] Mrs. Lewis says, I think he's really on vacation. Supervisor Chris Cornwell says, he did send me a text, Mr. Chairman that he is listening in. He is unable to talk, but he is listening in. Chairman Edwards says, okay.

Supervisor Updike says, Dr. Edwards, I think that we owe a big thank you to Beth and the Planning Commission because they've worked hard for a long time. And made some good improvements. Chairman Edwards says, no doubt about that. I don't think that I've ever been involved in a project that's been battered back and forth for a long time. And discussed and re-discussed and torn apart and put back together as much as this Ordinance was and they did a great job. I got to say that Mrs. Lewis did one heck of a job for organizing this so we owe all of them a round of thanks. As far as I am concerned, they did an excellent job. I give them five and a half stars out of five. Supervisor Robert White says, looks great. Thank y'all.

Chairman Edwards says, anybody want to discuss any part of it? [Speaking to William Gillette] William Hart. Supervisor Gillette says, yes, sir. Chairman Edwards says, would you like to comment sir? Supervisor Gillette says, well, I don't have a lot to add. The more I read, the less I like solar, especially when it comes down to decommissioning. Nobody yet knows what's going to happen. It's certainly nothing, and I know in the Ordinance, you can't count any recyclable revenue as part of the decommissioning revenue so that's a good thing, but all I can see is when it's all said and done, we will have some excellent sites for some contaminated landfills. So, that's yet to be proven. I hope that never is, but it sure looks like, to me, that's where it's headed. The other thing that troubles me is that the energy – it goes back to the end users, our citizens. Which is pretty much nothing except an increase in the monthly electric bill. So, I never have been a proponent of the government picking and choosing winners and this is a huge project that they have ventured off into picking and choosing winners. The financiers are the taxpayers with very little to show for it. Green energy has never been debated thoroughly in Congress or in any other public forum that I know of. Supervisor Updike says, it's misleading.

Supervisor Gillette continues, it's not to minimize the hard work that this Planning Commission did. They did a tremendous job. It's a tremendous amount of hard work. But, my question is do we have to adopt this. And if that's mandated by the government, then that changes the whole picture in my mind. But, I just can't see taking something like this away from private business. If it worked in the capitalist system, it would be up and running strong already. And sabotaging one business to add another one just doesn't add up in my mind. But, in my comments that doesn't minimize if you got to have an Ordinance, this would be one of the better ones that could have possibly arrived at. Thank you.

Chairman Edwards says, thank you sir. Anybody else. [Speaking to Mr. Jack Randall] Mr. Randall. Mr. Jack Randall says, can I ask Mrs. Lewis a question? Chairman Edwards says, you certainly can. Mr. Randall says, my pen wasn't fast enough when you were up there. So, just so I got my figures right. So, there's 2,437 available acres left taken in consideration of current development of solar power? Mrs. Beth Lewis says, that's correct. Mr. Randall says, no more than 1% of the area so that is what is left. Does that include all the buffers, basically the entire available space? Because the one in Newsoms has, I would speculate, at least 60 acres or 50 acres part of the project, but doesn't actually have solar panels. So does that entire site plan qualify so if we get another one? The entire parcel that is being taken out of agricultural production. Let's just say hypothetically, it is 1,000 aces. The entire site plan that includes buffers and everything. That would go to 2,437. Mrs. Lewis says, yes, that is correct. Mr. Randall says, I just want to make sure I was right.

Chairman Edwards says, anymore questions? Comments? [Speaking to Carl Faison] Yes, sir. Supervisor Faison says, I just want to certainly say thank you to the Planning Commission in coming up with this Ordinance that you've taken account of the County. I think that is very important. Now I was reading this correspondence from U.S. Solar. Is that something we need to consider? Chairman Edwards says, can I answer that? In my opinion, my humble opinion, the letter from solar, to me, indicates that we have a very good Ordinance. Otherwise they wouldn't be complaining about it. I think it's a positive comment. That's the way I look at that. All that company wants to do is come in here, do their business, and get the heck out. And leave us with what happens after that. My consideration to them is zero. I might not be the only one.

Supervisor White says, that's exactly what happened with the last solar developer. He came in, made his pitch, sold it and he's gone. He made his million. Hundreds of millions. And they're gone. So, yeah, that U.S. Solar is just like (I can't remember his name with the company that came in and pitched it) I was on the Planning Commission at the time so I – Supervisor Updike says, Southampton Solar. Supervisor White says, I just remember the developers were the ones that made all the money. So, it's kind of [inaudible] the way that I feel. We didn't know anything about solar and we hashed that thing out, what eight months, ten months. We were trying to figure out a way to do it and – Supervisor Updike says, screwed up. Supervisor White says, yeah. Mrs. Lewis says, we didn't have anyone to look to. Accomack County was the only entity that had a solar installation of any size so we looked at Accomack County.

Supervisor White says, I just remember I traveled through there all time going back and forth from North Carolina and I just remember the guy sitting here telling us that they weren't going to upset any topsoil. That they weren't going to have any heavy equipment or bulldozers. I drove by there and they had heavy sixes out there driving all where they were going to put the transformers and all that so they sat there and lied to us. I got a bad taste in my mouth from that.

Supervisor Faison says, I was just thinking that we have 2,437 acres and solar companies will be coming in to ask to use those acres. What type of format do we have? We have the Ordinance that would eliminate U.S. Solar from being able to come in under the circumstances they wanted to, but, our Ordinance doesn't eliminate people from coming in and using those 2,437 acres. Mrs. Lewis says, correct. Yes. Should this

Ordinance be adopted in some from? Supervisor Updike says, this is utility? Mrs. Lewis says, that is correct. Smaller scale. Up to five megawatts.

Chairman Edwards says, remember anything that comes in has to go to the Planning Commission. Go through you guys and come to us [Board of Supervisors] so if there's anything that doesn't look right, I think we can take care of it. You know, a lot of time we have to learn from our mistakes. We've learned a lot from the counties to the east of us about problems so we take advantage of some of those mistakes they made. If you look in Europe (Europe is what totally hog wild over solar) and now they're getting out of it. They're also getting out of the windmill business. If you talk about it and what Dominion says, it's only going to supply 6% to 8% at most of our electricity. But that's going to go on the grid to the big cities. It's going to be expensive. So you have to determine how much destruction of good crop land and our scenic value you want to put up with for that amount of electricity. I've talked to several engineers. One that retired from Duke Power. I tried to get him to come here and speak, but he's in his late eighties and had some sickness in the family. But anyway. He told me that if we really knew what the bottom line is in this stuff, we would never approve a single, single one. Then, he went through the imbedded cost. The carbon footprint that it takes to make this stuff, every material that's made, you'd never get back even say over 30 years. To put in a solar farm, it takes about five million pounds of different ores and all the materials that go in. Then, you figure in the gas and oil. All the carbon footprint that it took to make the machinery. All the carbon footprint to get here and put the thing in. You'll never get it back. Supervisor Updike says, and call it green energy.

Chairman Edwards continues, the imbedded costs in this situation we need to think about. What we are doing with oil now. We aren't getting it, but we are letting the rest of the world borrow it so what's the difference whether carbon is put in the air there or here. There's no difference. Anyway, that's my feeling on it. I am really proud to be a member of the Planning Commission and this Board. For the Planning Commission standing up on what I feel is a quality document.

Supervisor Cornwell says, I just have a couple of things, Mr. Chairman. First, I'd like to echo the same sentiment as my fellow Board members in extending a big, big, big thank you to Beth and the Planning Commission in going through the effort in making this document happen. We really appreciate you doing that. Second, I had just a couple of questions. How many megawatts are the farms that we have now? Mrs. Lewis says, Southampton Solar is one hundred megawatts. Supervisor Cornwell continues, okay. And of the 385,508 acres total, how much of that is zoned M-1 for the Limited Industrial Zoning? Mrs. Lewis says, a handful. Supervisor Cornwell says, I know that's a tough one, but – Mrs. Lewis says, a handful and it's generally in the area of General Thomas Highway. It's not spread throughout Southampton County. The racetrack has M1 Zoning. Valley Protein has M1 or M2 Zoning. Supervisor Cornwell says, but they would be limited to that without a Conditional Use Permit. Mrs. Lewis says, even with those zoning destination issues, they would still need a Conditional Use Permit for Utility Scale Solar. upervisor Cornwell says, okay.

Chairman Edwards says, according to the stats, 93% of this County is A1 or A2. Mrs. Lewis says, if someone happen to find property that was M1 or M2 Zoning, they wouldn't be able to just need the Zoning App Amendment. They would still need the Conditional Use Permit.

Supervisor Cornwell says, the only other question I have is are they any additional use requirements. At the very bottom of page six, it mentions mitigate site visibility would be in addition to landscaping that's already in the previous sections or does that mean something else? Mrs. Lewis says, it's just another way of describing the buffering. Supervisor Cornwell says, okay. Very good. Thank you so much.

Chairman Edwards says, any questions from anybody? You guys out there? Supervisor White says, I was just going to make one little comment. In most cases, if someone does have M1 or M2 Industrial, they'd be crazy to put solar panels on it. You'd be close to a developer site most of the time. They've got to have

Conditional Use Permit most of the time and got through the whole process. Not many people would take already zoned industrial property and put solar panels on it.

Supervisor Updike says, I've got a couple of comments. On page three, I believe it's F. I was wondering about inserting the word 'museums' because the Ag Museum butts up to some property that could become solar. Mrs. Lewis says, perhaps including the words 'cultural resources' – Supervisor Updike says, it says historical buildings, public buildings, and historical properties, but the Ag Museum is not all historic. [Inaudible; off microphone] Mrs. Lewis says, maybe historical resources.

Supervisor Updike says, and on page 10. What is perennial flow? Mrs. Lewis says, perennial flow means that it's always wet. Supervisor Updike says, oh, okay. Mrs. Lewis says, intermittent flow means it's only wet when it rains. Supervisor Updike says, and that's different than wetlands? Mrs. Lewis says, yes. Wetlands are a specific type of land.

Chairman Edwards says, okay. Anybody else? Supervisor Faison says, just for some reason it's not clear to me. It's under archeological sites. I believe it's on page 12. Read that. Is that confusing to anybody but me? Mrs. Lewis says, those sections that require studies are currently from the Subdivision Ordinance today and they are part of the current Solar Ordinance as well. Supervisor Faison says, I am not questioning the idea. Just the flow of the writing. Mrs. Lewis says, the word 'whoever' is kind of in the wrong place or shouldn't be there at all. The County should require specific study analysis. The 'whoever' doesn't need to be there in letter C on page 12.

Chairman Edwards says, anything else, Carl? [No response.] Anybody else out there on Planning Commission? Anybody from the public here? [Speaking to Glenn Updike] Three minutes, Glenn. Mr. Glenn Updike approaches the podium and says, first of all, I'd like to thank Mr. William Hart Gillette for his wonderful comments. Looks like someone is thinking. Sounds like someone is really listening to what's going on in this world. Even Dr. Edwards stated that the solar panels can't and won't generate enough income to see one penny in our electric bills. There's no way it's ever going to happen. We were having the same discussion five years ago. And nobody was listening, especially the guys that own land around it. You can say what you want, but a guy had to sell his house for 30% less than the assessors had it appraised for. As soon as our land in that area can be sold, it's going to [inaudible.] They don't want to live there. I can't believe I fussed about it before and fussed about it again. I want to know from the people in the audience who wants to live within 500 feet of the solar panels. Let me see the hands. Let me see the hands of the people who are willing to send their children to prison. Only 250 feet from the solar panels. It's ridiculous. Talk about depression. I can't understand mental depression, but nothing is going to be more disastrous to children than having solar panels all around. That's worse than jail. Everyday. There's other things we need to do and stand up. Let me just stop right here. I want to know what judge. What department of criminal divisions sent us a letter stating that we must provide certain amount of land? Who is given freedom enough to send us one and we will do it. But this is not how American's operate. Stand up and say enough is enough. People on the Planning Commission. The People on this Board will tell you out in public that they are opposed to this stuff. But yet, you want to hurry up. Get rid of it.

Mr. Updike continues, its right down irresponsible to destroy our County just because somebody in the Greenville or in Washington wants us to suffer. It's pure and simple. So, solar don't pay. [Inaudible.] You are paying for it. I am paying for it. We're getting nothing. Please do not get in to a big rush. I know how much you've put in to it, but we're going in the wrong direction. Cancel the solar agreements altogether. You can say what you want to. They will get their extra 2,000 acres of wasteland. They are going to the best area in the County [inaudible]. I don't see anything in there that says you can't go to 'x, y, and z.' I don't see anywhere that says this area over here be available. It's too wide-open. They got all these rules and regulations and they don't care how much it costs selected companies or people who go to General Assemblies. All this just came in this past week. This is where every dime they borrow won't get a penny out of it. So, they are making money on our stupid borrowing. That's exactly what we're doing. So, please

wise up. This is not a gold mine. What's going to happen to this land after solar is gone? We are people that is paying, rounding off figures, $2,000 in taxes, but when that goes out of business, what is that land worth? $500 wasteland. [Inaudible.] Because the land is useless. This land will not be able to be put back into agriculture. They are lying to you. Bigtime. They are digging up all the top soil and digging up gravel. Giving an example. Mike went by one of the solar panels and it wasn't even working. It was flipped over in the wrong direction. I don't know the value in rushing through approving the solar panels. Especially to children in 250 feet of these solar panels. Are you kidding me? Sounds like jail to me and I am sure the kids would say the same thing. So, if they know what is right, they will scrap it. Thank you.

Chairman Edwards says, thank you. Anybody else? [No response.] [Speaking to Attorney Richard Railey] Would you like to comment on anything?

Attorney Richard Railey says, if you read the cases of the Supreme Court of the United States, especially the opinion by Chief Justice Roberts in the last two years, and he is talking about property rights, so it is a great debate in a democracy or in the liberty that we enjoy in America. Where do my property rights for my property stop and yours begin? Because the Supreme Court seems to be in favor of the property rights of the individual so factor that in.

Chairman Edwards says, thank you. Any other comments? [Speaking to Mr. Jack Randall] Mr. Randall. Mr. Randall says, looking at this, I feel like we went back and forth and we did balance this and we used numerous examples for the Commonwealth of Virginia. And we feel like, from our public hearings and everyone we heard from, this is the most scrutiny that we could do on a Constitutional basis. And obviously, you just can't say you can't do 'x'. It's not acceptable upon the law and Mr. Railey guided us to that point. We had at least three nights we were there past 11 o'clock debating this issue, but I think from a restrictive standpoint, we all on the Planning Commission believe that it will pass Constitutional Scrutiny and that was one of the main basis why we chose this route. Chairman Edwards says, I remember some counties are four to five percent with the low end at one. I have personally had requests from two counties, my own home county Rockingham County, for a copy of our Ordinance. So, maybe we are setting some guidelines of precedence for other people. And remember when we had that joint meeting with Dominion? And the Representative of Dominion said if we're not wanted, we're not coming there. We'll see if they live up to that. Alright. Floor is still open.

Mrs. Lewis says, may I add a couple of comments? [Approaches podium] Regardless of what Ordinance is adopted, the Commonwealth of Virginia now requires siting agreements between localities and potential solar developer. That's part of state law. I don't know if Southampton County has to adopt that, Mr. Railey. Adopt the citing agreement. [Mr. Railey motions no.] They don't? Okay. Because that would be another task that has to be done. Also there's the taxing issue with the County Revenue Sharing or the [inaudible] that's done now. That's a question that the County can take up at a later time. But the revenue sharing starts at 1,400 megawatts and goes up 10% every five years and the M and Taxes are a step down the panels so that is just the balancing act for somebody who's better at math than me can figure out which way the County wants to go. Once the County should make a decision to adopt the revenue sharing, you don't get to change you don't get to change each project. That's the way you do it with any project that comes in so that's a consideration for the Supervisors to make in the future.

Chairman Edwards says, thank you. Alright. Anyone else? Supervisor White says, that 1,400 megawatts is almost a slap in the face. Because that's $140,000. They're going to spend $350,000,000 building a project and they're going to get $140,000 a year. It's a joke. Chairman Edwards says, doesn't pay for the advertising.

Supervisor Gillette says, Mr. Chairman, can I ask Mr. Railey a question? Chairman Edwards says, you have the floor, Mr. [William] Hart. Supervisor Gillette says, well, I have some friends out in the far west that had property that had coal on it. Can they mine that coal and sell it? Mr. Railey says, coal is subject to

regulation. Just like nuclear plants are subjected to regulation. Just like what you can build on your property. The question is how far can the regulation go or when do my rights interfere with your rights? And that is something to consider. Not only do the Virginia Supreme Court, but the Federal Courts do all the time. So, if they have coal, they may through some type of Federal regulation be prohibited from mining that coal. I'm not familiar with the case – Supervisor Gillette says, and natural gas too. You can see it bubbling up out of the ground out there. I just heard the President of the United States on the television today say that they're going to put them all out of business. Something doesn't add up to me. But that's about all I will say.

Chairman Edwards says, alright. Thank you. Anybody else? From the Planning Commission? Up here? [No response.] Well, I think we have a very good Ordinance. I think we did the best that we could. As Mr. Randall and Mr. Railey have stated, not overstepping the Constitution of the United States and the State of Virginia. If it gets challenged, my feeling is so be it. You have to stand up for what you believe. The world's already getting hungry. And one of these days we're going to regret getting rid of the farm land that we have now. What are we losing, like a million acres a year or something like that to development? It's got to stop somewhere. One of these days, I was thinking there'd be a reverse developer. A guy comes in and tears all the concrete out and pours down top soil and makes a farm out of it. If people go hungry, that might be what happens. Future wars are going to be fought over food and water not –

Mr. Michael Drake says, may I make a comment? Chairman Edwards says, you have the floor, sir. Mr. Michael Drake, Chairman of the Planning Commission, approaches the podium saying, thank you, Mr. Chairman and Board of Supervisors. Everybody makes some really great points tonight. And I, too, have a question whether we're really on the right path so far as figuring out our next energy source. We all enjoy our electricity. We all enjoy our cars, trucks, and traveling. But we also want it as economical as possible. At the same time, we want to preserve clean air and clean water. I think we can all agree on that. I do think the initiative that the process of going about this seems to be forced upon us. It's not voluntary and, to me, with the comments that's been made earlier. It's not really economically feasible. I think we've already seen that. But taking a different approach, the Preamble to our plan, our duties as the governing body of the County is to protect our rich soil and our forestry industry.

Mr. Drake continues, we are very blessed to have excellent drinking water. That's why Union Camp Corporation was so successful with their paper because of the quality of water we have. The air we breathe is clean. Look, we are really fortunate. At the same time, our soils are rich for producing crops or forestry. We are blessed to have that. It's no different than taking ocean front property or maybe near the ocean front and saying maybe we're going to put a project here. And they'll say no, that's not the best use for that land. And it's not. You wouldn't think of putting a solar project next to the ocean front. That's tourism. That's a whole different ballgame. I think the solar initiative or the windmill initiative doesn't need to disrupt any other plan that's already up, going, and feasible. How do we take away from any forestry industry we have today. Or the agricultural industry. We will continually build roads, build houses, and hope that factories will come. We are going to be faced with many other issues that the land will be taken up with these other projects. We're talking about the solar energy. It's such a vast amount so quick. And we don't know what's going to happen at the termination of that lease agreement. Yes, it's all about the money. Money is really pushing it. I've talked with people involved with this who are getting rewarded for it. People who are paid to keep quiet. I know this for a fact; they are coming to complain.

Mr. Drake continues, money gets your attention. I have a lot of concerns going down the right paths in our County. Because of the location, houses, the prime farm land, forestry. That's what drives our economy today. Agriculture and forestry. With that being said, I voted for the Ordinance and those involved did a wonderful job. I was one of those. I just feel like no more at this time. We can always revisit. If it comes a time five-ten-fifteen years out. Technology changes. We'd get more bang for our buck. In other words, if we are eating well and we don't have any electricity, we need to put in solar in if that's the answer. [Inaudible.] But there's a lot of things on my farm and probably a lot of things in your households that you can't do in your yard, but the government tells me all the time what I can and cannot do on my land. So, I'm

not debating. Mr. Railey is certainly right. And Mr. Randall. But there are a lot of other regulations that the government tells us that we can and cannot do with our land so that just depends on what side of the fence you're on. As I stand here, I do have a big problem, but I'm all for the Ordinance and accepting this Ordinance. I don't guess we're going to make any changes tonight, but certainly no more than the one percent that's kind of a minimum. We've heard from one to four. That's how we come up with the one. I'm the one. I'm the descending vote. I'm going to say it now. But I am going to go along with the Committee in endorsing the 1%. If you don't know, I'd be fine with that too. Thank you.

Chairman Edwards says, you know, he mentioned the soil we have here. [Inaudible]. I don't remember the name of it, but there's crop land soil that starts at Colonial Beach is about 50 miles wide and come right through this County. The best crop land probably in the whole United States. Supervisor Updike says, isn't it along Norfolk line? Mr. Drake says, there's actually a standalone of 20 miles east and west of Courtland, north of Colonial Beach and goes down to north eastern North Carolina. I did a little research on that and it's something in the formation of the earth. Many years ago, the continental shift reached up to the fall line that's up I-95 corridor. The top soil is actually silk. That's why I said it's so rich. It's 20 miles wide, east and west of Courtland. And that's how it's stated. We are in that prime strip of land. Not only do we have wetlands, we have those clay ridges. But it's the richest strip of land.

Chairman Edwards says, what's the status of row crops? Aren't we pretty much number one in the state? Mr. Drake says, we're very proud. The farming community and the agricultural community are very proud on the production. You had to quiz me on that. I think we are number one in the cotton yield County wide and probably soybeans. Supervisor Updike says, I think isn't Virginia Beach still soybeans? Mr. Drake says, peanut. I think we are top in peanut. But anyway, we are in the row type farming that is very critical to this area. It's probably number one is my guess.

Chairman Edwards says, thank you. [Speaking to Glenn Updike] Yes, sir. Supervisor Updike says, one minute. One minute this time. Mr. Glenn Updike approaches the podium saying, I won't take but one minute this time. Last week, I went to a specialist in Suffolk and they said I've only got 60% lung capacity. So, what I want is an invested interest in trees. If there's oxygen, I won't have to work so hard in my breathing so. So, we do away with crops and trees. They have proven and this is our projection that trees give out up to 90% of oxygen. On the solar power, how much oxygen are getting from that. We are biting off our nose right in our face. Mexico and California having wildfires after wildfires. What's going to clean the earth? It's going to be trees not solar. I don't care how many solar you put in there they won't be able to provide oxygen for the people. Just today, the largest export of wheat refused to increase their world production for the world and that is India. What are we going to do? Mr. Banks that they had on the talk show went into the store to see if they could find product for the children and couldn't. He went to the bread man and they didn't have any. You better think about what you are eating because we can't. Solar power doesn't provide one iota benefit to society.

Chairman Edwards says, alright. Anybody else? Have we said everything? [Speaking to Richard Railey] Does the Planning Commission need to make a motion to move this onto their next meeting?

Attorney Richard Railey says, well, I think you can do it a number of ways. And Mr. Johnson can certainly correct me. I think what they are looking for tonight is direction from the Board for the Planning Commission to go forward and advertise. Would that be a fair statement? [Overlapping.] You aren't voting up or down. You're just voting for the Planning Commission to still go through the whole process.

Supervisor White says, I make a motion that we advise the Planning Commission to move forward with the Ordinance that is written. Chairman Edwards says, a second to move to their June 9 meeting. Supervisor White says, to their next meeting, June 9. Supervisor Faison says, second.

Chairman Edwards says, is there further discussion? Mrs. Lewis says, with those two changes. Chairman Edwards says, with those two very minor changes. [Static.] If there's no further discussion, William Hart do you have any comments on that? Supervisor Gillette says, no, I don't have any.

Chairman Edwards says, all in favor, say aye.

Alan Edwards	AYE
William Hart Gillette	VIA PHONE
Christopher Cornwell	AYE
Carl Faison	AYE
Dallas Jones	ABSENT
Lynda Updike	AYE
Robert White	AYE

Chairman Edwards continues, okay. We have a unanimous vote so you all proceed to have the public hearing on June 9, which is your next meeting. We thank you. You guys and girls did a terrific job.

Chairman Drake says, we will go down to item number four, public hearings. We do have a public hearing scheduled tonight and I am going to ask Mrs. Lewis will proceed with those remarks.

Mrs. Lewis says, this evening, you have a public hearing regarding your most recent draft of the utility scale solar ordinance which you are forwarding to the Board of Supervisors. This has been unchanged for several months. You looked at it, made sure all the T's were crossed and the I's were dotted. In summary, hitting the highlights that make it different that the ordinance that is in place today. It's proposed that the minimum rated nameplate capacity of any utility scale solar project be at least twenty megawatts and no more than one hundred megawatts. This limits the use of land in Southampton County to one percent of area of Southampton County. With the current ratio between farm and forested land to be determined at the time of application. At the time this ordinance was prepared, sixty-nine percent of Southampton County was forested land. So, this ordinance would require that sixty-nine percent of the land used for proposed solar project be forested land, the rest could be agricultural land. This leaves it in the M1 zoning designation with a conditional use permit. This requires that projects be at least one mile from any incorporated place and five miles from each other. It requires that if the proposed project is in an agriculture and forestal district that that process must be completed before the application is submitted. It includes buffers and setbacks that are not in today's ordinance. It especially protects homes, places of worship, historical resources, cultural resources and state scenic rivers. It does permit buffers to get wider and narrower depending on what they are buffering. If the area doesn't need as much buffering then the buffer could get narrower; at that area that needs more buffering then the buffer could widen in that area. It requires that the buffers be installed in the first planting season after the land disturbing permit is issued so as to let that landscaping start to grow in. It limits the use of nonnative vegetation to no more than twenty-five percent of all the new plantings unless the landscape design professionals says that it is not appropriate there. It requires a surety of fifty percent of the cost of landscaping to be submitted at the beginning of the project. Once the project is completed, it can be refunded except the fifty thousand dollar landscape bond will be retained for the life of the project, to be used by the County in case landscaping needs to be replaced and the owner doesn't choose to do that. It says no topsoil can be removed from the site. It says no grading can take place on slopes exceeding fifteen percent. It requires that the neighborhood meeting be held no more than six months before the application is submitted. Most of the highlights talks about decommissioning, that decommissioning will give no salvage value credit, the decommissioning bond or surety has to be for one hundred percent of the proposed decommissioning costs, requires that the decommissioning plan and the site plan and the siting agreement all be recorded with the clerk of the court. The impact assessments are the same as they are in the ordinance today and it requires a phasing plan so as to determine how the project is going to develop. Mrs. Lewis says, I will be glad to answer any questions.

Chairman Drake says, any questions, comments from Mrs. Lewis before we proceed with the hearing? Mr. Phil Bain (from the audience) says, excuse me, I did have one question, please. He says, could you distinguish between. Chairman Drake says, if you will wait just a second sir, we are going to open the public comment period. Mr. Bain says, yes sir, I'm sorry. Chairman Drake says, or the public hearing rather, this is just for the Board members. Mr. Bain says, well, I'm sorry. Chairman Drake says, that's ok, it's alright.

Chairman Drake says, again, anyone from the Board have a question or comment for Mrs. Lewis. Are you all ready to proceed with the hearing? Alright, at is time then, I will open the public hearing. At this time, anyone can come forward to make any comment about the ordinance that we have proposed that is considered being recommended to the governing body. Anyone can come forward now and you just have to give your name and the jurisdiction you are from for the record, please.

Mr. Blake Hobson comes forward and says, Good evening everybody. My name is Blake Hobson from Chesterfield. Some of you might recognize me from my time with Conservatives for Clean Energy. I

interacted with some of your staff and constituents during that time. Although I'm not with CC anymore, I'm developing a not-for-profit focused on similar issues, solely focused here in Virginia. We are making sure there is a commonsense voice at the local level when we are having these energy discussions.

As a conservative, I believe property rights are indispensable to the success of America and a fundamental role of government is to protect these property rights. John Adams said, "Property must be secured or liberty cannot exist. Private property rights are what separates us from socialist countries". Many Southampton County landowners want to use their own land for solar projects. They believe as Americans, they should be able to do so as long as the rights of others are not violated. They want to use their property to generate income for their families, income that benefits not only themselves but the businesses and citizens of Southampton as well. More specifically, aspects of the ordinance like the megawatt and acreage restrictions would be detrimental to landowners in the state of solar here in Southampton. This would also be detrimental to the County as a whole due to the profound community benefits associated with solar. Southampton's potential to generate millions of dollars in new tax revenue from solar will benefit every resident of the County. This additional tax revenue causes new strain on public services like other types of development demand. These tax dollars can go to help lower taxes on citizens or repairing roads, infrastructure, funding schools or our first responders. I would urge you to move forward in the consideration and approval of solar developments here in Southampton so landowners moving forward with these projects and the benefits of energy developed maybe fully realized by the County. Mr. Hobson says, thank you.

Chairman Drake says, thank you, any questions for this gentleman? Any questions. Mr. Chesson says, I guess I do. You mentioned acreage and megawatts. Mr. Hobson says, yes sir. Mr. Chesson says, were they your two major concerns? Mr. Hobson says, yes sir. Mr. Chesson says, thank you. Chairman Drake says, ok, thank you, sir. Mr. Hobson says, thank you guys.

Mr. Scott Foster comes forward and says, Good evening, Scott Foster with Gentry Locke. My office is in Richmond but I live in Williamsburg. Here on behalf of Clenera who is interested in the projects in Southampton. It is good to be back with you all at what is, I guess, going to be the end of this process. Got a number of thoughts about your draft ordinance. On the macro level, I understand where you are coming from. You guys have a project that really nobody is satisfied with. Don't like the way it looks. You don't like driving by it. The industry has changed a lot since that project was developed. Projects we are permitting today are derived from ordinances or voluntary conditions that are by-and-large reflective of the design parameters that you have put in to your ordinance. The design parameters in here are tough. Some of them are very tough, but most are fair. I think from a perspective of protecting the public from view shed and impacts of solar like you have with your existing project, these parameters you are going to do what you have intended to do and I think a good development partner can come in under this ordinance and design a project that is well hidden and looks good and functions within the community. That being said, I have two specific concerns. Number one, is the one hundred megawatt project cap. I'm not sure that the one hundred megawatt project cap is necessary. The reason I say that is because you all are entertaining an acreage cap in the County, the one percent acreage cap. So, I have here, the one percent given the offset of the existing Southampton Solar, you all have two thousand four hundred thirty-seven acres leftover. The industry estimate at megawatts per acre is you can safely generate one megawatt on ten acres. That leaves you all with approximately two hundred forty-five megawatts of bandwidth in this current ordinance. Let the industry bring you custom-tailored projects within that two hundred forty-five megawatts and don't hold us to a one hundred megawatt limitation. If it is a two hundred megawatt project, more often than not, they are designed like four fifty megawatt projects. We are not talking about fencing in massive amounts of area, the wetlands and typography in Eastern Virginia, you are going to have smaller units broken up. So, I think the one hundred megawatt limitation is a bit arbitrary and it is incongruent with how the industry looks and sizes projects. Number two, it is actually going to hem you all in. There could be one hundred fifty or two hundred megawatt project that comes in that is well buffered, well-designed, well sited and you all have just said no from the outset, that one hundred fifty megawatt project might be divided up amongst

six or eight parcels, spread out over an extended area. I think what you are doing is setting something up that is (A) not reflective of how the industry works and then (B) it really doesn't help you in your end goal of controlling what things look, how they function and how they are located. Not to mention on the revenue side, bigger projects pay more money so if you are going to have one, you might as well capture the revenue available. Second, within the one percent, you all have a commitment to keep current ratios of AG to timber. Now, I think I understand what you are getting at but I think one of the unintended consequences may be, based on the way I read the ordinance, is right now within the 2437, you have using the current ratios of sixty-nine to thirty-one, that would be seven hundred fifty-five acres of AG, 1682 of timber. Say I bring you a project and you approve it on sixteen hundred acres of timber. You are forcing the industry's hand within your existing ordinance to only locate another project on AG. I am not sure that was your intention. My suggestion would be, is an alternate, allow the seven hundred fifty-five acres of AG to be the maximum within the one hundred percent that could be developed on AG land. What if someone were to bring you a project that was entirely located on timber up to that two thousand four hundred thirty-seven acre limit. Allow that to happen and in the meantime, you haven't forced the industry to locate on AG and you have been able to capture that project entirely located on timber. The technical edit to effectuate that would be Section 18-624, number three. After Southampton County, my suggestion would be to say comma, no more than thirty percent of which be located on AG land currently in production, and move away from this moving target of using the state forest service and the state AG service to determine what the ratio is at any given point. Just set that ceiling on AG at thirty percent and allow someone to bring you a project completely on timber up to that two thousand four hundred acre land. Reasonable folks can differ on what the right percentage of acreage I accounting is appropriate. You all have decided on one percent and I'm probably not going to move you off of that. But at twenty-four hundred acres, you give an industry at least a place to start, some room to work with. Mr. Foster says, welcome your questions and appreciate all your hard work on this. Chairman Drake says, any questions. Thank you.

Mr. Phil Bain comes forward and says, good evening, Phil Bain from the Ivor-Berlin magisterial district. And I apologize earlier for my poor timing on my question. I thought you had opened it up. Chairman Drake says, that's alright. I didn't make that clear, sir. That's alright. Mr. Bain says, thanks. I too would like to thank the Planning Commission and Board for their work. They have done a lot of work over the past years and we appreciate that. My question, perhaps clarify some of my following questions. How do you distinguish between a utility scale project, their distribution lines, and transmission lines? Is the distinction drawn there? Is it all encompassed within this size kilowatt project? I would like a little clarification on that, please. Chairman Drake says, Go ahead Mrs. Lewis, who wants to speak. Chairman Drake says it is the number of megawatts produced, correct? Mrs. Lewis says, well, the definition of utility scale solar is the last definition on the first page at the end of 18-622. The definition of utility-scale solar is electricity from sunlight. Utilize sunlight as an energy source and does not meet any of the following criteria, has a disturbance sound, equal to or less than two acres, is mounted on or over a building or parking lot, or other previously disturbed area or utilizes integrated PV only, so everything else. Mr. Bain says, Ok. Mrs. Lewis says, so if a church or a school or a factory wanted to install solar on their property to run their facility. That is not considered a utility-scale solar by this ordinance. Mr. Bain says, feeding into distribution lines to power township, not on transmission lines would still be within the definition. Mrs. Lewis says, that is correct. Mr. Bain says, thank you that was what I wanted to clarify.

Mr. Bain says, as was expressed earlier, I would like to say that I do feel like the maximum number of acres is restrictive. Everyone has their own opinion, but I do feel that that bar is set fairly low. The ratio between timberland and cropland, heard the past gentleman speak to that. I also would like to let you know that I think that will limit the vast number of projects that will come into this, or be proposed to come into this County. If a landowner has all timber or all crop land, my understanding is he would be excluded. Frankly, doesn't seem fair. The attorney from Gentry Locke had seemed to be a reasonable alternative. I can think of one location. I will touch on my next point before I go down that illustration. But having the restriction of one mile from a township and that is why I went down the road of a distribution versus a transmission project. Some of the developers that I have talked to and I have tried to do my due diligence on this. They

have said that the townships can derive benefit from these projects from the distribution style not going on these big utility lines, have power lines, but on the distribution network. It says on page two that no new line will be erected. Well, if we have to get a mile from the township, these substations are located right on the edge of a township. In just about all instances that I can think of, that would prevent what I call a distribution style project, is usually thirty to fifty acres, lower kilowatts and feeds the substation and the township and it could provide benefit for those residents. Hopefully maybe that you could consider excluding those type of projects. It would be a, I will call it, this is my own terminology, a township project from this utility scale definition. I know in the Ivor area, which I am most familiar with, there was a six hundred acre tract of land, comes right up to the substation, entirely forest. If a solar project was put in the middle of it, the only two ways to see it would be to fly over it or trespass to get to it. It seems ideally suited to me. I believe, Mr. Chesson, I'm not putting words in your mouth, but I think he was a proponent of having this viewed on a conditional use basis, evaluating each project on its own merits. Think that has a lot of credit. Thank you for that idea last year.

Mr. Chesson says, well, and it is still, remain a conditional use permit. As I understand it, this is just gives guidelines to applicants coming forward as far as what to start with. Additional conditions can be added as I understand. Mr. Bain says, I was just trying to illustrate, then in your example or under this ordinance, this proposed ordinance, that entire timber location would be excluded. I think under such tight restrictions, you can review that under conditional use application and take it on a case-by-case basis. Again, one mile from a town limit, and I hope you could look at that carefully. Open versus wooded. Hope that could be given some more consideration. That fellow from Gentry Locke, I think had a wonderful idea. Five miles between projects. I think we all know these things have to be on for the transmission style and the high voltage line on the towers. They have to be very close to those lines. You start limiting them five miles apart. If your intentions are to not have many, you will accomplish that. Decommissioning. I applaud you on that. I think that is a great idea. I think, I like your wording on decommissioning. I also thought that the buffering was well-written and I think that is a great idea. Mr. Bain says, again, thank you for your time, thank you for your efforts. I appreciate you considering my thoughts. Chairman Drake says, thank you. Any questions for Mr. Bain. Thank you sir.

Mrs. Lewis says, with regard to Mr. Bain's comments, you will see some places throughout the ordinance that at the end of the standards, there is a paragraph that says the Board of Supervisors may modify the standards and that is at the end of the section that requires them to be more than a mile from an incorporated place. That is also at the end of this section that requires them to be five miles apart. Those are two things that the Board of Supervisors can modify on a case-by-case basis should they choose to. Not all of the sections include that authority for the Board to modify it but those two requirements are in those sections. Mr. Chesson says, I guess to further clarify, I mean, this addresses a project and a project can include, I guess it is the same with a question mark, multiple tax parcels with multiple landowners, can't it? Mrs. Lewis says, certainly, yes. Chairman Drake says, most time it does. Mr. Chesson says, yes, that is what happened last time. But I guess some of the concerns that I thought I heard voiced insinuated that a project only had to be within the same owner or tax parcel.

Chairman Drake says, the hearing is still open. Anyone else would like to come forward. If not, I'm going to close the public hearing. Now I will take comments from any Board members. Any discussion about what we heard? Chairman Drake says, well some of the issues brought up we had discussed pretty lengthy at some of the prior meetings. Is there anything else you all would like to discuss any further? What is the direction?

Vice-Chairman Randall says, Mrs. Lewis, so basically, the plan can be modified by the Board. If the acreage, timber or the agriculture timber issue would come up, the Board would have the authority to modify that. Mrs. Lewis says, that is not one of them that has that qualifying paragraph at the end. That is not one that does. But that ratio has always been a clumsy paragraph. I think the Planning Commission knows what they want to accomplish. As a staff member, I think that Mr. Foster's saying can't be more than thirty

percent but instead can be located on land which is no more than thirty percent in current agricultural production, I think that may make the intention of what the Planning Commission wants to do a little more clear.

Chairman Drake says, and I will make a comment on that as well. Like I say, we have talked about this a lot. But I think the intent and the reason for it is that, and go back to what the gentleman spoke about, you know we've got a, well, our first project came so suddenly, even though it had been planned for almost five years before it went public. Almost five years because I actually saw one of the lease agreements. The potential lease on a particular property. If it was approved, it was going to go into that facility. But it is a lot of work, more than I can ever imagine. That the developer with the engineering and the technical issues at hand. It is not all about locating the property owner, it is, is the site sufficient and are the lines, like I say, the transmission lines or that transfer station, is that close proximity. I just can't imagine what it took to get that project to come together because that has all those various pods, lot of different landowners. But I am not saying they spent every day on it. But it was in the making for almost five years before it came to this Planning Commission. I feel like I think the purpose in mind was to have that balanced ratio and that is going to be up to the developer, whatever the project manager or that developer, he will come up with the scenarios to make so those ratios come about. So, I don't think that is what we have determined. We have established those parameters and it is up to the developer to locate those sites in that area where it is going to be located at to come up with that ratio of forested land or cut-over land versus the open land. But like I say, we had reason for doing that to have a balance, so to speak. I think the project managers do, I guess that is the right word. He is the one to figure out those parameters, I think. Dr. Edwards says, Mr. Chairman you are exactly right, you hit the nail right on the head.

Vice-Chairman Randall says, do we need to make a motion to send this to the Board? Dr. Edwards says, yes. Mrs. Lewis says, that is your job tonight. Vice-Chairman Randall says, I will make a motion that we approve as written. Rev. Lucas says second.

Chairman Drake says, I have a proper motion and a proper second that we send the ordinance up to the Board of Supervisors as a favorable response. Is there any other discussion, any other comments?

Mr. Chesson says, in the issue of the involvement change but to me and I just throwing this question out, can the Board of Supervisors modification statement be below that statement. Would that make it easier? Chairman Drake says, below the percentage? Mr. Chesson says, yes, I'm just throwing it out.

Chairman Drake says, since we are discussing, we have a motion and a second, I am going to revert back to our previous meeting with, Mr. Chesson unfortunately you were not here. But Dr. Edwards, I am going to revert back to you. I think that your Board of Supervisors, I think they pretty much stated we have met all of the objectives which you all had put forward to us. Is that correct? Dr. Edwards says, I think I can definitely say that. I mean, there were a few small tweaks, you know a few wording here and there but I think the Board of Supervisors are very proud of you, the Planning Commission coming up with this. Chairman Drake says, we've got a couple of supervisors in the gallery tonight. I don't know if that is debatable. Mr. Chesson says, I mean we could just push it on. I mean, if they read the minutes but to me that would be a compromise. Chairman Drake says, I understand, I understand your comment. Yes sir. Any other comments.

Mr. Day says, when would this meeting go to the Board of Supervisors? Is this September meeting? Dr. Edwards says, July. Mr. Day says, July. Dr. Edwards says, it will be, go for the final hearing in August. Mr. Day says, ok. Dr. Edwards says, we have to have it done by, September 9th or 10th is the deadline. It will be finished in August. Mr. Day says, will there be one more public hearing? Mrs. Lewis says, the Board of Supervisors will hold a public hearing. If you make a recommendation tonight, they could hold a public hearing at their July meeting and make a decision that night. They could do both at their August meeting

instead but if you make a recommendation tonight, they could hold a public hearing as soon as their July meeting.

Chairman Drake says, any other discussion. We have a motion and a second. I'll call for the vote. All in favor of a sending the ordinance, as presented, say AYE:

Michael Drake	Aye
Dr. Alan Edwards	Aye
Jack Randall	Aye
Michael Mann	Aye
Doug Chesson	Aye
Bill Day	Aye
Brad Turner	Aye
Frank Lucas	Aye
Lynnette Allston	Absent

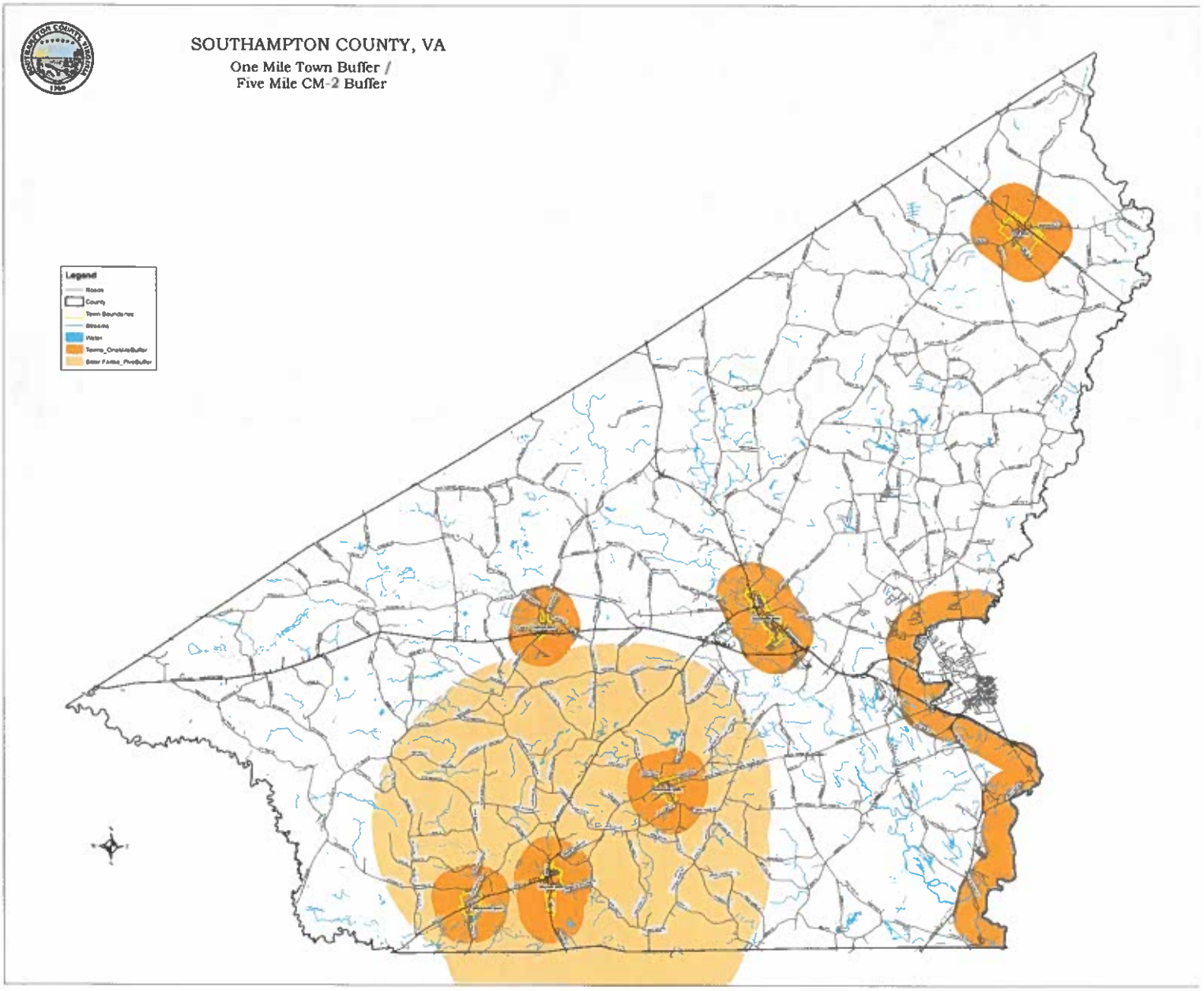
Any opposed, like sign. Chairman Drake says, it is unanimous.

Chairman Drake says, thank you for the ones who came to speak tonight. We appreciate your comments as well. We encourage you to go to the Board of Supervisors meeting later in the month of July.

Mrs. Lewis says, the fourth Tuesday of July, that is correct.

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PUBLIC NOTICE

SOUTHAMPTON COUNTY
Planning Commission
Notice of Public Hearing

Notice is hereby given pursuant to Section 15.2-2204 of the Code of Virginia, 1950, as amended that the Southampton County Planning Commission will hold public hearings on Thursday, June 9, 2022 at 7:30 p.m. in the Board Room of the Southampton County Office Center at 26022 Administration Center Drive in Courtland, Virginia to consider the following:

1. Amendment to Chapter 18, Art. XXII of the Southampton County Code. Petition by the Southampton County Planning Commission to rescind the current Art. XXII of Chapter 18 of the Southampton County Code, Utility Scale Solar Energy Project for Southampton County, and replace it with a proposed Art. XXII. The proposed ordinance includes limits on the land area of the County to be devoted to utility scale solar projects, directs the location of said projects, includes landscaping and buffering provisions, and includes decommissioning requirements, among other amendments.

Any persons desiring to be heard regarding this matter may appear in person at the time and place referenced herein above and offer their comments to the Planning Commission. This hearing will be held at a public facility designed to be accessible to persons with disabilities. Any persons with questions on the accessibility of the facility or need for reasonable accommodations should contact Michael Johnson, County Administrator at 757-653-3015. Persons needing interpreter services for the deaf must notify Mr. Johnson at least seven (7) days in advance of the hearing.

Southampton County Planning Commission
Beth Lewis, AICP, Secretary

Tidewater News:
May 25 and June 1, 2022
PUBLIC HEARING

May 12, 2022

A regular meeting of the Southampton County Planning Commission was held on Thursday, June 9, 2022 in the Southampton County Office Center Board Room at 7:30p.m.

COMMISSIONERS PRESENT

Michael Drake, Chairman (Newsoms District)
Dr. Alan Edwards (Governing Body Representative)
Douglas A. Chesson (Berlin-Ivor District)
Brad Turner (Franklin District)
J. Michael Mann (Boykins-Branchville District)
John (Jack) T. Randall, Vice-Chairman (Jerusalem District)
Bill Day (Capron District)
Reverend Frank Lucas (Drewryville District)

COMMISSIONERS ABSENT

Lynette Allston (At-Large)

OTHERS PRESENT

Richard E. Railey, Jr., County Attorney
Beth Lewis, Director of Community Development (Secretary)
Josh White, Southampton County Sheriff
Deputy Fuller, Sheriff's Department
Shelia Baker, Administrative Assistant

OTHERS ABSENT

At 7:30pm, Chairman Drake says, I'm going to ask tonight if before we have the invocation tonight if we had an indication that we are going to pause for a brief few moments just in remembrance of Mr. Glen Updike, which some of his family, his wife and daughter are here tonight. I didn't know they would be here but Mr. Updike, he missed very few meetings and always contributed a point of view to us as well as the Board of Supervisors. I consider him a real statesman for the County and for all the lives he has touched. I'm going to ask you if you will, just bow your heads for a few moments and afterwards, I'll close with a prayer in just in remembrance of Mr. Glenn's death. Bow your heads, please.

Chairman Drake offered up an invocation.

Chairman Drake says, I will now call the June meeting of the Southampton County Planning Commission to order. I am going to ask if everyone will stand as we Pledge Allegiance to the flag.

The Pledge of Allegiance was recited. Chairman Drake says, you may be seated.

Chairman Drake says, thank you and welcome each and every one of you here tonight to our meeting. One note is we get to our third item tonight. We will have a public comment period. It's a little different position tonight. But if anybody who is willing to speak, just get your thoughts together. That will be the third item on our agenda tonight. Otherwise, let it be noted that Mrs. Allston will not be in attendance tonight but I think everybody else is here and hope everyone has had a chance to review their agendas and their packets which I must say is coming very quickly. It gives us a lot of extra time to review the information. Mrs. Lewis, we appreciate that.

Chairman Drake says, at this time, I welcome any comments or any additions to the minutes as they have been presented. Otherwise, I will entertain a motion.

Dr. Edwards says, I move that they be approved.

Mr. Turner says, second.

Chairman Drake says, I have a motion and a proper second they be approved as presented. Any discussion? If not, all in favor of adopting the minutes as presented, say AYE.

Michael Drake	Aye
Dr. Alan Edwards	Aye
Jack Randall	Aye
Michael Mann	Aye
Doug Chesson	Aye
Bill Day	Aye
Brad Turner	Aye
Frank Lucas	Aye
Lynnette Allston	Absent

Any opposed, like sign. Chairman Drake says, the minutes are approved as presented. Thank you.

Chairman Drake says, so now we will go down on our agenda to item number three, which is public comment period. And like I said tonight, we voted, I think last meeting that we were up there. We would try it for a while and see if there is any comments about anything on our agenda coming up tonight or anything referring to County affairs. So, at this time, if you like, come forward to voice any comments. I just ask that you give your name and maybe the jurisdiction you are from for the minutes. So, at this time, I will open the public comment period.

Mrs. Lewis says, and this is not the public hearing.

Chairman Drake says, correct.

Mrs. Lewis says, this is public comment.

Chairman Drake says, public comment period, correct.

Mr. Chesson says, and they will have the opportunity to speak.

Chairman Drake says, yes. We do have a public hearing scheduled tonight as well, but this is called public comment period.

Chairman Drake says, any other issue concerning the County, this will be your time to come forward. Last call.

Vice-Chairman Randall says, can I make a comment? Chairman Drake says, sure.

Vice-Chairman Randall says, I was just looking out at the gallery and thinking about Mr. Updike. The last time I saw him, I think was at the academy when it was a promotion ceremony of, I assume his grandchildren. I saw you Linda and was with my wife Heather. He came up to me and was talking to me about something that was passionate, solar panels. I didn't always agree with Glen. A lot of times I did agree with him but I'm going to miss him not being there.

Chairman Drake says, we all will.

Vice-Chairman Randall says, he always had a smile on his face whether he agreed with you or disagreed with you. He always was passionate about the issue and I always respected that about Glen. And I think I told him that I thought that his wife was a better politician than him. I think he insulted me too. I can't remember exactly how, but it was all in good faith.

Dr. Edwards says, Mr. Randall, he agreed to that.

Vice-Chairman Randall says, he agreed to that. But Glen would always help anybody that I asked. I am going to miss his commentary.

Chairman Drake says, I think we all will.

Vice-Chairman Randall says, I just wanted to point that out for public comment period.

Chairman Drake says, thank you. If no one is going to come forward, I am going to close to the hearing. Close to periods. Excuse me.

Chairman Drake says, we will go down to item number four, public hearings. We do have a public hearing scheduled tonight and I am going to ask Mrs. Lewis will proceed with those remarks.

Mrs. Lewis says, this evening, you have a public hearing regarding your most recent draft of the utility scale solar ordinance which you are forwarding to the Board of Supervisors. This has been unchanged for several months. You looked at it, made sure all the T's were crossed and the I's were dotted. In summary, hitting the highlights that make it different that the ordinance that is in place today. It's proposed that the minimum rated nameplate capacity of any utility scale solar project be at least twenty megawatts and no more than one hundred megawatts. This limits the use of land in Southampton County to one percent of area of Southampton County. With the current ratio between farm and forested land to be determined at the time of application. At the time this ordinance was prepared, sixty-nine percent of Southampton County was forested land. So, this ordinance would require that sixty-nine percent of the land used for proposed solar project be forested land, the rest could be agricultural land. This leaves it in the M1 zoning designation with a conditional use permit. This requires that projects be at least one mile from any incorporated place and five miles from each other. It requires that if the proposed project is in an agriculture and forestal district that that process must be completed before the application is submitted. It includes buffers and setbacks that are not in today's ordinance. It especially protects homes, places of worship, historical resources, cultural resources and state scenic rivers. It does permit buffers to get wider and narrower depending on what they are buffering. If the area doesn't need as much buffering then the buffer could get narrower; at that area that needs more buffering then the buffer could widen in that area. It requires that the buffers be installed in the first planting season after the land disturbing permit is issued so as to let that landscaping start to grow in. It limits the use of nonnative vegetation to no more than twenty-five percent of all the new plantings unless the landscape design professionals says that it is not appropriate there. It requires a surety of fifty percent of the cost of landscaping to be submitted at the beginning of the project. Once the project is completed, it can be refunded except the fifty thousand dollar landscape bond will be retained for the life of the project, to be used by the County in case landscaping needs to be replaced and the owner doesn't choose to do that. It says no topsoil can be removed from the site. It says no grading can take place on slopes exceeding fifteen percent. It requires that the neighborhood meeting be held no more than six months before the application is submitted. Most of the highlights talks about decommissioning, that decommissioning will give no salvage value credit, the decommissioning bond or surety has to be for one hundred percent of the proposed decommissioning costs, requires that the decommissioning plan and the site plan and the siting agreement all be recorded with the clerk of the court. The impact assessments are the same as they are in the ordinance today and it requires a phasing plan so as to determine how the project is going to develop. Mrs. Lewis says, I will be glad to answer any questions.

Chairman Drake says, any questions, comments from Mrs. Lewis before we proceed with the hearing?

Mr. Phil Bain (from the audience) says, excuse me, I did have one question, please. He says, could you distinguish between.

Chairman Drake says, if you will wait just a second sir, we are going to open the public comment period.

Mr. Bain says, yes sir, I'm sorry.

Chairman Drake says, or the public hearing rather, this is just for the Board members.

Mr. Bain says, well, I'm sorry.

Chairman Drake says, that's ok, it's alright.

Chairman Drake says, again, anyone from the Board have a question or comment for Mrs. Lewis. Are you all ready to proceed with the hearing? Alright, at is time then, I will open the public hearing. At this time, anyone can come forward to make any comment about the ordinance that we have proposed that is considered being recommended to the governing body. Anyone can come forward now and you just have to give your name and the jurisdiction you are from for the record, please.

Mr. Blake Hobson comes forward and says, Good evening everybody. My name is Blake Hobson from Chesterfield. Some of you might recognize me from my time with Conservatives for Clean Energy. I interacted with some of your staff and constituents during that time. Although I'm not with CC anymore, I'm developing a not-for-profit focused on similar issues, solely focused here in Virginia. We are making sure there is a commonsense voice at the local level when we are having these energy discussions.

As a conservative, I believe property rights are indispensable to the success of America and a fundamental role of government is to protect these property rights. John Adams said, "Property must be secured or liberty cannot exist. Private property rights are what separates us from socialist countries". Many Southampton County landowners want to use their own land for solar projects. They believe as Americans, they should be able to do so as long as the rights of others are not violated. They want to use their property to generate income for their families, income that benefits not only themselves but the businesses and citizens of Southampton as well. More specifically, aspects of the ordinance like the megawatt and acreage restrictions would be detrimental to landowners in the state of solar here in Southampton. This would also be detrimental to the County as a whole due to the profound community benefits associated with solar. Southampton's potential to generate millions of dollars in new tax revenue from solar will benefit every resident of the County. This additional tax revenue causes new strain on public

services like other types of development demand. These tax dollars can go to help lower taxes on citizens or repairing roads, infrastructure, funding schools or our first responders. I would urge you to move forward in the consideration and approval of solar developments here in Southampton so landowners moving forward with these projects and the benefits of energy developed maybe fully realized by the County.

Mr. Hobson says, thank you.

Chairman Drake says, thank you, any questions for this gentleman? Any questions.
Mr. Chesson says, I guess I do. You mentioned acreage and megawatts.

Mr. Hobson says, yes sir.

Mr. Chesson says, were they your two major concerns?

Mr. Hobson says, yes sir.

Mr. Chesson says, thank you.

Chairman Drake says, ok, thank you, sir.

Mr. Hobson says, thank you guys.

Mr. Scott Foster comes forward and says, Good evening, Scott Foster with Gentry Locke. My office is in Richmond but I live in Williamsburg. Here on behalf of Clenera who is interested in the projects in Southampton. It is good to be back with you all at what is, I guess, going to be the end of this process. Got a number of thoughts about your draft ordinance. On the macro level, I understand where you are coming from. You guys have a project that really nobody is satisfied with. Don't like the way it looks. You don't like driving by it. The industry has changed a lot since that project was developed. Projects we are permitting today are derived from ordinances or voluntary conditions that are by-and-large reflective of the design parameters that you have put in to your ordinance. The design parameters in here are tough. Some of them are very tough, but most are fair. I think from a perspective of protecting the public from view shed and impacts of solar like you have with your existing project, these parameters you are going to do what you have intended to do and I think a good development partner can come in under this ordinance and design a project that is well hidden and looks good and functions within the community. That being said, I have two specific concerns. Number one, is the one hundred megawatt project cap. I'm not sure that the one hundred megawatt project cap is necessary. The reason I say that is because you all are entertaining an acreage cap in the County, the one percent acreage cap. So, I have here, the one percent given the offset of the existing Southampton Solar, you all have two thousand four hundred thirty-seven acres leftover. The industry estimate at megawatts per acre

is you can safely generate one megawatt on ten acres. That leaves you all with approximately two hundred forty-five megawatts of bandwidth in this current ordinance. Let the industry bring you custom-tailored projects within that two hundred forty-five megawatts and don't hold us to a one hundred megawatt limitation. If it is a two hundred megawatt project, more often than not, they are designed like four fifty megawatt projects. We are not talking about fencing in massive amounts of area, the wetlands and typography in Eastern Virginia, you are going to have smaller units broken up. So, I think the one hundred megawatt limitation is a bit arbitrary and it is incongruent with how the industry looks and sizes projects. Number two, it is actually going to hem you all in. There could be one hundred fifty or two hundred megawatt project that comes in that is well buffered, well-designed, well sited and you all have just said no from the outset, that one hundred fifty megawatt project might be divided up amongst six or eight parcels, spread out over an extended area. I think what you are doing is setting something up that is (A) not reflective of how the industry works and then (B) it really doesn't help you in your end goal of controlling what things look, how they function and how they are located. Not to mention on the revenue side, bigger projects pay more money so if you are going to have one, you might as well capture the revenue available. Second, within the one percent, you all have a commitment to keep current ratios of AG to timber. Now, I think I understand what you are getting at but I think one of the unintended consequences may be, based on the way I read the ordinance, is right now within the 2437, you have using the current ratios of sixty-nine to thirty-one, that would be seven hundred fifty-five acres of AG, 1682 of timber. Say I bring you a project and you approve it on sixteen hundred acres of timber. You are forcing the industry's hand within your existing ordinance to only locate another project on AG. I am not sure that was your intention. My suggestion would be, is an alternate, allow the seven hundred fifty-five acres of AG to be the maximum within the one hundred percent that could be developed on AG land. What if someone were to bring you a project that was entirely located on timber up to that two thousand four hundred thirty-seven acre limit. Allow that to happen and in the meantime, you haven't forced the industry to locate on AG and you have been able to capture that project entirely located on timber. The technical edit to effectuate that would be Section 18-624, number three. After Southampton County, my suggestion would be to say comma, no more than thirty percent of which be located on AG land currently in production, and move away from this moving target of using the state forest service and the state AG service to determine what the ratio is at any given point. Just set that ceiling on AG at thirty percent and allow someone to bring you a project completely on timber up to that two thousand four hundred acre land. Reasonable folks can differ on what the right percentage of acreage I accounting is appropriate. You all have decided on one percent and I'm probably not going to move you off of that. But at twenty-four hundred acres, you give an industry at least a place to start, some room to work with.

Mr. Foster says, welcome your questions and appreciate all your hard work on this.

Chairman Drake says, any questions. Thank you.

Mr. Phil Bain comes forward and says, good evening, Phil Bain from the Ivor-Berlin magisterial district. And I apologize earlier for my poor timing on my question. I thought you had opened it up.

Chairman Drake says, that's alright. I didn't make that clear, sir. That's alright.

Mr. Bain says, thanks. I too would like to thank the Planning Commission and Board for their work. They have done a lot of work over the past years and we appreciate that. My question, perhaps clarify some of my following questions. How do you distinguish between a utility scale project, their distribution lines, and transmission lines? Is the distinction drawn there? Is it all encompassed within this size kilowatt project? I would like a little clarification on that, please.

Chairman Drake says, Go ahead Mrs. Lewis, who wants to speak.

Chairman Drake says it is the number of megawatts produced, correct?

Mrs. Lewis says, well, the definition of utility scale solar is the last definition on the first page at the end of 18-622. The definition of utility-scale solar is electricity from sunlight. Utilize sunlight as an energy source and does not meet any of the following criteria, has a disturbance sound, equal to or less than two acres, is mounted on or over a building or parking lot, or other previously disturbed area or utilizes integrated PV only, so everything else.

Mr. Bain says, Ok.

Mrs. Lewis says, so if a church or a school or a factory wanted to install solar on their property to run their facility. That is not considered a utility-scale solar by this ordinance.

Mr. Bain says, feeding into distribution lines to power township, not on transmission lines would still be within the definition.

Mrs. Lewis says, that is correct.

Mr. Bain says, thank you that was what I wanted to clarify.

Mr. Bain says, as was expressed earlier, I would like to say that I do feel like the maximum number of acres is restrictive. Everyone has their own opinion, but I do feel that that bar is set fairly low. The ratio between timberland and cropland, heard the past gentleman speak to that. I also would like to let you know that I think that will limit the vast number of projects that will come into this, or be proposed to come into this County. If a landowner has all timber or all crop land, my understanding is he would be excluded. Frankly, doesn't seem fair. The attorney from Gentry Locke had seemed to be a reasonable alternative. I can think of one location. I will touch on my

next point before I go down that illustration. But having the restriction of one mile from a township and that is why I went down the road of a distribution versus a transmission project. Some of the developers that I have talked to and I have tried to do my due diligence on this. They have said that the townships can derive benefit from these projects from the distribution style not going on these big utility lines, have power lines, but on the distribution network. It says on page two that no new line will be erected. Well, if we have to get a mile from the township, these substations are located right on the edge of a township. In just about all instances that I can think of, that would prevent what I call a distribution style project, is usually thirty to fifty acres, lower kilowatts and feeds the substation and the township and it could provide benefit for those residents. Hopefully maybe that you could consider excluding those type of projects. It would be a, I will call it, this is my own terminology, a township project from this utility scale definition. I know in the Ivor area, which I am most familiar with, there was a six hundred acre tract of land, comes right up to the substation, entirely forest. If a solar project was put in the middle of it, the only two ways to see it would be to fly over it or trespass to get to it. It seems ideally suited to me. I believe, Mr. Chesson, I'm not putting words in your mouth, but I think he was a proponent of having this viewed on a conditional use basis, evaluating each project on its own merits. Think that has a lot of credit. Thank you for that idea last year.

Mr. Chesson says, well, and it is still, remain a conditional use permit. As I understand it, this is just gives guidelines to applicants coming forward as far as what to start with. Additional conditions can be added as I understand.

Mr. Bain says, I was just trying to illustrate, then in your example or under this ordinance, this proposed ordinance, that entire timber location would be excluded. I think under such tight restrictions, you can review that under conditional use application and take it on a case-by-case basis. Again, one mile from a town limit, and I hope you could look at that carefully. Open versus wooded. Hope that could be given some more consideration. That fellow from Gentry Locke, I think had a wonderful idea. Five miles between projects. I think we all know these things have to be on for the transmission style and the high voltage line on the towers. They have to be very close to those lines. You start limiting them five miles apart. If your intentions are to not have many, you will accomplish that. Decommissioning. I applaud you on that. I think that is a great idea. I think, I like your wording on decommissioning. I also thought that the buffering was well-written and I think that is a great idea,

Mr. Bain says, again, thank you for your time, thank you for your efforts. I appreciate you considering my thoughts.

Chairman Drake says, thank you. Any questions for Mr. Bain. Thank you sir.

Mrs. Lewis says, with regard to Mr. Bain's comments, you will see some places throughout the ordinance that at the end of the standards, there is a paragraph that says the Board of Supervisors

may modify the standards and that is at the end of the section that requires them to be more than a mile from an incorporated place. That is also at the end of this section that requires them to be five miles apart. Those are two things that the Board of Supervisors can modify on a case-by-case basis should they choose to. Not all of the sections include that authority for the Board to modify it but those two requirements are in those sections.

Mr. Chesson says, I guess to further clarify, I mean, this addresses a project and a project can include, I guess it is the same with a question mark, multiple tax parcels with multiple landowners, can't it?

Mrs. Lewis says, certainly, yes.

Chairman Drake says, most time it does.

Mr. Chesson says, yes, that is what happened last time. But I guess some of the concerns that I thought I heard voiced insinuated that a project only had to be within the same owner or tax parcel.

Chairman Drake says, the hearing is still open. Anyone else would like to come forward. If not, I'm going to close the public hearing. Now I will take comments from any Board members. Any discussion about what we heard?

Chairman Drake says, well some of the issues brought up we had discussed pretty lengthy at some of the prior meetings. Is there anything else you all would like to discuss any further? What is the direction?

Vice-Chairman Randall says, Mrs. Lewis, so basically, the plan can be modified by the Board. If the acreage, timber or the agriculture timber issue would come up, the Board would have the authority to modify that.

Mrs. Lewis says, that is not one of them that has that qualifying paragraph at the end. That is not one that does. But that ratio has always been a clumsy paragraph. I think the Planning Commission knows what they want to accomplish. As a staff member, I think that Mr. Foster's saying can't be more than thirty percent but instead can be located on land which is no more than thirty percent in current agricultural production, I think that may make the intention of what the Planning Commission wants to do a little more clear.

Chairman Drake says, and I will make a comment on that as well. Like I say, we have talked about this a lot. But I think the intent and the reason for it is that, and go back to what the gentleman spoke about, you know we've got a, well, our first project came so suddenly, even though it had been planned for almost five years before it went public. Almost five years because I actually saw

one of the lease agreements. The potential lease on a particular property. If it was approved, it was going to go into that facility. But it is a lot of work, more than I can ever imagine. That the developer with the engineering and the technical issues at hand. It is not all about locating the property owner, it is, is the site sufficient and are the lines, like I say, the transmission lines or that transfer station, is that close proximity. I just can't imagine what it took to get that project to come together because that has all those various pods, lot of different landowners. But I am not saying they spent every day on it. But it was in the making for almost five years before it came to this Planning Commission. I feel like I think the purpose in mind was to have that balanced ratio and that is going to be up to the developer, whatever the project manager or that developer, he will come up with the scenarios to make so those ratios come about. So, I don't think that is what we have determined. We have established those parameters and it is up to the developer to locate those sites in that area where it is going to be located at to come up with that ratio of forested land or cut-over land versus the open land. But like I say, we had reason for doing that to have a balance, so to speak. I think the project managers do, I guess that is the right word. He is the one to figure out those parameters, I think.

Dr. Edwards says, Mr. Chairman you are exactly right, you hit the nail right on the head.

Vice-Chairman Randall says, do we need to make a motion to send this to the Board or?

Dr. Edwards says, yes.

Mrs. Lewis says, that is your job tonight.

Vice-Chairman Randall says, I will make a motion that we approve as written.

Rev. Lucas says second.

Chairman Drake says, I have a proper motion and a proper second that we send the ordinance up to the Board of Supervisors as a favorable response. Is there any other discussion, any other comments?

Mr. Chesson says, in the issue of the involvement change but to me and I just throwing this question out, can the Board of Supervisors modification statement be below that statement. Would that make it easier?

Chairman Drake says, below the percentage?

Mr. Chesson says, yes, I'm just throwing it out.

Chairman Drake says, since we are discussing, we have a motion and a second, I am going to revert back to our previous meeting with, Mr. Chesson unfortunately you were not here. But Dr. Edwards, I am going to revert back to you. I think that your Board of Supervisors, I think they pretty much stated we have met all of the objectives which you all had put forward to us. Is that correct?

Dr. Edwards says, I think I can definitely say that. I mean, there were a few small tweaks, you know a few wording here and there but I think the Board of Supervisors are very proud of you, the Planning Commission coming up with this.

Chairman Drake says, we've got a couple of supervisors in the gallery tonight. I don't know if that is debatable.

Mr. Chesson says, I mean we could just push it on. I mean, if they read the minutes but to me that would be a compromise.

Chairman Drake says, I understand, I understand your comment. Yes sir. Any other comments.

Mr. Day says, when would this meeting go to the Board of Supervisors? Is this September meeting?

Dr. Edwards says, July.

Mr. Day says, July.

Dr. Edwards says, it will be, go for the final hearing in August.

Mr. Day says, ok.

Dr. Edwards says, we have to have it done by, September 9th or 10th is the deadline. It will be finished in August.

Mr. Day says, will there be one more public hearing?

Mrs. Lewis says, the Board of Supervisors will hold a public hearing. If you make a recommendation tonight, they could hold a public hearing at their July meeting and make a decision that night. They could do both at their August meeting instead but if you make a recommendation tonight, they could hold a public hearing as soon as their July meeting.

Chairman Drake says, any other discussion. We have a motion and a second. I'll call for the vote. All in favor of a sending the ordinance, as presented, say AYE:

Michael Drake	Aye
Dr. Alan Edwards	Aye
Jack Randall	Aye
Michael Mann	Aye
Doug Chesson	Aye
Bill Day	Aye
Brad Turner	Aye
Frank Lucas	Aye
Lynnette Allston	Absent

Any opposed, like sign.

Chairman Drake says, it is unanimous.

Chairman Drake says, thank you for the ones who came to speak tonight. We appreciate your comments as well. We encourage you to go to the Board of Supervisors meeting later in the month of July.

Mrs. Lewis says, the fourth Tuesday of July, that is correct.

Chairman Drake says, alright, now we will go to item number five – unfinished business.

Again the Board of Supervisors has encouraged us to look at some strategies for litter control. We had a lot of information to read up on that. I have already admitted my guilt, Mrs. Lewis, earlier that I skimmed parts of it but it was interesting. Anyway, Mrs. Lewis, again I will call on you to make a few comments on this please.

Mrs. Lewis says, the Board of Supervisors did task the Planning Commission to study litter and suggest solutions to the problem. There is an ordinance in the current County code that prohibits trash and debris on private property. From my understanding of what the Board of Supervisors was looking for that is not what they would like you to do because there is already an ordinance in place for that. I believe that they want the Planning Commission to come up with a way to solve the litter that ends up along the roadways. I was trying to think of a place to start. My first thought was, well, perhaps there is a way to stop litter from happening in the first place. Let's see what, perhaps, we can do to stop it from becoming litter. And then educate people as to the harm in litter and how to keep it from endangering our environment. The third, which if the first ones are done well, perhaps won't be needed very much is, getting litter picked up and deposited correctly. So that is just my way of thinking. If there is a way to keep it from becoming litter in the first place. That may take some inspection services through the Public Works department to find out where the litter is coming from. The litter behind the Hardee's that the young people

picked up. It would be interesting to see if that was Hardee's litter, I doubt it was. If you drove through the drive-thru, you and I aren't already throwing trash out the window there. If it is Hardee's litter, it may be because they have a dumpster that doesn't have a sufficient cover on it. But I don't think that you eat your cheeseburger and throw the wrapper out that quickly so where did that litter come from? Figuring out things like that. If there is litter at other commercial places, if there is litter near multi-family residential properties, where is that litter coming from and is part of it that the litter containers aren't sufficient. I would also suggest if you would like to recommend changes to our ordinances, that you do it in the solid waste chapter and not in the zoning chapter. The zoning chapter only applies in the unincorporated part of Southampton County, but the solid waste chapter applies throughout Southampton County. So if you exclude the towns, you might be leaving out a big part of the problem. But there may be ways to make it so litter doesn't start in the first place.

Dr. Edwards says, don't we still have a litter committee in the County?

Mrs. Lewis says, I talked to Mrs. Lowe, they haven't met since before COVID started. They are generally, she said, an educational committee. They, at one time were trying to get into the schools to do some education among their young children about litter. But there hasn't been a lot of litter control committee activity picking up anything up or arranging to get it picked up. I included a list of all the people who have adopt a highways through VDOT.

Mr. Turner say, I thought that was pretty, I was reading over that list and a lot of people, I don't know if they did it for advertising purposes or whatever, but they haven't either never picked up or ever recorded that they picked up with dates and in some other dates are ten to twenty years that they have ever picked up any trash.

Dr. Edwards says, well, let's not leave the litter committee out.

Mrs. Lewis says, no.

Dr. Edwards says, ok, let's invite them to the meeting. They may want to get re-organized and start, that would be terrific.

Mrs. Lewis says, they do get some funding too, the County gets funded.

Vice-Chairman Randall says, they need to get educated and picking up some trash.

Mrs. Lewis says, but a litter control committee is at best ten or fifteen people and Southampton County is six hundred square miles.

Vice-Chairman Randall says, my point is they just need to start from somewhere to get a meeting together.

Mrs. Lewis says, I didn't invite them tonight because I figured that your public hearing for solar, could have, you know...

Dr. Edwards says, isn't Allen Applewhite still in charge of that.

Mrs. Lewis says, I don't know if he is.

Dr. Edwards says, he spoke to the Board, I believe about that.

Mr. Railey says, but he hadn't been on it in four or five years.

Mrs. Lewis says, yes, but I expected that your public hearing tonight would go on...

Dr. Edwards says, I suggest to contact him because he came to the Board, one of our meetings.

Mrs. Lewis says, yes.

Vice-Chairman Randall says, I would just invite them to the next meeting.

Mrs. Lewis says, yes, and there used to be a woman who went around to the schools with a parrot.

Dr. Edwards says, if you look at all this information we got, there is very little reliance on law enforcement. That is not the big topic on all this information, ok, that's needed but I think we also need to invite all the clubs around, each area. A lot of these clubs have to get out once a month and pick up stuff and give the kids prizes for who picks up the most trash. Get our local clubs involved, maybe organizations, Sedley, Courtland, the little towns so get everybody involved, give them a chance.

Chairman Drake says, well, that goes back, I thank you for identifying three areas. That's once the litter is out there and I think the educational part of it to prevent it from ever being on the highways and byways. And that goes back to education. We were talking about that earlier before the meeting. I think about, you know we were talking about the schools, but think about all the clubs, churches, any organization, it will be like a featured person or persons that could go and speak and we just showed the difference and of course, Mr. Lucas mentioned up in his area, western part of the County the trouble he has. But go ahead and elaborate about Greensville, has the signs I don't think they are VDOT signs, but you say, you can purchase a sign.

Rev. Lucas says, thank you Mr. Chairman. I live like I said in the western part of the County. I am about a mile and a half before you get to the Greensville County line. My business is in the City of Emporia. In the city, they had a lot of problem areas with litter and what they did was they put up signage that stated that there was a twenty-five hundred dollar fine for littering. Those are some of the cleanest areas in that city right now. So, I think it would be a good idea that if we started putting these in hotspots here in Southampton County, then we probably would see a change.

Mrs. Lewis says, one thing, the rights-of-way in cities are owned and managed by the City themselves so the City can decide to put up those signs. In Southampton County, the roads are all VDOT roads.

Dr. Edwards says, it is five hundred, I believe isn't that, Richard. VDOT won't put up a fine more than five hundred dollars on the sign, is that right? It's a number, I know its two hundred fifty or five hundred. I know it so, if you want to get twenty-five hundred dollars.....

Mr. Railey says, they won't match the law in Southampton, the law in Southampton and is clear just like it has been already expressed. The twenty-five hundred dollars. It also could carry jail time. I think VDOT won't pay for the sign but the question is, would VDOT allow the signs if we funded them and I don't know the answer to that.

Dr. Edwards says, I mean we need to look at that. He says it is good, turn and what I see in other states where it is five thousand and the second time, five thousand dollars and you lose your license for a year. I mean, so if VDOT won't do it, I think it's worth the County maybe putting out a little money for some extra signs or something.

Chairman Drake says, I've got a question for Mr. Fuller. Mr. Fuller, you can keep your seat by the way. If, you have to actually, if you are going to write a citation for someone littering, you actually have to see it happen, correct? Visibly? Do you have to record it?

Mr. Fuller says, no, sir.

Chairman Drake says, no.

I know you are a full-time employee, how many citations do you write in a year's time for littering?

Mr. Fuller says, very few.

Chairman Drake says, that is what I thought. I understand.

Vice-Chairman Randall says, one thing that I have seen is that they will do an illegal dump and they will find their mail or some literature with their address and then the deputies get a magistrate summons or a warrant and then they serve it on the person. That is where I have seen it in this locality and surrounding areas. That is what dumping of trash, like the dump is closed so they just dump it in front of when the gate is closed. I know that has happened.

Dr. Edwards says, I know in the neighborhood where I grew up as a teenager, if that happened in the neighborhood, there was a group that would go around and pick it up and knew what it was and go dump it in their yard.

Chairman Drake says, I'm going to give you another example. It's something that happened in spring. I work a farm off Ridley Road. Nobody lives in the house on the farm anymore, the lady is in a home now. Anyway, so it's nobody residing on the property. When I went down in the spring to do my first tillage work, someone had been to the back of the farm, it was two different vehicles, like a pickup, I would assume or a little trailer, and it is two, probably thirty car and pickup tires at the edge of the field. There is one here and about fifty yards up there is another one. Because it is kind over a ridge, someone knew nobody was in the house, I am assuming. I don't have any idea who did it but it happened sometime in the winter months from last harvest season. Things happen like that. But in the same light, the agricultural community, ok, we have a tire amnesty day each year. We collect all our tires, tractor tires, combine tires, wagon tires, whatever, even lawn mower tires. We collect them. It looks like a dump, Doug, in the back of my lot on the farmstead. But I am collecting them for tire amnesty day. I will probably carry fifty tires in. They take them to a recycling type plant somewhere. This year, it was four semi-truck loads of tires from the AG community.

Dr. Edwards says, do you know how many tires are buried in this Country every year in landfills. Three hundred and thirty million, one for each person in this Country.

Chairman Drake says, wow. So, tire amnesty day, I think that is the AG community, but that is something we could be expanded maybe to anyone.

Mrs. Lewis says, right.

Chairman Drake says, but if you don't know, and I can tell some of you, the way, you are looking like, really. Well, yes, they have been doing it for years. I happens at the fairgrounds, that's the meeting site and the other site is up your way, right off from the airport because I had missed the one in the Courtland and went to that one. Those type of avenues, we need to get that out there to the public. Of course, we find the public can join on that too.

Mrs. Lewis says, when my kids were little, there were the machines at the grocery stores that you could put your cans in, aluminum cans and then change would come out to recycle the cans. My

kids thought that was big fun because you get enough out to go to 7-11 and get a Slurpee with the cans that you would put it in to recycle. I haven't seen one of those machines in years. I don't know if they have them anymore. But things like the tire amnesty day, they do it with pesticide containers for the agricultural community as well.

Chairman Drake says, maybe we could expand on that some type of way to the general public. So, the educational part is the subject, we need to nip in the bud before it gets sat down on the highways or in the edge of the woods.

Chairman Drake recognizes Mr. Chesson.

Mr. Chesson says, yes, I guess in reading this and thoughts that come to my mind is, kind of piggybacking off from Dr. Edwards is about contacting clubs. I like the idea of discussing tools that we can put in the toolbox and the clubs is one. The one that we have already implemented years ago is this Adopt-A-Highway. To me, I think recommendation would be a push to communicate to these Adopt-A-Highway companies, these people, whatever, to encourage them to do it more often. Number three, the biggest thing, I guess of most recent litter that I have seen I think is coming from vehicles put in the back of trucks where you put your garbage in the back of your truck, you take off to the dump. A bag gets blown out and it gets spread by animals or other vehicles. Education standpoint and it may not be worth two cent, but you could put a big sign as people leave the dump to kind of say, as you are on your way home, if you see a bag of your trash, please stop and pick it up because most people won't. Anyway, that is just another tool in the toolbox.

Mrs. Lewis says, and things like requiring grocery stores and so forth to have trash cans in the parking lot. I have seen many times people come out of the grocery store with their cans of soda and beer and their bags of ice and they fill up their coolers and there is no trash can in the parking lot, so they leave the packaging for the drinks and their empty ice bags right there in the parking lot because there is no other alternative for them except to walk two hundred feet back to the store to throw it away where that trash can may be overflowing or non-existent. That's the kind of things that you keep track, keep things from turning into litter in the first place.

Vice-Chairman Randall says, Mrs. Lewis, your three points I really like but I am looking at leadership by example. I just went to a leadership conference and they started off asking the question, are you leading by example. I am really concerned with number three, engage ways to get litter picked up and deposited correctly. If we don't do that, we don't even get to the philosophical question. I really think we have to get the litter committee here, we need to get VDOT here, we need to get the Sheriff, because we can all sit here and talk philosophically about solar panels, ok, just for an example. And, you know, certain things we can and certain things we can't do. Well as it comes to litter enforcement, I am not an expert. The sheriff's probably, he's probably went to training, knows some things which are practicable under his budget or some

ideas that he has. VDOT's probably going to have some ideas. The litter council is going to have some ideas. I think we need to start there and get them to meet first, step one.

Dr. Edwards says, got that Josh?

Vice-Chairman Randall says, no, I am not talking about sheriff, I am talking about the litter council.

Dr. Edwards says, well, I am talking about the sheriff.

Vice-Chairman Randall says, and then the sheriff can give his take because I see in some of the educational component, ok, well, it is great to educate people but on Highway 58, we got bags flying everywhere and Hardee's wrappers going everywhere. That is the problem. So, you identify the problem and then you try to solve the problem. But if we can't get several groups, just pick a Ruritan Club or a Key Club or whatever to come and help. You got a lot of these organizations now that COVID is starting to dissipate and hopefully it is gone, soon. There is a lot of these organizations that want to kind of get together but there is never that lead by example. So, that is why I think it is so important. We just say these following groups come to our meetings and we as the Planning Commission just need to say, hey, we've got this problem, how do you think that we solve it. And we would like to put together a plan of action. We should get out of our chairs and go down there and pick up some trash on Storys Station Road or wherever, Governor Darden. You can name in every district a hot spot where there is. When I was looking at the study, I don't know what they were looking at 2009, how fast food wrappers were dissipated by six hundred percent. I don't know who did that study but I question it quite a bit. There is fast food wrappers everywhere and there is plastic, your Food Lion and I am not throwing Food Lion under the bus, whatever shopping center plastic bag that is blowing and it doesn't decompose, so it is there forever or at least a long time.

Chairman Drake says, and to elaborate on the plastic bag, that is a real issue with the farming community with the production of cotton. The cotton picker, of course, you know is a suction device inside the header. Those plastic bags, it sucks it right on up with the cotton. You can't sell it. If it has plastic contamination, the gin will not get it out. And that is a real concern. You know, Mr. Mann, I am sure his family does that. We have to go out and pick these, I shouldn't' say Wal-Mart bag, but it is a little plastic bag with handles and they will get stuck on a cotton stub from the year before and it just hangs right there all winter long but you got to get it out, it won't deteriorate. I don't know how long, but plastic will last for years before it decomposes. But anyway, I think all the comments are fantastic.

Vice-Chairman Randall says, I think we start somewhere. We start in July and ask for the basic core. Then after the core, gets a plan of action with the Litter Council with input of the Sheriff with the input of Planning Commission. Everybody needs to throw what they think would be our plan of action. Then go to the next level, say the next meeting or two months down the road,

bring some community organizations in. But I think you have to have a leadership group. Then I think people will start to contribute. They got to meet first and then we bring all the stakeholders together to start some type of plan. That should be our step one.

Dr. Edwards says, the Planning Commission needs to be the leadership group. Then we need to send a notice to every club, rotary club, whatever and even the hunt clubs.

Chairman Drake says, any organization.

Mr. Turner says, there is numerous ones of them.

Dr. Edwards says, send everybody a notice, if they want to come, fine. But I think you will see pretty good attendance. In most areas what I can figure and in talking to people back where I grew up in Rockingham County that is how this problem got solved. They got the clubs organized, they got the ballpark club over here, the athletic club in a little town of Kiseltown, goes out once a month to take the kids out. Port Republic they go out once a month. They alternate months going out and pick a Saturday picking up stuff. That really works out. I think that is what we need to do. This gets everybody involved. They don't want to be involved, fine, don't come to the meeting.

I think the awareness that there is a problem. That is the kind of synopsis of what I am hearing now, is to make the public aware that there is a problem.

Chairman Drake says, I know you mentioned earlier Mrs. Lewis, that Mr. Turner, maybe would have come tonight, well, if you all read the river keeper's article in the local paper. He has quite a following. He has certain days, what he calls, cleanup days and people go out on the boats and pick up and at certain points of interests are always a lot of problem. But his little article, it brings awareness. I didn't notice that much issues on the river sheds with the trash and all but I am aware of it now because it brings to my attention.

Dr. Edwards says, I have talked to Jeff today, invited him out and I don' think he will make it tonight. But he says the Nottaway stays pretty clean. He says it is the Blackwater and most of the trash comes in from there, in town here, approximately.

Mr. Railey says, what about a five hundred dollar fee, just like the solid waste fee or just spread the rumor that you are going to recommend that unless it cleans up.

Chairman Drake says, well, we could invite the Litter Council and who else now are you saying.

Mrs. Lewis says, VDOT.

Vice-Chairman Randall says, I would say the Litter Council, VDOT, a representative from the Sheriff's office. Josh, isn't, didn't one of the deputies start a Litter crew as a deputy.

Sheriff Wyche says, one of the deputies is on the Litter Council.

Vice-Chairman Randall says, a sheriff or his designee, maybe the sheriff would like to come.

Chairman Drake says, just give us some input.

Vice-Chairman Randall says, yes, I would say the first meeting there to determine the path. I just remembered seeing in the Speak Life Foundation with the Hornets football. I remember seeing in the Tidewater News, they recently had picked up trash. Good for them. Providing leadership in the community.

Mrs. Lewis says, twice.

Vice-Chairman Randall says, I remember it was very recently. In my head I remember seeing a picture of them and the kids were holding up the trash bags.

Chairman Drake says, can the County give them a recognition?

Mr. Railey says, they have been recognized by the Board of Supervisors.

Vice-Chairman Randall says, they did. I just remember seeing that in the news and I just thought that was great.

Mrs. Lewis says, last month.

At the Board of Supervisors meeting and I talked to Carter off and on. He started it. He not only picks up trash, he's got the, how many were at the meeting, fifteen at least. He brought them in....

Vice-Chairman Randall says, I think we should invite one of those representatives since they have done it. They may have some good input.

He is not only, leadership is what he is after for young kids. And some of them were no higher than this bench, they were little teeny kids. But they are the ones that did work at Hardee's and Food Lion. We brought them in and recognized them and gave them a little token. But he is teaching them civics along with it and parents come out with them. We live in a world today where nobody is embarrassed anymore and in my work-life, out in the mountains one day, I rounded the corner and there was about six or eight people in stripe prison suits and they were

picking up trash. They were the litterers and they had put stripe jumpsuit on. The ones that had been caught and for day, they picked up trash. The hotspots, they definitely they can be easily identified and you will find them usually at places where people work, going to work and leaving work within a couple of mile radius. It's a good hotspot and a lot of those people do not live here but before they get to work in the morning, out go their sausage biscuit bag.

Vice-Chairman Randall says, yes, the study in here, I don't buy it. I think there is way more litter now. Because I see people that are brazen just to take a beer bottle, throw it out the door about hit my truck. I am sure a lot of people have, but it seems like the areas where nobody can see long distances, that is where the litter is. The places with high traffic but they feel like nobody is watching.

Mrs. Lewis says, Ms. Baker and I went out and picked up trash along Cheroenhaka Road in front of our office building and it was disheartening in a week, it looked as bad as it did before.

Chairman Drake says, wow.

Vice-Chairman Randall says, so, Mrs. Lewis, you think we can invite those few groups, maybe five or six groups?

Mrs. Lewis says, yes. Your July meeting will have three public hearings so I don't know if you want to do it at your July meeting or if you want to do it at your August meeting. But you will have three public hearings that night.

Vice-Chairman Randall says, I think we need to do it at the July meeting and maybe put it at the front of the agenda to get the folks out of here. But I don't think we need to talk about it more than thirty minutes, but it will give people a chance because the summer, especially if the kids want to participate.

Chairman Drake says, true.

Vice-Chairman Randall says, we need to get something going and they will have the month of August to do some productivity. If we wait till August, the summer is, the kids are going back to school and I am not saying that kids are going to do it all. We should all contribute. Let's give them an opportunity.

Dr. Edwards says, you did the public comment period.

Vice-Chairman Randall says, I think when you put it like on a line item agenda, I think it is that big of an issue.

Mrs. Lewis says, well the agenda can start with the Pledge of Allegiance and the Invocation and then go to the approval of the minutes and then move new business, have public comment period and then have new business and then have the public hearings.

Vice-Chairman Randall says, that way, they don't have to sit with the whole meeting, not that our meetings are not very interesting.

Mrs. Lewis says, well, three public hearings may take a while.

Vice-Chairman Randall says, the Litter Control people are here. They don't have to sit through the whole meeting.

Mr. Mann says, the public hearing, can you say what they are for?

Mrs. Lewis says, one of them is for a turkey shooting facility, a conditional use permit for a turkey shooting facility. One is part of Matt Crowder's property on 671 next to the Dominion Power facility to change the zoning to permit a three hundred fifty thousand bushel peanut drying facility and one is for the little store in Sedley, so that can be repaired and re-opened as an auto repair facility. It has residential zoning.

Vice-Chairman Randall says, no controversial topics.

We will put it in as a line item but let's try to put it...

Mrs. Lewis says, make it concise.

Chairman Drake says, a little bit discreet about your time limit because it wouldn't be fair to...

Dr. Edwards says, well if it is a line item it is going to be advertised in the paper.

Mrs. Lewis says, no, only the public hearings are advertised in the paper.

Dr. Edwards says, well, can we put it in the paper though, to keep us from advertising it.

Mrs. Lewis says, we could do a press release to the newspaper asking them to do a little article but we wouldn't put it in the legal ad.

Dr. Edwards says, alright, looks like if somebody write something for the letter to the editor.

Mrs. Lewis says, yes.

Dr. Edwards says, I will call Titus Molar, he is on vacation. I will call him next week and see what he thinks about that.

Mrs. Lewis says, ok.

Mr. Chesson says, so your document mentioned the Litter Control Sheriff's office. We have added VDOT and anybody else?

Mr. Turner says, I think they are probably the big surprise stakeholders. It starts, like Jack said with a small group and kind of build from there.

Vice-Chairman Randall says, I added VDOT for the Litter Council as my wife's on the Litter Council and I knew that they were trying to get in contact with VDOT about, what are they called?, The turnaround.

Mr. Turner says, the roundabout

Vice-Chairman Randall says, the roundabouts about putting some beautification in there. Then COVID hit and it just went to nothing. That is just one thing and I think they had to get authority through VDOT to do that and if they provide the funding like you said, there is a lot of things that you can do if you contribute money. I just thought that was something they came up with that idea, would have really made that area, especially in front of the Courtland Inn, it just doesn't look very good.

Mrs. Lewis says, the other end doesn't look good either. I am surprised when we drive over and that overpass that goes over 58 after you go through the traffic circle in front of the Courtland Inn you go over the overpass and right there at the end is almost trash.

Vice-Chairman Randall says, they were going to put up a sign about littering there so it would be kind prohibited. That goes for the education piece. I know that was in the works, so hopefully, they can re-energize that and maybe get something done.

Mr. Chesson says, who in the County had headed that Adopt-A-Highway program or was there anybody?

Mrs. Lewis says, that is VDOT.

Mr. Chesson says, that's all VDOT.

Mrs. Lewis says, that's all VDOT.

Chairman Drake says, and some of them are doing a really good job keeping it clean.

Mr. Railey says, to some extent they haven't done a good job because they are people listed on signs that have been dead for years.

Dr. Edwards says, sounds very expensive, too.

Chairman Drake says, my road, the one that I am thinking of the young man has done an excellent job. It was a terrible road. He does it four or five times a year. He walks the road and the thing about it, my road for my house to the dump, that where it is so bad at, not saying I was contributing to it. But I am going to tell you one thing, he really cleaned it up. It looks good now. He's been there for a couple of years now. You know, time will wear you down but right now he is energetic and done a great job on that road.

Chairman Drake says, alright, anything else on litter.

Chairman Drake says, alright, item number six. Any other new business. Any BZA matters.

Mrs. Lewis says, nope.

Chairman Drake says, anything else to come before this Board before we adjourn.

Chairman Drake recognizes Mr. Hart and says, yes sir, come on up Mr. Hart.

Mr. Hart says, the solar project at the elementary school.

Chairman Drake says, why don't you come on up and elaborate a little bit on that sir? This is a solar expansion, educational type at the Capron School, correct?

Yes, William Hart Gillette, Capron on Old Belfield Road. I got a call from, my gosh, I can't remember.

Chairman Drake says, Ms. Francis.

Mr. Gillette says, Jimmy Babb's first cousin. First cousin, Bartholomew. I think some of you know him. Dominion has a grant. It's an educational grant for a small solar rooftop project for elementary children. He had been in touch with the principal, Ms. Francis, about that and the use of Capron Elementary for this project for the students. It is a small-scale project that they want to get going pretty quick. I called Mr. Drake to give him the information. I felt like, I told Mr. Bartholomew that I was going to contact the Planning Commission to see what they said about it since we had this ordinance in effect. So I called him back, I discussed with you the next

day and told him that it would probably be a decision or it would be entertained tonight and then if it had to move to the Board of Supervisors, we would address the issues on the 28th of June. It appears to be a good project, something that the Board here was trying to steer in the direction of using rooftops, brown areas and that sort of thing for solar. This would be a small project that the children would keep up with the data and they would learn a little bit about the industry and where it would take them moving forward even in their educational career.

Mrs. Lewis says, that would be an exempt project from the ordinance.

Chairman Drake says, because it is not utility scale.

Mrs. Lewis says, it is accessory to the school.

Mr. Railey says, it doesn't even have to come here.

Mrs. Lewis says, no, because the power generated would be used by the school. The power generated, it is not going to generate enough power to go into the lines to serve anyone else.

Mr. Gillette says, no.

Mrs. Lewis says, so our opinion is just like the people who put solar facilities at their home. It is just like your air conditioning system for your home. It just serves that school and so it is exempt from the ordinance at all.

Mr. Gillette says, so I take it that would be a yes, you can proceed.

Mrs. Lewis says, yes.

Chairman Drake says, I don't think it takes any action.

Mrs. Lewis says, right.

Mr. Gillette says, thank you.

Chairman Drake says, anything else?

Mr. Chesson says, just something to share because I've heard two comments, and I know a little bit about it because of some of the places I served. But when panels are put on a house or on a building. If that house generates more electricity than it is using, it can go back to the utility and the utility is one of the controversial things, is, how does a utility price that electricity that it gets from the homeowner? It does that because people want to get paid exactly the same kilowatt

hours, dollars for each kilowatt is what the electric company pays for. But the electric company is servicing the transmission lines and the poles and all those other things. There is a built-in cost and the kilowatt cost. The term you will hear in the coming years is called net metering.

Mrs. Lewis says, in that case, just like perhaps at the elementary school or at home, the principal use of that property is a school or a home. A utility-scale solar facility the principle use is the utility scale solar. That is an accessory use and yes, perhaps it generates more power than the home uses, but the principle use of that property is still a residential use.

Mr. Chesson says, ok, your question? Does that answer your question?

Mr. Chesson says, I was just sharing.

Chairman Drake says, but you are right, the co-op is certainly looking at that.

Mr. Chesson says, there have been a couple of statements that it was saying all of it stays where it is generated and that's not really true.

Chairman Drake says, correct.

Chairman Drake says, any other comments? Do I hear a motion to adjourn?

Mr. Turner says, I motion we adjourn,

Chairman Drake says, we have a proper motion to adjourn.

Do we have a second?

Mr. Lucas says, second.

Alright, all in favor, say AYE.

Unanimous.

Chairman Drake says, have a safe trip home. Meeting adjourned. Thank you all for being here.

Meeting adjourned.

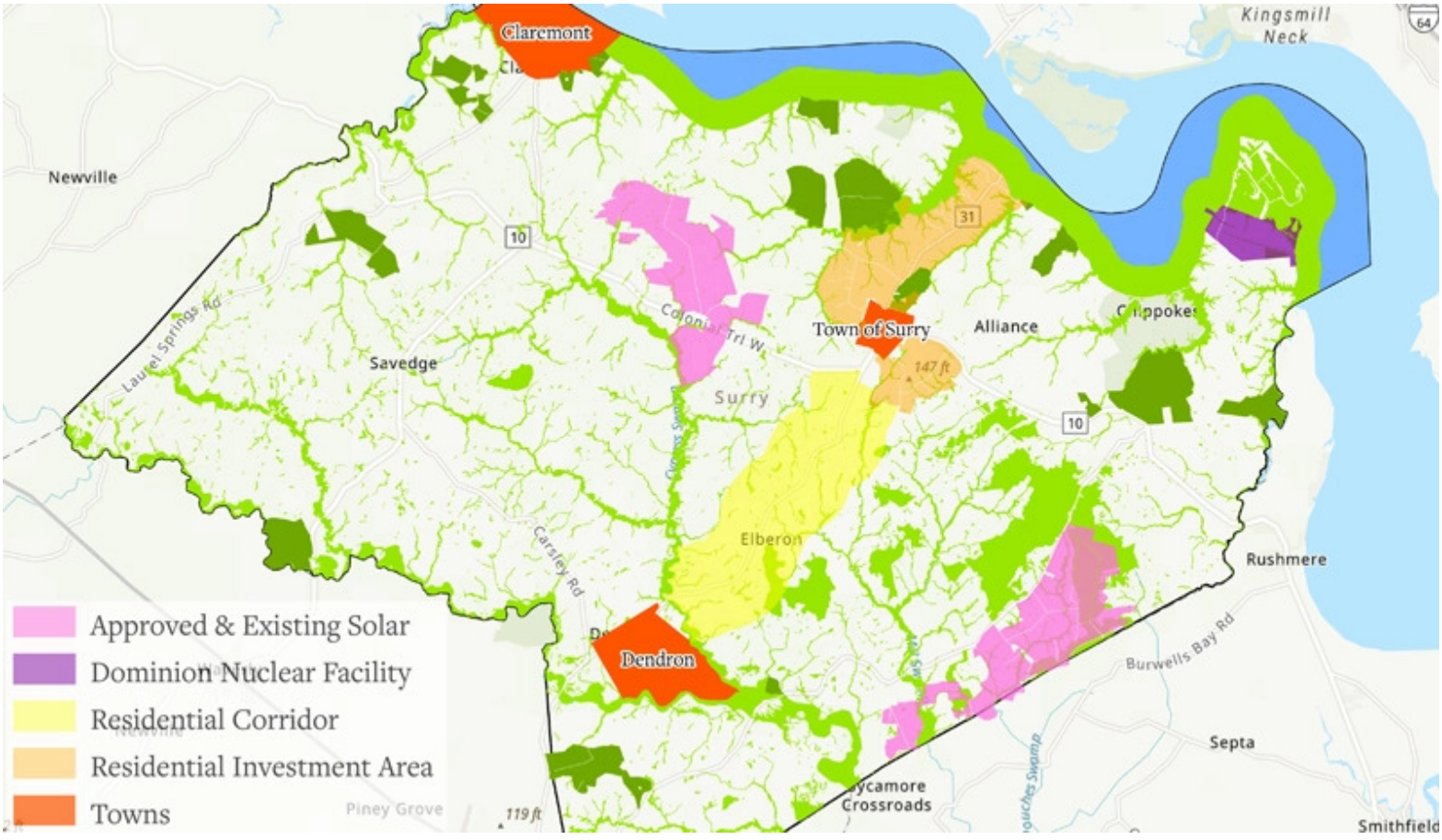


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Surry ‘energy policy’ set for Nov. 21 hearing

Published 4:16 pm Friday, October 28, 2022

By Stephen Faleski (https://www.smithfieldtimes.com/author/stephenfaleski/)



The proposed energy policy includes this map showing where Surry's solar and nuclear power facilities are located. In light and dark green are conservation areas and wetlands. Not pictured is the Align RNG "biogas" facility approved earlier this year. (Image courtesy of Surry County)

Surry County's Planning Commission will hold a Nov. 21 public hearing on a proposed "energy policy" amendment to its 2040 Comprehensive Plan.

The hearing is to take place during the Planning Commission's scheduled meeting, which begins at 7 p.m. in the county government complex at 45 School St.

While aimed primarily at limiting the number and location of new solar farms, the policy is intended to be inclusive of all energy sources, including Dominion Energy's existing nuclear plant.

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The amendment would limit utility-scale energy project sites to 10% of the county's land, subtracting water and wetlands, for a maximum of 15,278 acres. Of this, 9,263 acres are already taken up by existing and approved utility-scale solar farms and the nuclear plant. Another 22.8 -acre parcel at the Surry-Sussex county line is slated for Align RNG's "biogas" processing facility, leaving just under 6,000 acres available for any future energy projects.

The amendment defines "utility-scale" as any energy storage facility with a rated capacity greater than or equal to 20 megawatts, used to generate electricity beyond the area in which the facility is located. "Shared solar" or "community-scale" energy facilities generating 1 to 19 megawatts and requiring no connection to high-voltage power lines would not be subject to the 10% cap. Nor would "distributed energy" facilities, the term referring to solar panels on residences, businesses and schools generating less than 1 megawatt.

The term "project site" is defined as the "entirety of the parcels on which an energy facility will be installed" rather than just the fenced area where solar panels or other infrastructure would be located.

Surry last revised its Comprehensive Plan in 2020. The 142-page document, intended to guide land use devisions, currently makes no distinction between utility-scale and non-utility-scale solar setups.

The plan adopted in 2020 currently states solar farms are to "avoid or minimize" impact to farmland, be screened and located outside of residential investment areas, not visually impact scenic or cultural resources, and be sited "as close to existing electric transmission lines as possible."

The proposed energy policy would clarify the "as close as possible" provision to a maximum of one mile from the center of the facility site to the nearest high-voltage transmission line. It would further clarify the visual impact provisions to specify a distance of half a mile between any part of the facility and a historic site, and a distance of at least 750 feet between the facility and the property line for any place of worship or cemetery.

Currently, when new solar farms have been proposed in Surry, their developers have requested a slate of approvals, including conditional use permits and a vote declaring the project "substantially in accord" with the Comprehensive Plan. The energy policy proposes changing that process to a "mandatory pre-application meeting" to determine the project's conformity with the plan ahead of any vote on the other slate of requested approvals.

"Substantially in accord" does not mean 100% in compliance with every provision of the Comprehensive Plan, explained Horace Wade, Surry County's director of planning and community development. As such, Commissioner Diane Cheek called for adding the provision barring energy projects from siting less than half a mile from a historic site to the solar ordinance the Board of Supervisors adopted in 2018.

The energy policy further states that facilities are to use “best practices to maintain biodiversity and soil quality,” meet or exceed Virginia stormwater requirements and incorporate “contiguous, unfenced, undisturbed natural areas to serve as wildlife passage corridors.”

An earlier draft of the energy policy had included a provision barring the use of pesticides or herbicides when maintaining a project site’s landscaping buffer. The current less-restrictive draft states herbicides are allowed but “should be overseen by certified professionals to limit air, water, and soil pollution.”

Any noise-generating equipment is to be “installed with sound dampening equipment and/or located a minimum of 750 feet away from any adjacent residential, commercial, or mixed-use parcels.”

At its Oct. 24 meeting, the Planning Commission asked that another provision be added to restrict new energy projects from siting within half a mile of an existing or approved project.

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF COMMUNITY DEVELOPMENT

MEMORANDUM

August 1, 2021

TO: **Honorable Members of the Isle of Wight County Board of Supervisors**

FROM: **Amy Ring, Community Development Director**

SUBJECT: **Considerations for Solar Farm Conditional Use Permit Applications**

In January 2021, the Board of Supervisors directed staff to develop a report and map showing where the most attractive areas of the County are for utility scale facilities and the potential maximum area devoted to these uses. Questions from the Board included how much of this potential area included prime agricultural lands, and whether there should be a cap on the total number of prime farmland acres removed for the purpose of developing a solar facility in order to preserve the County's agricultural industry and rural character.

Background

Since the approval of its first utility scale solar facility in September 2015 with the project known as the Woodland Solar Farm, Isle of Wight County continues to capture the interest of utility scale solar facility development due to the existence of medium and high voltage transmission lines and related infrastructure, its rural, relatively flat landscape, and supply of available property. In the years since the first facility was built, the community has taken several steps to reduce the potential negative impact of these facilities on its traditional agricultural and silvicultural economic base while maintaining flexibility for property owners and accommodating the development of a renewable energy source.

The County included a discussion of site considerations for utility scale solar energy facilities in Chapter 8 of its new Comprehensive Plan, *Envisioning the Isle*, adopted in January 2020. These siting considerations included the following recommended actions to accommodate these facilities while reducing any potential negative impacts:

- Research appropriate target density parameters for future facilities to mitigate the impacts related to the scale of these facilities;
- Set a maximum percent usage of assembled property to mitigate impacts to habitat, soil erosion, and stormwater runoff;

- Require facilities to be located adjacent or close to existing electric transmission lines;
- Require facilities be located outside of DSDs;
- Avoid or minimize impact to prime farmland or farmlands of statewide importance as defined by the USDA and Commonwealth of Virginia, respectively; and
- Facilities should be located outside of the viewshed of any scenic, cultural, or recreational resources (i.e., solar facilities may not be seen from surrounding points that are in line-of-sight with a resource location) or within the Highway Corridor Overlay district.

With these recommendations in mind, the Board of Supervisors subsequently adopted revisions in March 2020 to Section 5-5003.M.4 of the Zoning Ordinance to add performance criteria for utility scale solar facilities such as increased landscaping and setbacks, transportation plans, visual impact analysis, environmental and historic resource impact analysis, soil contaminant testing, noise limits, decommissioning criteria, and height limits for equipment.

Utility scale solar energy facilities, also commonly known as "solar farms," require a conditional use permit (CUP) in all zoning districts, except the Planned Industrial District where it is permitted by right. The CUP application process gives the ability to evaluate the impacts of these facilities on a case-by-case basis, as each proposed location is unique. In addition, CUPs require a public hearing for both the Planning Commission and Board of Supervisors which allows citizens to voice their concerns to the governing body which could then be addressed as a condition of approval.

Solar Facility High Probability Areas

According to academic and industry research, preferred locations for utility scale solar facilities include properties within two miles of a transmission line or substation, but no further than five miles away. Conversations with industry representatives reveal that they may be willing to search for sites as far as ten miles away from these lines, if the cost of land, favorable local approval process, and the number of willing property owners make it cost effective, but that these instances are rare. Other favorable site characteristics include those properties which have few residences nearby and few potential environmental or historical resource impacts.

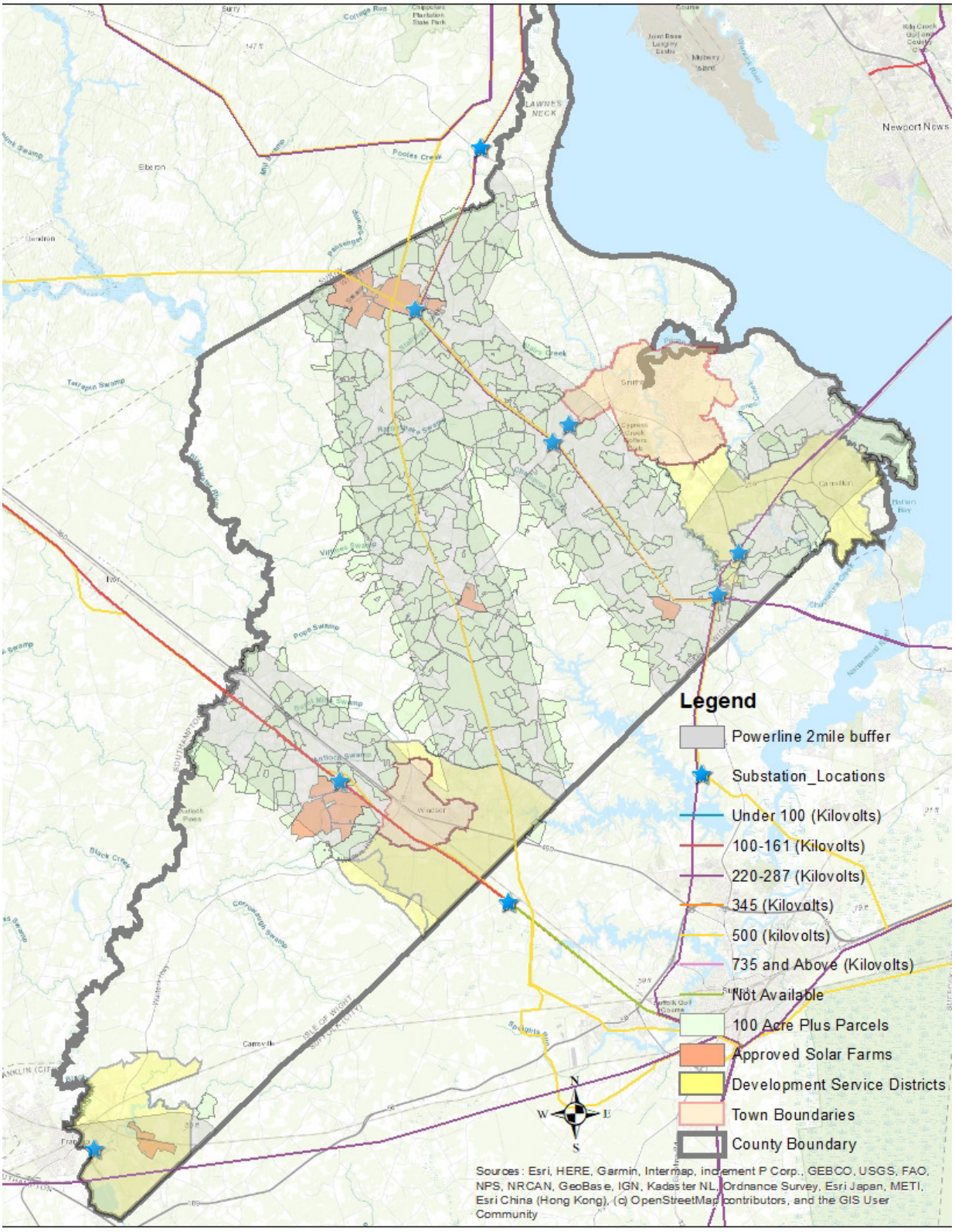
Industry representatives also state they usually begin their site selection process with parcels of at least 100 acres in size, noting that the negotiation and approval process is easier with fewer properties involved in the project. Staff began its analysis of potential sites using a minimum lot size of 100 acres, noting that property sizes involved in recent solar projects could be as small as one acre when used in conjunction with larger properties. Another rule of thumb for solar energy facility sites is that it takes approximately ten acres of solar panels to generate one megawatt of electricity.

With the assistance of County GIS staff, Herb Finch and Michael O'Shell, staff created a map of high probability areas based on the following factors:

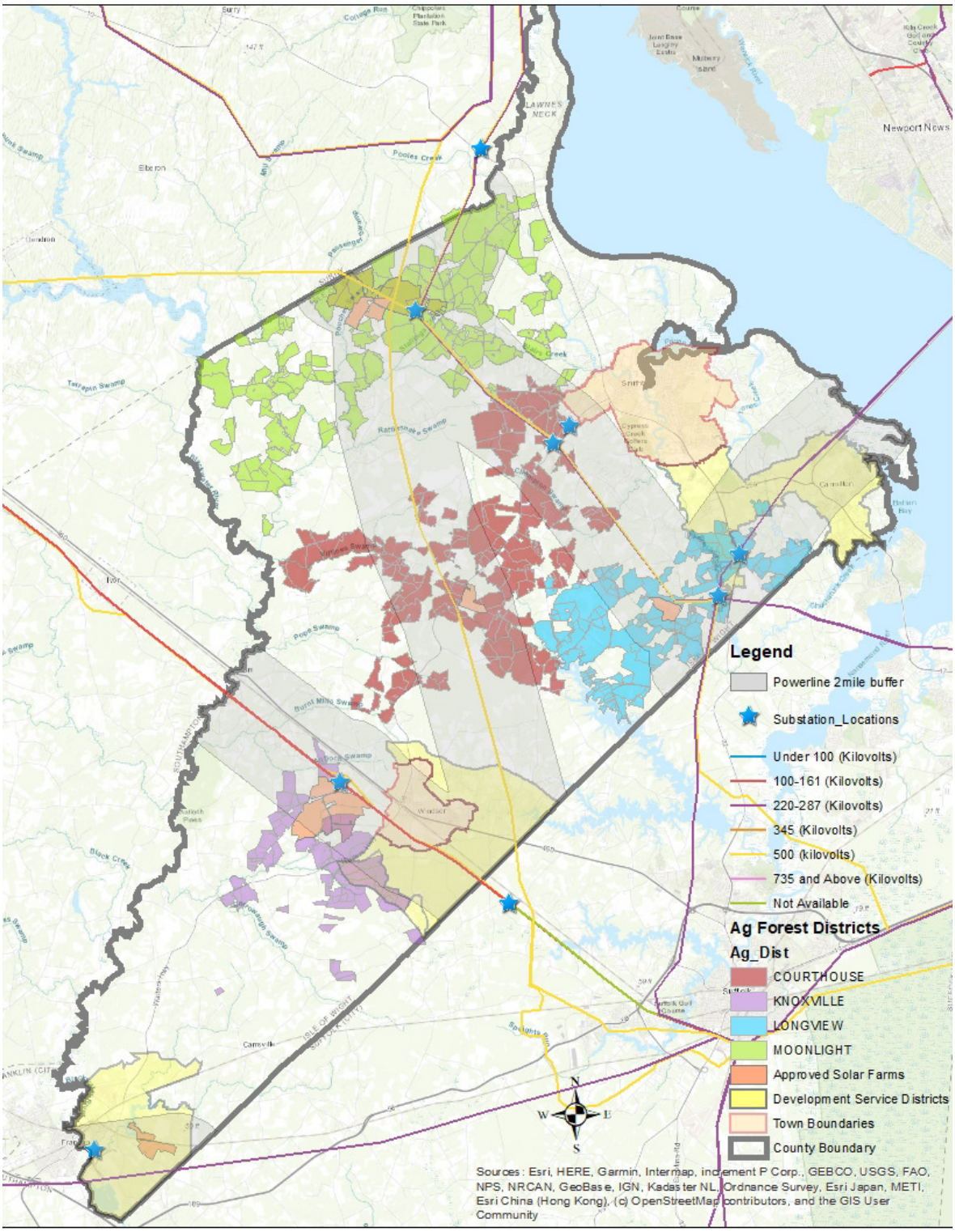
- Areas outside of the Development Service Districts (DSDs);
- Properties within 2 miles of a regional transmission line and substations;
- Properties with at least 100 acres; and
- Properties zoned Rural Agriculture Conservation.

Map 1 shows those areas with those properties within two miles of existing transmission lines and substations. When the location of existing and approved solar facilities are added to the map, they all fall within two miles of a transmission line.

There are a total of 314 parcels measuring at least 100 acres within the two mile zone for a total of 79,729 acres, or approximately 124 square miles. This represents about 39% of the total area within the County. These parcels include those currently under public ownership, under conservation easement, or otherwise constrained for future development.


Legend
Powerline 2mile buffer
Substation_Locations
Under 100 (Kilovolts)
100-161 (Kilovolts)
220-287 (Kilovolts)
345 (Kilovolts)
500 (kilovolts)
735 and Above (Kilovolts)
Not Available
100 Acre Plus Parcels
Approved Solar Farms
Development Service Districts
Town Boundaries
County Boundary
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community
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Carrsville
Franklin

When the location of the County's Agricultural and Forestal Districts (AFDs) is added as shown on Map 2, it is readily apparent that the high probability areas overlap with these districts. There are a total of 120 parcels that fall within two miles of transmission infrastructure that are also within one of the County's four AFDs. The total acreage impacted is 2,729 acres, or 5% of the total AFD acreage of 58,182 acres.



When looking at the total percentage of prime farmland soils in general in the County, the high probability area with two miles of the transmission infrastructure consists of 32,296 acres of prime farmland soils, prime farmland if drained, and soils of statewide importance out of a total of 79,279 acres within the buffer area on parcels of 100 acres or greater. In other words, 41% of the high probability area consists of these prime farm soil types. There is a total of 122,296 acres of prime farm soils within the County as whole. Prime farm soils within the high probability area represent about 26% of the total prime farm soils in the County.

Although the high probability map results appear to show a high percentage of land in the County capable of hosting a solar facility, there are other factors to consider as well. One of these factors is the maximum amount of additional load that transmission lines and substations can accept before exceeding their capacity. Before a solar facility can connect to an existing transmission line or substation, the developer must first file an interconnection request to PJM, which serves as the regional systems operator who then performs an impact study for the proposed connection on the supporting infrastructure. The size of the transmission line and substation will dictate the maximum amount of additional electrical supply it can accommodate.

Although the capacity size of the infrastructure will ultimately dictate the number of potential facilities on any one line or substation, there is always the possibility that utility companies such as Dominion Energy will choose to increase the size of their infrastructure to increase its capacity. The recently negotiated infrastructure bill, for example, includes $73 million for upgraded and new transmission lines across the nation as of June 25, 2021. As solar panels become increasingly more efficient in their energy production, the more congestion they can add to existing transmission lines thereby increasing the need for upgraded infrastructure.

Future Action Discussion

As mentioned previously, the County has already incorporated utility scale solar facilities as a major utility in the CUP process with supplemental regulations to reduce potential detrimental impacts these facilities may have on surrounding properties and important viewsheds. In addition to the supplemental use regulations which apply to all such facilities, the Board has the ability to impose other conditions, if they feel that they are warranted to ensure compatibility with surrounding uses, such as operating hours, number of employees, restriction on traffic, noise, and the number of acres to be utilized. This may include, but is not limited to, such things as consideration that the proposed facility will not "result in a multiplicity or saturation of similar uses in the same general neighborhood of the proposed use."

Although not specifically called out, the Board does have the right to deny an application, if they feel there is a saturation of similar uses in the area which is detrimental to the enjoyment of surrounding properties, protection of scenic, historic, or environmental features, or if it runs counter to the goals of the County's plans and ordinances such as preserving agricultural uses.

The existing CUP process is critical to the County's ability to assess an application on a case-by-case basis, because each application and associated properties will have their own unique

characteristics. The public hearings that are part of the CUP process allow future neighbors and community members to express their concerns and have the Board address them, if they feel it is warranted or feasible. Due to the typical large size of these projects with multiple potential impacts, staff does not advise making utility scale solar facilities a by-right, administrative process with no opportunity for public input.

In addition to the existing CUP requirement and supplemental regulations, the Board could consider additional criteria for how much of the County's rural areas can be utilized for future solar energy facilities. Below are a few recommendations from the County's Comprehensive Plan that are not already addressed in the existing Ordinance for the Board's consideration and discussion.

- Set a maximum percent usage of assembled property to mitigate impacts to habitat, soil erosion, and stormwater runoff;

The Board could place a limit on the total number of acres that can be developed with solar panels and associated equipment on the total acreage of any one facility. The advantage to this is to limit the potential size, and therefore the total potential impact, of any one facility on adjacent properties and resources as well as allow sufficient site area for such things as access roads, stormwater facilities and wildlife corridors. Culpepper County limits the total number of developed acreage to 300 acres for any one project. In general, development in the County is currently limited to a maximum site coverage of 60% rather than a total number acres.

- Avoid or minimize impact to prime farmland as defined by the USDA and Commonwealth of Virginia, respectively.

Considering the County has a total of 122,296 acres of prime farm soils, a statistically significant number of these soils could be considered 5% or over of this amount, or 6,145 acres or greater. Any acreage in excess of this number could be considered detrimental to the County's soil resources available for future farming and silvicultural uses. The Board could consider a policy recommending an upper target of 6,000 acres devoted to solar energy facilities to further its Comprehensive Plan goal to preserve the County's agricultural industry.

Another option the Board could consider would be to amend the Zoning Ordinance to prohibit solar facility development on the most significant soil types, such as "prime farmland soils."

- Limit the total number of acres in active agriculture that can be converted to solar energy facilities.

According to the 2017 Agricultural Survey, there are a total of 80,672 acres in active agriculture in the County. The Board could consider a policy of an upper target of 4,000 acres, or approximately 5% of total active farmland, that may be converted to solar energy facilities.

- Require facilities to be located adjacent or close to existing electric transmission lines;

The Board could consider amending the Zoning Ordinance to limit solar energy facilities to locations within two miles of any transmission line or substation. This would help to limit "solar sprawl" throughout the rest of the County.

If you wish to discuss this matter further or if you require additional information, please feel free to contact me.

cc: Randy Keaton, County Administrator



- The new 17,700 square foot Isle of Wight Volunteer Rescue Squad Building in 2014 to replace the former 7,000 square foot facility built in 1985.
- The newly renovated former Sentara Medical Building at 919 South Church Street purchased by the County in 2015 to create new office space and better meet future space needs for the Health Department.
- The new silver LEED certified 46,347 square foot Young-Laine courts building in 2010. The building houses three courtrooms, including circuit, general district, and juvenile and domestic relations courts. It also houses the Commonwealth's Attorney's office, clerk offices for the aforementioned courts, and a records room.
- The former pottery building at Nike Park converted in 2018 to meet office space needs for the Parks and Recreation Department.

Many of the buildings utilized by the County for public purposes contribute to the historic and community character of the County. Their continued renovation and maintenance help to preserve these historic structures and reduce the cost burden on taxpayers to meet space needs as the County grows. Where existing buildings are not available for expansion, renovation or adaptive reuse to fulfill space needs, then new sites should be identified and carefully planned to serve multiple needs and to be compatible with existing community character.

A capital impact study and space needs assessment can help identify future facility and staffing needs. Planning for facility needs and implementation through a capital improvements plan can assist in meeting demands.

KEY FACTS AND TRENDS

- **As population growth and service demands increase, the local government staff and facilities may also need to expand to continue providing a satisfactory level of service.**
- **The County should consider appropriate growth triggers and space needs for planning future facilities.**

Community Energy

Isle of Wight County's energy needs are primarily met by three electrical companies and a private natural gas provider. Dominion Virginia Energy supplies electricity to most of Isle of Wight County, including multi-phased power to most industrial sites. Portions of south and central Isle of Wight are served by Community Electric Cooperative, while Franklin Municipal Power and Light serves the southern portion of the County in the area of the Camptown DSD. Natural gas is supplied by Columbia Gas of Virginia.

There are no power generation facilities within the County. Natural gas is supplied by multistate pipelines originating from the Gulf of Mexico. Although there is adequate supply of natural gas to meet future residential growth, an uninterruptable supply of natural gas to meet the needs of future commercial and industrial users is dwindling. This is due to the constraints of existing infrastructure in the natural gas supply chain. The decreasing supply and increasing demand for natural gas has led to several efforts to build new gas pipelines into the Hampton Roads region.

Renewable sources of energy utilized by County property owners primarily consist of small wind turbines or solar panel systems that supply individual homes or businesses. As of March 2019, the County has approved three utility scale solar energy generation facilities, also known as solar farms. The electricity generated from these facilities is used by Dominion Virginia Energy to sell to large customers elsewhere in the state. Because there are no local electrical generation facilities to receive the electrical power generated by these solar farms, County electrical consumers do not directly monetarily benefit from the location of these energy sources.

Due to continued emphasis on the development of sources of renewable energy and the County's supply of large tracts of reasonably priced agricultural land and existing electrical distribution infrastructure, the County continues to be a prime location for potential solar energy facilities. As the number of these facilities increases, there is also an increasing number of concerns expressed by members of the community on the potential loss of agricultural lands, visual impacts, use of toxic materials in the panels, the potential for groundwater and soils contamination, and decommissioning criteria for returning the site to its pre-existing conditions.

Because of the size of such uses, a solar facility can change the character of an area and the nature of and suitability of that area for future development. The

Code of Virginia (§15.2-2232) provides for a review by the Planning Commission of public utility facility proposals to determine if their general or approximate location, character and extent are substantially in accordance with the Comprehensive Plan. Based on the priorities established in the *Envisioning the Isle* public forums, the following is a list of potential location considerations for large solar facilities to help ensure their compatibility with the community's future vision:

- Research appropriate target density parameters for future facilities to mitigate the impacts related to the scale of these facilities;
- Set a maximum percent usage of assembled property to mitigate impacts to habitat, soil erosion, and stormwater runoff;
- Require facilities to be located adjacent or close to existing electric transmission lines;
- Require facilities be located outside of DSDs;
- Avoid or minimize impact to prime farmland or farmlands of statewide importance as defined by the USDA and Commonwealth of Virginia, respectively; and
- Facilities should be located outside of the viewshed of any scenic, cultural, or recreational resources (i.e., solar facilities may not be seen from surrounding points that are in line-of-sight with a resource location) or within the Highway Corridor Overlay district.

Solar energy generation facilities are included as a major utility service use type in the County Zoning Ordinance which requires a conditional use permit in all of its zoning districts, except for Planned Development Industrial Park, where it is permitted by right. The County Planning Commission has identified potential requirements that could be included as conditions for a solar farm facility conditional use permit approval. An alternative action would be to add these items to the existing supplementary use criteria for major utility services specific to solar farms in the County Zoning Ordinance.

KEY FACTS AND TRENDS

- **The County has no energy generation or supply facilities, and therefore the community's energy supply and pricing are controlled by forces beyond its direct influence.**
- **Energy conservation efforts can provide insulation from, and reduce the community's vulnerability to, volatile energy pricing.**



Parks and Recreation

Access to parks, recreation, trails, and open space enhances the livability of a community and contributes to the well-being of its residents. These amenities provide a variety of opportunities for residents and visitors to enjoy both active and passive activities, while also helping to preserve open space, wildlife habitat, and natural resources.

During the *Envisioning the Isle* public input process, community members identified a future where a wide variety of recreational opportunities are available through a diverse system of parks, trails, and open spaces. This system would be distributed throughout the community and easily accessible from all neighborhoods. It includes not only developed parks, but open spaces to protect natural resources that the community holds in high regard.

The County's Department of Parks and Recreation manages the community's recreational facilities as well as maintains its parks, open spaces, landscaped areas and grounds for all County-owned property. The Department implements programs, classes and special events, and works with the Isle of Wight County Fair Committee to produce the annual County Fair.

As of the spring of 2019, the County maintains 3,000 acres of parkland, or about 80 acres per 1,000 residents. According to the National Recreation and Park Association, the national average is approximately 10 acres per 1,000 residents. The National Recreation and Parks Association (NRPA) standards are general national standards that local Parks and Recreation Departments use as a general starting point to guide their facility plans. The Department proposed a new master plan in its Fiscal Year 2020 budget. A comparison of how County facilities measure up to NRPA standards is included in the chart.

Proposed Zoning Ordinance Revisions
Revised May 8, 2023

The draft revisions are listed by section below. New, proposed language is in red underlined text. Language proposed to be deleted is shown in red text with ~~strikethrough~~ markings.

Article II, Interpretations and Basic Definitions

Utility scale solar energy facility.\ A renewable energy generation facility is a major utility use type as defined by this Ordinance that either:

(a) Generates electricity from sunlight, consisting of one or more PV systems and other appurtenant structures, to include energy storage, and facilities within the boundaries of the site; or

(b) Utilizes sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar-generated energy; and

(c) Does not meet any of the following criteria: has a disturbance zone equal to or less than two acres, is mounted on or over a building or parking lot or other previously disturbed area, or utilizes integrated PV only.

Article V, Supplementary Use Regulations

M. Utility services, major.

4.Utility Scale Solar Energy Facilities.

a. In addition to any conditional use permit application requirements, the applicant shall provide the following at the time of application:

i. A conceptual plan showing the proposed layout of all structures, adjacent properties, screening, landscaping, internal roadways, easements, environmentally sensitive features including proposed wildlife corridors;

ii. A visual impact analysis demonstrating through project siting and proposed mitigation, if necessary, that the solar project minimizes impacts on the visual character of a scenic landscape, vista, or scenic corridor;

iii. A transportation plan showing vehicular access to the site, proposed construction traffic route to the site, parking areas, and laydown yards;

iv. An estimated time frame and proposed hours of operation for construction activity;

v. Economic impact analysis of the project including projected net new tax revenue as well as loss of active agricultural and silvicultural lands and its indirect impact to associated local businesses;

vi. An environmental resource impact analysis discussing any proposed activities within designation resource conservation areas;

vii. A historical and cultural resources impact analysis; and

viii. Written comments from the relevant electric company regarding the capacity of the transmission lines as part of any use permit application. An applicant may meet this requirement by submitting a third-party report that provides relevant transmission capacity information. ~~An applicant can satisfy this requirement by submitting proof of application for interconnection to the electricity system.~~

b. Ground-mounted systems shall not exceed fifteen (15) feet in height when oriented at maximum tilt, except when temporarily stowed in a vertical position for vegetation management or for inspection, maintenance and/or repair.

c. Audible sound from a solar energy system shall not exceed 60 dBA (A-weighted decibels), as measured at any adjacent non-participating landowner's property line. The level, however, may be exceeded during short-term exceptional circumstances, such as severe weather.

d. All equipment, accessory structures and operations associated with a large solar energy system shall be setback at least seventy-five (75) feet from all property lines and at least one hundred, ~~and~~ one hundred and twenty-five (125) feet from any residential parcels, and two hundred and fifty (250) feet from any structure with documented historical significance, a cemetery, a cultural resource, or a school. New substations, connector stations, inverters and transformers shall be set back at least two hundred and fifty (250) feet from the property line of any non-participating property. Final setbacks for shall be determined by equipment decibel level specifications. In addition, these facilities are subject to the following:

i. Setbacks shall be kept free of all structures and parking lots; and

ii. Setbacks shall not be required along property lines adjacent to other parcels which are part of the solar energy system with the exception structures with documented historical significance, a cemetery, a cultural resource, or a school, however, should properties be removed from the system, setbacks must be installed along all property lines of those properties remaining within the project and which are adjacent to a parcel which has been removed.

e. The following landscaping standards shall apply:

i. Along public roadways ~~with at least fifty (50) feet of right-of-way,~~ a minimum fifty-foot wide bufferyard shall be installed or retained ~~at least seventy-five (75) landscaping points per one hundred (100) linear feet shall be required in the bufferyard;~~ consisting of a three, staggered rows of trees and shrubs installed a maximum of eight feet on center in order to create an effective visual screen as approved by the Zoning Administrator;

~~ii. Along public roadways with less than fifty (50) feet of right-of-way, twenty-five (25) landscaping points per one hundred (100) linear feet shall be required in the bufferyard;~~

iii. Where solar facility properties abut residential parcels, a fifty-foot wide bufferyard shall be installed or retained ~~with a minimum of one hundred twenty (120) landscaping points per five hundred (500) square feet of bufferyard shall be required~~ consisting of a three, staggered rows of large and small canopy trees and medium shrubs installed a maximum of eight feet on center in order to create an effective visual screen as approved by the Zoning Administrator;

iv. Existing vegetation that meets the minimum landscaping specifications may be used to meet required landscaping ~~points~~; ~~and~~

v. No silvicultural activities or removal of required landscaping materials shall occur in the required bufferyards except as approved by the Zoning Administrator; and

vi. If the land area being leased was under crop cultivation prior to lease, it shall be maintained and cut annually during the growing season prior to August 1 until site construction begins.

f. Provide soil testing for any contaminants directly attributable to the solar panels before and after construction and every five (5) years during the interim until the facility is decommissioned. Owner/operator must provide copies of initial baseline report and subsequent reports to the zoning administrator. Should a negative finding indicating contamination from the solar panels occur, contamination must be remedied by the owner/operator to applicable state and federal standards.

g. Prior to final site plan approval, an owner, lessee, or developer of real property shall enter the following agreement and provide them to the zoning administrator for review and approval:

i. A written agreement to decommission solar energy equipment, facilities, or devices upon the following terms and conditions:

a) If the party that enters into such written agreement with the county defaults in the obligation to decommission such equipment, facilities, or devices in the timeframe set out in such agreement, the locality has the right to enter the real property of the record title owner of such property without further consent of such owner and to engage in decommissioning; and

b) Such owner, lessee, or developer shall provide financial assurance of such performance to the county in the form of certified funds, cash escrow, bond, letter of credit, or parent guarantee, based upon an estimate of a professional engineer licensed in the commonwealth, who is engaged by the applicant, with experience in preparing decommissioning estimates and approved by the county; such estimate shall not exceed the total of the projected cost of decommissioning, ~~which may include the net salvage value of such equipment, facilities, or devices~~, plus a reasonable allowance for estimated administrative costs related to a default of the owner, lessee, or developer, and an annual inflation factor.

c) Decommissioning of discontinued or abandoned large solar energy systems shall include the following:

i. Physical removal of all solar energy equipment and above-ground appurtenant structures from the subject property including, but not limited to, buildings, machinery, equipment, cabling and connections to transmission lines, equipment shelters, security barriers, electrical components, roads, unless such roads need to remain to access buildings retrofitted for another purpose, or the landowner submits a request to the board of supervisors that such roads remain.

ii. Below-grade structures, such as foundations, underground collection cabling, mounting beams, footers, and all other equipment installed with the system shall be completely removed: however, these structures may

be allowed to remain if a written request is submitted by the landowners and a waiver is granted by the Board of Supervisors.

iii. Compacted soils shall be decompacted as agreed to by the landowner.

iv. Restoration of the topography of the project site to is pre-existing condition, except that any landscaping or grading may remain in the after-condition if a written request is submitted by the landowner and a waiver is granted by the board of supervisors.

v. Proper disposal of all solid or hazardous materials and wastes from the site in accordance with local, state, and federal solid waste disposal regulations.

h. During and at the end of project construction, any damage done to public roads by solar farm construction equipment shall be repaired in accordance with VDOT standards and specifications. Post construction damage shall be identified based on inspections by VDOT with the developer or their agent, prior to construction and upon completion, identifying the items for repair. Additionally, at the request of VDOT, in order to ensure the safety of the traveling public, some damages may need to be addressed immediately.

i. Facilities shall not be located within the limits of the County's Development Service Districts.

j. The facilities themselves must be wholly located within a two mile radius of existing substations and/or high voltage transmission lines.

k. The total acres of prime farm soils and soils of statewide importance that may be within the fence of a utility scale solar facility pursuant to issued and active CUPs shall be limited to a maximum of 2% of the County's total number of prime farm soils and soils of statewide importance, or 2,446 acres.

l. For projects that are connected to transmission lines, the applicant shall provide detailed capacity information to the Planning Commission for each project which shall include at a minimum, but not limited to, available capacity in MW on the effected distribution lines and any details that may impact future energy generation projects, such as scheduled power generation facility decommissionings, transmission system capital improvements or other events impacting transmission line capacity.

m. The facility operator shall prepare and submit an annual activity report to the Zoning Administrator to be shared with the Planning Commission and Board of Supervisors.

n. The applicant shall provide documentation demonstrating the selected panels and all power generating equipment initially installed and replaced qualify, for disposal purposes, as nonhazardous waste under applicable US EPA regulation using a Toxicity Characteristics Leaching Procedure or equivalent laboratory analysis.

o. The applicant shall submit an Emergency Response Plan at the time of site development plan application for review and approval by the County, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided to emergency responders about safety for on-site incident response. Initiation and frequency of training will be coordinated between the Department of Emergency Services and the facility operator. The applicant shall install a Knox Box or other remote access technology at the facility to ensure emergency responders have access to the facility should the need arise.

p. The operator shall post a notification sign at each site entrance that states (a) the rated nameplate capacity, (b) the name of the project owner, and operator (if different from the owner), (c) the street address of the site, and (d) a 24-hour emergency contact phone number for the operator.

q. On-site energy storage shall require a separate conditional use permit.

r. The applicant shall be responsible for any costs incurred by the County for additional staff and/or third party inspectors for inspection services.

s. Topsoil is not permitted to be removed from the property.

t. The portion of the subject property supporting solar panels shall be enclosed by security fencing of a type that is harmonious with the rural, agricultural, and historical character of the County while meeting federal and state regulations for solar electric generating facility fencing as determined by the Zoning Administrator adjacent to all public rights-of-way, residential property, properties eligible for listing on the National Register of Historic Places, and civic uses prior to final site plan approval.

u. Fencing shall be placed around the solar arrays, inverters, and substation only and not the whole site in order to provide wildlife corridors.

v. The applicant shall provide an appraisal report from an independent appraiser approved by the Zoning Administrator on the impact of the facility on nearby property values.

AN ORDINANCE
TO AMEND AND REENACT SECTION 2-1002 (DEFINITIONS) AND SECTION 5-5003.M.4 (UTILITY SCALE SOLAR ENERGY FACILITIES) OF APPENDIX B (ZONING) OF THE CODE OF THE COUNTY OF ISLE OF WIGHT, VIRGINIA

WHEREAS, the Board of Supervisors of Isle of Wight County, Virginia, has the legislative authority to make reasonable changes to the ordinances that govern the orderly growth and development of Isle of Wight County; and

WHEREAS, the Isle of Wight County Board of Supervisors is also concerned about the compatibility of uses on public and private lands within Isle of Wight County and seeks to allow flexibility in the administration of the ordinance regulations while protecting the health, safety, and general welfare of present and future residents and businesses of the County.

NOW, THEREFORE, BE IT ORDAINED by the Isle of Wight County Board of Supervisors that Section 5-5003.B (Cemetery) of Appendix B (Zoning) of the Isle of Wight County Code be amended and reenacted as follows:

Sec. 2-1002. Definitions.

When used in this ordinance the following terms shall have a meaning as ascribed herein:

Abutting.\ Having a common border with, or being separated from such common border by right-of-way, alley or easement.

Access, pedestrian.\ The right to cross between public and private property, allowing pedestrians to enter and leave property.

Access, vehicular.\ A means of vehicular approach or entry to or exit from property, from a street or highway.

Accessory building.\ A subordinate building customarily incidental to and located upon the same lot occupied by the principal building. When an accessory building is attached to the principal building in a substantial manner, as by a wall or roof, such accessory building shall be considered a part of the principal building. An accessory building is no longer considered subordinate if it exceeds the size of the principal building.

Accessory use.\ A use customarily incidental and subordinate to, and on the same lot as a principal use.

Administrator.\ See "zoning administrator."

Alley.\ A right-of-way that provides secondary service access for vehicles to the side or rear of abutting properties.

Alteration.\ Any change or rearrangement of supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors or windows or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or moving of a building or structure from one (1) location to another.

Alternate discharge sewage system.\ Any device or system which results in a point source surface discharge of treated sewage with flows less than or equal to one thousand (1,000) gallons per day on a yearly average. These systems are regulated by the Virginia Department of Health and under a general Virginia Pollution Discharge Elimination System (VPDES) permit issued by the Virginia Department of Environmental Quality (DEQ).

Amend or amendment.\Any repeal, modification or addition to a regulation; any new regulation; any change in the number, shape, boundary or area of a zone or zoning district; or any repeal or abolition of any map, part thereof or addition thereto.

Amenity space.\ Space devoted to such uses as uncovered open space for public enjoyment consisting of such things as, but not limited to: Green areas, gardens, malls, plazas, walks, pathways, promenades, arcades, lawns, fountains, decorative plantings, passive or active recreational areas. Such space shall not include parking or maneuvering areas for vehicles. Area devoted to this purpose shall be easily and readily accessible to the public or residents of the development. In areas where pedestrian walkways are shown on an approved and adopted master plan such area within the percentage required for amenity space as is necessary shall be devoted to the provision of pedestrian walkways or paths for general public use.

Anchor store.\ A store that acts as the major retailer and brings in the majority of business within a shopping center, mall or similar commercial complex.

Antenna.\ A device in which the surface is used to capture an incoming and/or transmit an outgoing radio-frequency signal. Antennas shall include the following types:

1. Omnidirectional (or "whip") antenna. An antenna that receives and transmits signals in a 360-degree pattern.
2. Directional (or "panel") antenna. An antenna that receives and transmits signals in a directional pattern typically encompassing an arc of one hundred twenty (120) degrees.
3. Dish (or parabolic) antenna. A bowl-shaped device, less than two (2) meters in diameter, that receives and transmits signals in a specific directional pattern.

Arcade.\ A covered passage having an arched roof.

Attic.\ The area between roof framing and the ceiling of the rooms below that is not habitable, but may [be] used for storage or mechanical equipment. Improvement to habitable status shall make it a story.

Automobile.\ See "motor vehicle."

Base density.\ The maximum number of dwelling units permitted outright by a particular land-use classification.

Base flood\ The flood having a one-percent chance of being equaled or exceeded in any given year.

Base flood elevation.\ The Federal Emergency Management Agency designated one-percent annual chance water surface elevation. The water surface elevation of the base flood in relation to the datum specified on the community's flood insurance rate map. For the purposes of this ordinance, the base flood is 100-year flood or one-percent annual chance flood.

Basement.\ That portion of a building that is partly or completely below grade. A basement shall be counted as a story if its ceiling is over six (6) feet above the average level of the finished ground surface adjoining the exterior walls of such story, or if it is used for business or dwelling purposes. For the purposes of floodplain management, any area of the building having its floor subgrade (below ground level) on all sides.

Billboard.\ See "sign, billboard."

Block.\ That property abutting one (1) side of a street and lying between the two (2) nearest intersecting streets or the nearest intersecting street and railroad right-of-way, river, or between any of the foregoing and any other manmade or natural barrier to the continuity of development.

Board of supervisors.\ Governing body of Isle of Wight County. Also referred to as the board.

Board of zoning appeals.\ The board appointed to review appeals made by individuals with regard to decisions of the zoning administrator in the interpretation of this ordinance. The board of zoning appeals is also authorized to grant variances from provisions of the zoning ordinance in particular circumstances.

Breezeway.\ A structure for the principal purpose of connecting the main building or buildings on a property with other main buildings or accessory buildings.

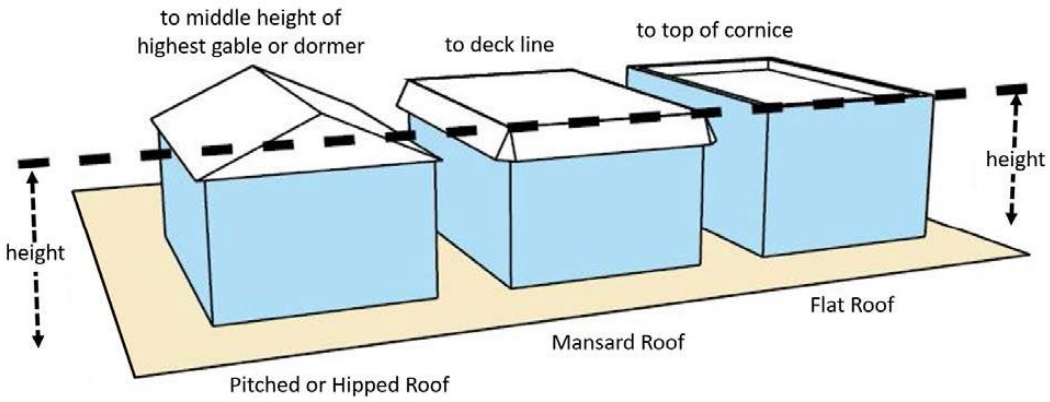
Buffer\ or bufferyard. A natural open space or landscaped area intended to separate and protect adjacent or contiguous uses or properties, including land uses abutting highly traveled highway corridors, from noise, lights, glare, pollutants or other potential nuisances.

Building.\ A structure with a roof designed to be used as a place of occupancy, storage, or shelter.

Building, floor area.\ The total number of square feet area in a building, excluding uncovered steps, and uncovered porches, but including the basement and the total floor area of accessory buildings on the same lot.

Building, height.\ The height of a building is the mean vertical distance from the average established grade in front of the lot or from the average natural grade at the building line, if higher, measured to the roof line, defined as; the average height of the top of the cornice of flat roofs, the deck line of a mansard roof, the middle height of the highest gable or dormer in a pitched or hipped roof. If a building is located on a terrace, the height above the street grade may be increased by the height of the terrace. On a corner lot, the height is the mean vertical distance from the average natural grade at the building line, if higher, on the street of greatest width, or if two (2) or more such streets are of the same width, from the highest of such grades.

Illustration of Building Height



Building line.\ A line parallel to the front property line of a yard beyond which the foundation wall and/or any enclosed porch, vestibule, or other enclosed portion of a building shall not project, except as provided in subsection 5-2000.D, supplementary density and dimensional requirements.

Building, main.\ See "principal building or structure."

Building official, superintendent of building inspections.\ The person designated as the official responsible for enforcing and administering all requirements of the Uniform Statewide Building Code in Isle of Wight County, Virginia.

Bulk regulations.\ Controls that establish the maximum size of buildings and structures on a lot or parcel and the buildable area within which the structure may be placed, including lot coverage, height, setbacks, density, floor area ratio, open space ratio, and landscape ratio.

Caliper.\ A measurement, in diameter, of plant material size. All plant material requiring a caliper measurement shall be measured using diameter at breast height (DBH), which is defined as four and one-half (4½) feet above the ground on the uphill side of the tree or plant.

Camping site.\ Any plot of ground within a campground used or intended for occupation by the camping unit.

Camping unit.\ A tent, tent trailer, camping trailer, pickup camper, motor home, recreational vehicle or any other commonly used temporary shelter device used as temporary living quarters or shelter during periods of recreation, vacation, leisure time or travel. To qualify as a camping unit, vehicular and mobile units shall be eligible to be currently licensed and registered by a governmental body and shall be legal to travel on Virginia highways without special permits for size, weight or other reasons.

Canopy.\ A roof-like structure of a permanent nature which may be freestanding or project from a wall of a building or its supports.

Canopy coverage.\ The percent of a fixed land area covered by the crown of an individual plant exceeding five (5) feet in height and measured fifteen (15) years from the date of installation. Or the percent of a fixed land area covered by the outermost limits of the crown of a cluster of plants exceeding five (5) feet in height, which create one (1) continuous area of coverage, measured fifteen (15) years from the date of installation.

Carport.\ A permanent roofed structure not more than seventy-five percent (75%) enclosed by walls and attached to the main building for the purpose of providing shelter for one (1) or more motor vehicles.

Cellar.\ See "basement."

Certificate of occupancy.\ A document issued by the building official allowing the occupancy or use of a structure and certifying that the structure and/or site has been constructed and is to be used in compliance with all applicable plans, codes and ordinances.

Channel.\ A natural or artificial watercourse with a definite bed and banks to confine and conduct continuously or periodically flowing water.

Child.\ Any natural person under eighteen (18) years of age.

Chord.\ A line segment joining any two (2) points of a circle.

Circulation area.\ That portion of the vehicle accommodation area used for access to parking or loading areas or other facilities on the lot. Essentially, driveways and other maneuvering areas (other than parking aisles) comprise the circulation area.

Co-location.\ The use of a single location structure and/or site by more than one (1) wireless communications service provider.

Coastal A zone.\ Flood hazard areas that have been delineated as subject to wave heights between one and one-half (1.5) feet and three (3) feet and identified on the flood insurance rate maps (FIRMs) as areas of limits of moderate wave action (LiMWA).

Coastal high hazard area (CHHA).\ The portion of a coastal floodplain having special flood hazards that is subject to high velocity waters, including hurricane wave wash. The area is designated on the flood insurance rate map (FIRM) as zone V1-30, VE or V (V-zones).

Combination use.\ A use consisting of a combination of one (1) or more lots and two (2) or more principal uses separately listed in the district regulations.

Commercial vehicle.\ A vehicle designed to have more than two (2) rear wheels on a single axle. This shall not apply to pickup body type trucks, passenger van type vehicles, or to vehicles essential for an agricultural use associated with the premises.

Community impact statement.\ A document required by the county which outlines the impact a proposed development will have on environmental and cultural resources, and county services, including, but not limited to, schools, fire and rescue, and public utilities.

Conditional use.\ A conditional use is a use that, because of special requirements or characteristics, may be allowed in a particular zoning district only after review and recommendation by the planning commission and the granting of conditional use approval by the board of supervisors imposing such conditions as necessary to make the use compatible with other uses permitted in the same zone or vicinity.

Deck.\ A structure, without a roof or walls, directly adjacent to a principal building, which has an average elevation of thirty (30) inches or greater from finished grade.

Development.\ Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, the placement of manufactured homes, streets, and

other paving, utilities, filling, grading: excavation, mining, dredging, drilling operations, or storage of equipment or materials.

Display lot.\ An outdoor area where active nighttime sales activity occurs and where accurate color perception of merchandise by customers is required. To qualify as a display lot, one (1) of the following specific uses must occur: motor vehicle sales, boat sales, recreational vehicle sales, gardening or nursery sales. Any other use must be approved as display lot uses by the zoning administrator.

Dock or pier.\ Any structure extending into a body of water and used for landing or launching watercraft, for fishing or for otherwise providing access to the water.

Dripline.\ A vertical projection to the ground surface from the furthest lateral extent of a tree's leaf canopy.

Driveway.\ A roadway providing access for vehicles to a parking space, garage, dwelling, or other structure. A driveway serves only one (1) or two (2) lots.

Dwelling.\ A building, or portion thereof, designed or used exclusively for residential occupancy, including single-family dwellings, two-family dwellings, and multifamily dwellings, but do not include, hotels, motels, boarding and rooming houses, bed and breakfast establishments, and the like.

Dwelling unit.\ One (1) or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one (1) family with toilets and facilities for cooking and sleeping separate from any other dwelling unit.

Earthcraft certified construction.\ An environmentally friendly, residential building program developed by the Southface Energy Institute which requires certified builders to meet guidelines for energy efficiency, water conservation, and other environmental practices on single-family and multifamily unit construction. Similar to the LEED certification program, but focused specifically on residential development.

Earth tone.\ A color scheme that draws from a color palette of browns, tans, grays, greens, and some reds. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt, moss, trees, and rocks. Many earth tones originate from clay earth pigments, such as umber, ochre, and sienna. Colors such as orange and blue are not considered earth tones because they are not found naturally on pieces of land even though they can be found within nature.

Elevation.\ A vertical distance above or below a fixed reference point.

Environmental assessment.\ An analysis of the beneficial or detrimental effects of a development on the natural resources and characteristics of the property, including resources such as, but not limited to, wetlands, flora and fauna, and other ecosystems.

Equipment enclosure.\ A small building, cabinet, or vault used to house and protect electronic or mechanical equipment. Associated equipment may include, but is not limited to, air conditioners and emergency generators.

Expansion to an existing manufactured home park or subdivision.\ For the purposes of floodplain management means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the

installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Facade.\ That portion of any exterior elevation of the building extending from grade to top of the parapet, wall, or eaves and the entire width of the building elevation.

Family.\ An individual, or two (2) or more persons related by blood, marriage or adoption, or a group of not more than four (4) unrelated persons, occupying a single-family dwelling.

Flood.\ A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters;
2. The unusual and rapid accumulation or runoff of surface waters from any source;
3. Mudslides (i.e., mudflows) which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

A flood may be further defined as the collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical or by an unanticipated force of nature, such as a flash flood or by some similarly unusual and unforeseeable event which results in flooding.

Flood hazard zone.\ The delineation of special flood hazard areas into insurance risk and rate classifications on the flood insurance rate map (FIRM) published by the Federal Emergency Management Agency (FEMA) and which include the following zones and criteria:

1. Zone A: On the FIRMs accompanying the flood insurance study (FIS) shall be those areas for which no detailed flood profiles or elevations are provided, but the one-percent annual chance floodplain boundary has been approximated.
2. Zone AE: On the FIRMs accompanying the FIS shall be those areas for which one-percent annual chance flood elevations have been provided and the floodway has not been delineated.
3. Zone VE or zone V: ..... On the FIRMs accompanying the FIS shall be those areas that are known as coastal high hazard areas, extending from offshore to the inland limit of a primary frontal dune along an open coast or other areas subject to high velocity waves.
4. Zone X:Areas located above the 100-year flood boundary and having moderate or minimal flood hazards.
5. Floodway district: Is in an AE Zone and is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying waters of the one-percent annual chance flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this district are specifically defined in Table 4 of the FIS and shown on the accompanying FIRM.
6. Coastal A zoneIs labelled as AE on the FIRMs and is those areas that are seaward of the limit of moderate wave action (LiMWA) line. As defined by the Virginia

Uniform Statewide Building Code, these areas are subject to wave heights between one and one-half (1.5) feet and three (3) feet.

Flood insurance rate map (FIRM).\ An official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a digital flood insurance rate map (DFIRM).

Flood insurance study.\ An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, mudslide hazards and/or flood-related erosion hazards.

Floodplain.\ A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; an area subject to the unusual and rapid accumulation or runoff of surface water from any source.

Floodprone area.\ Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodproofing.\ Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water, sanitary facilities, structures and their contents.

Floodway.\ The channel of a river or other watercourse and the adjacent land areas required to carry and discharge the 100-year flood without increasing the water surface elevation of that flood more than one (1) foot at any point.

Floor area.\ The square feet of floor space within the outside lines of walls, including the total of all space on all floors of a building. Floor area shall not include porches, garages, or unfinished space in a basement or attic.

Floor area ratio (FAR).\ The total floor area of all buildings or structures on a lot divided by the net developable area of the lot.

Freeboard.\ A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed. When a freeboard is included in the height of a structure, the flood insurance premiums may be less expensive.

Frontage.\ The linear measurement in feet of the front property line abutting a street.

Functionally dependent use.\ A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Garage, private.\ An accessory building which is designed or used for the storage of vehicles owned and used by the occupants of the building to which it is accessory and which is not operated as a separate commercial enterprise.

Garage or yard sale.\ A sale of used household or personal articles which are normally and customarily used or kept on a residential premises (such as furniture, tools, or clothing) held on the seller's own premises. Such items shall not have been specifically purchased or crafted for resale.

Gazebo.\ A detached, covered freestanding, open-air or screened accessory structure designed for recreational use only and not for habitation.

Glare.\ The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light.

Green roof.\ The roof of a building which is partially or completely covered with vegetation and soil or other growing medium planted over a waterproof membrane.

Habitable floor.\ Any floor usable for living purposes, which includes working, sleeping, eating, cooking, or recreation, or any combination thereof. A floor used only for storage is not a habitable floor.

Highest adjacent grade.\ For the purposes of floodplain management, the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic landmark/area/structure.\ Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been listed in the county's comprehensive plan or certified:
    a. By an approved state program as determined by the Secretary of the Interior; or
    b. Directly by the Secretary of the Interior in states without approved programs.

Home garden.\ An accessory use in a residential district for the production of vegetables, fruits and flowers generally for use or consumption, or both, by the occupants of the premises.

Impervious surface.\ A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. Impervious surfaces may include, but are not limited to, buildings, roofs, streets, parking areas, and any concrete, asphalt, or compacted gravel surface.

Intelligent siting.\ The practice of building placement which gives high consideration to environmental aspects such as solar orientation, seasonal shading, prevailing winds, etc., in order to allow for increased energy efficiency.

Internet Sweepstakes Café.\ Any principal business enterprise, where persons utilize electronic machines including, but not limited to, computers and gaming terminals to conduct games of chance (including sweepstakes) and where cash, merchandise or other items of value are redeemed or otherwise distributed, whether or not the value of such distribution is determined by electronic games played or by predetermined odds. This definition includes, but is not limited to, internet sweepstakes, video sweepstakes, electronic gaming operations, internet cafes, and/or cybercafés.

Junk.\ "Junk" shall mean all scrap materials, discarded equipment and household items, parts of vehicles, pieces of watercraft, and similar materials. (See also "scrap and salvage services" in section 3-7000.)

Kiosk.\ A freestanding structure upon which temporary information and/or posters, notices, and announcements are posted. Commercial transactions do not take place here.

Landscape.\ An expanse of natural scenery or the addition or preservation of lawns supplemented by shrubs, trees, plants or other natural and decorative features to land.

Landscape surface ratio (LSR).\ A measure, expressed as a percentage, of the area to be landscaped on a site determined by dividing the landscaped area of the site by the total project area.

LEED certified.\ Leadership in energy and environmental design (LEED) certification program administered by the U.S. Green Building Council, which requires designers to meet guidelines for energy efficiency, water conservation, and other environmental practices.

Light trespass.\ Light from an artificial light source that is intruding onto adjacent properties and is a nuisance.

Livestock.\ Swine, sheep, cattle, poultry or other animals or fowl which are being produced primarily for food, fiber, or food products for human consumption.

Loading and unloading area.\ The area on a lot designated for bulk pickup and deliveries of merchandise and materials directly related to the use on said lot.

Lot.\ A parcel of land intended to be separately owned, developed, or otherwise used as a unit, established by plat, subdivision or as otherwise permitted by law.

Lot, corner.\ A lot abutting on two (2) or more streets at their intersection.

Lot, depth of.\ The shortest horizontal distance between the front and rear lot lines.

Lot, double frontage.\ An interior lot having frontage on two (2) streets.

Lot, flag.\ A lot not fronting on or abutting a public roadway or having limited frontage necessary for access and where access to the public roadway is essentially limited to a narrow private right-of-way.

Lot, interior.\ A lot other than a corner lot.

Lot, through.\ A lot having its front and rear yards each abutting on a street.

Lot area.\ The total horizontal area in square feet within the lot lines of a lot excluding designated future public rights-of-way.

Lot coverage.\ A measure of intensity of land use that represents the portion of a site that is impervious (i.e., does not absorb water). This portion includes, but is not limited to, all areas covered by buildings, parked structures, driveways, roads, sidewalks, and any area of concrete or asphalt.

Lot line.\ A line dividing one (1) lot from another lot or from a street or alley.

Lot line, front.\ On an interior lot, the lot line abutting a street or right-of-way; or, on a corner lot, the shorter lot line abutting a street or right-of-way; or, on a through lot, the lot line abutting the street or right-of-way providing the primary access to the lot.

Lot line, rear.\ The lot line located opposite the front line.

Lot line, side.\ Any boundary of a lot, which is not a front lot line or a rear lot line.

Lot of record.\ A lot which has been legally recorded in the clerk's office of the Circuit Court of Isle of Wight County.

Lot width.\ The horizontal distance between the side lot lines, measured at the required front setback line.

Low impact development (LID).\ A site design approach to managing stormwater runoff which emphasizes conservation and use of on-site natural features to protect water quality. This approach implements small-scale hydrologic controls to replicate the pre-development hydrologic patterns of watersheds through infiltrating, filtering, storing, evaporating, and detaining runoff close to its source.

Lowest floor.\ For the purpose of floodplain management, the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, useable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR § 60.3.

Luminary.\ A lighting fixture assembly or source of artificial illumination including, but not limited to, bulbs, lamps, reflectors, refractors, and housing associated with them.

Manufactured home.\ A structure constructed to federal standards, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) feet or more in width and is forty (40) feet or more in length, or when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Manufactured home park, existing.\ A parcel of land divided into two (2) or more manufactured home lots for rent or sale existing prior to August 19, 1991.

Manufactured home park or subdivision, new.\ A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after August 19, 1991.

Mean sea level.\ National Geodetic Vertical Datum (NGVD) of 1929, to which all elevations on the FIRM (flood insurance rate map) and within the flood insurance study are referenced.

Mixed-use structure.\ A building or other structure containing a combination of two (2) or more different principal uses.

Motor vehicle.\ Any self-propelled vehicle designed primarily for transportation of persons of goods along public streets or alleys, or other public ways.

Net developable area.\ The land deemed suitable for development within a given area or parcel. It is calculated by subtracting the sensitive environmental areas within the area or parcel that should be protected from development and the estimated right-of-way requirements and existing regional transmission line easements and rights-of-way from the total gross area. The result is the net developable area, which provides a realistic measure of land holding capacity for an area or parcel in the county. Refer to section 5-4000, net developable area, for additional information on net developable area.

New construction.\ For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM (flood insurance rate map), August 19, 1991, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

Nonconforming activity or use.\ The otherwise legal use of a building or structure or of a tract of land that does not conform to the use regulations of this ordinance for the district in which it is located, either at the effective date of this ordinance or as a result of subsequent amendments to the ordinance.

Nonconforming building or structure.\ An otherwise legal building or structure that does not conform with the yard, height, maximum density or other bulk regulations, or is designed or intended for a use that does not conform to the use regulations, of this ordinance for the district in which it is located, either at the effective date of this ordinance or as result of subsequent amendments.

Nonconforming lot.\ An otherwise legally platted lot that does not conform to the minimum area or width requirements for the district in which it is located either at the effective date of this ordinance or as a result of subsequent amendments to this ordinance.

Nonconforming site.\ An otherwise legal site for which existing improvements do not conform to the lot coverage, bufferyard, landscaping, parking and other site requirements set forth in the zoning or special overlay district in which it is located either at the effective date of this ordinance or as a result of subsequent amendments to this ordinance.

Office park.\ A large tract of land that has been planned, developed, and operated as an integrated facility for a number of separate office buildings and supporting ancillary uses with special attention given to circulation, parking, utility needs, aesthetics, and compatibility.

Official zoning map.\ The map or maps, together with all subsequent amendments thereto, which are adopted by reference as a part of this ordinance and which delineate the zoning district boundaries.

Open space.\ An area that is intended to provide light and air, and is designed, depending upon the particular situation, for environmental, scenic or recreational purposes. Open space may include, but need not be limited to, lawns, decorative plantings, walkways, active and passive recreation areas, playgrounds, fountains, swimming pools, wooded areas, and watercourses. Open space shall not be deemed to include structures, driveways, parking lots or other surfaces designed or intended for vehicular traffic.

Open space, common.\ Open space that is accessible to all occupants of a particular development and is not restricted to use by occupants of an individual lot or structure.

Open space ratio (OSR).\ A measure, expressed as a percentage, of site open space determined by dividing the gross open space area of a lot, parcel or tract of land by the total area of that lot, parcel or tract of land.

Parking area aisle.\ That portion of the parking area consisting of lanes providing access to parking spaces.

Parking area, lot or structure.\ An off-street area for parking or loading and unloading, whether required or permitted by this ordinance, including driveways, access ways, aisles, and maneuvering areas, but not including any public or private street right-of-way.

Parking space.\ A portion of the parking area set aside for the parking of one (1) vehicle.

Patio.\ A level surfaced area, directly adjacent to a principal building, without walls or a roof intended for outdoor lounging, dining, and the like, which has an average elevation of less than thirty (30) inches from finished grade.

Permeable materials.\ A variety of product alternatives to traditional, impervious surface materials which allow for the infiltration of stormwater through the soil to more naturally reduce runoff volumes and filter pollutants. Increased infiltration occurs either through the paving material itself, or through void spaces between individual paving blocks (also called pavers). Materials may include, but are not limited to: Pervious concrete, pervious asphalt, block and concrete modular pavers, and grid pavers.

Permit, building.\ An official document or certification permit that is issued by the building official and which authorizes the construction, alternation, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving or repair of a building or structure. This permit should not be a substitute for a zoning permit.

Permit, conditional use.\ A permit issued by the county board of supervisors authorizing the operation of a use under certain conditions and standards.

Permit, special use.\ A permit issued by the county board of supervisors authorizing a use not otherwise provided for in this ordinance as a permitted or conditional use.

Permit, zoning.\ A permit issued by the zoning administrator that authorizes the recipient to make use of property in accordance with the requirements of this ordinance.

Phase I archeological study.\ A survey of archaeological resources undertaken in accordance with the Secretary of the Interior's Standards and Guidelines (48 FR, 44742) as may

be amended and the Guidelines for Conducting Cultural Resource Survey in Virginia prepared by the Virginia Department of Historic Resources, as may be amended.

Photometric plan.\ A diagram consisting of lines showing the relative illumination in foot candles from a light source or group of light sources.

Planning commission.\ The Isle of Wight County Planning Commission.

Porch.\ A projection from a main wall or a building which can be covered, with a roof, or uncovered. The projection may or may not use columns or other ground supports for structural purposes.

Portable on demand storage units.\ Also known as a POD, a large container used for temporary storage. A POD is hauled to the property, loaded with items, hauled from the property and stored in a storage yard.

Poultry.\ Domestic fowl normally raised on a farm such as chickens, ducks, geese and turkeys.

Preliminary and final site development plan.\ Site development plans prepared by a certified or licensed engineer, surveyor, architect or landscape architect, that is required for development proposals outlined in section 7-2004, preliminary and final site development plan requirements.

Principal building or structure.\ A building or structure in which the primary or main use of the property on which the building is located is conducted and distinguished from an accessory or secondary building or structure on the same premises.

Principal use.\ A use which represents the primary or main use of the land or structure which is distinguished from an accessory use on the same premises.

Proffer.\ A condition voluntarily offered by the applicant and owner for a rezoning that limits or qualifies how the property in question will be used or developed.

Public water and sewer system.\ A water or sewer system owned and operated by a municipality or county, or owned and operated by a private individual or a corporation approved by the governing body and properly licensed by the state corporation commission or other applicable agency, and subject to special regulations as herein set forth.

Public way.\ Any sidewalk, street, alley, highway or other public thoroughfare.

Recreation, active.\ Leisure activities, usually organized and performed with others, often requiring equipment and constructed facilities, taking place at prescribed places, sites, or fields. The term active recreation includes, but is not limited to, swimming, tennis, and other court games, baseball and other field sports, golf and playground activities.

Recreation, passive.\ Recreation that involves existing natural resources and has a minimal impact. Such recreation does not require development of the site nor any alternation of existing topography. Such passive recreation shall include, but not be limited to, hiking, picnicking, and bird watching.

Recreational vehicle.\ A vehicle designed to be self-propelled or permanently towable; and not designed for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use. This term shall also include watercraft and trailers.

Redevelopment.\ The process of using land that contains or previously contained development.

Required open space.\ Any space required in any front, side or rear yard.

Residential plot plan.\ A plan submitted for the construction or location of all new single-family detached dwellings or two-family dwellings on an existing or platted lot. This plan shall meet the requirements of section 7-2002, residential plot plan.

Right-of-way.\ A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees, or other special use.

Road.\ See "street."

Satellite dish antenna.\ See "antenna."

Screening.\ The act of visually shielding or obscuring one (1) abutting or nearby structure or use from another by fencing, walls, berms, or required planted vegetation.

Screen material.\ Materials that have been outlined in article VIII for the screening of service structures, equipment, and/or outdoor storage yards.

Seasonal shading.\ The practice of using plant material to capitalize on solar energy and light for heating and interior lighting purposes. An example would be using deciduous trees near windows to shade afternoon sun in the summer, but allow afternoon sun for heat and light through in the winter.

Service building.\ A building used to house stationary or movable service equipment and mechanical equipment for the maintenance and function of onsite machinery.

Setback.\ The required minimum horizontal distance between the building line and the related front, side, or rear property line. A setback is meant from a street not a driveway.

Setback line.\ A line within a lot parallel to a corresponding lot line, which is the boundary of any specified front, side, or rear yard, or the boundary of any public right-of-way whether acquired in fee, easement, or otherwise, or a line otherwise established to govern the location of buildings, structures or uses. Where no minimum front, side, or rear yards are specified, the setback line shall be coterminous with the corresponding lot line.

Shopping center.\ A grouping of architecturally unified and related retail establishments which are planned, developed, owned, and managed as a single operating unit, and which share interconnected walkways and parking areas. The establishments contained within a shopping center are related to each other and the market area served in terms of size, type, location, and market orientation.

Shrub.\ A relatively low growing, woody plant typified by having several permanent stems instead of a single trunk.

Shrub, deciduous.\ Any shrub which sheds its foliage during a particular season of the year.

Shrub, evergreen.\ Any shrub which retains its foliage throughout the entire year.

Simplified site plan.\ A plan submitted for a change or expansion of a commercial, civic, office or industrial use on an existing site and meets the requirements of section 7-2003.

Site development plan, preliminary/final.\ A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations pertaining to site plans in this ordinance. Includes lot lines, streets, building sites, reserved open space, buildings, major landscape features, both natural and manmade, and any other requirements outlined by article VII.

Slope.\ The degree of deviation of a surface from the horizontal, usually expressed as a percentage. Slope shall be measured as the vertical rise or fall to horizontal distance of terrain measured perpendicular to the contour lines at horizontal intervals of more than ten (10) feet.

Solar orientation.\ The practice of using building placement and design to capitalize on solar energy and light for heating and interior lighting purposes.

Special flood hazard area.\ The land in the floodplain subject to the one-percent or greater chance of being flooded in any given year.

Specified anatomical area.\ Such areas include less than completely and opaque covered human genitals, pubic region, buttocks, female breasts below a point immediately above the top of the areola, and human male genital in a discernibly turgid state, even if completely and opaquely covered.

Specified sexual activity.\ Such activity includes human genitals in a state of sexual stimulation or arousal, an act of human masturbation, sexual intercourse or sodomy, and fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

Start of construction.\ For the purpose of floodplain management, other than new construction and substantial improvement, under the Coastal Barriers Resource Act, means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of pipes, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration on any wall, ceiling, floor, or other structural part of a building, whether or not the alteration affects the external dimensions of the building.

Storage.\ The keeping, either indoors or outdoors, of equipment, vehicles, or supplies used in the conduct of a trade, business, or profession.

Stormwater management.\ For quantitative control, a system of vegetative and structural measures that control the increased volume and rate of surface runoff caused by manmade changes to the land; and for qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

Stormwater management practice, nonstructural.\ A stormwater management technique that utilizes the ecological and environmental aspect of a site or area for the collection, conveyance,

channeling, holding, retaining, detaining, infiltration, diverting, treating or filtering of surface water, and/or runoff.

Stormwater management practice, structural.\ A stormwater management technique that utilizes a manmade facility and/or apparatus for the collection, conveyance, channeling, holding, retaining, detaining, infiltration, diverting, treating or filtering of surface water, and/or runoff.

Story.\ That portion of a building, other than the basement, included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, the space between the face and the ceiling next above it.

Story, half.\ A space under a sloping roof, which has the line of intersection of roof decking and wall not more than three (3) feet above the top floor level, and in which space more than two-thirds (⅔) of the floor area is finished off for use other than storage.

Street.\ A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. A street serves three (3) or more lots. The word "street" shall include the words "road", and "highway".

Street, arterial.\ A street specifically designed to move high volumes of traffic from collector streets through the county and not designed to serve abutting lots except indirectly through intersecting streets. Arterial streets shall include all U.S. Highways, state primaries with one-, two- or three-digit numbers, and any other street which the subdivision agent determines is functionally equivalent to these transportation department classifications.

Street, collector.\ A relatively low-speed, low-volume street that provides circulation within and between neighborhoods. Collector streets usually serve short trips and are intended for collecting trips from local streets and distributing them to the arterial network. They also form a secondary network of cross county connectivity.

Street, public.\ A public street or street with respect to which an offer of dedication has been made and improvements completed which are consistent with the Isle of Wight County Subdivision Ordinance and the requirements of the Virginia Department of Transportation or a street or portion thereof which is included in the state primary or secondary road system.

Structure.\ Anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground. Among other things, structures include buildings, mobile and manufactured homes, walls, fences, signs, piers, and swimming pools, etc. For the purpose of floodplain management, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as manufactured home.

Subdivision.\ The division or resubdivision of a lot, tract, or parcel of land by any means into two (2) or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development. The term subdivision shall also mean the following:

1. Any development of a parcel of land which involves installation of sanitary sewers, water mains, gas mains or pipes, or other appropriate facilities for the use, whether immediate or future, of the owners or occupants of the land, or of the building abutting thereon.

2. Any development of a parcel of land involving two (2) or more principal structures or involving shopping centers, multiple dwelling projects and the like which require the installation of streets and/or alleys, even though the streets and alleys may be not dedicated to public use and the parcel may be divided for purposes of conveyance transfer or sale.

3. Any development of a parcel of land involving two (2) or more principal structures or involving shopping centers, multiple dwelling projects and the like which require the installation of streets and/or alleys, even though the streets and alleys may not be dedicated to public use and the parcel may not be dedicated to public use and the parcel may not be divided for purposes of conveyance, transfer or sale.

4. The term "subdivision" includes re-subdivision, and as appropriate in this ordinance, shall refer to the process of subdividing the land or to the land subdivided.

Substantial damage.\ Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damaged occurred.

Substantial improvement.\ Damage of any origin sustained by a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged, and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. For the purpose of floodplain management, the term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions;

2. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as historic structure; or

3. Historic structures undergoing repair or rehabilitation that would constitute a substantial improvement as defined above, must comply with all ordinance requirements that do not preclude the structure's continued designation as a historic structure. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the structure.

Tower.\ Any structure that is intended for transmitting or receiving television, radio, telephone, digital, or other similar communications or is used to support a communication antenna or other similar device.

Tract.\ See "lot."

Traffic impact analysis (TIA).\ An analysis of the effect of traffic generated by a development on the capacity, operations, and safety of the public street and highway system.

Tree, deciduous.\ Any tree which sheds its foliage during a particular season of the year.

Tree, evergreen.\ Any tree which retains its foliage throughout the entire year.

Tree, heritage.\ Any tree or shrub which has been designated by ordinance of the Isle of Wight County Board of Supervisors as having notable historic or cultural significance to any site or which has been so designated in accordance with an ordinance adopted pursuant to Section 15.2-503 of the Code of Virginia, as amended.

Tree, mature.\ Any deciduous or evergreen tree with a minimum diameter of fourteen (14) inches when measured four and one-half (4½) feet above ground level.

Tree, significant.\ Any deciduous or evergreen tree with a minimum diameter of twenty-two (22) inches when measured four and one-half (4½) feet above ground level.

Trip generation.\ The number of trip ends caused, attracted, produced, or otherwise generated by a specific land use, activity, or development in accordance with the latest edition of the trip generation manual, published by the institute of transportation engineers.

Use.\ The purpose or activity, for which a piece of land or its buildings is designed, arranged or intended, or for which it is occupied or maintained.

Use, permitted.\ A use, which may be lawfully established in a particular district or districts, provided it conforms with all regulations, requirements, and standards of this ordinance.

Utility facility.\ Any above or below ground structure or facility (other than buildings, unless such buildings are used as storage incidental to the operation of such structures or facilities) owned by a governmental entity, a nonprofit organization, a corporation, or any entity defined as a public utility for any purpose and used in connection with the production, generation, transmission, delivery, collection, or storage of water, sewage, electricity, gas oil, or electromagnetic signals.

Utility scale solar energy facility.\ A renewable energy generation facility is a major utility use type as defined by this Ordinance that either:

(a) Generates electricity from sunlight, consisting of one or more PV systems and other appurtenant structures, to include energy storage, and facilities within the boundaries of the site; or

(b) Utilizes sunlight as an energy source to heat or cool buildings, heat or cool water, or produce mechanical power by means of any combination of collecting, transferring, or converting solar-generated energy; and

(c) Does not meet any of the following criteria: has a disturbance zone equal to or less than two acres, is mounted on or over a building or parking lot or other previously disturbed area, or utilizes integrated PV only.

Variance.\ A waiver of the dimensional and numeric requirements of this ordinance approved by the board of zoning appeals in accordance with section 1-1019 of this ordinance.

Vehicle.\ See "motor vehicle."

Vehicle moving area.\ Any area on a site where vehicles park or drive.

Video arcade.\ See "commercial indoor amusement" listed under commercial use types.

Violation.\ For the purpose of floodplain management, the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance as outlined in the floodplain management overlay district regulations.

Watercourse.\ Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash, in and including any area adjacent thereto which is subject to inundation by water.

Watercraft.\ Any vessel that is used or capable of being used as a means of transportation on water and is propelled by machinery, whether or not the machinery is the principal source of propulsion, as defined by the Code of Virginia.

Wooded area.\ An area of contiguous wooded vegetation where trees are at a density of at least one (1) six-inch or greater diameter at breast height (DBH) tree per three hundred twenty-five (325) square feet of land and where the branches and leaves form a contiguous canopy.

Xeriscaping.\ Site design and/or gardening techniques which may include the use of native and/or drought tolerant plants to create a landscape or environment which does not require any form of supplemental irrigation after twenty-four (24) months from the time of installation.

Yard.\ An open space on the same lot with a building or structure, unoccupied and unobstructed from the ground up, except as otherwise permitted in this ordinance.

Yard, corner side.\ A side yard adjoining a public or private street.

Yard, front.\ A yard extending along the full width of the front lot line between the side lot lines and from the front lot line to the front building line in depth.

Yard, interior side.\ A side yard, which is located immediately adjacent to another lot or to an alley separating such yard from another lot.

Yard, rear.\ A yard extending along the full length of the lot and lying between the rear lot line and the nearest line of the building. Rear yard depth shall be measured at right angles to the rear line of the lot.

Yard, side.\ A yard lying between the side line of the lot and the nearest line of the building and extending from the front yard to the rear yard, or in the absence of either of such front or rear yards, to the front or rear lot lines. Side yard width shall be measured at right angles to side lines of the lot.

Zero lot line.\ The location of a structure on a lot in such a manner that one (1) of the structure's sides rest directly on a lot line.

Zoning administrator.\ The person designated as the official responsible for enforcing and administering all requirements of the Isle of Wight County Zoning Ordinance, or his duly authorized designee.

Zoning, base district.\ Those base underlying zoning districts other than special overlay districts set forth in article IV.

Zoning, planned development district.\ Land area of minimum size, as specified by district regulations, to be planned and developed using a common master zoning plan, and containing one (1) or more uses and appurtenant common areas.

Zoning, special overlay district.\ A district, which is placed over the existing base zoning and imposes additional restrictions and includes all those districts listed as special overlay zoning districts in article IV.

Zoning, underlying district.\ See "zoning, base district." (7-7-05; 8-20-09; 11-4-09; Ord. No. 2013-1-C, 4-18-13; 3-20-14; 5-19-14; 8-21-14; 11-19-15; 8-18-16; 11-17-16; 7-19-18; 1-21-21.)

Sec. 5-5003. - Supplementary use regulations for civic use types.

M. Utility services, major.

4.Utility Scale Solar Energy Facilities.

a. In addition to any conditional use permit application requirements, the applicant shall provide the following at the time of application:

i. A conceptual plan showing the proposed layout of all structures, adjacent properties, screening, landscaping, internal roadways, easements, environmentally sensitive features including proposed wildlife corridors;

ii. A visual impact analysis demonstrating through project siting and proposed mitigation, if necessary, that the solar project minimizes impacts on the visual character of a scenic landscape, vista, or scenic corridor;

iii. A transportation plan showing vehicular access to the site, proposed construction traffic route to the site, parking areas, and laydown yards;

iv. An estimated time frame and proposed hours of operation for construction activity;

v. Economic impact analysis of the project including projected net new tax revenue as well as loss of active agricultural and silvicultural lands and its indirect impact to associated local businesses;

vi. An environmental resource impact analysis discussing any proposed activities within designation resource conservation areas;

vii. A historical and cultural resources impact analysis; and

viii. Written comments from the relevant electric company regarding the capacity of the transmission lines as part of any use permit application. An applicant may meet this requirement by submitting a third-party report that provides relevant transmission capacity information.

b. Ground-mounted systems shall not exceed fifteen (15) feet in height when oriented at maximum tilt, except when temporarily stowed in a vertical position for vegetation management or for inspection, maintenance and/or repair.

c. Audible sound from a solar energy system shall not exceed 60 dBA (A-weighted decibels), as measured at any adjacent non-participating landowner's property line. The level, however, may be exceeded during short-term exceptional circumstances, such as severe weather.

d. All equipment, accessory structures and operations associated with a large solar energy system shall be setback at least seventy-five (75) feet from all property lines and at least one hundred, and one hundred and twenty-five (125) feet from any residential parcels, and two hundred and fifty (250) feet from any structure with documented historical significance, a cemetery, a cultural resource, or a school. New substations, connector stations, inverters and transformers shall be

set back at least two hundred and fifty (250) feet from the property line of any non-participating property. Final setbacks for shall be determined by equipment decibel level specifications. In addition, these facilities are subject to the following:

i. Setbacks shall be kept free of all structures and parking lots; and

ii. Setbacks shall not be required along property lines adjacent to other parcels which are part of the solar energy system with the exception of structures with documented historical significance, a cemetery, a cultural resource, or a school, however, should properties be removed from the system, setbacks must be installed along all property lines of those properties remaining within the project and which are adjacent to a parcel which has been removed.

e. The following landscaping standards shall apply:

i. Along public roadways, a minimum fifty-foot wide bufferyard shall be installed or retained consisting of a three, staggered rows of trees and shrubs installed a maximum of eight feet on center in order to create an effective visual screen as approved by the Zoning Administrator;

ii. Where solar facility properties abut residential parcels, a fifty-foot wide bufferyard shall be installed or retained consisting of a three, staggered rows of large and small canopy trees and medium shrubs installed a maximum of eight feet on center in order to create an effective visual screen as approved by the Zoning Administrator;

iv. Existing vegetation that meets the minimum landscaping specifications may be used to meet required landscaping;

v. No silvicultural activities or removal of required landscaping materials shall occur in the required bufferyards except as approved by the Zoning Administrator; and

vi. If the land area being leased was under crop cultivation prior to lease, it shall be maintained and cut annually during the growing season prior to August 1 until site construction begins.

f. Provide soil testing for any contaminants directly attributable to the solar panels before and after construction and every five (5) years during the interim until the facility is decommissioned. Owner/operator must provide copies of initial baseline report and subsequent reports to the zoning administrator. Should a negative finding indicating contamination from the solar panels occur, contamination must be remedied by the owner/operator to applicable state and federal standards.

g. Prior to final site plan approval, an owner, lessee, or developer of real property shall enter the following agreement and provide them to the zoning administrator for review and approval:

i. A written agreement to decommission solar energy equipment, facilities, or devices upon the following terms and conditions:

a) If the party that enters into such written agreement with the county defaults in the obligation to decommission such equipment, facilities, or devices in the timeframe set out in such agreement, the locality has the right to enter the real property of the record title owner of such property without further consent of such owner and to engage in decommissioning; and

b) Such owner, lessee, or developer shall provide financial assurance of such

performance to the county in the form of certified funds, cash escrow, bond, letter of credit, or parent guarantee, based upon an estimate of a professional engineer licensed in the commonwealth, who is engaged by the applicant, with experience in preparing decommissioning estimates and approved by the county; such estimate shall not exceed the total of the projected cost of decommissioning, plus a reasonable allowance for estimated administrative costs related to a default of the owner, lessee, or developer, and an annual inflation factor.

c) Decommissioning of discontinued or abandoned large solar energy systems shall include the following:

i. Physical removal of all solar energy equipment and above-ground appurtenant structures from the subject property including, but not limited to, buildings, machinery, equipment, cabling and connections to transmission lines, equipment shelters, security barriers, electrical components, roads, unless such roads need to remain to access buildings retrofitted for another purpose, or the landowner submits a request to the board of supervisors that such roads remain.

ii. Below-grade structures, such as foundations, underground collection cabling, mounting beams, footers, and all other equipment installed with the system shall be completely removed: however, these structures may be allowed to remain if a written request is submitted by the landowners and a waiver is granted by the Board of Supervisors.

iii. Compacted soils shall be decompacted as agreed to by the landowner.

iv. Restoration of the topography of the project site to is pre-existing condition, except that any landscaping or grading may remain in the after-condition if a written request is submitted by the landowner and a waiver is granted by the board of supervisors.

v. Proper disposal of all solid or hazardous materials and wastes from the site in accordance with local, state, and federal solid waste disposal regulations.

h. During and at the end of project construction, any damage done to public roads by solar farm construction equipment shall be repaired in accordance with VDOT standards and specifications. Post construction damage shall be identified based on inspections by VDOT with the developer or their agent, prior to construction and upon completion, identifying the items for repair. Additionally, at the request of VDOT, in order to ensure the safety of the traveling public, some damages may need to be addressed immediately.

i. Facilities shall not be located within the limits of the County's Development Service Districts.

j. The facilities themselves must be wholly located within a two mile radius of existing substations and/or high voltage transmission lines.

k. The total acres of prime farm soils and soils of statewide importance that may be

within the fence of a utility scale solar facility pursuant to issued and active CUPs shall be limited to a maximum of 2% of the County's total number of prime farm soils and soils of statewide importance, or 2,446 acres.

l. For projects that are connected to transmission lines, the applicant shall provide detailed capacity information to the Planning Commission for each project which shall include at a minimum, but not limited to, available capacity in MW on the effected distribution lines and any details that may impact future energy generation projects, such as scheduled power generation facility decommissionings, transmission system capital improvements or other events impacting transmission line capacity.

m. The facility operator shall prepare and submit an annual activity report to the Zoning Administrator to be shared with the Planning Commission and Board of Supervisors.

n. The applicant shall provide documentation demonstrating the selected panels and all power generating equipment initially installed and replaced qualify, for disposal purposes, as nonhazardous waste under applicable US EPA regulation using a Toxicity Characteristics Leaching Procedure or equivalent laboratory analysis.

o. The applicant shall submit an Emergency Response Plan at the time of site development plan application for review and approval by the County, which shall detail fire suppression methods that will be immediately deployed during both construction and operation of the facility. The plan shall include a training program to be provided to emergency responders about safety for on-site incident response. Initiation and frequency of training will be coordinated between the Department of Emergency Services and the facility operator. The applicant shall install a Knox Box or other remote access technology at the facility to ensure emergency responders have access to the facility should the need arise.

p. The operator shall post a notification sign at each site entrance that states (a) the rated nameplate capacity, (b) the name of the project owner, and operator (if different from the owner), (c) the street address of the site, and (d) a 24-hour emergency contact phone number for the operator.

q. On-site energy storage shall require a separate conditional use permit.

r. The applicant shall be responsible for any costs incurred by the County for additional staff and/or third party inspectors for inspection services.

s. Topsoil is not permitted to be removed from the property.

t. The portion of the subject property supporting solar panels shall be enclosed by security fencing of a type that is harmonious with the rural, agricultural, and historical character of the County while meeting federal and state regulations for solar electric generating facility fencing as determined by the Zoning Administrator adjacent to all public rights-of-way, residential property, properties eligible for listing on the

National Register of Historic Places, and civic uses prior to final site plan approval.

u. Fencing shall be placed around the solar arrays, inverters, and substation only and not the whole site in order to provide wildlife corridors.

v. The applicant shall provide an appraisal report from an independent appraiser approved by the Zoning Administrator on the impact of the facility on nearby property values.

DATE:_____

READ AND PASSED: _____
Chairman

TESTE: _____
Clerk

Approved as to Form:

_____
Robert W. Jones, Jr., County Attorney

PROJECT	DEVELOPED AREA (PER CUP)	PRIME FARMLAND /SOILS OF STATEWIDE IMPORTANCE*	% OF TOTAL PRIME SOILS (rounded)	LOCATION	% OF TOTAL FARMLAND**	TOTAL MW	APPROVAL DATE
Woodland	180 +/-	124	0.1%	Longview	0.2%	20	2015
Solidago	170 +/-	170	0.14%	Redhouse	0.2%	20	2018
Ho-Fel	330 +/-	315	0.26%	Lees Mill	0.4%	55	2019; Amended 2023
Windsor PV1	630 +/-	630	0.52%	Windsor	0.8%	85	2019; Amended in 2021
Cavalier	500	500	0.41%	Hardy	0.6%	240	2021
Nuby Run	20	20	0.02%	Orbit	0.02%	2	2022
Carver (Proposed)	637	297	0.24%	Windsor	0.8%	71	In Review
Prairie Solar (Proposed)	152	152	0.12%	Longview	0.2%	20	In Review
TOTAL	**2,619 +/-**	**2,208+/-**	**1.81%**		**3.25%**	**513**	

Prime soils include Prime Farmland, Prime, If Drained, and Soils of Statewide Importance – 122,296 total acres in County

****Total active agricultural lands as of 2017 Census of Agriculture – 80,672 acres***

Kirkland Appraisals, LLC

Richard C. Kirkland, Jr., MAI
9408 Northfield Court
Raleigh, North Carolina 27603
Phone (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

June 28, 2020

Forrest Coldren
Ecoplexus, Inc.
807 East Main Street
Suite 6-050
Durham, NC 27701

RE: Windsor Solar, Knoxville Road, Windsor, Isle of Wight County, VA

Ms. Coldren:

At your request, I have considered the impact of a solar farm proposed to be constructed on a portion of a 760.87-acre tract on Knoxville Road, Windsor, Isle of Wight County, Virginia. Specifically, I have been asked to give my professional opinion on whether the proposed solar farm will have any impact on adjoining property value and whether "the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located."

To form an opinion on these issues, I have researched and visited existing and proposed solar farms in Virginia and other states, researched articles through the Appraisal Institute and other studies, and discussed the likely impact with other real estate professionals. I have not been asked to assign any value to any specific property.

This letter is a limited report of a real property appraisal consulting assignment and subject to the limiting conditions attached to this letter. My client is Ecoplexus represented to me by Forrest Coldren. The effective date of this consultation is June 28, 2020.

This analysis relies on a Paired Sales Analysis, a method supported by the Appraisal Institute and outlined by Dr. Randall Bell, PhD, MAI in the Appraisal Institute textbook on Real Estate Damages. This is simply a method for looking at sales adjoining a use (such as a solar farm) and comparing them to similar sales not adjoining that use in order to isolate any impact related to that adjoining use, if any. I have further detailed and cited references to this methodology in the following pages.

Conclusion

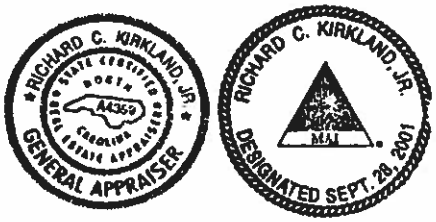
The matched pair analysis shows no impact in home values due to abutting or adjoining a solar farm as well as no impact to abutting or adjacent vacant residential or agricultural land. The criteria that typically correlates with downward adjustments on property values such as noise, odor, and traffic all indicate that a solar farm is a compatible use for rural/residential transition areas and that it would function in a harmonious manner with this area.

Very similar solar farms in very similar areas have been found by hundreds of towns and counties not to have a substantial injury to abutting or adjoining properties, and many of those findings of no impact have been upheld by appellate courts. Similar solar farms have been approved adjoining agricultural uses, schools, churches, and residential developments. Industrial uses rarely absorb negative impacts from adjoining uses.

Based on the data and analysis in this report, it is my professional opinion that the solar farm proposed at the subject property will have no impact on the value of adjoining or abutting property and that the proposed use is in harmony with the area in which it is located. I note that some of the positive implications of a solar farm that have been expressed by people living next to solar farms include protection from future development of residential developments or other more intrusive uses, reduced dust, odor and chemicals from former farming operations, protection from light pollution at night, it's quiet, and there is no traffic.

If you have any further questions please call me any time.

Sincerely,



Richard C. Kirkland, Jr., MAI

I. Methodology

Credentials/Experience

I have been a commercial appraiser for over 20 years and I regularly appraise agricultural properties, agricultural business properties, residential subdivisions, and commercial properties. I also regularly conduct impact analysis for a variety of adjoining and nearby uses such as waste water treatment plants, solid waste facilities, water towers, greenways, open space, water frontage, and solar projects. I have an MAI through the Appraisal Institute. The MAI membership designation is awarded after rigorous education requirements, a final comprehensive exam, specialized experience submittals that are peer reviewed, and must meet standards and ethics requirements. Typically, the time required to obtain an MAI after getting state certification ranges from 5 to 15 years. The MAI designation has long been recognized by courts of law, government agencies, and financial institutions for the additional experience and training it represents over and above state certification requirements.

I have substantial experience in studying solar projects, their locations, and potential impacts on adjoining property values. I have been studying this topic for over eight years and in that time I have looked at over 650 solar projects across the country. I have worked with other MAIs in multiple states in a collaborative effort to compile information on solar projects and sales of properties around solar projects.

I have provided research that has been relied on and found material and credible supporting evidence multiple times by the North Carolina Superior Court as well as Planning Boards, Boards of Adjustment, Town Councils, and other government bodies in numerous states – including Virginia.

The data I have compiled strongly supports compatibility of solar projects with adjoining agricultural and residential uses.

Methodology

I have utilized a variety of methods to determine potential impact on adjoining property values. The primary method is the Matched Pair or Paired Data Analysis. Paired Data Analysis is outlined in **The Appraisal of Real Estate** Twelfth Edition published by The Appraisal Institute and described on Page 438 and 439 as a method for Quantitative Adjustments. This method is more greatly defined and broken out into multiple sub-methods in the **Real Estate Damages** Third Edition by Randall Bell, PhD, MAI, which is also published by The Appraisal Institute, starting on Page 33.

Paired Sales Analysis considers the sale of a property to a different property with only one difference in order to determine the impact that difference had on a sales price. In this instance, I have considered sales of properties next to a solar project to properties not next to a solar project in order to determine if the solar project had any impact on market transactions. I have considered individual or simple matched pairs where one compares one sale to one other sale. I have considered groups of properties to one matched pair as a control group as suggested by Dr. Bell. I have considered Sale and Resale matched pairs, which is something by which the sale price of the same house is considered with the first transaction preceding the solar project and the second sale being after the solar project was built to determine if the solar project had any impact on the price or typical appreciation expected on the property. These are all sub-methods of the paired sales analysis and I have therefore grouped them all together.

I have also completed a limited market survey of owners adjoining a solar project in Goldsboro, North Carolina, where I spoke with owners who had purchased homes adjoining the solar project including those who purchased homes prior to the solar project being announced.

I have surveyed 58 existing and proposed solar farms in Virginia looking for sales adjoining solar projects. Most of these projects are either under construction or still in the planning stages. Of those that have been built, the oldest were built in 2016. This leaves a small window to find sales since construction was complete. As most of these projects are in rural areas where sales happen less frequently, there is simply little likelihood of finding a sale adjoining one of these projects in such a short window of time. This is not unusual. Most farms in the area have no adjoining sales within the last year due to the general lack of turnover in rural areas. A similar pattern was seen in North Carolina when solar farms were first constructed, but as time goes on there will be more opportunities to analyze adjoining sales to solar projects in Virginia. I have been able to identify several matched pairs in Virginia from those solar farms as well as some additional anecdotal information as presented later in this report.

While I have looked at solar farms across the country, I will focus on solar farm sales data adjoining solar farms in North Carolina, Maryland, Tennessee, and Florida as being the most similar areas to Virginia to supplement the data identified in Virginia.

Determining what is an External Obsolescence

An external obsolescence is a use of property that, because of its characteristics, might have a negative impact on the value of adjacent or nearby properties because of identifiable impacts. Determining whether a use would be considered an external obsolescence requires a study that isolates that use, eliminates any other causing factors, and then studies the sales of nearby versus distant comparable properties. The presence of one or a combination of key factors does not mean the use will be an external obsolescence, but a combination of these factors tend to be present when market data reflects that a use is an external obsolescence.

External obsolescence is evaluated by appraisers based on several factors. These factors include but are not limited to:

1) Traffic. Solar Farms are not traffic generators.

2) Odor. Solar farms do not produce odor.

3) Noise. Solar farms are not significant noise generators.

4) Environmental. Solar farms do not produce toxic or hazardous waste as part of operation. The solar farms are considered pervious surface area due to the grass that grows underneath the solar panels.

5) Light. Solar farms are completely dark at night.

6) Other factors. I have observed and studied many solar farms and have never observed any characteristic about such facilities that prevents or impedes neighbor from fully using their homes or farms or businesses for the use intended.

II. Proposed Project and Adjoining Uses

Proposed Use Description

The proposed 85 MW solar farm is to be constructed on portion of a 760.87-acre tract on Knoxville Road, Windsor, Isle of Wight County, Virginia. Adjoining land is primarily a mix of agricultural and residential uses. Solar panels are placed on the land with minimal grading, no concrete on the supporting posts, and are not considered impervious surface area due to the grass that grows beneath the panels.

Adjoining Properties

I have considered adjoining uses and included a map to identify each parcel's location. The breakdown of those uses by acreage and number of parcels is summarized below.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	7.58%	68.42%
Agricultural	71.23%	19.30%
Agri/Res	20.94%	7.02%
Religious	0.19%	1.75%
Cemetery	0.06%	3.51%
Total	**100.00%**	**100.00%**

Matched pairs in this report show homes as close as 105 feet from the closest panel with no negative impact on property value. The closest home at this proposed farm will be 160 feet away and the average distance is 459 feet.



Surrounding Uses

#	MAP ID	Owner	GIS Data Acres	Present Use	Adjoin Acres	Adjoin Parcels	Distance (ft) Home/Panel
1	52-01-036	Carr	90.00	Agricultural	5.63%	1.75%	N/A
2	53-01-006	Williams	118.83	Agricultural	7.44%	1.75%	N/A
3	53-01-009B	Holliman	0.61	Residential	0.04%	1.75%	780
4	53-01-009	Monore	8.33	Residential	0.52%	1.75%	N/A
5	53-01-010	Monore	26.07	Residential	1.63%	1.75%	450
6	53-01-10A	Monore	1.11	Residential	0.07%	1.75%	N/A
7	53-01-10B	Ashburn	0.91	Residential	0.06%	1.75%	495
8	53-01-011	Bostic	0.12	Cemetery	0.01%	1.75%	N/A
9	53-01-012	SPECBLD	1.66	Residential	0.10%	1.75%	N/A
10	53-01-012F	Brown	0.39	Residential	0.02%	1.75%	300
11	53-01-012D	Ashburn	0.40	Residential	0.03%	1.75%	230
12	53-01-012E	Duck	0.42	Residential	0.03%	1.75%	205
13	53-01-012B	Eatton	0.41	Residential	0.03%	1.75%	220
14	53-01-012C	Owens	0.43	Residential	0.03%	1.75%	205
15	53-01-012A	Vines	0.57	Residential	0.04%	1.75%	205

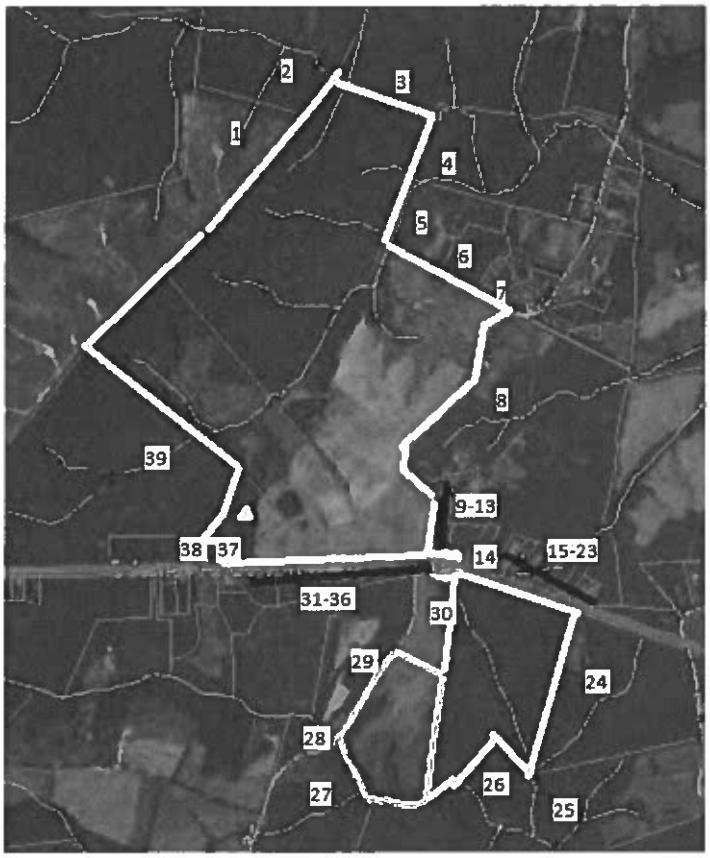
#	MAP ID	Owner	GIS Data Acres	Present Use	Adjoin Acres	Adjoin Parcels	Distance (ft) Home/Panel
16	53-01-015	Bowers	1.31	Residential	0.08%	1.75%	325
17	53-01-016	Vines	0.54	Residential	0.03%	1.75%	395
18	53-01-017	Gwaltney	7.14	Residential	0.45%	1.75%	N/A
19	53-01-018	Gwaltney	11.24	Residential	0.70%	1.75%	N/A
20	53-01-019	Stokes	62.41	Agricultural	3.91%	1.75%	N/A
21	53-01-067	Gwaltney	9.44	Residential	0.59%	1.75%	2,520
22	53-01-068	Cobb Land	46.60	Agricultural	2.92%	1.75%	N/A
23	53-01-069	Span	146.75	Agricultural	9.18%	1.75%	N/A
24	56-01-072A	Eley	2.32	Residential	0.15%	1.75%	N/A
25	53-01-72	Roberts	124.49	Agri/Res	7.79%	1.75%	840
26	53-01-073A	Raynolds	2.77	Residential	0.17%	1.75%	385
27	60-01-001	DeWitt	219.02	Agricultural	13.70%	1.75%	N/A
28	53-01-077	Willis	82.21	Agri/Res	5.14%	1.75%	1,110
29	53-01-076	Burden	0.43	Residential	0.03%	1.75%	300
30	53-01-075	Burden	0.30	Residential	0.02%	1.75%	265
31	53-01-078	Willis	69.40	Agri/Res	4.34%	1.75%	860
32	52-01-049	Rhodes	105.88	Agricultural	6.63%	1.75%	N/A
33	52-01-056	Lowe	88.69	Agricultural	5.55%	1.75%	N/A
34	52-01-057	Rose	58.50	Agri/Res	3.66%	1.75%	1,450
35	52-01-046C	Devites	1.80	Residential	0.11%	1.75%	275
36	52-01-046B	Roberts	0.92	Residential	0.06%	1.75%	N/A
37	52-01-046E	Stradley	1.00	Residential	0.06%	1.75%	N/A
38	52-01-024	Austin	134.63	Agricultural	8.42%	1.75%	N/A
39	52-08-005	Peet	1.00	Residential	0.06%	1.75%	205
40	52-08-004	Johnson	1.00	Residential	0.06%	1.75%	165
41	52-08-003	Johnson	1.00	Residential	0.06%	1.75%	240
42	52-08-02	Melton	1.00	Residential	0.06%	1.75%	195
43	52-08-001	Hytinen	1.21	Residential	0.08%	1.75%	225
44	52-08-046A	Austin	4.56	Residential	0.29%	1.75%	N/A
45	52-01-045	Chapel Grove	3.07	Religious	0.19%	1.75%	330
46	52-01-043	Butler	12.00	Residential	0.75%	1.75%	N/A
47	52-02-003	Faulk	0.46	Residential	0.03%	1.75%	N/A
48	52-02-004	Peet	0.52	Residential	0.03%	1.75%	205
49	52-02-002	Moore	0.36	Residential	0.02%	1.75%	205
50	52-02-001	Moore	0.51	Residential	0.03%	1.75%	195
51	53-01-007B	Stradley	0.92	Residential	0.06%	1.75%	285
52	53-01-007A	Willman	14.70	Residential	0.92%	1.75%	160
53	52-01-042	Penrose	0.91	Residential	0.06%	1.75%	N/A
54	52-01-041	Grove	0.89	Cemetery	0.06%	1.75%	N/A
55	52-01-039	Carr	95.00	Agricultural	5.94%	1.75%	N/A
56	52-01-038	Jones	0.50	Residential	0.03%	1.75%	N/A
57	52-01-037	Carr	30.50	Agricultural	1.91%	1.75%	N/A
		Total	**1598.162**		**100.00%**	**100.00%**	459

III. Summary of Solar Projects in Virginia

I have researched 58 solar projects in Virginia over 1 MW both existing, approved, and proposed. I have provided a summary of projects below and additional detailed information on the existing/constructed projects on the following pages.

Parcel #	Sta	County	City	Name	Output (MW)	Total Acres Used	Acres to home	Home		Res	Agri	Agri/Res	Com
115	VA	Buckingham	Cumberland	Buckingham I	19.8	481.18		N/A	N/A	8%	73%	18%	0%
121	VA	Powhatan	Amelia Court Hou	Scott	20	898.4		1,421	730	29%	28%	44%	0%
204	VA	New Kent	Barhamsville	Walker-Corrections	20	484.65	484.65	516	103	13%	68%	20%	0%
205	VA	Sussex	Stony Creek	Sappony	20	322.68	322.68			2%	98%	0%	0%
216	VA	Southampton	Boykins	Beetle	40	422.19	422.19	1,169	310	0%	10%	90%	0%
222	VA	Mecklenburg	Chase City	Grasshopper	80	946.25	946.25			6%	87%	5%	1%
226	VA	Louisa	Louisa	Belcher	88	1238.11	1238.11		150	19%	53%	28%	0%
228	VA	Mecklenburg	Chase City	Bluestone Farm	4.99	332.5	332.5			0%	100%	0%	0%
257	VA	Prince Willia	Nokesville	Nokesville		331.01	331.01			12%	49%	17%	23%
261	VA	Buckingham	Buckingham	Buckingham II	19.8	460.05	460.05			6%	79%	15%	0%
262	VA	Shenandoah	Mount Jackson	Mount Jackson	15.65	652.47	652.47			21%	51%	14%	13%
263	VA	Gloucester	Gloucester	Gloucester	20	203.55	203.55	508	190	17%	55%	28%	0%
267	VA	Powhatan	Powhatan	Scott II		701	701			41%	25%	34%	0%
268	VA	Chesapeake	Chesapeake	TWE Centerville	15	247.86	247.86	1,957	1,270	5%	13%	0%	82%
270	VA	Suffolk	Suffolk	TWE Myrtle	15	258.97	258.97	1,115	150	34%	48%	17%	0%
272	VA	Middlesex	Church View	Churchview	20	567.91	567.91			9%	64%	27%	0%
303	VA	Henrico	Henrico	Turner	20	463.12	463.12	N/A	N/A	21%	37%	0%	42%
304	VA	Culpepper	Rixeyville	Culpepper		296	296	N/A	N/A	5%	31%	64%	0%
311	VA	Halifax	Scottsburg	Sunnybrook Farm		527.88	527.88	N/A	N/A	15%	59%	26%	0%
312	VA	Halifax	Alton	Powell Creek		513	513	N/A	N/A	7%	71%	22%	0%
339	VA	Halifax	Crystal Hill	Crystal Hill		628.67	628.67	1,570	140	6%	41%	35%	18%
354	VA	Accomack	Oak Hall	Amazon East(ern s	80	1000	1000	645	135	8%	75%	17%	0%
355	VA	Halifax	Alton	Alton Post		501.96	501.96	749	100	2%	58%	40%	0%
358	VA	Halifax	Nathalie	Water Strider		960	960	821	250	7%	55%	38%	0%
364	VA	Fauquier	Remington	Remington	20	277.2	277.2	2,755	1,280	10%	41%	31%	18%
365	VA	Culpepper	Stevensburg	Greenwood	100	2266.58	2266.58	788	200	8%	62%	29%	0%
367	VA	Culpeper	Culpeper	Culpeper Sr		12.53	12.53	N/A	N/A	15%	0%	86%	0%
370	VA	Northampton	Kendall Grove	Cherrydale	20	180.17	180.17	N/A	N/A	5%	0%	92%	3%
371	VA	Clarke	White Post	Clarke	10	234.84	234.84	N/A	N/A	14%	39%	46%	1%
372	VA	Bedford	Bedford	Bedford	3	101	101	N/A	N/A	8%	0%	66%	26%
373	VA	Isle of Wight	Smithfield	Woodland,VA	19.7	211.12	211.12	606	190	9%	0%	91%	0%
374	VA	Louisa	Louisa	Whitehouse	20	499.52	499.52	1,195	110	24%	55%	18%	4%
402	VA	Henrico	Richmond	Cedar Park		13.93	13.93			57%	0%	0%	43%
407	VA	Halifax	Clover	Foxhound	91	1311.78	1311.78	885	185	5%	61%	17%	18%
415	VA	Halifax	Nathalie	Stagecoach II	16.625	327.87	327.87	1,073	255	5%	66%	29%	0%
484	VA	Essex	Center Cross	Essex Solar Center	20	106.12	106.12	693	360	3%	70%	27%	0%
485	VA	Southampton	Newsoms	Southampton	100	3243.92	3243.92	-	-	3%	78%	17%	3%
487	VA	Augusta	Stuarts Draft	Augusta	125	3197.4	1147	588	165	16%	61%	16%	7%
490	VA	Powhatan	Powhatan	Cartersville		2945	1358	1,467	105	6%	14%	80%	0%
495	VA	King and Que	Shacklefords	Walnut	110	1700	1173	641	165	14%	72%	13%	1%
497	VA	Halifax	Clover	Piney Creek	80	776.18	422	523	195	15%	62%	24%	0%
501	VA	Lancaster	White Stone	Rappahannock	2	184	25	831	560	30%	0%	70%	0%
511	VA	Middlesex	Topping	UVA Puller	15	120	120	1,095	185	59%	32%	0%	10%
517	VA	Page	Stanley	Dogwood	-	360.7	110	2,207	225	12%	22%	65%	0%
518	VA	Page	Luray	Cape	-	566.53	461	519	110	42%	12%	46%	0%
519	VA	Greensville	Emporia	Fountain Creek	80	798.3	798.3	-	-	6%	23%	71%	0%
557	VA	Chesterfield	Chesterfield	Winterpock 1		518	308	2,106	350	4%	78%	18%	0%
559	VA	Middlesex	Hartfield	Wood Brothers	5	60.61	38.67	878	205	12%	86%	0%	2%
577	VA	Isle of Wight	Windsor	Windsor	85	564.1	564.1	572	160	9%	67%	24%	0%
579	VA	Spotsylvania	Paytes	Spotsylvania	500	6412	3500			9%	52%	11%	27%
586	VA	King William	Aylett	Sweet Sue	77	1262	576	1,617	680	7%	68%	25%	0%
591	VA	Prince Georg	Disputanta	Warwick	26.5	967.62	442.05	555	115	12%	68%	20%	0%
621	VA	Surry	Spring Grove	Loblolly	150	2181.92	1000	1,860	110	7%	62%	31%	0%
622	VA	Albemarle	Scottsville	Woodridge	138	2260.87	1000	1,094	170	9%	63%	28%	0%
624	VA	Dinwiddie	Dinwiddie	Reams	5	64.1	37.8	873	270	28%	40%	32%	0%
633	VA	Greensville	Emporia	Brunswick	150.2	2076.36	1387.3	1,091	240	4%	85%	11%	0%
642	VA	Louisa	Louisa	Belcher 3		749.36	658.56	598	180	14%	71%	14%	1%
649	VA	Rockingham	New Market	Endless Caverns	31.5	355	323.6	624	190	15%	27%	51%	7%
		Total Number of Solar Farms			58								
				Average	58.11	868.04	648.16	1061.3	283.5	14%	49%	31%	6%
				Median	20.00	507.48	462.06	875.5	190.0	9%	55%	26%	0%
				High	500.00	6412.00	3500.00	2755.0	1280.0	59%	100%	92%	82%
				Low	2.00	12.53	12.53	508.0	100.0	0%	0%	0%	0%

115: Buckingham Solar, E. James Anderson Hwy, Buckingham, VA



This project was proposed in 2017 and located on 460 acres with the closest home proposed to be 150 feet from the closest solar panel.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	5.95%	71.79%
Agricultural	78.81%	20.51%
Agri/Res	15.24%	7.69%
Total	**100.00%**	**100.00%**

121: Scott Solar Project, 1580 Goodes Bridge Rd, Amelia, VA



This project was built in 2016 and located on 165 acres out of 898 acres for a 17 MW with the closest home proposed to be 730 feet from the closest solar panel.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	28.83%	78.57%
Agri/Res	43.52%	3.57%
Agricultural	27.65%	17.86%
Total	**100.00%**	**100.00%**

204: Walker-Correctional Solar, Barham Road, Barhamsville, VA

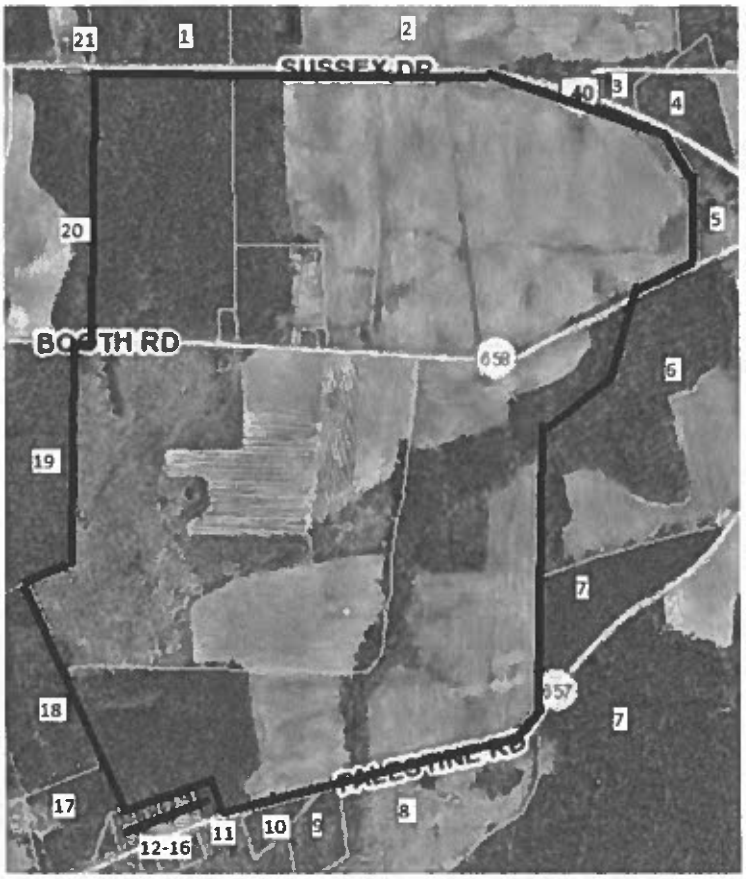


This project was built in 2017 and located on 484.65 acres for a 20 MW with the closest home at 110 feet from the closest solar panel with an average distance of 500 feet.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	12.59%	76.92%
Agricultural	67.71%	15.38%
Agri/Res	19.70%	7.69%
Total	**100.00%**	**100.00%**

205: Sappony Solar, Sussex Drive, Stony Creek, VA



This project was built in 2017 and located on 484.65 acres for a 20 MW with the closest home at 110 feet from the closest solar panel with an average distance of 500 feet.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	12.59%	76.92%
Agricultural	67.71%	15.38%
Agri/Res	19.70%	7.69%
Total	**100.00%**	**100.00%**

354: Amazon Solar project East (Eastern Shore), Accomack, VA



This project was built in 2016 for a solar project on a 1,000 acre assemblage for an 80 MW facility. The closest home is 135 feet from the closest panel.

Adjoining Use Breakdown

	Acreage	**Parcels**
Residential	8.18%	63.74%
Agricultural	75.16%	30.77%
Agri/Res	16.56%	3.30%
Substation	0.08%	1.10%
Church	0.01%	1.10%
Total	**100.00%**	**100.00%**

364: Remington Solar, 12080 Lucky Hill Rd, Remington, VA

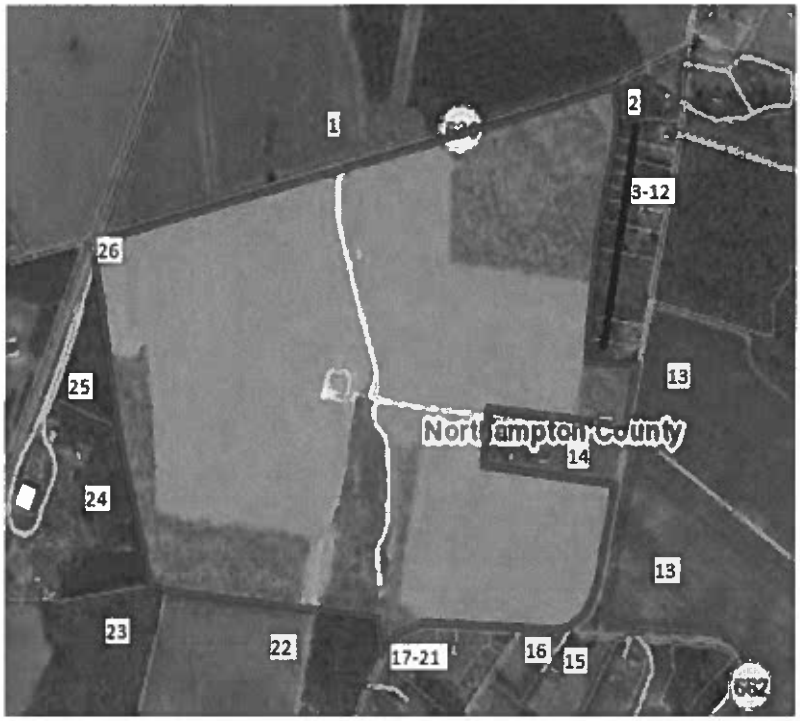


This project was built in 2017 for a solar project on a 125 acre tract for a 20 MW facility. There were some recent home sales adjoining this project, but it was difficult to do any matched pairs. One sale was an older home in very poor condition according to the broker and required crossing railroad tracks on a private road to get access to the home and located across from a large industrial building. The other sale is a renovated historic home on a large tract of land just one parcel north of the large industrial building. These sales essentially have too much static around them to isolate any impacts separate from these other factors.

Adjoining Use Breakdown

	Acreage	**Parcels**
Residential	10.24%	65.38%
Agricultural	40.79%	19.23%
Agri/Res	30.87%	7.69%
Warehouse	0.82%	3.85%
Substation	17.28%	3.85%
Total	**100.00%**	**100.00%**

370: Cherrydale Solar, Seaside Road, Kendall Grove, VA



This project was built in 2017 and located on 180.17 acres for a 20 MW facility.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	5.44%	80.77%
Agricultural	92.01%	15.38%
Warehouse	2.55%	3.85%
Total	**100.00%**	**100.00%**

371: Clarke County Solar, Double Tollgate Road, White Post, VA



This project was built in 2017 and located on a portion of a 234.84-acre tract for a 20 MW facility.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	13.70%	74.19%
Agricultural	38.89%	6.45%
Agri/Res	46.07%	6.45%
Commercial	0.19%	6.45%
Warehouse	0.85%	3.23%
Substation	0.30%	3.23%
Total	**100.00%**	**100.00%**

373: Woodland Solar, Longview Drive, Smithfield, VA



This project was built in 2016 for a solar project on a 211.12 acre tract for a 19.7 MW facility. The closest single family home is 190 feet away from the closest solar panel. The average distance is 606 feet.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	8.85%	46.15%
Agricultural	91.08%	46.15%
Cell Tower	0.07%	7.69%
Total	**100.00%**	**100.00%**

374: Whitehouse Solar, Chalklevel Road, Louisa, VA



This project was built in 2016 for a solar project on a 499.52 acre tract for a 20 MW facility. The closest single family home is 110 feet away from the closest solar panel. The average distance is 1,195 feet.

Adjoining Use Breakdown

	Acreage	**Parcels**
Residential	23.55%	70.27%
Agricultural	54.51%	10.81%
Agri/Res	18.22%	2.70%
Commercial	2.49%	13.51%
Industrial	1.22%	2.70%
Total	**100.00%**	**100.00%**

484: Essex Solar, Tidewater Trail, Center Cross, VA



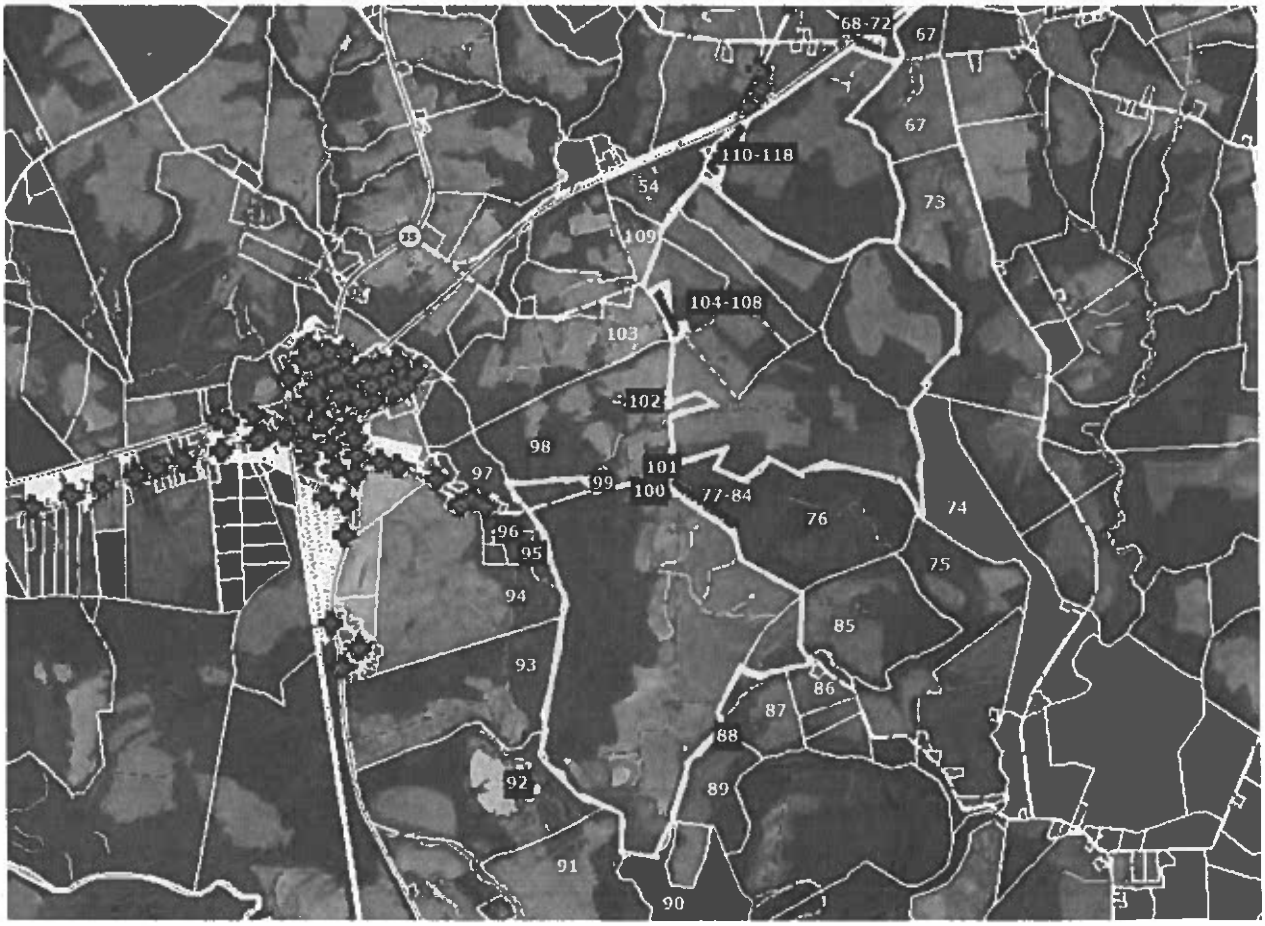
This project was built in 2017 for a solar project on a 106.12 acre tract for a 20 MW facility. The closest single family home is 360 feet away from the closest solar panel. The average distance is 693 feet.

Adjoining Use Breakdown

	Acreage	**Parcels**
Residential	3.13%	57.89%
Agricultural	69.65%	26.32%
Agri/Res	26.99%	10.53%
Religious	0.23%	5.26%
Total	**100.00%**	**100.00%**

485: Southampton Solar, General Thomas Hwy, Newsoms, VA





This project was built in 2017 for a solar project on an assemblage of 3,244 acres for a 100 MW facility.

Adjoining Use Breakdown

	Acreage	Parcels
Residential	2.56%	53.33%
Agricultural	77.99%	36.67%
Agri/Res	16.56%	8.33%
Industrial	2.89%	1.67%
Total	**100.00%**	**100.00%**

IV. Virginia Market Analysis of the Impact on Value from Solar Farms

I have researched hundreds of solar farms in numerous states to determine the impact of these facilities on the value of adjoining property. This research has primarily been in North Carolina, but I have also conducted market impact analyses in Virginia, South Carolina, Tennessee, Texas, Oregon, Mississippi, Maryland, New York, California, Michigan, Florida, Montana, Georgia, Kentucky and New Jersey.

Wherever I have looked at solar farms, I have derived a breakdown of the adjoining uses to show what adjoining uses are typical for solar farms and what uses would likely be considered consistent with a solar farm use similar to the breakdown that I've shown for the subject property on the previous page. A summary showing the results of compiling that data over hundreds of solar farms is shown later in the Harmony of Use section of this report.

I also consider whether the properties adjoining a solar farm in one location have characteristics similar to the properties abutting or adjoining the proposed site so that I can make an assessment of market impact on each proposed site. Notably, in most cases solar farms are placed in areas very similar to the site in question, which is surrounded by low density residential and agricultural uses. In my more than 400 studies, I have found a striking repetition of that same typical adjoining use mix in over 90% of the solar farms I have looked at. Matched pair results in multiple states are strikingly similar, and all indicate that solar farms – which generate very little traffic, and do not generate noise, dust or have other harmful effects – do not negatively impact the value of adjoining or abutting properties.

The following set of matched pairs are all derived from Virginia. National data will follow in the next section. I have repeated the Virginia Solar Farm data in the national data as well, which is where the numbering for each solar farm came from.

24. Matched Pair – Clarke County Solar, Clarke County, VA



This project is a 20 MW facility located on a 234-acre tract that was built in 2017.

I have considered a recent sale or Parcel 3. The home on this parcel is 1,230 feet from the closest panel as measured in the second map from Google Earth, which shows the solar farm under construction.

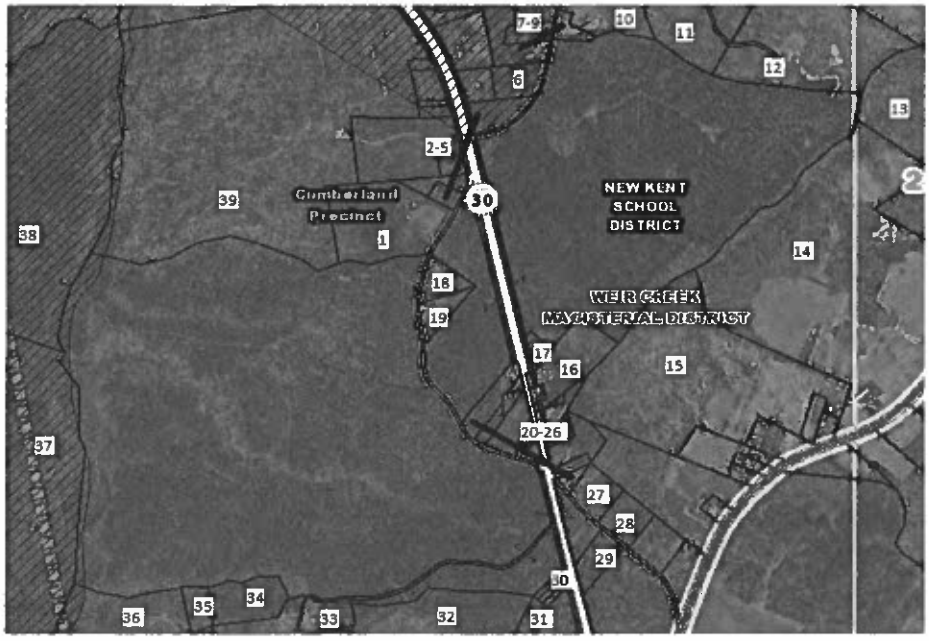
I've compared this home sale to a number of similar rural homes on similar parcels as shown below. I have used multiple sales that bracket the subject property in terms of sale date, year built, gross living area, bedrooms and bathrooms. Bracketing the parameters insures that all factors are well balanced out in the adjustments. The trend for these sales shows a positive value for the adjacency to the solar farm.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
Adjoins	833 Nations Spr	5.13	1/9/2017	$295,000	1979	1,392	$211.93	3/2	Det Gar	Ranch	Unfin bsmt
Not	85 Ashby	5.09	9/11/2017	$315,000	1982	2,333	$135.02	3/2	2 Gar	Ranch	
Not	541 Old Kitchen	5.07	9/9/2018	$370,000	1986	3,157	$117.20	4/4	2 Gar	2 story	
Not	4174 Rockland	5.06	1/2/2017	$300,000	1990	1,688	$177.73	3/2	3 Gar	2 story	
Not	400 Sugar Hill	1.00	6/7/2018	$180,000	1975	1,008	$178.57	3/1	Drive	Ranch	

Adjoining Residential Sales After Solar Farm Approved					Adjoining Sales Adjusted								
Solar	Address	Acres	Date Sold	Sales Price	Time	Acres	YB	GLA	BR/BA	Park	Other	Total	% Diff
Adjoins	833 Nations Spr	5.13	1/9/2017	$295,000								$295,000	
Not	85 Ashby	5.09	9/11/2017	$315,000	-$6,300		-$6,615	-$38,116		-$7,000	$15,000	$271,969	8%
Not	541 Old Kitchen	5.07	9/9/2018	$370,000	-$18,500		-$18,130	-$62,057		-$7,000	$15,000	$279,313	5%
Not	4174 Rockland	5.06	1/2/2017	$300,000			-$23,100	-$15,782		-$12,000	$15,000	$264,118	10%
Not	400 Sugar Hill	1.00	6/7/2018	$180,000	-$9,000	$43,000	$5,040	$20,571	$10,000	$3,000	$15,000	$267,611	9%
												Average	8%

32. Matched Pair – Walker-Correctional Solar, Barham Road, Barhamsville, VA



This project was built in 2017 and located on 484.65 acres for a 20 MW with the closest home at 110 feet from the closest solar panel with an average distance of 500 feet.

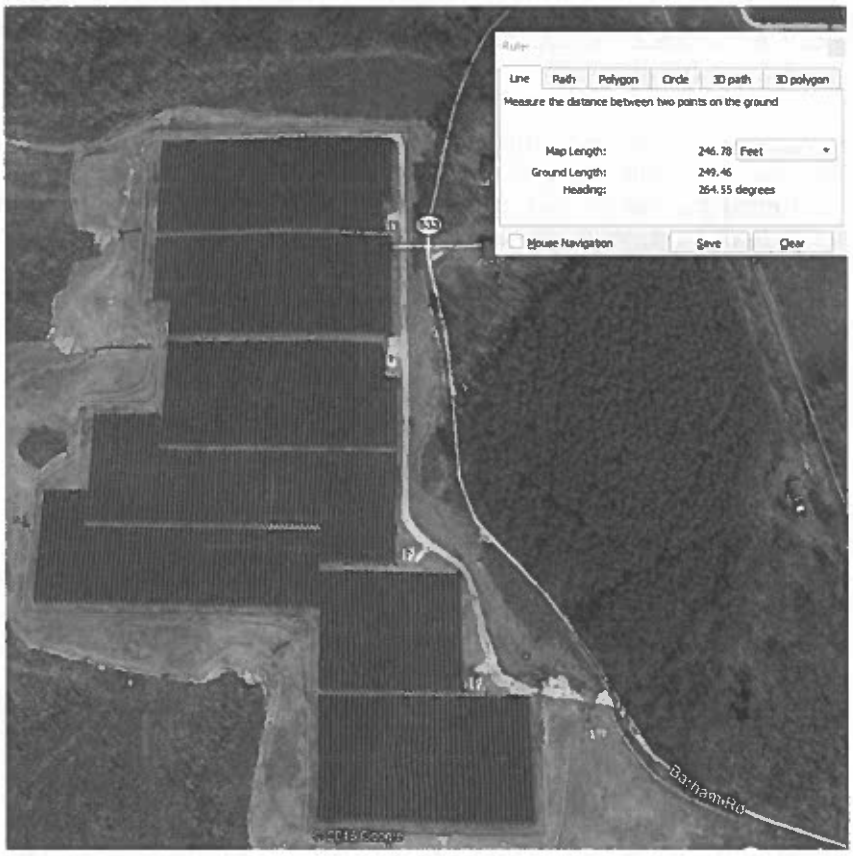
I considered the recent sale identified on the map above as Parcel 19, which is directly across the street and based on the map shown on the following page is 250 feet from the closest panel. A limited buffering remains along the road with natural growth being encouraged, but currently the panels are visible from the road. Alex Uminski, SRA with MGMiller Valuations in Richmond VA confirmed this sale with the buying and selling broker. The selling broker indicated that the solar farm was not a negative influence on this sale and in fact the buyer noticed the solar farm and then discovered the listing. The privacy being afforded by the solar farm was considered a benefit by the buyer. I used a matched pair analysis with a similar sale nearby as shown below and found no negative impact on the sales price. Property actually closed for more than the asking price.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
Adjoins	5241 Barham	2.65	10/18/2018	$264,000	2007	1,660	$159.04	3/2	Drive	Ranch	Modular
Not	17950 New Kent	5.00	9/5/2018	$290,000	1987	1,756	$165.15	3/2.5	3 Gar	Ranch	
Not	9252 Ordinary	4.00	6/13/2019	$277,000	2001	1,610	$172.05	3/2	1.5-Gar	Ranch	
Not	2416 W Miller	1.04	9/24/2018	$299,000	1999	1,864	$160.41	3/2.5	Gar	Ranch	

Adjoining Sales Adjusted

Solar	Address	Time	Ac/Loc	YB	GLA	BR/BA	Park	Other	Total	% Diff	Dist
Adjoins	5241 Barham								$264,000		250
Not	17950 New Kent		-$8,000	$29,000	-$4,756	-$5,000	-$20,000	-$15,000	$266,244	-1%	
Not	9252 Ordinary	-$8,310	-$8,000	$8,310	$2,581		-$10,000	-$15,000	$246,581	7%	
Not	2416 W Miller		$8,000	$11,960	-$9,817	-$5,000	-$10,000	-$15,000	$279,143	-6%	
								Average Diff		0%	



I also spoke with Patrick W. McCrerey of Virginia Estates who was marketing a property that sold at 5300 Barham Road adjoining the Walker Correctional Solar Farm. He indicated that this property was unique with a home built in 1882 and heavily renovated and updated on 16.02 acres. The solar farm was through the woods and couldn't be seen by this property and it had no impact on marketing this property. This home sold on April 26, 2017 for $358,000. I did not set up any matched pairs for this property as it was such a unique property that any such comparison would be difficult to rely on. The broker's comments do support the assertion that the adjoining solar farm had no impact on value. The home in this case was 510 feet from the closest panel.

V. National Market Analysis of the Impact on Value from Solar Farms

I have researched hundreds of solar farms in numerous states to determine the impact of these facilities on the value of adjoining property. This research has primarily been in North Carolina, but I have also conducted market impact analyses in Virginia, South Carolina, Tennessee, Texas, Oregon, Mississippi, Maryland, New York, California, Florida, Montana, Georgia, Kentucky, Michigan, and New Jersey.

Wherever I have looked at solar farms, I have derived a breakdown of the adjoining uses to show what adjoining uses are typical for solar farms and what uses would likely be considered consistent with a solar farm use similar to the breakdown that I've shown for the subject property on the previous page. A summary showing the results of compiling that data over hundreds of solar farms is shown later in the Harmony of Use section of this report.

I also consider whether the properties adjoining a solar farm in one location have characteristics similar to the properties abutting or adjoining the proposed site so that I can make an assessment of market impact on each proposed site. Notably, in most cases solar farms are placed in areas very similar to the site in question, which is surrounded by low density residential and agricultural uses. In my over 650 studies, I have found a striking repetition of that same typical adjoining use mix in over 90% of the solar farms I have looked at. Matched pair results in multiple states are strikingly similar, and all indicate that solar farms – which generate very little traffic, and do not generate noise, dust or have other harmful effects – do not negatively impact the value of adjoining or abutting properties.

1. Matched Pair – AM Best Solar Farm, Goldsboro, NC



This solar farm adjoins Spring Garden Subdivision which had new homes and lots available for new construction during the approval and construction of the solar farm. The recent home sales have ranged from $200,000 to $250,000. This subdivision sold out the last homes in late 2014. The solar farm is clearly visible particularly along the north end of this street where there is only a thin line of trees separating the solar farm from the single-family homes.

Homes backing up to the solar farm are selling at the same price for the same floor plan as the homes that do not back up to the solar farm in this subdivision. According to the builder, the solar farm has been a complete non-factor. Not only do the sales show no difference in the price paid for the various homes adjoining the solar farm versus not adjoining the solar farm, but there are actually more recent sales along the solar farm than not. There is no impact on the sellout rate, or time to sell for the homes adjoining the solar farm.

I spoke with a number of owners who adjoin the solar farm and none of them expressed any concern over the solar farm impacting their property value.

The data presented on the following page shows multiple homes that have sold in 2013 and 2014 adjoining the solar farm at prices similar to those not along the solar farm. These series of sales indicate that the solar farm has no impact on the adjoining residential use.

The homes that were marketed at Spring Garden are shown below.

Matched Pairs
As of Date: 9/3/2014

Adjoining Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600195570	Helm	0.76	Sep-13	$250,000	2013	3,292	$75.94	2 Story
3600195361	Leak	1.49	Sep-13	$260,000	2013	3,652	$71.19	2 Story
3600199891	McBrayer	2.24	Jul-14	$250,000	2014	3,292	$75.94	2 Story
3600198632	Foresman	1.13	Aug-14	$253,000	2014	3,400	$74.41	2 Story
3600196656	Hinson	0.75	Dec-13	$255,000	2013	3,453	$73.85	2 Story
	Average	1.27		$253,600	2013.4	3,418	$74.27	
	Median	1.13		$253,000	2013	3,400	$74.41	

Adjoining Sales After Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
0	Feddersen	1.56	Feb-13	$247,000	2012	3,427	$72.07	Ranch
0	Gentry	1.42	Apr-13	$245,000	2013	3,400	$72.06	2 Story
	Average	1.49		$246,000	2012.5	3,414	$72.07	
	Median	1.49		$246,000	2012.5	3,414	$72.07	

Adjoining Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600183905	Carter	1.57	Dec-12	$240,000	2012	3,347	$71.71	1.5 Story
3600193097	Kelly	1.61	Sep-12	$198,000	2012	2,532	$78.20	2 Story
3600194189	Hadwan	1.55	Nov-12	$240,000	2012	3,433	$69.91	1.5 Story
	Average	1.59		$219,000	2012	2,940	$74.95	
	Median	1.59		$219,000	2012	2,940	$74.95	

Nearby Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600193710	Barnes	1.12	Oct-13	$248,000	2013	3,400	$72.94	2 Story
3601105180	Nackley	0.95	Dec-13	$253,000	2013	3,400	$74.41	2 Story
3600192528	Mattheis	1.12	Oct-13	$238,000	2013	3,194	$74.51	2 Story
3600198928	Beckman	0.93	Mar-14	$250,000	2014	3,292	$75.94	2 Story
3600196965	Hough	0.81	Jun-14	$224,000	2014	2,434	$92.03	2 Story
3600193914	Preskitt	0.67	Jun-14	$242,000	2014	2,825	$85.66	2 Story
3600194813	Bordner	0.91	Apr-14	$258,000	2014	3,511	$73.48	2 Story
3601104147	Shaffer	0.73	Apr-14	$255,000	2014	3,453	$73.85	2 Story
	Average	0.91		$246,000	2013.625	3,189	$77.85	
	Median	0.92		$249,000	2014	3,346	$74.46	

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Style
3600191437	Thomas	1.12	Sep-12	$225,000	2012	3,276	$68.68	2 Story
3600087968	Lilley	1.15	Jan-13	$238,000	2012	3,421	$69.57	1.5 Story
3600087654	Burke	1.26	Sep-12	$240,000	2012	3,543	$67.74	2 Story
3600088796	Hobbs	0.73	Sep-12	$228,000	2012	3,254	$70.07	2 Story
	Average	1.07		$232,750	2012	3,374	$69.01	
	Median	1.14		$233,000	2012	3,349	$69.13	

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	**Median**	**Average**	**Median**
Sales Price	$253,600	$253,000	$246,000	$249,000
Year Built	2013	2013	2014	2014
Size	3,418	3,400	3,189	3,346
Price/SF	$74.27	$74.41	$77.85	$74.46

Percentage Differences

Median Price	-2%
Median Size	-2%
Median Price/SF	0%

I note that 2308 Granville Drive sold again in November 2015 for $267,500, or $7,500 more than when it was purchased new from the builder two years earlier (Tax ID 3600195361, Owner: Leak). The neighborhood is clearly showing appreciation for homes adjoining the solar farm.

The Median Price is the best indicator to follow in any analysis as it avoids outlying samples that would otherwise skew the results. The median sizes and median prices are all consistent throughout the sales both before and after the solar farm whether you look at sites adjoining or nearby to the solar farm. The average for the homes nearby the solar farm shows a smaller building size and a higher price per square foot. This reflects a common occurrence in real estate where the price per square foot goes up as the size goes down. This is similar to the discount you see in any market where there is a discount for buying larger volumes. So when you buy a 2 liter coke you pay less per ounce than if you buy a 16 oz. coke. So even comparing averages the indication is for no impact, but I rely on the median rates as the most reliable indication for any such analysis.

I have also considered four more recent resales of homes in this community as shown on the following page. These comparable sales adjoin the solar farm at distances ranging from 315 to 400 feet. The matched pairs show a range from -9% to +6%. The range of the average difference is -2% to +1% with an average of 0% and a median of +0.5%. These comparable sales support a finding of no impact on property value.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
	Adjoins	103 Granville Pl	1.42	7/27/2018	$265,000	2013	3,292	$80.50	4/3.5	2-Car	2-Story		385
	Not	2219 Granville	1.15	1/8/2018	$260,000	2012	3,292	$78.98	4/3.5	2-Car	2-Story		
	Not	634 Friendly	0.96	7/31/2019	$267,000	2018	3,053	$87.45	4/4.5	2-Car	2-Story		
	Not	2403 Granville	0.69	4/23/2019	$265,000	2014	2,816	$94.11	5/3.5	2-Car	2-Story		

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	103 Granville Pl								$265,000		-2%
Not	2219 Granville	$4,382		$1,300	$0				$265,682	0%	
Not	634 Friendly	-$8,303		-$6,675	$16,721	-$10,000			$258,744	2%	
Not	2403 Granville	-$6,029		-$1,325	$31,356				$289,001	-9%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
	Adjoins	104 Erin	2.24	6/19/2017	$280,000	2014	3,549	$78.90	5/3.5	2-Car	2-Story		315
	Not	2219 Granville	1.15	1/8/2018	$260,000	2012	3,292	$78.98	4/3.5	2-Car	2-Story		
	Not	634 Friendly	0.96	7/31/2019	$267,000	2018	3,053	$87.45	4/4.5	2-Car	2-Story		
	Not	2403 Granville	0.69	4/23/2019	$265,000	2014	2,816	$94.11	5/3.5	2-Car	2-Story		

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	104 Erin								$280,000		0%
Not	2219 Granville	-$4,448		$2,600	$16,238				$274,390	2%	
Not	634 Friendly	-$17,370		-$5,340	$34,702	-$10,000			$268,992	4%	
Not	2403 Granville	-$15,029		$0	$48,285				$298,256	-7%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
	Adjoins	2312 Granville	0.75	5/1/2018	$284,900	2013	3,453	$82.51	5/3.5	2-Car	2-Story		400
	Not	2219 Granville	1.15	1/8/2018	$260,000	2012	3,292	$78.98	4/3.5	2-Car	2-Story		
	Not	634 Friendly	0.96	7/31/2019	$267,000	2018	3,053	$87.45	4/4.5	2-Car	2-Story		
	Not	2403 Granville	0.69	4/23/2019	$265,000	2014	2,816	$94.11	5/3.5	2-Car	2-Story		

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	2312 Granville								$284,900		1%
Not	2219 Granville	$2,476		$1,300	$10,173				$273,948	4%	
Not	634 Friendly	-$10,260		-$6,675	$27,986	-$10,000			$268,051	6%	
Not	2403 Granville	-$7,972		-$1,325	$47,956				$303,659	-7%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
	Adjoins	2310 Granville	0.76	5/14/2019	$280,000	2013	3,292	$85.05	5/3.5	2-Car	2-Story		400
	Not	2219 Granville	1.15	1/8/2018	$260,000	2012	3,292	$78.98	4/3.5	2-Car	2-Story		
	Not	634 Friendly	0.96	7/31/2019	$267,000	2018	3,053	$87.45	4/4.5	2-Car	2-Story		
	Not	2403 Granville	0.69	4/23/2019	$265,000	2014	2,816	$94.11	5/3.5	2-Car	2-Story		

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	2310 Granville								$280,000		1%
Not	2219 Granville	$10,758		$1,300	$0				$272,058	3%	
Not	634 Friendly	-$1,755		-$6,675	$16,721	-$10,000			$265,291	5%	
Not	2403 Granville	$469		-$1,325	$31,356				$295,500	-6%	

I have also considered the original sales prices in this subdivision relative to the recent resale values as shown in the chart below. This rate of appreciation is right at 2.5% over the last 6 years. Zillow indicates that the average home value within the 27530 zip code as of January 2014 was $101,300 and as of January 2020 that average is $118,100. This indicates an average increase in the market of 2.37%. I conclude that the appreciation of the homes adjoining the solar farm are not impacted by the presence of the solar farm based on this data.

	Address	Initial Sale Date	Price	Second Sale Date	Price	Year Diff	Apprec.	% Apprec.	Apprec. %/Year
1	103 Granville Pl	4/1/2013	$245,000	7/27/2018	$265,000	5.32	$20,000	8.16%	1.53%
2	105 Erin	7/1/2014	$250,000	6/19/2017	$280,000	2.97	$30,000	12.00%	4.04%
3	2312 Granville	12/1/2013	$255,000	5/1/2015	$262,000	1.41	$7,000	2.75%	1.94%
4	2312 Granville	5/1/2015	$262,000	5/1/2018	$284,900	3.00	$22,900	8.74%	2.91%
5	2310 Granville	8/1/2013	$250,000	5/14/2019	$280,000	5.79	$30,000	12.00%	2.07%
6	2308 Granville	9/1/2013	$260,000	11/12/2015	$267,500	2.20	$7,500	2.88%	1.31%
7	2304 Granville	9/1/2012	$198,000	6/1/2017	$225,000	4.75	$27,000	13.64%	2.87%
8	102 Erin	8/1/2014	$253,000	11/1/2016	$270,000	2.25	$17,000	6.72%	2.98%
								Average	2.46%
								Median	2.47%

2. Matched Pair – White Cross Solar Farm, Chapel Hill, NC



A new solar farm was built at 2159 White Cross Road in Chapel Hill, Orange County in 2013. After construction, the owner of the underlying land sold the balance of the tract not encumbered by the solar farm in July 2013 for $265,000 for 47.20 acres, or $5,606 per acre. This land adjoins the solar farm to the south and was clear cut of timber around 10 years ago. I compared this purchase to a nearby transfer of 59.09 acres of timber land just south along White Cross Road that sold in November 2010 for $361,000, or $6,109 per acre. After purchase, this land was divided into three mini farm tracts of 12 to 20 acres each. These rates are very similar and the difference in price per acre is attributed to the timber value and not any impact of the solar farm.

Type	TAX ID	Owner	Acres	Date	Price	$/Acre	Notes	Conf By
Adjoins Solar	9748336770	Haggerty	47.20	Jul-13	$265,000	$5,614	Clear cut	Betty Cross, broker
Not Near Solar	9747184527	Purcell	59.09	Nov-10	$361,000	$6,109	Wooded	Dickie Andrews, broker

The difference in price is attributed to the trees on the older sale.
No impact noted for the adjacency to a solar farm according to the broker.
I looked at a number of other nearby land sales without proximity to a solar farm for this matched pair, but this land sale required the least allowance for differences in size, utility and location.

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	**Median**	**Average**	**Median**
Sales Price	$5,614	$5,614	$6,109	$6,109
Adjustment for Timber	$500	$500		
Adjusted	$6,114	$6,114	$6,109	$6,109
Tract Size	47.20	47.20	59.09	59.09
Percentage Differences				
Median Price Per Acre	0%			

This matched pair again supports the conclusion that adjacency to a solar farm has no impact on adjoining residential/agricultural land.

3. Matched Pair – Wagstaff Farm, Roxboro, NC



This solar farm is located at the northeast corner of a 594-acre farm with approximately 30 acres of solar farm area. This solar farm was approved and constructed in 2013.

After approval, 18.82 acres were sold out of the parent tract to an adjoining owner to the south. This sale was at a similar price to nearby land to the east that sold in the same time from for the same price per acre as shown below.

Type	TAX ID	Owner	Acres	Present Use	Date Sold	Price	$/AC
Adjoins Solar	0918-17-11-7960	Piedmont	18.82	Agriculatural	8/19/2013	$164,000	$8,714
Not Near Solar	0918-00-75-9812 et al	Blackwell	14.88	Agriculatural	12/27/2013	$130,000	$8,739

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	$8,714	$8,714	$8,739	$8,739
Tract Size	18.82	18.82	14.88	14.88

Percentage Differences

Median Price Per Acre	0%

This matched pair again supports the conclusion that adjacency to a solar farm has no impact on adjoining residential/agricultural land.

4. Matched Pair – Mulberry, Selmer, TN



This solar farm was built in 2014 on 208.89 acres with the closest home being 480 feet away.

This solar farm adjoins two subdivisions with Central Hills having a mix of existing and new construction homes. Lots in this development have been marketed for $15,000 each with discounts offered for multiple lots being used for a single home site. I spoke with the agent with Rhonda Wheeler and Becky Hearnsberger with United County Farm & Home Realty who noted that they have seen no impact on lot or home sales due to the solar farm in this community.

I have included a map below as well as data on recent sales activity on lots that adjoin the solar farm or are near the solar farm in this subdivision both before and after the announced plan for this solar farm facility. I note that using the same method I used to breakdown the adjoining uses at the subject property I show that the predominant adjoining uses are residential and agricultural, which is consistent with the location of most solar farms.

Adjoining Use Breakdown

	Acreage	Parcels
Commercial	3.40%	0.034
Residential	12.84%	79.31%
Agri/Res	10.39%	3.45%
Agricultural	73.37%	13.79%
Total	**100.00%**	**100.00%**

From the above map, I identified four recent sales of homes that occurred adjoining the solar farm both before and after the announcement of the solar farm. I have adjusted each of these for differences in size and age in order to compare these sales among themselves. As shown below after adjustment, the median value is $130,776 and the sales prices are consistent with one outlier which is also the least comparable home considered. The close grouping and the similar price per point overall as well as the similar price per square foot both before and after the solar farm.

Matched Pairs

#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	$/GBA	Style	Parking
6&7	0900 A 011.00	Henson	Jul-14	$130,000	2.65	2007	1,511	$86.04	1 Story	2 Garage
12	0900 A 003.00	Amerson	Aug-12	$130,000	1.20	2011	1,586	$81.97	1 Story	2 Garage
15	099C A 003.00	Smallwood	May-12	$149,900	1.00	2002	1,596	$93.92	1 Story	4 Garage
16	099C A 002.00	Hessing	Jun-15	$130,000	1.00	1999	1,782	$72.95	1 Story	2 Garage
		Average		$134,975	1.46	2005	1,619	$83.72		
		Median		$130,000	1.10	2005	1,591	$84.00		

					Adjustments*					
#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
6&7	0900 A 011.00	Henson	Jul-14	$130,000	-$7,500	$2,600	$6,453	$0	$0	$131,553
12	0900 A 003.00	Amerson	Aug-12	$130,000	$0	$0	$0	$0	$0	$130,000
15	099C A 003.00	Smallwood	May-12	$149,900	$0	$6,746	-$939	$0	-$15,000	$140,706
16	099C A 002.00	Hessing	Jun-15	$130,000	$0	$7,800	-$14,299	$0	$0	$123,501
		Average		$134,975	-$1,875	$4,286	-$2,196	$0	-$3,750	$131,440
		Median		$130,000	$0	$4,673	-$470	$0	$0	$130,776

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

I also considered a number of similar home sales nearby that were both before and after the solar farm was announced as shown below. These homes are generally newer in construction and include a number of larger homes but show a very similar price point per square foot.

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	$/GBA	Style	Parking
099B A 019	Durrance	Sep-12	$165,000	1.00	2012	2,079	$79.37	1 Story	2 Garage
099B A 021	Berryman	Apr-12	$212,000	2.73	2007	2,045	$103.67	1 Story	2 Garage
090O A 060	Nichols	Feb-13	$165,000	1.03	2012	1,966	$83.93	1 Story	2 Garage
	Average		$180,667	1.59	2010	2,030	$88.99		
	Median		$165,000	1.03	2012	2,045	$83.93		

Nearby Sales After Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	$/GBA	Style	Parking
090N A 040	Carrithers	Mar-15	$120,000	1.00	2010	1,626	$73.80	1 Story	2 Garage
099C A 043	Cherry	Feb-15	$148,900	2.34	2008	1,585	$93.94	1 Story	2 Garage
	Average		$134,450	1.67	2009	1,606	$83.87		
	Median		$134,450	1.67	2009	1,606	$83.87		

I then adjusted these nearby sales using the same criteria as the adjoining sales to derive the following breakdown of adjusted values based on a 2011 year built 1,586 square foot home. The adjusted values are consistent with a median rate of $128,665, which is actually lower than the values for the homes that back up to the solar farm.

Nearby Sales Adjusted				Adjustments*					
TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
099B A 019	Durrance	Sep-12	$165,000	$0	-$825	-$39,127	$0	$0	$125,048
099B A 021	Berryman	Apr-12	$212,000	-$7,500	$4,240	-$47,583	$0	$0	$161,157
090O A 060	Nichols	Feb-13	$165,000	$0	-$825	-$31,892	$0	$0	$132,283
090N A 040	Carrithers	Mar-15	$120,000	$0	$600	-$2,952	$0	$0	$117,648
099C A 043	Cherry	Feb-15	$148,900	-$7,500	$2,234	$94	$0	$0	$143,727
	Average		$165,500	-$1,875	$798	-$30,389	$0	$0	$134,034
	Median		$165,000	$0	-$113	-$35,510	$0	$0	$128,665

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

If you consider just the 2015 nearby sales, the range is $117,648 to $143,727 with a median of $130,688. If you consider the recent adjoining sales the range is $123,501 to $131,553 with a median of $127,527.

This difference is less than 3% in the median and well below the standard deviation in the sales. The entire range of the adjoining sales prices is overlapped by the range from the nearby sales. These are consistent data sets and summarized below.

Matched Pair Summary

	Adjoins Solar Farm		Nearby After Solar Farm	
	Average	Median	Average	Median
Sales Price	$134,975	$130,000	$134,450	$134,450
Year Built	2005	2005	2009	2009
Size	1,619	1,591	1,606	1,606
Price/SF	$83.72	$84.00	$83.87	$83.87

Based on the data presented above, I find that the price per square foot for finished homes is not being impacted negatively by the announcement of the solar farm. The difference in pricing in homes in the neighborhood is accounted for by differences in size, building age, and lot size. The median price for a home after those factors are adjusted for are consistent throughout this subdivision and show no impact due to the proximity of the solar farm. This is consistent with the comments from the broker I spoke with for this subdivision as well.

I have also run a number of direct matched comparisons on the sales adjoining this solar farm as shown below. These direct matched pairs include some of those shown above as well as additional more recent sales in this community. In each of these I have compared the one sale adjoining the solar farm to multiple similar homes nearby that do not adjoin a solar farm to look for any potential impact from the solar farm.

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
3	Adjoins	491 Dusty	6.86	10/28/2016	$176,000	2009	1,801	$97.72	3/2	2-Gar	Ranch	
	Not	820 Lake Trail	1.00	6/8/2018	$168,000	2013	1,869	$89.89	4/2	2-Gar	Ranch	
	Not	262 Country	1.00	1/17/2018	$145,000	2000	1,860	$77.96	3/2	2-Gar	Ranch	
	Not	35 April	1.15	8/16/2016	$185,000	2016	1,980	$93.43	3/2	2-Gar	Ranch	

Adjoining Sales Adjusted

Parcel	Solar	Address	Time	Site	YB	GLA	Park	Other	Total	% Diff	Distance
3	Adjoins	491 Dusty							$176,000		480
	Not	820 Lake Trail	-$8,324	$12,000	-$3,360	-$4,890			$163,426	7%	
	Not	262 Country	-$5,450	$12,000	$6,525	-$3,680			$154,396	12%	
	Not	35 April	$1,138	$12,000	-$6,475	-$13,380			$178,283	-1%	
									Average	6%	

The best matched pair is 35 April Loop, which required the least adjustment and indicates a -1% increase in value due to the solar farm adjacency.

Adjoining Residential Sales After Solar Farm Built

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
12	Adjoins	57 Cooper	1.20	2/26/2019	$163,000	2011	1,586	$102.77	3/2	2-Gar	1.5 Story	Pool
	Not	191 Amelia	1.00	8/3/2018	$132,000	2005	1,534	$86.05	3/2	Drive	Ranch	
	Not	75 April	0.85	3/17/2017	$134,000	2012	1,588	$84.38	3/2	2-Crprt	Ranch	
	Not	345 Woodland	1.15	12/29/2016	$131,000	2002	1,410	$92.91	3/2	1-Gar	Ranch	

Adjoining Sales Adjusted

Parcel	Solar	Address	Sales Price	Time	Site	YB	GLA	Park	Other	Total	% Diff	Distance
12	Adjoins	57 Cooper	$163,000							$163,000		685
	Not	191 Amelia	$132,000	$2,303		$3,960	$2,685	$10,000	$5,000	$155,947	4%	
	Not	75 April	$134,000	$8,029	$4,000	-$670	-$135	$5,000	$5,000	$155,224	5%	
	Not	345 Woodland	$131,000	$8,710		$5,895	$9,811		$5,000	$160,416	2%	
										Average	4%	

The best matched pair is 191 Amelia, which was most similar in time frame of sale and indicates a +4% increase in value due to the solar farm adjacency.

Adjoining Residential Sales After Solar Farm Built

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
15	Adjoins	297 Country	1.00	9/30/2016	$150,000	2002	1,596	$93.98	3/2	4-Gar	Ranch	
	Not	185 Dusty	1.85	8/17/2015	$126,040	2009	1,463	$86.15	3/2	2-Gar	Ranch	
	Not	53 Glen	1.13	3/9/2017	$126,000	1999	1,475	$85.42	3/2	2-Gar	Ranch	Brick

Adjoining Sales Adjusted

Parcel	Solar	Address	Sales Price	Time	Site	YB	GLA	Park	Other	Total	% Diff	Distance
15	Adjoins	297 Country	$150,000							$150,000		650
	Not	185 Dusty	$126,040	$4,355		-$4,411	$9,167	$10,000		$145,150	3%	
	Not	53 Glen	$126,000	-$1,699		$1,890	$8,269	$10,000		$144,460	4%	
										Average	3%	

The best matched pair is 53 Glen, which was most similar in time frame of sale and required less adjustment. It indicates a +4% increase in value due to the solar farm adjacency.

The average indicated impact from these three sets of matched pairs is +4%, which suggests a mild positive relationship due to adjacency to the solar farm.

I have also looked at several lot sales in this subdivision as shown below.

These are all lots within the same community and the highest prices paid are for lots one parcel off from the existing solar farm. These prices are fairly inconsistent, though they do suggest about a $3,000 loss in the lots adjoining the solar farm. This is an atypical finding and additional details suggest there is more going on in these sales than the data crunching shows. First of all Parcel 4 was purchased by the owner of the adjoining home and therefore an atypical buyer seeking to expand a lot and the site is not being purchased for home development. Moreover, using the SiteToDoBusiness demographic tools, I found that the 1-mile radius around this development is expecting a total population increase over the next 5 years of 3 people. This lack of growing demand for lots is largely explained in that context. Furthermore, the fact that finished home sales as shown above are showing no sign of a negative impact on property value makes this data unreliable and inconsistent with the data shown in sales to an end user. I therefore place little weight on this outlier data.

Parcel	Solar	Address	Acres	Date Sold	Sales Price	4/18/2019 Adj for Time	$/AC	4/18/2019 Adj for Time
4	Adjoins	Shelter	2.05	10/25/2017	$16,000	$16,728	$7,805	$8,160
10	Adjoins	Carter	1.70	8/2/2018	$14,000	$14,306	$8,235	$8,415
11	Adjoins	Cooper	1.28	9/17/2018	$12,000	$12,215	$9,375	$9,543
	Not	75 Dusty	1.67	4/18/2019	$20,000	$20,000	$11,976	$11,976
	Not	Lake Trl	1.47	11/7/2018	$13,000	$13,177	$8,844	$8,964
	Not	Lake Trl	1.67	4/18/2019	$20,000	$20,000	$11,976	$11,976

	Adjoins	Per Acre	Not Adjoins	Per Acre	% DIF/Lot	% DIF/AC
Average	$14,416	$8,706	$17,726	$10,972	19%	21%
Median	$14,306	$8,415	$20,000	$11,976	28%	30%
High	$16,728	$9,543	$20,000	$11,976	16%	20%
Low	$12,215	$8,160	$13,177	$8,964	7%	9%

5. Matched Pair – Nixon's Solar Farm, West Friendship, MD



This smaller 2 MW solar farm being developed in phases mostly adjoins agricultural and residential uses as shown above. This is part of what will eventually be a 10 MW facility.

I compared a recent sale of 12909 Vistaview Drive to 2713 Friendship Farm Court. While this does not look at an adjacent home sale, it is close proximity and based on the matched pair data in the report it shows a $16,640 positive impact on value due to proximity to the solar farm, or 2.16%. This is within typical market friction and supports an indication of no impact on property value.

I have shown this data below.

Nixon's Farm Solar Farm, West Friendship, MD

Nearby Residential Sale After Solar Farm Construction

Address	Solar Farm	Acres	Date Sold	Sales Price*	Built	GBA	$/GBA	Style	BR/BA	Park
12909 Vistaview	Nearby	0.92	9/12/2014	$771,640	2003	2,692	$286.64	Colonial	4/3.5	2 Car Det
2713 Friendship Farm	Not	0.98	6/20/2014	$690,000	2000	2,792	$247.13	Colonial	4/2.5	2 Car Att

*$3,360 concession deducted from sale price for Vistaview

Adjoining Sales Adjusted

			Adjustments					
Address	Date Sold	Sales Price	Time	Acres	YB	BR/BA	Other	Total
12909 Vistaview	9/12/2014	$771,640						$771,640
2713 Friendship Farm	6/20/2014	$690,000	$0	$0	$0	$10,000	$55,000	$755,000
					Difference Attributable to Location			$16,640
								2.16%

6. Matched Pair – Leonard Road Solar Farm, Hughesville, MD



This solar farm mostly adjoins agricultural and residential uses to the west, south and east as shown above. The property also adjoins retail uses and a church. I looked at a 2016 sale of an adjoining home with a positive impact on value adjoining the solar farm of 2.90%. This is within typical market friction and supports an indication of no impact on property value.

I have shown this data below.

Leonardtown Road Solar Farm, Hughesville, MD

Nearby Residential Sale After Solar Farm Construction

Address	Solar Farm	Acres	Date Sold	Sales Price*	Built	GBA	$/GBA	Style	BR/BA	Bsmt	Park	Upgrades	Other
14595 Box Elder Ct	Adjoins	3.00	2/12/2016	$291,000	1991	2,174	$133.85	Colonial	5/2.5	No	2 Car Att	N/A	Deck
15313 Bassford Rd	Not	3.32	7/20/2016	$329,800	1990	2,520	$130.87	Colonial	3/2.5	Finished	2 Car Att	Custom	Scr Por/Patio

*$9,000 concession deducted from sale price for Box Elder and $10,200 deducted from Bassford

Adjoining Sales Adjusted

Address	Date Sold	Sales Price	Adjustments Time	GLA	Bsmt	Upgrades	Other	Total
14595 Box Elder Ct	2/12/2016	$291,000						$291,000
15313 Bassford Rd	7/20/2016	$329,800	-$3,400	-$13,840	-$10,000	-$15,000	-$5,000	$282,560

Difference Attributable to Location $8,440

2.90%

This is within typical market friction and supports an indication of no impact on property value.

7. Matched Pair – Talbot County Community Center Solar Farm, Easton, MD



This solar farm mostly adjoins agricultural and residential uses but also the Community center and located across the street from a golf course which can be seen just to the east. I looked at a 2012 sale of a home 1,000 feet to the west of the solar farm with a slight positive impact on value nearby the solar farm.

I have shown this data below.

Talbot County Community Center, Easton, MD

Nearby Residential Sale After Solar Farm Construction

Address	Solar Farm	Acres	Date Sold	Sales Price*	Built	GBA	$/GBA	Style	BR/BA	Park	Upgrades
10193 Hiners	Nearby	1.06	10/31/2012	$136,092	1947	776	$175.38	Bungalow	2/1	3 Car Det	N/A
10711 Hiners	Not	0.60	12/15/2012	$135,000	1957	832	$162.26	Bungalow	2/1	1 Car Det	Upd. Bath

*$5,908 concessions deducted from 10193 Hiners sales price

Adjoining Sales Adjusted

			Adjustments					
Address	Date Sold	Sales Price	Age	Acres	Park	Upgrades	Other	Total
10193 Hiners	10/31/2012	$136,092						$136,092
10711 Hiners	12/15/2012	$135,000	-$6,750	$4,000	$6,000	-$3,000	$0	$135,250

Difference Attributable to Location $842

8. Matched Pair – Alamo II, San Antonio, Texas



This project is located at 8203 Binz-Engleman Road, Converse, Texas, on 98.37 acres with a 4.4 MW output. This project is located with small lot residential development on to the north west and south. There appears to be minimal landscaping along this project. The closest home to the north is 83 feet from the solar panels, while the homes to the west are 110 feet and the homes to the south are 175 feet away from the solar panels.

This solar farm strongly shows an acceptance of nearby residential development and solar farms as the minimal landscaping, close proximity, small adjoining lot sizes, and the development of homes on three sides of the solar farm are all indicators of a harmony of uses.

Adjoining Use Breakdown

Acreage	**Parcels**
Residential	94.64%
Agricultural	5.36%
Total	**100.00%**

I have considered home sales in the three adjoining subdivisions to look at matched pair data. There are sales and resales of homes in Glenloch and Mustang Valley subdivisions to the south and west of this solar farm.

I have considered multiple matched pairs from these subdivisions to show typical appreciation and no impact on property value both before and after the solar farm was constructed in 2013. I have

looked at a number of home sales and resales in the larger subdivisions, but I have focused on those directly adjoining/facing the solar farm in the examples shown below. These are sales and resales of the homes adjoining the solar farm both before and after the solar farm project in 2013.

The comparables shown below are compared to an earlier sale prior to the solar farm announcement or construction followed by a second sale after the solar farm. The first two have solar farms in the Backyard (B), while the other has the solar farm in the Side yard (S). All of these sales show appreciation that falls within the typical annual appreciation for homes in this area over this time period.

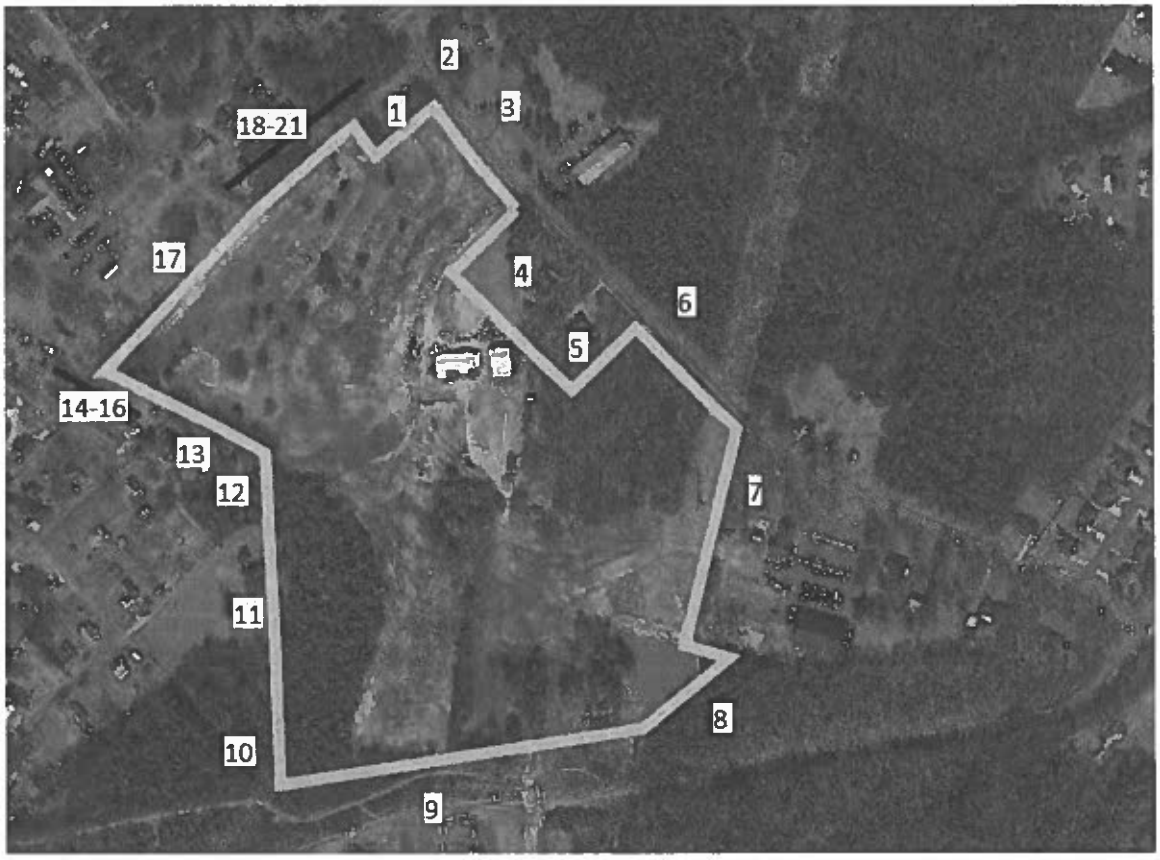
	7703 Redstone Mnr (B)	
	Date	**Price**
Sale	10/3/2012	$149,980
Sale	3/24/2016	$166,000
	Time - YRS	**% Incr.**
	3.47	10.7%
	Per Year	**3.1%**
Years	3.5	**10.8%**

	7807 Redstone Mnr (B)	
	Date	**Price**
Sale	5/11/2012	$136,266
Sale	8/11/2014	$147,000
	Time - YRS	**% Incr.**
	2.25	7.9%
	Per Year	**3.5%**
Years	2.5	**8.7%**

	7734 Sundew Mist (S)	
	Date	**Price**
Sale	5/23/2012	$117,140
Sale	11/18/2014	$134,000
	Time - YRS	**% Incr.**
	2.49	14.4%
	Per Year	**5.8%**
Years	2	**11.6%**

I therefore conclude that this set of matched pairs shows no impact on property value and that homes in the area are showing typical appreciation consistent with other homes not in the vicinity of solar farms.

9. Matched Pair – Neal Hawkins Solar, Gastonia, NC



This project is located on the south side of Neal Hawkins Road just outside of Gastonia. The property identified above as Parcel 4 was listed for sale while this solar farm project was going through the approval process. The property was put under contract during the permitting process with the permit being approved while the due diligence period was still ongoing. After the permit was approved the property closed with no concerns from the buyer. I spoke with Jennifer Bouvier, the broker listing the property and she indicated that the solar farm had no impact at all on the sales price. She considered some nearby sales to set the price and the closing price was very similar to the asking price within the typical range for the market. The buyer was aware that the solar farm was coming and they had no concerns.

This two-story brick dwelling was sold on March 20, 2017 for $270,000 for a 3,437 square foot dwelling built in 1934 in average condition on 1.42 acres. The property has four bedrooms and two bathrooms.

10. Matched Pair – Summit/Ranchlands Solar, Moyock, NC



This project is located at 1374 Caritoke Highway, Moyock, NC. This is an 80 MW facility on a parent tract of 2,034 acres. Parcels Number 48 and 53 as shown in the map above were sold in 2016. The project was under construction during the time period of the first of the matched pair sales and the permit was approved well prior to that in 2015.

I looked at multiple sales of adjoining and nearby homes and compared each to multiple comparables to show a range of impacts from -10% up to +11% with an average of +2% and a median of +3%. These ranges are well within typical real estate variation and supports an indication of no impact on property value.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
48	Adjoins	129 Pinto	4.29	4/15/2016	$170,000	1985	1,559	$109.04	3/2	Drive	MFG		1,060
	Not	102 Timber	1.30	4/1/2016	$175,500	2009	1,352	$129.81	3/2	Drive	MFG		
	Not	120 Ranchland	0.99	10/1/2014	$170,000	2002	1,501	$113.26	3/2	Drive	MFG		

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	129 Pinto								$170,000		-3%
	Not	102 Timber	$276	$10,000	-$29,484	$18,809				$175,101	-3%	
	Not	120 Ranchland	$10,735	$10,000	-$20,230	$4,598				$175,103	-3%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
53	Adjoins	105 Pinto	4.99	12/16/2016	$206,000	1978	1,484	$138.81	3/2	Det Gar	Ranch		2,020
	Not	111 Spur	1.15	2/1/2016	$193,000	1985	2,013	$95.88	4/2	Gar	Ranch		
	Not	103 Marshall	1.07	3/29/2017	$196,000	2003	1,620	$120.99	3/2	Drive	Ranch		
	Not	127 Ranchland	0.99	6/9/2015	$219,900	1988	1,910	$115.13	3/2	Gar/3Gar	Ranch		

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	105 Pinto								$206,000		11%
	Not	111 Spur	$6,918	$10,000	-$6,755	-$25,359				$177,803	14%	
	Not	103 Marshall	-$2,268	$10,000	-$24,500	-$8,227		$5,000		$176,005	15%	
	Not	127 Ranchland	$13,738	$10,000	-$10,995	-$24,523		-$10,000		$198,120	4%	

Adjoining Residential Sales After Solar Farm Built

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
15	Adjoins	318 Green View	0.44	9/15/2019	$357,000	2005	3,460	$103.18	4/4	2-Car	1.5 Brick		570
	Not	195 St Andrews	0.55	6/17/2018	$314,000	2002	3,561	$88.18	5/3	2-Car	2.0 Brick		
	Not	336 Green View	0.64	1/13/2019	$365,000	2006	3,790	$96.31	6/4	3-Car	2.0 Brick		
	Not	275 Green View	0.36	8/15/2019	$312,000	2003	3,100	$100.65	5/3	2-Car	2.0 Brick		

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	318 Green View								$357,000		4%
	Not	195 St Andrews	$12,040		$4,710	-$7,125	$10,000			$333,625	7%	
	Not	336 Green View	$7,536		-$1,825	-$25,425			-$5,000	$340,286	5%	
	Not	275 Green View	$815		$3,120	$28,986	$10,000			$354,921	1%	

Adjoining Residential Sales After Solar Farm Built

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
29	Adjoins	164 Ranchland	1.01	4/30/2019	$169,000	1999	2,052	$82.36	4/2	Gar	MFG		440
	Not	150 Pinto	0.94	3/27/2018	$168,000	2017	1,920	$87.50	4/2	Drive	MFG		
	Not	105 Longhorn	1.90	10/10/2017	$184,500	2002	1,944	$94.91	3/2	Drive	MFG		
	Not	112 Pinto	1.00	7/27/2018	$180,000	2002	1,836	$98.04	3/2	Drive	MFG	Fenced	

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	164 Ranchland								$169,000		-10%
	Not	150 Pinto	$5,649		-$21,168	$8,085			$5,000	$165,566	2%	
	Not	105 Longhorn	$8,816	-$10,000	-$3,875	$7,175			$5,000	$191,616	-13%	
	Not	112 Pinto	$4,202		-$3,780	$14,824			$5,000	$200,245	-18%	

Adjoining Residential Sales After Solar Farm Built

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
	Adjoins	358 Oxford	10.03	9/16/2019	$478,000	2008	2,726	$175.35	3/3	2 Gar	Ranch		635
	Not	276 Summit	10.01	12/20/2017	$355,000	2006	1,985	$178.84	3/2	2 Gar	Ranch		
	Not	176 Providence	6.19	5/6/2019	$425,000	1990	2,549	$166.73	3/3	4 Gar	Ranch	Brick	
	Not	1601 B Caratoke	12.20	9/26/2019	$440,000	2016	3,100	$141.94	4/3.5	5 Gar	Ranch	Pool	

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	358 Oxford								$478,000		5%
	Not	276 Summit	$18,996		$3,550	$106,017	$10,000			$493,564	-3%	
	Not	176 Providence	$4,763		$38,250	$23,609		-$10,000	-$25,000	$456,623	4%	
	Not	1601 B Caratoke	-$371	$50,000	-$17,600	-$42,467	-$5,000	-$10,000		$414,562	13%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
	Nearby	343 Oxford	10.01	3/9/2017	$490,000	2016	3,753	$130.56	3/3	2 Gar	1.5 Story	Pool	970
	Not	287 Oxford	10.01	9/4/2017	$600,000	2013	4,341	$138.22	5/4.5	8-Gar	1.5 Story	Pool	
	Not	301 Oxford	10.00	4/23/2018	$434,000	2013	3,393	$127.91	5/3	2 Gar	1.5 Story		
	Not	218 Oxford	10.01	4/4/2017	$525,000	2006	4,215	$124.56	4/3	4 Gar	1.5 Story	VG Barn	

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	343 Oxford								$490,000		3%
	Not	287 Oxford	-$9,051		$9,000	-$65,017	-$15,000	-$25,000		$494,932	-1%	
	Not	301 Oxford	-$14,995	-$10,000	$6,510	$36,838				$452,353	8%	
	Not	218 Oxford	-$1,150		$26,250	-$46,036		-$10,000	-$10,000	$484,064	1%	

11. Matched Pair – White Cross II, Chapel Hill, NC



This project is located in rural Orange County on White Cross Road with a 2.8 MW facility. This project is a few parcels south of White Cross Solar Farm that was developed by a different company. An adjoining home sold after construction as presented below.

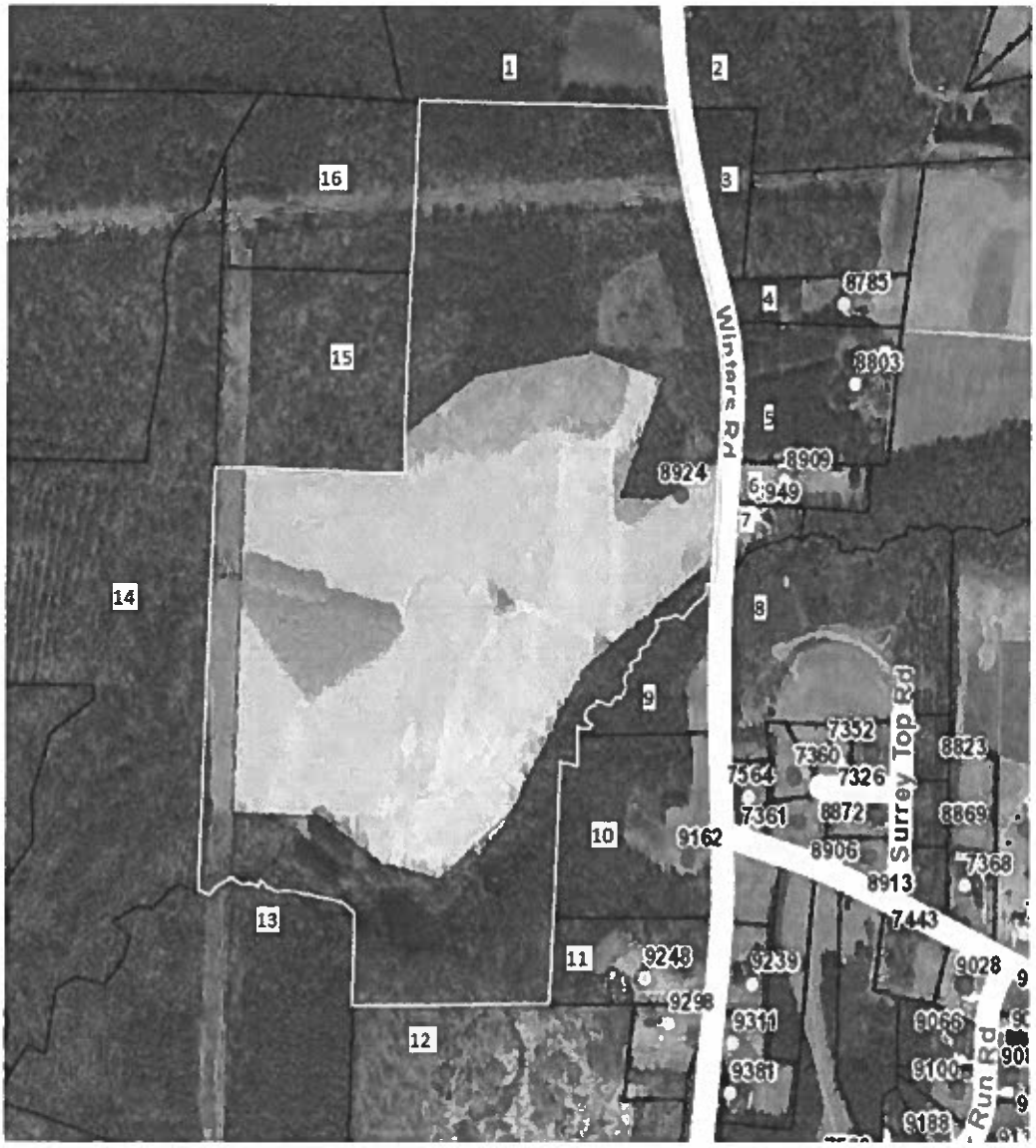
Adjoining Residential Sales After Solar Farm Completed

Solar	TAX ID/Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style
Adjoins	97482114578	11.78	2/29/2016	$340,000	1994	1,601	$212.37	3/3	Garage	Ranch
Not	4200B Old Greensbor	12.64	12/28/2015	$380,000	2000	2,075	$183.13	3/2.5	Garage	Ranch

Adjoining Residential Sales After Solar Farm Adjoining Sales Adjusted

Solar	TAX ID/Address	Sales Price	Time	Acres	YB	GLA	BR/BA	Park	Total	% Diff
Adjoins	97482114578	$340,000							$340,000	
Not	4200B Old Greensbor	$380,000	$3,800	$0	-$15,960	-$43,402	$5,000	$0	$329,438	3%

12. Matched Pair – Tracy Solar, Bailey, NC



This project is located in rural Nash County on Winters Road with a 5 MW facility that was built in 2016. A local builder acquired parcels 9 and 10 following construction as shown below at rates comparable to other tracts in the area. They then built a custom home for an owner and sold that at a price similar to other nearby homes as shown in the matched pair data below.

Adjoining Land Sales After Solar Farm Completed

#	Solar Farm	TAX ID	Grantor	Grantee	Address	Acres	Date Sold	Sales Price	$/AC	Other
9 &10	Adjoins	316003 & 316004	Cozart	Kingsmill	9162 Winters	13.22	7/21/2016	$70,000	$5,295	
	Not	6056	Billingsly		427 Young	41	10/21/2016	$164,000	$4,000	
	Not	33211	Fulcher	Weikel	10533 Cone	23.46	7/18/2017	$137,000	$5,840	Doublewide, structures
	Not	106807	Perry	Gardner	Claude Lewis	11.22	8/10/2017	$79,000	$7,041	Gravel drive for sub, cleared
	Not	3437	Vaughan	N/A	11354 Old Lewis Sch	18.73	Listing	$79,900	$4,266	Small cemetery,wooded

Adjoining Sales Adjusted

Time	Acres	Location	Other	Adj $/Ac	% Diff
				$5,295	
$0	$400	$0	$0	$4,400	17%
-$292	$292	$0	-$500	$5,340	-1%
-$352	$0	$0	-$1,000	$5,689	-7%
-$213	$0	$0	$213	$4,266	19%
				Average	7%

Adjoining Residential Sales After Solar Farm Completed

#	Solar Farm	n	Address	Acres	Date Sold	Sales Price	Built	GLA	$/GLA	BR/BA	Style	Other
9 &10	Adjoins	ş	9162 Winters	13.22	1/5/2017	$255,000	2016	1,616	$157.80	3/2	Ranch	1296 sf wrkshp
	Not	ת	7352 Red Fox	0.93	6/30/2016	$176,000	2010	1,529	$115.11	3/2	2-story	

Adjoining Sales Adjusted

Time	Acres	YB	GLA	Style	Other	Total	% Diff
						$255,000	
$0	$44,000	$7,392	$5,007	$5,000	$15,000	$252,399	1%

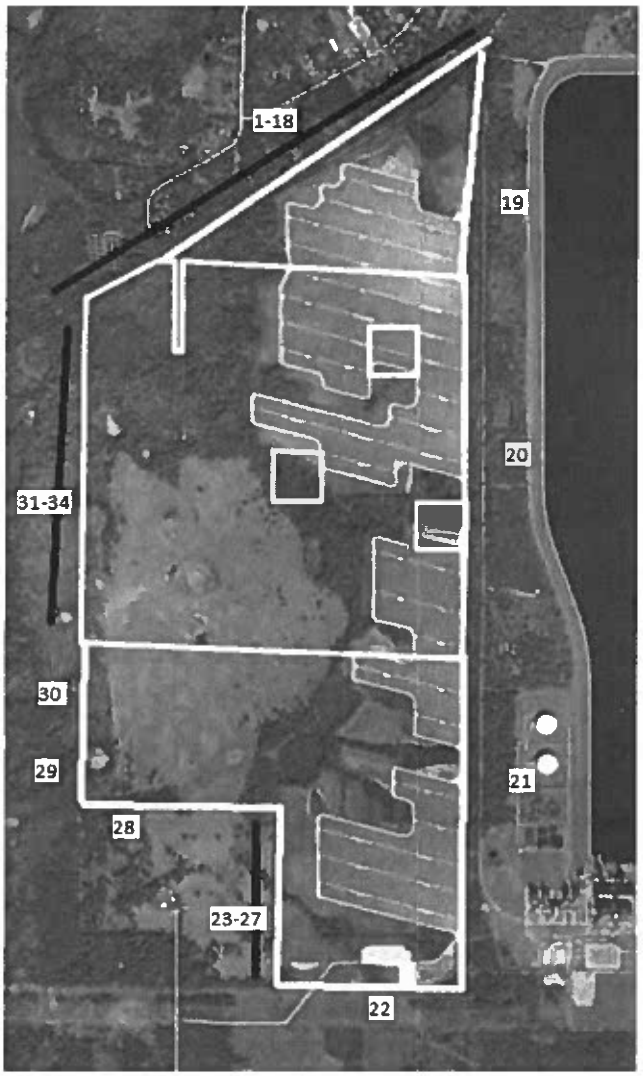
The comparables for the land show either a significant positive relationship or a mild negative relationship to having and adjoining solar farm, but when averaged together they show no negative impact. The wild divergence is due to the difficulty in comping out this tract of land and the wide variety of comparables used. The two comparables that show mild negative influences include a property that was partly developed as a residential subdivision and the other included a doublewide with some value and accessory agricultural structures. The tax assessed value on the improvements were valued at $60,000. So both of those comparables have some limitations for comparison. The two that show significant enhancement due to adjacency includes a property with a cemetery located in the middle and the other is a tract almost twice as large. Still that larger tract after adjustment provides the best matched pair as it required the least adjustment. I therefore conclude that there is no negative impact due to adjacency to the solar farm shown by this matched pair.

The dwelling that was built on the site was a build-to-suit and was compared to a nearby homesale of a property on a smaller parcel of land. I adjusted for that differenced based on a $25,000 value for a 1-acre home site versus the $70,000 purchase price of the larger subject tract. The other adjustments are typical and show no impact due to the adjacency to the solar farm.

The closest solar panel to the home is 780 feet away.

I note that the representative for Kingsmill Homes indicated that the solar farm was never a concern in purchasing the land or selling the home. He also indicated that they had built a number of nearby homes across the street and it had never come up as an issue.

13. Matched Pair – Manatee Solar Farm, Parrish, FL



This solar farm is located near Seminole Trail, Parrish, FL. The solar farm has a 74.50 MW output and is located on a 1,180.38 acre tract and was built in 2016. The tract is owned by Florida Power & Light Company.

I have considered the recent sale of 13670 Highland Road, Wimauma, Florida. This one-story, block home is located just north of the solar farm and separated from the solar farm by a railroad corridor. This home is a 3 BR, 3 BA 1,512 s.f. home with a carport and workshop. The property includes new custom cabinets, granite counter tops, brand new stainless steel appliances, updated bathrooms and new carpet in the bedrooms. The home is sitting on 5 acres. The home was built in 1997.

I have compared this sale to several nearby homesales as part of this matched pair analysis as shown below.

Solar	TAX ID/Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Note
Adjoins	13670 Highland	5.00	8/21/2017	$255,000	1997	1,512	$168.65	3/3	Carport/Wrkshp	Ranch	Renov.
Not	2901 Arrowsmith	1.91	1/31/2018	$225,000	1979	1,636	$137.53	3/2	2 Garage/Wrkshp	Ranch	
Not	602 Butch Cassidy	1.00	5/5/2017	$220,000	2001	1,560	$141.03	3/2	N/A	Ranch	Renov.
Not	2908 Wild West	1.23	7/12/2017	$254,000	2003	1,554	$163.45	3/2	2 Garage/Wrkshp	Ranch	Renov.
Not	13851 Highland	5.00	9/13/2017	$240,000	1978	1,636	$146.70	4/2	3 Garage	Ranch	Renov.

Solar	TAX ID/Address	Adjoining Sales Adjusted Time	Acres	YB	GLA	BR/BA	Park	Note	Total	% Diff
Adjoins	13670 Highland								$255,000	
Not	2901 Arrowsmith	$2,250	$10,000	$28,350	-$8,527	$5,000	-$10,000	$10,000	$262,073	-3%
Not	602 Butch Cassidy	-$2,200	$10,000	-$6,160	-$3,385	$5,000	$2,000		$225,255	12%
Not	2908 Wild West	$0	$10,000	-$10,668	-$3,432	$5,000	-$10,000		$244,900	4%
Not	13851 Highland	$0	$0	$31,920	-$9,095	$3,000	-$10,000		$255,825	0%
									Average	3%

The sales prices of the comparables before adjustments range from $220,000 to $254,000. After adjustments they range from $225,255 to $262,073. The comparables range from no impact to a strong positive impact. The comparables showing -3% and +4% impact on value are considered within a typical range of value and therefore not indicative of any impact on property value.

This set of matched pair data falls in line with the data seen in other states. The closest solar panel to the home at 13670 Highland is 1,180 feet. There is a wooded buffer between these two properties.

I have included a map showing the relative location of these properties below.



14. Matched Pair – McBride Place Solar Farm, Midland, NC



This project is located on Mount Pleasant Road, Midland, North Carolina. The property is on 627 acres on an assemblage of 974.59 acres. The solar farm was approved in early 2017 for a 74.9 MW facility.

I have considered the sale of 4380 Joyner Road which adjoins the proposed solar farm near the northwest section. This property was appraised in April of 2017 for a value of $317,000 with no consideration of any impact due to the solar farm in that figure. The property sold in November 2018 for $325,000 with the buyer fully aware of the proposed solar farm.

I have considered the following matched pairs to the subject property.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
Adjoins	4380 Joyner	12.00	11/22/2017	$325,000	1979	1,598	$203.38	3/2	2xGar	Ranch	Outbldg
Not	3870 Elkwood	5.50	8/24/2016	$250,000	1986	1,551	$161.19	3/2.5	Det 2xGar	Craft	
Not	8121 Lower Rocky	18.00	2/8/2017	$355,000	1977	1,274	$278.65	2/2	2xCarprt	Ranch	Eq. Fac.
Not	13531 Cabarrus	7.89	5/20/2016	$267,750	1981	2,300	$116.41	3/2	2xGar	Ranch	

Adjoining Sales Adjusted

Time	Acres	YB	Condition	GLA	BR/BA	Park	Other	Total	% Diff
								$325,000	
$7,500	$52,000	-$12,250	$10,000	$2,273	-$2,000	$2,500	$7,500	$317,523	2%
$7,100	-$48,000	$4,970		$23,156	$0	$3,000	-$15,000	$330,226	-2%
$8,033	$33,000	-$3,749	$20,000	-$35,832	$0	$0	$7,500	$296,702	9%
								Average	3%

After adjusting the comparables, I found that the average adjusted value shows a slight increase in value for the subject property adjoining a solar farm. As in the other cases, this is a mild positive and within the typical range of real estate transactions. I therefore conclude that these matched pairs show no impact on value.

I note that the home at 4380 Joyner Road is 275 feet from the closest proposed solar panel.

I also considered the recent sale of a lot on Kristi Lane that is on the east side of the proposed solar farm. This 4.22-acre lot sold in December 2017 for $94,000. I spoke with the broker, Margaret Dabbs, who indicated that the solar farm was considered a positive by both buyer and seller as it insures no subdivision will be happening in that area. Buyers in this market are looking for privacy and seclusion. The other lots on Kristi Lane are likely to sale soon at similar prices. Ms. Dabbs indicated that they have had these lots on the market for about 5 years at asking prices that were probably a little high and they are now selling and they have another under contract.



15. Matched Pair – Yamhill II, Amity, OR



This solar farm has a 1.2 MW output and is located on a 186.60 acre tract using less than 10 of those acres. The project was built in 2011.

I have considered the recent sale of Parcel 11 shown above, which sold on July 22, 2015 after the solar farm was built. The property sold for $326,456 for a 2.12 acre site with a home built in 1912 with 2,154 s.f. and 4 BR and 2 BA. It was noted as a recently remodeled residence with outbuildings that sold for $151.56 per square foot. I compared this to a number of similar older residences on similar acreage as shown below.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Adjust for Time	Adjusted Sales	Adjusted $/SF
Adjoins	12001 SW Bellevue, Amity	2.12	7/22/2015	$326,456	1912	2,154	$151.56	4/2			
Not	19915 SW Muddy, McMinnville	1.82	2/28/2011	$213,400	1910	1,798	$118.69	3/2	27%	$271,018	$150.73
Not	22600 Hopewell, Salem	1.00	10/15/2014	$256,000	1910	1,966	$130.21	3/2	5%	$268,800	$136.72
Not	22355 Hopewell, Salem	1.00	11/13/2015	$320,000	1930	2,592	$123.46	3/2	-2%	$313,600	$120.99
Not	9955 Bethel, Amity	2.86	2/17/2016	$289,900	1936	2,028	$142.95	3/2	-4%	$278,304	$137.23
Not	3361 Lone Oak, McMinnville	2.91	3/1/2016	$465,000	1937	2,950	$157.63	3/2	-7%	$432,450	$146.59
										Average	$138.45
										Median	$137.23

The sales prices of the comparables were only adjusted for time and provide a range of adjusted values of $120.99 per square foot to $150.73 per square foot. The subject property sold for above the high end of this range despite being on the older end of the range of comparables. Considering 9955 Bethel as the most similar in acreage, age and size and the price per square foot which adjusted to the median rate at $137.23 per square foot. Applying that rate to the subject property square footage, the indicated value is $295,593 for that matched pair, suggesting a 9% enhancement due to the adjacency to the solar farm.

This set of matched pair data falls in line with the data seen in other states. The home is 700 feet from the closest solar panel.

16. Matched Pair – Marion Solar, Aurora, OR



This solar farm has a 0.3 MW output and is located on a 2-acre portion of a 31.76-acre tract. The project was built in 2014.

I have considered the recent sale of Parcels 5 and 6 shown above, which sold on August 6, 2014 after the solar farm was built for $259,000, or $16,444 per acre for a combined 15.75 acres. This was sold as vacant agricultural land with a permitted home site.

I compared this to a number of similar land sales as shown below.

Adjoining Residential Land Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	$/Ac	Soils	Homesite	Adj for Time	Adjusted Sales	Adjusted $/SF
Adjoins	18916 Butteville, Aurora	15.75	8/6/2014	$259,000	$16,444	2&3	Est.			
Not	15961 Wilsonville, Wilsonville	50.50	5/20/2014	$950,000	$18,812	2&3	Est.	1.5%	$964,250	$19,094
Not	11471 Wilco, Mt. Angel	13.31	11/10/2014	$159,500	$11,983	2&4	N/A	-1.5%	$157,108	$11,804
Not	Waconda, Salem	11.86	9/9/2015	$215,000	$18,128	2	N/A	-6.5%	$201,025	$16,950
									Average	$15,949
									Median	$16,950

The sales price for the subject property is in line and between the average and median rates from the comparables. The sale at 11471 Wilco is the most similar in terms of acreage, time, and location. The sale on Waconda is similar in size, but newer and required more adjustment. I therefore conclude that no impact due to the proximity of the solar farm.

17. Matched Pair – Clackamas II, Aurora, OR



This solar farm has a 0.22 MW output and is located on a 1-acre portion of a 156.32-acre tract. The project was built in 2014.

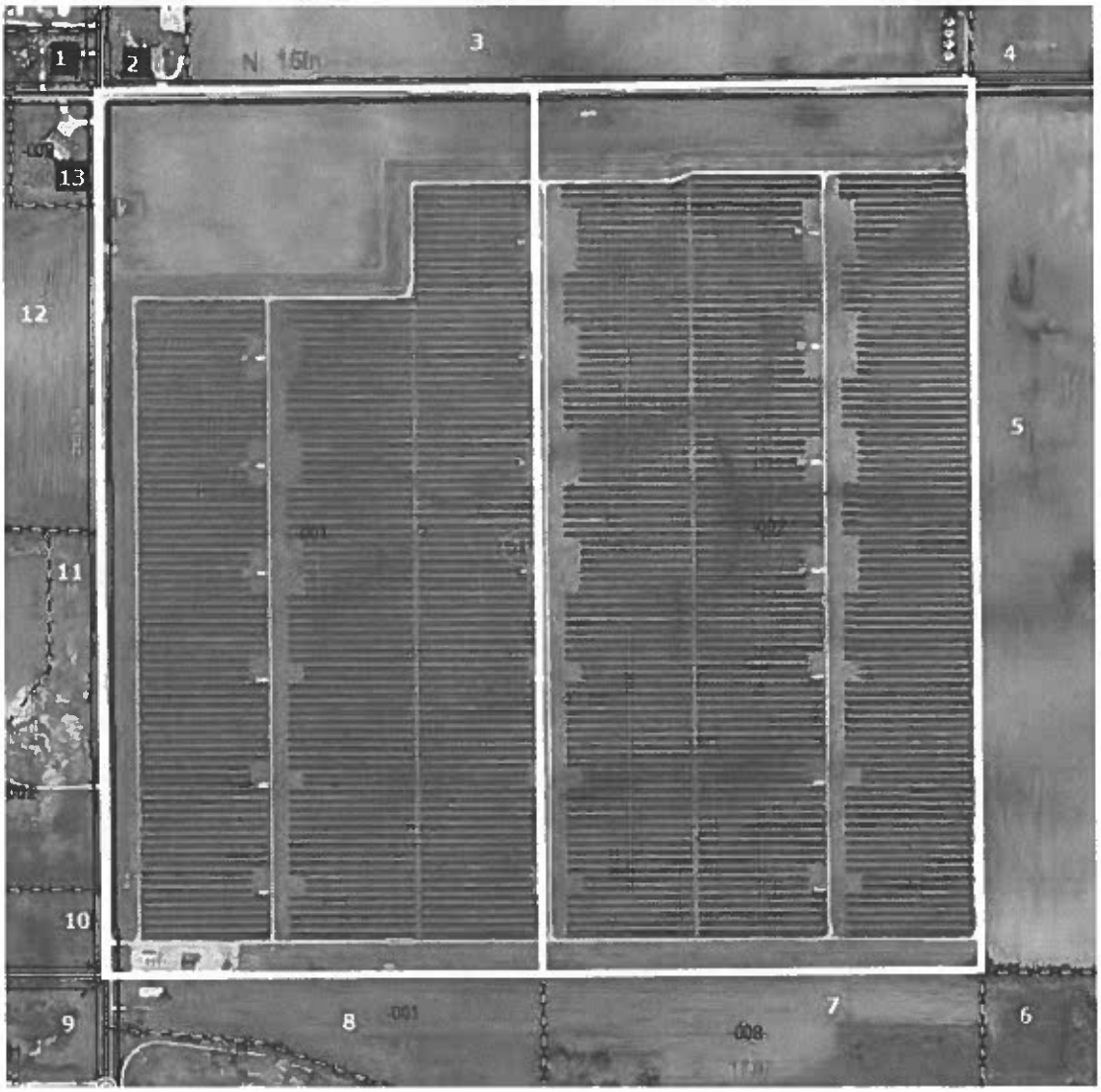
I have considered the homesales along SW Fairway Drive both before and after the solar farm was announced to see if there was any impact on total sales price or price per square foot. As can be seen in the chart below, the sales prices continued to trend upward after the announcement and the price per square foot continued to trend upward. These homes are all approximately 125 feet from the closest solar panel.

I adjusted these based on 0.75% per month difference in date of sale to January 1, 2014. The indicated average and median rate are right in line with the sales before and after the solar farm was built. These comparables strongly indicate no impact in sales price.

Adjoining Residential Sales Before and After Solar Farm Announced

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	Adjust Time	Adjusted Sales	Adjusted $/SF
Prior	7500 SW Fairway	0.20	12/9/2011	$365,000	1992	2,435	$149.90	18.8%	$433,620	$178.08
Prior	7580 SW Fairway	0.30	11/21/2012	$335,000	1990	2,256	$148.49	11%	$370,175	$164.08
Prior	7480 SW Fairway	0.19	6/27/2013	$365,000	1992	2,244	$162.66	5%	$384,345	$171.28
							$153.68	**Average**		$171.15
							$149.90	**Median**		$171.28
After	7620 SW Fairway	0.27	7/1/2013	$365,000	1992	2,212	$165.01	3.8%	$378,870	$171.28
After	7700 SW Fairway	0.18	6/11/2014	$377,100	1991	2,328	$161.98	-2%	$371,444	$159.55
After	7380 SW Fairway	0.19	7/18/2014	$415,000	1989	2,115	$196.22	-6%	$390,100	$184.44
							$174.40	**Average**		$171.76
							$165.01	**Median**		$171.28

18. Matched Pair – Grand Ridge Solar, Streator, IL



This solar farm has a 20 MW output and is located on a 160-acre tract. The project was built in 2012.

I have considered the recent sale of Parcel 13 shown above, which sold in October 2016 after the solar farm was built. I have compared that sale to a number of nearby residential sales not in proximity to the solar farm as shown below. Parcel 13 is 480 feet from the closest solar panel.

Adjoining Residential Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	Built	GBA	$/GBA
13	34-21-237-000	2	Oct-16	$186,000	1997	2,328	$79.90

Not Adjoining Residential Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	Built	GBA	$/GBA
712 Columbus Rd	32-39-134-005	1.26	Jun-16	$166,000	1950	2,100	$79.05
504 N 2782 Rd	18-13-115-000	2.68	Oct-12	$154,000	1980	2,800	$55.00
7720 S Dwight Rd	11-09-300-004	1.14	Nov-16	$191,000	1919	2,772	$68.90
701 N 2050th Rd	26-20-105-000	1.97	Aug-13	$200,000	2000	2,200	$90.91
9955 E 1600th St	04-13-200-007	1.98	May-13	$181,858	1991	2,600	$69.95

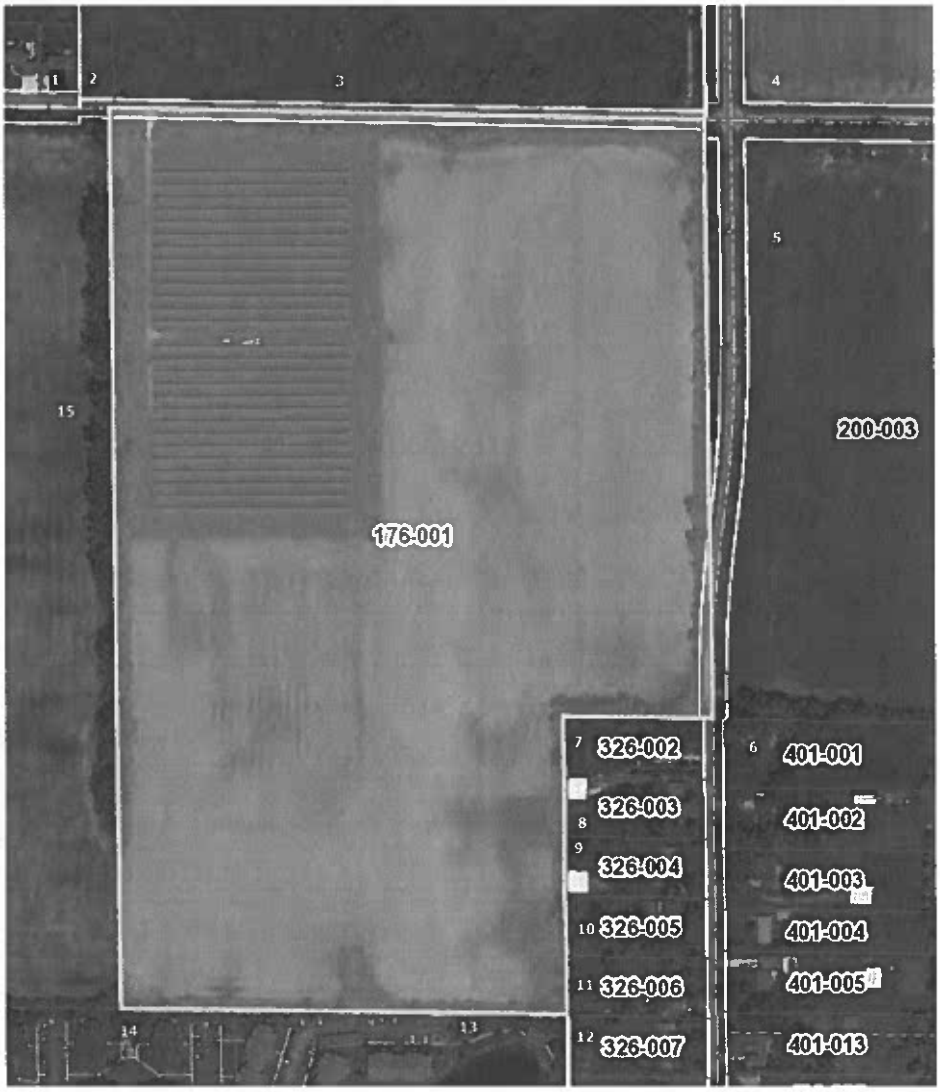
TAX ID	Date Sold	Adjustments Time	Adjustments Total	$/Sf
34-21-237-000	Oct-16		$186,000	$79.90
32-39-134-005	Jun-16		$166,000	$79.05
18-13-115-000	Oct-12	$12,320	$166,320	$59.40
11-09-300-004	Nov-16		$191,000	$68.90
26-20-105-000	Aug-13	$12,000	$212,000	$96.36
04-13-200-007	May-13	$10,911	$192,769	$74.14

	Adjoins Solar Farm		Not Adjoin Solar Farm	
	Average	Median	Average	Median
Sales Price/SF	$79.90	$79.90	$75.57	$74.14
GBA	2,328	2,328	2,494	2,600

Based on the matched pairs I find no indication of negative impact due to proximity to the solar farm.

The most similar comparable is the home on Columbus that sold for $79.05 per square foot. This is higher than the median rate for all of the comparables. Applying that price per square foot to the subject property square footage indicates a value of $184,000.

19. Matched Pair – Portage Solar, Portage, IN



This solar farm has a 2 MW output and is located on a portion of a 56-acre tract. The project was built in 2012.

I have considered the recent sale of Parcels 5 and 12. Parcel 5 is an undeveloped tract, while Parcel 12 is a residential home. I have compared each to a set of comparable sales to determine if there was any impact due to the adjoining solar farm. This home is 1,320 feet from the closest solar panel.

Adjoining Residential Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	Built	GBA	$/GBA
12	64-06-19-326-007.000-015	1.00	Sep-13	$149,800	1964	1,776	$84.35

Nearby Residential Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	Built	GBA	$/GBA
2501 Architect Dr	64-04-32-202-004.000-021	1.31	Nov-15	$191,500	1959	2,064	$92.78
336 E 1050 N	64-07-09-326-003.000-005	1.07	Jan-13	$155,000	1980	1,908	$81.24
2572 Pryor Rd	64-05-14-204-006.000-016	1.00	Jan-16	$216,000	1960	2,348	$91.99

Adjoining Land Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	$/AC
5	64-06-19-200-003.000-015	18.70	Feb-14	$149,600	$8,000

Nearby Land Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	$/AC
	64-07-22-401-001.000-005	74.35	Jun-17	$520,450	$7,000
	64-15-08-200-010.000-001	15.02	Jan-17	$115,000	$7,658

Residential Sale Adjustment Chart

		Adjustments		
TAX ID	Date Sold	Time	Total	$/Sf
64-06-19-326-007.000-015	Sep-13	$8,988	$158,788	$89.41
64-04-32-202-004.000-021	Nov-15	$3,830	$195,330	$94.64
64-07-09-326-003.000-005	Jan-13	$9,300	$164,300	$86.11
64-05-14-204-006.000-016	Jan-16		$216,000	$91.99

2% adjustment/year
Adjusted to 2017

	Adjoins Solar Farm		Not Adjoin Solar Farm	
	Average	Median	Average	Median
Sales Price/SF	$89.41	$89.41	$90.91	$91.99
GBA	1,776	1,776	2,107	2,064

After adjusting the price per square foot is 2.88% less for the home adjoining the solar farm versus those not adjoining the solar farm. This is within the typical range of variation to be anticipated in any real estate transaction and indicates no impact on property value.

Applying the price per square foot for the 336 E 1050 N sale, which is the most similar to the Parcel 12 sale, the adjusted price at $81.24 per square foot applied to the Parcel 12 square footage yields a value of $144,282.

Land Sale Adjustment Chart

TAX ID	Date Sold	Adjustments Time	Total	$/Acre
64-06-19-200-003.000-015	Feb-14	$8,976	$158,576	$8,480
64-07-22-401-001.000-005	Jun-17		$520,450	$7,000
64-15-08-200-010.000-001	Jan-17		$115,000	$7,658

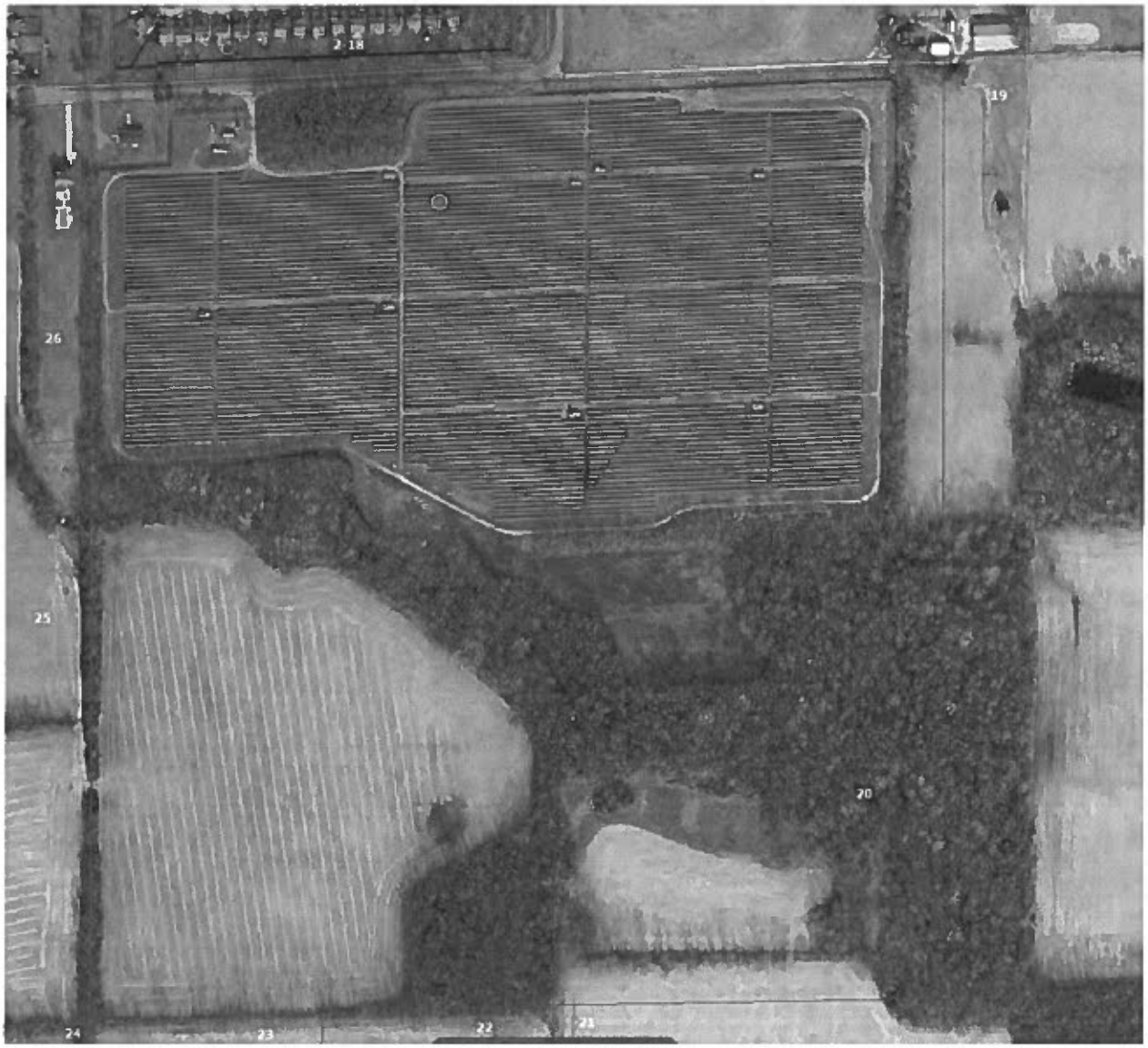
2% adjustment/year
Adjusted to 2017

	Adjoins Solar Farm		Not Adjoin Solar Farm	
	Average	Median	Average	Median
Sales Price/Ac	$8,480	$8,480	$7,329	$7,329
Acres	18.70	18.70	44.68	44.68

After adjusting the price per acre is higher for the property adjoining the solar farm, but the average and median size considered is higher which suggests a slight discount. This set of matched pair supports no indication of negative impact due to the adjoining solar farm.

Alternatively, adjusting the 2017 sales back to 2014 I derive an indicated price per acre for the comparables at $6,580 per acre to $7,198 per acre, which I compare to the unadjusted subject property sale at $8,000 per acre.

20. Matched Pair – Dominion Indy III, Indianapolis, IN



This solar farm has an 8.6 MW output and is located on a portion of a 134-acre tract. The project was built in 2013.

There are a number of homes on small lots located along the northern boundary and I have considered several sales of these homes. I have compared those homes to a set of nearby not adjoining home sales as shown below. The adjoining homes that sold range from 380 to 420 feet from the nearest solar panel, with an average of 400 feet.

Adjoining Residential Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	Built	GBA	$/GBA
2	2013249	0.38	12/9/2015	$140,000	2006	2,412	$58.04
4	2013251	0.23	9/6/2017	$160,000	2006	2,412	$66.33
5	2013252	0.23	5/10/2017	$147,000	2009	2,028	$72.49
11	2013258	0.23	12/9/2015	$131,750	2011	2,190	$60.16
13	2013260	0.23	3/4/2015	$127,000	2005	2,080	$61.06
14	2013261	0.23	2/3/2014	$120,000	2010	2,136	$56.18

Nearby Not Adjoining Residential Sales After Solar Farm Completed

#	TAX ID	Acres	Date Sold	Sales Price	Built	GBA	$/GBA
5836 Sable Dr	2013277	0.14	Jun-16	$141,000	2005	2,280	$61.84
5928 Mosaic Pl	2013845	0.17	Sep-15	$145,000	2007	2,280	$63.60
5904 Minden Dr	2012912	0.16	May-16	$130,000	2004	2,252	$57.73
5910 Mosaic Pl	2000178	0.15	Aug-16	$146,000	2009	2,360	$61.86
5723 Minden Dr	2012866	0.26	Nov-16	$139,900	2005	2,492	$56.14

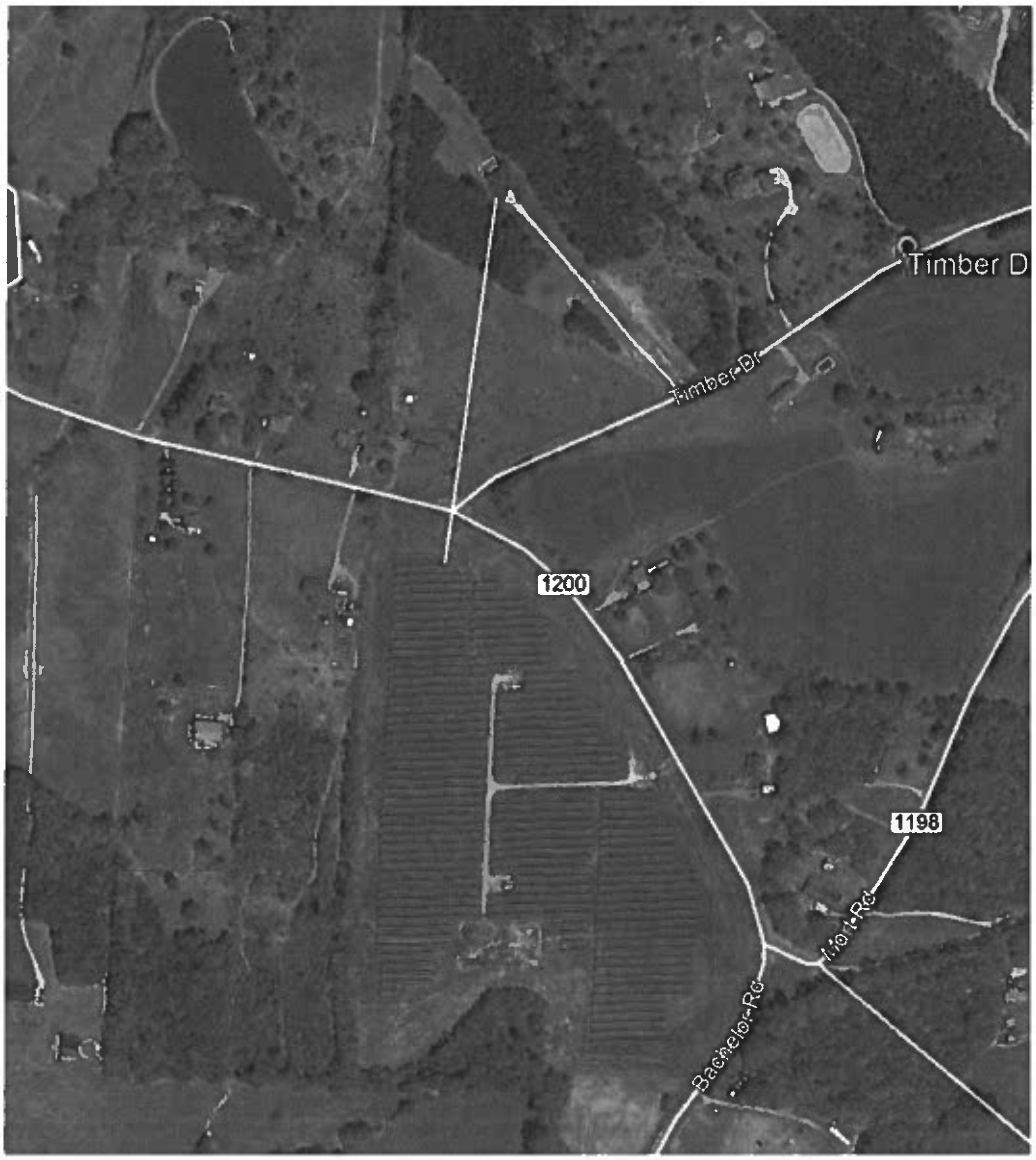
		Adjustments		
TAX ID	Date Sold	Time	Total	$/Sf
2013249	12/9/2015	$5,600	$145,600	$60.36
2013251	9/6/2017		$160,000	$66.33
2013252	5/10/2017		$147,000	$72.49
2013258	12/9/2015	$5,270	$137,020	$62.57
2013260	3/4/2015	$5,080	$132,080	$63.50
2013261	2/3/2014	$7,200	$127,200	$59.55
2013277	6/1/2016	$2,820	$143,820	$63.08
2013845	9/1/2015	$5,800	$150,800	$66.14
2012912	5/1/2016	$2,600	$132,600	$58.88
2000178	8/1/2016	$2,920	$148,920	$63.10
2012866	11/1/2016	$2,798	$142,698	$57.26

2% adjustment/year
Adjusted to 2017

	Adjoins Solar Farm		Not Adjoin Solar Farm	
	Average	Median	Average	Median
Sales Price/SF	$64.13	$63.03	$61.69	$63.08
GBA	2,210	2,163	2,333	2,280

This set of homes provides very strong indication of no impact due to the adjacency to the solar farm and includes a large selection of homes both adjoining and not adjoining in the analysis.

21. Matched Pair – Beetle-Shelby Solar, Cleveland County, NC



This project is located on Bachelor Road at Timber Drive, Mooresboro, NC. This is a 4 MW facility on a parent tract of 24 acres.

I have considered a custom home on a nearby property adjoining this solar farm. This home is located on 10.08 acres, was built in 2013, and has a gross living area of 3,196 s.f. This property sold on October 1, 2018 $416,000. I compared this to several nearby homes of similar size on large lots as shown below.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
Adjoins	1715 Timber	10.08	10/1/2018	$416,000	2013	3,196	$130.16	4/3.5	2xGar	1.5 story	Pool, Scrn Prch
Not	1021 Posting	2.45	2/15/2019	$414,000	2000	4,937	$83.86	4/4.5	2xGar	1.5 story	Scrn Prch
Not	2521 Wood	3.25	7/30/2017	$350,000	2003	3,607	$97.03	4/4	4xGar	1.5 story	Pool, sunroom
Not	356 Whitaker	7.28	1/9/2017	$340,000	1997	3,216	$105.72	4/4	2xGar	Ranch	Pole barn

Adjoining Sales Adjusted								
Time	**Acres**	**YB**	**GLA**	**BR/BA**	**Park**	**Other**	**Total**	**% Diff**
							$416,000	
	$15,000	$37,674	-$58,398	-$10,000			$398,276	4%
$10,500	$12,000	$24,500	-$15,952	-$5,000	-$5,000		$371,048	11%
$15,300	$5,000	$38,080	-$846	-$5,000			$392,534	6%
							Average	7%

The data on these sales all show that the subject property adjoining the solar farm sold for more than these other comparable sales. These sales suggest a mild increase in value due to proximity to the solar farm; however, the subject property is a custom home with upgrades that would balance out that difference. I therefore conclude that these matched pairs support an indication of no impact on property value.

22. Matched Pair – Courthouse Solar, Gaston County, NC



This project is a 5 MW facility located on 161.92 acres on Tryon Courthouse Road near Bessemer City that was approved in late 2016 but has not yet been constructed due to delays in the power purchase agreement process with Duke Progress Energy.

I have considered a recent sale of a home (Parcel 13) located across from this approved solar farm project as well as an adjoining lot sale (Parcel 25) to the west of this approved project.

I compared the home sale to similar sized homes with similar exposure to county roads as shown below. I considered three similar sales that once adjusted for differences show a positive relationship due to proximity to the solar farm. The positive impact is less than 5% which is a standard deviation for real estate transaction and indicates no impact on property value.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style
Adjoins	2134 Tryon Court.	0.85	3/15/2017	$111,000	2001	1,272	$87.26	3/2	Drive	Ranch
Not	214 Kiser	1.14	1/5/2017	$94,000	1987	1,344	$69.94	3/2	Drive	Ranch
Not	101 Windward	0.30	3/30/2017	$104,000	1995	1,139	$91.31	3/2	Drive	Ranch
Not	5550 Lennox	1.44	10/12/2018	$115,000	2002	1,224	$93.95	3/2	Drive	Ranch

Adjoining Residential Sales After Solar Farm Approved					Adjoining Sales Adjusted					
Solar	Address	Acres	Date Sold	Sales Price	Time	Acres	YB	GLA	Total	% Diff
Adjoins	2134 Tryon Court.	0.85	3/15/2017	$111,000					$111,000	
Not	214 Kiser	1.14	1/5/2017	$94,000	$533		$9,212	-$1,511	$102,234	8%
Not	101 Windward	0.30	3/30/2017	$104,000	-$128		$4,368	$5,615	$113,855	-3%
Not	5550 Lennox	1.44	10/12/2018	$115,000	-$5,444		-$805	-$2,396	$106,355	4%
								Average		3%

Similarly, I compared the lot sale to four nearby land sales. Parcel 25 could not be subdivided and was a single estate lot. There were a number of nearby lot sales along Weaver Dairy that sold for $43,000 to $30,000 per lot for 4-acre home lots. Estate lots typically sell at a base homesite rate

that would be represented by those prices plus a diminishing additional value per additional acre. The consideration of the larger tract more accurately illustrates the value per acre for larger tracts. After adjustments, the land sales show a mild positive impact on land value with an average increase of 9%, which supports a positive impact.

Adjoining Residential Land Sales After Solar Farm Approved						Adjoining Sales Adjusted				
Solar	Address	Acres	Date Sold	Sales Price	$/Ac	Time	Acres	Total	% Diff	Note
Adjoins	5021 Buckland	9.66	3/21/2018	$58,500	$6,056			$58,500		1 homesite only
Not	Campbell	6.75	10/31/2018	$42,000	$6,222	-$773	$18,107	$59,333	-1%	
Not	Kiser	17.65	11/27/2017	$69,000	$3,909	$647	-$19,508	$50,139	14%	6 acres less usable due to shape (50%)
Not	522 Weaver Dairy	3.93	2/26/2018	$30,000	$7,634	$57	$25,000	$55,057	6%	
Not	779 Sunnyside	6.99	3/6/2017	$34,000	$4,864	$1,062	$12,987	$48,049	18%	
								Average	9%	

23. Matched Pair – Mariposa Solar, Gaston County, NC



This project is a 5 MW facility located on 35.80 acres out of a parent tract of 87.61 acres at 517 Blacksnake Road, Stanley that was built in 2016.

I have considered a number of recent sales around this facility as shown below.

The first is identified in the map above as Parcel 1, which is 215 Mariposa Road. This is an older dwelling on large acreage with only one bathroom. I've compared it to similar nearby homes as shown below.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style
Adjoins	215 Mariposa	17.74	12/12/2017	$249,000	1958	1,551	$160.54	3/1	Garage	Br/Rnch
Not	249 Mariposa	0.48	3/1/2019	$153,000	1974	1,792	$85.38	4/2	Garage	Br/Rnch
Not	110 Airport	0.83	5/10/2016	$166,000	1962	2,165	$76.67	3/2	Crprt	Br/Rnch
Not	1249 Blacksnake	5.01	9/20/2018	$242,500	1980	2,156	$112.48	3/2	Drive	1.5
Not	1201 Abernathy	27.00	5/3/2018	$390,000	1970	2,190	$178.08	3/2	Crprt	Br/Rnch

Adjoining Residential Sales After Solar Farm Approved					Adjoining Sales Adjusted								
Solar	Address	Acres	Date Sold	Sales Price	Time	YB	Acres	GLA	BR/BA	Park	Other	Total	% Diff
Adjoins	215 Mariposa	17.74	12/12/2017	$249,000								$249,000	
Not	249 Mariposa	0.48	3/1/2019	$153,000	-$5,583	-$17,136	$129,450	-$20,576	-$10,000			$229,154	8%
Not	110 Airport	0.83	5/10/2016	$166,000	$7,927	-$4,648	$126,825	-$47,078	-$10,000			$239,026	4%
Not	1249 Blacksnake	5.01	9/20/2018	$242,500	-$5,621	-$37,345	$95,475	-$68,048	-$10,000	$5,000		$221,961	11%
Not	1201 Abernathy	27.00	5/3/2018	$390,000	-$4,552	-$32,760	-$69,450	-$60,705	-$10,000			$212,533	15%
												Average	9%

The average difference after adjusting for all factors is +9% on average, which suggests an enhancement due to the solar farm across the street. Given the large adjustments for acreage and size, I will focus on the low end of the adjusted range at 4%, which is within the typical deviation and therefore suggests no impact on value.

I have also considered Parcel 4 that sold after the solar farm was approved but before it had been constructed in 2016.

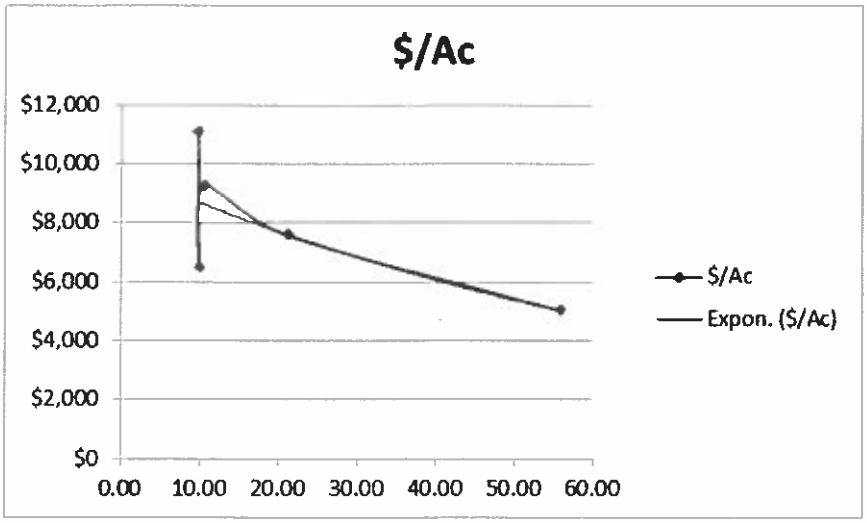
Adjoining Residential Sales After Solar Farm Approved											
Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
Adjoins	242 Mariposa	2.91	9/21/2015	$180,000	1962	1,880	$95.74	3/2	Carport	Br/Rnch	Det Wrkshop
Not	249 Mariposa	0.48	3/1/2019	$153,000	1974	1,792	$85.38	4/2	Garage	Br/Rnch	
Not	110 Airport	0.83	5/10/2016	$166,000	1962	2,165	$76.67	3/2	Crprt	Br/Rnch	
Not	1249 Blacksnake	5.01	9/20/2018	$242,500	1980	2,156	$112.48	3/2	Drive	1.5	

Adjoining Residential Sales After Solar Farm Approved					Adjoining Sales Adjusted								
Solar	Address	Acres	Date Sold	Sales Price	Time	YB	Acres	GLA	BR/BA	Park	Other	Total	% Diff
Adjoins	242 Mariposa	2.91	9/21/2015	$180,000								$180,000	
Not	249 Mariposa	0.48	3/1/2019	$153,000	-$15,807	-$12,852	$18,468	$7,513		-$3,000	$25,000	$172,322	4%
Not	110 Airport	0.83	5/10/2016	$166,000	-$3,165	$0	$15,808	-$28,600			$25,000	$175,043	3%
Not	1249 Blacksnake	5.01	9/20/2018	$242,500	-$21,825	-$30,555	-$15,960	-$40,942		$2,000	$25,000	$160,218	11%
												Average	6%

The average difference after adjusting for all factors is +6%, which is again suggests a mild increase in value due to the adjoining solar farm use. The median is a 4% adjustment, which is within a standard deviation and suggests no impact on property value.

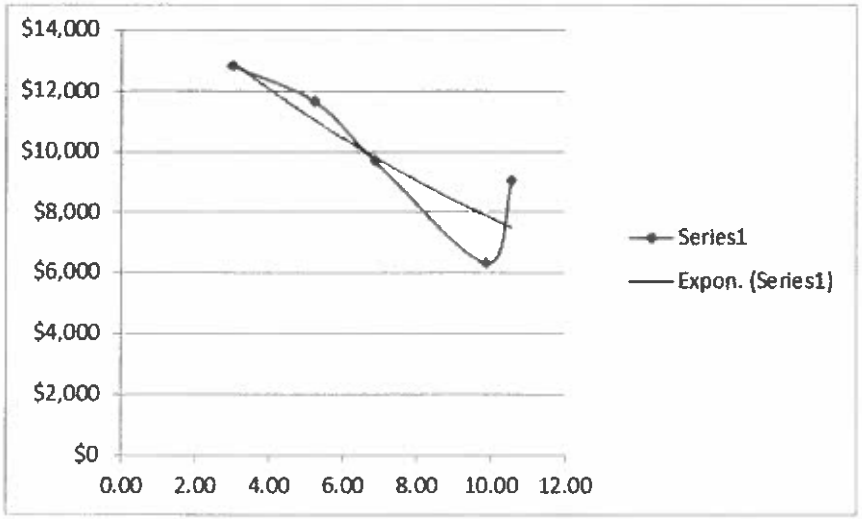
I have also considered the recent sale of Parcel 13 that is located on Blacksnake Road south of the project. I was unable to find good land sales in the same 20 acre range, so I have considered sales of larger and smaller acreage. I adjusted each of those land sales for time. I then applied the price per acre to a trendline to show where the expected price per acre would be for 20 acres. As can be seen in the chart below, this lines up exactly with the purchase of the subject property. I therefore conclude that there is no impact on Parcel 13 due to proximity to the solar farm.

Adjoining Residential Land Sales After Solar Farm Approved						Adjoining Sales Adjusted	
Solar	Tax/Street	Acres	Date Sold	Sales Price	$/Ac	Time	$/Ac
Adjoins	174339/Blacksnake	21.15	6/29/2018	$160,000	$7,565		$7,565
Not	227852/Abernathy	10.57	5/9/2018	$97,000	$9,177	$38	$9,215
Not	17443/Legion	9.87	9/7/2018	$64,000	$6,484	-$37	$6,447
Not	164243/Alexis	9.75	2/1/2019	$110,000	$11,282	-$201	$11,081
Not	176884/Bowden	55.77	6/13/2018	$280,000	$5,021	$7	$5,027



Finally, I have considered the recent sale of Parcel 17 that sold as vacant land. I was unable to find good land sales in the same 7 acre range, so I have considered sales of larger and smaller acreage. I adjusted each of those land sales for time. I then applied the price per acre to a trendline to show where the expected price per acre would be for 7 acres. As can be seen in the chart below, this lines up with the trendline running right through the purchase price for the subject property. I therefore conclude that there is no impact on Parcel 13 due to proximity to the solar farm. I note that this property was improved with a 3,196 square foot ranch built in 2018 following the land purchase, which shows that development near the solar farm was unimpeded.

Adjoining Residential Land Sales After Solar Farm Approved						**Adjoining Sales Adjusted**		
Solar	**Tax/Street**	**Acres**	**Date Sold**	**Sales Price**	**$/Ac**	**Time**	**Location**	**$/Ac**
Adjoins	227039/Mariposa	6.86	12/6/2017	$66,500	$9,694			$9,694
Not	227852/Abernathy	10.57	5/9/2018	$97,000	$9,177	-$116		$9,061
Not	17443/Legion	9.87	9/7/2018	$64,000	$6,484	-$147		$6,338
Not	177322/Robinson	5.23	5/12/2017	$66,500	$12,715	$217	-$1,272	$11,661
Not	203386/Carousel	2.99	7/13/2018	$43,500	$14,548	-$262	-$1,455	$12,832



24. Matched Pair – Clarke County Solar, Clarke County, VA



This project is a 20 MW facility located on a 234-acre tract that was built in 2017.

I have considered a recent sale or Parcel 3. The home on this parcel is 1,230 feet from the closest panel as measured in the second map from Google Earth, which shows the solar farm under construction.

I've compared this home sale to a number of similar rural homes on similar parcels as shown below. I have used multiple sales that bracket the subject property in terms of sale date, year built, gross living area, bedrooms and bathrooms. Bracketing the parameters insures that all factors are well balanced out in the adjustments. The trend for these sales shows a positive value for the adjacency to the solar farm.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
Adjoins	833 Nations Spr	5.13	1/9/2017	$295,000	1979	1,392	$211.93	3/2	Det Gar	Ranch	Unfin bsmt
Not	85 Ashby	5.09	9/11/2017	$315,000	1982	2,333	$135.02	3/2	2 Gar	Ranch	
Not	541 Old Kitchen	5.07	9/9/2018	$370,000	1986	3,157	$117.20	4/4	2 Gar	2 story	
Not	4174 Rockland	5.06	1/2/2017	$300,000	1990	1,688	$177.73	3/2	3 Gar	2 story	
Not	400 Sugar Hill	1.00	6/7/2018	$180,000	1975	1,008	$178.57	3/1	Drive	Ranch	

Adjoining Residential Sales After Solar Farm Approved					Adjoining Sales Adjusted								
Solar	Address	Acres	Date Sold	Sales Price	Time	Acres	YB	GLA	BR/BA	Park	Other	Total	% Diff
Adjoins	833 Nations Spr	5.13	1/9/2017	$295,000								$295,000	
Not	85 Ashby	5.09	9/11/2017	$315,000	-$6,300		-$6,615	-$38,116		-$7,000	$15,000	$271,969	8%
Not	541 Old Kitchen	5.07	9/9/2018	$370,000	-$18,500		-$18,130	-$62,057		-$7,000	$15,000	$279,313	5%
Not	4174 Rockland	5.06	1/2/2017	$300,000			-$23,100	-$15,782		-$12,000	$15,000	$264,118	10%
Not	400 Sugar Hill	1.00	6/7/2018	$180,000	-$9,000	$43,000	$5,040	$20,571	$10,000	$3,000	$15,000	$267,611	9%
												Average	8%

25. Matched Pair – Flemington Solar, Flemington, NJ



This solar farm is located off Kuhl Road and is south of Hart Boulevard. I spoke with Gerry Giles a local realtor who is familiar with the adjoining neighborhood as she has lived in that neighborhood. She indicated that in her opinion the adjoining solar farm is a quiet neighbor and would not have a negative impact on property value.

Furthermore, I spoke with her specifically about the recent sale of 10 Coventry, which I have included in the matched pairs. She noted that the seller was a divorced bachelor who had set the place up like a dorm and that it showed terribly. She believes proper staging of the interior would have significantly improved the sales price on this home. I adjusted for that factor in the comparables in that analysis based on that information.

I have identified four recent sales of homes adjoining this subdivision along Hart Boulevard and the side streets off of Hart Boulevard.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
8	Adjoins	10 Coventry	0.36	3/19/2018	$370,000	1986	1,829	$202.30	3/2.5	2-Gar	2-Story	Staging
	Not	58 Wellington	0.45	6/8/2018	$334,500	1984	1,757	$190.38	3/2.5	2-Gar	2-Story	
	Not	28 Bristol	0.35	1/17/2018	$398,000	1985	1,757	$226.52	3/2.5	2-Gar	2-Story	
	Not	1 Sheffield	0.35	12/15/2017	$399,900	1984	1,870	$213.85	4/2.5	2-Gar	2-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$370,000			295
-$2,283	$3,345	$8,224			-$10,035	$333,751	10%		
$2,046	$1,990	$9,786			-$11,940	$399,882	-8%		
$3,168	$3,999	-$5,261			-$11,997	$389,809	-5%		
								-1%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
14	Adjoins	54 Hart	0.36	7/25/2016	$420,000	1986	2,680	$156.72	4/2.5	2-Gar	2-Story	
	Not	43 Aberdeen	0.36	11/21/2016	$417,000	1987	2,524	$165.21	4/2.5	2-Gar	2-Story	
	Not	42 Aberdeen	0.34	2/7/2017	$454,900	1988	2,734	$166.39	5/3	2-Gar	2-Story	
	Not	18 Aberdeen	0.34	11/6/2017	$437,500	1988	2,687	$162.82	4/2.5	2-Gar	2-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$420,000			375
-$4,182	-$2,085	$15,464				$426,197	-1%		
-$7,552	-$4,549	-$5,391	-$5,000			$432,408	-3%		
-$17,291	-$4,375	-$684				$415,150	1%		
								-1%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
16	Adjoins	6 Portsmith	0.36	6/19/2015	$410,000	1991	2,687	$152.59	4/2.5	2-Gar	2-Story	
	Not	43 Aberdeen	0.36	11/21/2016	$417,000	1987	2,524	$165.21	4/2.5	2-Gar	2-Story	
	Not	42 Aberdeen	0.34	2/7/2017	$454,900	1988	2,734	$166.39	5/3	2-Gar	2-Story	
	Not	18 Aberdeen	0.34	11/6/2017	$437,500	1988	2,687	$162.82	4/2.5	2-Gar	2-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$410,000			425
-$18,308	$8,340	$16,158				$423,190	-3%		
-$22,962	$6,824	-$4,692	-$5,000			$429,069	-5%		
-$32,112	$6,563	$0				$411,950	0%		
								-3%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
19	Adjoins	12 Stratford	0.55	11/30/2017	$414,900	1991	1,828	$226.97	3/2.5	2-Gar	2-Story	
	Not	58 Wellington	0.45	6/8/2018	$334,500	1984	1,757	$190.38	3/2.5	2-Gar	2-Story	
	Not	28 Bristol	0.35	1/17/2018	$398,000	1985	1,757	$226.52	3/2.5	2-Gar	2-Story	
	Not	1 Sheffield	0.35	12/15/2017	$399,900	1984	1,870	$213.85	4/2	Gar	2-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$414,900			345
-$5,356	$11,708	$8,110				$348,962	16%		
-$1,610	$11,940	$9,650				$417,980	-1%		
-$505	$13,997	-$5,389	$5,000	$7,000		$420,002	-1%		
								5%	

The range of impact identified by these matched pairs ranges are therefore -3% to +5% for distances ranging from 295 feet to 425 feet with an average difference from these four indicators of 0%. As noted earlier this range is within the typical plus or minus for any real estate transaction and indicates no impact on property value.

The broker Gerry Giles indicated that she has not seen the solar farm having any impact on adjoining property value. She noted that the solar farm is visible from Hart Boulevard and from a number of these backyards, but is still heavily screened.

26. Matched Pair – Frenchtown Solar, Frenchtown, NJ



This solar farm is located off Muddy Run Road. I spoke with Gerry Giles a local realtor who helped a buyer purchase 5 Muddy Town Road. She indicated that his home adjoining the solar farm had multiple offers and that most of those offers were higher than the offer she presented, but her buyer provided an all cash offer. This was important as the property was being purchased while the septic system required repairs and updates that the seller paid for but completed the work during/after the purchase. The solar farm was not considered a negative by her buyer.

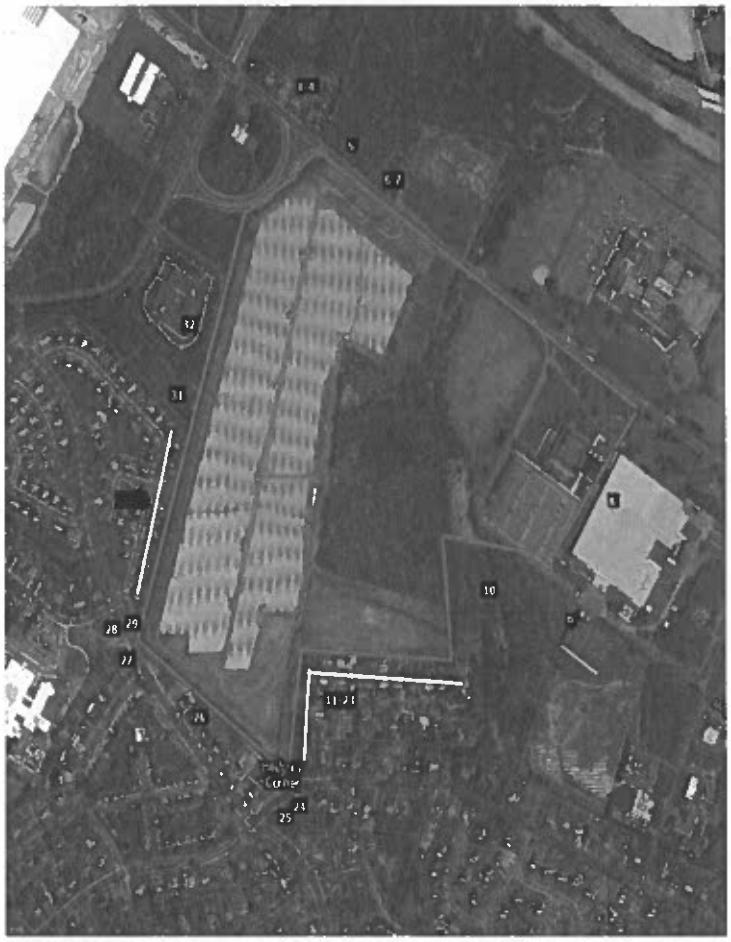
Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
7	Adjoins	5 Muddy Run	2.14	6/23/2017	$385,000	1985	2,044	$188.36	4/2.5	2-Gar	2-Story	Updated
	Not	319 Barbertown	2.00	5/21/2019	$358,000	1988	2,240	$159.82	4/3	Gar	2-Story	
	Not	132 Kingwood	3.17	10/31/2016	$380,000	1996	2,392	$158.86	3/2.5	Det 2	2-Story	
	Not	26 Barbertown	2.03	5/21/2019	$360,000	1998	2,125	$169.41	4/3	2-Gar	2-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$385,000			250
-$13,673	-$5,370	-$18,795	-$5,000	$10,000	$20,000	$345,162	10%		
$4,893	-$20,900	-$33,171		$5,000	$20,000	$355,823	8%		
-$13,749	-$23,400	-$8,233	-$5,000		$20,000	$329,618	14%		
								11%	

After typical adjustments including a $20,000 increase in the comparable sales for updates, the subject property is showing a significant premium that may be attributable to the adjoining solar farm.

27. Matched Pair – McGraw Solar, East Windsor, NJ



This solar farm is located off Oak Creek Road. The matched pairs considered at this solar farm involve the townhome/duplexes located off Wyndmoor Drive and a single family home off Wilmor Drive.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style
	Adjoins	153 Wyndmoor	N/A	4/25/2017	$215,000	1987	1,532	$140.34	3/3	Gar	2-Story
	Not	164 Wyndmoor	N/A	5/13/2019	$258,000	1987	1,532	$168.41	3/3	Gar	2-Story
	Not	33 Monroe	N/A	2/6/2018	$261,000	1987	1,532	$170.37	3/3	Gar	2-Story
	Not	20 Spyglass	N/A	12/19/2017	$240,000	1987	1,532	$156.66	3/3	Gar	2-Story

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$215,000			175
-$15,862	$0	$0				$242,138	-13%		
-$6,157	$0	$0				$254,843	-19%		
-$4,695	$0	$0				$235,305	-9%		
								-14%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style
	Adjoins	149 Wyndmoor	N/A	5/24/2017	$206,000	1987	1,236	$166.67	2/1.5	Gar	2-Story
	Not	97 Wyndmoor	N/A	4/17/2017	$210,000	1987	1,236	$169.90	2/1.5	Gar	2-Story
	Not	24 Monroe	N/A	12/23/2016	$217,979	1987	1,560	$139.73	3/2.5	Gar	2-Story
	Not	81 Wyndmoor	N/A	1/31/2018	$204,000	1987	1,254	$162.68	2/2.5	Gar	2-Story

Adjoining Sales Adjusted

Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff	Distance
						$206,000			175
$639	$0	$0				$210,639	-2%		
$2,723	$0	-$27,164				$193,539	6%		
-$4,225	$0	-$1,757				$198,018	4%		
								3%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style
	Adjoins	26 Wilmor	0.46	3/19/2019	$286,000	1961	1,092	$261.90	3/1.5	Gar	Ranch
	Not	25 Pinehurst	0.48	5/17/2019	$315,000	1967	1,314	$239.73	3/1&2	Gar	Ranch
	Not	15 Maple Stream	0.40	6/6/2017	$285,000	1964	1,202	$237.10	3/1.5	Gar	Ranch
	Not	3 Amy	0.29	10/11/2018	$286,000	1969	1,229	$232.71	3/1.5	Gar	Ranch

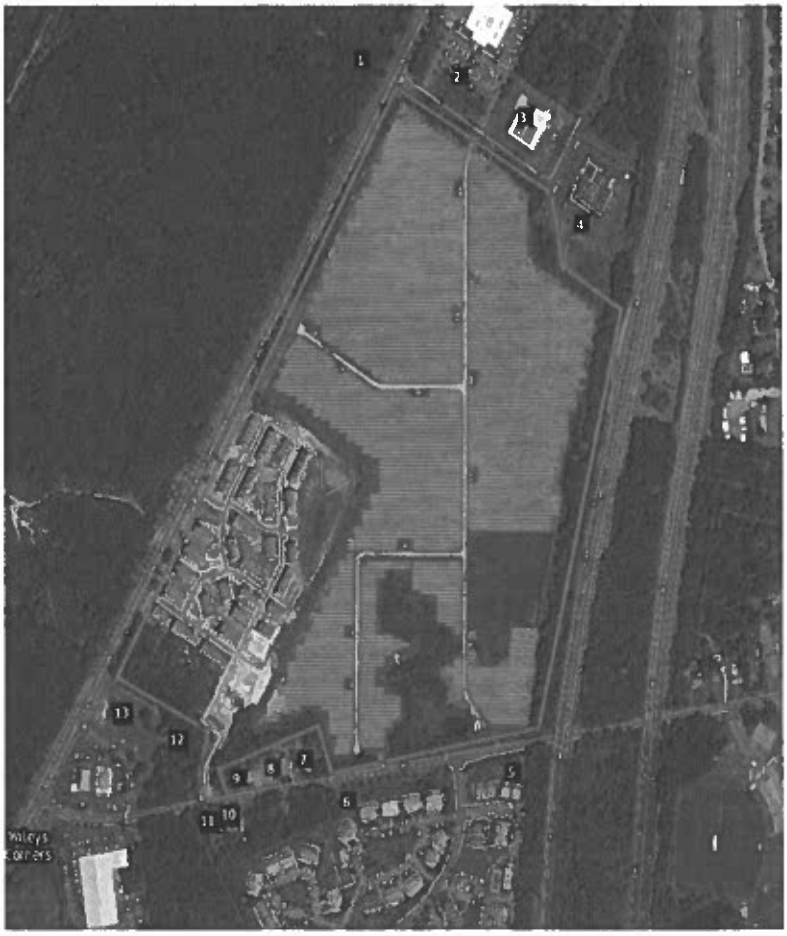
Adjoining Sales Adjusted

Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff	Distance
						$286,000			400
-$1,566	-$9,450	-$31,932	-$5,000			$267,052	7%		
$15,635	-$4,275	-$15,649				$280,711	2%		
$3,832	-$11,440	-$19,129				$259,263	9%		
								6%	
							Average	-2%	250

The range of impact identified by these matched pairs ranges are therefore -14% to +6% for distances ranging from 175 feet to 400 feet with an average difference from these three indicators of -2%. As noted earlier this range is within the typical plus or minus for any real estate transaction and indicates no impact on property value.

This set of matched pairs is interesting and there appears to be more going on when you compare the two townhome properties. One shows a significant discount and the other shows no impact. When I compare the two townhomes that both back up to the same solar farm, the townhome that includes 1,532 s.f. sold for only $9,000 more than the townhome that has 1,236 s.f. I attempted to speak with the broker involved with these but was unable to get a reply. The difference there strongly indicates that something else is going on with the larger townhome. I will not rely heavily on that matched pair, but I have included it to be complete.

28. Matched Pair – Tinton Falls Solar, Tinton Falls, NJ



This solar farm is located off W. Park Avenue. The tract with the solar farm also has a condo/townhome project from which I have considered recent sales activity. I note that the developer of the solar farm and the townhome community clearly did not see any negative impact from the combined use. These units are still being constructed with new sales expected in the near future.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	111 Kyle	N/A	8/8/2018	$402,000	2015	2,200	$182.73	3/2.5	Gar	3-Story	End
	Not	80 Kyle	N/A	9/18/2017	$410,000	2015	2,226	$184.19	2/2.5	Gar	3-Story	End/Park
	Not	15 Michael	N/A	9/19/2018	$412,000	2016	2,157	$191.01	3/2.5	Gar	3-Story	End
	Not	31 Michael	N/A	4/1/2019	$390,000	2016	2,200	$177.27	3/2.5	Gar	3-Story	End
	Not	15 Michael	N/A	9/9/2018	$412,000	2016	2,157	$191.01	3/2.5	Gar	3-Story	End

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$402,000			185
$11,194	$0	-$2,873			-$20,500	$397,821	1%		
-$1,458	-$2,060	$4,928				$413,410	-3%		
-$7,756	-$1,950	$0				$380,294	5%		
-$1,111	-$2,060	$4,928				$413,757	-4%		
								1%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	47 Kyle	N/A	8/31/2018	$260,000	2016	1,140	$228.07	2/2	Gar	3-Story	End
	Not	26 Jake	N/A	10/31/2017	$268,000	2014	1,140	$235.09	2/2	Gar	3-Story	End
	Not	4 Michael	N/A	11/8/2018	$260,000	2015	1,140	$228.07	2/2	Gar	3-Story	End
	Not	36 Kyle	N/A	1/10/2019	$260,000	2015	1,140	$228.07	2/2	Gar	3-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$260,000			155
$6,866	$2,680	$0				$277,546	-7%		
-$1,512	$1,300	$0				$259,788	0%		
-$2,892	$1,300	$0			$7,800	$266,208	-2%		
								-3%	

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	7 Kyle	N/A	6/15/2017	$262,195	2017	1,140	$230.00	2/2	Gar	3-Story	End
	Not	26 Jake	N/A	10/31/2017	$268,000	2014	1,140	$235.09	2/2	Gar	3-Story	End
	Not	4 Michael	N/A	11/8/2018	$260,000	2015	1,140	$228.07	2/2	Gar	3-Story	End
	Not	36 Kyle	N/A	1/10/2019	$260,000	2015	1,140	$228.07	2/2	Gar	3-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$262,195			150
-$3,117	$4,020	$0				$268,903	-3%		
-$11,196	$2,600	$0	-$5,000			$246,404	6%		
-$12,576	$2,600	$0			$7,800	$257,824	2%		
								2%	

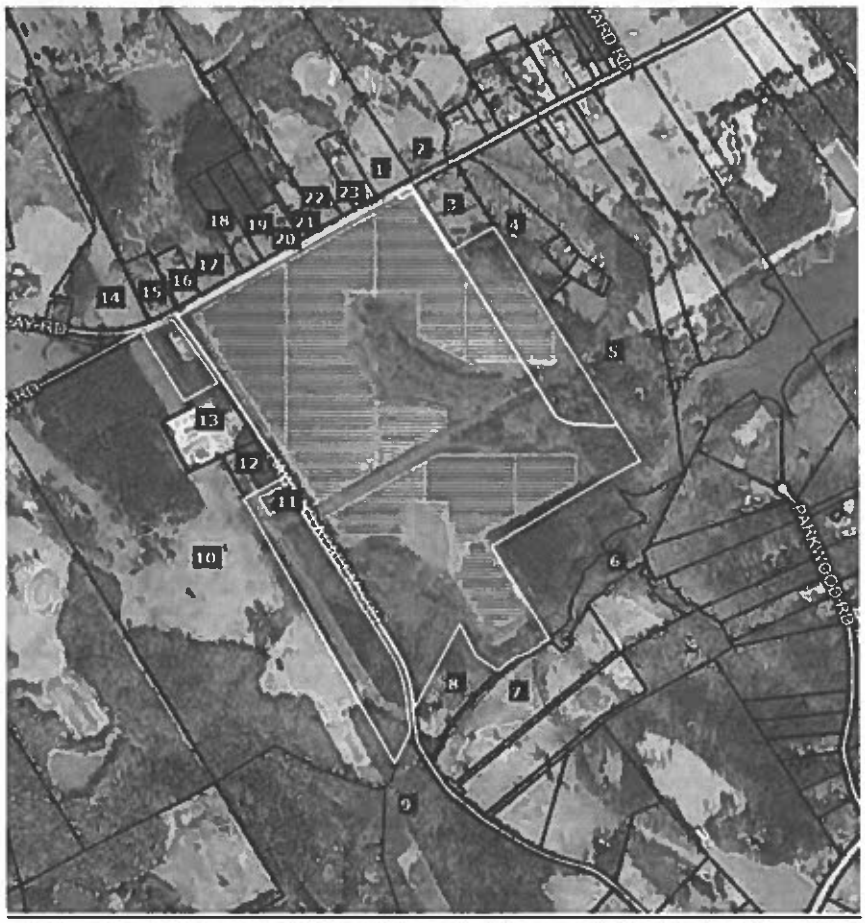
Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	1 Samantha	N/A	9/1/2017	$258,205	2017	1,140	$226.50	2/2	Gar	3-Story	End
	Not	26 Jake	N/A	10/31/2017	$268,000	2014	1,140	$235.09	2/2	Gar	3-Story	End
	Not	4 Michael	N/A	11/8/2018	$260,000	2015	1,140	$228.07	2/2	Gar	3-Story	End
	Not	36 Kyle	N/A	1/10/2019	$260,000	2015	1,140	$228.07	2/2	Gar	3-Story	

Adjoining Sales Adjusted								Avg	
Time	YB	GLA	BR/BA	Park	Other	Total	% Diff	% Diff	Distance
						$258,205			155
-$1,355	$4,020	$0	-$5,000			$265,665	-3%		
-$9,487	$2,600	$0				$253,113	2%		
-$10,867	$2,600	$0			$7,800	$259,533	-1%		
								0%	

The range of impact identified by these matched pairs ranges are therefore -3% to +2% for distances ranging from 150 feet to 185 feet with an average difference from these four indicators of 0%. As noted earlier this range is within the typical plus or minus for any real estate transaction and indicates no impact on property value.

29. Matched Pair – Simon Solar, Social Circle, GA



This solar farm is located off Hawkins Academy Road and Social Circle Fairplay Road. I identified three adjoining sales to this tract after development of the solar farm. However, one of those is shown as Parcel 12 in the map above and includes a powerline easement encumbering over a third of the 5 acres and adjoins a large substation as well. It would be difficult to isolate those impacts from any potential solar farm impact and therefore I have excluded that sale. I also excluded the recent sale of Parcel 17, which is a farm with conservation restrictions on it that similarly would require a detailed examination of those conservation restrictions in order to see if there was any impact related to the solar farm. I therefore focused on the recent sale of Parcel 7 and the adjoining parcel to the south of that. They are technically not adjoining due to the access road for the flag-shaped lot to the east. Furthermore, there is an apparent access easement serving the two rear lots that encumber these two parcels which is a further limitation on these sales. This analysis assumes that the access easement does not negatively impact the subject property, though it may.

Adjoining Land Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	$/AC	Type	Other
7+	Adjoins	4514 Hawkins	36.86	3/31/2016	$180,000	$4,883	Pasture	Esmts
	Not	HD Atha	69.95	12/20/2016	$357,500	$5,111	Wooded	N/A
	Not	Pannell	66.94	11/8/2016	$322,851	$4,823	Mixed	*
	Not	1402 Roy	123.36	9/29/2016	$479,302	$3,885	Mixed	**

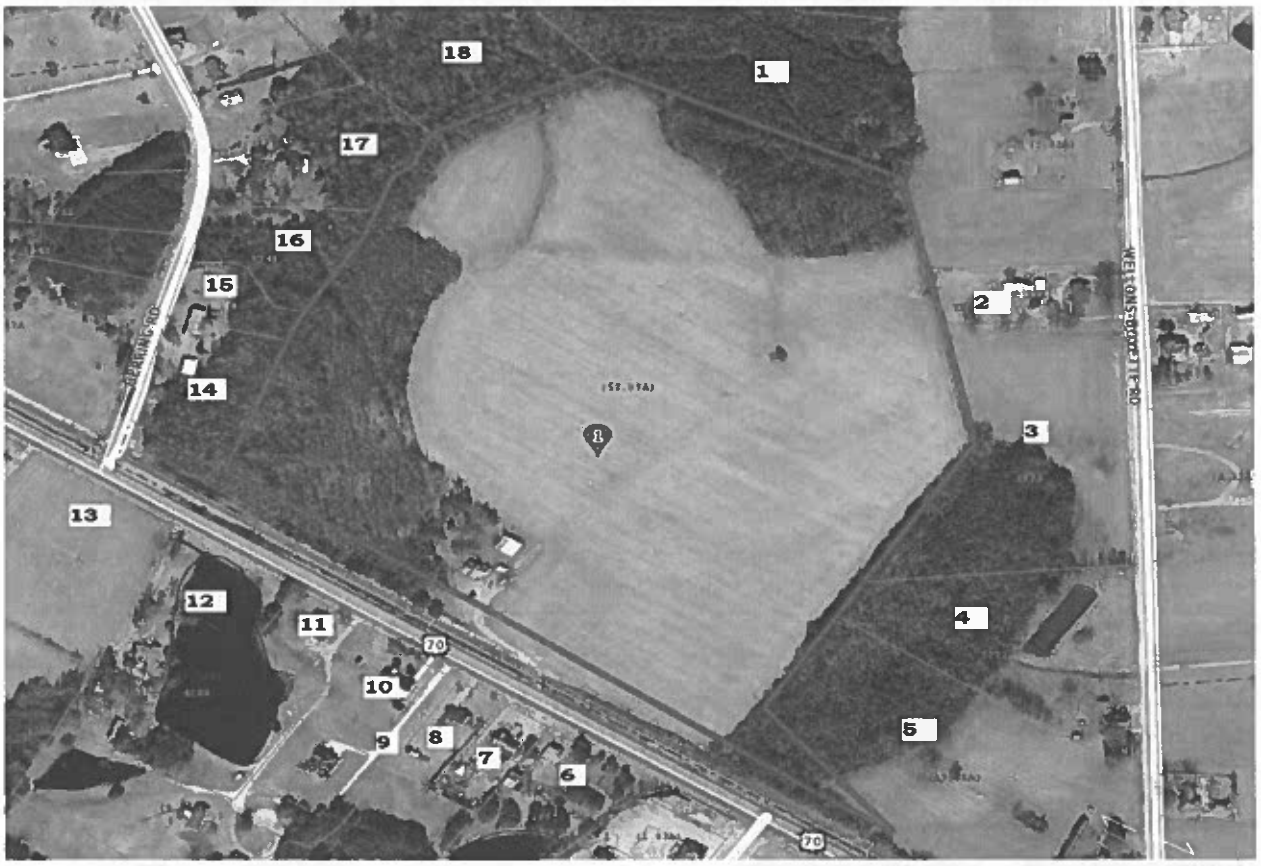
* Adjoining 1 acre purchased by same buyer in same deed. Allocation assigned on the County Tax Record.

** Dwelling built in 1996 with a 2016 tax assessed value of $75,800 deducted from sales price to reflect land value

Adjoining Sales Adjusted						Avg
Time	Size	Type	Other	Total/Ac	% Diff	% Diff
				$4,883		
$89	$256			$5,455	-12%	
-$90	$241			$4,974	-2%	
-$60	$389			$4,214	14%	
						0%

The range of impact identified by these matched pairs ranges are therefore -12% to +14% for with an average of 0%. The best matched pair with the least adjustment supports a -2% impact due to the solar farm. I note again that this analysis considers no impact for the existing access easements that meander through this property and it may be having an impact. Still at -2% impact as the best indication for the solar farm, I consider that to be no impact given that market fluctuations support +/- 5%.

30. Matched Pair – Candace Solar, Princeton, NC





This solar farm is located at 4839 US 70 Highway just east of Herring Road. This solar farm was completed on October 25, 2016.

I identified three adjoining sales to this tract after development of the solar farm with frontage on US 70. I did not attempt to analyze those sales as they have exposure to an adjacent highway and railroad track. Those homes are therefore problematic for a matched pair analysis unless I have similar homes fronting on a similar corridor.

I did consider a land sale and a home sale on adjoining parcels without those complications.

The lot at 499 Herring Road sold to Paradise Homes of Johnston County of NC, Inc. for $30,000 in May 2017 and a modular home was placed there and sold to Karen and Jason Toole on September 29, 2017. I considered the lot sale first as shown below and then the home sale that followed.

Adjoining Land Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Other	Adjoining Sales Adjusted Time	Site	Other	Total	% Diff
16	Adjoins	499 Herring	2.03	5/1/2017	$30,000					$30,000	
	Not	37 Becky	0.87	7/23/2019	$24,500	Sub/Pwr	-$1,679	$4,900		$27,721	8%
	Not	5858 Bizzell	0.88	8/17/2016	$18,000		$390	$3,600		$21,990	27%
	Not	488 Herring	2.13	12/20/2016	$35,000		$389			$35,389	-18%
										Average	5%

Following the land purchase, the modular home was placed on the site and sold. I have compared this modular home to the following sales to determine if the solar farm had any impact on the purchase price.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
16	Adjoins	499 Herring	2.03	9/27/2017	$215,000	2017	2,356	$91.26	4/3	Drive	Modular	
	Not	678 WC	6.32	3/8/2019	$226,000	1995	1,848	$122.29	3/2.5	Det Gar	Mobile	Ag bldgs
	Not	1810 Bay V	8.70	3/26/2018	$170,000	2003	2,356	$72.16	3/2	Drive	Mobile	Ag bldgs
	Not	1795 Bay V	1.78	12/1/2017	$194,000	2017	1,982	$97.88	4/3	Drive	Modular	

Adjoining Residential Sales Af Adjoining Sales Adjusted

Parcel	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff	Distance
16	Adjoins	499 Herring								$215,000			488
	Not	678 WC	-$10,037	-$25,000	$24,860	$37,275	-$5,000	-$7,500	-$20,000	$220,599	-3%		
	Not	1810 Bay V	-$2,579	-$20,000	$11,900	$0				$159,321	26%		
	Not	1795 Bay V	-$1,063		$0	$21,964				$214,902	0%		
												8%	

The best comparable is 1795 Bay Valley as it required the least adjustment and was therefore most similar, which shows a 0% impact. This signifies no impact related to the solar farm.

The range of impact identified by these matched pairs ranges are therefore -3% to +26% with an average of +8% for the home and an average of +4% for the lot, though the best indicator for the lot shows a $5,000 difference in the lot value due to the proximity to the solar farm or a -12% impact.

31. Matched Pair – Crittenden Solar, Crittenden, KY



This solar farm was built in December 2017 on a 181.70-acre tract but utilizing only 34.10 acres. This is a 2.7 MW facility with residential subdivisions to the north and south.

I have identified four home sales to the north of this solar farm on Claiborne Drive and one home sale to the south on Eagle Ridge Drive since the completion of this solar farm. The home sale on Eagle Drive is for a $75,000 home and all of the homes along that street are similar in size and price range. According to local broker Steve Glacken with Cutler Real Estate these are the lowest price range/style home in the market. I have not analyzed that sale as it would unlikely provide significant data to other homes in the area.

Mr. Glacken is currently selling lots at the west end of Claiborne for new home construction. He indicated that the solar farm near the entrance of the development has been a complete non-factor and none of the home sales are showing any concern over the solar farm. Most of the homes are in the $250,000 to $280,000 price range on lots being marketed for $28,000 to $29,000.

The first home considered is a bit of an anomaly for this subdivision in that it is the only manufactured home that was allowed in the community. It sold on January 3, 2019. I compared that sale to three other manufactured home sales in the area making minor adjustments as shown on the next page to account for the differences. After all other factors are considered the adjustments show a -1% to +13% impact due to the adjacency of the solar farm. The best indicator is 1250 Cason, which shows a 3% impact. A 3% impact is within the normal static of real estate transactions and therefore not considered indicative of a positive impact on the property, but it strongly supports an indication of no negative impact.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	250 Claiborne	0.96	1/3/2019	$120,000	2000	2,016	$59.52	3/2	Drive	Manuf	
	Not	1250 Cason	1.40	4/18/2018	$95,000	1994	1,500	$63.33	3/2	2-Det	Manuf	Carport
	Not	410 Reeves	1.02	11/27/2018	$80,000	2000	1,456	$54.95	3/2	Drive	Manuf	
	Not	315 N Fork	1.09	5/4/2019	$107,000	1992	1,792	$59.71	3/2	Drive	Manuf	

Adjustments

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff	Distance
Adjoins	250 Claiborne								$120,000			373
Not	1250 Cason	$2,081		$2,850	$26,144		-$5,000	-$5,000	$116,075	3%		
Not	410 Reeves	$249		$0	$24,615				$104,865	13%		
Not	315 N Fork	-$1,091		$4,280	$10,700				$120,889	-1%		
											5%	

I also looked at three other home sales on this street as shown below. These are stick-built homes and show a higher price range.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	300 Claiborne	1.08	9/20/2018	$213,000	2003	1,568	$135.84	3/3	2-Car	Ranch	Brick
	Not	460 Claiborne	0.31	1/3/2019	$229,000	2007	1,446	$158.37	3/2	2-Car	Ranch	Brick
	Not	2160 Sherman	1.46	6/1/2019	$265,000	2005	1,735	$152.74	3/3	2-Car	Ranch	Brick
	Not	215 Lexington	1.00	7/27/2018	$231,200	2000	1,590	$145.41	5/4	2-Car	Ranch	Brick

Adjustments

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff	Distance
Adjoins	300 Claiborne								$213,000			488
Not	460 Claiborne	-$2,026		-$4,580	$15,457	$5,000			$242,850	-14%		
Not	2160 Sherman	-$5,672		-$2,650	-$20,406				$236,272	-11%		
Not	215 Lexington	$1,072		$3,468	-$2,559	-$5,000			$228,180	-7%		
											-11%	

This set of matched pairs shows a minor negative impact for this property. I was unable to confirm the sales price or conditions of this sale. The best indication of value is based on 215 Lexington, which required the least adjusting and supports a -7% impact.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	350 Claiborne	1.00	7/20/2018	$245,000	2002	1,688	$145.14	3/3	2-Car	Ranch	Brick
	Not	460 Claiborne	0.31	1/3/2019	$229,000	2007	1,446	$158.37	3/2	2-Car	Ranch	Brick
	Not	2160 Sherman	1.46	6/1/2019	$265,000	2005	1,735	$152.74	3/3	2-Car	R/FBsmt	Brick
	Not	215 Lexington	1.00	7/27/2018	$231,200	2000	1,590	$145.41	5/4	2-Car	Ranch	Brick

Adjustments

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff	Distance
Adjoins	350 Claiborne								$245,000			720
Not	460 Claiborne	-$3,223		-$5,725	$30,660	$5,000			$255,712	-4%		
Not	2160 Sherman	-$7,057		-$3,975	-$5,743				$248,225	-1%		
Not	215 Lexington	-$136		$2,312	$11,400	-$5,000			$239,776	2%		
											-1%	

This set of matched pairs shows a no negative impact for this property. The range of adjusted impacts is -4% to +2%. The best indication is -1%, which as described above is within the typical market static and supports no impact on adjoining property value.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	370 Claiborne	1.06	8/22/2019	$273,000	2005	1,570	$173.89	4/3	2-Car	2-Story	Brick
	Not	2160 Sherman	1.46	6/1/2019	$265,000	2005	1,735	$152.74	3/3	2-Car	R/FBsmt	Brick
	Not	2290 Dry	1.53	5/2/2019	$239,400	1988	1,400	$171.00	3/2.5	2-Car	R/FBsmt	Brick
	Not	125 Lexington	1.20	4/17/2018	$240,000	2001	1,569	$152.96	3/3	2-Car	Split	Brick

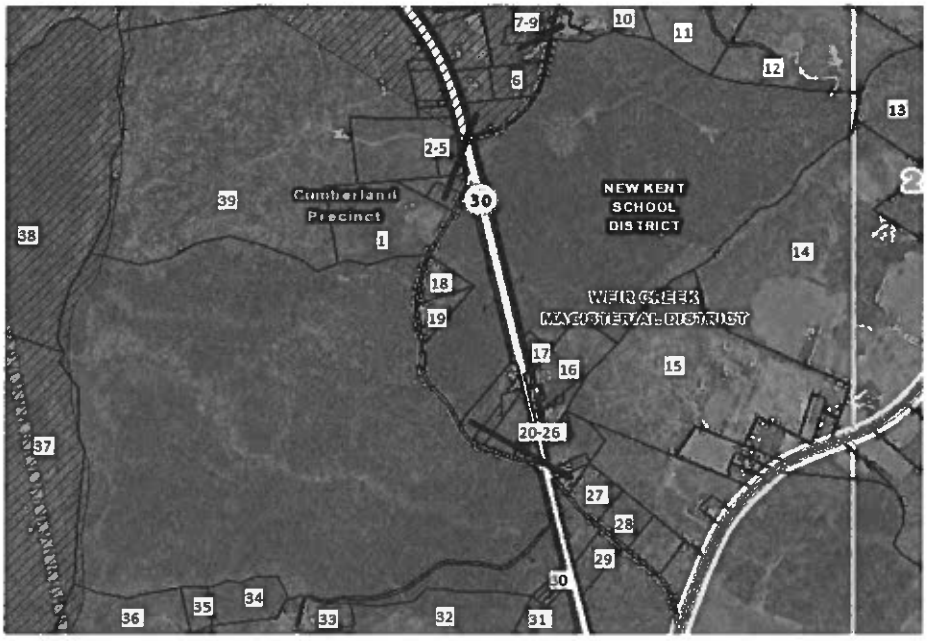
Adjustments

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff	Distance
Adjoins	370 Claiborne								$273,000			930
Not	2160 Sherman	$1,831		$0	-$20,161				$246,670	10%		
Not	2290 Dry	$2,260		$20,349	$23,256	$2,500			$287,765	-5%		
Not	125 Lexington	$9,951		$4,800					$254,751	7%		
											4%	

This set of matched pairs shows a positive negative impact for this property. The range of adjusted impacts is -5% to +10%. The best indication is +7%. I typically consider measurements of +/-5% to be within the typical static of real estate transactions. This indication is higher than that and suggests a positive relationship.

The four matched pairs considered in this analysis includes two that show no impact on value, one that shows a negative impact on value, and one that shows a positive impact. The negative indication supported by one matched pair is -7% and the positive impact of another is +7%. The two neutral indications show impacts of -1% and +3%. The average indicated impact is +1% when all four of these indicators are blended.

32. Matched Pair – Walker-Correctional Solar, Barham Road, Barhamsville, VA



This project was built in 2017 and located on 484.65 acres for a 20 MW with the closest home at 110 feet from the closest solar panel with an average distance of 500 feet.

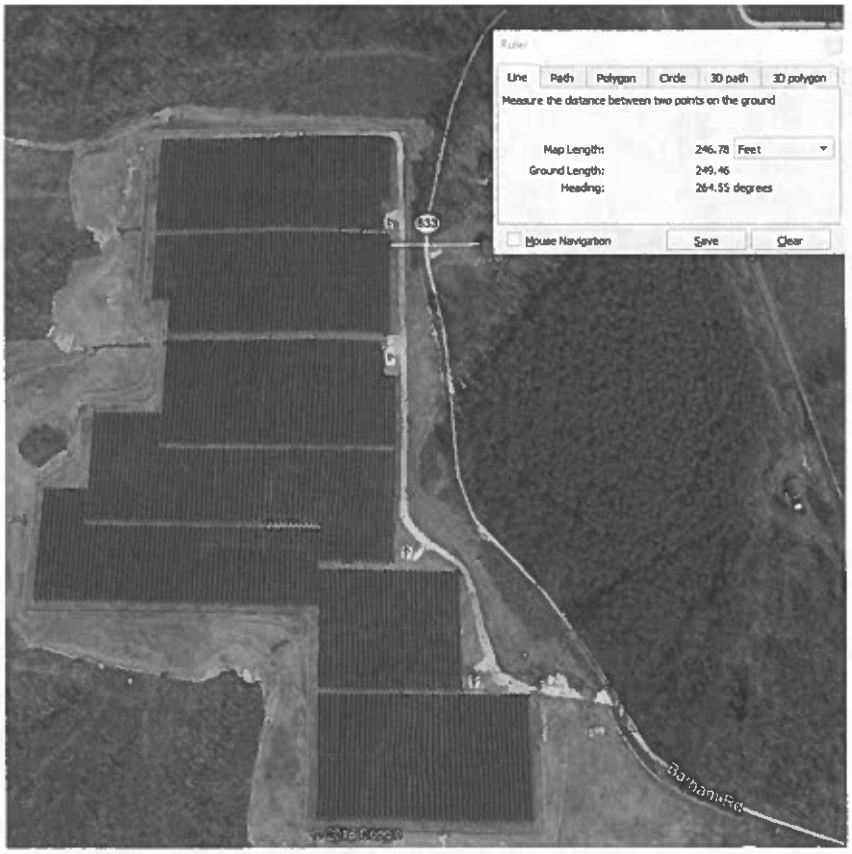
I considered the recent sale identified on the map above as Parcel 19, which is directly across the street and based on the map shown on the following page is 250 feet from the closest panel. A limited buffering remains along the road with natural growth being encouraged, but currently the panels are visible from the road. Alex Uminski, SRA with MGMiller Valuations in Richmond VA confirmed this sale with the buying and selling broker. The selling broker indicated that the solar farm was not a negative influence on this sale and in fact the buyer noticed the solar farm and then discovered the listing. The privacy being afforded by the solar farm was considered a benefit by the buyer. I used a matched pair analysis with a similar sale nearby as shown below and found no negative impact on the sales price. Property actually closed for more than the asking price.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
Adjoins	5241 Barham	2.65	10/18/2018	$264,000	2007	1,660	$159.04	3/2	Drive	Ranch	Modular
Not	17950 New Kent	5.00	9/5/2018	$290,000	1987	1,756	$165.15	3/2.5	3 Gar	Ranch	
Not	9252 Ordinary	4.00	6/13/2019	$277,000	2001	1,610	$172.05	3/2	1.5-Gar	Ranch	
Not	2416 W Miller	1.04	9/24/2018	$299,000	1999	1,864	$160.41	3/2.5	Gar	Ranch	

Adjoining Sales Adjusted

Solar	Address	Time	Ac/Loc	YB	GLA	BR/BA	Park	Other	Total	% Diff	Dist
Adjoins	5241 Barham								$264,000		250
Not	17950 New Kent		-$8,000	$29,000	-$4,756	-$5,000	-$20,000	-$15,000	$266,244	-1%	
Not	9252 Ordinary	-$8,310	-$8,000	$8,310	$2,581		-$10,000	-$15,000	$246,581	7%	
Not	2416 W Miller		$8,000	$11,960	-$9,817	-$5,000	-$10,000	-$15,000	$279,143	-6%	
								Average Diff		0%	



I also spoke with Patrick W. McCrerey of Virginia Estates who was marketing a property that sold at 5300 Barham Road adjoining the Walker-Correctional Solar Farm. He indicated that this property was unique with a home built in 1882 and heavily renovated and updated on 16.02 acres. The solar farm was through the woods and couldn't be seen by this property and it had no impact on marketing this property. This home sold on April 26, 2017 for $358,000. I did not set up any matched pairs for this property as it was such a unique property that any such comparison would be difficult to rely on. The broker's comments do support the assertion that the adjoining solar farm had no impact on value. The home in this case was 510 feet from the closest panel.

33. Matched Pair – Innovative Solar 46, Roslin Farm Rd, Hope Mills, NC



This project was built in 2016 and located on 532 acres for a 78.5 MW solar farm with the closest home at 125 feet from the closest solar panel with an average distance of 423 feet.

I considered the recent sale of a home on Roslin Farm Road just north of Running Fox Road as shown below. This sale supports an indication of no impact on property value.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
Adjoins	6849 Roslin Farm	1.00	2/18/2019	$155,000	1967	1,610	$96.27	3/3	Drive	Ranch	Brick	435
Not	6592 Sim Canady	2.43	9/5/2017	$185,000	1974	2,195	$84.28	3/2	Gar	Ranch	Brick	
Not	1614 Joe Hall	1.63	9/3/2019	$145,000	1974	1,674	$86.62	3/2	Det Gar	Ranch	Brick	
Not	109 Bledsoe	0.68	1/17/2019	$150,000	1973	1,663	$90.20	3/2	Gar	Ranch	Brick	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	6849 Roslin Farm								$155,000		5%
Not	6592 Sim Canady	$8,278		-$6,475	-$39,444	$10,000	-$5,000		$152,359	2%	
Not	1614 Joe Hall	-$2,407		-$5,075	-$3,881	$10,000	-$2,500		$141,137	9%	
Not	109 Bledsoe	$404	$10,000	-$4,500	-$3,346		-$5,000		$147,558	5%	

34. Matched Pair – Innovative Solar 42, County Line Rd, Fayetteville, NC



This project was built in 2017 and located on 413.99 acres for a 71 MW with the closest home at 135 feet from the closest solar panel with an average distance of 375 feet.

I considered the recent sales identified on the map above as Parcels 2 and 3, which is directly across the street these homes are 330 and 340 feet away. Parcel 2 includes an older home built in 1976, while Parcel 3 is a new home built in 2019. So the presence of the solar farm had no impact on new construction in the area.

The matched pairs for each of these are shown below followed by a more recent map showing the panels at this site.

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
Adjoins	2923 County Ln	8.98	2/28/2019	$385,000	1976	2,905	$132.53	3/3	2-Car	Ranch	Brick/Pond	340
Not	1928 Shaw Mill	17.00	7/3/2019	$290,000	1977	3,001	$96.63	4/4	2-Car	Ranch	Brick/Pond/Rental	
Not	2109 John McM.	7.78	4/25/2018	$320,000	1978	2,474	$129.35	3/2	Det Gar	Ranch	Vinyl/Pool,Stable	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	2923 County Ln								$385,000		3%
Not	1928 Shaw Mill	-$3,055	$100,000	-$1,450	-$7,422	-$10,000			$368,074	4%	
Not	2109 John McM.	$8,333		-$3,200	$39,023	$10,000		$5,000	$379,156	2%	

Adjoining Residential Sales After Solar Farm Approved

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
Adjoins	2935 County Ln	1.19	6/18/2019	$266,000	2019	2,401	$110.79	4/3	Gar	2-Story		330
Not	3005 Hemingway	1.17	5/16/2019	$269,000	2018	2,601	$103.42	4/3	Gar	2-Story		
Not	7031 Glynn Mill	0.60	5/8/2018	$255,000	2017	2,423	$105.24	4/3	Gar	2-Story		
Not	5213 Bree Brdg	0.92	5/7/2019	$260,000	2018	2,400	$108.33	4/3	3-Gar	2-Story		

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	2935 County Ln								$266,000		3%
Not	3005 Hemingway	$748		$1,345	-$16,547				$254,546	4%	
Not	7031 Glynn Mill	$8,724		$2,550	-$1,852				$264,422	1%	
Not	5213 Bree Brdg	$920		$1,300	$76			-$10,000	$252,296	5%	

Both of these matched pairs adjust to an average of +3% on impact for the adjoining solar farm, meaning there is a slight positive impact due to proximity to the solar farm. This is within the standard +/- of typical real estate transactions, which strongly suggests no impact on property value. I noted specificically that for 2923 County Line Road, the best comparable is 2109 John McMillan as it does not have the additional rental unit on it. I made no adjustment to the other sale for the value of that rental unit, which would have pushed the impact on that comparable downward – meaning there would have been a more significant positive impact.



35. Matched Pair – Demille Solar, Demille Road, Lapeer, MI



This solar farm is located on 160 acres of a parent tract assemblage of 311.40 acres with a 28.4 MW output. This was built in 2017.

I have identified several home sales adjoining this solar farm at the southeast corner where the red line shows adjoining Parcels 5 through 17 on the map above.

The first is Parcel 8 in the map above, 1120 Don Wayne Drive, that sold in August 2019. I have compared this to multiple home sales as shown below. I consider 1231 Turrill to be the best comparable of this set as it required the least adjustment and was the most similar in size, age, and date of sale.

Adjoining Residential Sales After Solar Farm Built

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Dist.
Adjoins	1120 Don Wayne	0.47	8/28/2019	$194,000	1976	1,700	$114.12	3/3.5	2-Car	Ranch	Brick/FinBsmt	310
Not	1127 Don Wayne	0.51	9/23/2019	$176,900	1974	1,452	$121.83	3/2	2-Car	Ranch	Brick/Ufin Bsmt	
Not	1231 Turrill	1.21	4/25/2019	$182,000	1971	1,560	$116.67	3/2	2-Car	Ranch	Brick/Wrkshp	
Not	1000 Baldwin	3.11	8/1/2017	$205,000	1993	1,821	$112.58	3/2.5	2-Car	Ranch	Vinyl	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	1120 Don Wayne								$194,000		-1%
Not	1127 Don Wayne	-$258		$1,769	$24,171	$10,000			$212,582	-10%	
Not	1231 Turrill	$1,278	-$10,000	$4,550	$13,067	$10,000			$200,895	-4%	
Not	1000 Baldwin	$8,718	-$20,000	-$17,425	-$10,897	$10,000			$175,396	10%	

Next I considered Parcel 9, 1126 Don Wayne Drive, which I have compared to two similar home sales nearby that are not adjoining a solar farm as shown below. This home sold in May 2018 after the solar farm was built.

Adjoining Residential Sales After Solar Farm Built

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Dist.
Adjoins	1126 Don Wayne	0.47	5/16/2018	$160,000	1971	1,900	$84.21	3/2.5	2-Car	Ranch	Brick,FinBsmt	310
Not	70 Sterling Dr	0.32	8/2/2018	$137,500	1960	1,800	$76.39	3/1.5	1-Car	Ranch	Brick	
Not	3565 Garden Dr	0.34	5/15/2019	$165,000	1960	2,102	$78.50	3/1.5	2-Car	Ranch	Brick	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	1126 Don Wayne								$160,000		-3%
Not	70 Sterling Dr	-$603		$7,563	$6,111	$10,000	$5,000		$165,571	-3%	
Not	3565 Garden Dr	-$3,374		$9,075	-$12,685	$5,000			$163,016	-2%	

Next I looked at Parcel 11, 1138 Don Wayne Drive, that sold in August 2019. I have compared this to three similar sales as shown below. I attributed no value to the pool at 1138 Don Wayne Drive.

Adjoining Residential Sales After Solar Farm Built

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Dist.
Adjoins	1138 Don Wayne	0.47	8/28/2019	$191,000	1975	2,128	$89.76	4/1.5	2-Car	2-Story	Brick	380
Not	1331 W Genessee	0.45	10/25/2019	$160,707	1940	1,955	$82.20	4/1.5	Drive	1.5 Story	Vinyl/UnBsmt	
Not	1128 Gwen Dr	0.47	8/24/2018	$187,500	1973	2,040	$91.91	3/2.5	2-Car	2 Story	Brick/UnBsmt	
Not	1227 Oakridge	1.05	6/11/2017	$235,000	1980	2,500	$94.00	4/2.5	2-Car	2 Story	Brk/PFinBsmt	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	1138 Don Wayne								$191,000		-1%
Not	1331 W Genessee	-$524		$16,874	$11,377		$10,000		$198,434	-4%	
Not	1128 Gwen Dr	$3,887		$1,875	$6,471	-$10,000			$189,733	1%	
Not	1227 Oakridge	$10,667	-$10,000	-$5,875	-$27,974	-$10,000			$191,818	0%	

Parcel 13, 1168 Alice Drive, sold in October 2019. I spoke with Tanya Biernat the buyer's agent who handled that sale and she indicated that the property was placed on the market below market for a fast sale by the sellers. The buyers expressed no concern regarding the adjacent solar farm and it had no impact on marketing or selling the property, though it did sell for a low price. I also spoke with Chantel Fink's office, the selling agent. They confirmed that the solar farm was not an issue in the sales price or marketing of the property. Given that this sale was noted as below market for a fast sale, I have not attempted to set it up as a matched pair.

Parcel 14, 1174 Alice Drive, sold in January 2019. I have compared that sale to three similar properties as shown below. I included 1135 Gwen Drive as a nearby comparable, but it is not a good comparable. According to the broker, Paul Coulter, that home had many recent and significant upgrades that made it superior to similar housing in the neighborhood. It is notably the highest sales price in the neighborhood. I have shown that one but I made no adjustment for those upgrades, but I won't rely on that sale for the matched pairs. I consider the 1127 Don Wayne Drive comparable to be a more reasonable comparison. I spoke with Chris Fergurson the broker for that sale who confirmed that it was arm's length and that while across Don Wayne Drive from the homes that adjoin the solar farm, this home had no view of the solar farm and was not an issue in marketing this home.

Adjoining Residential Sales After Solar Farm Built

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Dist.
Adjoins	1174 Alice Dr	0.54	1/14/2019	$165,000	1973	1,400	$117.86	3/1.5	2-Car	Ranch	Brick/Fin Bsmt	280
Not	1127 Don Wayne	0.51	9/23/2019	$176,900	1974	1,452	$121.83	3/2	2-Car	Ranch	Brick/Ufin Bsmt	
Not	1135 Gwen Dr	0.43	7/26/2019	$205,000	1967	1,671	$122.68	3/2	2-Car	Ranch	Brick/Ufin Bsmt	
Not	1160 Beth Dr	0.46	6/20/2019	$147,500	1970	1,482	$99.53	4/1.5	2-Car	Ranch	Brick/Fin Bsmt	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	1174 Alice Dr								$165,000		2%
Not	1127 Don Wayne	-$2,504		-$885	-$5,068	-$5,000			$163,443	1%	
Not	1135 Gwen Dr	-$2,223		$6,150	-$26,597	-$5,000			$177,330	-7%	
Not	1160 Beth Dr	-$1,301		$2,213	-$6,529				$141,883	14%	

The four matched pairs identified show a range of -3% to +2% based on the average difference for each set of matched pairs. This is a very similar range I have found in most sales adjoining solar farms and strongly supports the assertion that the solar farm is not having a negative impact on adjoining property values.

Furthermore, two brokers active in the sale of a home adjoining the solar farm both confirmed that Parcel 13 was not impacted by the presence of the solar farm on the adjacent tract.

36. Matched Pair – Turrill Solar, Turrill Road, Lapeer, MI



This solar farm is located on approximately 230 acres with a 19.6 MW output. This was built in 2017.

I have identified several home sales adjoining this solar farm on the west side of this solar farm on Cliff Drive.

The first is 1060 Cliff Drive that sold in September 2018. I compared this to multiple nearby home sales as shown below.

Adjoining Residential Sales After Solar Farm Built

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
Adjoins	1060 Cliff Dr	1.03	9/14/2018	$200,500	1970	2,114	$94.84	4/2.5	2-Car	2 Story	Brick	290
Not	1331 W Genessee	0.45	10/25/2019	$160,707	1940	1,955	$82.20	4/1.5	Drive	1.5 Story	Vinyl/Unfin Bsmt	
Not	1128 Gwen Dr	0.47	8/24/2018	$187,500	1973	2,040	$91.91	3/2.5	2-Car	2 Story	Brick/Unfin Bsmt	
Not	1227 Oakridge	1.05	6/11/2017	$235,000	1980	2,500	$94.00	4/2.5	2-Car	2 Story	Brk/Prt Fin Bsmt	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	1060 Cliff Dr								$200,500		-2%
Not	1331 W Genessee	-$3,666	$10,000	$14,464	$10,456	$10,000	$10,000		$211,961	-6%	
Not	1128 Gwen Dr	$221	$10,000	-$2,813	$5,441				$200,350	0%	
Not	1227 Oakridge	$6,073		-$11,750	-$29,027				$200,296	0%	

Next I considered 1040 Cliff Drive as shown below. Comparing to the 1127 Don Wayne Drive, I show no impact. I included 1135 Gwen Drive as a nearby comparable, but it is not a good comparable. According to the broker, Paul Coulter, that home had many recent and significant upgrades that made it superior to similar housing in the neighborhood. It is notably the highest sales price in the neighborhood. I have shown that one but I made no adjustment for those upgrades, but I won't rely on that sale for the matched pairs. This leaves 1127 Don Wayne Drive which shows no impact and 1160 Beth Drive, which had the fewest adjustments shows a 12% premium or enhancement for adjoining the solar farm. I consider the Don Wayne Drive match up to be the better of these two comparables even with a higher number of adjustments.

Adjoining Residential Sales After Solar Farm Built

Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other	Distance
Adjoins	1040 Cliff Dr	1.03	6/29/2017	$145,600	1960	1,348	$108.01	3/1.5	3-Car	Ranch	Brick/Wrkshp	255
Not	1127 Don Wayne	0.51	9/23/2019	$176,900	1974	1,452	$121.83	3/2	2-Car	Ranch	Brick/Ufin Bsmt	
Not	1135 Gwen Dr	0.43	7/26/2019	$205,000	1967	1,671	$122.68	3/2	2-Car	Ranch	Brick/Ufin Bsmt	
Not	1160 Beth Dr	0.46	6/20/2019	$147,500	1970	1,482	$99.53	4/1.5	2-Car	Ranch	Brick/Fin Bsmt	

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	1040 Cliff Dr								$145,600		1%
Not	1127 Don Wayne	-$8,110		-$12,383	-$10,136	-$5,000	$5,000		$146,271	0%	
Not	1135 Gwen Dr	-$8,718		-$7,175	-$31,701	-$5,000	$5,000		$157,406	-8%	
Not	1160 Beth Dr	-$5,975		-$7,375	-$10,669		$5,000		$128,481	12%	

The two matched pairs identified show a range of -2% to +1% based on the average difference for each set of matched pairs. This is a very similar range I have found in most sales adjoining solar farms and strongly supports the assertion that the solar farm is not having a negative impact on adjoining property values.

37. Matched Pair – Sunfish Farm, Keenebec Rd, Willow Spring, NC



This project was built in 2015 and located on 49.6 acres (with an inset 11.25 acre parcel) for a 6.4 MW project with the closest home at 135 feet with an average distance of 105 feet.

I considered the 2017 sale identified on the map above, which is 205 feet away from the closest panel. The matched pairs for each of these are shown below followed by a more recent map showing the panels at this site. The average difference in the three comparables and the subject property is +3% after adjusting for differences in the sales date, year built, gross living area, and other minor differences. This data is supported by the comments from the broker Brian Schroepfer with Keller Williams that the solar farm had no impact on the purchase price.

Adjoining Residential Sales After Solar Farm Approved

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style
	Adjoins	7513 Glen Willow	0.79	9/1/2017	$185,000	1989	1,492	$123.99	3/2	Gar	BR/Rnch
	Not	2968 Tram	0.69	7/17/2017	$155,000	1984	1,323	$117.16	3/2	Drive	BR/Rnch
	Not	205 Pine Burr	0.97	12/29/2017	$191,000	1991	1,593	$119.90	3/2.5	Drive	BR/Rnch
	Not	1217 Old Honeycutt	1.00	12/15/2017	$176,000	1978	1,558	$112.97	3/2.5	2Carprt	VY/Rnch

Adjustments

Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
Adjoins	7513 Glen Willow								$185,000		
Not	2968 Tram	$601		$3,875	$15,840		$10,000		$185,316	0%	
Not	205 Pine Burr	-$1,915		-$1,910	-$9,688	-$5,000			$172,487	7%	
Not	1217 Old Honeycut	-$1,557		$9,680	-$5,965	-$5,000		$5,280	$178,438	4%	
											3%

38. Matched Pair – HCE Johnston I, LLC, Benson, NC



This 2.6 MW project was built in 2015 and located on 30.55 acres.

There is a new subdivision that was developed in 2019 just north of this solar farm called Reese's Ridge. This location is near the McGees Crossroads near Mount Pleasant Road. As can be seen in the map below, the adjoining land to the north of this solar farm was purchased in 2017 and subdivided as Reese Ridge with 0.49 to 0.53 acre lots. Most of the trees on this site were cleared as part of the development with a single row of pine trees retained as a buffer along the solar farm. The first six lots on the south side of Reese Drive are around 115 feet from the center point in the lot to the nearest solar farm panel. This tract of land was purchased on September 7, 2017 for $925,000 for 42.388 acres, or $21,822 per acre.

The proposed homes will be custom homes starting at $330,000. County water is available and the homes will use individual septic tanks. I spoke with Amanda with The Rodney Carroll Team who is marketing the homes and she indicated that 7 custom home builders had a lottery to purchase all of the lots.

Three different builders have purchased lots adjoining the solar farm for $60,000 each. Similar lots across Reese Drive and further from the solar farm are selling at the same $60,000 each. At

$60,000 this indicates a lot-to-home ratio of 18%, which is typical for new home construction in the county where there is no amenity package.



Since then a home was built and then sold at 63 Reese Drive, which is two lots off of NC 50 and backs up to the solar farm. Similarly, 107 Reese Drive which is six lots off of NC 50 and backs up to the solar farm. I have considered both of these for matched pairs as shown below.

Adjoining Residential Sales After Solar Farm Built

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	107 Reese Drive	0.69	11/27/2019	$393,000	2019	2,960	$132.77	3/3	2-Car	1.5 Vinyl	
	Not	200 Reese Drive	0.44	2/19/2020	$400,000	2019	3,209	$124.65	3/2.5	2-Car	1.5 Batten/Stone	
	Not	35 Pawnee Pl	0.65	5/30/2018	$325,000	2017	2,609	$124.57	4/3	2-Car	1.5 Vinyl/Stone	
	Not	278 Timber Wolf	0.88	1/24/2020	$367,443	2019	2,983	$123.18	3/3	2-Car	1.5 Vinyl/Stone	

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	107 Reese Drive								$393,000		5%
	Not	200 Reese Drive	-$2,831		$0	-$24,830	$5,000			$377,338	4%	
	Not	35 Pawnee Pl	$14,954		$3,250	$34,979				$378,183	4%	
	Not	278 Timber Wolf	-$1,796		$0	-$2,266				$363,381	8%	

Adjoining Residential Sales After Solar Farm Built

Parcel	Solar	Address	Acres	Date Sold	Sales Price	Built	GBA	$/GBA	BR/BA	Park	Style	Other
	Adjoins	63 Reese Drive	0.45	3/24/2020	$410,000	2019	3,240	$126.54	4/3	2-Car	Ranch/Wd	
	Not	200 Reese Drive	0.44	2/19/2020	$400,000	2019	3,209	$124.65	3/2.5	2-Car	1.5 Batten/Stone	
	Not	320 Wolf Den	0.97	9/27/2019	$377,780	2019	3,122	$121.01	4/3	2-Car	1.5 Vinyl/Stone	
	Not	37 Makers Way	0.59	5/29/2019	$373,508	2019	3,122	$119.64	4/3	3-Car	1.5 Vinyl/Stone	

	Solar	Address	Time	Site	YB	GLA	BR/BA	Park	Other	Total	% Diff	Avg % Diff
	Adjoins	63 Reese Drive								$410,000		3%
	Not	200 Reese Drive	$1,146		$0	$2,705	$5,000			$408,851	0%	
	Not	320 Wolf Den	$5,699		$0	$9,995				$393,474	4%	
	Not	37 Makers Way	$9,443		$0	$9,882		-$5,000		$387,833	5%	

After adjustments, the two sales support a conclusion of no impact on property value due to the solar farm. I spoke with Rodney Carroll the broker marketing the homes and he indicated that the solar farm had zero impact on the sales price and they were marketing it as the best neighbor you could have.

Conclusion

The solar farm matched pairs shown above have similar characteristics to each other in terms of population, with most of the projects being in areas with a 1-mile radius population under 1,000, but with several outliers showing solar farms in farm more urban areas. The population, income and housing data were derived using the SiteToDoBusiness demographic analysis tools.

The median income for the population within 1 mile of a solar farm is $63,665 with a median housing unit value of $252,841. Most of the comparables are under $350,000 in the home price, with $770,000 being the high end of the set of matched pairs. The adjoining uses show that residential and agricultural uses are the predominant adjoining uses.

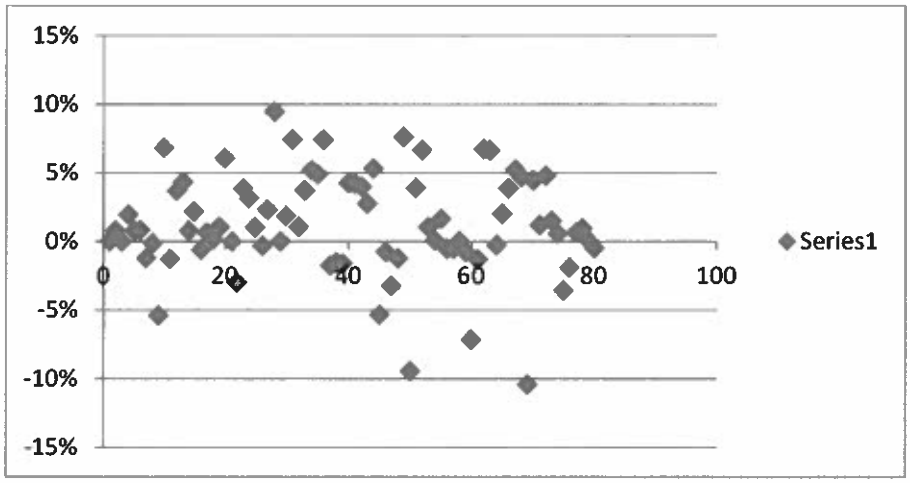
These figures are in line with the larger set of solar farms that I have looked at with the predominant adjoining uses being residential and agricultural and similar to the solar farm breakdown shown for New Jersey and the proposed subject property.

Matched Pair Summary							Adj. Uses By Acreage				1 mile Radius (2010-2019 Data)		
	Name	City	State	Acres	MW	Topo Shift	Res	Ag/Res	Ag	Com/Ind	Population	Med. Income	Avg. Housing Unit
1	AM Best	Goldsboro	NC	38	5.00	2	38%	23%	0%	39%	1,523	$37,358	$148,375
2	White Cross	Chapel Hill	NC	45	5.00	50	5%	51%	44%	0%	213	$67,471	$319,929
3	Wagstaff	Roxboro	NC	30	5.00	46	7%	89%	4%	0%	336	$41,368	$210,723
4	Mulberry	Selmer	TN	160	5.00	60	13%	10%	73%	3%	467	$40,936	$171,746
5	Nixon's	W. Friendship	MD	97	2.00	40	79%	4%	17%	0%	939	$166,958	$770,433
6	Leonard	Hughesville	MD	47	5.00	20	18%	0%	75%	6%	525	$106,550	$350,000
7	Talbot	Easton	MD	50	0.55	0	81%	0%	19%	0%	536	$47,136	$250,595
8	Alamo II	Converse	TX	98	4.40	30	95%	0%	5%	0%	9,257	$62,363	$138,617
9	Gastonia SC	Gastonia	NC	35	5.00	48	33%	23%	0%	44%	4,689	$35,057	$126,562
10	Summit	Moyock	NC	2,034	80.00	4	4%	94%	0%	2%	382	$79,114	$281,731
11	White Cross II	Chapel Hill	NC	34	2.80	35	25%	75%	0%	0%	213	$67,471	$319,929
12	Tracy	Bailey	NC	50	5.00	10	29%	71%	0%	0%	312	$43,940	$99,219
13	Manatee	Parrish	FL	1,180	75.00	20	2%	1%	97%	0%	48	$75,000	$291,667
14	McBride	Midland	NC	627	75.00	140	12%	78%	10%	0%	398	$63,678	$256,306
15	Yamhill II	Amity	OR	186	1.20	20	2%	0%	97%	1%	97	$58,248	$342,391
16	Marion	Aurora	OR	32	0.30	0	2%	37%	61%	0%	267	$75,355	$370,833
17	Clackamas II	Aurora	OR	156	0.22	0	7%	25%	68%	0%	3,062	$70,911	$464,501
18	Grand Ridge	Streator	IL	160	20.00	1	8%	5%	87%	0%	96	$70,158	$187,037
19	Portage	Portage	IN	56	2.00	0	19%	0%	81%	0%	6,642	$65,695	$186,463
20	Dominion	Indianapolis	IN	134	8.60	20	3%	0%	97%	0%	3,774	$61,115	$167,515
21	Beetle-Shelby	Shelby	NC	24	4.00	52	22%	0%	77%	1%	218	$53,541	$192,692
22	Courthouse	Bessemer	NC	52	5.00	150	48%	52%	0%	0%	551	$45,968	$139,404
23	Mariposa	Stanley	NC	36	5.00	96	48%	52%	0%	0%	1,716	$36,439	$137,884
24	Clarke Cnty	White Post	VA	234	20.00	70	14%	46%	39%	1%	578	$81,022	$374,453
25	Flemington	Flemington	NJ	120	9.36	N/A	13%	28%	50%	8%	3,477	$105,714	$444,696
26	Frenchtown	Frenchtown	NJ	139	7.90	N/A	37%	29%	35%	0%	457	$111,562	$515,399
27	McGraw	East Windsor	NJ	95	14.00	N/A	27%	0%	44%	29%	7,684	$78,417	$362,428
28	Tinton Falls	Tinton Falls	NJ	100	16.00	N/A	98%	0%	0%	2%	4,667	$92,346	$343,492
29	Simon	Social Circle	GA	237	30.00	71	1%	36%	63%	0%	203	$76,155	$269,922
30	Candace	Princeton	NC	54	5.00	22	76%	0%	24%	0%	448	$51,002	$107,171
31	Crittenden	Crittenden	KY	34	2.70	40	22%	27%	51%	0%	1,419	$60,198	$178,643
32	Walker	Barhamsville	VA	485	20.00	N/A	12%	20%	68%	0%	203	$80,773	$320,076
33	Innov 46	Hope Mills	NC	532	78.50	0	17%	0%	83%	0%	2,247	$58,688	$183,435
34	Innov 42	Fayetteville	NC	414	71.00	0	41%	0%	59%	0%	568	$60,037	$276,347
35	Demille	Lapeer	MI	160	28.40	10	10%	0%	68%	22%	2,010	$47,208	$187,214
36	Turrill	Lapeer	MI	230	19.60	10	75%	0%	59%	25%	2,390	$46,839	$110,361
37	Sunfish	Willow Spring	NC	50	6.40	30	35%	30%	35%	0%	1,515	$63,652	$253,138
38	HCE Johnston	Benson	NC	30	2.60	0	55%	45%	0%	0%	1,169	$65,482	$252,544
	Average			218	17.17	33	30%	25%	42%	5%	1,718	$67,130	$265,891
	Median			98	5.00	20	21%	22%	44%	0%	560	$63,665	$252,841
	High			2,034	80.00	150	98%	94%	97%	44%	9,257	$166,958	$770,433
	Low			24	0.22	0	1%	0%	0%	0%	48	$35,057	$99,219
	Windsor		VA	761	85	30	8%	21%	71%	0%	89	$58,333	$295,536

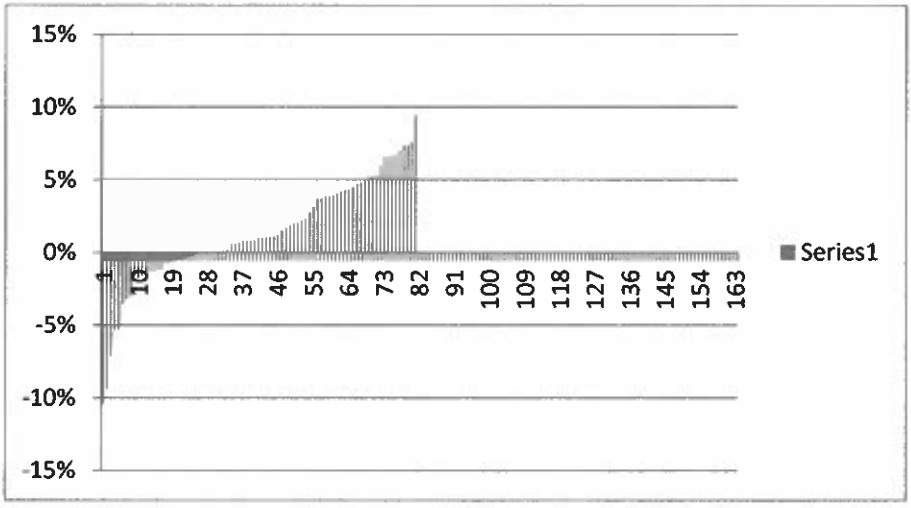
I have pulled 83 matched pairs from the above referenced solar farms to provide the following summary of home sale matched pairs and land sales next to solar farms. The summary shows that the range of differences is from -10% to +9% with an average of +1% and median of +1%. This means that the average and median impact is for a slight positive impact due to adjacency to a solar farm. However, this 1% rate is within the typical variability I would expect from real estate. I therefore conclude that this data shows no negative or positive impact due to adjacency to a solar farm.

Similarly, the 10 land sales shows a median impact of 0% due to adjacency to a solar farm. The range of these adjustments range from -12% to +17%. Land prices tend to vary more widely than residential homes, which is part of that greater range. I consider this data to support no negative or positive impact due to adjacency to a solar farm.

While the range is seemingly wide, the graph below clearly shows that the vast majority of the data falls between -5% and +5% and most of those are clearly in the 0 to +5% range.



Arranging the data points in order of impact, I get the following chart that shows only 3 matched pairs out of 83 identifying impacts greater than -5% and only 18 more out of 83 between -5% and 0. This leaves 62 out of 83 matched pairs showing positive impacts from 0 to +9%, or 75% of the total matched pairs. However, given that +/- 5% is considered no impact, that would include 70 of the 83 matched pairs, or 84% of the findings supporting a finding of no impact. The other readings are considered outliers with only 3 suggesting a negative impact and 10 suggesting a positive impact.



Residential Dwelling Matched Pairs Adjoining Solar Farms

Pair	Solar Farm	City	State	Area	MW	Approx Distance	Tax ID/Address	Sale Date	Sale Price	Adj. Sale Price	% Diff
1	AM Best	Goldsboro	NC	Suburban	5	280	3600195570	Sep-13	$250,000		
							3600198928	Mar-14	$250,000	$250,000	0%
2	AM Best	Goldsboro	NC	Suburban	5	280	3600195361	Sep-13	$260,000		
							3600194813	Apr-14	$258,000	$258,000	1%
3	AM Best	Goldsboro	NC	Suburban	5	280	3600199891	Jul-14	$250,000		
							3600198928	Mar-14	$250,000	$250,000	0%
4	AM Best	Goldsboro	NC	Suburban	5	280	3600198632	Aug-14	$253,000		
							3600193710	Oct-13	$248,000	$248,000	2%
5	AM Best	Goldsboro	NC	Suburban	5	280	3600196656	Dec-13	$255,000		
							3601105180	Dec-13	$253,000	$253,000	1%
6	AM Best	Goldsboro	NC	Suburban	5	280	3600182511	Feb-13	$247,000		
							3600183905	Dec-12	$240,000	$245,000	1%
7	AM Best	Goldsboro	NC	Suburban	5	280	3600182784	Apr-13	$245,000		
							3600193710	Oct-13	$248,000	$248,000	-1%
8	AM Best	Goldsboro	NC	Suburban	5	280	3600195361	Nov-15	$267,500		
							3600195361	Sep-13	$260,000	$267,800	0%
9	Mulberry	Selmer	TN	Rural	5	400	0900A011	Jul-14	$130,000		
							099CA043	Feb-15	$148,900	$136,988	-5%
10	Mulberry	Selmer	TN	Rural	5	400	099CA002	Jul-15	$130,000		
							0990NA040	Mar-15	$120,000	$121,200	7%
11	Mulberry	Selmer	TN	Rural	5	480	491 Dusty	Oct-16	$176,000		
							35 April	Aug-16	$185,000	$178,283	-1%
12	Mulberry	Selmer	TN	Rural	5	650	297 Country	Sep-16	$150,000		
							53 Glen	Mar-17	$126,000	$144,460	4%
13	Mulberry	Selmer	TN	Rural	5	685	57 Cooper	Feb-19	$163,000		
							191 Amelia	Aug-18	$132,000	$155,947	4%
14	Pine Valley	West End	NC	Rural	5	175	16893	Aug-16	$66,000		
							16897	Aug-16	$59,000	$65,490	1%
15	Nixon's	W. Friendship	MD	Rural	2	660	12909 Vistaview	Sep-14	$775,000	$771,640	
							2712 Friendship Farm	Jun-14	$690,000	$755,000	2%
16	Leonard Rd	Hughesville	MD	Rural	5.5	230	14595 Box Elder	Feb-16	$291,000		
							15313 Bassford Rd	Jul-16	$329,800	$292,760	-1%
17	Talbot Cnty	Easton	MD	Rural	0.55	1000	10193 Hiners	Oct-12	$136,092		
							10711 Hiners	Dec-12	$135,000	$135,250	1%
18	Alamo II	San Antonio	TX	Suburban	4.4	360	7703 Redstone Mnr	Mar-16	$166,000		
							7703 Redstone Mnr	Oct-12	$149,980	$165,728	0%
19	Alamo II	San Antonio	TX	Suburban	4.4	170	7807 Redstone Mnr	Aug-14	$147,000		
							7807 Redstone Mnr	May-12	$136,266	$145,464	1%
20	Alamo II	San Antonio	TX	Suburban	4.4	150	7734 Sundew Mist	Nov-14	$134,000		
							7734 Sundew Mist	May-12	$117,140	$125,928	6%
21	Neal Hawkins	Gastonia	NC	Suburban	5	275	139179	Mar-17	$270,000		
							139179	Mar-17	$270,000	$270,000	0%
22	Summit	Moyock	NC	Suburban	80	1,060	129 Pinto	Apr-16	$170,000		
							102 Timber	Apr-16	$175,500	$175,101	-3%
23	Summit	Moyock	NC	Suburban	80	2,020	105 Pinto	Dec-16	$206,000		
							127 Ranchland	Jun-15	$219,900	$198,120	4%
24	White Cross II	Chapel Hill	NC	Rural	2.8	1,479	2018 Elkins	Feb-16	$340,000		
							4200B Old Greensbor	Dec-15	$380,000	$329,438	3%
25	Tracy	Bailey	NC	Rural	5	780	9162 Winters	Jan-17	$255,000		
							7352 Red Fox	Jun-16	$176,000	$252,399	1%
26	Manatee	Parrish	FL	Rural	75	1180	13670 Highland	Aug-18	$255,000		
							13851 Highland	Sep-18	$240,000	$255,825	0%
27	McBride Place	Midland	NC	Rural	75	275	4380 Joyner	Nov-17	$325,000		
							3870 Elkwood	Aug-16	$250,000	$317,523	2%
28	Yamhill II	Amity	OR	Rural	1.2	700	12001 SW Bellerus	Jul-15	$326,456		
							9955 Bethel	Feb-16	$289,900	$295,593	9%
29	Clackamas II	Aurora	OR	Suburban	0.22	125	7620 SW Fairway	Jul-13	$365,000		
							7480 SW Fairway	Jun-13	$365,000	$365,000	0%
30	Clackamas II	Aurora	OR	Suburban	0.22	125	7700 SW Fairway	Jun-14	$377,100		
							7500 SW Fairway	Dec-11	$365,000	$370,175	2%
31	Clackamas II	Aurora	OR	Suburban	0.22	125	7380 SW Fairway	Jul-14	$415,000		
							7480 SW Fairway	Jun-13	$365,000	$384,345	7%

Pair	Solar Farm	City	State	Area	MW	Approx Distance	Tax ID/Address	Sale Date	Sale Price	Adj. Sale Price	% Diff
32	Grand Ridge	Streator	IL	Rural	20	480	1497 E 21st	Oct-16	$186,000		
							712 Columbus	Jun-16	$166,000	$184,000	1%
33	Portage	Portage	IN	Rural	2	1320	836 N 450 W	Sep-13	$149,800		
							336 E 1050 N	Jan-13	$155,000	$144,282	4%
34	Dominion	Indianapolis	IN	Rural	8.6	400	2013249 (Tax ID)	Dec-15	$140,000		
							5723 Minden	Nov-16	$139,900	$132,700	5%
35	Dominion	Indianapolis	IN	Rural	8.6	400	2013251 (Tax ID)	Sep-17	$160,000		
							5910 Mosaic	Aug-16	$146,000	$152,190	5%
36	Dominion	Indianapolis	IN	Rural	8.6	400	2013252 (Tax ID)	May-17	$147,000		
							5836 Sable	Jun-16	$141,000	$136,165	7%
37	Dominion	Indianapolis	IN	Rural	8.6	400	2013258 (Tax ID)	Dec-15	$131,750		
							5904 Minden	May-16	$130,000	$134,068	-2%
38	Dominion	Indianapolis	IN	Rural	8.6	400	2013260 (Tax ID)	Mar-15	$127,000		
							5904 Minden	May-16	$130,000	$128,957	-2%
39	Dominion	Indianapolis	IN	Rural	8.6	400	2013261 (Tax ID)	Feb-14	$120,000		
							5904 Minden	May-16	$130,000	$121,930	-2%
40	Beetle-Shelby	Mooresboro	NC	Rural	4	945	1715 Timber	Oct-18	$416,000		
							1021 Posting	Feb-19	$414,000	$398,276	4%
41	Courthouse	Bessemer	NC	Rural	5	375	2134 Tryon Court	Mar-17	$111,000		
							5550 Lennox	Oct-18	$115,000	$106,355	4%
42	Mariposa	Stanley	NC	Suburban	5	1155	215 Mariposa	Dec-17	$249,000		
							110 Airport	May-16	$166,000	$239,026	4%
43	Mariposa	Stanley	NC	Suburban	5	570	242 Mariposa	Sep-15	$180,000		
							110 Airport	Apr-16	$166,000	$175,043	3%
44	Clarke Cnty	White Post	VA	Rural	20	1230	833 Nations Spr	Jan-17	$295,000		
							541 Old Kitchen	Sep-18	$370,000	$279,313	5%
45	Flemington	Flemington	NJ	Suburban	9.36	295	10 Coventry	Mar-18	$370,000		
							1 Sheffield	Dec-17	$399,900	$389,809	-5%
46	Flemington	Flemington	NJ	Suburban	9.36	375	54 Hart	Jul-16	$420,000		
							43 Aberdeen	Nov-16	$417,000	$423,190	-1%
47	Flemington	Flemington	NJ	Suburban	9.36	425	6 Portsmith	Jun-15	$410,000		
							43 Aberdeen	Nov-16	$417,000	$423,190	-3%
48	Flemington	Flemington	NJ	Suburban	9.36	345	12 Stratford	Nov-17	$414,900		
							28 Bristol	Dec-18	$398,000	$420,002	-1%
49	Frenchtown	Frenchtown	NJ	Rural	7.9	250	5 Muddy Run	Jun-17	$385,000		
							132 Kingswood	Oct-16	$380,000	$355,823	8%
50	McGraw	East Windsor	NJ	Suburban	14	175	153 Wyndmoor	Apr-17	$215,000		
							20 Spyglass	Dec-17	$240,000	$235,305	-9%
51	McGraw	East Windsor	NJ	Suburban	14	175	149 Wyndmoor	May-17	$206,000		
							81 Wyndmoor	Jan-18	$204,000	$198,018	4%
52	McGraw	East Windsor	NJ	Suburban	14	400	26 Wilmor	Mar-19	$286,000		
							25 Pinehurst	May-19	$315,000	$267,052	7%
53	Tinton Falls	Tinton Falls	NJ	Suburban	16	185	111 Kyle	Aug-18	$402,000		
							80 Kyle	Sep-17	$410,000	$397,821	1%
54	Tinton Falls	Tinton Falls	NJ	Suburban	16	155	47 Kyle	Aug-18	$260,000		
							4 Michael	Nov-18	$260,000	$259,788	0%
55	Tinton Falls	Tinton Falls	NJ	Suburban	16	150	7 Kyle	Jun-17	$262,195		
							36 Kyle	Jan-19	$260,000	$257,824	2%
56	Tinton Falls	Tinton Falls	NJ	Suburban	16	155	1 Samantha	Sep-17	$258,205		
							36 Kyle	Jan-19	$260,000	$259,533	-1%
57	Tinton Falls	Tinton Falls	NJ	Suburban	16	155	1 Samantha	Sep-17	$258,205		
							36 Kyle	Jan-19	$260,000	$259,533	-1%
58	Candace	Princeton	NC	Suburban	5	488	499 Herring	Sep-17	$215,000		
							1795 Bay Valley	Dec-17	$194,000	$214,902	0%
59	Crittenden	Crittenden	KY	Suburban	2.7	373	250 Claiborne	Jan-19	$120,000		
							315 N Fork	May-19	$107,000	$120,889	-1%
60	Crittenden	Crittenden	KY	Suburban	2.7	488	300 Claiborne	Sep-18	$213,000		
							1795 Bay Valley	Dec-17	$231,200	$228,180	-7%

Pair	Solar Farm	City	State	Area	MW	Approx Distance	Tax ID/Address	Sale Date	Sale Price	Adj. Sale Price	% Diff
61	Crittenden	Crittenden	KY	Suburban	2.7	720	350 Claiborne	Jul-18	$245,000		
							2160 Sherman	Jun-19	$265,000	$248,225	-1%
62	Crittenden	Crittenden	KY	Suburban	2.7	930	370 Claiborne	Aug-19	$273,000		
							125 Lexington	Apr-18	$240,000	$254,751	7%
63	Walker	Barhamsville	VA	Rural	20	250	5241 Barham	Oct-18	$264,000		
							9252 Ordinary	Jun-19	$277,000	$246,581	7%
64	AM Best	Goldsboro	NC	Suburban	5	385	103 Granville Pl	Jul-18	$265,000		
							2219 Granville	Jan-18	$260,000	$265,682	0%
65	AM Best	Goldsboro	NC	Suburban	5	315	104 Erin	Jun-17	$280,000		
							2219 Granville	Jan-18	$265,000	$274,390	2%
66	AM Best	Goldsboro	NC	Suburban	5	400	2312 Granville	May-18	$284,900		
							2219 Granville	Jan-18	$265,000	$273,948	4%
67	AM Best	Goldsboro	NC	Suburban	5	400	2310 Granville	May-19	$280,000		
							634 Friendly	Jul-19	$267,000	$265,291	5%
68	Summit	Moyock	NC	Suburban	80	570	318 Green View	Sep-19	$357,000		
							336 Green View	Jan-19	$365,000	$340,286	5%
69	Summit	Moyock	NC	Suburban	80	440	164 Ranchland	Apr-19	$169,000		
							105 Longhorn	Oct-17	$184,500	$186,616	-10%
70	Summit	Moyock	NC	Suburban	80	635	358 Oxford	Sep-19	$478,000		
							176 Providence	Sep-19	$425,000	$456,623	4%
71	Summit	Moyock	NC	Suburban	80	970	343 Oxford	Mar-17	$490,000		
							218 Oxford	Apr-17	$525,000	$484,064	1%
72	Innov 46	Hope Mills	NC	Suburban	78.5	435	6849 Roslin Farm	Feb-19	$155,000		
							109 Bledsoe	Jan-19	$150,000	$147,558	5%
73	Innov 42	Fayetteville	NC	Suburban	71	340	2923 County Line	Feb-19	$385,000		
							2109 John McMillan	Apr-18	$320,000	$379,156	2%
74	Innov 42	Fayetteville	NC	Suburban	71	330	2935 County Line	Jun-19	$266,000		
							7031 Glynn Mill	May-18	$255,000	$264,422	1%
75	Demille	Lapeer	MI	Suburban	28	310	1120 Don Wayne	Aug-19	$194,000		
							1231 Turrill	Apr-19	$182,000	$200,895	-4%
76	Demille	Lapeer	MI	Suburban	28	310	1126 Don Wayne	May-18	$160,000		
							3565 Garden	May-19	$165,000	$163,016	2%
77	Demille	Lapeer	MI	Suburban	28	380	1138 Don Wayne	Aug-19	$191,000		
							1128 Gwen	Aug-18	$187,500	$189,733	1%
78	Demille	Lapeer	MI	Suburban	28	280	1174 Alice	Jan-19	$165,000		
							1127 Don Wayne	Sep-19	$176,900	$163,443	1%
79	Turrill	Lapeer	MI	Suburban	20	290	1060 Cliff	Sep-18	$200,500		
							1128 Gwen	Aug-18	$187,500	$200,350	0%
80	Turrill	Lapeer	MI	Suburban	20	255	1040 Cliff	Jun-17	$145,600		
							1127 Don Wayne	Sep-19	$176,900	$146,271	0%
81	Sunfish	Willow Sprng	NC	Suburban	6.4	205	7513 Glen Willow	Sep-17	$185,000		
							205 Pine Burr	Dec-17	$191,000	$172,487	7%
82	HCE Johnston	Benson	NC	Suburban	2.6	290	107 Reese	Nov-19	$393,000		
							200 Reese	Feb-20	$400,000	$377,338	4%
83	HCE Johnston	Benson	NC	Suburban	2.6	105	63 Reese	Mar-20	$410,000		
							320 Wolf Den	Sep-19	$377,780	$393,474	4%

Land Sale Matched Pairs Adjoining Solar Farms

Pair	Solar Farm	City	State	Area	MW	Tax ID/Address	Sale Date	Sale Price	Acres	$/AC	Adj. $/AC	% Diff
1	White Cross	Chapel Hill	NC	Rural	5	9748336770	Jul-13	$265,000	47.20	$5,614		
						9747184527	Nov-10	$361,000	59.09	$6,109	$5,278	6%
2	Wagstaff	Roxboro	NC	Rural	5	91817117960	Aug-13	$164,000	18.82	$8,714		
						91800759812	Dec-13	$130,000	14.88	$8,737	$8,737	0%
3	Tracy	Bailey	NC	Rural	5	316003	Jul-16	$70,000	13.22	$5,295		
						6056	Oct-16	$164,000	41.00	$4,000	$4,400	17%
4	Marion	Aurora	OR	Rural	0.3	18916 Butteville	Aug-14	$259,000	15.75	$16,444		
						Waconda	Sep-15	$215,000	11.86	$18,128	$16,950	-3%
5	Portage	Portage	IN	Sub	2	64-06-19-200-003	Feb-14	$149,600	18.70	$8,000		
						64-15-08-200-010	Jan-17	$115,000	15.02	$7,656	$7,198	10%
6	Courthouse	Bessemer	NC	Rural	5	5021 Buckland	Mar-18	$58,500	9.66	$6,056		
						Kiser	Nov-17	$69,000	17.65	$3,909	$5,190	14%
7	Mariposa	Stanley	NC	Sub	5	174339	Jun-18	$160,000	21.15	$7,565		
						227852	May-18	$97,000	10.57	$9,177	$7,565	0%
8	Mariposa	Stanley	NC	Sub	5	227039	Dec-17	$66,500	6.86	$9,694		
						177322	May-17	$66,500	5.23	$12,715	$9,694	0%
9	Simon	Social Circle	GA	Rural	30	4514 Hawkins	Mar-16	$180,000	36.86	$4,883		
						Pannell	Nov-16	$322,851	66.94	$4,823	$4,974	-2%
10	Candace	Princeton	NC	Sub	5	499 Herring	May-17	$30,000	2.03	$14,778		
						488 Herring	Dec-16	$35,000	2.17	$16,129	$16,615	-12%

Average	6.73	**Average**	3%
Median	5.00	**Median**	0%
High	30.00	**High**	17%
Low	0.30	**Low**	-12%

Larger Solar Farm Data

I have summarized the solar farm data for projects at 20 MW and larger as shown below. These are the same solar farms noted above but focused on larger projects.

Matched Pair Summary - @20 MW And Larger						Adj. Uses By Acreage					1 mile Radius (2010-2019 Data)		
	Name	City	State	Acres	MW	Topo Shift	Res	Ag/Res	Ag	Com/Ind	Population	Med. Income	Avg. Housing Unit
10	Summit	Moyock	NC	2,034	80.00	4	4%	94%	0%	2%	382	$79,114	$281,731
13	Manatee	Parrish	FL	1,180	75.00	20	2%	1%	97%	0%	48	$75,000	$291,667
14	McBride	Midland	NC	627	75.00	140	12%	78%	10%	0%	398	$63,678	$256,306
18	Grand Ridge	Streator	IL	160	20.00	1	8%	5%	87%	0%	96	$70,158	$187,037
24	Clarke Cnty	White Post	VA	234	20.00	70	14%	46%	39%	1%	578	$81,022	$374,453
39	Simon	Social Circle	GA	237	30.00	71	1%	36%	63%	0%	203	$76,155	$269,922
32	Walker	Barhamsville	VA	485	20.00	N/A	12%	20%	68%	0%	203	$80,773	$320,076
33	Innov 46	Hope Mills	NC	532	78.50	0	17%	0%	83%	0%	2,247	$58,688	$183,435
34	Innov 42	Fayetteville	NC	414	71.00	0	41%	0%	59%	0%	568	$60,037	$276,347
35	Demille	Lapeer	MI	160	28.40	10	10%	0%	68%	22%	2,010	$47,208	$187,214
36	Turrill	Lapeer	MI	230	19.60	10	75%	0%	59%	25%	2,390	$46,839	$110,361
	Average			572	47.05		18%	25%	58%	5%	829	$67,152	$248,959
	Median			414	30.00		12%	5%	63%	0%	398	$70,158	$269,922
	High			2,034	80.00		75%	94%	97%	25%	2,390	$81,022	$374,453
	Low			160	19.60		1%	0%	0%	0%	48	$46,839	$110,361

The breakdown of adjoining uses, population density, median income and housing prices for these projects are very similar to those of the larger set.

On the next page, I have reshown all of the 21 matched pairs specific to these 12 solar farms over 20 MW. This set shows impacts ranging from -10% to +7% with an average and median of +1%, which is very similar to the larger set. This suggests that the size of a project has no bearing on adjacent impacts as well.

Residential Dwelling Matched Pairs Adjoining Solar Farms

Pair	Solar Farm	City	State	Area	MW	Approx Distance	Tax ID/Address	Sale Date	Sale Price	Adj. Sale Price	% Diff
21	Summit	Moyock	NC	Suburban	80	1,060	129 Pinto	Apr-16	$170,000		
							102 Timber	Apr-16	$175,500	$169,451	0%
22	Summit	Moyock	NC	Suburban	80	2,020	105 Pinto	Dec-16	$206,000		
							127 Ranchland	Jun-15	$219,900	$194,278	6%
25	Manatee	Parrish	FL	Rural	75	1180	13670 Highland	Aug-18	$255,000		
							13851 Highland	Sep-18	$240,000	$255,825	0%
26	McBride Place	Midland	NC	Rural	75	275	4380 Joyner	Nov-17	$325,000		
							3870 Elkwood	Aug-16	$250,000	$317,523	2%
31	Grand Ridge	Streator	IL	Rural	20	480	1497 E 21st	Oct-16	$186,000		
							712 Columbus	Jun-16	$166,000	$184,000	1%
44	Clarke Cnty	White Post	VA	Rural	20	1230	833 Nations Spr	Jan-17	$295,000		
							541 Old Kitchen	Sep-18	$370,000	$279,313	5%
45	Turner	Henrico	VA	Rural	20	1540	8573 Strath	Feb-19	$204,900		
							9300 Varina	Dec-18	$186,000	$207,238	-1%
64	Walker	Barhamsville	VA	Rural	20	250	5241 Barham	Oct-18	$264,000		
							9252 Ordinary	Jun-19	$277,000	$246,581	7%
69	Summit	Moyock	NC	Suburban	80	570	318 Green View	Sep-19	$357,000		
							336 Green View	Jan-19	$365,000	$340,286	5%
70	Summit	Moyock	NC	Suburban	80	440	164 Ranchland	Apr-19	$169,000		
							105 Longhorn	Oct-17	$184,500	$186,616	-10%
71	Summit	Moyock	NC	Suburban	80	635	358 Oxford	Sep-19	$478,000		
							176 Providence	Sep-19	$425,000	$456,623	4%
72	Summit	Moyock	NC	Suburban	80	970	343 Oxford	Mar-17	$490,000		
							218 Oxford	Apr-17	$525,000	$484,064	1%
73	Innov 46	Hope Mills	NC	Suburban	78.5	435	6849 Roslin Farm	Feb-19	$155,000		
							109 Bledsoe	Jan-19	$150,000	$147,558	5%
74	Innov 42	Fayetteville	NC	Suburban	71	340	2923 County Line	Feb-19	$385,000		
							2109 John McMillan	Apr-18	$320,000	$379,156	2%
75	Innov 42	Fayetteville	NC	Suburban	71	330	2935 County Line	Jun-19	$266,000		
							7031 Glynn Mill	May-18	$255,000	$264,422	1%
76	Demille	Lapeer	MI	Suburban	28	310	1120 Don Wayne	Aug-19	$194,000		
							1231 Turrill	Apr-19	$182,000	$200,895	-4%
77	Demille	Lapeer	MI	Suburban	28	310	1126 Don Wayne	May-18	$160,000		
							3565 Garden	May-19	$165,000	$163,016	-2%
78	Demille	Lapeer	MI	Suburban	28	380	1138 Don Wayne	Aug-19	$191,000		
							1128 Gwen	Aug-18	$187,500	$189,733	1%
79	Demille	Lapeer	MI	Suburban	28	280	1174 Alice	Jan-19	$165,000		
							1127 Don Wayne	Sep-19	$176,900	$163,443	1%
80	Turrill	Lapeer	MI	Suburban	20	290	1060 Cliff	Sep-18	$200,500		
							1128 Gwen	Aug-18	$187,500	$200,350	0%
81	Turrill	Lapeer	MI	Suburban	20	255	1040 Cliff	Jun-17	$145,600		
							1127 Don Wayne	Sep-19	$176,900	$146,271	0%

	MW	Avg. Distance
Average	51.55	647
Median	71.00	435
High	80.00	2,020
Low	20.00	250

Average	1%
Median	1%
High	7%
Low	-10%

It's useful to note that Matched Pair 69 on Green View Drive is within a golf course community that adjoins the solar farm, but that test pair has no golf view.

I also note that Matched Pairs 72 and 75 were new homes that were built after the solar farm was constructed so the adjoining solar farm was not a limiting factor on construction in those cases.

I have also researched information on a number of larger solar farm projects across the country where many are newer and there have not been any adjoining sales for analysis at this time, but do show a similar range of adjoining uses as those projects listed above.

On the following page I show 63 projects ranging in size from 50 MW up to 1,000 MW with an average size of 118.48 MW and a median of 80 MW. The average closest distance for an adjoining home is 241 feet, while the median distance is 175 feet. The closest distance is 57 feet. The mix of adjoining uses is similar with most of the adjoining uses remaining residential or agricultural in nature.

Parcel #	State	County	City	Name	Output (MW)	Total Acres	Used Acres	Avg. Dist to home	Closest Home	Adjoining Use by Acre			
										Res	Agri	Agri/Res	Com
78	NC	Currituck	Moyock	Summit/Ranchland	80	2034		674	360	4%	94%	0%	2%
133	MS	Forrest	Hattiesburg	Hattiesburg	50	1129	479.6	650	315	35%	65%	0%	0%
179	SC	Jasper	Ridgeland	Jasper	140	1600	1000	461	108	2%	85%	13%	0%
211	NC	Halifax	Enfield	Chestnut	75	1428.1		1,429	210	4%	96%	0%	0%
222	VA	Mecklenburg	Chase City	Grasshopper	80	946.25				6%	87%	5%	1%
226	VA	Louisa	Louisa	Belcher	88	1238.1			150	19%	53%	28%	0%
305	FL	Pasco	Dade City	Mountain View	55	347.12		510	175	32%	39%	21%	8%
319	FL	Hamilton	Jasper	Hamilton	74.9	1268.9	537	3,596	240	5%	67%	28%	0%
336	FL	Manatee	Parrish	Manatee	74.5	1180.4		1,079	625	2%	50%	1%	47%
337	FL	DeSoto	Arcadia	Citrus	74.5	640				0%	0%	100%	0%
338	FL	Charlotte	Port Charlotte	Babcock	74.5	422.61				0%	0%	100%	0%
353	VA	Accomack	Oak Hall	Amazon East(ern shore)	80	1000		645	135	8%	75%	17%	0%
364	VA	Culpepper	Stevensburg	Greenwood	100	2266.6	1800	788	200	8%	62%	29%	0%
368	NC	Duplin	Warsaw	Warsaw	87.5	585.97	499	526	130	11%	66%	21%	3%
390	NC	Richmond	Ellerbe	Innovative Solar 34	50	385.24	226	N/A	N/A	1%	99%	0%	0%
399	NC	Cabarrus	Midland	McBride	74.9	974.59	627	1,425	140	12%	78%	9%	0%
400	FL	Polk	Mulberry	Alafia	51	420.35		490	105	7%	90%	3%	0%
406	VA	Halifax	Clover	Foxhound	91	1311.8		885	185	5%	61%	17%	18%
410	FL	Gilchrist	Trenton	Trenton	74.5	480		2,193	775	0%	26%	55%	19%
411	NC	Edgecombe	Battleboro	Fern	100	1235.4	960.71	1,494	220	5%	76%	19%	0%
412	MD	Caroline	Goldsboro	Cherrywood	202	1722.9	1073.7	429	200	10%	76%	13%	0%
434	NC	Edgecombe	Conetoe	Conetoe	80	1389.9	910.6	1,152	120	5%	78%	17%	0%
440	FL	Volusia	Debary	Debary	74.5	844.63		654	190	3%	27%	0%	70%
441	FL	Alachua & Pu	Hawthorne	Horizon	74.5	684				3%	81%	16%	0%
484	VA	Southampton	Newsoms	Southampton	100	3243.9		-	-	3%	78%	17%	3%
486	VA	Augusta	Stuarts Draft	Augusta	125	3197.4	1147	588	165	16%	61%	16%	7%
491	NC	Stanly	Misenheimer	Misenheimer 2018	80	740.2	687.2	504	130	11%	40%	22%	27%
494	VA	King and Que	Shackleford s	Walnut	110	1700	1173	641	165	14%	72%	13%	1%
496	VA	Halifax	Clover	Piney Creek	80	776.18	422	523	195	15%	62%	24%	0%
511	NC	Halifax	Scotland Neck	American Beech	160	3255.2	1807.8	1,262	205	2%	58%	38%	3%
514	NC	Rockingham	Reidsville	Williamsburg	80	802.6	507	734	200	25%	12%	63%	0%
517	VA	Page	Luray	Cape	100	566.53	461	519	110	42%	12%	46%	0%
518	VA	Greensville	Emporia	Fountain Creek	80	798.3	595	862	300	6%	23%	71%	0%
525	NC	Washington	Plymouth	Macadamia	484	5578.7	4813.5	1,513	275	1%	90%	9%	0%
526	NC	Cleveland	Mooresboro	Broad River	50	759.8	365	419	70	29%	55%	16%	0%
555	FL	Polk	Mulberry	Durrance	74.5	463.57	324.65	438	140	3%	97%	0%	0%
560	NC	Yadkin	Yadkinville	Sugar	60	477	357	382	65	19%	39%	20%	22%
561	NC	Halifax	Enfield	Halifax 80mw 2019	80	1007.6	1007.6	672	190	8%	73%	19%	0%
577	VA	Isle of Wight	Windsor	Windsor	85	564.1	564.1	572	160	9%	67%	24%	0%
579	VA	Spotsylvania	Paytes	Spotsylvania	500	6412	3500			9%	52%	11%	27%
582	NC	Rowan	Salisbury	China Grove	65	428.66	324.26	438	85	58%	4%	38%	0%
583	NC	Stokes	Walnut Cove	Lick Creek	50	1424	185.11	410	65	20%	64%	11%	5%
584	NC	Halifax	Enfield	Sweetleaf	94	1956.3	1250	968	160	5%	63%	32%	0%
586	VA	King William	Aylett	Sweet Sue	77	1262	576	1,617	680	7%	68%	25%	0%
593	NC	Bertie	Windsor	Sumac	120	3360.6	1257.9	876	160	4%	90%	6%	0%
599	TN	Fayette	Somerville	Yum Yum	147	4000	1500	1,862	330	3%	32%	64%	1%
602	GA	Burke	Waynesboro	White Oak	76.5	516.7	516.7	2,995	1,790	1%	34%	65%	0%
603	GA	Taylor	Butler	Butler GA	103	2395.1	2395.1	1,534	255	2%	73%	23%	2%
604	GA	Taylor	Butler	White Pine	101.2	505.94	505.94	1,044	100	1%	51%	48%	1%
605	GA	Candler	Metter	Live Oak	51	417.84	417.84	910	235	4%	72%	23%	0%
606	GA	Jeff Davis	Hazelhurst	Hazelhurst II	52.5	947.15	490.42	2,114	105	9%	64%	27%	0%
607	GA	Decatur	Bainbridge	Decatur Parkway	80	781.5	781.5	1,123	450	2%	27%	22%	49%
608	GA	Sumter	Leslie-DeSoto	Americus	1000	9661.2	4437	5,210	510	1%	63%	36%	0%
616	FL	Colombia	Fort White	Fort White	74.5	570.5	457.2	828	220	12%	71%	17%	0%
621	VA	Surry	Spring Grove	Loblolly	150	2181.9	1000	1,860	110	7%	62%	31%	0%
622	VA	Albemarle	Scottsville	Woodridge	138	2260.9	1000	1,094	170	9%	63%	28%	0%
625	NC	Nash	Middlesex	Phobos	80	754.52	734	356	57	14%	75%	10%	0%
628	MI	Lenawee	Deerfield	Carroll Road	200	1694.8	1694.8	343	190	12%	86%	0%	2%
633	VA	Greensville	Emporia	Brunswick	150.2	2076.4	1387.3	1,091	240	4%	85%	11%	0%
634	NC	Surry	Elkin	Partin	50	429.4	257.64	945	155	30%	25%	15%	30%
638	GA	Twiggs	Dry Branch	Twiggs	200	2132.7	2132.7	-	-	10%	55%	35%	0%
639	NC	Cumberland	Hope Mills	Innovative Solar 46	78.5	531.87	531.87	423	125	17%	83%	0%	0%
640	NC	Cumberland	Hope Mills	Innovative Solar 42	71	413.99	413.99	375	135	41%	59%	0%	0%
		Total Number of Solar Farms			63								
				Average	118.48	1533.1	1043.6	1058	241	11%	60%	24%	6%
				Median	80.00	1000.0	657.1	808	175	7%	64%	19%	0%
				High	1000.00	9661.2	4813.5	5210	1790	58%	99%	100%	70%
				Low	50.00	347.1	185.1	343	57	0%	0%	0%	0%

VI. Distance Between Homes and Solar Panels

I have measured distances at matched pairs as close as 105 feet between panel and home to show no impact on value. This measurement goes from the closest point on the home to the closest solar panel. This is a strong indication that at this distance there is no impact on adjoining homes.

However, in tracking other approved solar farms I have found that it is common for there to be homes within 100 to 150 feet of solar panels. Given the landscaping involved in these there is no sign of negative impact. I do note that the landscaping tends to be larger at time of planting when the panels are closer to homes.

I have also tracked a number of locations where solar panels are between 50 and 100 feet of single family homes. In these cases the landscaping is typically a double row of more mature evergreens at time of planting. There are many examples of solar farms with one or two homes closer than 100-feet, but most of the adjoining homes are further than that distance.

VII. Topography

Landscaping screens work very well at hiding solar farms on flat land, though they certainly do not make solar farms invisible. However, in areas where there is rolling topography screening will not likely cover all possible views of a solar farm. Landscaping screens in areas with rolling or steep topography typically covers the upclose views but does not address generalized distant views of the panels. I have included a number of matched pairs with similar strong topography with no additional distance or setbacks being required for those projects. Where the topography is rolling and distant views are possible, those are also areas where a lot of area is visible and the small portion of the overall view that could be visible has shown no impact.

I note specifically that the Crittenden solar farm in Kentucky includes matched pairs where the topography for the entire solar farm is so steep that effectively the entire solar farm is visible from the adjoining homes though not up close and there is no sign of an impact on property value in the data and also confirmed by brokers selling new homes in that adjoining subdivision.

I have measured topographic shifts across solar farms included in the matched pairs between 80 and 150 feet height differential across the project. The larger set of comparables have shown differences even greater than that. In those cases the fact that there is a distant view of the panels has shown no impact on property values or development patterns.

VIII. Harmony of Use/Compatibility

I have researched over 650 solar farms and sites on which solar farms are proposed in North Carolina and Virginia as well as other states to determine what uses and types of areas are compatible and harmonious with a solar farm. The data I have collected and provide in this report strongly supports the compatibility of solar farms with adjoining agricultural and residential uses. While I have focused on adjoining uses, I note that there are many examples of solar farms being located within a quarter mile of residential developments, including such notable developments as Governor's Club in Chapel Hill, which has a solar farm within a quarter mile as you can see on the following aerial map. Governor's Club is a gated golf community with homes selling for $300,000 to over $2 million.



The subdivisions included in the matched pair analysis also show an acceptance of residential uses adjoining solar farms as a harmonious use.

Beyond these anecdotal references, I have quantified the adjoining uses for a number of solar farm comparables to derive a breakdown of the adjoining uses for each solar farm. The chart below shows the breakdown of adjoining or abutting uses by total acreage.

Percentage By Adjoining Acreage									
	Res	Ag	Res/AG	Comm	Ind	Avg. Dist to Home	Closest Home	All Res Uses	All Comm Uses
Average	19%	53%	20%	1%	7%	849	346	92%	8%
Median	11%	57%	8%	0%	0%	661	215	100%	0%
High	100%	100%	100%	80%	96%	4,835	4,670	100%	96%
Low	0%	0%	0%	0%	0%	90	25	0%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.
Total Solar Farms Considered: 493

I have also included a breakdown of each solar farm by number of adjoining parcels rather than acreage. Using both factors provides a more complete picture of the neighboring properties.

Percentage By Number of Parcels Adjoining									
	Res	Ag	Res/AG	Comm	Ind	Avg. Dist to Home	Closest Home	All Res Uses	All Comm Uses
Average	61%	24%	9%	2%	4%	848	346	94%	6%
Median	65%	20%	5%	0%	0%	661	215	100%	0%
High	100%	100%	100%	60%	78%	4,835	4,670	100%	78%
Low	0%	0%	0%	0%	0%	90	25	22%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.
Total Solar Farms Considered: 493

Both of the above charts show a marked residential and agricultural adjoining use for most solar farms. Every single solar farm considered included an adjoining residential or residential agricultural use. These comparable solar farms clearly support a compatibility with adjoining residential uses along with agricultural uses.

IX. Specific Factors on Harmony with the Area

I have completed a number of Impact Studies related to a variety of uses and I have found that the most common areas for impact on adjoining values typically follow the following hierarchy with descending levels of potential impact. I will discuss each of these categories and how they relate to a solar farm.

1. Hazardous material
2. Odor
3. Noise
4. Traffic
5. Stigma
6. Appearance

1. Hazardous material

The solar farm presents no potential hazardous waste byproduct as part of normal operation. Any fertilizer, weed control, vehicular traffic, or construction will be significantly less than typically applied in a residential development or even most agricultural uses.

The various solar farms that I have inspected and identified in the addenda have no known environmental impacts associated with the development and operation.

2. Odor

The various solar farms that I have inspected produced no odor.

3. Noise

Whether discussing passive fixed solar panels, or single-axis trackers, there is no negative impact associated with noise from a solar farm. The transformer reportedly has a hum similar to an HVAC that can only be heard in close proximity to this transformer and the buffers on the property are sufficient to make emitted sounds inaudible from the adjoining properties. No sound is emitted from the facility at night.

The various solar farms that I have inspected were inaudible from the roadways.

4. Traffic

The solar farm will have no onsite employee's or staff. The site requires only minimal maintenance. Relative to other potential uses of the site (such as a residential subdivision), the additional traffic generated by a solar farm use on this site is insignificant.

5. Stigma

There is no stigma associated with solar farms and solar farms and people generally respond favorably towards such a use. While an individual may express concerns about proximity to a solar farm, there is no specific stigma associated with a solar farm. Stigma generally refers to things such as adult establishments, prisons, rehabilitation facilities, and so forth.

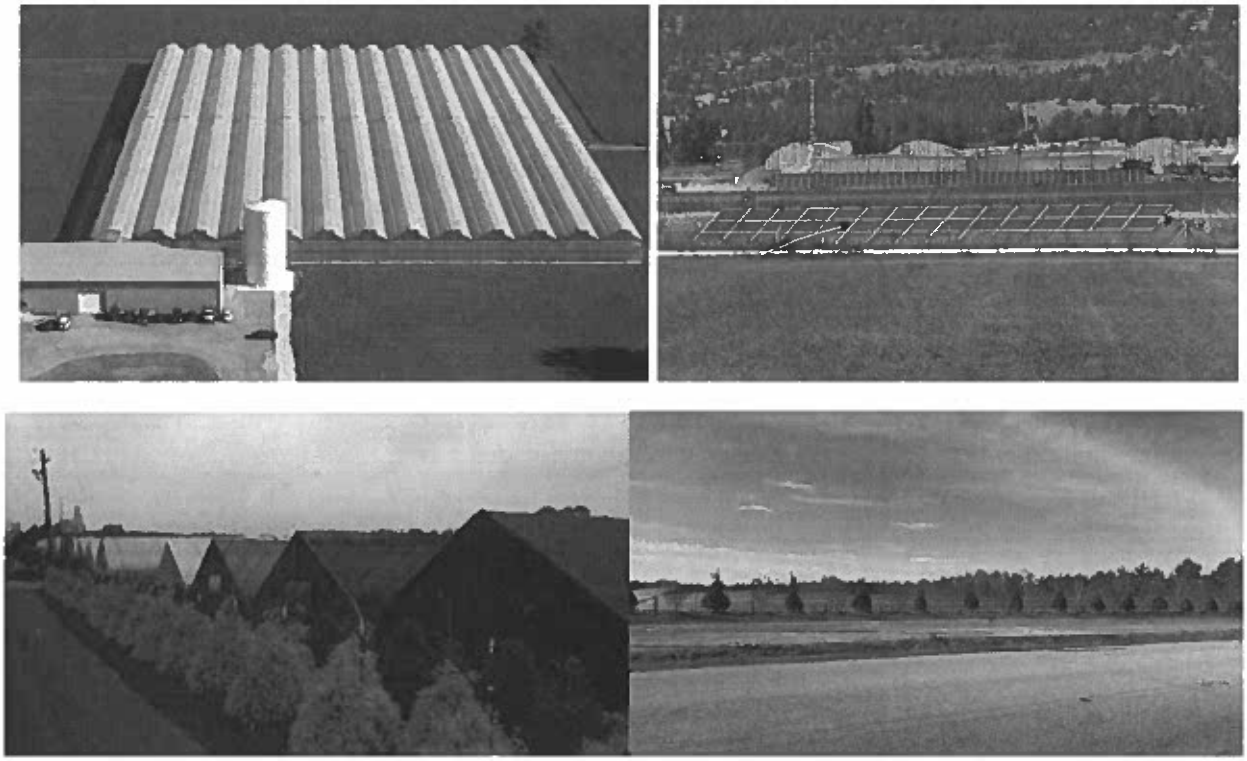
Solar panels have no associated stigma and in smaller collections are found in yards and roofs in many residential communities. Solar farms are adjoining elementary, middle and high schools as well as churches and subdivisions. I note that Solar Farm Matched Pair Set 9 in this report not only

adjoins a church, but is actually located on land owned by the church. Solar panels on a roof are often cited as an enhancement to the property in marketing brochures.

I see no basis for an impact from stigma due to a solar farm.

6. Appearance

I note that larger solar farms using fixed or tracking panels are a passive use of the land that is in keeping with a rural/residential area. As shown below, solar farms are comparable to larger greenhouses. This is not surprising given that a greenhouse is essentially another method for collecting passive solar energy. The greenhouse use is well received in residential/rural areas and has a similar visual impact as a solar farm.



The solar panels are all less than 15 feet high, which means that the visual impact of the solar panels will be similar in height to a typical greenhouse and lower than a single story residential dwelling. Were the subject property developed with single family housing, that development would have a much greater visual impact on the surrounding area given that a two-story home with attic could be three to four times as high as these proposed panels.

7. Conclusion

On the basis of the factors described above, it is my professional opinion that the proposed solar farm will be in harmony with the area in which it is to be developed. The breakdown of adjoining uses is similar to the other solar farms tracked.

X. Conclusion

The matched pair analysis shows no impact in home values due to abutting or adjoining a solar farm as well as no impact to abutting or adjacent vacant residential or agricultural land. The criteria that typically correlates with downward adjustments on property values such as noise, odor, and traffic all indicate that a solar farm is a compatible use for rural/residential transition areas and that it would function in a harmonious manner with this area.

Very similar solar farms in very similar areas have been found by hundreds of towns and counties not to have a substantial injury to abutting or adjoining properties, and many of those findings of no impact have been upheld by appellate courts. Similar solar farms have been approved adjoining agricultural uses, schools, churches, and residential developments. Industrial uses rarely absorb negative impacts from adjoining uses.

Based on the data and analysis in this report, it is my professional opinion that the solar farm proposed at the subject property will have no impact on the value of adjoining or abutting property and that the proposed use is in harmony with the area in which it is located. I note that some of the positive implications of a solar farm that have been expressed by people living next to solar farms include protection from future development of residential developments or other more intrusive uses, reduced dust, odor and chemicals from former farming operations, protection from light pollution at night, it's quiet, and there is no traffic.

Kirkland Appraisals, LLC

Richard C. Kirkland, Jr., MAI
9408 Northfield Court
Raleigh, North Carolina 27603
Mobile (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

Professional Experience

Kirkland Appraisals, LLC, Raleigh, N.C. — 2003 – Present
Commercial appraiser
Hester & Company, Raleigh, N.C.
Commercial appraiser — 1996 – 2003

Professional Affiliations

MAI (Member, Appraisal Institute) designation #11796 — 2001
NC State Certified General Appraiser # A4359 — 1999
VA State Certified General Appraiser # 4001017291
SC State Certified General Appraiser # 6209
FL State Certified General Appraiser # RZ3950
IL State Certified General Appraiser # 553.002633
OR State Certified General Appraiser # C001204
GA State Certified General Appraiser # 321885
MI State Certified General Appraiser # 1201076620

Education

Bachelor of Arts in English, University of North Carolina, Chapel Hill — 1993

Continuing Education

Uniform Standards of Professional Appraisal Practice Update	2020
Uniform Appraisal Standards for Federal Land Acquisitions (Yellow Book)	2019
The Cost Approach	2019
Income Approach Case Studies for Commercial Appraisers	2018
Introduction to Expert Witness Testimony for Appraisers	2018
Appraising Small Apartment Properties	2018
Florida Appraisal Laws and Regulations	2018
Uniform Standards of Professional Appraisal Practice Update	2018
Appraisal of REO and Foreclosure Properties	2017
Appraisal of Self Storage Facilities	2017
Land and Site Valuation	2017
NCDOT Appraisal Principles and Procedures	2017
Uniform Standards of Professional Appraisal Practice Update	2016
Forecasting Revenue	2015
Wind Turbine Effect on Value	2015
Supervisor/Trainee Class	2015
Business Practices and Ethics	2014
Subdivision Valuation	2014
Uniform Standards of Professional Appraisal Practice Update	2014
Introduction to Vineyard and Winery Valuation	2013
Appraising Rural Residential Properties	2012

Uniform Standards of Professional Appraisal Practice Update	2012
Supervisors/Trainees	2011
Rates and Ratios: Making sense of GIMs, OARs, and DCFs	2011
Advanced Internet Search Strategies	2011
Analyzing Distressed Real Estate	2011
Uniform Standards of Professional Appraisal Practice Update	2011
Business Practices and Ethics	2011
Appraisal Curriculum Overview (2 Days – General)	2009
Appraisal Review - General	2009
Uniform Standards of Professional Appraisal Practice Update	2008
Subdivision Valuation: A Comprehensive Guide	2008
Office Building Valuation: A Contemporary Perspective	2008
Valuation of Detrimental Conditions in Real Estate	2007
The Appraisal of Small Subdivisions	2007
Uniform Standards of Professional Appraisal Practice Update	2006
Evaluating Commercial Construction	2005
Conservation Easements	2005
Uniform Standards of Professional Appraisal Practice Update	2004
Condemnation Appraising	2004
Land Valuation Adjustment Procedures	2004
Supporting Capitalization Rates	2004
Uniform Standards of Professional Appraisal Practice, C	2002
Wells and Septic Systems and Wastewater Irrigation Systems	2002
Appraisals 2002	2002
Analyzing Commercial Lease Clauses	2002
Conservation Easements	2000
Preparation for Litigation	2000
Appraisal of Nonconforming Uses	2000
Advanced Applications	2000
Highest and Best Use and Market Analysis	1999
Advanced Sales Comparison and Cost Approaches	1999
Advanced Income Capitalization	1998
Valuation of Detrimental Conditions in Real Estate	1999
Report Writing and Valuation Analysis	1999
Property Tax Values and Appeals	1997
Uniform Standards of Professional Appraisal Practice, A & B	1997
Basic Income Capitalization	1996

ISSUE:

Application of Paul and Terri Krohn, Owners, for a Waiver to Section 3.2.4.A.4 and Section 5.9.1.C of the Subdivision Ordinance to Allow a Family Member Subdivision on a Private Thirty Foot Ingress/Egress Easement Not Built to Public Standards Which Serves More Than Two Lots

BACKGROUND:

The property owners applied for a waiver to Section 3.2.4.A.4 and Section 5.9.1.C of the Subdivision Ordinance to allow a family member subdivision from tax map parcel 20-01-082 on a private thirty foot ingress/egress easement not built to public standards which serves more than two lots.

The parcel is located at 14650 Bethel Church Lane, Smithfield, and is zoned Rural Agriculture Conservation (RAC).

The parent parcel was established prior to the adoption of the Zoning and Subdivision Ordinances and currently contains 87.8 acres. It fronts on a private ingress/egress easement extension of Bethany Church Road (Rte. 679) which provides sole access to a public road for at least seven existing lots. One family member lot of five acres was subdivided from the original parcel in 2013 by a previous owner.

When the property owners met with the Planning and Zoning staff, they were advised that their proposal does not meet the Subdivision Ordinance standards.

In November 2021, the Subdivision Ordinance family member standard was amended to allow no more than one lot resulting from a single tract be accessed from a single ingress/egress easement unless approved by the Board of Supervisors upon recommendation from the Planning Commission. The Subdivision Ordinance also stipulates that all roads, which provide access to three or more lots, must be public roads which meet VDOT construction standards. The Bethel Church Lane extension is not built to VDOT standards.

The proposed lot is approximately 700 feet from the publicly maintained road. The property owners and several adjacent property owners have recorded a road maintenance agreement. There are four properties out of the seven existing properties served by the easement which are subject to the agreement. The new proposed lot will also be subject to the agreement.

BUDGETARY IMPACT:

None

RECOMMENDATION:

Staff recommends denial of the waiver request due to safety concerns of the access lane over time with additional homes if not maintained.

The Planning Commission recommended approval of the waiver at the April 25, 2023, regular meeting (10-0).

ATTACHMENTS:

Description	Type	Upload Date
Application and Statement	Backup Material	4/18/2023
Location Map	Exhibit	4/11/2023
Exhibit	Exhibit	4/11/2023
Bethany Church Extension Pic 1	Exhibit	4/11/2023
Proposed Frontage	Exhibit	4/11/2023
Proposed Remainder	Exhibit	4/11/2023
Road Maintenance Agreement	Exhibit	4/11/2023

Reasons for seeking an exception.

We have lived in and worked for Isle of Wight County for almost 15 years. We love this area and want to maintain a small home here while we travel.

We purchased 37.8 acres of land about 10 years ago. We eventually built a home which we have lived in for the past 7 years. We absolutely love our home and our land. However, we have decided to retire a few years early which requires that we make some adjustments in our current living situation.

While we would love to stay in our current house, financially that is not in our best interest. Our plan is to subdivide our property keeping approximately 30 acres for ourselves. We will sell our current home with approximately 8 acres. In the next few years we plan to travel and eventually build a structure on the land that we subdivide. We do not have specific plans for a structure yet so that is not being submitted with this paperwork.

Currently, there is a well maintained dirt/gravel easement that we use. It is considered an all-weather surfaced private road (a hard packed and graded and/or graveled road that is passable by vehicles under both wet and dry weather conditions). As far back as I can remember (16 years) this road has been in excellent, well maintained condition.

It would be impossible to find any land remotely close to what we have in a price range we can afford. We love our land and location and respectfully request that you allow us this opportunity to subdivide so we can "live the dream."

Terri Krohn 3-21-23

Paul Krohn 3-21-23

Narrative description of the property (Krohn - Tax ID 20-01-082)

All that certain lot, piece or parcel of real estate lying and being in Isle of Wight County, Virginia, shown as Tax Parcel 20-01-082, former area 42.80 acres, new area 37.800 acres, on a certain plat entitled "BOUNDARY SURVEY OF TAX PARCEL 20-01-082 & FAMILY TRANSFER PLAT SHOWING SUBDIVISION OF THE PROPERTY OF GEORGE A. BUCHANAN & ALYNE C. BUCHANAN TO BE CONVEYED TO ALYNE C. BUCHANAN LOCATED ON BETHEL CHURCH LANE HARDY MAGISTERIAL DISTRICT ISLE OF WIGHT COUNTY, VIRGINIA", dated May 23, 2013 made by Canada Land Surveying, 1212 S. Church Street, Smithfield, VA 23430 and recorded in the Clerk's Office of the Circuit Court for Isle of Wight County, Virginia as Plat Instrument Number 2013-54-1.

Terri Krohn 3-21-23

Paul Krohn 3-21-23

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

DEPARTMENT OF COMMUNITY DEVELOPMENT

RECEIVED
MAR 22 2023
By: CS

#27758

APPLICATION FOR EXCEPTIONS AND MISECLLANEOUS APPEALS

A. APPLICATION FOR (CHECK ALL THAT APPLY):

[ ] Chesapeake Bay Preservation Area Ordinance Exception

[ ] Newport Development Service Overlay District Exception

[ ] Highway Corridor Overlay District Exception

[ ] Signage Exception

[X] Subdivision Ordinance Waiver or Appeal

[ ] Other (please list) _____

The proposal is a request to Section (s) 3.2.4.A.4 and 5.9.1.C of the Chesapeake Bay Preservation Area Ordinance, the Isle of Wight County Zoning Ordinance, or the Isle of Wight County Subdivision Ordinance.

Proposed Use or Activity: To create a family member transfer parcel on an existing easement.

B. PROJECT DESCRIPTION:

Project Name: Krohn subdivision

Property Address (if any): 14650 Bethel Church Lane, Smithfield VA

Comprehensive Plan Designation: RAC

The exception will apply to 30 acres out of 37.8 total acres

Tax Parcel Identification # 20-01-082 Number of acres to be effected: 30

Proposed Utilities (check all that apply): Public Water____Private Well X

Public Sewer____Private Septic X

Revised August 13, 2014

COUNTY OF ISLE OF WIGHT
DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Paul and Terri Krohn

Address 14650 Bethel Church Lane
Street

Smithfield, VA 23430
City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
14650 Bethel Church Lane Smithfield, VA	37.8 acres

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address
N/A	

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes (No)

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: Terri Krohn (Printed or Typed Name) Applicant: [signature] (Signature) Date: 3-21-23

Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me Jennifer L Tucker,
A Notary Public in and for the County of Isle of Wight, Commonwealth of Virginia, this 24 day of March, 2023.

[signature]
Notary Public

My Commission Expires May 31, 2026

JENNIFER LYNN TUCKER
NOTARY PUBLIC
REG. #7775192
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES MAY 31, 2026

Revised August 13, 2014

COUNTY OF ISLE OF WIGHT
DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Paul and Terri Krohn

Address 14650 Bethel Church Lane
Street

Smithfield, VA 23430
City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
14650 Bethel Church Lane Smithfield, VA	37.8 acres

OTHER OWNERS OF AFFECTED REAL ESTATE

(Not Required for Corporation whose stock is traded on a national or local stock exchange or having more than 500 shareholders.)

Name of Individuals Corporation/Partnership Business Association	Address
N/A	

Does any member of the Isle of Wight County Planning Commission or governing body have any interest in such property, either individually, by ownership of stock in a corporation owning such land, partnership, as the beneficiary of a trust, or the settlor of a revocable trust, or whether a member of the immediate household of any member of the Planning Commission or governing body has any such interest? Yes (No)

If yes, names of members:

I do solemnly swear that the foregoing statement(s) and attachments(s), if any, are complete, correct and true.

Applicant: Paul Krohn (Printed or Typed Name) Applicant: [signature] (Signature) Date: 3-21-2023

Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me Elizabeth A. Smith,
A Notary Public in and for the County of Isle of Wight, Commonwealth of Virginia, this 21 day of March, 20 23.

[signature]
Notary Public

My Commission Expires 11/30/2026

ELIZABETH ANN SMITH
NOTARY PUBLIC
REG. #7973365
MY COMMISSION EXPIRES
11/30/2026
COMMONWEALTH OF VIRGINIA

Local Roots, Global Reach

ISLE OF WIGHT COUNTY, VIRGINIA

SUBMITTAL CHECKLIST FOR EXCEPTION APPLICATIONS

In accordance with Section 5002, *Exceptions,* of the Chesapeake Bay Preservation Area Ordinance, and in accordance with Section 6-1015, *Exceptions*, Section 6-2011, *Exceptions*, and Section 9-1013, *Exceptions*, of the Isle of Wight County Zoning Ordinance, the following information shall be submitted for an exception application. Please note that it is the applicant's responsibility to ensure that the application is in compliance with all Federal, State and County regulations.

No application for an exception shall be certified as complete unless the following information and minimum number of copies are provided, unless the number of required copies is reduced by the Zoning Administrator:

3/22/2023 Dw

☐ 1. ~~Ten (10)~~ copies of the original, executed application and one (1) original executed application. Both the applicant(s) and the property owner(s) must have their signature(s) notarized on page 2 of the application.

☐ 2. The appropriate fees have been submitted with the application. Checks should be made payable to: Treasurer, Isle of Wight County.

☐ 3. ~~Ten (10)~~ copies of a statement of the reasons for seeking such exception. AWK 2/28/23

☐ 4. ~~Ten (10)~~ copies of a narrative description of the property which shall include the Tax Parcel Identification Number.

☐ 5. One (1) copy of the most recent deed(s) for the property(s) associated with the application.

☐ 6. A concept plan of the site to show all existing and proposed physical improvements and such other information as is necessary to clearly indicate to the reviewing body that adequate provisions have been made for compliance with all standards for that particular use, the extent of the property to be so used on a given parcel or parcels, and information defining the requested exceptions. The plan shall be prepared by the appropriate authorized design professional licensed to practice in Virginia. No person shall prepare or certify design elements of site plans which are outside the limits of their professional expertise and license. Such document shall be drawn to scale and shall include the following information:

- A vicinity map at a scale of no less than one (1) inch equals two thousand (2,000) feet
- Title of drawing
- Date of drawing
- Existing wood line
- North arrow
- Scale bar
- Current zoning of parcel(s), including tax map number(s) and owner(s)
- Current zoning of adjacent parcel(s), including tax map number(s) and owner(s)
- Street names including route number and width(s) of the right-of-way(s)
- Ten (10) full size copies, with one (1) reduced 11-inch X 17 inch copy shall be submitted
- Please note that additional information on the site layout may be requested by the Zoning Administrator during the review process in order to more effectively review the application and prepare the staff reports for the appropriate reviewing body.

N/A

☐ 7. **For CBPA Exception applications, a major water quality impact assessment which meets the criteria in Section 4003 of the Chesapeake Bay Preservation Area Ordinance must be submitted at the time of application.**

☑ 8. Such other information as may be necessary to demonstrate compliance with all other applicable federal, state and County standards and regulations.

☑ 9. All real estate taxes must be paid and current at the time of submittal; otherwise, the submittal will be refused at the counter. Proof of the most recent tax payment to the County must accompany the application.

I, the undersigned, certify that this application is complete, accurate and contains all required and requested information, documents and other submittals, and that all statements made herein are, to the best of my knowledge, true and correct. I further certify that I have exercised due diligence to obtain the most recent, complete and correct information available. I understand that any section not completed in its entirety may delay processing of this application.

Paul Krohn
Terri Krohn
Printed or Typed Name

Terri Krohn 3-21-23
Paul Krohn 3-21-23
Signature Date

NOTICE: THE ATTACHED CHECKLIST MUST BE COMPLETED, CERTIFIED, AND SUBMITTED OR THE APPLICATION WILL BE CONSIDERED INCOMPLETE.

Remit Application to: Isle of Wight County Central Permitting, 17140 Monument Circle, Suite 100
P. O. Box 80, Isle of Wight, Virginia 23397

2-27-23
2-27-23
Applicant Signature **Date**

Owner Signature *if different* **Date**

FOR OFFICE USE ONLY:

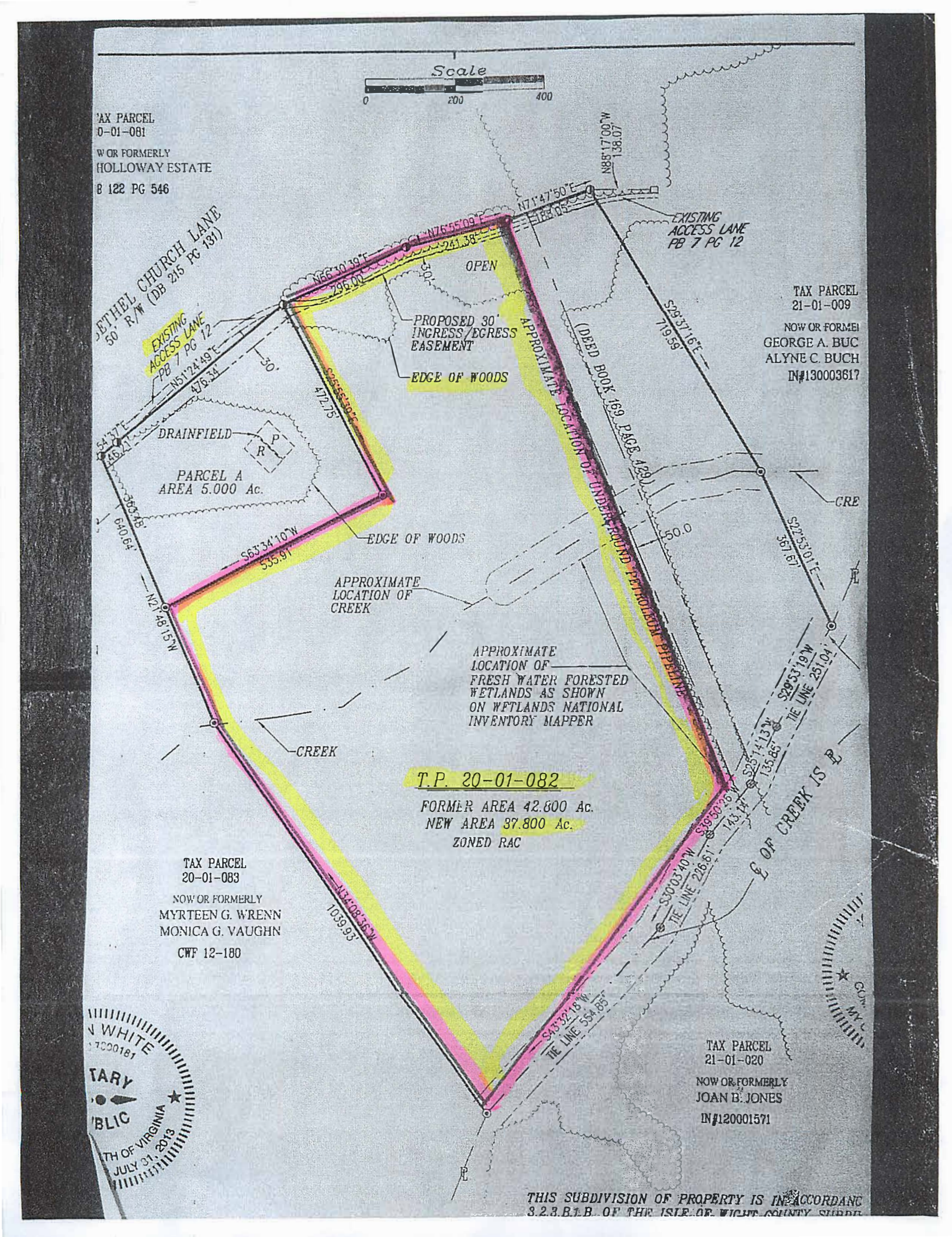
Complete Application Received On: 3/22/2023 Fees Paid: 250.00
Tax Query: [✓] Current [ ] Delinquent Distribution Date: _____
Posted/Date to Post: ✓

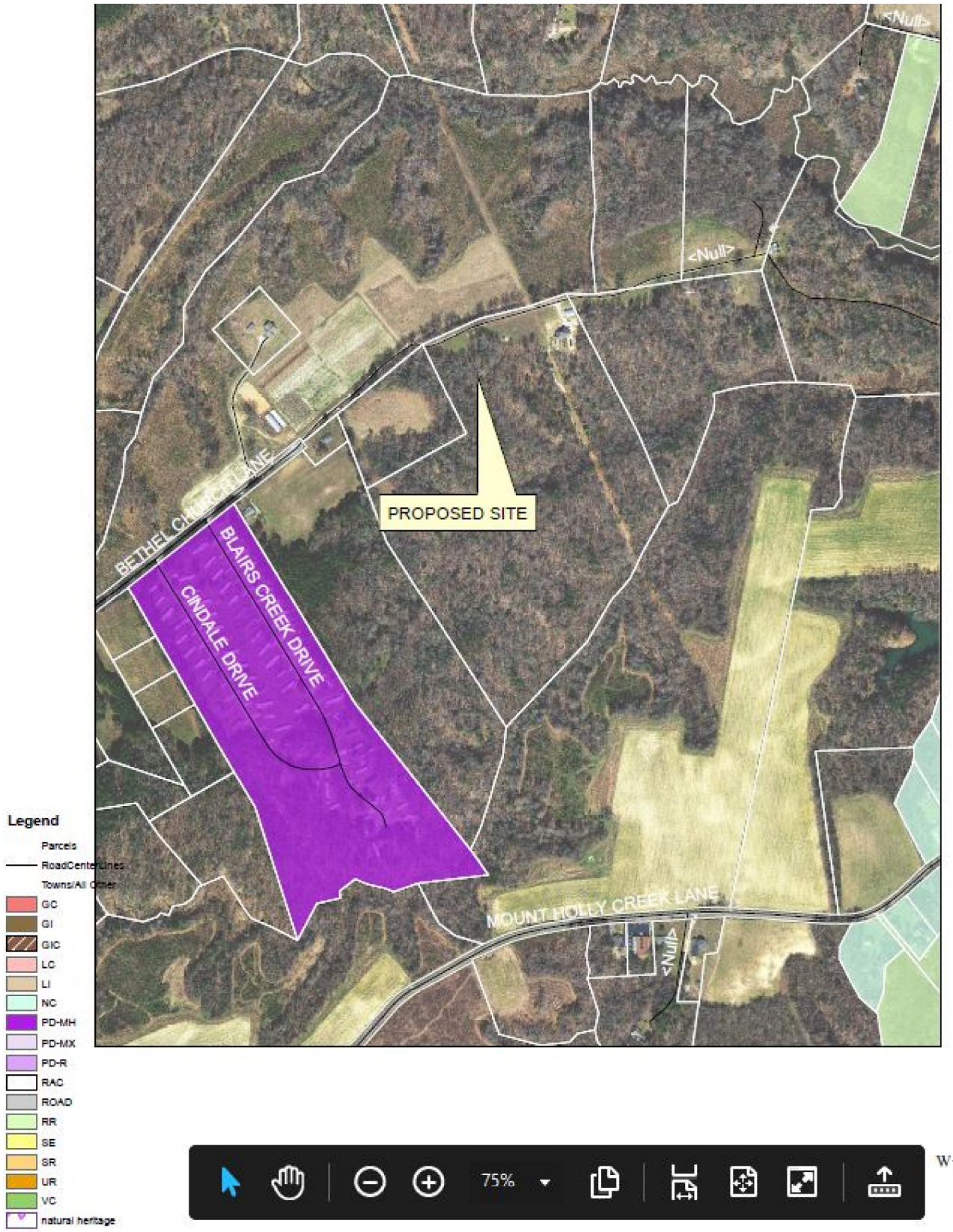
AGENCIES REFERRALS:

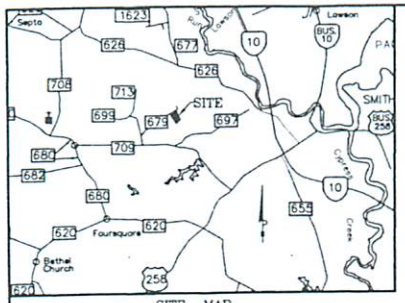
_____Department of Conservation & Recreation
_____Economic Development
__✓__Emergency Services
_____General Services
_____Environmental Planner
_____Health Department
_____Transportation Manager
_____Commission of Revenue
_____Other _____

_____Inspections
_____Sheriff's Office
_____Town of Smithfield
_____Town of Windsor
__✓__VDOT
_____Schools
_____Budget & Finance
__✓__County Attorney

Verified By: _____ Date: 3/22/23


Scale
0
200
400
TAX PARCEL
0-01-081
W OR FORMERLY
HOLLOWAY ESTATE
B 122 PG 546
ETHEL CHURCH LANE
50' R/W (DB 215 PG 131)
EXISTING ACCESS LANE
PB 7 PG 12
N88°17'07"W
N71°47'50"E
EXISTING ACCESS LANE
PB 7 PG 12
N76°55'09"E
241.38'
N56°30'39"E
296.00'
OPEN
PROPOSED 30' INGRESS/EGRESS EASEMENT
EDGE OF WOODS
APPROXIMATE LOCATION OF UNDERGROUND PETROLEUM PIPELINE
(DEED BOOK 169 PAGE 429)
S29°37'16"E
719.59'
TAX PARCEL
21-01-009
NOW OR FORMEI
GEORGE A. BUC
ALYNE C. BUCH
IN#130003617
N51°24'49"E
476.34'
30'
S25°55'39"E
472.75'
S54°37'E
446.41'
DRAINFIELD
P
R
PARCEL A
AREA 5.000 Ac.
353.48'
640.64'
S63°34'10"W
535.91'
EDGE OF WOODS
APPROXIMATE LOCATION OF CREEK
N27°48'15"W
50.0
S22°53'01"E
367.67'
CRE
APPROXIMATE LOCATION OF FRESH WATER FORESTED WETLANDS AS SHOWN ON WETLANDS NATIONAL INVENTORY MAPPER
CREEK
T.P. 20-01-082
FORMER AREA 42.600 Ac.
NEW AREA 37.800 Ac.
ZONED RAC
S29°53'19"W
TIE LINE 251.04'
S25°14'13"W
135.85'
S39°50'26"W
143.14'
S30°03'40"W
TIE LINE 236.61'
℄ OF CREEK IS ℄
TAX PARCEL
20-01-083
NOW OR FORMERLY
MYRTEEN G. WRENN
MONICA G. VAUGHN
CWF 12-180
N34°08'36"W
1039.93'
S43°32'18"W
TIE LINE 354.85'
TAX PARCEL
21-01-020
NOW OR FORMERLY
JOAN B. JONES
IN#120001571
℄
THIS SUBDIVISION OF PROPERTY IS IN ACCORDANC
3.2.3.B.1.B. OF THE ISLE OF WIGHT COUNTY SUBDI


<Null>
<Null>
PROPOSED SITE
BETHEL CHURCH LANE
BLAIRS CREEK DRIVE
CINDALE DRIVE
MOUNT HOLLY CREEK LANE
<Null>
Legend
Parcels
RoadCenterLines
Towns/All Other
GC
GI
GIC
LC
LI
NC
PD-MH
PD-MX
PD-R
RAC
ROAD
RR
SE
SR
UR
VC
natural heritage
75%
N
W
E
S



SITE MAP
SCALE 1"=1000'

2013-54-1

GEORGE A. BUCHANAN & ALYNE C. BUCHANAN (HUSBAND & WIFE) HEREBY CERTIFY THAT THE SUBDIVISION OF THIS LOT OR PARCEL IS FOR THE SOLE PURPOSE OF SALE OR GIFT TO ALYNE C. BUCHANAN (WIFE) WHO IS A MEMBER OF OUR IMMEDIATE FAMILY AS SET FORTH IN SECTION 3.2.4 OF THE ISLE OF WIGHT COUNTY SUBDIVISION ORDINANCE. CONVEYANCE TO ANY OTHER PERSON OTHER THAN THE AFORESAID FAMILY MEMBER OR MEMBERS SHALL BE IN COMPLIANCE WITH SAID ORDINANCE.

THIS SURVEY HAS BEEN COMPLETED WITHOUT THE BENEFIT OF A TITLE SEARCH. THEREFORE, THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD, LAND TRANSACTIONS AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.

THE PROPERTY SHOWN ON THIS PLAT APPEARS TO BE LOCATED IN ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 510303 0135 D, SEPT. 4, 2002

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE OWNER(S) AND THAT THE SUBDIVISION IS ENTIRELY WITHIN THE BOUNDARIES OF THE LAND OWNED BY GEORGE A. BUCHANAN & ALYNE C. BUCHANAN THE LAST INSTRUMENT OF TITLE BEING DB 301 PG 426. I HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL OF THE REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF THE COUNTY OF ISLE OF WIGHT, VIRGINIA, REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY HAVE BEEN COMPLIED WITH.
GIVEN UNDER MY HAND THIS 23RD DAY OF MAY, 2013.

EDWARD C. "MO" CANADA, III L.S.

GEORGE A. BUCHANAN & ALYNE C. BUCHANAN HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE PROPERTY SHOWN ON THIS PLAT AND THAT THIS SUBDIVISION IS WITH THEIR FREE CONSENT AND IN ACCORDANCE WITH THEIR DESIRES.

WITNESS MY HAND AND SEAL THIS 9 DAY OF July, 2013

OWNER George A Buchanan OWNER Alyne C. Buchanan

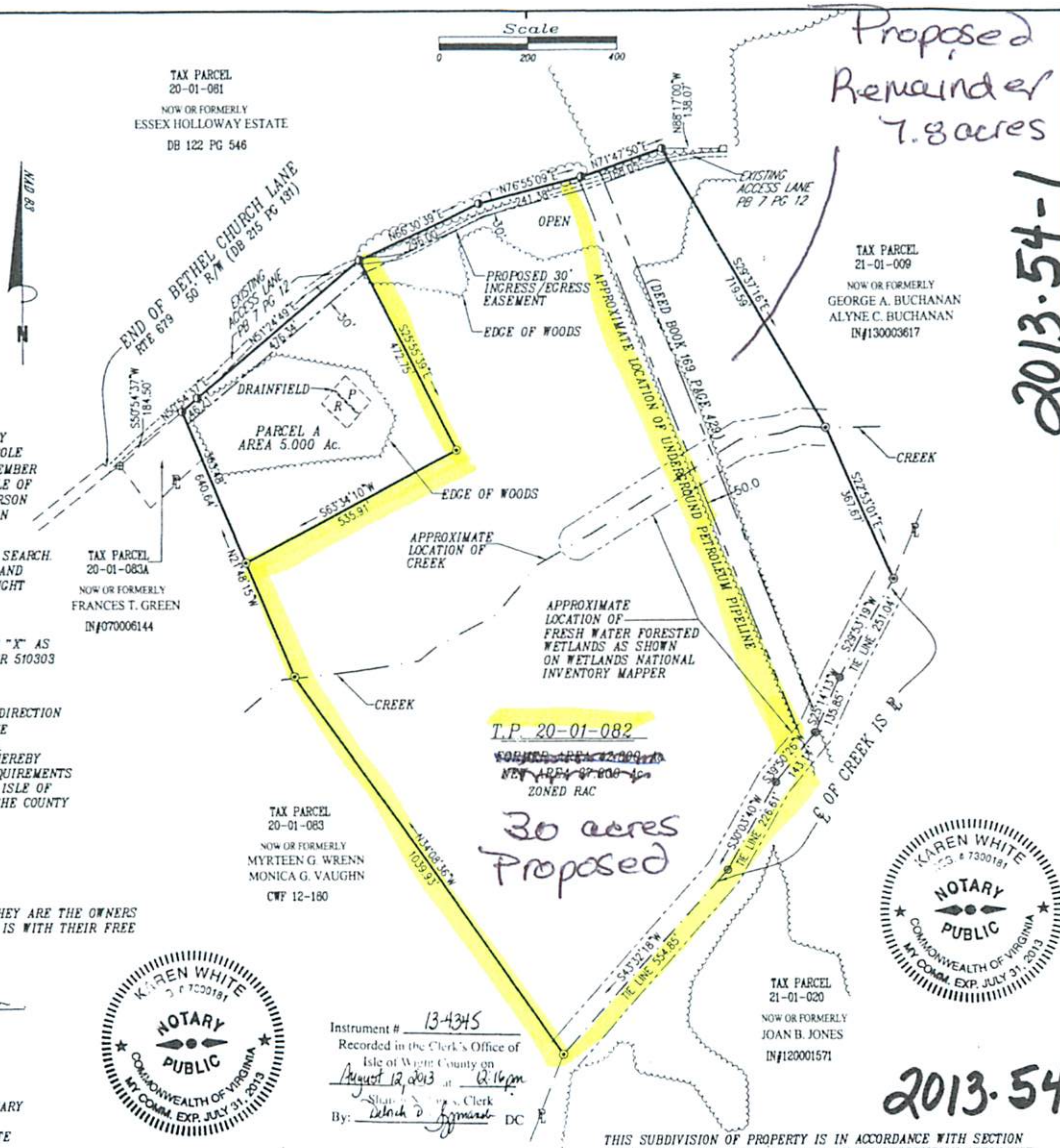
STATE OF VIRGINIA
COUNTY OF Isle of Wight, TO-WIT
SUBSCRIBED AND SWORN TO BEFORE ME Karen White, A NOTARY PUBLIC IN AND FOR THE COUNTY OF Isle of Wight, STATE OF VIRGINIA.
THIS 9 DAY OF July 2013
MY COMMISSION EXPIRES July 31, 2013
GIVEN UNDER MY HAND THIS 9 DAY OF July 2013
7300181 Karen White
NOTARY REGISTRATION NO. NOTARY PUBLIC

THIS SUBDIVISION PLAT HAS BEEN FOUND TO BE IN CONFORMANCE WITH THE ISLE OF WIGHT COUNTY SUBDIVISION ORDINANCE AND MUST BE RECORDED WITH THE OFFICE OF THE CLERK OF CIRCUIT COURT OF ISLE OF WIGHT COUNTY WITHIN SIX MONTHS OF THE DATE OF APPROVAL. APPROVAL WILL BE DEEMED VOID AFTER SIX MONTHS AND THE PLAT MUST BE RESUBMITTED FOR APPROVAL.

DATE OF APPROVAL: 8/12/13 SUBDIVISION AGENT: D. F. H. Wells

DATE OF APPROVAL: _____ VDOT ENGINEER: N/A

2013-54-1



2013-54-1

NOTES REQUIRED BY ISLE OF WIGHT COUNTY FOR PLAT APPROVAL:

1) THIS SUBDIVISION OF PROPERTY IS IN ACCORDANCE WITH SECTION 3.2.4 OF THE ISLE OF WIGHT COUNTY SUBDIVISION ORDINANCE. CONVEYANCE IN ANY OTHER WAY REQUIRES COMPLIANCE WITH SAID ORDINANCE.

2) THIS CONVEYANCE IS EXPRESSLY SUBJECT TO THE ISLE OF WIGHT COUNTY SUBDIVISION ORDINANCE PROVISION PROHIBITING THE TRANSFER OF THE PROPERTY TO A PERSON OTHER THAN THE IMMEDIATE FAMILY MEMBER FOR WHICH IT IS CREATED FOR A PERIOD OF 5 YEARS FOLLOWING THE DATE OF THE SUBDIVISION, EXCEPT AS PROVIDED FOR IN SECTION 3.2.4.A.9.

3) NO ZONING PERMIT OR BUILDING PERMIT SHALL BE ISSUED FOR ANY LOT UNTIL A WELL OR WATER SOURCE HAS BEEN APPROVED BY THE COUNTY HEALTH DEPARTMENT. (SECTION 3.2.4.B.1.)

4) WHERE SEPTIC TANKS ARE TO BE INSTALLED ON INDIVIDUAL LOTS, THERE SHALL BE AN APPROVAL OF A PRIMARY DRAINFIELD AND A 100% RESERVE DRAINFIELD BY THE HEALTH DEPARTMENT AT THE TIME APPLICATION IS MADE FOR A SEPTIC TANK PERMIT. APPROVAL OF THIS PLAT DOES NOT INDICATE THAT THE INDIVIDUAL LOT IS SUITABLE FOR APPROVAL OF A PRIMARY AND 100% RESERVE DRAINFIELD.

5) ALL ON-SITE DISPOSAL SYSTEMS NOT REQUIRING A VIRGINIA POLLUTION DISCHARGE ELIMINATION SYSTEM (VPDES) PERMIT SHALL BE PUMPED AT LEAST ONCE EVERY FIVE YEARS.

* THE SURVEYOR ASSUMES NO RESPONSIBILITY IN ASSURING THAT THE OBLIGATIONS SET FORTH IN THE NOTES REQUIRED BY ISLE OF WIGHT COUNTY ARE UPHELD AND/OR ENFORCED.

GEORGE A. BUCHANAN & ALYNE C. BUCHANAN (T.P. 20-01-082) (T.P. 21-01-009) HEREBY CERTIFY THAT THE ALL PROPERTY LINES SHOWN ON THIS PLAT ARE WITH OUR FREE CONSENT AND IN ACCORDANCE WITH OUR DESIRES.

George A Buchanan 7-9-13
NAME DATE

Alyne C Buchanan 7-9-13
NAME DATE

STATE OF VIRGINIA
COUNTY OF Isle of Wight, TO-WIT
SUBSCRIBED AND SWORN TO BEFORE ME Karen White A NOTARY PUBLIC IN AND FOR THE COUNTY OF Isle of Wight, STATE OF VIRGINIA.
THIS 9 DAY OF July 2013
MY COMMISSION EXPIRES July 31, 2013
GIVEN UNDER MY HAND THIS 9 DAY OF July 2013
7300181 Karen White
NOTARY REGISTRATION NO. NOTARY PUBLIC

KAREN WHITE 7300181 NOTARY PUBLIC COMMONWEALTH OF VIRGINIA MY COMM. EXP. JULY 31, 2013

Instrument # 13-4345
Recorded in the Clerk's Office of Isle of Wight County on August 12, 2013 at 2:16pm
Sharon B. Lawrence, Clerk
By: Deborah D. Hammond DC

AREA TABLE

FORMER AREA OF TAX PARCEL 20-01-082	42.800 Ac.
MINUS AREA OF PARCEL A	5.000 Ac
NEW AREA OF TAX PARCEL 20-01-082	37.800 Ac.

REFERENCE - DB 301 PG 426, DB 256 PG 428

LEGEND:
- ◑ - DENOTES IRON PIN OR PIPE FOUND
- ◉ - DENOTES IRON PIN SET
- P.L. - DENOTES ADJOINING PROPERTY LINE
- ⊕ - DENOTES POINT IN BRANCH
- □ - DENOTES MONUMENT FOUND
- ⊕ - DENOTES IRON AXLE FOUND

2013-54-1

THIS SUBDIVISION OF PROPERTY IS IN ACCORDANCE WITH SECTION 3.2.3.B1.B. OF THE ISLE OF WIGHT COUNTY SUBDIVISION ORDINANCE. CONVEYANCE IN ANY OTHER WAY REQUIRES COMPLIANCE WITH SAID ORDINANCE.
A) THE STREETS IN THIS SUBDIVISION DO NOT MEET THE STANDARDS NECESSARY FOR INCLUSION IN THE SYSTEM OF STATE HIGHWAYS AND WILL NOT BE MAINTAINED BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) OR THE COUNTY AND ARE NOT ELIGIBLE FOR RURAL ADDITION FUNDS OR ANY OTHER FUNDS APPROPRIATED BY THE GENERAL ASSEMBLY AND ALLOCATED BY THE COMMONWEALTH TRANSPORTATION BOARD; B) IT IS NOT THE POLICY OF THE BOARD OF SUPERVISORS OF ISLE OF WIGHT COUNTY, VIRGINIA OR VDOT TO ACCEPT OR MAINTAIN PRIVATE STREETS UNTIL THE STREETS ARE CONSTRUCTED PURSUANT TO THE SPECIFICATIONS FOR CONSTRUCTION OF SECONDARY ROADS AS PROMULGATED BY VDOT; C) THE STREETS IN THIS SUBDIVISION WILL HAVE TO BE CONSTRUCTED IN FULL COMPLIANCE WITH VDOT REQUIREMENTS IN EFFECT AT THE TIME OF THE REQUEST BY THE PROPERTY OWNERS PRIOR TO REQUESTING ADDITION OF THE STREET INTO THE STATE SECONDARY ROAD SYSTEM OF ISLE OF WIGHT COUNTY. D) IT IS NOT THE POLICY OF THE SCHOOL BOARD OF ISLE OF WIGHT COUNTY, VIRGINIA, TO ALLOW SCHOOL BUSES TO TRAVEL ON OTHER THAN PUBLICLY MAINTAINED ROADS.

BOUNDARY SURVEY OF TAX PARCEL 20-01-082 & FAMILY TRANSFER PLAT SHOWING SUBDIVISION OF THE PROPERTY OF

GEORGE A. BUCHANAN & ALYNE C. BUCHANAN TO BE CONVEYED TO ALYNE C. BUCHANAN

LOCATED ON BETHEL CHURCH LANE
HARDY MAGISTERIAL DISTRICT
ISLE OF WIGHT COUNTY, VIRGINIA
SCALE 1"=20' MAY 23, 2013

COMMONWEALTH OF VIRGINIA EDWARD C. (MO) CANADA, III Lic. No. 002846 7-9-15 LAND SURVEYOR

CANADA LAND SURVEYING
1212 S. Church Street Smithfield, VA 23430
PHONE: 757-357-2911

DRAWN BY: ECC | JOB #S13-53-IW







230838 7 MAR 14 2023

Tax ID 20-01-082
Tax ID 21-01-008A
Tax ID 21-01-008

ROAD MAINTENANCE AGREEMENT

THIS AGREEMENT is made this 5th day of March, 2023 by and between **Paul Krohn** and **Terri Krohn**, of 14650 Bethel Church Lane, Smithfield, Virginia (subject property Tax ID 20-01-082 (Exhibit "B")) and **Michael D. Hirst** and **Susan H. Hirst** of 30 Faye Drive, Smithfield, Virginia (subject property Tax ID 21-01-008A (Exhibit "C")) and **William S. Wilkins, III** and **Ronda R. Wilkins** of 4207 Gail Court, Portsmouth, Virginia, (subject property Tax ID 21-01-008 (Exhibit "D"))

WHEREAS, the above parties wish to provide for maintenance of the road known as the private lane portion entitled Bethel Church Lane, in Smithfield, Virginia described on "EXHIBIT A" attached hereto and made a part hereof, and

WHEREAS access to the property is available privately and not currently maintained by any public entity, and

WHEREAS the private lane is not currently maintained by the Virginia Department of Highways and it is the desire, intention and obligation of the owners of such parcels to provide for the continued maintenance and upkeep of such roadway, and it is for that purpose which they enter into this agreement, and

NOW, THEREFORE, for good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties agree as follows:

THAT the above parties do hereby intend and declare to maintain in good and substantial repair, an all-weather surfaced private road (a hard packed and graded and/or graveled road that is passable by vehicles under both wet and dry weather conditions), and

THAT this Agreement shall encumber and run with the land, and continue for the term of the ownership of the parties and thereafter to the subsequent parties or heirs into perpetuity until such a time as the road may be publicly dedicated and maintained by the public entity, and

THAT the above parties shall be liable for the continued maintenance and repair of the above referenced land, as it passes on and upon their land, and

THAT invalidation of any provision of this Agreement shall in no way effect any other provision contained herein, which shall remain in full force and effect, and

THAT, upon execution by the parties herein above, this Agreement shall be recorded in the land record of the city or county where the subject property is located.

WITNESS the following signatures and seals:

3-8-2023

Paul Krohn

3-8-2023

Terri Krohn

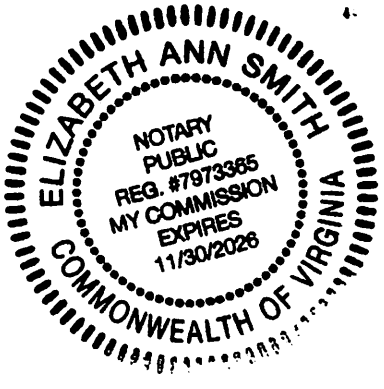
STATE OF Virginia,
CITY/COUNTY OF Isle of Wight, to-wit:

The foregoing was acknowledged before me by between Paul Krohn and Terri Krohn this 8 day of March, 2023.

Elizabeth A. Smith
Notary Public

My Commission Expires: 11/30/2026

Registration No. 7973365



WITNESS the following signatures and seals:

Michael D. Hirst

Michael D. Hirst

Susan H. Hirst

Susan H. Hirst

STATE OF Virginia,
CITY/COUNTY OF Isle of Wight, to-wit:

The foregoing was acknowledged before me by Michael D. Hirst and Susan H. Hirst this 1 day of March, 2023.

Joyce B. Green

Notary Public

My Commission Expires: April 30, 2025

Registration No. 7014885

JOYCE BETH GREEN
NOTARY PUBLIC • REG. # 7014885
Commonwealth of Virginia
My Commission Expires 04/30/2025

WITNESS the following signatures and seals:

William S. Wilkins, III

Ronda R. Wilkins

STATE OF Virginia,
CITY/COUNTY OF Hampton, to-wit:

The foregoing was acknowledged before me by William S. Wilkins, III and Ronda R. Wilkins this 10th day of March, 2023.

Notary Public

TIA C CARY
Notary Public
Commonwealth of Virginia
Registration No. 8043902
My Commission Expires Apr 30, 2027

My Commission Expires: April 30, 2027

Registration No. 8043902

WITNESS the following signatures and seals:

William S. Wilkins, III

Ronda R. Wilkins

STATE OF _____
CITY/COUNTY OF _____, to-wit:

The foregoing was acknowledged before me by William S. Wilkins, III and Ronda R. Wilkins this ____ day of _____, 2023.

Notary Public

My Commission Expires: _____

Registration No. _____

EXHIBIT "A"

Easement

A non-exclusive perpetual easement of right of way for ingress, egress and for installation and maintenance of all utilities(including but not limited to electric power, telephone, gas and cable TV) 30 in width, being fifteen (15) feet on either side of the center line of the existing "Access Lane", known and designated as "Proposed 30' Ingress/Egress Easement", as shown on a certain plat of survey entitled, "Boundary Survey Of Tax Parcel 20-01-082 & Family Transfer Plat Showing Subdivision of the Property of George A. Buchanan and Alyne C. Buchanan To Be Conveyed to Alyne C. Buchanan Located on Bethel Church Lane Hardy Magisterial District Isle Of Wight County, Virginia," Scale: 17 =20°, dated May 23, 2013, made by Canada Land Surveying, a copy of which plat is recorded as Plat Instrument No. 2013-54-1 in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia, reference to which is here made.

Exhibit "B"

Legal Description (Krohn - Tax ID 20-01-082)

All that certain lot, piece or parcel of real estate lying and being in Isle of Wight County, Virginia, shown as Tax Parcel 20-01-082, former area 42.80 acres, new area 37.800 acres, on a certain plat entitled "BOUNDARY SURVEY OF TAX PARCEL 20-01-082 & FAMILY TRANSFER PLAT SHOWING SUBDIVISION OF THE PROPERTY OF GEORGE A. BUCHANAN & ALYNE C. BUCHANAN TO BE CONVEYED TO ALYNE C. BUCHANAN LOCATED ON BETHEL CHURCH LANE HARDY MAGISTERIAL DISTRICT ISLE OF WIGHT COUNTY, VIRGINIA", dated May 23, 2013 made by Canada Land Surveying, 1212 S. Church Street, Smithfield, VA 23430 and recorded in the Clerk's Office of the Circuit Court for Isle of Wight County, Virginia as Plat Instrument Number 2013-54-1.

Exhibit "C"

Legal Description (Hirst - Tax ID 21-01-008A)

All that certain lot, piece, parcel or tract of land, situate, lying and being in Hardy Magisterial District, Isle of Wight County, Virginia, designated as "REMAINDER T.P. 21-01-008", containing 9.40 acres, as shown on that certain plat entitled, "FAMILY TRANSFER PLAT SHOWING PROPERTY OF FRANKLIN D. LYNN, JR., MELISSA A. LYNN, TAYLOR SCHLTZ CONVEYED TO MELISSA A. LYNN LOCATED ON BETHEL CHURCH LANE, HARDY MAGISTERIAL DISTRICT, ISLE OF WIGHT COUNTY, VIRGINIA, SCALE 1" = 100', SEPTEMBER 14, 2012, which plat is recorded as in the Clerk's Office of the Circuit Court of Isle of Wight County, Virginia as Plat No. 2012-86-1 & 2012-86-2. Reference is hereby made to said plat for more particulars as to the description of the 9.40 acre parcel.

Exhibit "D"

Legal Description (Wilkins - Tax ID 21-01-008)

All that certain lot, piece, parcel or tract of land, situate, lying and being in Hardy Magisterial District, Isle of Wight County, Virginia, designated as "PARCEL 1", containing 9.43 acres, as shown on that certain plat entitled, "FAMILY TRANSFER PLAT SHOWING PROPERTY OF FRANKLIN D. LYNN, JR., MELISSA A. LYNN, TAYLOR SCHULTZ CONVEYED TO MELISSA A.LYNN LOCATED ON BETHEL CHURCH LANE, HARDY MAGISTERIAL DISTRICT, ISLE OF WIGHT COUNTY, VIRGINIA, SCALE 1" = 100", SEPTEMBER 14, 2012", which plat is recorded in Plat 2012-86-1&2, in the Clerk's Office of the Circuit Court of Isle of Wight, Virginia. Reference is hereby made to said plat for more particulars as to the description of the 9.43 acre parcel of real estate herein conveyed, said plat being made a part of this deed and incorporated into this deed by reference.

Returned 3-14-2023

INSTRUMENT # 230000838
RECORDED IN THE CLERK'S OFFICE
ISLE OF WIGHT COUNTY ON
MARCH 14, 2023 AT 02:52PM

KATHLEEN S. TORRENCE, CLERK
RECORDED BY: DDS

Dear Paul and Terri Krohn,

Merry Christmas! Hope you had a great trip!

As we have recently discussed, soon we are going to spend a considerable amount of money to improve the access road for everyone on our piece of property (approximately 375 feet). Due to this investment, I would like to reserve the right for all maintenance to be completed by me or a company that I approve. This includes all maintenance on our land, from now on. Therefore, please refrain from scraping the road, mowing the grass, trimming the trees, or removing any dirt, etc. on any of our property without our permission. The sole exception is for scraping the path for snow, as long as it is done high so as to not touch the new gravel. I will keep the road maintained by hardening the road surface. It should be a low maintenance road, and when it needs maintaining, I'll take care of it (unless there is an act of God, such as a hurricane that may require something more).

Paul, you volunteered to pay to install a culvert. I've thought about it more, and I wanted to convey my wishes more clearly in writing. I certainly appreciate your offering to have it installed on my land. However, for reasons of liability, I only want it to be installed if the project is completed by a company who is licensed and insured, and who has experience doing these projects (such as Smithfield Services, etc). This is our land, and while you access it, we ultimately are responsible for problems that may arise down the road. If you do still want a company to install the culvert, I would like to approve the design/process/date of installation, etc. prior to installation. If you have any questions, we'll be glad to chat with you upon our return from holiday travels around the first of the year.

Sincerely,

Jake F. Browder & Amanda E. Browder

Jake F. Browder
12/26/18
Amanda E. Browder 12/26/18