A G E N D A
ISLE OF WIGHT COUNTY PLANNING COMMISSION
October 25, 2022

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

2. ROLL CALL/DETERMINATION OF A QUORUM

BRIAN CARROLL, CHAIRMAN
BOBBY BOWSER, VICE-CHAIRMAN
CYNTHIA TAYLOR
JAMES FORD
JENNIFER S. BOYKIN
GEORGE RAWLS
THOMAS J. DISTEFANO
RICK SIENKIEWICZ
RAYNARD GIBBS
MATTHEW SMITH

3. ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

4. APPROVAL OF AGENDA

5. CONSENT AGENDA

A. SEPTEMBER 27, 2022 REGULAR MEETING MINUTES

6. CITIZENS' COMMENTS

7. PUBLIC HEARINGS

A. CUP-02-2022 HO-FEL SOLAR

Application of Ho-Fel Solar, LLC (CUP-02-22), applicant, and Dustin and Brandy Atkins and Cobb Land Limited Partnership, property owners, for a conditional use permit to establish a major utility service, specifically a utility-scale solar energy facility and substation, on eighteen acres located on property on Lees Mill Road with tax parcel numbers 69-01-086 and 72-01-022, in the Rural Agricultural Conservation zoning district. This application is an expansion of previously approved conditional use permit, CUP-8-18, for a 40 MW utility scale solar facility on parcel 69-01-087.

8. OLD BUSINESS

9. NEW BUSINESS

A. PROPOSED CEMETERY SETBACK ORDINANCE CHANGE

Discussion on a Proposed Change to Cemetery Setback Requirements

B. COUNTY ATTORNEY'S REPORT

C. PLANNING DIRECTOR'S REPORT

10. CLOSED MEETING

11. ADJOURNMENT

PLANNING REPORT

ATTACHMENTS:

Description	Type	Upload Date
SEPTEMBER 27, 2022 REGULAR MEETING MINUTES	Cover Memo	10/19/2022

MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY PLANNING COMMISSION HELD ON THE TWENTY-SEVENTH DAY OF SEPTEMBER IN THE YEAR TWO THOUSAND AND TWENTY-TWO

CALL TO ORDER

Brian Carroll, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on September 27, 2022, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Don Robertson delivered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Carroll invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT
Brian Carroll, Chairman
Bobby Bowser, Vice-Chairman
Cynthia Taylor
James Ford
Jennifer Boykin
George Rawls
Thomas Distefano
Rick Sienkiewicz
Raynard Gibbs
Matthew Smith

A quorum was determined.

ALSO IN ATTENDANCE
Mandy Rogers, Substitute Council to the Planning Commission
Don Robertson, Assistant County Administrator
Amy Ring, Community Development Director
Jeryl Phillips, Assistant Director, Planning and Zoning
Caleb Kitchen, Planner I
Amanda Landrus, Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Carroll asked if there were any requests to table or withdrawal agenda items. Amy Ring, Community Development Director, stated there were no requests.

APPROVAL OF AGENDA

Chairman Carroll called for a vote to approve the agenda. Commissioner Ford made a motion to approve the agenda. Commissioner Bowser seconded the motion. Chairman Carroll asked for all in favor to signify by saying aye. The motion passed unanimously.

APPROVAL OF CONSENT AGENDA

Chairman Carroll called for a vote to approve the consent agenda. Commissioner Boykin made a motion to approve the consent agenda. Commissioner Ford seconded the motion. Chairman Carroll asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

Chairman Carroll opened the floor for any citizen comments.

Chris Waltz, 17226 Commerce Lane, opposes the application for the salvage yard, stating he believes it is not conducive due to the new hospital being built three miles away.

Chairman Carrol asked for the following opposition letter to be entered into the minutes.

From: Steven <swt09111953@gmail.com>
Sent: Tuesday, September 27, 2022 1:16 PM
To: William M. McCarty, Sr <wmccarty@isleofwightus.net>; Amy Ring <aring@isleofwightus.net>
Cc: Ty Ehlers <tyehlers@gmail.com>; Brian Pierro <bjp11221969@gmail.com>; Michelle Ehlers <mehlers12@outlook.com>; cc: ANTHONY TAYLOR <taylorast393@msn.com>; Braian Navarro Lot 03 <reyesbraian@yahoo.com>; Steven Moniuszko <steven.moniuszko@gmail.com>; Steven Turner <swt09111953@gmail.com>; Donald N. Jennings <djennings@isleofwightus.net>; Nan & Rick Sienkiewicz Lot 08 <sinachilles@aol.com>; Wendell Ramey <4ramey@gmail.com>; atkinsb01@hotmail.com; Joel C. Acree <jacree@isleofwightus.net>; Bobby Jones <bjones@isleofwightus.net>
Subject: Request for shrub height variance for the Heritage apartment complex on Sugar Hill Road

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Mr McCarty, Mrs Ring,
I will be unable to attend your meeting this evening concerned with the Heritage request for 'shrub height' variance because I am ill.
I hope you support 'denying' the variance based on the following reasons:

1. It was agreed upon by the builder this WOULD take place.
2. The trees are needed to block out the noise of 6 compressor units facing the Carrollton Meadows side of the project.
3. The trees are needed to block the view for all 4 lots backing up the view from Larkspur Court.

Thank you for your time and consideration.

Please advise all concerned.

Respectfully,
Steve Turner

There being no further citizens comments, Chairman Carrol closed Citizens Comments.

PUBLIC HEARINGS

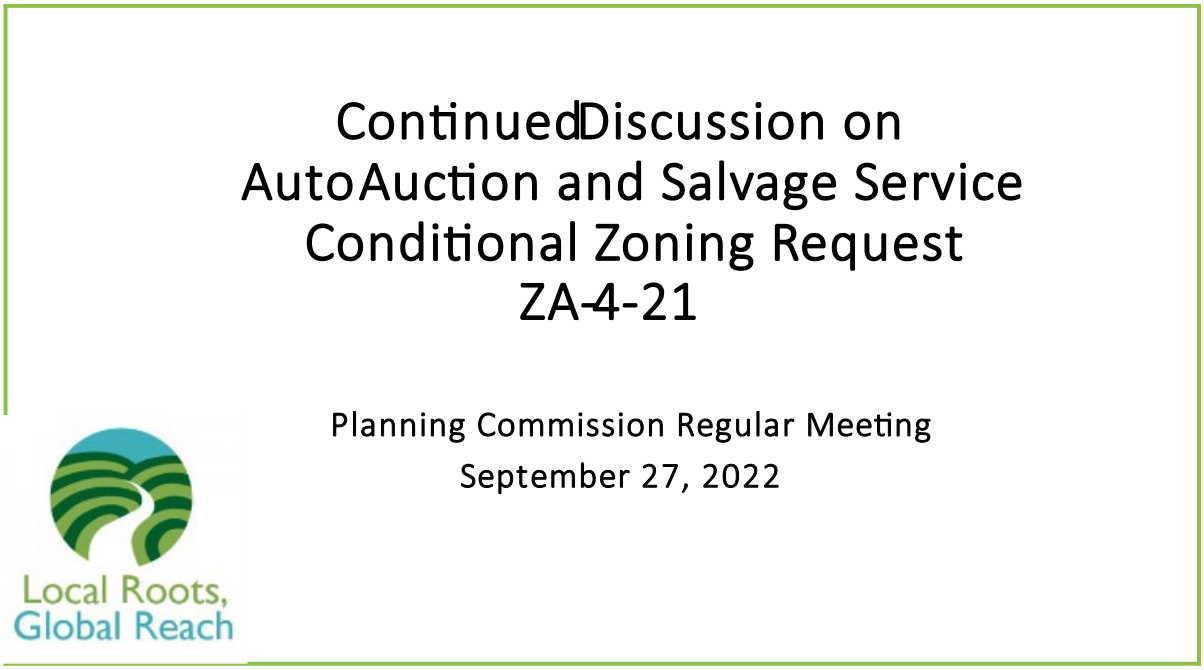
Amy Ring confirmed there was no items for public hearing.

OLD BUSINESS

Chairman Carroll called for the old business item on the following application.

> Application (ZA-4-21) of Advanced Construction Development, LLC, applicant, and Locust Grove Partners, LP and H&B Railroad Company, Inc. property owners, for a change and amendment to existing zoning to Conditional-Limited Industrial (C-LI) to allow an auction establishment and a scrap and salvage service on approximately 5 acres of property with tax map number 42-06-015 located on the north side of the western terminus of IWIP Road (Rte. 1032) together with approximately 70 acres of property with tax map number 42-01-006 located at 17094 Benns Church Boulevard (Rte. 10)

Amy Ring, Community Development Director, gave a brief recap from the previous meeting, as well as a summary of the additional information with the following PowerPoint presentation.



SITE DESCRIPTION

Tax Map ID#:	42-06-015 and 42-01-006
Location :	IWIP Road and 17076 Benns Church Boulevard (Rte. 10)
Current Zoning :	Conditional – Limited Industrial (C-LI) & Rural Agricultural Conservation (RAC)
Election District:	D4
Request:	Amendment to conditional zoning for 42-06-015 and conditional LI zoning for 42-01-006 to allow for an auction establishment and a scrap and salvage service on 75 acres

Local Roots, Global Reach

PROJECT DESCRIPTION

- Proposed commercial use of "Auction Establishment" and the industrial use of “Scrap and Salvage Service” to establish a business known as Insurance Auto Auctions (IAAI) that receives, inspects, temporarily stores, and auctions automobiles via the internet.
- Improvements will consistof an office building, storagesheds, employee and customer parking, storage yard, and storm drainage system.
- Will create fifteen full-time, on-site jobs, including managerial positions.
- No new traffic improvements are proposed.
- Private, community well system and on-site wastewater system to be utilized.

Local Roots, Global Reach

BACKGROUND

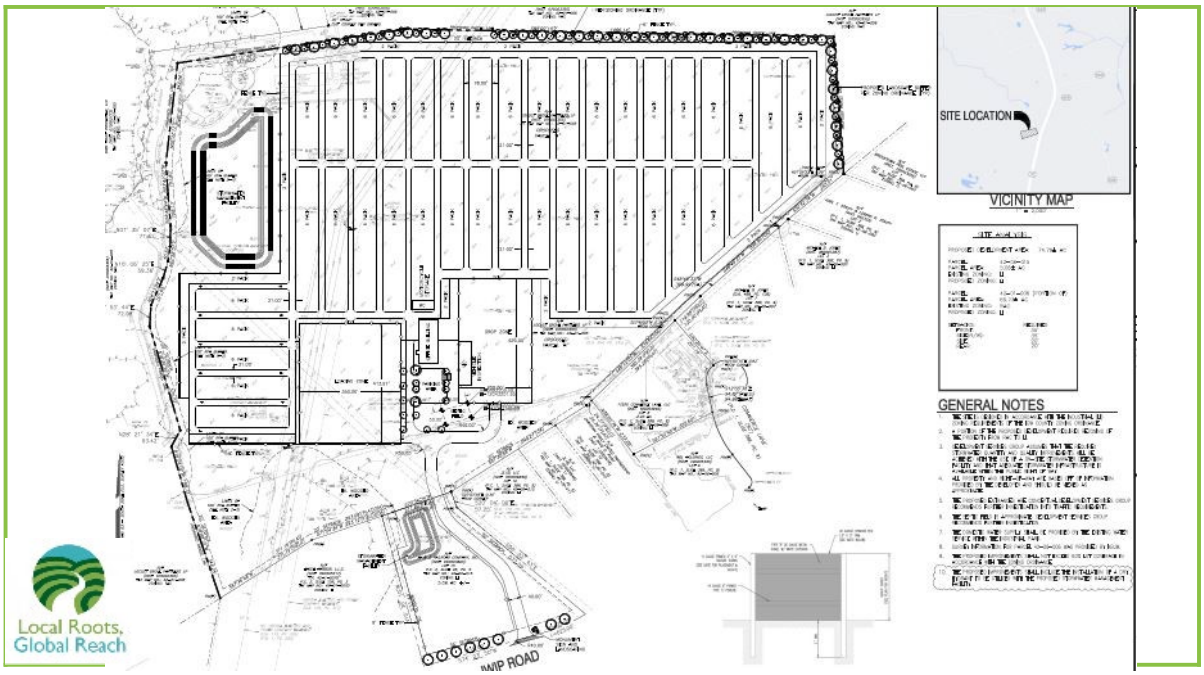
- Planning Commission held a public hearing on the proposed conditional rezoning at their August 23, 2022, regular meeting.
- The Planning Commission approved a motion to continue their discussion of the application to their next regular meeting and requested the following additional information:
  - The applicant's fire suppression plan, including prevention, mitigation, detection, and response plan for both conventional and electric vehicles;
  - Whether other localities with the applicant's other facilities have experienced any issues; and
  - What types of environmental oversight is required for these facilities, including soil testing. How is any low-level leakage of contaminates detected and how are they addressed? Is there a decommissioning plan documenting and committing to a cleanup response?

Local Roots, Global Reach

ADDITIONAL INFORMATION

- Applicant agreed to add a note to the concept plan that a dry hydrant would be installed and access to the wet pond in the rear of the would be provided. A separate storage area specifically for electrical vehicles would be created near the wet pond.
- Applicant states no special state or federal permits other than stormwater permits are required for these type of facilities.
- Applicant submitted a letter which states the lease between the applicant and property owner requires Phase I ESA testing at the beginning and end of the lease. There is no decommissioning agreement in place or proposed.
- Suffolk & York County stated only issues with existing sites was lack of fire hydrants in Suffolk and parking of inoperable vehicles on a public street in York County.
- DEQ stated permits would be only be need if there was a vehicle washing or maintenance facility on site.

Local Roots, Global Reach



RECOMMENDATION

Based on the strengths of the application, staff recommends approval of conditional zoning request with the proffered conditions.

Commissioner Taylor asked if the storm water pond is fed through ground water or runoff.

Elmer Toll, Engineer, 1210 Progressive Drive, Chesapeake, stated the pond will capture surface runoff and the intention is to be a wet pond.

Commissioner Taylor asked what if there was to be a dry season causing water levels to be low.

Mr. Toll stated the water tables should be able to support that. He also stated that DEQ's requirement for wet ponds is six feet, his plan is to have it greater than eight feet to ensure adequate water.

Ms. Ring stated that she thought the storm water pond would be located where the existing farm pond is.

Mr. Toll clarified that the storm water pond will be attached to the existing pond, but a new pond will be created to prevent encroachment into the wetlands.

Commissioner Distefano asked what will confirm that the pond shall be a wet pond to ensure the capacity for fire services.

Mr. Toll added that from an engineering standpoint, a wet pond would be the best BMP for this site.

Commissioner Distefano asked about fire prevention and mitigation.

Mr. Toll stated the infrared cameras will be able to send an alert, if a fire started during closed hours, and there is separation of the vehicles to help mitigate fire spread. Mr. Toll added the wet pond will be the third wet pond serving the industrial park.

William Dytrych stated the infrared system is activated when the operation is shut down. It is monitored by a firm in Massachusetts and is monitored for security as well as a catastrophe event.

Commissioner Distefano asked about mitigation to prevent fire and fire spread.

Mr. Dytrych stated they follow all state, local and national regulations. He added there is not a uniform standard for electrical vehicle storage, so they use their best judgment. Mr. Dytrych added it is in their best interest to do preventive measures to prevent fires from starting and stopping the spread if there happened to be a fire.

Witt Harper, legal representative, stated during a meeting with the fire marshal, it was stated that the electric vehicles would be closest to the wet pond.

Commissioner Gibbs asked what best management practices are being used at other facilities since there is not a standard for electrical vehicle storage.

Witt Harper stated separation of electrical vehicles and clear access for fire suppression.

Commissioner Distefano made the motion to recommend approval of the change and amendment to the existing conditional zoning to the Board of Supervisors with the provision the applicant will provide additional detail on mitigation to prevent cascading fire between the electrical vehicles. Commissioner Taylor seconded the motion, which was adopted with Commissioners Bowser, Boykin, Distefano, Distefano, Ford, Taylor, Rawls, Sienkiewicz, Gibbs, Smith, and Carroll voting in favor of the motion, and no Commissioners voting against the motion (10-0).

Motion was carried and will go to the Board of Supervisors on October 20, 2022.

NEW BUSINESS

Chairman Carroll called for the new business item.

> Request of KS Carrollton, LLC, property owner, to amend the conditions of approval of a Height Exception for the Heritage Apartments located at 23321 Sugar Hill Road with tax parcel number 34-01-106B in order to allow required trees to be a minimum of ten feet minimum at planting instead of twelve feet at planting.

Amy Ring gave a summary of the application.

Chairman Carroll called for discussion from the Commissioners.

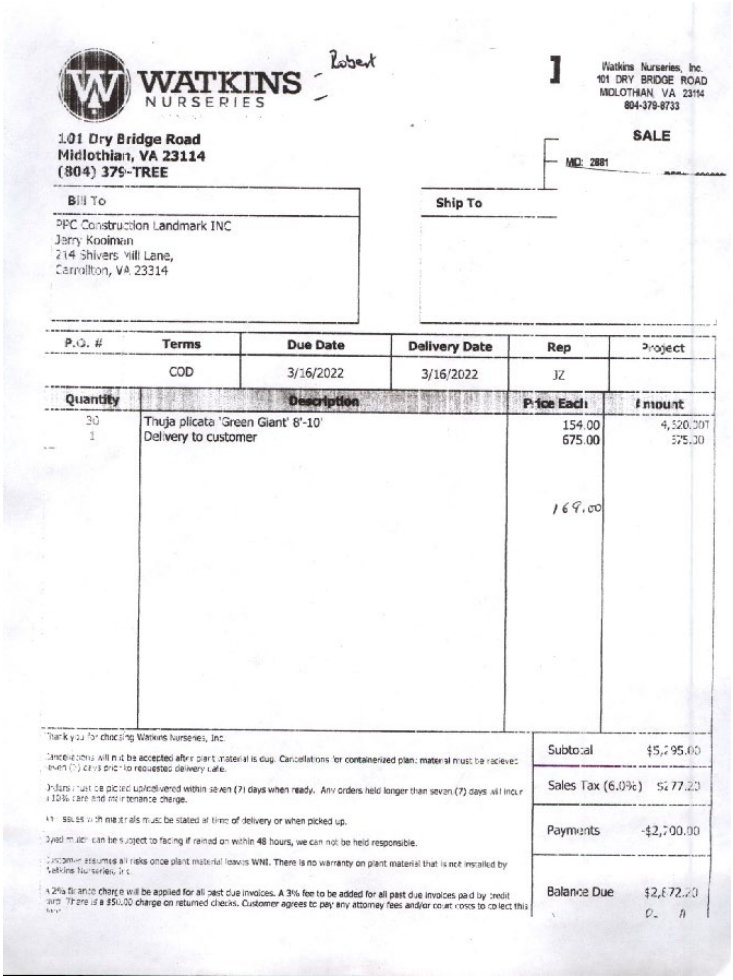
Commissioner Boykin asked if a revised site plan has been submitted.

Commissioner Bowser asked what the reason was behind the request to change to ten feet.

Jerry Kooiman, 214 Shivers Mill Lane, stated there is no change on the site plan besides the move of the dumpster per the neighboring resident's request. Mr. Kooiman added the revised site plan showing the new location of the dumpster will be submitted soon.

Lucy Kooiman, 214 Shivers Mill Lane, stated that twelve-foot, Green Giant trees were the agreed upon mitigation from their previous exception request. Ms. Kooiman added they began their search in March and were able to find thirty, eight to ten feet tall Green Giants which they placed a deposit on in hopes they would meet the twelve-foot requirement at the time of planting. Ms. Kooiman stated in June the nursery contacted them and was unable to continue to hold the trees and refunded the deposit. Mrs. Kooiman stated they were able to find a different nursery and reserved thirty-four trees ranging in height from eight to ten feet. Mrs. Kooiman added these trees will grow up to forty feet which is more than the twenty-five feet minimum.

Ms. Kooiman shared the following nursery invoice.



WATKINS NURSERIES

Robert

1

Watkins Nurseries, Inc.
101 DRY BRIDGE ROAD
MIDLOTHIAN, VA 23114
804-379-8733

101 Dry Bridge Road
Midlothian, VA 23114
(804) 379-TREE

SALE

MD: 2881

Bill To	Ship To
PPC Construction Landmark INC Jerry Kooiman 214 Shivers Mill Lane, Carrollton, VA 23314	

P.O. #	Terms	Due Date	Delivery Date	Rep	Project
	COD	3/16/2022	3/16/2022	JZ	

Quantity	Description	Price Each	Amount
30	Thuja plicata 'Green Giant' 8'-10'	154.00	4,620.00
1	Delivery to customer	675.00	675.00
		169.00	

Thank you for choosing Watkins Nurseries, Inc.

Cancellations will not be accepted after plant material is dug. Cancellations for containerized plant material must be received seven (7) days prior to requested delivery date.

Orders that are placed up/delivered within seven (7) days when ready. Any orders held longer than seven (7) days will incur a 10% care and maintenance charge.

All sales with materials must be stated at time of delivery or when picked up.

Dyed mulch can be subject to fading if rained on within 48 hours, we can not be held responsible.

Customer assumes all risks once plant material leaves WNI. There is no warranty on plant material that is not installed by Watkins Nurseries, Inc.

A 2% finance charge will be applied for all past due invoices. A 3% fee to be added for all past due invoices paid by credit card. There is a $50.00 charge on returned checks. Customer agrees to pay any attorney fees and/or court costs to collect this

Subtotal	$5,295.00
Sales Tax (6.0%)	$277.20
Payments	-$2,700.00
Balance Due	$2,872.20

Commissioner Boykin asked if these were the only trees being planted.

Ms. Kooiman stated 28 additional trees and over 200 shrubs will be planted.

Chairman Carroll asked how far off the property line are these trees located.

Jerry Kooiman stated roughly eight feet off the property line.

Chairman Carroll asked who requested the forty foot trees instead of the 25 foot trees.

Ms. Ring stated the Board of Supervisors who imposed the conditions.

Commissioner Distefano asked when the trees will be planted and when the Occupancy permit will be obtained.

Mr. Kooiman stated the building is almost complete and if the Board approved the height change, the trees will be planted in October.

Commissioner Taylor asked how long the landscaping surety is help onto by the county.

Ms. Ring stated it is held for two years along with a landscaping agreement. She added the plants are required to be planted and inspected prior to the CO being issued, and another inspection two years later to verify the plants are still thriving. Ms. Ring stated on the final site plan, it states whoever the property owner is at the time is responsible for perpetual maintenance of the landscaping.

Commissioner Boykin asked if this application could be tabled until the revised site plan is received.

Commissioner Ford asked if a revised site plan is required and when will it be received.

Ms. Ring stated it is required and the applicant stated it should be provided tomorrow.

Jerry Kooiman stated the site plan was submitted previously with the changes but was not approved due to some corrections that needed to be made with the landscaping point calculations and setback requirements for the dumpster.

Commissioner Rawls asked if the additional trees change the required landscaping.

Ms. Ring stated the applicant is still required to meet all the landscaping standards in addition to the trees.

Commissioner Distefano stated the agreement of the twelve foot trees at planting was between the applicant and the HOA. Mr. Distefano asked if the HOA was notified or provided a formal response.

Ms. Ring responded that they were notified but no formal response was submitted on behalf of the HOA, only a letter from Steve Turner, the HOA president, however the letter only addressed himself as a property owner not representing the HOA's opinion.

Commissioner Distefano asked Mr. Kooiman if the HOA was notified.

Mr. Kooiman stated the information has been submitted through the Planning and Zoning office not directly to the HOA.

Commissioner Boykin made the motion to table this application until a revised site plan is received. Commissioner Rawls seconded the motion with Commissioners Boykin, Distefano, Rawls, Sienkiewicz, and Smith voting in favor of the motion, and Commissioners Bowser, Ford, Taylor, Gibbs and Carroll voting against the motion (5-5). The motion fails under an even vote.

Commissioner Distefano stated his concern is that the agreement was made with the applicant and the members of the HOA and suggests they should have the members of the HOA opinion before making a decision. Mr. Distefano added he feels this should be tabled until that time or addressed before going before the Board of Supervisors.

Commissioner Ford stated that if Mr. Turner was representing the HOA it should have been stated in the letter to reflect that.

Commissioner Bowser made the motion to recommend approval of the application to the Board of Supervisors.

Commissioner Distefano amended the motion to add the recommendation that there is engagement with the HOA prior to the board meeting. Commissioner Gibbs seconded the motion, which was adopted with Commissioners Bowser, Boykin, Distefano, Distefano, Ford, Taylor, Rawls, Sienkiewicz, Gibbs, and Smith, voting in favor of the motion, and Chairman Carroll voting against the motion (9-1).

Motion was carried and will go to the Board of Supervisors on October 20, 2022.

Amy Ring stated Section 4-2 in the Planning Commission bylaws, states the Chairman may call at special meeting at any time during a regular meeting. The proposed 2022 Planning Commission Annual Retreat is proposed to be held on Friday, October 14, 2022, in the Board Room and qualifies as a special meeting. The meeting is proposed to be held from 9 AM to 4:30 PM.

Chairman Carroll called for a vote to approve the retreat date. Commissioner Bowser made a motion to approve the consent agenda. Commissioner Ford seconded the motion. Chairman Carroll asked for all in favor to signify by saying aye. The motion passed unanimously.

COUNTY ATTORNEY'S REPORT

Mandy Rogers confirmed there was no items for the County Attorney's Report.

PLANNING DIRECTOR'S REPORT

Amy Ring stated she received a request from Randy Keaton, County Administrator, who had a request from Mr. Rudolph Jefferson, Board of Supervisors chairman, asking to consider changing or amending the ordinance for cemetery setbacks. Ms. Ring stated the current supplementary use regulations in Article V of the Zoning Ordinance states that cemeteries are required to meet the setbacks of the underlying zoning district. She asked the Planning Commission whether they would like to discuss any proposed changes first or proceed with a public hearing at their next regular meeting. The Planning Commission stated that they would prefer to discuss any proposed changes first. Ms. Ring added that she will do some research and will bring this back to the Planning Commission for discussion prior to the public hearing.

Ms. Ring introduced the new Planning Commission members, including Raynard Gibbs from District 1, Matthew Smith from District 1, and Rick Sienkiewicz from District 4. She also recognized that Cynthia Taylor, formerly of District 1, had been appointed to fill the unexpired term of William Hulick in District 2, since she no longer resides in District 1 due to the redistricting changes.

CLOSED MEETING

Chairman Carroll confirmed there were no items to discuss in closed meeting.

ADJOURNMENT

There being no further information to discuss, Chairman Carroll adjourned the meeting at 7:01 PM.

Adopted this 25th day of October, 2022.

_____
Chairman, Isle of Wight County Planning Commission

Attest: _____
Secretary

PLANNING REPORT

APPLICATION:

Application of Ho-Fel Solar, LLC (CUP-02-22), applicant, and Dustin and Brandy Atkins and Cobb Land Limited Partnership, property owners, for a conditional use permit to establish a major utility service, specifically a utility-scale solar energy facility and substation, on eighteen acres located on property on Lees Mill Road with tax parcel numbers 69-01-086 and 72-01-022, in the Rural Agricultural Conservation zoning district. This application is an expansion of previously approved conditional use permit, CUP-8-18, for a 40 MW utility scale solar facility on parcel 69-01-087.

ELECTION DISTRICT:

District 5

LOCATION:

The subject property is located on Lees Mill Road (Rte. 616) in the Camptown Development Service District (DSD), approximately one mile east of International Paper. It is surrounded by agricultural and forestal lands, two reclaimed resource extraction sites, an active landfill, an industrial warehouse, and a few scattered single-family residences. To the north are the Norfolk and Western Railroad and the original parcel for the previous Conditional Use Permit (CUP) application. To the east is the Isle of Wight County/ City of Suffolk boundary. To the south are single-family residences along with additional agricultural and forestal land, and to the west is scattered residential development along Lees Mill Road.

BACKGROUND:

The applicant originally received a conditional use permit for a solar energy facility on parcel 69-01-087 in February 2019. The original approval was for 300 acres to the north of the proposed expansion. The historic home known as Oakcrest is located on the original parcel 69-01-087. The applicant has since reduced the amount of acreage for the solar facility on the original parcel from 300 acres to 182 acres and proposed an additional 17.7 acres on parcels 69-01-086 and 72-01-022. The applicant has requested the CUP for the additional parcels to establish the point of interconnection on parcel 72-01-022 along with a change of equipment requiring different spacing. Existing uses on the parcels include agriculture and some single-family homes.

DESCRIPTION:

The applicant proposes to expand the previously approved 40MW solar energy facility located on parcel 69-01-087. The project is proposed to affect 199 acres out of a possible 411 acres across three parcels. The two parcels associated with the expansion have approximately 92.4 wooded acres. Parcel 72-01-022 currently has some existing buildings used for an agriculture operation that will be removed. The associated substation and point of interconnection are proposed on parcel 72-01-022. Parcel 69-01-086 is currently mostly wooded except for a dirt path and an agricultural field. Parcel 69-01-086 will be accessed using the existing path and parcel 72-01-022 will be accessed through the northwest portion of the site.

The applicant has proposed additional landscape buffers above what is required in the Zoning Ordinance. The width of buffer yards along roadways has increased and additional landscaping points per linear foot have been added for all buffer yards. An exhibit demonstrating this proposal is attached to this report. The applicant has also submitted a proposed decommissioning plan and agreement which will be reviewed for approval and entered into prior to final site plan approval. If the CUP is granted, the applicant will be required to meet all supplementary use regulations for utility-scale solar facilities, approved conditions, and follow the appropriate site plan review process prior to construction.

The affected parcels are not located in any zoning overlay or within an Agricultural and Forestal District.

Public Facility Impacts:

The impacts of the proposed facility on public roads will occur primarily during construction and will be minimal once established. In establishing the use, the enjoyment of neighboring properties may also be temporarily impacted by construction traffic and noise generation.

In order to ensure adequate provision of emergency services, staff recommends the applicant 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 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 area has several wetland features identified. The proposal avoids a vast majority of impacts to the features through avoidance. No development of solar arrays or substations are proposed within any wetland areas. According to an assessment of any endangered species in project area, there is the potential for the presence of the Eastern Big Eared Bat. Because the project does not proposed to impact wetlands or remove trees, the proposed solar facility is not likely to adversely affect any federally protected or state-listed threatened or endangered species or other wildlife resources.

In order to provide opportunities for wildlife corridors, fencing could be placed around the facilities only and not the whole site.

Historic Resources Assessment:

A Phase I archaeological and architectural study was conducted for the project area. Notable findings in the project area were a historic home known as Oakcrest and two cemeteries. Oakcrest was found to be eligible for listing on the National Register of Historic Places. The Virginia Department of Historic Resources (VDHR) has proposed additional buffers to verify that the viewshed will be minimally impacted. Oakcrest is located on the previously approved parcel 69-01-087. A cemetery was found and delineated on parcel 72-01-022 and a 25-foot buffer around the cemetery is proposed by the applicant consistent with state requirements. VDHR has requested additional delineation to the north of the current site for the possibility of additional gravesites. The applicant will work with VDHR to address all concerns, and no permits for development will be issued until all concerns and conditions have been addressed.

Economic Impact Assessment:

The project will generate approximately $2.8 million from taxation on capital investments in cumulative county revenue over the facility's anticipated 40-year operational life, as compared to approximately $207,400 in cumulative county revenue in the property current agricultural use. The highest revenue from the project will come in years 1-20. Approximately 31 jobs are proposed for the construction phase of this project. The project would remove 199 acres from agricultural production. The full economic impact analysis is attached to this report.

COMPREHENSIVE LAND USE PLAN:

The future recommended land use designation for these properties is Rural Agricultural Conservation (RAC) and Resource Conservation (RC) 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. Appropriate uses for the RC 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 designated as RC should be preserved due to environmental constraints unless site-specific analysis demonstrates there are no environmental concerns in a specific area. The proposed use in this case is restricted to the existing agricultural land along the road and 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 this property is RAC. The RAC zoning district is intended to preserve and protect areas of the County that are predominantly in agricultural and forestal use and to maintain the existing land base to support those activities. The applicant proposes to establish a 40MW 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 district and may be considered compatible with appropriate conditions to mitigate any potential negative impacts on the surrounding community.

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:

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 designed 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 applicable;
2. Traffic conditions, including facilities for pedestrians, such as sidewalks and parking facilities; the access of vehicles to roads; peak periods 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 on 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, theaters, 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 impact, the effect on sensitive natural features, and opportunities for recreation and open space; and,
10. The preservation of cultural and historic resources of landmarks.

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

AGENCY REVIEW:

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

- Economic Development: No concerns.
- Emergency Services: The recommended condition for submission of a fire response plan and annual training addresses concerns.
- Utility Services: Site plan will have to meet stormwater requirements.
- Isle of Wight County Museum: No concerns with the application, provided that the conclusions and recommendations outlined in the Phase 1 report are followed.
- Virginia Department of Historic Resources (VDHR): Please see attachment.
- Virginia Department of Transportation (VDOT): No concerns.

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 application is generally consistent with the Comprehensive Plan and can meet all ordinance requirements.
2. The proposed use will have minimal impact on community facilities and resources with the conditions presented.
3. The project is not visible from any major right-of-way.
4. Enhanced landscape buffering, beyond the minimums required by the Zoning Ordinance, has been proposed by the applicant.

Weaknesses:

1. The proposed use would remove agricultural land from production.
2. Temporary impact to residential development in the area from construction traffic and noise is expected during the construction phase.
3. There is some minor impact to some historical and archeological resources which may be addressed with the recommended conditions.

STAFF RECOMMENDATION:

Staff recommends approval of the CUP with the following conditions: 1. 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 prior to final site plan approval. 2. The applicant shall permanently preserve and maintain both existing forest and vegetation as well as planted buffer landscaping and shall not clear or cut live trees within required setbacks or buffer yards except as necessary to avoid shading of solar panels as approved by the Zoning Administrator. 3. 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 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. 4. The applicant shall meet any additional VDHR delineation and buffer requirements before receiving final site plan approval. 5. Hours of operation for construction activities to be limited to 7:00 am to 6:00 pm Monday through Friday and 9:00 am to 5:00 pm on Saturdays. No construction is to occur on Sundays. 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 enhanced buffer landscape plan proposed on the concept plan exhibit is conceptual only at this time. The buffer design and required plantings will be reviewed in detail for approval during site plan review and, at minimum, must include a double-staggered row of plantings in areas where existing vegetation is not being retained to include a mix of evergreen and deciduous species to provide an effective screen. 8. The applicant shall maintain a 25-foot setback from cemeteries found in the Phase 1 study and from any additional gravesites found in further evaluation recommended by VDHR. Any cemetery found in the project area must remain clear of obstruction.

ATTACHMENTS:

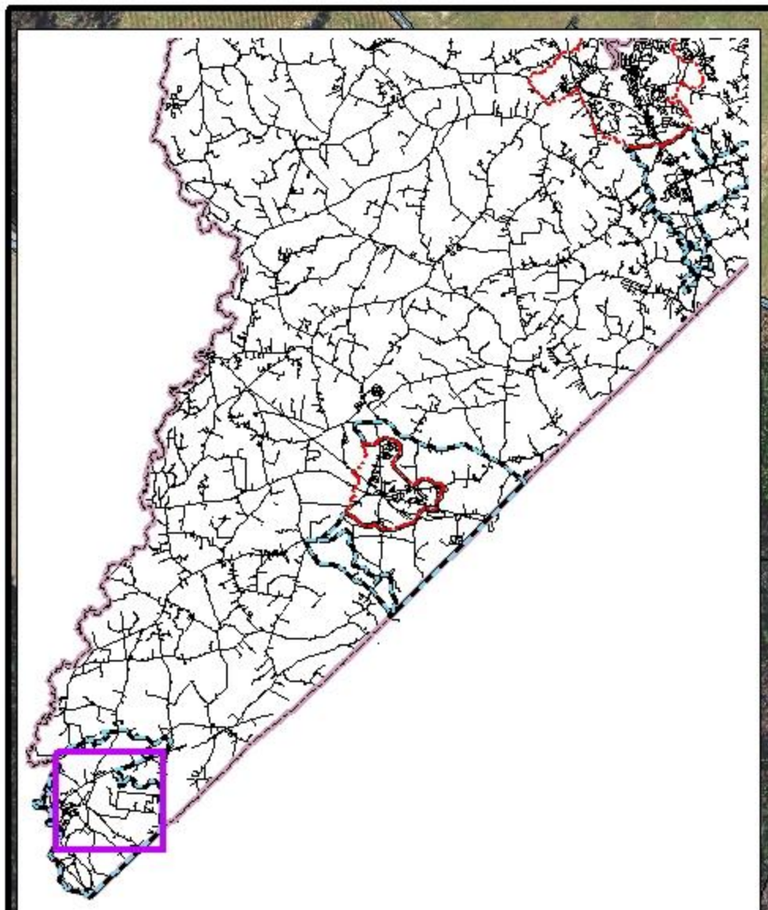
Description	Type	Upload Date
Location Map	Backup Material	10/14/2022
Location Closeup Map	Backup Material	10/14/2022
Zoning Map	Backup Material	10/14/2022
Land Use Map	Backup Material	10/14/2022
Application	Backup Material	10/18/2022
Concept Plan	Backup Material	10/14/2022
Previous layout	Backup Material	10/18/2022
Economic Impact Analysis	Backup Material	10/18/2022
Wetlands Map	Backup Material	10/18/2022
Threatened and endangered species report	Backup Material	10/18/2022
Site Images	Backup Material	10/18/2022
VDHR Comments	Backup Material	10/14/2022
Isle of County Museum Comments	Backup Material	10/14/2022
Resolution	Resolution	10/14/2022

CUP-02-22 Conditional Use Permit - Location Map

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA

CUP-02-22 Conditional Use Permit - Location Closeup

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA



SITE

<Null>

LEES MILL ROAD

GREAT MILL HIGHWAY

N

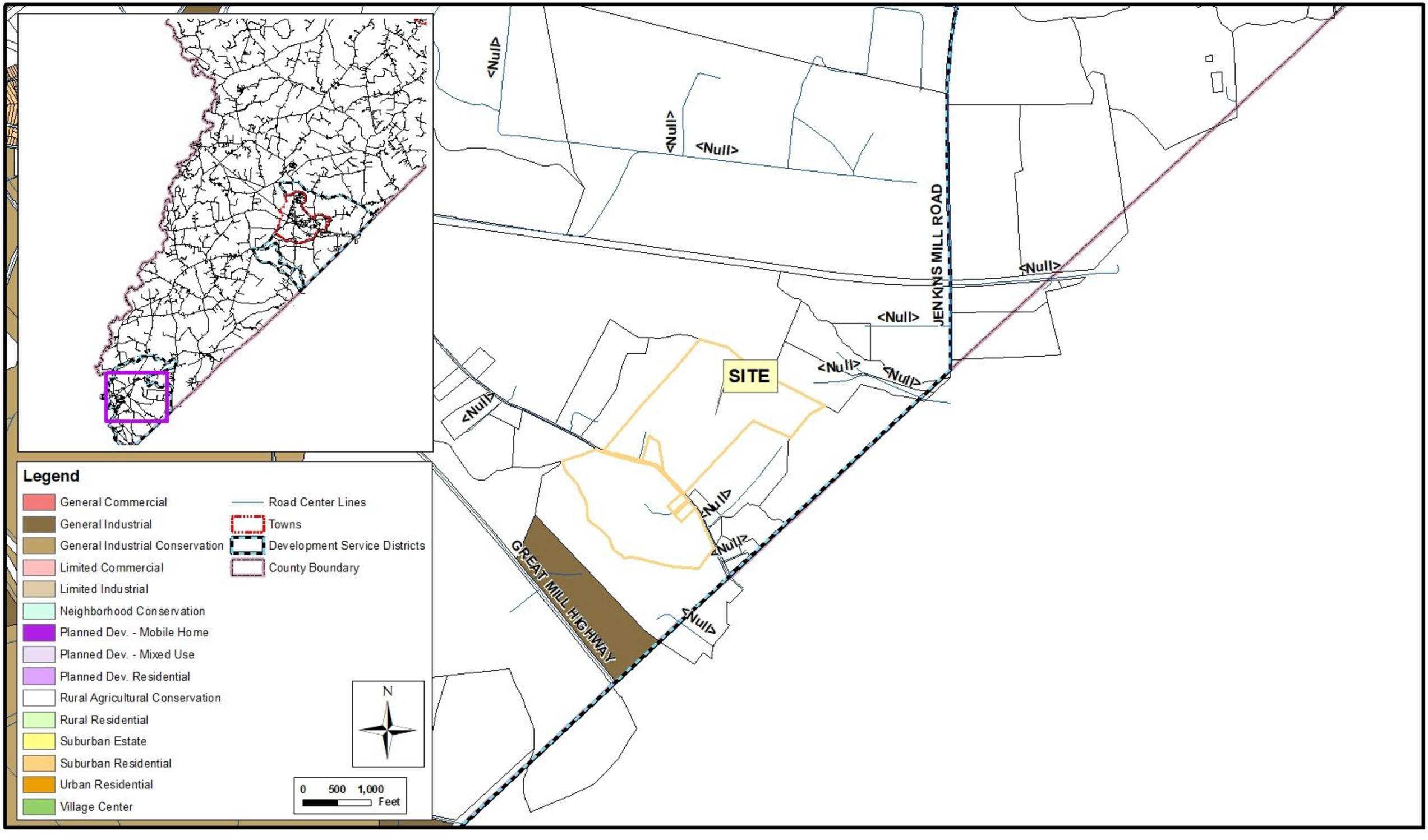
Legend

- Road Center Lines
- Highway Corridor Overlay District
- Towns
- Development Service Districts
- Parcels
- County Boundary

0 500 1,000 Feet

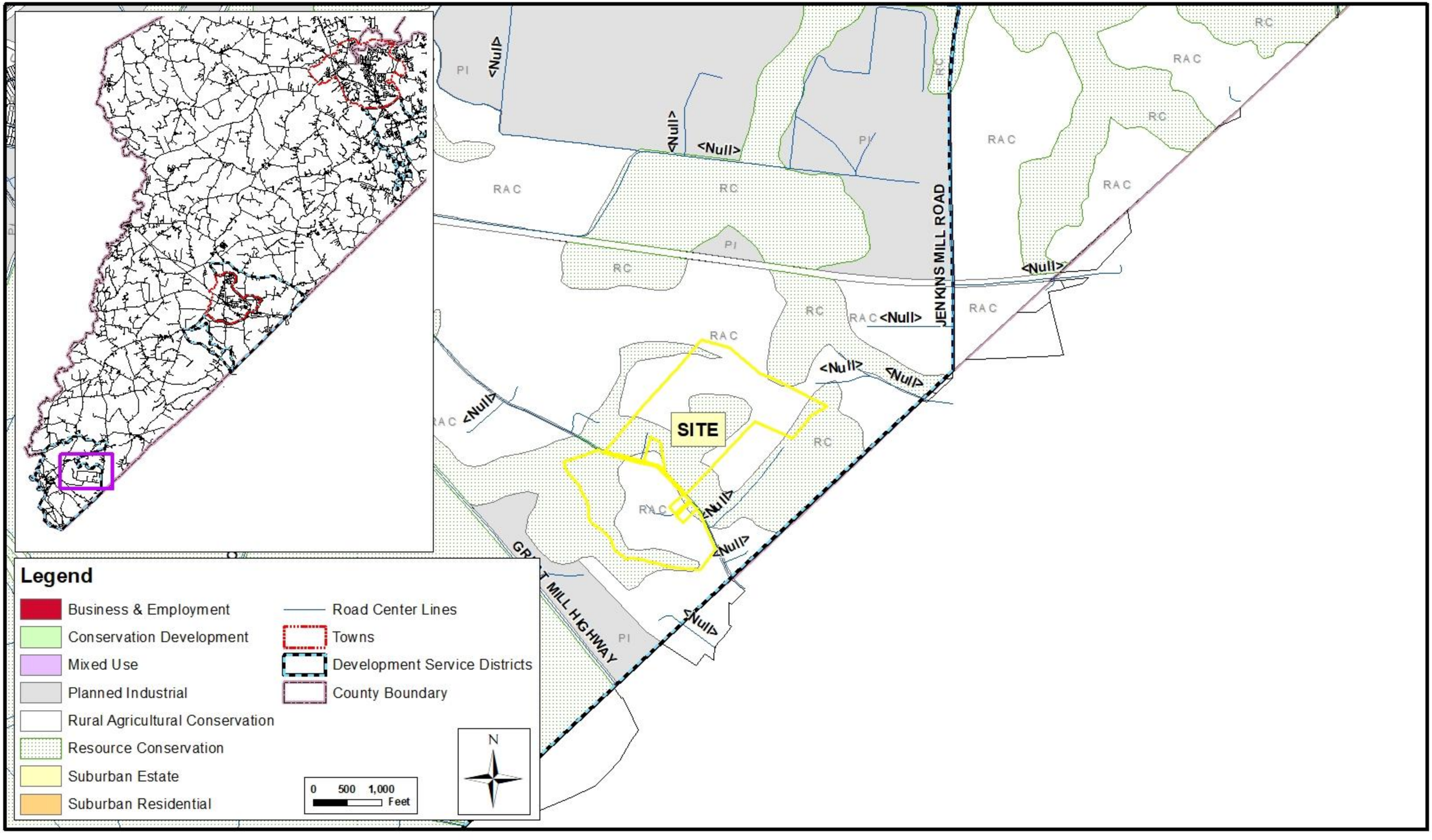
CUP-02-22 Conditional Use Permit- Zoning Map

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA



CUP-02-22 Conditional Use Permit - Land Use Map

Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA



Local Roots, Global Reach
ISLE OF WIGHT
COUNTY, VIRGINIA

CONDITIONAL AND SPECIAL USE PERMITS

WHY DO I NEED A CONDITIONAL USE PERMIT?

Isle of Wight County's Zoning Ordinance permits certain "by right" land uses in a district, and other 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. Such other uses, under the right set of circumstances and conditions, may be acceptable in certain specific locations only after review and recommendation of a Conditional Use Permit by the Planning Commission and approval by the Board of Supervisors.

WHY DO I NEED A SPECIAL USE PERMIT?

If, in any district established under the Zoning Ordinance, a use is not specifically permitted, the property owner or other person with an enforceable legal interest in the property may file an application to the Zoning Administrator for such use, which will be referred to the Planning Commission and Board of Supervisors as a Special Use Permit.

WHAT IS THE PROCEDURE FOR OBTAINING A CONDITIONAL OR SPECIAL USE PERMIT?

1. Prior to submitting an application, we recommend scheduling a pre-application meeting to review the application and discuss any questions the applicant may have. Pre-application meetings are scheduled for the 1st Wednesday of every month at 9:00 am. Please call Economic Development at 757-365-6249 for meeting information.

2. Submit a completed application form, completed application checklist with all required documents (See Submittal Checklist for additional items that may be required), completed disclosure of real estate holdings, owners affidavit and the filing fee of:

Conditional Use Permit

- Resource Extraction - $1,250 plus $100 per acre
- All other uses - $1,200

Special Use Permit

- $1,200
- If there is a continuance of a public hearing at the applicant's request for either a conditional use or special use permit application, a fee in the amount of $600 will be assessed for each occurrence.

WHEN IS A CONDITIONAL OR SPECIAL USE PERMIT APPLICATION CONSIDERED BY THE PLANNING COMMISSION?

Once a completed application has been submitted to the County, the application is distributed for comment and review to all appropriate County and State agencies and departments. Once all comments are received and the application is deemed acceptable by all appropriate County and State agencies and departments, the application is scheduled for public hearing at the next Planning Commission meeting. Planning Commission meetings are held at 6:00 p.m. on the fourth Tuesday of each month in the Robert C. Claude Sr. Board Room at the County Courthouse Complex. The advertising deadline for an upcoming Planning Commission public hearing is the first Thursday of the month; therefore, an application must be deemed acceptable by all appropriate County and State agencies and departments prior to this deadline in order to be placed on the next agenda.

WHAT IS THE PUBLIC HEARING PROCEDURE FOR A CONDITIONAL OR SPECIAL USE PERMIT?

1. Once the application is scheduled for a public hearing by the Planning Commission, the applicant is required to submit the required number of copies of the concept plan and all other supplementary documentation deemed necessary by the Planning and Zoning Department for distribution to the Planning Commission. All required items must be submitted to the Planning and Zoning Department no fewer than ten calendar days prior to the scheduled public hearing.

2. The applicant will be given at least one sign to post on the property at least fourteen days prior to the Planning

If you have any questions, please call the Central Permitting office at 757-365-6211 or email at planreview@iwus.net

Commission public hearing, indicating an application has been filed. Additional signs may be required based on linear road frontage. These signs are provided by the County and may be picked up in the Planning and Zoning Department.

3. The application is advertised for public hearing in the local newspaper(s) twice – no more than twenty-one days and no less than six days prior to the public hearing.

4. Notices are sent by the Planning and Zoning Department to all property owners within a 200-foot radius of the property associated with the application at least fourteen days prior to the public hearing.

5. Staff will prepare a report on the application and the applicant will be sent a copy of the report and other comments made by County and State agencies and departments prior to the meeting date.

6. The applicant and/or a representative are/is required to attend the Planning Commission meeting to present the application and answer any questions from Commission members.

7. Following the Planning Commission's recommendation of approval or denial, the application will be placed on the Board of Supervisors' agenda for a public hearing. Board of Supervisors meetings are held on the third Thursday of each month and begin at 6:00 pm in the Robert C. Claude, Sr. Board Room at the County Courthouse Complex. The same notification procedure as outlined above will be followed, and nine (9) additional copies of all supporting documents will be required to be submitted by the applicant for distribution to the Board of Supervisors. Electronic copies of all documents will need to be produced prior to the Board meeting, either by the applicant, or in conjunction with Planning and Zoning staff members. All required items must be submitted to the Planning and Zoning Department no fewer than ten calendar days prior to the scheduled public hearing.

8. The Board of Supervisors will hold the public hearing as scheduled, and make a determination to approve or deny the application. The applicant and/or a representative are/is required to attend the Board of Supervisors meeting to present the application and answer any questions from Board of Supervisors members.

9. The applicant will be notified in writing of the Board of Supervisors' discussion. If denied, a period of at least one (1) year must elapse in order to resubmit the application, unless significant changes are made. Also, the applicant may appeal the Board's decision to the Circuit Court

HOW LONG IS A CONDITIONAL OR SPECIAL USE PERMIT VALID?

Indefinitely, unless the Board of Supervisors places a time limit condition on the use permit.

CAN A CONDITIONAL OR SPECIAL USE PERMIT BECOME VOID OR BE REVOKED?

Yes, unless otherwise specified by the conditions of the use permit, failure to establish the use within two (2) years from the date of approval shall cause the use permit to become void. When a use is discontinued for any reason for a continuous period of two (2) years or more, the use permit shall become void. The Board of Supervisors may revoke a use permit due to a change in conditions affecting the public, repeated violations of the Zoning Ordinance and/or the conditions of the use permit, or providing false information in order to obtain the use permit.

WHAT OTHER PERMITS OR APPROVALS MAY BE REQUIRED PRIOR TO CONSTRUCTION?

- Zoning Permit
- Stormwater Permit
- Building Permit
- Health Department Permit
- Site Plan Approval
- Subdivision Plat Approval
- Landscaping Surety
- BMP Maintenance Agreement

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):

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

The proposed use or activity is listed as a conditional use in the RAC zoning district as per Section 4-2003(c) 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: Utility Scale Solar Facility and Sub Station

B. PROJECT DESCRIPTION:

Project Name: Ho-Fel Solar

Property Address (if any): _____

Election District: 5

Comprehensive Plan Designation: RAC

The use permit will apply to 199.7 acres out of 411.6 total acres

Tax Parcel Identification # 69-01-087 Number of acres to be effected: 182

Tax Parcel Identification # 72-01-022 Number of acres to be effected: 8.6

Tax Parcel Identification # 69-01-086 Number of acres to be effected: 9.1

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

Public Sewer _____ Private Septic _____

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Drew Chandler, Ho-Fel Solar, LLC

Address: 130 Roberts Street

City, State, Zip Code: Asheville, NC 28801

Phone No.: 919-623-7189 Email: dchandler@pgrenewables.com Fax No.:

Property Owner(s) Name(s): Dustin and Brandy Atkins Parcel 72-01-022

Address: 34710 Lees Mill Rd

City, State, Zip Code: Franklin, VA, 23851

Phone No.: 757-621-7237 Email: dustinatkins@rocketmail.com Fax No.:

3-10-2022

Applicant Signature **Date**

3-14-22

Owner Signature *if different* **Date**

3-14-22

Owner 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

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: _____

C. **APPLICATION INFORMATION:**

Applicant(s) Name(s): Drew Chandler, Ho-Fel Solar, LLC

Address: 130 Roberts Street

City, State, Zip Code: Asheville, NC 28801

Phone No.: 919-623-7189 Email: dchandler@pgrenewables.com Fax No.: _____

Property Owner(s) Name(s): Cobb Land Limited Partnership Parcel 69-01-086

Address: 8135 Blackwater Road

City, State, Zip Code: Windsor, Virginia, 23487

Phone No.: 757-621-3767 Email: cobbmanagementinc@gmail.com Fax No.: _____

D Chandler 3-10-2022

Applicant Signature **Date**

James R Cobb 3-14-2022

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: _____

DocuSign Envelope ID: CF4EC7AF-3FD8-4DEE-8B31-24ECE5934819

COUNTY OF ISLE OF WIGHT
DISCLOSURE OF REAL ESTATE HOLDINGS

Applicant Drew Chandler Ho-Fel Solar, LLC

Address 130 Roberts Street
Street

Asheville NC 28803
City State Zip

REAL ESTATE HOLDINGS TO BE AFFECTED

Location or Address	Description
Parce ID 69-01-087	Parcel owned by Ho-Fel LLC north of Lees Mill Rd
Parcel ID 69-01-086	Parcel owned by Cobb Land Limited Partnership
Parcel ID 72-01-0222	Parcel owned by Brandy and Dustin Atkins South of Lees Mill

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

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: Drew Chandler (Printed or Typed Name) Applicant: [signature] (Signature) Date: 3-10-2022

Commonwealth of Virginia
County of Isle of Wight

Subscribed and sworn to before me LaToya Monique Bryson, ~~A Notary Public in and for the County of Isle of Wight, Commonwealth~~ Knox County, Tennessee of ~~Virginia~~, this 10th day of March, 2022.

[signature]
Notary Public

My Commission Expires 11-1-2025

LATOYA MONIQUE BRYSON STATE OF TENNESSEE NOTARY PUBLIC KNOX COUNTY MY COMMISSION EXPIRES MAY 2025

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.

Drew Chandler

Printed or Typed Name

Signature

3-10-2022

Date

PARCEL TPIN: 69-01-089 CROSSQWAYS FARMS LLC

PARCEL TPIN: 69-01-090 INTERNATIONAL PAPER CO

EXISTING CEMETERY TO BE AVOIDED WITH A 25FT MIN. BUFFER (TYP.)

ZONING RAC

PARCEL TPIN: 69-01-088 INTERNATIONAL PAPER CO

PARCEL TPIN: 69-01-087 HO-FEL LLC

1

PROPOSED NON-JD DITCH CROSSING

NON-JD DITCH (TYP.)

PARCEL TPIN: 70-02-002 INTERNATIONAL PAPER CO

ZONING GI

PARCEL TPIN: 69-01-088A BRADSHAW COLBY R

NORFOLK SOUTHERN RAILROAD VARIABLE WIDTH ROW

PROPOSED TEMPORARY SEDIMENT RETENTION BASIN. TO BE FILLED AND PLANTED OVER POST-CONSTRUCTION (TYP.)

ESTIMATED GAS LINE LOCATION

PARCEL TPIN: 69-01-085 INTERNATIONAL PAPER CO

ZONING RAC

IRRIGATION POND

PARCEL TPIN: 69-01-087 HO-FEL LLC

2

3

PARCEL TPIN: 70-01-028 MATTHEW T. RIDDLE

PARCEL TPIN: 69-01-085A SMITH JAMES JR

PARCEL TPIN: 69-01-087A HAND NORMAN V

LEES MILL ROAD (RTE. 616) VARIABLE WIDTH ROW

PARCEL TPIN: 70-01-027 DANIEL MICHAEL J & RUTH M

PARCEL TPIN: 70-01-028A MATTHEW T. RIDDLE

ZONING RAC

PARCEL TPIN: 69-01-085 INTERNATIONAL PAPER CO

GREAT MILL HIGHWAY (RTE. 260)

PARCEL TPIN: 69-01-087B SHAFFER ROBERT R & JENNIFER C

PARCEL TPIN: 69-01-086E HOPE KYMBERLY BUTNER & BUTNER HARVEY

PARCEL TPIN: 69-01-085C YORK ROBERT D

PARCEL TPIN: 69-01-086C HOPE KYMBERLY BUTNER & BUTNER HARVEY

PARCEL TPIN: 69-01-086 COBB LAND LIMITED PARTNERSHIP

PARCEL TPIN: 70-01-027A DANIEL DAVID B & LESLIE B

PARCEL TPIN: 69-01-085B PAULEY CHRISTOPHER A & STACY R

PROPOSED WETLAND CROSSING TO USE EXISTING CROSSING INFRASTRUCTURE

4

PARCEL TPIN: 69-01-086A PAULEY CHRISTOPHER A & STACY R

PARCEL TPIN: 69-01-086F BOOTH DANIEL WAYNE

PARCEL TPIN: 69-01-086B MYRICK FLOYD W & SANDRA

ZONING RAC

PROPOSED MV ROAD CROSSING, 30 FT

PARCEL TPIN: 69-01-086D FERREL REBECCA

ZONING RAC

PARCEL TPIN: 69-01-085 INTERNATIONAL PAPER CO

PROPOSED OHE CROSSING, 30 FT

PARCEL TPIN: 73-01-004 HUMPHREYS TIMOTHY L & WILMA

PARCEL TPIN: 73-01-004A BRITT PUSHUS

PARCEL TPIN: 72-01-020 BJCM ENTERPRISES LLC

PARCEL TPIN: 72-01-022 ATKINS DUSTIN KYLE

5

EXISTING STRUCTURES TO BE REMOVED

PARCEL TPIN: 72-01-002 VICE KEITH S

PARCEL TPIN: 73-01-003 BAIRD DARRELL K

PROPOSED SUBSTATION, 75FT FROM PROPERTY LINE, 125FT FROM RESIDENCES MIN.

ZONING RAC

PARCEL TPIN: 73-01-002C RADFORD VERNON E & ANGELA J

POINT OF INTERCONNECTION (POI)

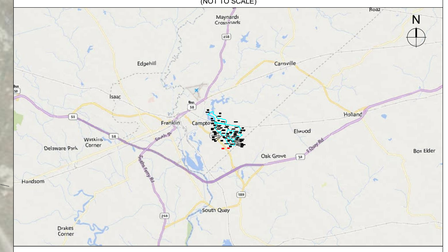
PARCEL TPIN: 73-01-002B BEADLE MITCHELL ROY

PARCEL TPIN: 73-01-001 CUTCHIN META J C/O JOHN L JOHNSON JR

EXISTING CEMETERY TO BE AVOIDED WITH A 25FT MIN. BUFFER (TYP.)

PARCEL TPIN: 73-01-002A JONES ROGER D

VICINITY MAP
(NOT TO SCALE)



SYSTEM PARAMETERS

DC SYSTEM SIZE (kW)	45,929.500
MAX AC EXPORT (kW)	40,000
POWER RATIO DC/AC (%)	1.15
GROUND COVER RATIO (%)	42.6
MODULE MODEL	CANADIAN SOLAR CS3Y-485MB-AG
MODULE POWER (W)	485
MODULE QUANTITY	94,700
MODULES PER STRING	25
STRING QUANTITY	3,788
MOUNTING TYPE	SAT-1P
MODULE TILT (DEGREES)	+/- 52
AZIMUTH (DEGREES)	180
INVERTER MODEL	SUNGROW SG3600UD_MV
INVERTER RATING (kVA)	3600
INVERTER DC VOLTAGE (V)	1500
INVERTER AC VOLTAGE (V)	630
INVERTER QUANTITY	13
TRANSFORMER (kVA)	3600
TRANSFORMER VOLTAGE PRI/SEC (V)	34,500 / 630
TRANSFORMER QUANTITY	13
UTILITY VOLTAGE (V)	115,000

SITE INFORMATION

SECTION #	PROPERTY BOUNDARY AREA (ACRES)	BUILDABLE AREA (ACRES)	PROPOSED DISTURBED AREA (ACRES)	kW DC
1	286.4	38.5	34.5	7,493.250
2		83.1	82.5	20,588.250
3		66.5	65.0	15,192.625
4		9.0	8.6	1,588.375
5	48.6	11.3	9.1	1,067.000
TOTAL	411.6	208.4	199.7	45,929.500

LEGEND

EXISTING CONDITIONS	PROPOSED CONDITIONS
PROPERTY BOUNDARY	WETLANDS SETBACK
RAILROAD	LIMIT OF CLEARING (LOC)
RIGHT-OF-WAY (R/W)	AGRICULTURAL STYLE FENCING
ELECTRICAL (OVERHEAD) (OHE)	ELECTRICAL (UNDERGRND) (UGE)
GAS PIPELINE (GAS)	TEMPORARY SEDIMENT RETENTION BASIN
BUILDING SETBACK PER ZONING	VEGETATIVE BUFFER
100 YEAR FLOOD ZONE	LAYDOWN AREA
NWI WETLANDS	EQUIPMENT PAD
DELINEATED WETLANDS	
ESTIMATED NJ WETLANDS	
DELINEATED NJ WETLANDS	
MISC OBSTRUCTION	

GRAPHIC SCALE

400' 0 400'

1" = 400'

CONTOUR INTERVAL: 1'

NORTH

N

PINEGATE RENEWABLES

130 ROBERTS STREET
ASHEVILLE, NC 28801

CONSULTING ENGINEER:

PE SEAL:

REV.	DESCRIPTION	DATE
–	–	–
–	–	–
–	–	–
–	–	–
4	DEVSET REVISION	08/23/2022
3	DEVSET REVISION	08/05/2022
2	DEVSET REVISION	05/16/2022
1	DEVSET	03/11/2022

PROJECT NAME:

HO FEL SOLAR, LLC.

PROJECT ADDRESS:

LEES MILL RD
FRANKLIN, VA
36.6642°N, -76.8736°W

SHEET NAME:

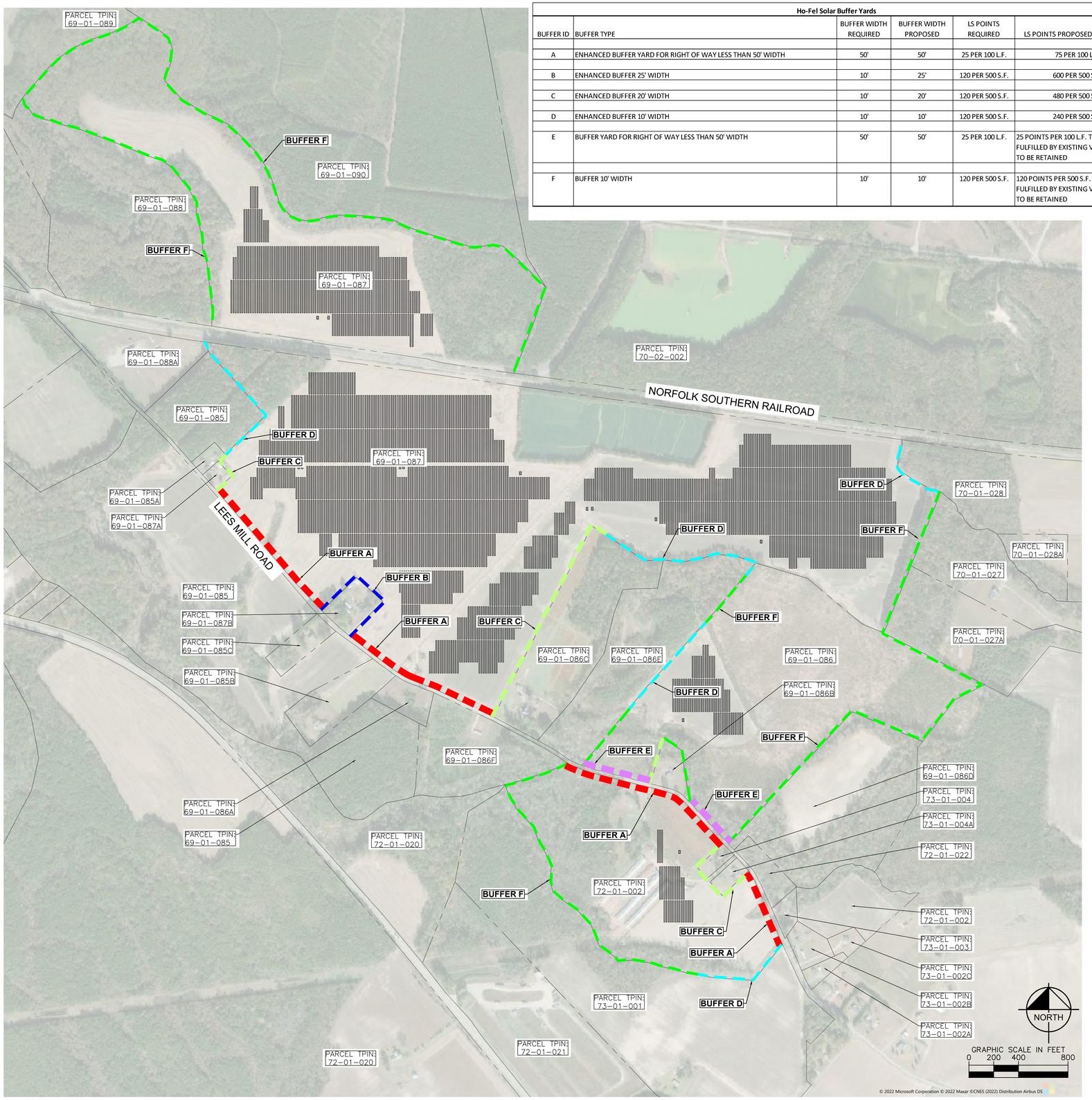
DEVELOPMENT SET

DRAWN BY: ALEX KREIN

APPROVED BY:

SHEET NUMBER: DEV-101

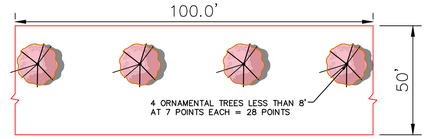
THE ENCLOSED CONTENTS ARE INTENDED SOLELY FOR THE ADDRESSEE(S) AND THE INFORMATION THEREIN IS CONSIDERED CONFIDENTIAL. RECIPIENT SHALL NOT COPY, DISCLOSE, OR PERMIT ANY OF ITS EMPLOYEES, AGENTS, OR INDEPENDENT CONTRACTORS TO DISCLOSE THE CONFIDENTIAL INFORMATION TO ANY THIRD PARTIES WITHOUT PINE GATE RENEWABLES, LLC'S PRIOR WRITTEN CONSENT.



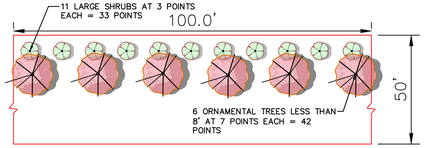
Ho-Fel Solar Buffer Yards

BUFFER ID	BUFFER TYPE	BUFFER WIDTH REQUIRED	BUFFER WIDTH PROPOSED	LS POINTS REQUIRED	LS POINTS PROPOSED PER 100 L.F.
A	ENHANCED BUFFER YARD FOR RIGHT OF WAY LESS THAN 50' WIDTH	50'	50'	25 PER 100 L.F.	75 PER 100 L.F.
B	ENHANCED BUFFER 25' WIDTH	10'	25'	120 PER 500 S.F.	600 PER 500 S.F.
C	ENHANCED BUFFER 20' WIDTH	10'	20'	120 PER 500 S.F.	480 PER 500 S.F.
D	ENHANCED BUFFER 10' WIDTH	10'	10'	120 PER 500 S.F.	240 PER 500 S.F.
E	BUFFER YARD FOR RIGHT OF WAY LESS THAN 50' WIDTH	50'	50'	25 PER 100 L.F.	25 POINTS PER 100 L.F. TO BE FULFILLED BY EXISTING VEGETATION TO BE RETAINED
F	BUFFER 10' WIDTH	10'	10'	120 PER 500 S.F.	120 POINTS PER 500 S.F. TO BE FULFILLED BY EXISTING VEGETATION TO BE RETAINED

LEGEND

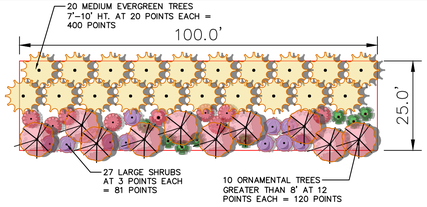


REQUIRED PUBLIC RIGHT OF WAY BUFFER PLANTINGS FOR RIGHT OF WAY LESS THAN 50' IN WIDTH



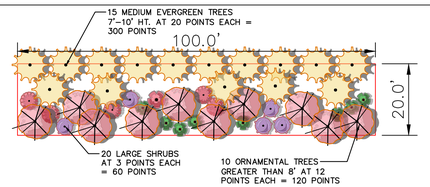
ENHANCED BUFFER YARD FOR RIGHT OF WAY LESS THAN 50' WIDTH

TYPICAL PLANTINGS BUFFER A



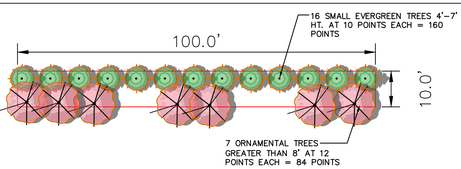
ENHANCED BUFFER 25' WIDTH

TYPICAL PLANTINGS BUFFER B



ENHANCED BUFFER 20' WIDTH

TYPICAL PLANTINGS BUFFER C



ENHANCED BUFFER 10'

TYPICAL PLANTINGS BUFFER D

PUBLIC RIGHT OF WAY BUFFER E
(R/W LESS THAN 50' WIDTH)

25 POINTS REQUIRED PER 100 LINEAR FOOT OF FRONTAGE

POINTS TO BE FULFILLED BY EXISTING VEGETATION TO BE RETAINED.

10' PERIMETER BUFFER F

120 POINTS PER 500 S.F. OF BUFFER YARD.

POINTS TO BE FULFILLED BY EXISTING VEGETATION TO BE RETAINED.

No.	REVISIONS	DATE	BY

Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
4525 MAIN STREET, SUITE 1000, VIRGINIA BEACH, VA 23462
PHONE: 757-213-8600 FAX: 757-213-8601
WWW.KIMLEY-HORN.COM

KHA PROJECT 117155000
DATE 9/1/2022
SCALE AS SHOWN
DESIGNED BY ---
DRAWN BY ---
CHECKED BY ---

CONCEPTUAL BUFFER PLANTINGS

HO FEL SOLAR FACILITY

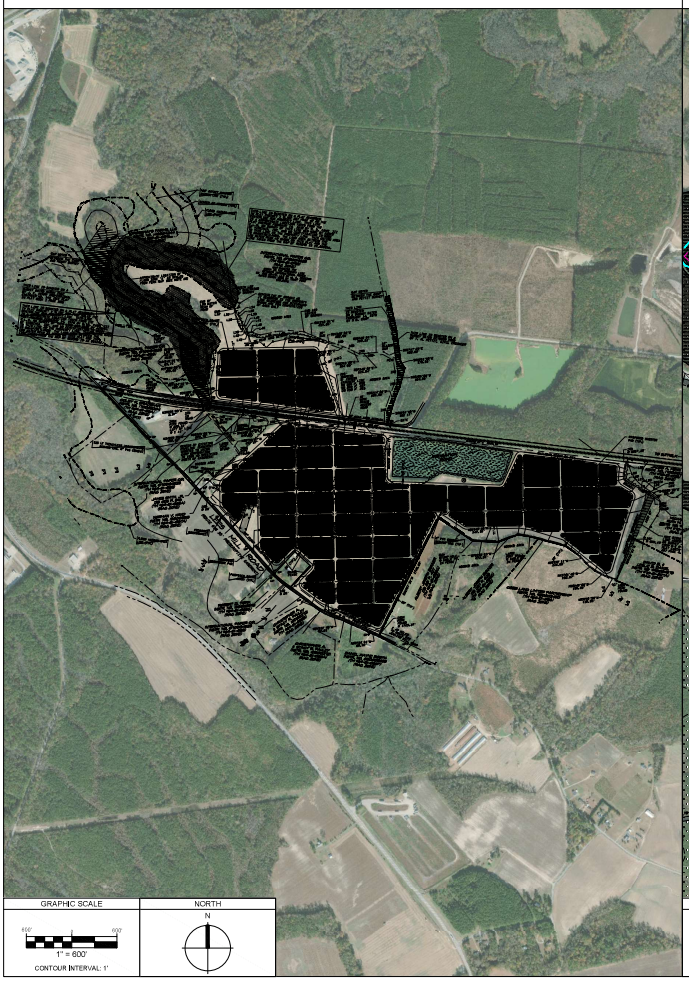
PREPARED FOR
HO FEL SOLAR,LLC.

ISLE OF WIGHT VIRGINIA

SHEET NUMBER
LA-1

Plotted By: Wall, Ashley (Walker) Sheet Set: Ho-Fel Solar Layout: Layout1 September 02, 2022 08:33:56am K:\VAB_Civil\117155000 Ho-Fel Solar\CADD\Exhibits\LS Concept Plan\2022.08.25_HO-FEL_SOLAR_LANDSCAPE_PLAN.dwg
This document, together with the concepts and designs presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

APPROVED CUP CONCEPT PLAN



GRAPHIC SCALE

600' 0 600'

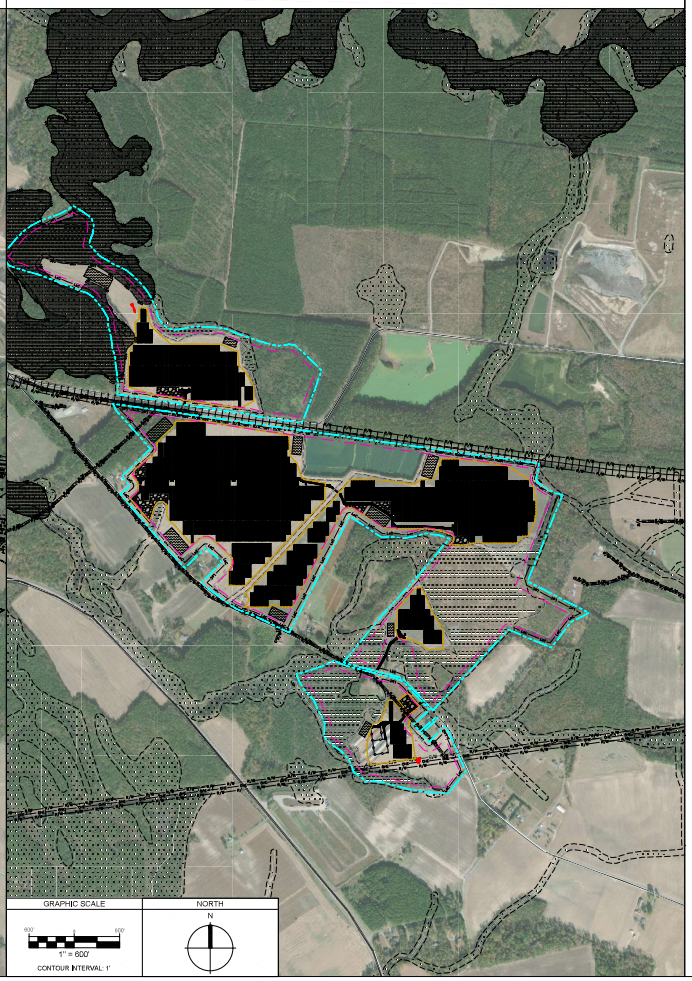
1" = 600'

CONTOUR INTERVAL: 1'

NORTH

N

PROPOSED LAYOUT



GRAPHIC SCALE

600' 0 600'

1" = 600'

CONTOUR INTERVAL: 1'

NORTH

N

PINEGATE RENEWABLES

130 ROBERTS STREET
ASHEVILLE, NC 28801

CONSULTING ENGINEER:

PE SEAL:

REV.	DESCRIPTION	DATE
–	–	–
–	–	–
–	–	–
–	–	–
4	DEVSET REVISION	08/23/2022
3	DEVSET REVISION	08/05/2022
2	DEVSET REVISION	05/16/2022
1	DEVSET	03/11/2022

PROJECT NAME:

HO FEL SOLAR, LLC.

PROJECT ADDRESS:

**LEES MILL RD
FRANKLIN, VA
36.6642°N, -76.8736°W**

SHEET NAME:

LAYOUT COMPARISON

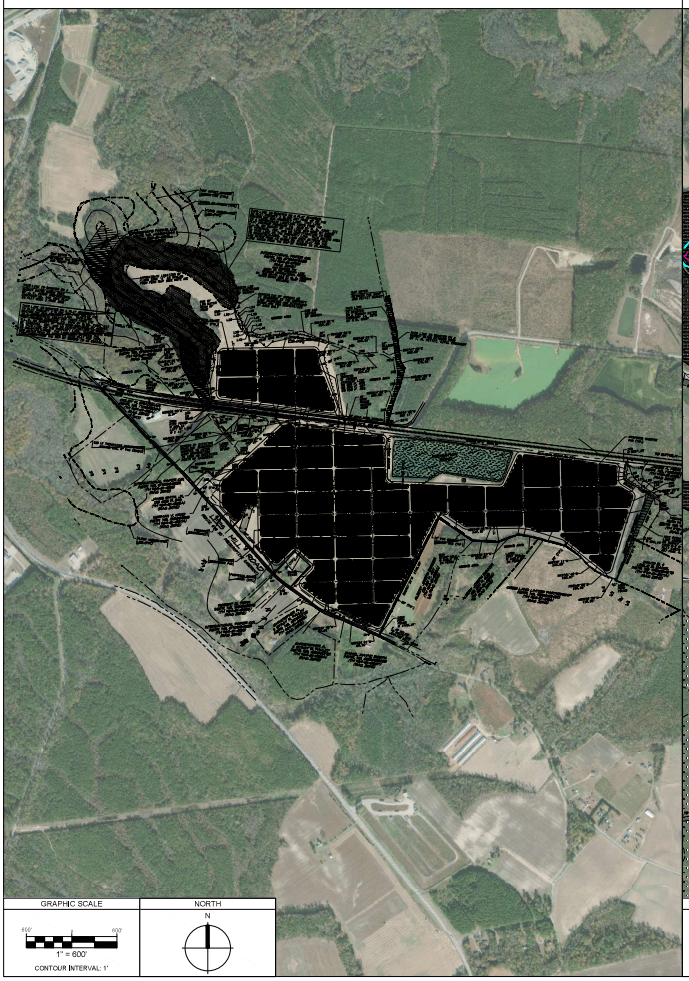
DRAWN BY: ALEX KREIN

APPROVED BY:

SHEET NUMBER: DEV-105

THE ENCLOSED CONTENTS ARE INTENDED SOLELY FOR THE ADDRESSEE(S) AND THE INFORMATION THEREIN IS CONSIDERED CONFIDENTIAL. RECIPIENT SHALL NOT COPY, DISCLOSE, OR PERMIT ANY OF ITS EMPLOYEES, AGENTS, OR INDEPENDENT CONTRACTORS TO DISCLOSE THE CONFIDENTIAL INFORMATION TO ANY THIRD PARTIES WITHOUT PINE GATE RENEWABLES, LLC'S PRIOR WRITTEN CONSENT.

APPROVED CUP CONCEPT PLAN



GRAPHIC SCALE

600' 0 600'

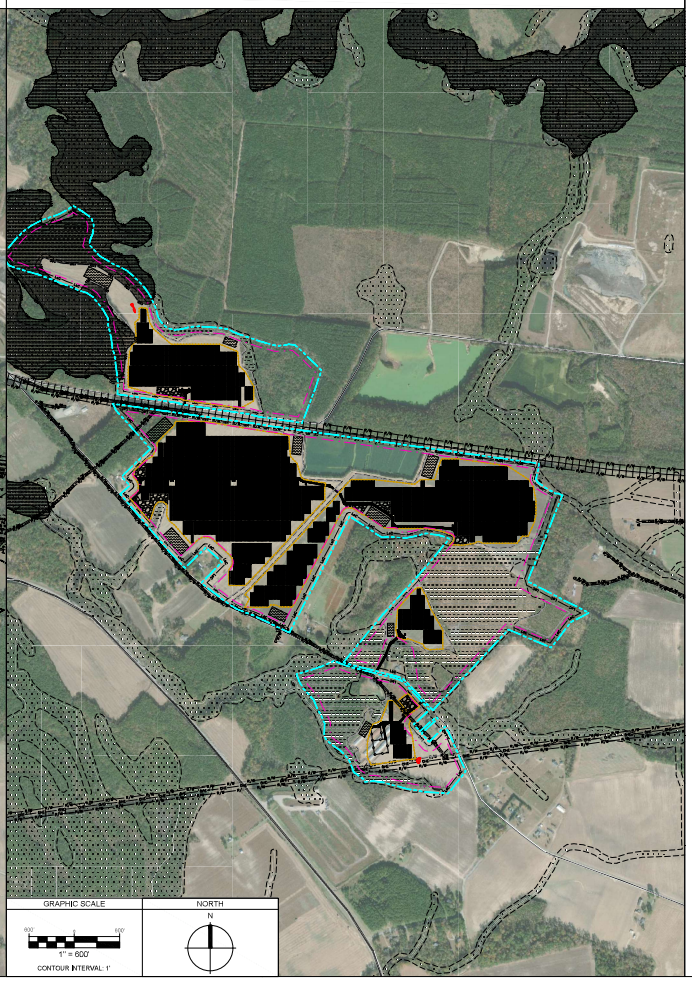
1" = 600'

CONTOUR INTERVAL: 1'

NORTH

N

PROPOSED LAYOUT



GRAPHIC SCALE

600' 0 600'

1" = 600'

CONTOUR INTERVAL: 1'

NORTH

N

PINEGATE RENEWABLES

130 ROBERTS STREET
ASHEVILLE, NC 28801

CONSULTING ENGINEER:

PE SEAL:

REV.	DESCRIPTION	DATE
–	–	–
–	–	–
–	–	–
–	–	–
4	DEVSET REVISION	08/23/2022
3	DEVSET REVISION	08/05/2022
2	DEVSET REVISION	05/16/2022
1	DEVSET	03/11/2022

PROJECT NAME:

HO FEL SOLAR, LLC.

PROJECT ADDRESS:

**LEES MILL RD
FRANKLIN, VA
36.6642°N, -76.8736°W**

SHEET NAME:

LAYOUT COMPARISON

DRAWN BY: ALEX KREIN

APPROVED BY:

SHEET NUMBER: DEV-105

THE ENCLOSED CONTENTS ARE INTENDED SOLELY FOR THE ADDRESSEE(S) AND THE INFORMATION THEREIN IS CONSIDERED CONFIDENTIAL. RECIPIENT SHALL NOT COPY, DISCLOSE, OR PERMIT ANY OF ITS EMPLOYEES, AGENTS, OR INDEPENDENT CONTRACTORS TO DISCLOSE THE CONFIDENTIAL INFORMATION TO ANY THIRD PARTIES WITHOUT PINE GATE RENEWABLES, LLC'S PRIOR WRITTEN CONSENT.

HO-FEL SOLAR, LLC

ECONOMIC & FISCAL CONTRIBUTION TO ISLE OF WIGHT COUNTY, VIRGINIA

Prepared for

PINEGATE RENEWABLES

MANGUM economics

4201 DOMINION BOULEVARD, SUITE 114
GLEN ALLEN, VIRGINIA 23060
804-346-8446

MANGUMECONOMICS.COM

MARCH 2022

© 2022 MANGUM ECONOMICS

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 15 GW of proposed solar, wind, battery storage, and hydro projects spanning Virginia and eleven other 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

Martina Arel, M.B.A.
Director – Economic Development & Renewable Energy Research

Rebecca Kyle
Research Analyst

A. Fletcher Mangum, Ph.D.
Founder and CEO

Table of Contents

Executive Summary 1
Introduction 4
The Project 4
Electricity Production in Virginia 4
Overall Market 4
Sources of Production 5
Impact on the Environment 6
Local Economic Profile 8
Total Employment 8
Employment and Wages by Industry Super Sector 9
Unemployment 11
Economic and Fiscal Impact 13
Method 13
Construction Phase 14
Assumptions 14
Results 14
Ongoing Operations Phase 15
Assumptions 15
Results – Economic Impact 16
Results – Fiscal Impact 16
Reassessment of Property 16
Scenario 1: Taxation of Capital Investment 17
Scenario 1: Total Fiscal Impact 20
Scenario 1: Composite Index 20
Scenario 2: Revenue Share Ordinance 21
Scenario 2: Total Fiscal Impact 22
Scenario 2: Composite Index 22
Current Agricultural Use 23
Assumptions 23
Results – Economic Impact 23
Results – Fiscal Impact 24

Executive Summary

This report assesses the economic and fiscal contribution that the proposed Ho-Fel Solar, LLC (Ho-Fel Solar) project would make to Isle of Wight County, Virginia. The primary findings from that assessment are as follows:

1) **Ho-Fel Solar is a proposed 40-megawatt (MW) alternating current (AC) solar photovoltaic power generating facility. The project would be located north and south of Lees Mill Road and east of U.S. Route 258 in Isle of Wight County, Virginia. The total acreage to be purchased for the project encompasses approximately 411 acres of agricultural land and forestland. The actively used, fenced-in portion of the solar site would be approximately 199 acres.**

2) **The proposed Ho-Fel Solar project would make a significant economic contribution to Isle of Wight County:**

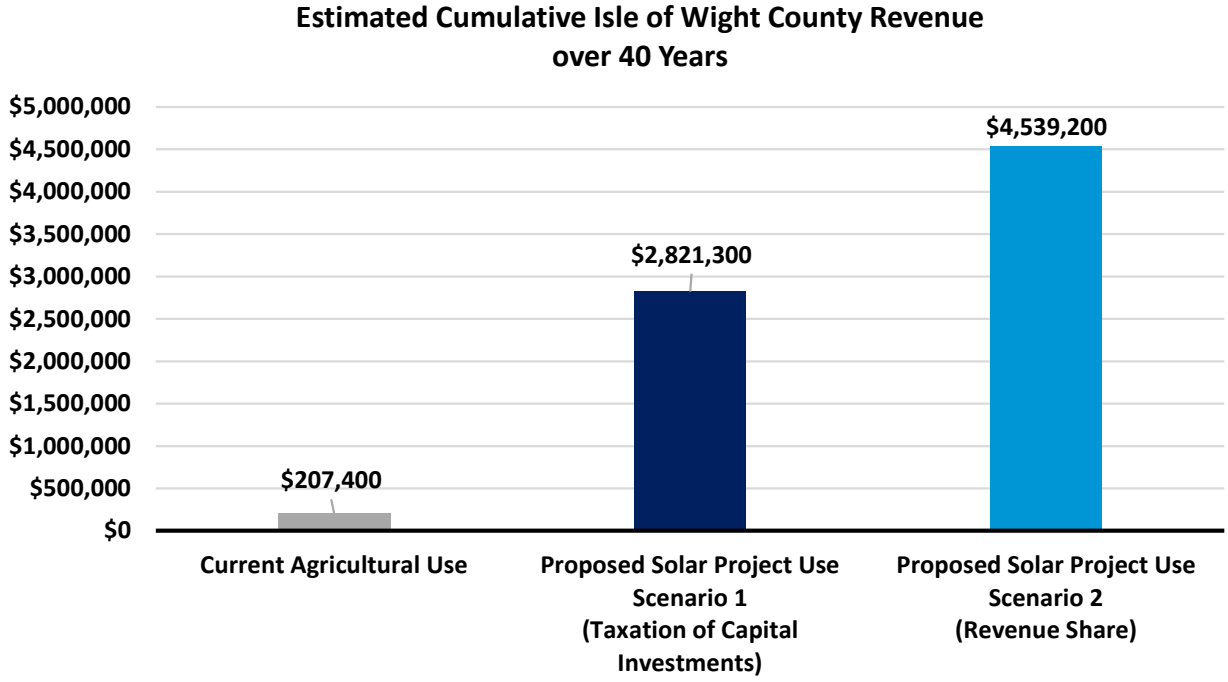
   - The proposed Ho-Fel Solar project would provide an estimated one-time pulse of economic activity to Isle of Wight County during its construction phase supporting approximately:
     - 37 direct, indirect, and induced jobs.
     - $1.7 million in associated labor income.
     - $5.0 million in economic output.
   - The proposed Ho-Fel Solar project would provide an estimated annual economic impact to Isle of Wight County during its ongoing operational phase supporting approximately:
     - 2 direct, indirect, and induced jobs.
     - $84,400 in associated labor income.
     - $231,800 in economic output.

3) **The proposed Ho-Fel Solar project would also make a significant fiscal contribution to Isle of Wight County. The proposed project would generate approximately:**

   - $137,700 in state and local tax revenue from the one-time pulse of economic activity associated with the project's construction.
   - $2.8 million in cumulative county revenue over the facility's anticipated 40-year operational life assuming revenues are generated from the reassessment of the real property and the taxation of the associated capital investments, (Scenario 1); or
   - $4.5 million in cumulative county revenue over the facility's anticipated 40-year operational life assuming revenues are generated from the reassessment of the real property and payments associated with a locally adopted revenue share ordinance. The payments would be based on the project's generation capacity and would include a 10 percent escalator every five years pursuant to recently passed legislation (Scenario 2).

4) **The proposed Ho-Fel Solar project would have a significantly greater fiscal impact on Isle of Wight County than the property generates in its current agricultural use:**

- The proposed Ho-Fel Solar project would generate approximately $2.8 million (from taxation on capital investments) or $4.5 million (from a revenue share ordinance) in cumulative county revenue over the facility's anticipated 40-year operational life, as compared to approximately $207,400 in cumulative county revenue in the property's current agricultural use – a difference of approximately $2.6 million and $4.3 million.



5) **The proposed Ho-Fel Solar project would provide a boost to Isle of Wight County's construction sector:**

- At 461 jobs, construction is Isle of Wight County's sixth largest major industry sector.[1]
- Additionally, the construction sector posted the second largest job gain of any major industry sector in the county between the first quarter of 2020 and the first quarter of 2021 (a gain of 28 jobs).[2]
- The proposed Ho-Fel Solar project could directly support approximately 31 jobs and $1.5 million in labor income in Isle of Wight County's construction sector.

[1] Data Source: Bureau of Labor Statistics, QCEW.
[2] Data Source: Bureau of Labor Statistics, QCEW.

This page is intentionally left blank.

The estimates provided in this report are based on the best information available and all reasonable care has been taken in assessing that information. However, because these estimates attempt to foresee circumstances that have not yet occurred, it is not possible to provide any assurance that they will be representative of actual events. These estimates are intended to provide a general indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.

Introduction

This report assesses the economic and fiscal contribution that the proposed Ho-Fel Solar, LLC (Ho-Fel Solar) project would make to Isle of Wight County, Virginia. This report was commissioned by Pine Gate Renewables and produced by Mangum Economics.

The Project

Ho-Fel Solar is a proposed 40-megawatt (MW) alternating current (AC) solar photovoltaic power generating facility. The project would be located north and south of Lees Mill Road and east of U.S. Route 258 in Isle of Wight County, Virginia. The total acreage to be purchased for the project encompasses approximately 411 acres of agricultural land and forestland. The actively used, fenced-in portion of the solar site would be approximately 199 acres.

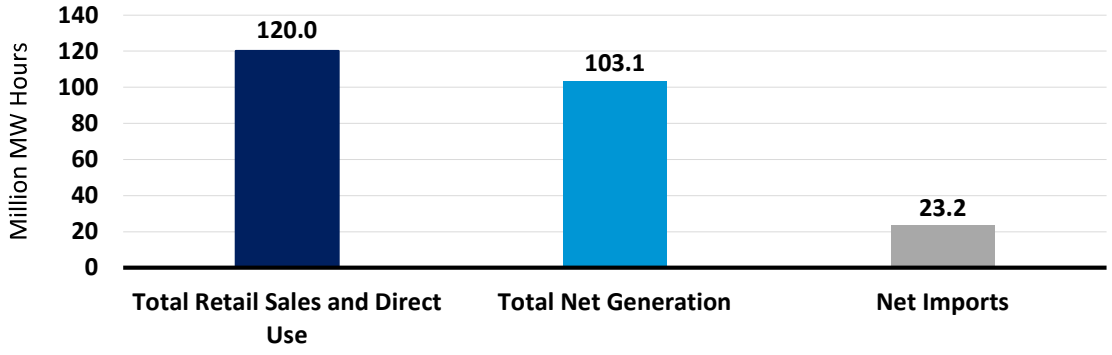
Electricity Production in Virginia

This section provides a backdrop for the proposed Ho-Fel Solar project by profiling Virginia's electricity production sector and the role that solar energy could play in that sector.

Overall Market

As shown in Figure 1, in 2020 electricity sales and direct use in Virginia totaled 120.0 million megawatt hours, ranking the state 10th among the fifty states in terms of electricity consumption. However, only 86 percent of that demand was met by in-state utilities, independent producers, and other sources. As a result, Virginia had to import the remaining electricity it consumed from producers in other states. As with all imports, this means that the jobs, wages, and economic output created by that production went to localities in those states, not to localities in Virginia.

Figure 1: Demand and Supply of Electricity in Virginia in 2020 (in millions of megawatt-hours)[3]



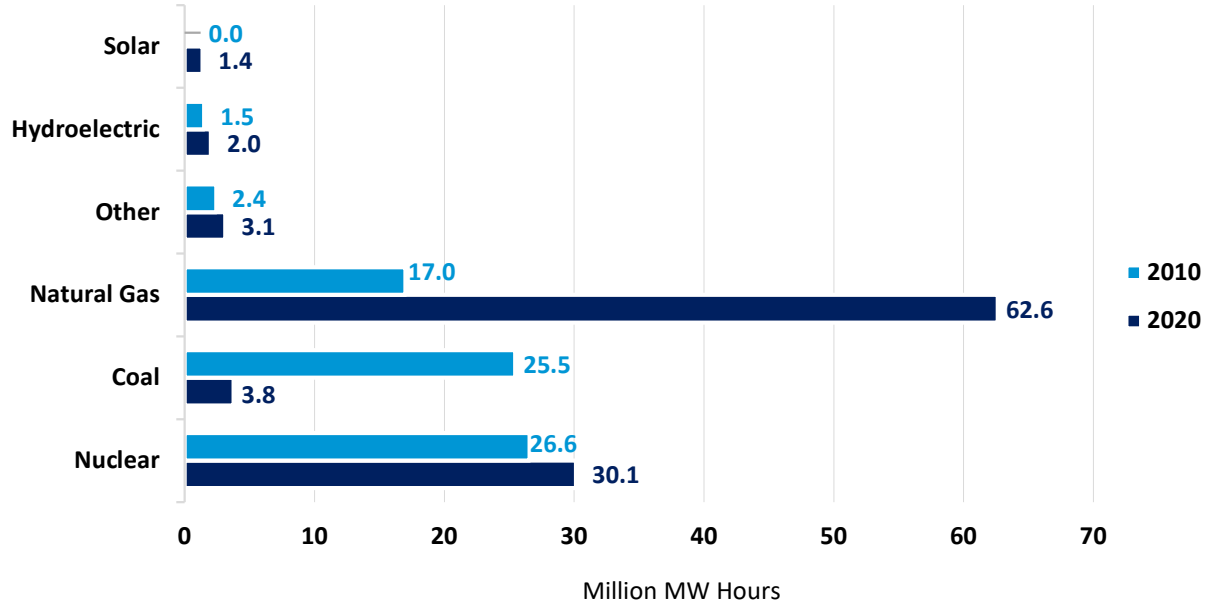
[3] Data Source: U.S. Energy Information Administration. In this chart, "Net Imports" also takes into account losses during transmission. As a result, it does not directly equal the residual of "Total Net Generation" minus "Total Retail Sales and Direct Use."

Sources of Production

Between 2010 and 2020, the total amount of electricity produced in Virginia increased from 73.0 to 103.1 million megawatt hours, while retail and direct consumption of electricity only increased from 115.8 to 120.0 million megawatt hours. Consequently, imports of electricity decreased by 27.6 million megawatt hours (or 54 percent) during this time.[4] Figure 2 provides a comparison of the energy sources that were used to produce electricity in Virginia in each of those years. As these data show, the most significant change between 2010 and 2020 was a decrease in the use of coal and an increase in the use of natural gas. Where coal was the state's second largest source of electricity in 2010, accounting for 25.5 million megawatt hours (or 35 percent) of production, by 2020 production had fallen by 21.7 million megawatt hours, making coal a distant third place source of electricity with only 4 percent of production.

In contrast, the share of electricity produced using cleaner-burning low-emissions energy sources increased over the period. Where natural gas accounted for only 17.0 million megawatt hours (or 23 percent) of Virginia's electricity production in 2010, by 2020 that proportion had more than tripled to 62.6 million megawatt hours (or 61 percent of production), making natural gas the state's largest source of electricity. In addition, solar, which entered the Virginia electricity production market in 2016, increased its share to 1.4 million megawatt hours by 2020.

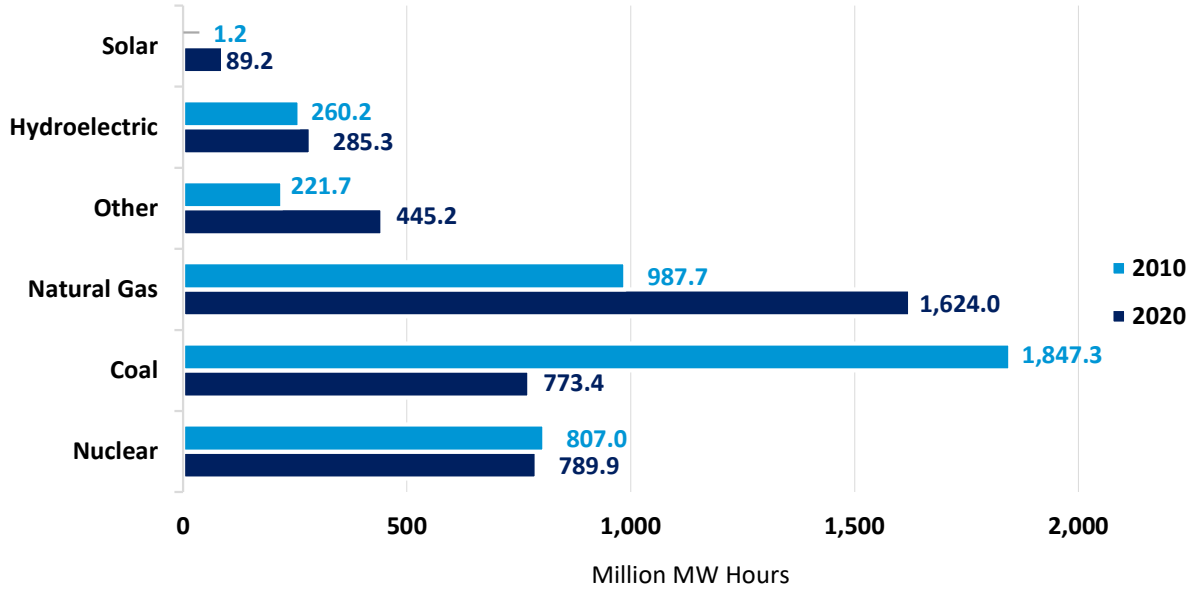
Figure 2: Electricity Generation in Virginia by Energy Source in 2010 and 2020 (in millions of megawatt-hours)[5]



[4] Imports also takes into account losses during transmission. As a result, totals do not equal sum of components.
[5] Data Source: U.S. Energy Information Administration. The "Other" category includes battery, wood, petroleum, other biomass, "other", and pumped storage.

Figure 3 provides similar data for the U.S. as a whole. A quick comparison of Figures 2 and 3 shows that although the degree of reliance on specific energy sources for electricity production is different between the U.S. and Virginia, the trend toward lower-emissions energy sources is the same. Nationally, between 2010 and 2020 the amount of electricity produced using coal declined by 1,073.9 million megawatt hours from 45 to 19 percent of production, while in contrast the amount of electricity produced using natural gas increased by 636.3 million megawatt hours from 24 to 41 percent of production. Nationwide, as in Virginia, the reliance on renewable energy sources such as solar increased during this time but at a much faster pace than in Virginia. Between 2010 and 2020, the amount of electricity produced using solar increased by 88.0 million megawatt hours to 2 percent of total electricity production in the nation compared to 1 percent of total electricity production in Virginia.

Figure 3: Electricity Generation in the United States by Energy Source in 2010 and 2020 (in millions of megawatt-hours)[6]

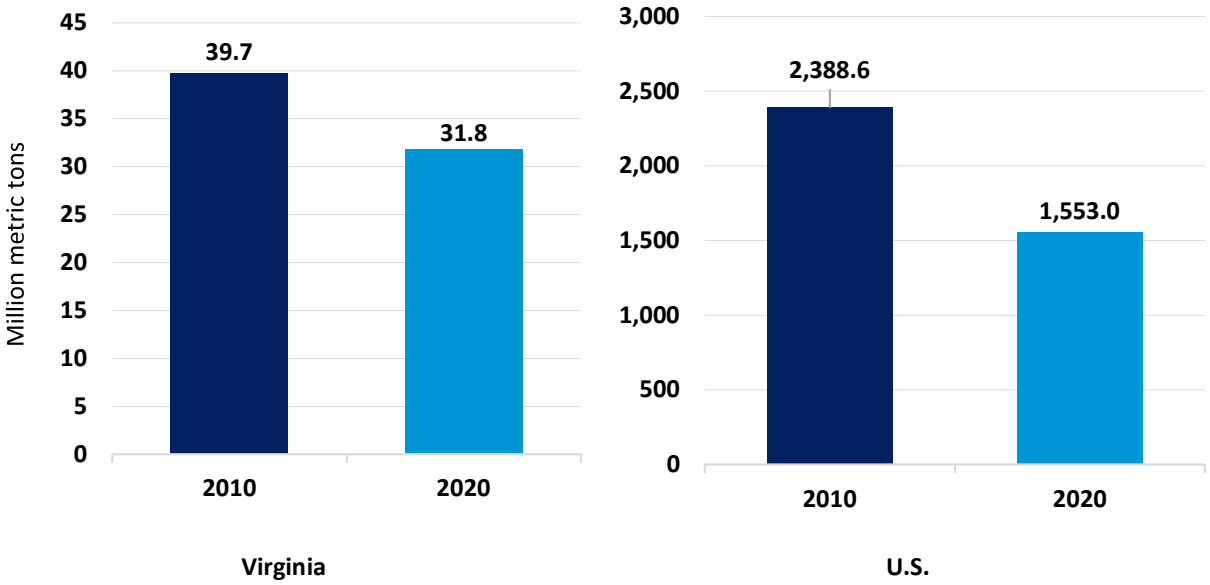


Impact on the Environment

In discussing the impact of these trends on the environment, it is important to realize that electricity production is one of the U.S.'s largest sources of greenhouse gas emissions. Figure 4 depicts carbon dioxide emissions from electricity production in 2010 and 2020 for both Virginia and the U.S. As these data indicate, between 2010 and 2020, as the share of electricity produced in Virginia by coal fell from 35 to 4 percent, carbon dioxide emissions from electricity production fell from 39.7 to 31.8 million metric tons. Where at the national level, as the share of electricity produced by coal fell from 45 to 19 percent, carbon dioxide emissions from electricity production fell from 2,388.6 to 1,553.0 million metric tons.

[6] Data Source: U.S. Energy Information Administration. "Other" includes battery, geothermal, other, other biomass, other gas, petroleum, pumped storage, wind, and wood.

Figure 4: Carbon Dioxide Emissions from Electricity Production (millions of metric tons)[7]



[7] Data Source: U.S. Energy Information Administration.

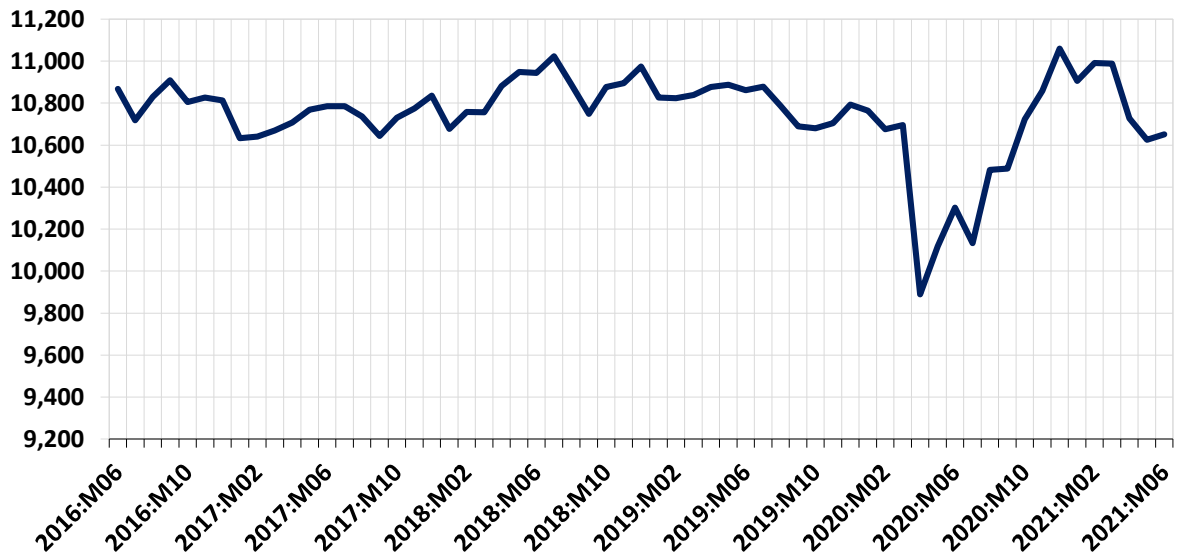
Local Economic Profile

This section provides context for the economic and fiscal impact assessments to follow by profiling the local economy of Isle of Wight County.

Total Employment

Figure 5 depicts the trend in total employment in Isle of Wight County over the five-year period from June 2016 through June 2021. As these data show, aside from seasonal fluctuations employment in the county remained relatively stable until the COVID-19 pandemic led to a steep decline in April 2020. Since then, total employment has effectively rebounded to pre-pandemic levels and stood at 10,652 jobs in June 2021. This represents an overall decrease of 216 jobs or 2.0 percent of total county employment over the five-year period as a whole. To put this number in perspective, over this same period, total statewide employment in Virginia increased by 0.6 percent.[8]

Figure 5: Total Employment in Isle of Wight County – June 2016 to June 2021[9]

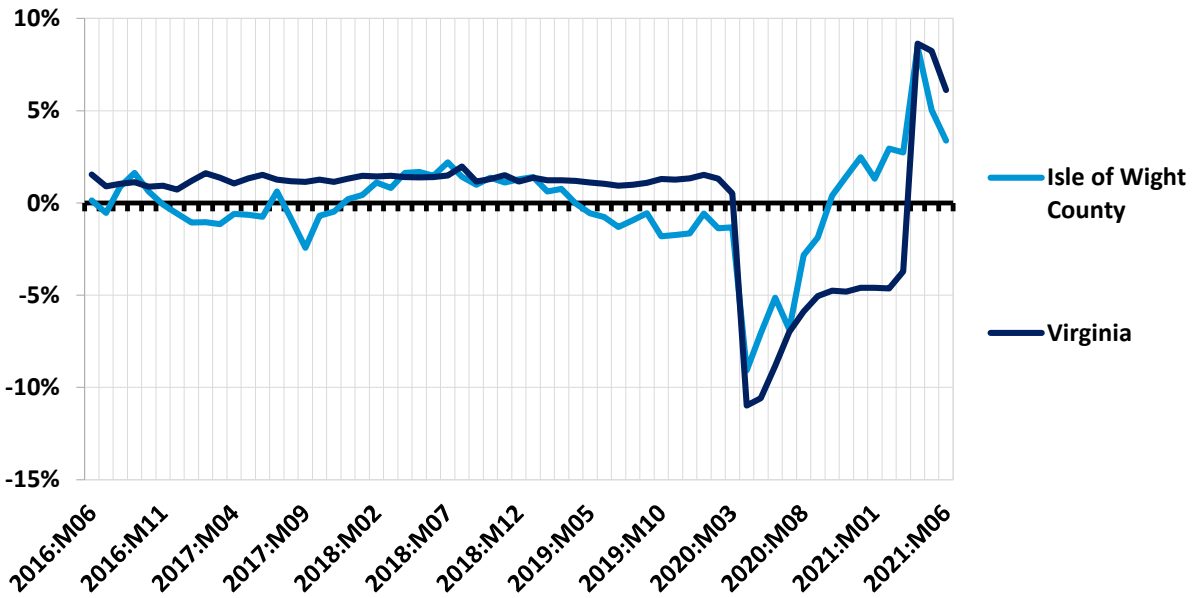


To control for seasonality and provide a point of reference, Figure 6 compares the year-over-year change in total employment in Isle of Wight County to that of the state of Virginia over the same five-year period. Any point above the zero line in this graph indicates an increase in employment, while any point below the zero line indicates a decline in employment. As these data show, employment growth in Isle of Wight County generally under-performed the statewide average prior to the COVID-19 pandemic. However, the county was less adversely impacted by the pandemic and recovered at a faster pace than the state as a whole, although recent data have shown that county employment growth is once again

[8] Data Source: Bureau of Labor Statistics.
[9] Data Source: Bureau of Labor Statistics.

drifting below the statewide average. As of June 2021, Isle of Wight County's year-over-year change in total employment was 3.4 percent, which was below the statewide average of 6.1 percent.

Figure 6: Year-Over-Year Change in Total Employment – June 2016 to June 2021[10]



Employment and Wages by Industry Super Sector

To provide a better understanding of the underlying factors motivating the total employment trends depicted in Figures 5 and 6, Figures 7 through 9 provide data on private employment and wages in Isle of Wight County by industry super sector.[11]

Figure 7 provides an indication of the distribution of private sector employment across industry super sectors in Isle of Wight County in the first quarter of 2021. As these data indicate, the county's largest industry sector that quarter was Manufacturing (3,414 jobs), followed by Trade, Transportation and Utilities (1,690 jobs), and Professional and Business Services (1,230 jobs).

Figure 8 provides a similar ranking for average private sector weekly wages by industry super sector in Isle of Wight County in the first quarter of 2021. As these data show, the highest paying industry sectors that quarter were Professional and Business Services ($3,395 per week), Information ($2,054 per week), and Financial Activities ($1,115 per week). To provide a point of reference, the average private sector weekly wage across all industry sectors in Isle of Wight County that quarter was $1,153 per week.

[10] Data Source: Bureau of Labor Statistics.
[11] A "super sector" is the highest level of aggregation in the coding system that the Bureau of Labor Statistics uses to classify industries.

Figure 7: Private Employment by Industry Super Sector in Isle of Wight County in Qu. 1 2021[12]

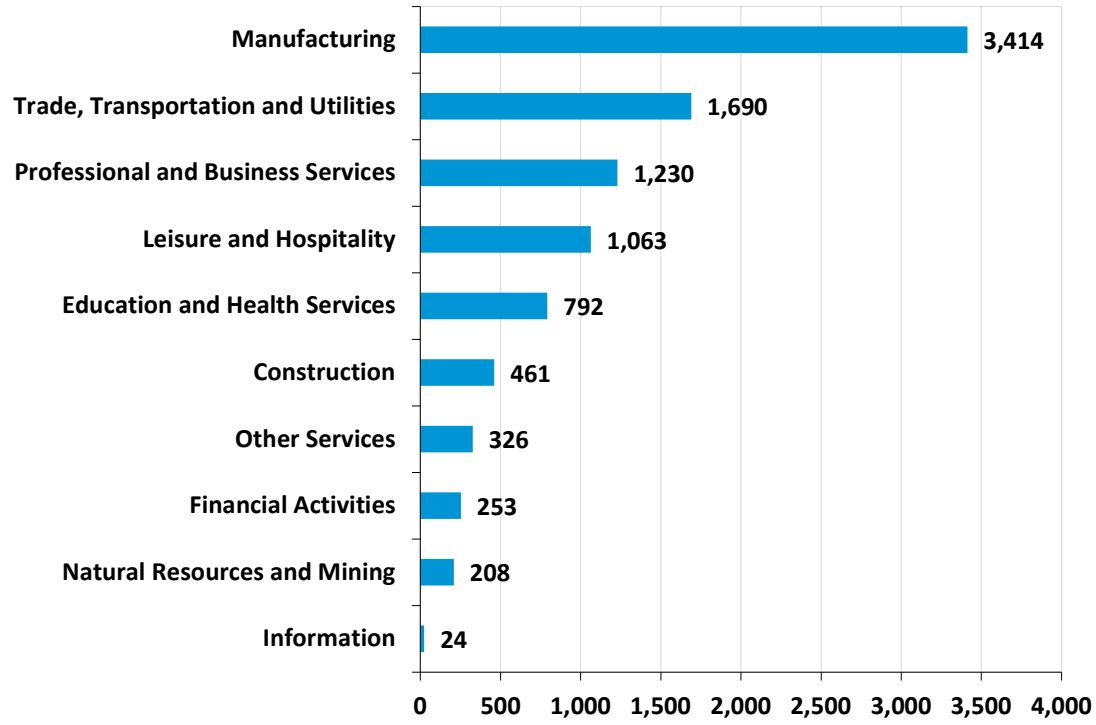
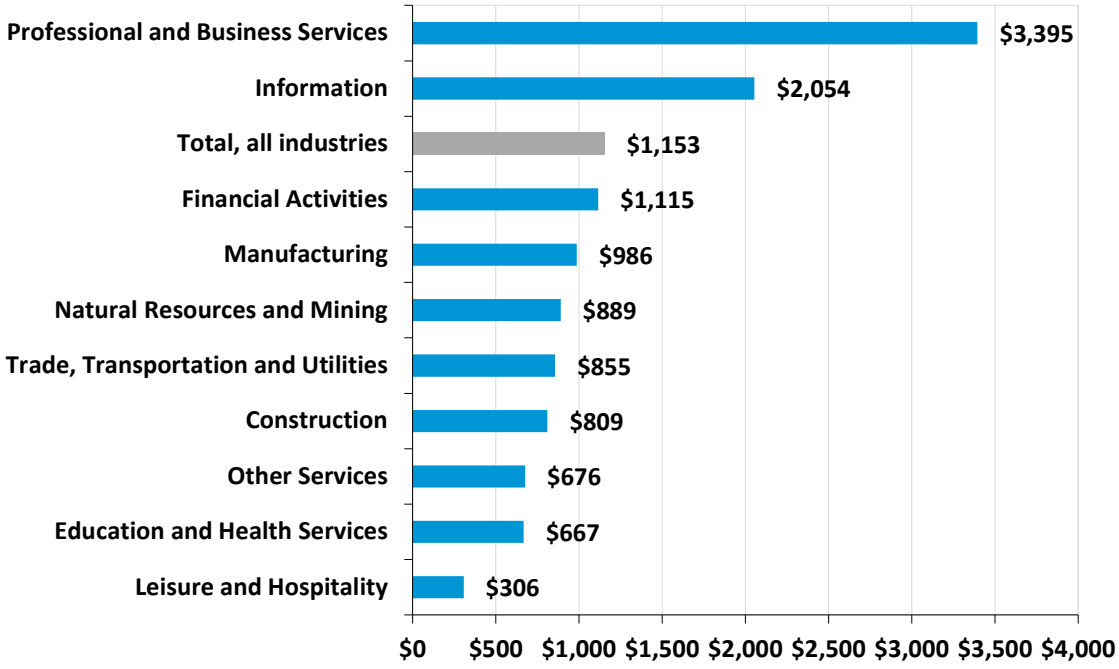


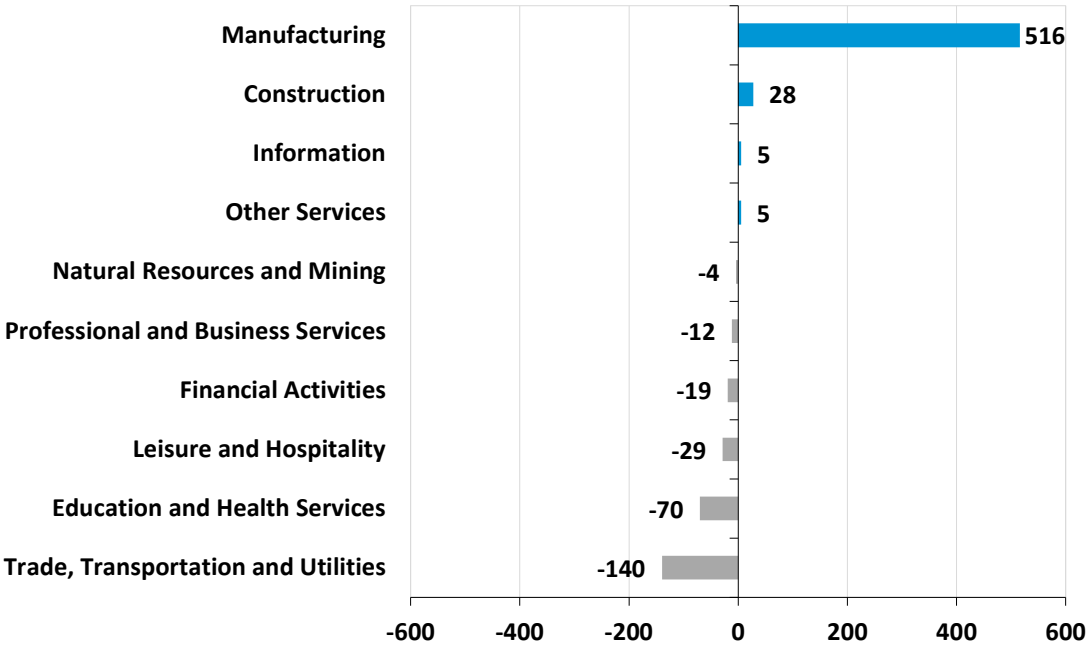
Figure 8: Average Private Weekly Wages by Industry Super Sector in Isle of Wight County in Qu. 1 2021[13]



[12] Data Source: Bureau of Labor Statistics.
[13] Data Source: Bureau of Labor Statistics.

Lastly, Figure 9 details the year-over-year change in private sector employment from the first quarter of 2020 to the first quarter of 2021 in Isle of Wight County by industry super sector. The largest employment gains over this period occurred in the Manufacturing (up 516 jobs) and Construction (up 28 jobs) sectors, while the largest employment losses occurred in the Trade, Transportation, and Utilities (down 140 jobs), Education and Health Services (down 70 jobs), and Leisure and Hospitality (down 29 jobs) sectors.

Figure 9: Change in Private Employment by Industry Super Sector in Isle of Wight County from Qu. 1 2020 to Qu. 1 2021[14]

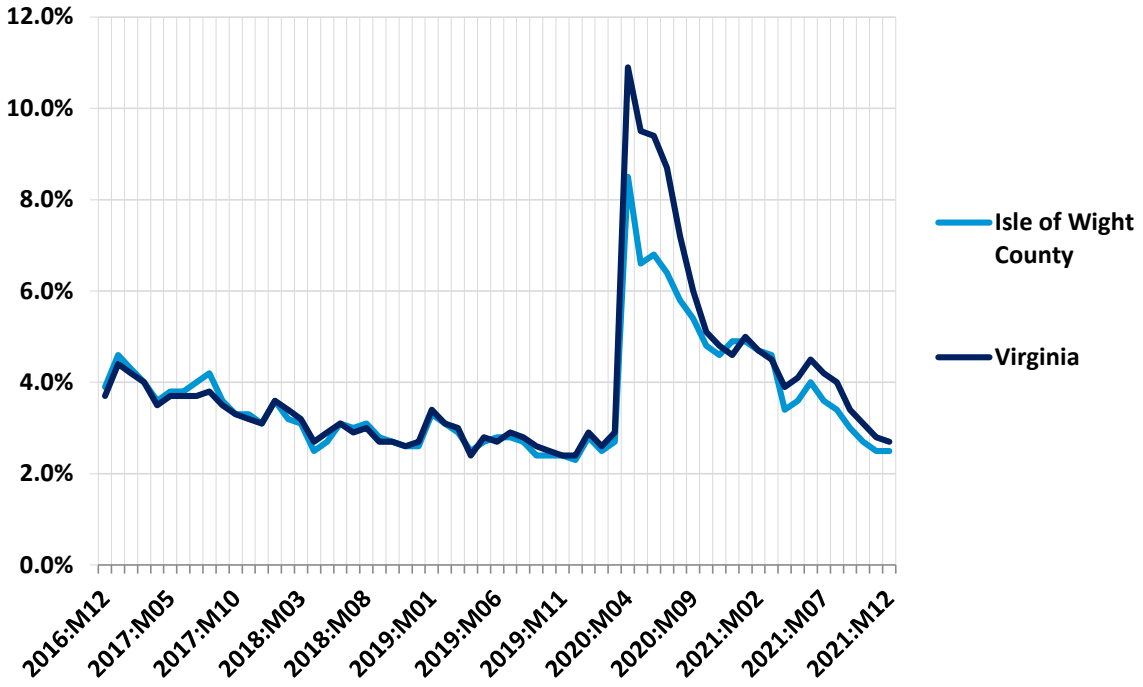


Unemployment

Figure 10 illustrates the trend in Isle of Wight County's unemployment rate over the five-year period from December 2016 through December 2021 and benchmarks those data against the statewide trend for Virginia. As these data show, unemployment rates in Isle of Wight County generally tracked closely with statewide trends until April 2020 when unemployment in the county and state significantly rose as a result of the labor dislocations caused by the COVID-19 pandemic. In the months that followed, Isle of Wight County's recovery was faster than in Virginia as a whole and as of December 2021, unemployment stood at 2.5 percent in Isle of Wight County compared to 2.7 percent statewide.

[14] Data Source: Bureau of Labor Statistics.

Figure 10: Unemployment Rate – December 2016 to December 2021[15]



[15] Data Source: Bureau of Labor Statistics.

Economic and Fiscal Impact

This section quantifies the economic and fiscal contribution that the proposed Ho-Fel Solar project would make to Isle of Wight County. The analysis separately evaluates the one-time pulse of economic activity that would occur during the construction phase of the project, as well as the annual economic activity that the project would generate during its ongoing operations phase.

Method

To empirically evaluate the likely local economic impact attributable to the proposed Ho-Fel Solar project, the analysis employs a regional economic impact model called IMPLAN.[16] 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 Ho-Fel 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 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 Ho-Fel 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).

[16] IMPLAN is produced by IMPLAN Group, LLC.

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 Ho-Fel Solar project would have on Isle of Wight County.

Assumptions

The analysis is based on the following assumptions:

- For ease of analysis, all construction expenditures are assumed to take place in a single year.
- Total investment in the Ho-Fel Solar project is estimated to be approximately $46.8 million.[17]
- Of that total:
    - Architecture, engineering, site preparation, and other construction and development costs are estimated to be approximately $22.3 million.[18] It is estimated that approximately 18 percent of that total could be spent with vendors in Isle of Wight County.[19]
    - Capital equipment costs are estimated to be approximately $24.5 million.[20] It is anticipated that no capital equipment would be purchased from vendors in Isle of Wight County.[21]

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 Ho-Fel Solar project would directly provide a one-time pulse supporting approximately: 1) 31 jobs, 2) $1.5 million in labor income, and 3) $4.1 million in economic output to Isle of Wight County.[22]

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) 37 jobs, 2) $1.7 million in labor income, 3) $5.0 million in economic output, and 4) $137,700 in state and local tax revenue.

[17] Data Source: Pine Gate Renewables.
[18] Data Source: Pine Gate Renewables.
[19] Data Source: IMPLAN Group, LLC.
[20] Data Source: Pine Gate Renewables.
[21] Data Source: IMPLAN Group LLC.
[22] 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.

Table 1: Estimated One-Time Economic and Fiscal Impact on Isle of Wight County from Construction of the Ho-Fel Solar Project[23]

Economic Impact	Employment	Labor Income[24]	Output
1st Round Direct Economic Activity	31	$1,493,100	$4,093,900
2nd Round Indirect and Induced Economic Activity	6	$236,500	$889,700
Total Economic Activity	**37**	**$1,729,600**	**$4,983,600**
Fiscal Impact			
State and Local Tax Revenue			**$137,700**

**Totals may not sum due to rounding.*

Ongoing Operations Phase

This portion of the section assesses the annual economic and fiscal impact that the proposed Ho-Fel Solar project would have on Isle of Wight County during its anticipated 40-year operational phase.

Assumptions

The analysis is based on the following assumptions:

- The Ho-Fel Solar project would spend approximately $250,000 each year for maintenance and repair and vegetative control expenditures.[25]
- The Ho-Fel Solar project would involve an investment of approximately $46.8 million in capital equipment and improvements to the existing property.[26]
- The Ho-Fel Solar project would be situated on approximately 199 fenced-in acres within an approximate 411-acre tract of purchased land.[27]
- Only the actively used, fenced-in acreage would be removed from the land use program.
- The fenced-in acreage would be reappraised at $15,000 per acre.[28]
- The initial interconnection request for Ho-Fel Solar was filed in August 2018.[29]
- The Ho-Fel Solar project's total generation capacity would be 40 MW AC.[30]
- The Ho-Fel Solar project would become operational in June 2024.[31]

[23] 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.
[24] Labor income includes pay and benefits.
[25] Data Source: Pine Gate Renewables.
[26] Data Source: Pine Gate Renewables.
[27] Data Source: Pine Gate Renewables.
[28] Data Source: Isle of Wight County Commissioner of Revenue's Office. Current assessment value of existing solar farm in the county.
[29] Data Source: Pine Gate Renewables.
[30] Data Source: Pine Gate Renewables.
[31] Data Source: Pine Gate Renewables.

Results – Economic Impact

Applying these assumptions in the IMPLAN model results in the following estimates of annual economic impact. As shown in Table 2, annual operation of the proposed Ho-Fel Solar project would directly support approximately: 1) 2 jobs, 2) $71,500 in labor income, and 3) $181,300 in economic output to Isle of Wight County.

Taking into account the economic ripple effects that direct impact would generate, the total estimated annually supported impact on Isle of Wight County would be approximately: 1) 2 jobs, 2) $84,400 in labor income, and 3) $231,800 in economic output.

Table 2: Estimated Annual Economic Impact on Isle of Wight County from the Ongoing Operation of the Ho-Fel Solar Project

Economic Impact	Employment	Labor Income	Output
1st Round Direct Economic Activity	2	$71,500	$181,300
2nd Round Indirect and Induced Economic Activity	< 1	$12,900	$50,500
Total Economic Activity	**2**	**$84,400**	**$231,800**

**Totals may not sum due to rounding.*

Results – Fiscal Impact

This portion of the section quantifies the direct fiscal contribution that the proposed Ho-Fel Solar project would make to Isle of Wight County. The analysis considers two scenarios. Both scenarios include the additional revenue that the Ho-Fel Solar project would generate for Isle of Wight County over a 40-year period from the increased property assessments associated with reassessing the site as solar use property. Scenario 1 then describes the additional revenue Ho-Fel Solar would generate for Isle of Wight County from taxes levied on the capital investment, while Scenario 2 assumes tax revenue generated from the capital investment will be replaced with revenue associated with a locally adopted revenue share ordinance and based on the project's total generation capacity.

Reassessment of Property

Table 3 details the increased property assessments associated with removing the actively used 199 acres from the land use program and reassessing the fenced-in site as solar use property while the residual acreage owned by Ho-Fel Solar would continue to be assessed at its current land use value. The county real estate tax revenue from the project after reassessment is estimated to be approximately $28,048 per year, for a cumulative total of approximately $1.12 million over the project's anticipated 40-year operational life expectancy.[32] Adding one-time rollback taxes of approximately $23,170 increases that cumulative total to approximately $1.15 million. In contrast, the property currently generates

[32] Assumes fenced-in property will be reassessed at $15,000 per acre once it is under solar use.

approximately $5,186 per year in real estate tax revenue for the county, for a cumulative total of approximately $207,443 over 40 years.[33]

Table 3: Estimated County Revenue Generated by the Proposed Ho-Fel Solar Project over 40 Years from Real Estate Taxes

Isle of Wight County Real Estate Tax Rate[34]	0.0085	
Estimated Increased Value of Property (199 acres)[35]	$2,985,000	
Annual Real Estate Tax – Solar Use		$25,373
Estimated Appraised Value of Residual Purchased Acreage (212 acres)[36]	$314,713	
Annual Real Estate Tax Revenue – Residual Acreage		$2,675
Total Annual County Real Estate Tax – Solar Use		**$28,048**
Cumulative Real Estate Tax Revenue over 40 Years		**$1,121,902**
One-time Rollback Taxes[37]		**$23,170**
Total Cumulative Real Estate Tax Revenue over 40 Years		**$1,145,072**

**Totals may not sum due to rounding.*

Scenario 1: Taxation of Capital Investment

Table 4 separately details the additional annual revenue that the proposed Ho-Fel Solar project would generate for Isle of Wight County over a 40-year period from taxes levied on capital investment. This calculation is based on: 1) the taxable portion of capital investments pursuant to the 80 percent local tax exemption pursuant to Virginia Code §58.1-3660[38], times 2) the State Corporation Commission's utility assessment ratio of 0.92 for taxation of public utilities in Isle of Wight County[39], times 4) the State Corporation Commission's depreciation guidelines for solar facilities, times 5) Isle of Wight County's real property tax rate of $0.85 per $100 of assessed value pursuant to Virginia Code §58.1-2606.

As the data in Table 4 indicate, based on these calculations the estimated additional county revenue from taxation of capital investments associated with the proposed Ho-Fel Solar project would be approximately $66,239 in the project's first year of operation, with that figure projected to decline to approximately $7,360 in the project's 34th year of operation and thereafter, as the value of the proposed capital investments is depreciated, for a cumulative total of approximately $1.7 million.

[33] Derived from Isle of Wight County's Real Estate Assessment database. Excludes value of existing structures because they would be outside of the project footprint.
[34] Data Source: Isle of Wight County website.
[35] Calculated as 199 acres times $15,000.
[36] Residual acreage is assumed to remain in land use program.
[37] Rollback taxes are computed as the difference between the land use value assessment tax and the tax on the fair market value for the affected acreage for five complete tax years plus the current year, including 10 percent simple interest. Does not account for changes in assessment values.
[38] The Virginia Code §58.1-3660 stipulates that solar facilities over 20 MW and less than 150 MW for which an interconnection request was filed between July 1, 2018 - December 31, 2018 are subject to an 80 percent exemption from local property taxes.
[39] Average of county's locality ratios of the previous five years. Values shown rounded to two digits.

Table 4: Estimated County Revenue Generated by the Proposed Solar Investment over 40 Years

Year	Total Capital Investment subject to Exemption[40]	Less Exemption[41]	Capital Investment Less Exemption[42]	Depreciation[43]	Depreciated Value of Taxable Capital Investment	Additional Annual County Tax Revenue Solar Investment[44]
1	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
2	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
3	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
4	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
5	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
6	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
7	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
8	$46,834,218	80%	$8,658,710	90.0%	$7,792,839	$66,239
9	$46,834,218	80%	$8,658,710	89.7%	$7,765,997	$66,011
10	$46,834,218	80%	$8,658,710	88.2%	$7,634,385	$64,892
11	$46,834,218	80%	$8,658,710	86.6%	$7,494,980	$63,707
12	$46,834,218	80%	$8,658,710	84.9%	$7,347,781	$62,456
13	$46,834,218	80%	$8,658,710	83.1%	$7,191,925	$61,131
14	$46,834,218	80%	$8,658,710	81.1%	$7,025,677	$59,718
15	$46,834,218	80%	$8,658,710	79.1%	$6,849,906	$58,224
16	$46,834,218	80%	$8,658,710	77.0%	$6,663,743	$56,642
17	$46,834,218	80%	$8,658,710	74.7%	$6,466,325	$54,964
18	$46,834,218	80%	$8,658,710	72.3%	$6,257,650	$53,190
19	$46,834,218	80%	$8,658,710	69.7%	$6,035,121	$51,299

[40] Data Source: Pine Gate Renewables

[41] Pursuant to Virginia Code §58.1-3660, solar facilities over 20 MW and less than 150 MW are subject to an 80 percent exemption from local property taxes if the interconnection request was filed between July 1, 2018 and December 31, 2018.

[42] Accounts for the State Corporation Commission's five-year average utility assessment ratio of 0.92 for taxation of public utilities in Isle of Wight County (value shown rounded to second digit).

[43] Data Source: State Corporation Commission guidelines.

[44] Calculated pursuant to Virginia Code §58.1-2606 which stipulates that capital equipment owned by utilities is taxed as real property and the local tax rate on that capital equipment would be capped at Isle of Wight County's real property tax rate of $0.85 per $100 of assessed value.

Table 4: Estimated County Revenue Generated by the Proposed Solar Investment over 40 Years

Year	Total Capital Investment subject to Exemption[40]	Less Exemption[41]	Capital Investment Less Exemption[42]	Depreciation[43]	Depreciated Value of Taxable Capital Investment	Additional Annual County Tax Revenue Solar Investment[44]
20	$46,834,218	80%	$8,658,710	67.0%	$5,800,470	$49,304
21	$46,834,218	80%	$8,658,710	64.1%	$5,551,099	$47,184
22	$46,834,218	80%	$8,658,710	61.1%	$5,287,008	$44,940
23	$46,834,218	80%	$8,658,710	57.8%	$5,007,332	$42,562
24	$46,834,218	80%	$8,658,710	54.4%	$4,710,338	$40,038
25	$46,834,218	80%	$8,658,710	50.8%	$4,396,027	$37,366
26	$46,834,218	80%	$8,658,710	46.9%	$4,061,801	$34,525
27	$46,834,218	80%	$8,658,710	42.8%	$3,708,526	$31,522
28	$46,834,218	80%	$8,658,710	38.5%	$3,333,603	$28,336
29	$46,834,218	80%	$8,658,710	33.9%	$2,937,035	$24,965
30	$46,834,218	80%	$8,658,710	29.1%	$2,515,355	$21,381
31	$46,834,218	80%	$8,658,710	23.9%	$2,069,432	$17,590
32	$46,834,218	80%	$8,658,710	18.4%	$1,596,666	$13,572
33	$46,834,218	80%	$8,658,710	12.7%	$1,095,327	$9,310
34	$46,834,218	80%	$8,658,710	10.0%	$865,871	$7,360
35	$46,834,218	80%	$8,658,710	10.0%	$865,871	$7,360
36	$46,834,218	80%	$8,658,710	10.0%	$865,871	$7,360
37	$46,834,218	80%	$8,658,710	10.0%	$865,871	$7,360
38	$46,834,218	80%	$8,658,710	10.0%	$865,871	$7,360
39	$46,834,218	80%	$8,658,710	10.0%	$865,871	$7,360
40	$46,834,218	80%	$8,658,710	10.0%	$865,871	$7,360
Cumulative Total						**$1,676,262**

**Totals many not sum due to rounding.*

Scenario 1: Total Fiscal Impact

Table 5 combines the results from the calculations depicted in Tables 3 and 4 to provide an estimate of the cumulative fiscal contribution that the proposed Ho-Fel Solar project would make to Isle of Wight County over its 40-year anticipated operational life under Scenario 1. As these data indicate, that cumulative total is approximately $2.8 million.

Table 5: Estimated Cumulative County Revenue from the Proposed Ho-Fel Solar Project over 40 Years under Scenario 1

County Real Estate Tax	$1,145,072
County Revenue from Taxation of Capital Investments	$1,676,262
Total Cumulative Revenue over 40 Years	**$2,821,334**

Scenario 1: Composite Index

This portion of the section presents an analysis of the hypothetical upper limit of the impact that the proposed Ho-Fel Solar project could have on Isle of Wight County's Composite Index, the index that the Virginia Department of Education uses to assess the locally funded portion of a locality's school budget based on "ability to pay." This analysis is included in the report because it has been a perceived issue in some localities in Virginia when proposed solar projects have been considered.

Each locality's Composite Index is based on three factors – the locality's total real property tax base, total adjusted real income, and total taxable retail sales. Of these, the total real property tax base receives the highest weight. Therefore, hypothetically, a large capital investment such as a solar facility could increase a locality's Composite Index and thereby increase the required local contribution to the county's school budget. However, there are two important issues to keep in mind when evaluating the likely impact of a solar project on a locality's Composite Index.

First, when calculating a locality's Composite Index, solar projects are treated no differently than manufacturing facilities, residential neighborhoods, or any other large capital investment. The part of the investment that is taxable is included in the real property tax base portion of the calculation. Pursuant to Virginia Code §58.1-3660, that means for solar facilities over 20 MW and under 150 MW the 20 percent of the investment that is taxable is considered in the Composite Index, and only that 20 percent.

Second, changes in a locality's Composite Index are driven by changes in a locality's total real property tax base (along with total adjusted real income and total taxable retail sales) relative to the changes in all Virginia localities total real property tax base (along with total adjusted real income and total taxable retail sales). As a result, for any one capital investment to have an impact on a locality's Composite Index, it would have to drive a percentage change in the locality's total real property tax base that was larger than the percentage change in the total real property tax base across all Virginia localities.

Between the Virginia Department of Education's 2020-22 and 2022-24 Composite Index calculations, the total real property tax base across all Virginia localities increased by 8.8 percent. Even after accounting for both the capital investment in the project itself and the increased property value assessments associated with rezoning the property to solar use, the proposed Ho-Fel Solar project would only drive a 0.2 percent increase in Isle of Wight County's total real property tax base. This means that, in and of itself, it is unlikely the proposed Ho-Fel Solar project would effect a meaningful change in Isle of Wight County's Composite Index.

Scenario 2: Revenue Share Ordinance

The following section describes the additional annual revenue that the proposed Ho-Fel Solar project would generate for Isle of Wight County assuming the county adopts an energy revenue share ordinance under Virginia Code §58.1-2636 in lieu of taxes on capital investment. This statute currently stipulates that a locality may assess an annual revenue share of up to $1,400 per megawatt (MW) alternating current (AC) generation capacity of a solar facility. However, legislation that was passed in the 2021 General Assembly (SB 1201/HB 2006) and went into effect July 1, 2021, allows a 10 percent escalator to be applied to the $1,400 per MW revenue share every five years, beginning in 2026.

Table 6 details the revenue generated from a revenue share ordinance between Ho-Fel Solar and Isle of Wight County including the 10 percent escalator. Based on a total generation capacity of 40 MW AC and an assumed commissioning date in June 2024, a revenue share ordinance would generate approximately $3.4 million over the anticipated 40-year operational life of the project.

Table 6: Estimated County Revenue Generated from a Revenue Share Ordinance over 40 Years

Year	MW	Revenue Share per MW with Escalator	Annual County Revenue
1	40	$1,400	$56,000
2	40	$1,400	$56,000
3	40	$1,540	$61,600
4	40	$1,540	$61,600
5	40	$1,540	$61,600
6	40	$1,540	$61,600
7	40	$1,540	$61,600
8	40	$1,694	$67,760
9	40	$1,694	$67,760
10	40	$1,694	$67,760
11	40	$1,694	$67,760
12	40	$1,694	$67,760
13	40	$1,863	$74,536
14	40	$1,863	$74,536
15	40	$1,863	$74,536
16	40	$1,863	$74,536
17	40	$1,863	$74,536
18	40	$2,050	$81,990
19	40	$2,050	$81,990

Year	MW	Revenue Share per MW with Escalator	Annual County Revenue
20	40	$2,050	$81,990
21	40	$2,050	$81,990
22	40	$2,050	$81,990
23	40	$2,255	$90,189
24	40	$2,255	$90,189
25	40	$2,255	$90,189
26	40	$2,255	$90,189
27	40	$2,255	$90,189
28	40	$2,480	$99,207
29	40	$2,480	$99,207
30	40	$2,480	$99,207
31	40	$2,480	$99,207
32	40	$2,480	$99,207
33	40	$2,728	$109,128
34	40	$2,728	$109,128
35	40	$2,728	$109,128
36	40	$2,728	$109,128
37	40	$2,728	$109,128
38	40	$3,001	$120,041
39	40	$3,001	$120,041
40	40	$3,001	$120,041
Cumulative Total			**$3,394,172**

Scenario 2: Total Fiscal Impact

Table 7 combines the results from the calculations depicted in Tables 3 and 6 to provide an estimate of the cumulative fiscal contribution that the proposed Ho-Fel Solar project would make to Isle of Wight County over its 40-year anticipated operational life under Scenario 2. As these data indicate, that cumulative total is approximately $4.5 million.

Table 7: Estimated Cumulative County Revenue from the Proposed Ho-Fel Solar Project over 40 Years under Scenario 2

County Real Estate Tax	$1,145,072
County Revenue from Revenue Share Ordinance	$3,394,172
Total Cumulative Revenue over 40 Years	**$4,539,244**

Scenario 2: Composite Index

Under a revenue share ordinance, by statute capital investment from the project has no impact on the locality's Composite Index.

Current Agricultural Use

This section provides a benchmark for the previous estimates of the contribution that the proposed Ho-Fel Solar project would make to Isle of Wight County by estimating the economic and fiscal contribution that the site makes to the county in its current agricultural use.

Assumptions

The analysis is based on the following assumptions:

- The proposed Ho-Fel Solar project would purchase approximately 411 acres of agricultural land of which approximately 258 acres are currently used for the agricultural production of row crops and the remaining acreage is wooded or contains wetlands.[45]
- The weighted average annual revenue per acre for the agricultural production on the parcels is approximately $524.[46]
- The current assessment value of the purchased acreage is approximately $610,128.[47]

Results – Economic Impact

Applying these assumptions in the IMPLAN model results in the following estimates of annual economic impact. As shown in Table 8, in an agricultural production use, the proposed Ho-Fel Solar project site on average directly supports approximately: 1) 2 jobs, 2) $20,200 in labor income, and 3) $135,200 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) 2 jobs, 2) $42,500 in labor income, and 3) $191,100 in economic output.

Table 8: Total Estimated Annual Economic Impact of the Ho-Fel Solar Project Site on Isle of Wight County – Current Agricultural Use

Economic Impact	Employment	Labor Income	Output
1st Round Direct Economic Activity	2	$20,200	$135,200
2nd Round Indirect and Induced Economic Activity	< 1	$22,300	$55,900
Total Economic Activity	**2**	**$42,500**	**$191,100**

**Totals may not sum due to rounding.*

[45] Data Source: Pine Gate Renewables.
[46] Data Source: Estimated based on data from the U.S. Department of Agriculture 2017 Census and IMPLAN Group, LLC for the production of corn, soybeans, cotton, and peanuts Isle of Wight County.
[47] Data Source: Derived from Isle of Wight County's Real Estate Assessment database. Estimated assessed value of purchased acreage excluding existing structures because they would be outside of the project footprint.

Results – Fiscal Impact

Table 9 details the estimated tax revenue that the proposed Ho-Fel Solar site generates for Isle of Wight County in its current agricultural use. As the data in Table 9 indicate, the current county real estate tax revenue from the project site is estimated to be approximately $5,186 per year, for a cumulative total of approximately $207,443 over 40 years.

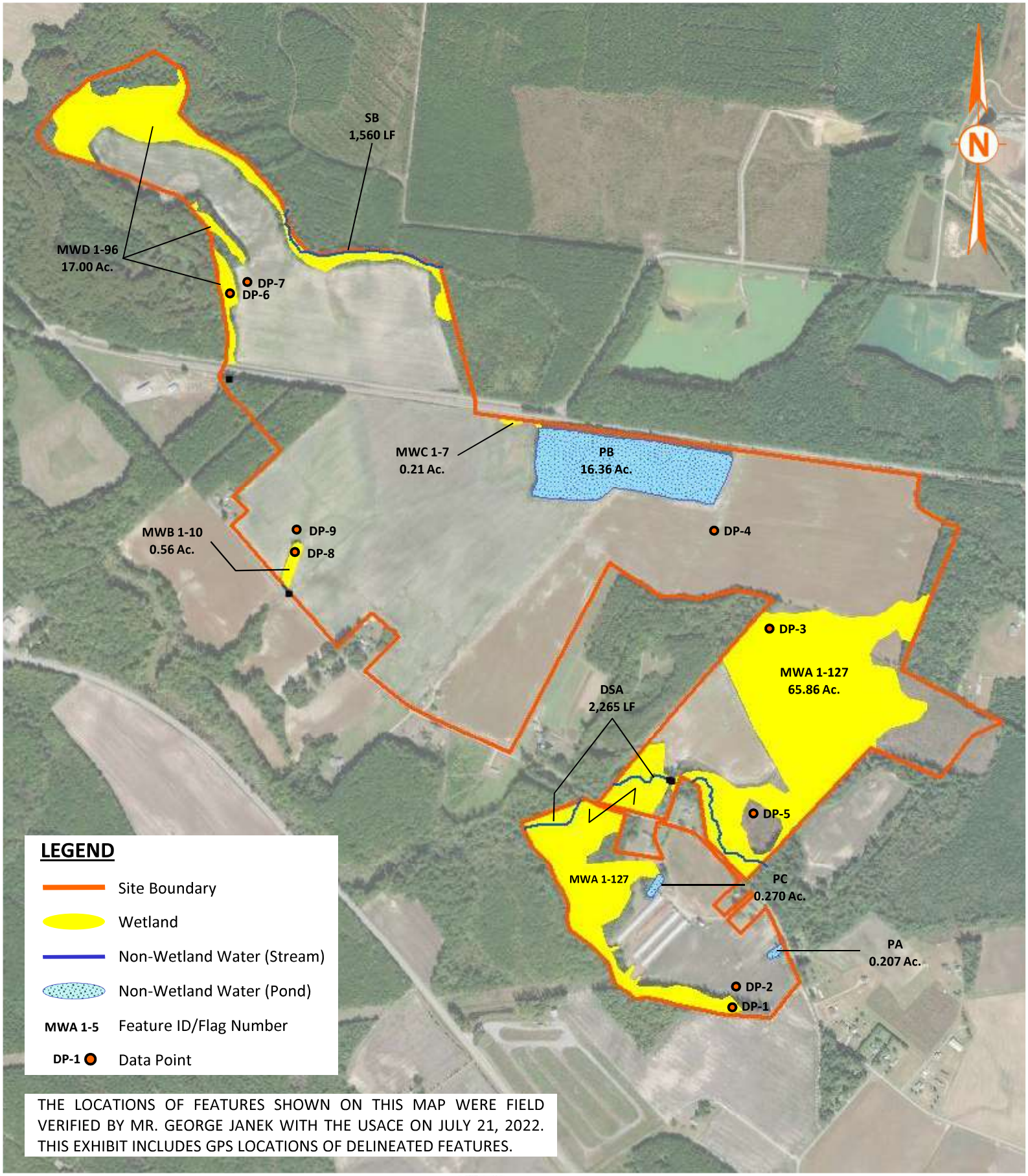
Table 9: Estimated County Revenue Generated by the Proposed Ho-Fel Solar Project Site over 40 Years from Real Estate Taxes – Current Agricultural Use

Estimated Assessed Value of Property – Agricultural Use[48]	$610,128
Isle of Wight County Current Real Estate Tax Rate	0.0085
Annual County Real Estate Tax – Agricultural Use	$5,186
Total Cumulative Revenue over 40 years	**$207,443**

**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 that information. However, because these estimates attempt to foresee circumstances that have not yet occurred, it is not possible to provide any assurance that they will be representative of actual events. These estimates are intended to provide a general indication of likely future outcomes and should not be construed to represent a precise measure of those outcomes.

[48] Data Source: Derived from Isle of Wight County's Real Estate Assessment database. Excludes value of existing structures as they would be outside of the project footprint.



THE LOCATIONS OF FEATURES SHOWN ON THIS MAP WERE FIELD VERIFIED BY MR. GEORGE JANEK WITH THE USACE ON JULY 21, 2022. THIS EXHIBIT INCLUDES GPS LOCATIONS OF DELINEATED FEATURES.

Drawing 5
Aerial Imagery from ESRI
and Pilot GPS Data
Scale: 1" = 1,000'
Date: 7.22.22

PILOT ENVIRONMENTAL, INC

Wetland Map
Ho-Fel Solar
Approximate 414-Acre Tract
Franklin, Isle of Wight County, VA
Pilot Project 5876.2

PILOT ENVIRONMENTAL, INC

February 23, 2022

Mr. Drew Chandler
Pine Gate Renewables, LLC
130 Roberts Street
Asheville, North Carolina 28801

Reference: Threatened and Endangered Species Review
Ho-Fel Solar
Approximate 414-Acre Tract
Lees Mill Road
Franklin, Isle of Wight County, Virginia
Pilot Project 5876.2

Dear Mr. Chandler:

Pilot Environmental, Inc. (Pilot) is pleased to submit this report of the Threatened and Endangered Species Review for the approximate 414-acre tract located on Lees Mill Road in Franklin, 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

Congress passed the Endangered Species Act (ESA or "Act") in 1973. The purpose of the ESA is to protect and recover imperiled species and the ecosystems upon which they depend. It is administered by the U.S. Fish and Wildlife Service (USFWS) and the Commerce Department's National Marine Fisheries Service (NMFS). The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of the Commerce Departments NMFS are mainly marine wildlife. Under the ESA, federally protected species may be listed as either endangered or threatened. "Endangered" means a species is in danger of extinction throughout all or a significant portion of its range. "Threatened" means a species is likely to become endangered within the foreseeable future. All species of plants and animals, except pest insects, are eligible for listing as endangered or threatened. For the purposes of the ESA, Congress defined species to include subspecies, varieties, and, for vertebrates, distinct population segments.

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 Threatened and Endangered Species Review for the approximate 414-acre tract located on Lees Mill Road in Franklin, Isle of Wight County, Virginia. The site includes three parcels (or portions) identified by the Isle of Wight County Geographical Information System (GIS) as Parcel Identification Numbers (PINs) 69-01-087, 69-01-086, and 71-01-022. The site is being evaluated for proposed development with a solar farm. The purpose of the Threatened and Endangered Species Review is to identify the potential for impact to federally protected and state-listed threatened and endangered species. The scope of services included a field reconnaissance, a review of available literature, and a submittal of relevant site information to solicit comments from the Virginia Department of Conservation and Recreation (DCR) and the USFWS. 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.

Site Reconnaissance

Pilot personnel conducted the site visit on January 28, 2022. The southern portion of the site is developed with poultry houses and several outbuildings. A small cemetery is located proximate to the poultry houses. Two dilapidated agricultural sheds are located on the southern-central portion of the site. The remainder of the site contains undeveloped wooded land and agricultural fields. A railroad track and water line easement cross the northern portion of the site and Lees Mill Road transects the southern portion of the site.

Approximately 65% of the site contains fields that are routinely cultivated for cotton and soybean production. The agricultural fields were not planted at the time of our site visit and are dominated by low-lying grasses, clover and remnants of harvested soybeans and cotton.

Approximately 15% of the site contains wooded land that was harvested approximately 10 years ago. The resulting conditions are dense scrub-shrub vegetation typical of a forested cutover, the

majority of which is a wetland flat. Approximately 5% of the site consists of an abandoned mill pond that has converted to a cypress swamp. Approximately 5% of the site consists of a bottomland hardwood forested wetland. Approximately 5% of the site contains a 20-year old managed pine forest. The remainder of the site consists of farm ponds, a quarry pond and small clumps of trees. The quarry pond is approximately 16 acres and does not appear to be connected to downgradient waters.

Lees Millpond is located on the northern portion of the site and an unnamed tributary to the Blackwater River crosses the southern portion of the site. Forested wetlands are located within Lees Millpond, adjacent to the tributary and within forested flats across the site. Lees Millpond consists of a cypress swamp with inundated conditions. The remainder of the wetlands consist of forested, scrub shrub or emergent vegetation with saturated conditions. The attached Wetland Map (Drawing 3) shows the approximate locations of streams, wetlands and ponds located on the site.

Federal and State Listed Threatened and Endangered Species

Database Review

The project location was entered into the USFWS Information for Planning and Conservation (IPaC) online mapping system to obtain a species list that identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat that may occur within the project boundary. The IPaC Report and associated Official Species List (dated February 22, 2022) is included as an attachment. The following Species Conclusion Table was developed based on our review of the IPaC report.

Species Conclusions Table
Project Name: Ho-Fel Solar
Date: January 22, 2022

Species / Resource Name	Habitat/Species Presence in Action Area	Sources of Info	ESA Section 7 Determination	Project Elements that Support Determination
Northern Long-eared Bat *Myotis septentrionalis*		Dkey	Covered by 4(d) Rule	
Monarch Butterfly *Danaus plexippus*			Not required	Candidate species – the project would be expected to increase the amount of suitable habitat as solar farms use less intensive and lower frequency maintenance practices that promote native pollinators, than the existing intensive management of the site for crop production.
Critical Habitat	No critical habitat present		No effect	

Additionally, the Essential Fish Habitat (EFH) mapper was reviewed for species that are under the sole jurisdiction of the NMFS. Marine species that occur on or proximate to the site are not identified on the EFH report. A copy of the EFH map report is included as an attachment.

Virginia DWR Known Wildlife Species and Habitat

Pilot reviewed data available through the Virginia Department of Wildlife Resources (DWR) Wildlife Environmental Review Map Service (WERMS) via ArcGIS on February 22, 2022. The review area included the site and a two-mile radius of the site boundary. Federal listed species are not identified on the site or within two miles of the site. State listed species are not identified on the site. Rafinesque's eastern big-eared bat, a state listed species, is identified approximately 2 miles southeast 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 23 species likely to occur within two miles of the site centroid as threatened or endangered at the state and/or federal levels. Of the 23 species, there are no documented occurrences identified on the site or within the two-mile radius. A copy of the FWIS report is included as an attachment.

Northern Long-Eared Bat (*Myotis septentrionalis*) Determination

Pilot reviewed the VDGIF WERMS data and NLEB Winter Habitat and Roost Tree Application for known NLEB occurrences, hibernacula, and roost trees on or proximate to the site. Based on a review of the NLEB Winter Habitat and Roost Trees Map, the nearest confirmed hibernacula and/or maternity sites are located more than 40 miles east of the site. Based on a review of the VDGIF WERMS shapefiles (Feature Class: SppObs Enviro Review Listed, obtained February 22, 2022), there are no known occurrences of NLEB within two miles of the site. Additionally, Pilot did not observe hibernacula on the site. Wooded areas and mature trees that could afford suitable summer roosting habitat are present on the site. Similar habitat was observed on adjoining properties. Based on the distance from known roost trees and availability of similar suitable habitat near the site, we have made the determination that the proposed project is not likely to adversely affect this species. Based on the USFWS NLEB Consistency letter for the project, any "take" of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). The NLEB Location and Roost Tree maps as well as the NLEB Consistency Letter are included as attachments.

Monarch Butterfly (*Danaus plexippus*)

The monarch butterfly is identified by the IPaC report as a candidate species for listing. Although the provisions of Section 7 of the ESA do not currently apply to candidate species or other non-listed pollinators, the service recommends avoiding impacts to the monarch butterfly and assisting in the protection and reestablishment of the butterfly and its habitat by use of seeds

native to natural communities for soil stabilization or revegetation of disturbed areas during project construction.

Eagle Act Determination

Pilot reviewed data available through VDGIF WERMS, the Virginia Field Office's Bald Eagle Map Tool, and the CCB VA Eagle Nest and Eagle Roost Locators to identify known bald eagle (*Haliaeetus leucocephalus*) populations, nesting sites, and roosts. Bald eagle nest and roost sites are not identified on or within 2 miles of the site. Therefore, the proposed project is not likely to disturb the bald eagle. Copies of the Virginia Field Office's Bald Eagle Concentration Areas, the CCB Bald Eagle Nest Locator, and the CCB Bald Eagle Roost Locator maps are included as attachments.

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 26 miles east of the site (Drawing 4).

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 5). Therefore, mitigation for CAPZ is not proposed.

Virginia DCR Correspondence

Pilot submitted a request to the DCR for review and comment of the proposed project. The DCR response indicates that "according to predicted suitable habitat modeling, there is potential for Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*, G3G4T3/S2/NL/LE) to occur in the project area if suitable habitat exists on site." The DCR recommends avoiding tree removal in bottomland habitats and assessing any large potential roost trees and/or abandoned structures on the property for bat presence/absence. DCR also recommends coordination with DWR if removal of potential roost habitat for the Eastern big-eared bat becomes necessary to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 570).

Additionally, the response indicates that the proposed project may fragment Ecological Cores (C4, C5) as identified in the Virginia Natural Landscape Assessment. Ecological Cores are areas of unfragmented natural cover with at least 100 acres of interior that provide habitat for a wide range of species. The DCR recommends efforts to minimize edge in remaining fragments, retain

natural corridors that allow movement between fragments, and design the intervening landscape to minimize its hostility to native wildlife. A copy of the DCR response letter is included as an attachment.

USFWS Correspondence

In accordance with the ESA, in the event that the Section 7 determination for all species (except the NLEB under the final 4(D) rule) and critical habitat is either "no effect" or "not likely to adversely affect" and the Eagle Act determination is "no Eagle Act permit required," then federal agencies are not required to contact the USFWS or provide documentation for "no effect" and/or "no Eagle Act permit required" determinations. For "not likely to adversely affect" determinations," federal agencies are required to submit a copy of the online project review certification letter and the project review package with all requested information as indicated by the USFWS to complete consultation requirements. Non-federal applicants must submit a copy of the USFWS Self-Certification Letter and project review package to the USFWS for the Self-Certification Letter to be valid.

At this time, Pilot is not aware of a federal nexus associated with the proposed project. Based on the Section 7/Eagle Act determinations, Pilot submitted the Self-Certification Letter with the project review package including the Species Conclusions Table provided above to the USFWS. To date, the USFWS has not provided comments or concerns pertaining to the proposed project. A copy of the Self-Certification Letter is included as an attachment.

Conclusions and Opinions

A "may affect, not likely to adversely affect" determination was concluded for the NLEB. Based on a review of the NLEB Winter Habitat and Roost Trees Map and VDGIF WERMS data, the nearest confirmed hibernacula and/or maternity sites are located more than 40 miles east of the site, and there are no known occurrences of NLEB within two miles of the site. Pilot did not observe hibernacula on the site. Wooded areas that could afford suitable summer roosting habitat are present on the site. Similar habitat was observed on adjoining properties. Based on the distance from known roost trees and availability of similar suitable habitat near the site, we have made the determination that the proposed project is not likely to adversely affect this species. Therefore, if tree clearing is completed within the pup season (June 1 to July 31), reliance on the Final 4d Rule is necessary to fulfill Section 7 requirements. Based on the USFWS NLEB Consistency letter for the project, any "take" of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

The DCR indicates that there is potential for eastern big-eared bat, a state listed species, to occur in the project area if suitable habitat exists on site. The WERMS report identifies the eastern big-eared bat, a state listed species, approximately 2 miles southeast of the site. The WERMS report does not identify known occurrences on or immediately adjacent to the site. The DCR

recommends avoiding tree removal in bottomland habitats and assessing any large potential roost trees and/or abandoned structures on the property for bat presence/absence. DCR also recommends coordination with DWR if removal of potential roost habitat for the Eastern big-eared bat becomes necessary to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 570).

This assessment has revealed that it is not likely for the proposed solar development to adversely affect 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

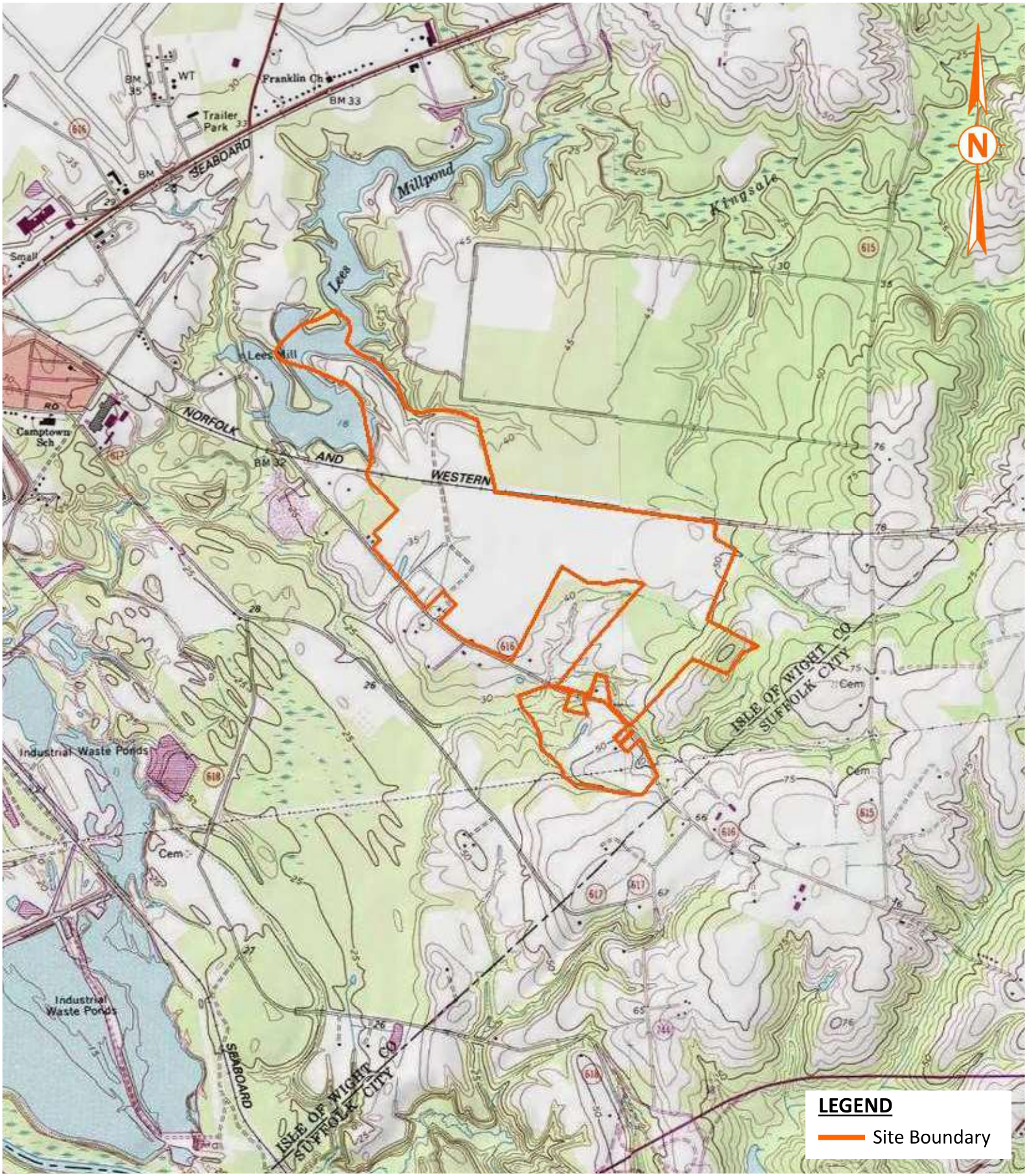
We appreciate the opportunity to provide our services to you. Please contact us at (336) 310-4527 if you have questions or require additional information.

Sincerely,

David S. Brame, PWS
Senior Project Manager

Michael T. Brame, PWS
Principal

Attachments: Drawing 1 – USGS Topographic Map
Drawing 2 – Aerial Photograph Map
Drawing 3 – Wetland Map
Drawing 4 – Sea Turtle Occurrence Map
Drawing 5 – CAPZ Map
IPaC Official Species List Report dated February 22, 2022
EFH Mapper Report
WERMS Species Report (Map and Tables)
DWR FWIS Search Report dated February 22, 2022
NLEB Locations and Roost Trees Maps
USFWS NLEB Consistency letter dated February 22, 2022
Virginia Field Office's Bald Eagle Concentration Areas Map
CCB Bald Eagle Nest Locator Map
CCB Bald Eagle Roost Locator Map
DCR Letter Response dated February 17, 2022
USFWS Self-Certification Letter dated February 22, 2022



Drawing 1
USGS Topographic Map
Franklin and Holland, VA
Quadrangles
Scale: 1" = 2,000'

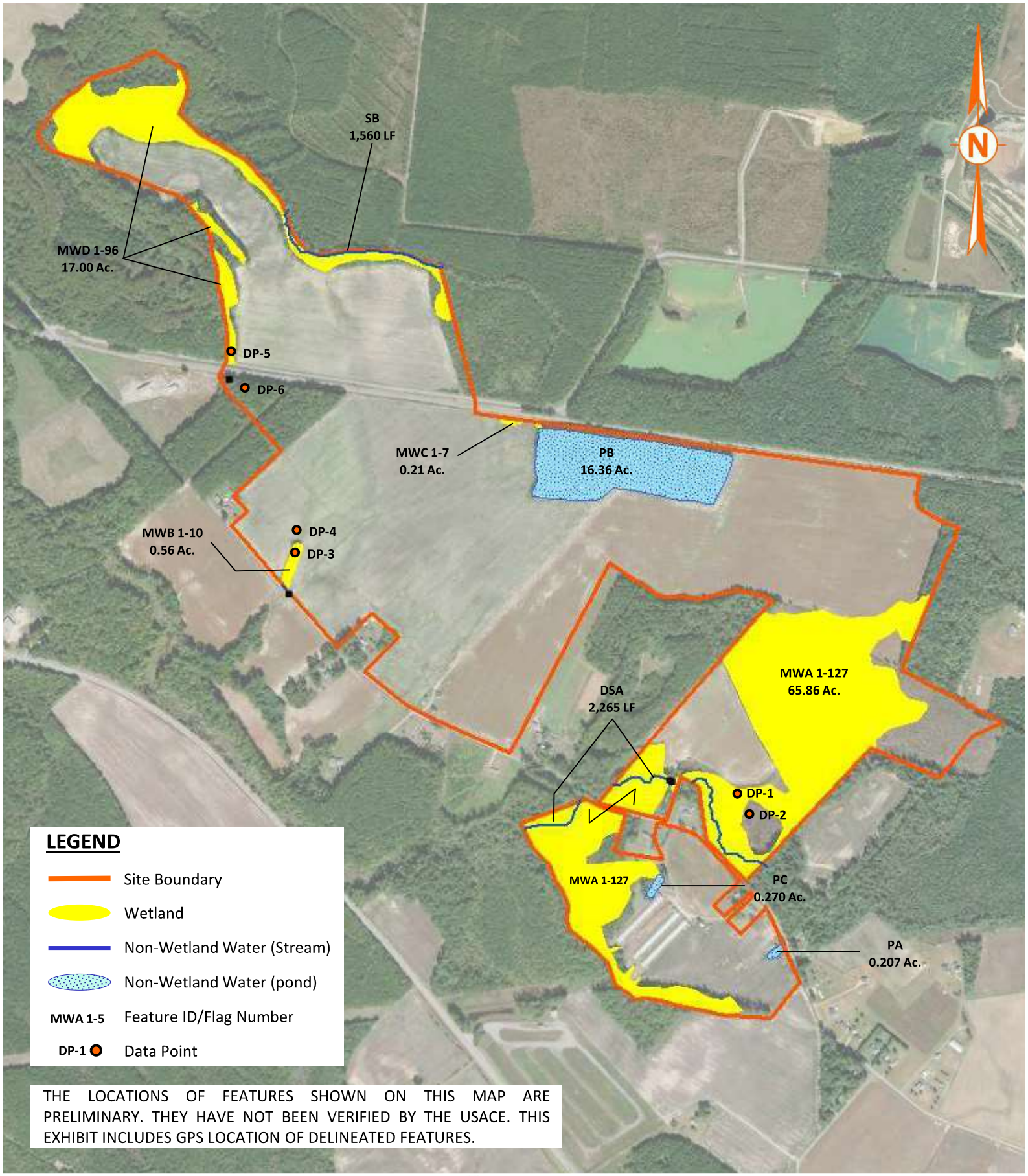
PILOT ENVIRONMENTAL, INC

USGS Topographic Map
Ho-Fel Solar
Approximate 414-Acre Tract
Franklin, Isle of Wight County, VA
Pilot Project 5876.2

Drawing 2
2021 Aerial Imagery from ESRI
Scale: 1" = 1,000'

PILOT
PILOT ENVIRONMENTAL, INC

Aerial Photograph Map
Ho-Fel Solar
Approximate 414-Acre Tract
Franklin, Isle of Wight County, VA
Pilot Project 5876.2

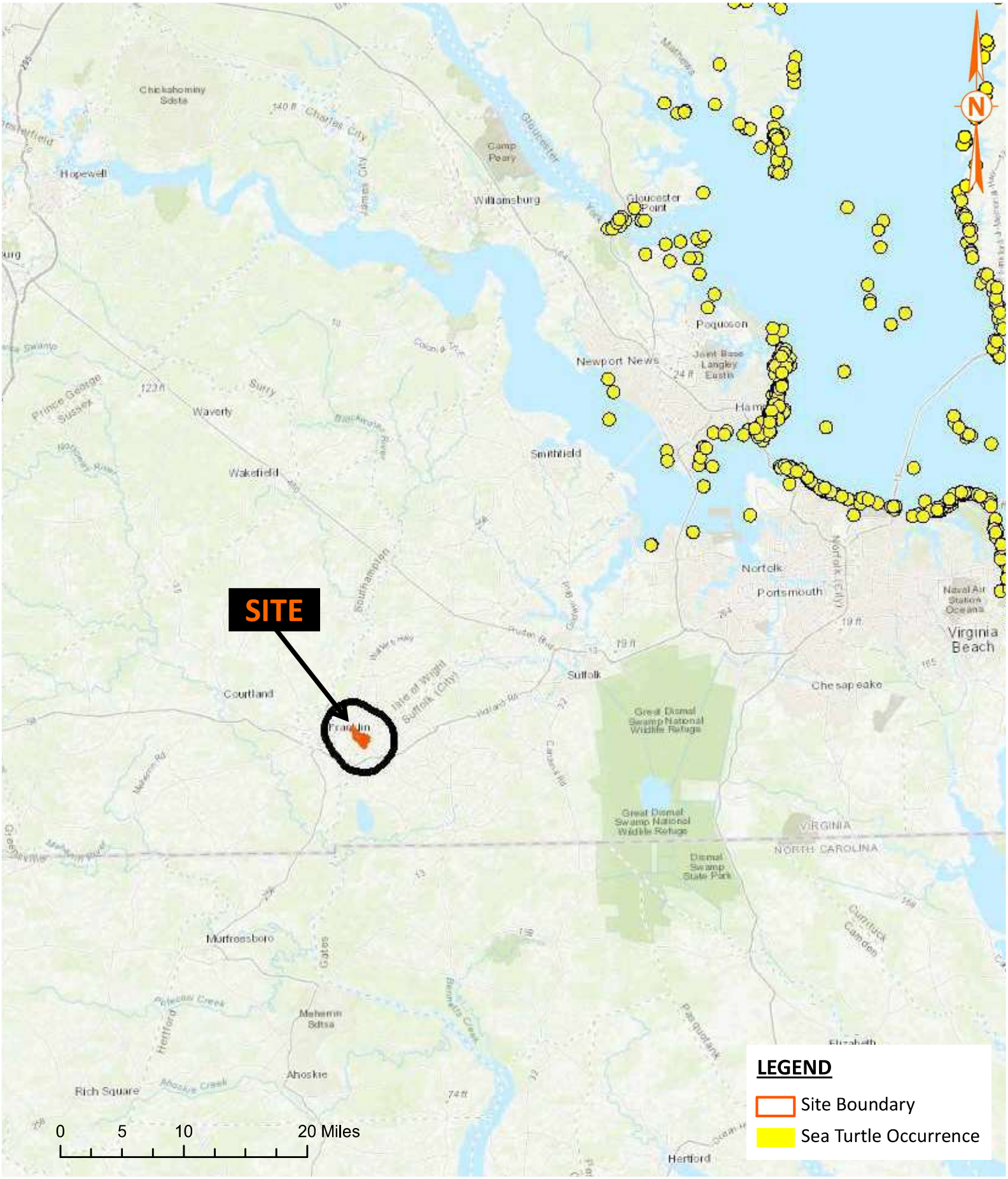


THE LOCATIONS OF FEATURES SHOWN ON THIS MAP ARE PRELIMINARY. THEY HAVE NOT BEEN VERIFIED BY THE USACE. THIS EXHIBIT INCLUDES GPS LOCATION OF DELINEATED FEATURES.

Drawing 3
Aerial Imagery from ESRI
and Pilot GPS Data
Scale: 1" = 1,000'
Date: 6.26.20

PILOT ENVIRONMENTAL, INC

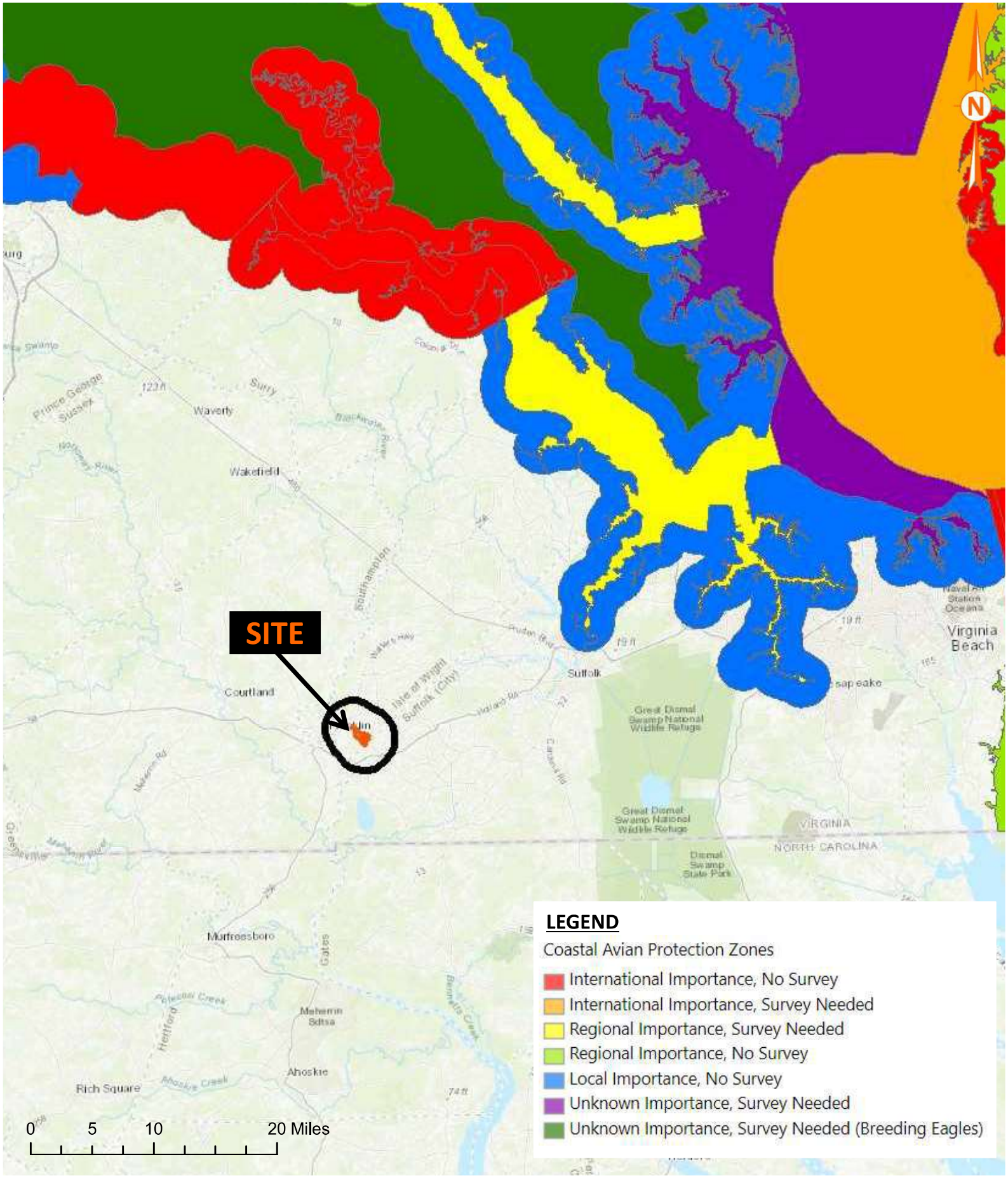
Wetland Map
Ho-Fel Solar
Approximate 414-Acre Tract
Franklin, Isle of Wight County, VA
Pilot Project 5876.2



Drawing 4
VADGIF WERMS Data
Feature Class:
SppObs_Enviro_Review_Listed
Scale as Shown

PILOT
PILOT ENVIRONMENTAL, INC

Sea Turtle Occurrence Map
Ho-Fel Solar
Approximate 414-Acre Tract
Franklin, Isle of Wight County, VA
Pilot Project 5876.2



Drawing 5
Virginia Coastal Zone Management (CZM) Program – Coastal Aviation Protection Zones (CAPZ)

PILOT ENVIRONMENTAL, INC

CAPZ Map
Ho-Fel Solar
Approximate 414-Acre Tract
Franklin, Isle of Wight County, VA
Pilot Project 5876.2

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032
http://www.fws.gov/northeast/virginiafield/

In Reply Refer To:
Project Code: 2022-0011047
Project Name: Ho Fel Solar

February 22, 2022

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Project Code in the header of this

letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries
- Migratory Birds

Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
(804) 693-6694

Project Summary

Project Code: 2022-0011047
Event Code: None
Project Name: Ho Fel Solar
Project Type: Power Gen - Solar
Project Description: The site is an approximate 414-acre tract that is being considered for development with a solar farm. The timing of the project is unknown but it is anticipated to be constructed in the next 1 to 3 years.

Project Location:

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@36.67514235,-76.87999749468933,14z

Counties: Isle of Wight County, Virginia

Endangered Species Act Species

There is a total of 2 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

---

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

Mammals

NAME	STATUS
Northern Long-eared Bat *Myotis septentrionalis* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Threatened

Insects

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

USFWS National Wildlife Refuge Lands And Fish Hatcheries

Any activity proposed on lands managed by the National Wildlife Refuge system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS OR FISH HATCHERIES WITHIN YOUR PROJECT AREA.

Migratory Birds

Certain birds are protected under the Migratory Bird Treaty Act[1] and the Bald and Golden Eagle Protection Act[2].

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described below.

---

1. The Migratory Birds Treaty Act of 1918.
2. The Bald and Golden Eagle Protection Act of 1940.
3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

The birds listed below are birds of particular concern either because they occur on the USFWS Birds of Conservation Concern (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ below. This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the E-bird data mapping tool (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found below.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME	BREEDING SEASON
American Kestrel *Falco sparverius paulus* This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA https://ecos.fws.gov/ecp/species/9587	Breeds Apr 1 to Aug 31
Red-headed Woodpecker *Melanerpes erythrocephalus* This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.	Breeds May 10 to Sep 10

Probability Of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is 0.25/0.25 = 1; at week 20 it is 0.05/0.25 = 0.2.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

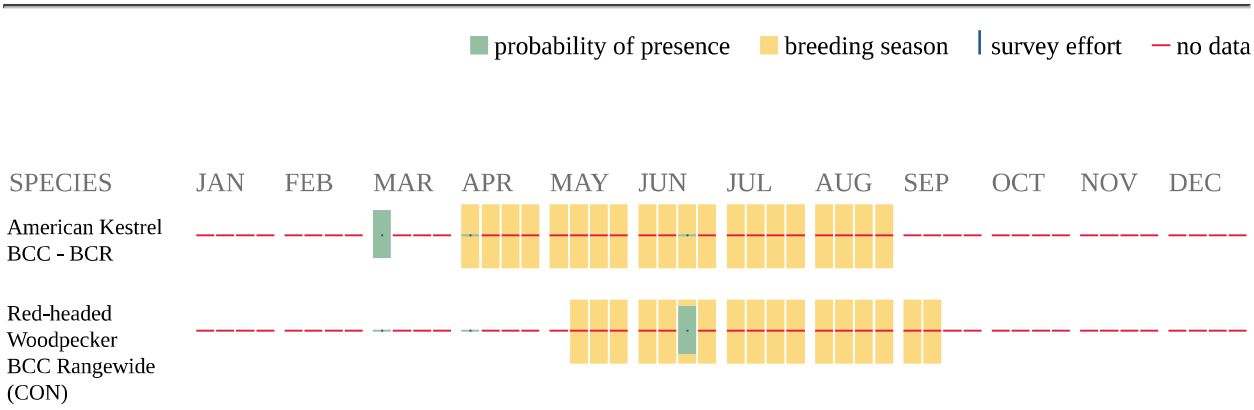
Breeding Season (■)
Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)
Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

No Data (–)
A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Additional information can be found using the following links:

- Birds of Conservation Concern http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php
- Measures for avoiding and minimizing impacts to birds http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php
- Nationwide conservation measures for birds http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf

Migratory Birds FAQ

Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

Nationwide Conservation Measures describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. Additional measures or permits may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS Birds of Conservation Concern (BCC) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the Avian Knowledge Network (AKN). The AKN data is based on a growing collection of survey, banding,

and citizen science datasets and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle (Eagle Act requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the AKN Phenology Tool.

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?
The probability of presence graphs associated with your migratory bird list are based on data provided by the Avian Knowledge Network (AKN). This data is derived from a growing collection of survey, banding, and citizen science datasets .

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?
To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: The Cornell Lab of Ornithology All About Birds Bird Guide, or (if you are unsuccessful in locating the bird of interest there), the Cornell Lab of Ornithology Neotropical Birds guide. If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?
Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are Birds of Conservation Concern (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the Eagle Act requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can

implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects
For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the Northeast Ocean Data Portal. The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the Diving Bird Study and the nanotag studies or contact Caleb Spiegel or Pam Loring.

What if I have eagles on my list?
If your project has the potential to disturb or kill eagles, you may need to obtain a permit to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report
The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

IPaC User Contact Information

Name: David Brame
Address: 743 Park Lawn Court
City: Kernersville
State: NC
Zip: 27284
Email dbrame@pilotenviro.com
Phone: 3363104527

EFH Mapper Report

EFH Data Notice

Essential Fish Habitat (EFH) is defined by textual descriptions contained in the fishery management plans developed by the regional fishery management councils. In most cases mapping data can not fully represent the complexity of the habitats that make up EFH. This report should be used for general interest queries only and should not be interpreted as a definitive evaluation of EFH at this location. A location-specific evaluation of EFH for any official purposes must be performed by a regional expert. Please refer to the following links for the appropriate regional resources.

Greater Atlantic Regional Office
Atlantic Highly Migratory Species Management Division

Query Results

Degrees, Minutes, Seconds: Latitude = 36º 40' 16" N, Longitude = 77º 7' 31" W
Decimal Degrees: Latitude = 36.671, Longitude = -76.875

The query location intersects with spatial data representing EFH and/or HAPCs for the following species/management units.

*** W A R N I N G ***

Please note under "Life Stage(s) Found at Location" the category "ALL" indicates that all life stages of that species share the same map and are designated at the queried location.

EFH

No Essential Fish Habitats (EFH) were identified at the report location.

Salmon EFH

No Pacific Salmon Essential Fish Habitat (EFH) were identified at the report location.

HAPCs

No Habitat Areas of Particular Concern (HAPC) were identified at the report location.

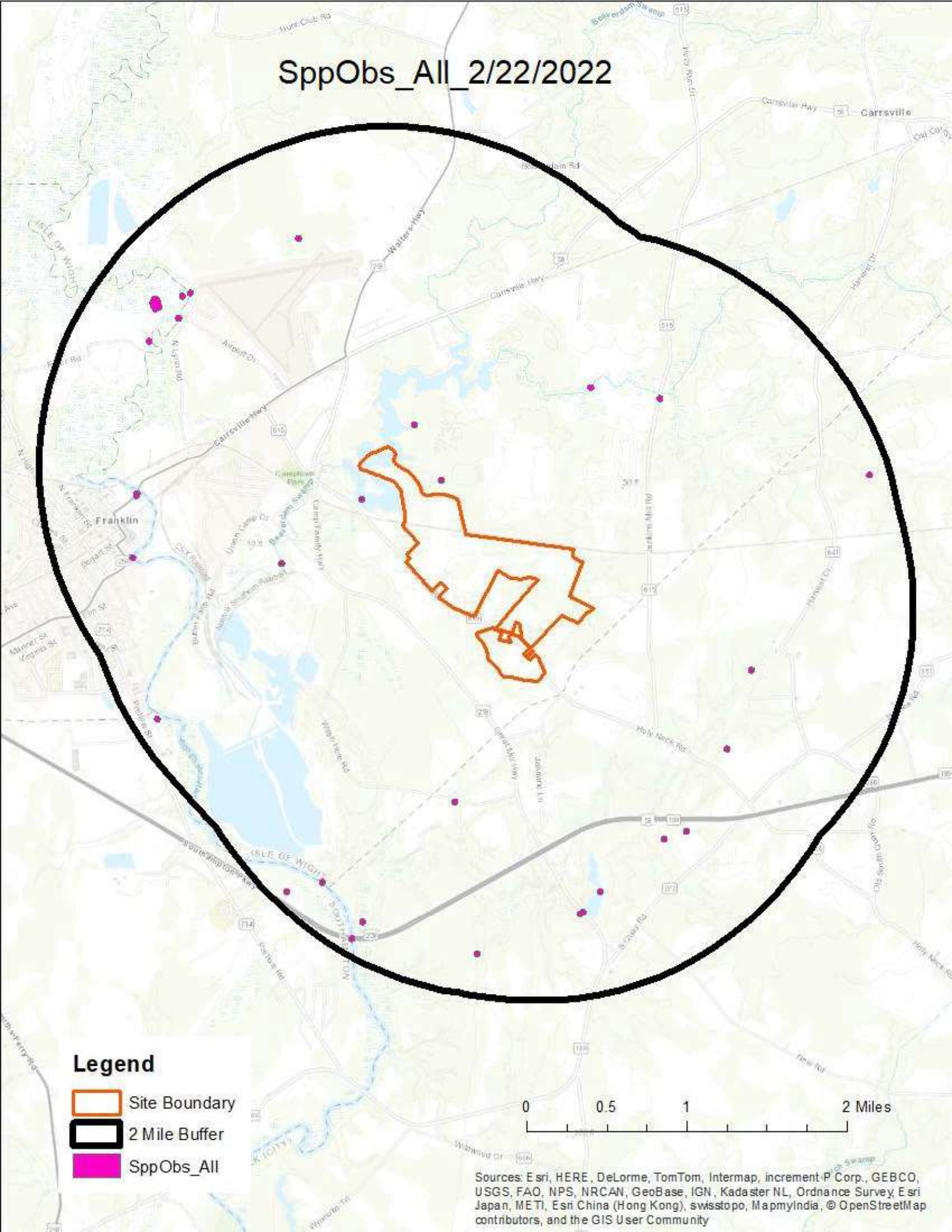
EFH Areas Protected from Fishing

No EFH Areas Protected from Fishing (EFHA) were identified at the report location.

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.
****For links to all EFH text descriptions see the complete data inventory: open data inventory -->**

Spatial data does not currently exist for all the managed species in this area. The following is a list of species or management units for which there is no spatial data.
****For links to all EFH text descriptions see the complete data inventory: open data inventory -->**

All spatial data is currently available for the Mid-Atlantic and New England councils,
Secretarial EFH,
Bigeye Sand Tiger Shark,
Bigeye Sixgill Shark,
Caribbean Sharpnose Shark,
Galapagos Shark,
Narrowtooth Shark,
Sevengill Shark,
Sixgill Shark,
Smooth Hammerhead Shark,
Smalltail Shark


SppObs_All_2/22/2022
Carrsville
Franklin
Legend
Site Boundary
2 Mile Buffer
SppObs_All
0
0.5
1
2 Miles
Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

SppObs_All_2/22/2022

FID	GENUS	SPECIES	COMMON_NAM	FedStatus	StateStatu	ObsDate
0	Kinosternon	baurii	Turtle, striped mud			8/22/1987
1	Sternotherus	odoratus	Turtle, eastern musk			8/22/1987
2	Trachemys	scripta	Slider, yellow-bellied			8/22/1987
3	Chrysemys	picta	Turtle, eastern painted			8/22/1987
4	Pseudemys	rubriventris	Cooter, northern red-bellied			8/22/1987
5	Ameiurus	catus	Catfish, white			9/27/1984
6	Hybognathus	regius	Minnow, eastern silvery			9/27/1984
7	Pomoxis	nigromaculatus	Crappie, black			9/27/1984
8	Gambusia	holbrooki	Mosquitofish, eastern			9/27/1984
9	Esox	americanus	Pickerel, redfin			9/27/1984
10	Lepomis	macrochirus	Bluegill			9/27/1984
11	Amia	calva	Bowfin			9/27/1984
12	Aphredoderus	sayanus	Perch, pirate			9/27/1984
13	Notemigonus	crysoleucas	Shiner, golden			9/27/1984
14	Lepomis	gulosus	Warmouth			9/27/1984
15	Perca	flavescens	Perch, yellow			9/27/1984
16	Lepomis	gibbosus	Pumpkinseed			9/27/1984
17	Anguilla	rostrata	Eel, American			9/27/1984
18	Erimyzon	oblongus	Chubsucker, creek			9/27/1984
19	Ameiurus	natalis	Bullhead, yellow			9/27/1984
20	Oryzomys	palustris	Rat, marsh rice			2/21/1996
21	Ictalurus	punctatus	Catfish, channel			4/16/1996
22	Oryzomys	palustris	Rat, marsh rice			6/16/1995
23	Oryzomys	palustris	Rat, marsh rice			5/14/1996
24	Pseudemys	concinna	Cooter, Coastal Plain			<null>
25	Oryzomys	palustris	Rat, marsh rice			8/23/1995
26	Oryzomys	palustris	Rat, marsh rice			7/25/1995
27	Oryzomys	palustris	Rat, marsh rice			11/28/1995
28	Peromyscus	leucopus	Mouse, common white-footed			6/16/1995
29	Sigmodon	hispidus	Rat, hispid cotton			8/23/1995
30	Sigmodon	hispidus	Rat, hispid cotton			11/28/1995
31	Enneacanthus	gloriosus	Sunfish, bluespotted			7/30/1965

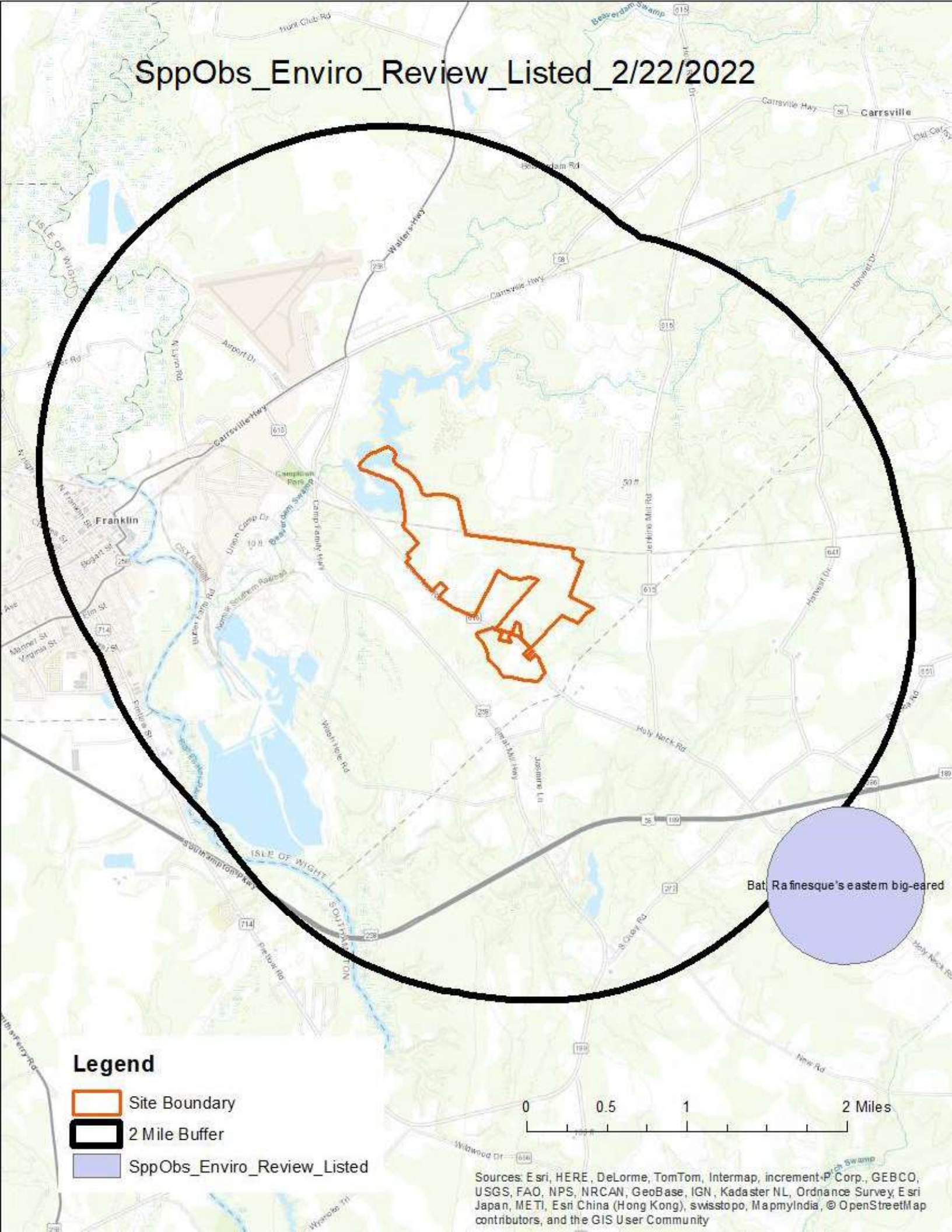
FID	GENUS	SPECIES	COMMON_NAM	FedStatus	StateStatu	ObsDate
32	Micropterus	salmoides	Bass, largemouth			7/30/1965
33	Notemigonus	crysoleucas	Shiner, golden			7/30/1965
34	Dorosoma	cepedianum	Shad, gizzard			7/30/1965
35	Lepomis	gibbosus	Pumpkinseed			7/30/1965
36	Perca	flavescens	Perch, yellow			7/30/1965
37	Lepomis	macrochirus	Bluegill			7/30/1965
38	Esox	niger	Pickerel, chain			7/30/1965
39	Oryzomys	palustris	Rat, marsh rice			9/26/1995
40	Oryzomys	palustris	Rat, marsh rice			3/21/1996
41	Oryzomys	palustris	Rat, marsh rice			5/15/1996
42	Sigmodon	hispidus	Rat, hispid cotton			9/26/1995
43	Lepomis	gibbosus	Pumpkinseed			7/15/1965
44	Ameiurus	nebulosus	Bullhead, brown			7/15/1965
45	Lepomis	macrochirus	Bluegill			7/15/1965
46	Micropterus	dolomieu	Bass, smallmouth			7/15/1965
47	Notemigonus	crysoleucas	Shiner, golden			7/15/1965
48	Oryzomys	palustris	Rat, marsh rice			2/22/1996
49	Oryzomys	palustris	Rat, marsh rice			2/20/1996
50	Centrarchus	macropterus	Flier			7/15/1965
51	Pseudemys	concinna	Cooter, Coastal Plain			<null>
52	Lepomis	macrochirus	Bluegill			5/6/1996
53	Micropterus	salmoides	Bass, largemouth			4/15/1996
54	Oryzomys	palustris	Rat, marsh rice			11/30/1995
55	Ictalurus	punctatus	Catfish, channel			4/10/1996
56	Oryzomys	palustris	Rat, marsh rice			7/26/1995
57	Oryzomys	palustris	Rat, marsh rice			5/16/1996
58	Micropterus	salmoides	Bass, largemouth			4/10/1996
59	Lepomis	macrochirus	Bluegill			4/7/1999
60	Sigmodon	hispidus	Rat, hispid cotton			5/16/1996
61	Oryzomys	palustris	Rat, marsh rice			9/25/1995
62	Oryzomys	palustris	Rat, marsh rice			3/20/1996
63	Peromyscus	leucopus	Mouse, common white-footed			9/25/1995
64	Oryzomys	palustris	Rat, marsh rice			8/24/1995
65	Oryzomys	palustris	Rat, marsh rice			3/19/1996
66	Ameiurus	catus	Catfish, white			5/5/1999
67	Lepomis	macrochirus	Bluegill			4/3/1996
68	Micropterus	salmoides	Bass,			4/3/1996

FID	GENUS	SPECIES	COMMON_NAM	FedStatus	StateStatu	ObsDate
			largemouth			
69	Lepomis	macrochirus	Bluegill			4/6/1999
70	Micropterus	salmoides	Bass, largemouth			4/6/1999
71	Ameiurus	catus	Catfish, white			5/7/1999
72	Notropis	altipinnis	Shiner, highfin			9/27/1999
73	Lepomis	macrochirus	Bluegill			9/27/1999
74	Lepomis	gulosus	Warmouth			9/27/1999
75	Acantharchus	pomotis	Sunfish, mud			9/27/1999
76	Oryzomys	palustris	Rat, marsh rice			7/27/1995
77	Esox	americanus	Pickerel, redfin			9/27/1999
78	Erimyzon	oblongus	Chubsucker, creek			9/27/1999
79	Aphredoderus	sayanus	Perch, pirate			9/27/1999
80	Enneacanthus	gloriosus	Sunfish, bluespotted			9/27/1999
81	Oryzomys	palustris	Rat, marsh rice			6/14/1995
82	Gambusia	holbrooki	Mosquitofish, eastern			9/27/1999
83	Ictalurus	punctatus	Catfish, channel			4/4/1996
84	Enneacanthus	obesus	Sunfish, banded			9/27/1999
85	Esox	niger	Pickerel, chain			9/27/1999
86	Lithobates	catesbeianus	Bullfrog, American			5/24/1987
87	Oryzomys	palustris	Rat, marsh rice			8/22/1995
88	Microtus	pennsylvanicus	Vole, dark meadow			8/22/1995
89	Sigmodon	hispidus	Rat, hispid cotton			8/22/1995
90	Oryzomys	palustris	Rat, marsh rice			6/15/1995
91	Ictalurus	punctatus	Catfish, channel			5/6/1999
92	Ameiurus	catus	Catfish, white			5/6/1999
93	Hyla	chrysoscelis	Treefrog, Cope's gray			5/24/1987
94	Oryzomys	palustris	Rat, marsh rice			11/29/1995
95	Sigmodon	hispidus	Rat, hispid cotton			11/29/1995
96	Ardea	herodias	Heron, great blue			6/1/1993
97	Ardea	herodias	Heron, great blue			6/2/2003
98	Ardea	alba	Egret, great			6/2/2003
99	Perca	flavescens	Perch, yellow			6/28/2004
100	Lepomis	macrochirus	Bluegill			6/28/2004
101	Erimyzon	oblongus	Chubsucker, creek			6/28/2004
102	Amia	calva	Bowfin			6/28/2004

FID	GENUS	SPECIES	COMMON_NAM	FedStatus	StateStatu	ObsDate
103	Esox	niger	Pickerel, chain			6/28/2004
104	Lepomis	macrochirus	Bluegill			4/11/1985
105	Pomoxis	nigromaculatus	Crappie, black			4/11/1985
106	Amia	calva	Bowfin			4/11/1985
107	Micropterus	salmoides	Bass, largemouth			4/11/1985
108	Alosa	aestivalis	Herring, blueback			4/11/1985
109	Esox	niger	Pickerel, chain			4/11/1985
110	Lepisosteus	osseus	Gar, longnose			4/11/1985
111	Cyprinus	carpio	Carp, common			4/11/1985
112	Lepomis	gibbosus	Pumpkinseed			4/11/1985
113	Perca	flavescens	Perch, yellow			4/11/1985
114	Pomoxis	nigromaculatus	Crappie, black			9/27/1984
115	Esox	americanus	Pickerel, redfin			9/27/1984
116	Anguilla	rostrata	Eel, American			9/27/1984
117	Perca	flavescens	Perch, yellow			9/27/1984
118	Lepomis	macrochirus	Bluegill			9/27/1984
119	Lepomis	gibbosus	Pumpkinseed			9/27/1984
120	Amia	calva	Bowfin			9/27/1984
121	Lepomis	gulosus	Warmouth			9/27/1984
122	Gambusia	holbrooki	Mosquitofish, eastern			9/27/1984
123	Notemigonus	crysoleucas	Shiner, golden			9/27/1984
124	Aphredoderus	sayanus	Perch, pirate			9/27/1984
125	Ameiurus	catus	Catfish, white			9/27/1984
126	Erimyzon	oblongus	Chubsucker, creek			9/27/1984
127	Ameiurus	natalis	Bullhead, yellow			9/27/1984
128	Hybognathus	regius	Minnow, eastern silvery			9/27/1984
129	Notemigonus	crysoleucas	Shiner, golden			1/1/1965
130	Lepomis	gibbosus	Pumpkinseed			1/1/1965
131	Lepisosteus	osseus	Gar, longnose			1/1/1965
132	Ameiurus	natalis	Bullhead, yellow			1/1/1965
133	Lepomis	macrochirus	Bluegill			1/1/1965
134	Lepomis	gulosus	Warmouth			1/1/1965
135	Pomoxis	nigromaculatus	Crappie, black			1/1/1965
136	Micropterus	salmoides	Bass, largemouth			1/1/1965
137	Esox	niger	Pickerel, chain			1/1/1965
138	Lepomis	macrochirus	Bluegill			1/1/1965
139	Notemigonus	crysoleucas	Shiner, golden			1/1/1965
140	Ameiurus	nebulosus	Bullhead, brown			1/1/1965

FID	GENUS	SPECIES	COMMON_NAM	FedStatus	StateStatu	ObsDate
141	Lepomis	gibbosus	Pumpkinseed			1/1/1965
142	Centrarchus	macropterus	Flier			1/1/1965
143	Lepomis	gulosus	Warmouth			1/1/1965
144	Sceloporus	undulatus	Lizard, eastern fence			<null>
145	Chrysemys	picta	Turtle, eastern painted			<null>
146	Hybognathus	regius	Minnow, eastern silvery			1/1/1984
147	Ameiurus	catus	Catfish, white			1/1/1984
148	Gambusia	holbrooki	Mosquitofish, eastern			1/1/1984
149	Lepomis	macrochirus	Bluegill			1/1/1984
150	Notemigonus	crysoleucas	Shiner, golden			1/1/1984
151	Erimyzon	oblongus	Chubsucker, creek			1/1/1984
152	Lepomis	gibbosus	Pumpkinseed			1/1/1984
153	Pomoxis	nigromaculatus	Crappie, black			1/1/1984
154	Perca	flavescens	Perch, yellow			1/1/1984
155	Amia	calva	Bowfin			1/1/1984
156	Lepomis	gulosus	Warmouth			1/1/1984
157	Aphredoderus	sayanus	Perch, pirate			1/1/1984
158	Esox	americanus	Pickerel, redfin			1/1/1984
159	Anguilla	rostrata	Eel, American			1/1/1984
160	Ameiurus	natalis	Bullhead, yellow			1/1/1984
161	Sternotherus	odoratus	Turtle, eastern musk			<null>
162	Kinosternon	subrubrum	Turtle, southeastern mud			<null>
163	Pseudemys	rubriventris	Cooter, northern red-bellied			<null>
164	Trachemys	scripta	Slider, yellow-bellied			<null>
165	Amia	calva	Bowfin			5/26/2005
166	Lepomis	macrochirus	Bluegill			5/26/2005
167	Esox	niger	Pickerel, chain			5/26/2005
168	Gambusia	holbrooki	Mosquitofish, eastern			5/26/2005
169	Centrarchus	macropterus	Flier			5/26/2005
170	Aphredoderus	sayanus	Perch, pirate			5/26/2005
171	Enneacanthus	gloriosus	Sunfish, bluespotted			5/26/2005
172	Erimyzon	oblongus	Chubsucker, creek			5/26/2005
173	Esox	americanus	Pickerel, redfin			5/26/2005
174	Lepomis	gibbosus	Pumpkinseed			5/26/2005

FID	GENUS	SPECIES	COMMON_NAM	FedStatus	StateStatu	ObsDate
175	Acantharchus	pomotis	Sunfish, mud			5/26/2005
176	Notemigonus	crysoleucas	Shiner, golden			5/26/2005
177	Lepomis	gulosus	Warmouth			5/26/2005
178	Sternotherus	odoratus	Turtle, eastern musk			<null>
179	Amphiuma	means	Amphiuma, two-toed			<null>
180	Etheostoma	fusiforme	Darter, swamp			5/26/2005
181	Elliptio	complanata	Mussel, eastern elliptio			8/16/2012
182	Nycticeius	humeralis	Bat, evening			7/15/2016
183	Lasiurus	borealis	Bat, eastern red			7/15/2016
184	Lasiurus	borealis	Bat, eastern red			7/20/2016
185	Nycticeius	humeralis	Bat, evening			7/19/2016
186	Lasiurus	borealis	Bat, eastern red			7/19/2016
187	Agkistrodon	piscivorus	Cottonmouth, northern			3/28/2013
188	Agkistrodon	piscivorus	Cottonmouth, northern			5/8/2017


SppObs_Enviro_Review_Listed_2/22/2022
Carrsville
Franklin
ISLE OF WIGHT
SOUTHAMPTON
Bat, Rafinesque's eastern big-eared
Legend
Site Boundary
2 Mile Buffer
SppObs_Enviro_Review_Listed
0
0.5
1
2 Miles
Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community

SppObs_Enviro_Review_Listed

FID	GENUS	SPECIES	COMMON_NAM	FedStatus	StateStatu	ObsDate
0	Corynorhinus	rafinesquii	Bat, Rafinesque's eastern big-eared		State Endangered	5/22/1998

Site Location

36,40,25.5 -76,52,54.1
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

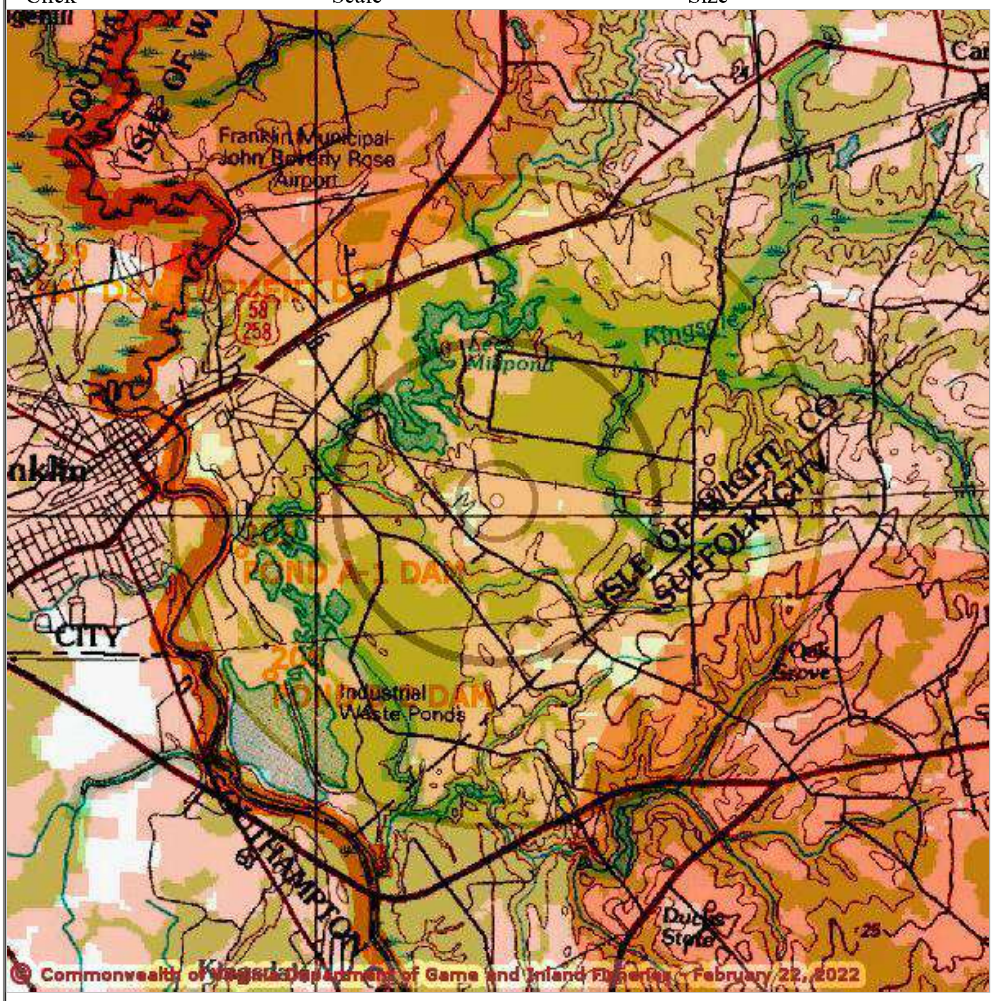
Base Map Choices
Topography

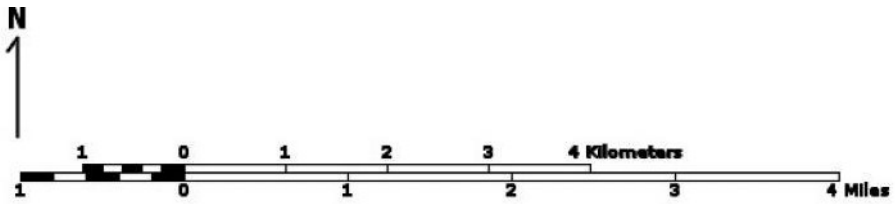
Map Overlay Choices
Current List: Position, Search, BECAR, BAEANests, TEWaters, TierII, Habitat, Trout, Anadromous

Map Overlay Legend

Refresh Browser Page

Map Click Pan Id M Map Scale In Zoom Out Screen Size Small Size Big Help





Point of Search 36,40,25.5 -76,52,54.1
Map Location 36,40,25.5 -76,52,54.1

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 327055 and top 4065131. 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

T & E Waters

Federal

State

Predicted Habitat WAP Tier I & II

Aquatic

Terrestrial

Trout Waters

Class I - IV

Class V - VI

Anadromous Fish Reach

Confirmed

Potential

123 Impediment

Position Rings 1 mile and 1/4 mile at the Search Point

2 mile radius Search Area

Bald Eagle Concentration Areas and Roosts

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
http://www.national.geographic.com/topo
All other map products are from the Commonwealth of Virginia Department of Game and Inland Fisheries.

map assembled 2022-02-22 12:32:59 (qa/qc March 21, 2016 12:20 - tn=1165226.0 dist=3218 l)
$poi=36.6737500 -76.8816944

| DGIF | Credits | Disclaimer | Contact vafwis_support@dgif.virginia.gov |Please view our privacy policy |
© 1998-2022 Commonwealth of Virginia Department of Game and Inland Fisheries

VaFWIS Search Report Compiled on 2/22/2022, 12:34:55 PM

Help

Known or likely to occur within a **2 mile radius around point 36.6737500 -76.8816944** in **093 Isle of Wight County, 620 Franklin City, 800 Suffolk City, VA**

View Map of Site Location

623 Known or Likely Species ordered by Status Concern for Conservation (displaying first 38) (38 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
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	Laterallus jamaicensis jamaicensis		BOVA
050022	FTST	Ia	Bat, northern long-eared	Myotis septentrionalis		BOVA
040120	FTST	IIa	Plover, piping	Charadrius melodus		BOVA
060029	FTST	IIa	Lance, yellow	Elliptio lanceolata		BOVA
010347	SE	Ia	Sunfish, blackbanded	Enneacanthus chaetodon	Potential	Habitat,HU6
030064	SE	Ia	Turtle, eastern chicken	Deirochelys reticularia reticularia		BOVA
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		BOVA
030013	SE	IIa	Rattlesnake, canebrake	Crotalus horridus	Potential	BOVA,Habitat,HU6
040096	ST	Ia	Falcon, peregrine	Falco peregrinus		BOVA
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus		BOVA
040385	ST	Ia	Sparrow, Bachman's	Peucaea aestivalis		BOVA,HU6
020044	ST	IIa	Salamander, Mabee's	Ambystoma mabeei	Potential	BOVA,Habitat
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans		BOVA
030067	CC	IIa	Terrapin, northern	Malaclemys terrapin	Potential	BOVA,Habitat

			diamond-backed	terrapin		
030063	CC	IIIa	Turtle, spotted	Clemmys guttata		BOVA,HU6
040040		Ia	Ibis, glossy	Plegadis falcinellus		BOVA
070131		Ic	Isopod, Phreatic	Caecidotea phreatica		BOVA
100176		Ic	Skipper, Arogos	Atrytone arogos arogos		BOVA
020063		IIa	Toad, oak	Anaxyrus quercicus	Potential	BOVA,Habitat,HU6
020002		IIa	Treefrog, barking	Hyla gratiosa		BOVA,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	Potential	BOVA,BBA,HU6
040203		IIb	Cuckoo, black-billed	Coccyzus erythropthalmus		BOVA
040105		IIb	Rail, king	Rallus elegans		BOVA
040304		IIc	Warbler, Swainson's	Limnothlypis swainsonii		BOVA,HU6

To view **All 623 species** View 623

*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 IV - Moderate Conservation Need
Virginia Widlife 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 (1 records)

View Map of All Anadromous Fish Use Streams

Stream ID	Stream Name	Reach Status	Anadromous Fish Species			View Map
			Different Species	Highest TE*	Highest Tier**	
C8	Blackwater river	Confirmed	6		IV	Yes

Impediments to Fish Passage (2 records)

View Map of All Fish Impediments

ID	Name	River	View Map
205	POND A-1 DAM	TR-BLACKWATER RIVER OFFSTREAM	Yes
206	POND B-2 DAM	TR-BLACWATER RIVER OFFSTREAM	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 (10 records)

View Map of All Query Results
Species Observations

obsID	class	Date Observed	Observer	N Species			View Map
				Different Species	Highest TE*	Highest Tier**	
629139	SppObs	Jul 19 2016	Tyler Russell	2		IV	Yes
629138	SppObs	Jul 15 2016	Beth Meyer	2		IV	Yes
62472	SppObs	Sep 27 1999	Ryan Smith, DGIF	11		IV	Yes
9426	SppObs	Aug 22 1987	Mitchell D. Norman, VDGIF	5		IV	Yes
365427	SppObs	Jan 1 1900	n. a.	4		IV	Yes
630496	SppObs	Mar 28 2013	Jeff; Turner	1			Yes
60266	SppObs	May 24	PAGUE, C A	1			Yes

		1987					
60340	SppObs	May 24 1987	PAGUE, C A	1			Yes
29691	SppObs	Jan 1 1900	Mitchell, J. C.	1			Yes
365429	SppObs	Jan 1 1900		1			Yes

Displayed 10 Species Observations

Habitat Predicted for Aquatic WAP Tier I & II Species (2 Reaches)

View Map Combined Reaches from Below of Habitat Predicted for WAP Tier I & II Aquatic Species

Stream Name	Tier Species						View Map
	Highest TE*	BOVA Code, Status*, Tier**, Common & Scientific Name					
Kingsale Swamp (03010202)	SE	010347	SE	Ia	Sunfish, blackbanded	Enneacanthus chaetodon	Yes
tributary (03010202)	SE	010347	SE	Ia	Sunfish, blackbanded	Enneacanthus chaetodon	Yes
tributary (03010202)	SE	010347	SE	Ia	Sunfish, blackbanded	Enneacanthus chaetodon	Yes

Habitat Predicted for Terrestrial WAP Tier I & II Species (4 Species)

View Map of Combined Terrestrial Habitat Predicted for 4 WAP Tier I & II Species Listed Below

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
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

Virginia Breeding Bird Atlas Blocks (1 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**	
55026	Franklin, SE	59		II	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
620	Franklin City	333	FESE	I
800	Suffolk City	532	FESE	I

USGS 7.5' Quadrangles:
Franklin
Holland

USGS NRCS Watersheds in Virginia:

N/A

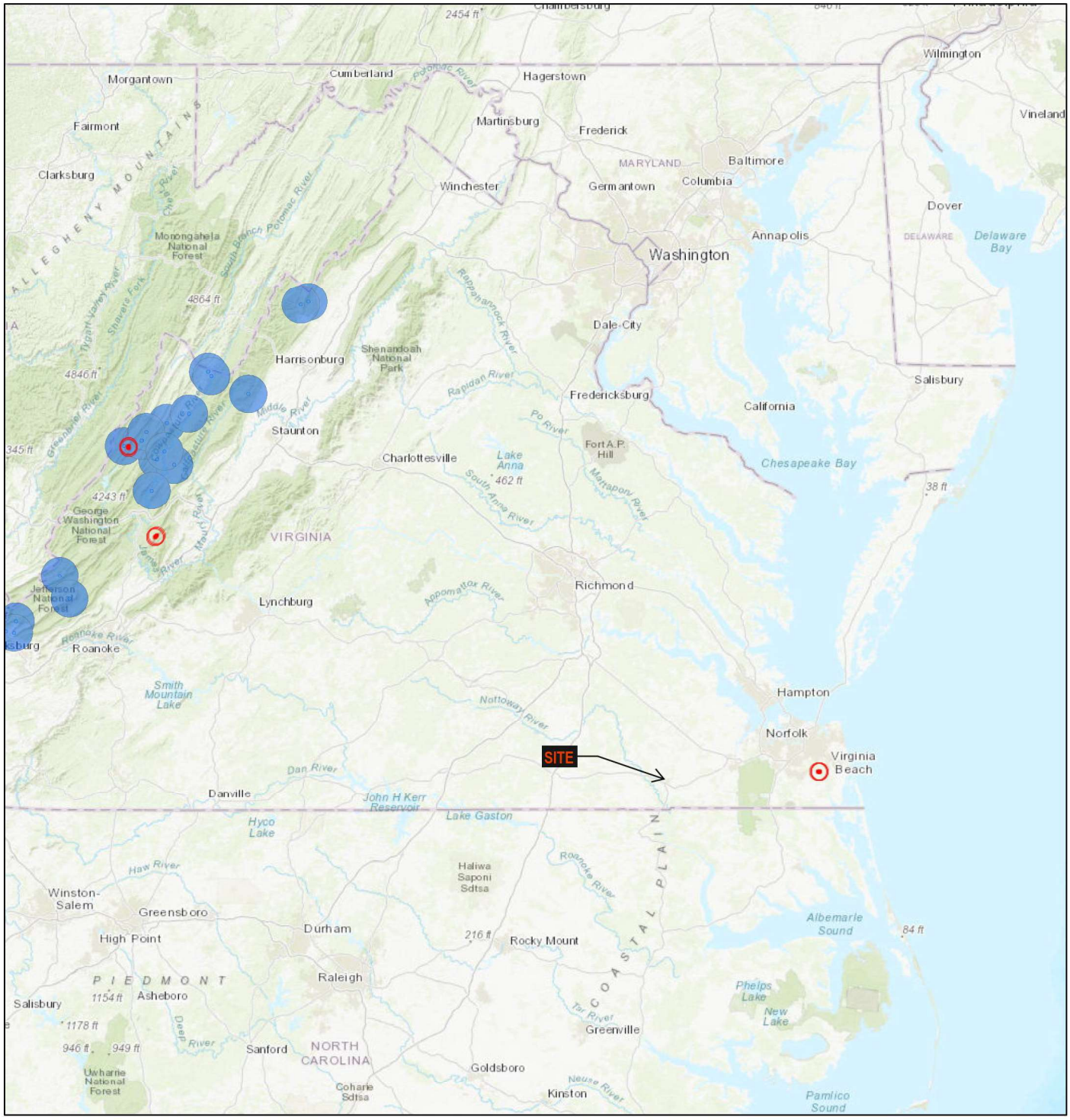
USGS National 6th Order Watersheds Summary of Wildlife Action Plan Tier I, II, III, and IV Species:

HU6 Code	USGS 6th Order Hydrologic Unit	Different Species	Highest TE	Highest Tier
CU68	Blackwater River-Cypress Swamp	87	FTSE	I
CU69	Kingsale Swamp	84	FTSE	I
CU70	Blackwater River-Union Camp Holding Pond	92	FTSE	I

Compiled on 2/22/2022, 12:34:55 PM 11165226.0 report=all searchType= R dist= 3218 poi= 36.6737500 -76.8816944

PixelSize=64; Anadromous=0.021687; BBA=0.03677; BECAR=0.017767; Bats=0.017617; Buffer=0.060066; County=0.063034; HU6=0.122533; Impediments=0.021112; Init=0.088388; PublicLands=0.02564; Quad=0.042901; SppObs=0.235834; TEWaters=0.026336; TierReaches=0.06418; TierTerrestrial=0.17096; Total=1.260433; Tracking_BOVA=0.228778; Trout=0.027172; huva=0.045996

NLEB Locations and Roost Trees



2/22/2022, 10:09:15 AM

1:2,311,162

0 20 40 80 mi

0 30 60 120 km

- NLEB Known Occupied Maternity Roost (Summer Habitat)
- NLEB Hibernaculum 5.5 Mile Buffer
- NLEB Hibernaculum Half Mile Buffer

Esri, HERE, Garmin, FAO, USGS, EPA, NPS

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032
http://www.fws.gov/northeast/virginiafield/

In Reply Refer To:
Project code: 2022-0011047
Project Name: Ho Fel Solar

February 22, 2022

Subject: Consistency letter for the 'Ho Fel Solar' project indicating that any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Dear David Brame:

The U.S. Fish and Wildlife Service (Service) received on February 22, 2022 your effects determination for the 'Ho Fel Solar' (the Action) using the northern long-eared bat (*Myotis septentrionalis*) key within the Information for Planning and Consultation (IPaC) system. You indicated that no Federal agencies are involved in funding or authorizing this Action. This IPaC key assists users in determining whether a non-Federal action may cause "take"[1] of the northern long-eared bat that is prohibited under the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 et seq.).

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o). Unless the Service advises you within 30 days of the date of this letter that your IPaC-assisted determination was incorrect, this letter verifies that the Action is not likely to result in unauthorized take of the northern long-eared bat.

Please report to our office any changes to the information about the Action that you entered into IPaC, the results of any bat surveys conducted in the Action area, and any dead, injured, or sick northern long-eared bats that are found during Action implementation.

If your Action proceeds as described and no additional information about the Action's effects on species protected under the ESA becomes available, no further coordination with the Service is required with respect to the northern long-eared bat.

The IPaC-assisted determination for the northern long-eared bat **does not** apply to the following ESA-protected species that also may occur in your Action area:

- Monarch Butterfly *Danaus plexippus* Candidate

You may coordinate with our Office to determine whether the Action may cause prohibited take of the animal species listed above.

---

[1]Take means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct [ESA Section 3(19)].

Action Description
You provided to IPaC the following name and description for the subject Action.

1. Name

Ho Fel Solar

2. Description

The following description was provided for the project 'Ho Fel Solar':

> The site is an approximate 414-acre tract that is being considered for development with a solar farm. The timing of the project is unknown but it is anticipated to be constructed in the next 1 to 3 years.

Approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@36.67514235,-76.87999749468933,14z

Determination Key Result

This non-Federal Action may affect the northern long-eared bat; however, any take of this species that may occur incidental to this Action is not prohibited under the final 4(d) rule at 50 CFR §17.40(o).

Determination Key Description: Northern Long-eared Bat 4(d) Rule
This key was last updated in IPaC on **May 15, 2017**. Keys are subject to periodic revision.

This key is intended for actions that may affect the threatened northern long-eared bat.

The purpose of the key for non-Federal actions is to assist determinations as to whether proposed actions are excepted from take prohibitions under the northern long-eared bat 4(d) rule.

If a non-Federal action may cause prohibited take of northern long-eared bats or other ESA-listed animal species, we recommend that you coordinate with the Service.

Determination Key Result

Based upon your IPaC submission, any take of the northern long-eared bat that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR §17.40(o).

Qualification Interview

1. Is the action authorized, funded, or being carried out by a Federal agency?

   No

2. Will your activity purposefully **Take** northern long-eared bats?

   No

3. [Semantic] Is the project action area located wholly outside the White-nose Syndrome Zone?

   Automatically answered
   No

4. Have you contacted the appropriate agency to determine if your project is near a known hibernaculum or maternity roost tree?

   Location information for northern long-eared bat hibernacula is generally kept in state Natural Heritage Inventory databases – the availability of this data varies state-by-state. Many states provide online access to their data, either directly by providing maps or by providing the opportunity to make a data request. In some cases, to protect those resources, access to the information may be limited. A web page with links to state Natural Heritage Inventory databases and other sources of information on the locations of northern long-eared bat roost trees and hibernacula is available at www.fws.gov/midwest/endangered/mammals/nleb/nhisites.html.

   Yes

5. Will the action affect a cave or mine where northern long-eared bats are known to hibernate (i.e., hibernaculum) or could it alter the entrance or the environment (physical or other alteration) of a hibernaculum?

   No

6. Will the action involve Tree Removal?

   Yes

7. Will the action only remove hazardous trees for the protection of human life or property?

   No

8. Will the action remove trees within 0.25 miles of a known northern long-eared bat hibernaculum at any time of year?

   No

9. Will the action remove a known occupied northern long-eared bat maternity roost tree or any trees within 150 feet of a known occupied maternity roost tree from June 1 through July 31?

   No

Project Questionnaire

If the project includes forest conversion, report the appropriate acreages below. Otherwise, type '0' in questions 1-3.

1. Estimated total acres of forest conversion:

6

2. If known, estimated acres of forest conversion from April 1 to October 31

0

3. If known, estimated acres of forest conversion from June 1 to July 31

0

If the project includes timber harvest, report the appropriate acreages below. Otherwise, type '0' in questions 4-6.

4. Estimated total acres of timber harvest

0

5. If known, estimated acres of timber harvest from April 1 to October 31

0

6. If known, estimated acres of timber harvest from June 1 to July 31

0

If the project includes prescribed fire, report the appropriate acreages below. Otherwise, type '0' in questions 7-9.

7. Estimated total acres of prescribed fire

0

8. If known, estimated acres of prescribed fire from April 1 to October 31

0

9. If known, estimated acres of prescribed fire from June 1 to July 31

0

If the project includes new wind turbines, report the megawatts of wind capacity below. Otherwise, type '0' in question 10.

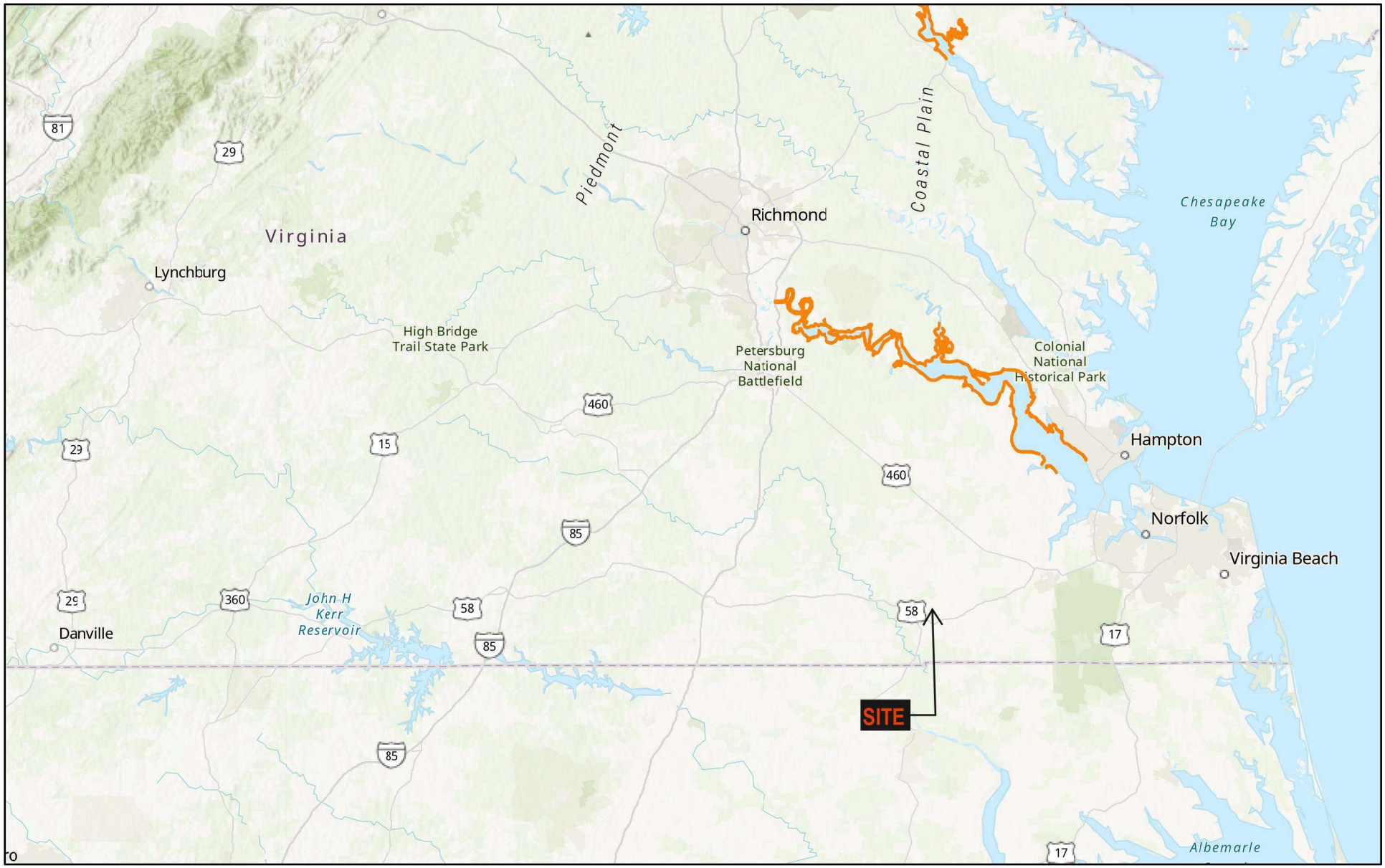
10. What is the estimated wind capacity (in megawatts) of the new turbine(s)?

0

IPaC User Contact Information

Name: David Brame
Address: 743 Park Lawn Court
City: Kernersville
State: NC
Zip: 27284
Email dbrame@pilotenviro.com
Phone: 3363104527

USFWS Bald Eagle Concentration Area Map



2/22/2022

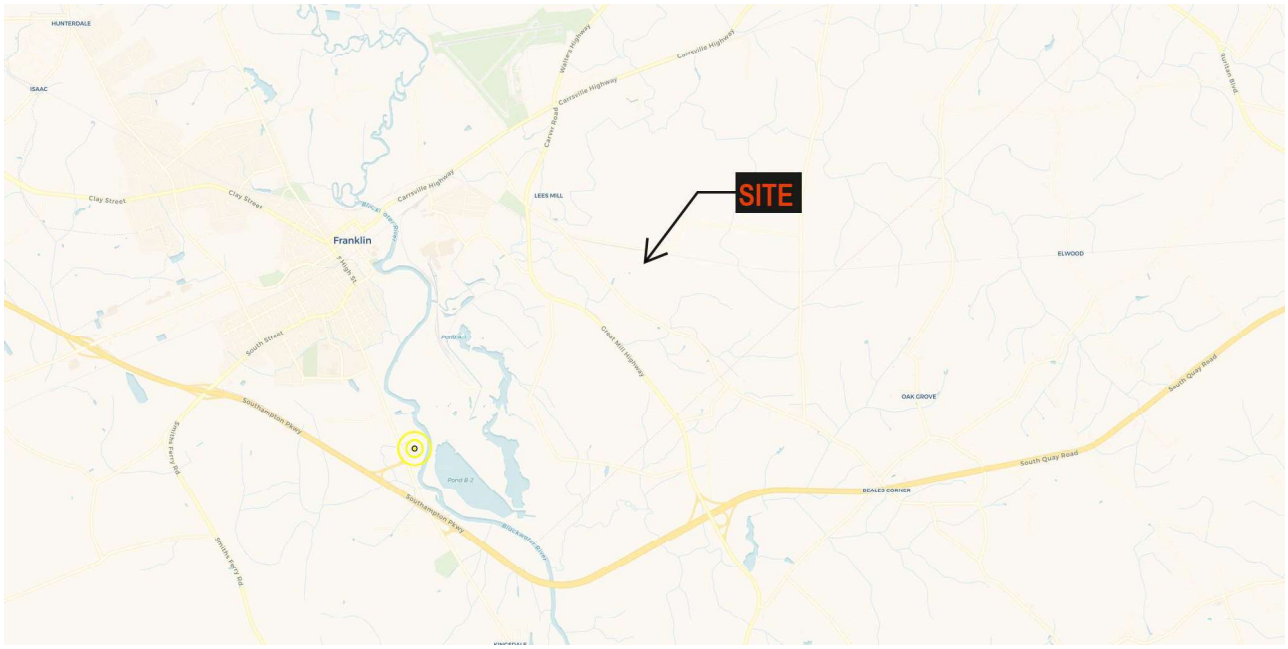
1:1,730,968

0 10 20 40 mi

0 15 30 60 km

VITA, Esri, HERE, Garmin, FAO, NOAA, USGS, EPA, NPS, Esri, CGIAR,

CCB Mapping Portal



Layers: VA Eagle Nest Locator, VA Eagle Nest Buffers

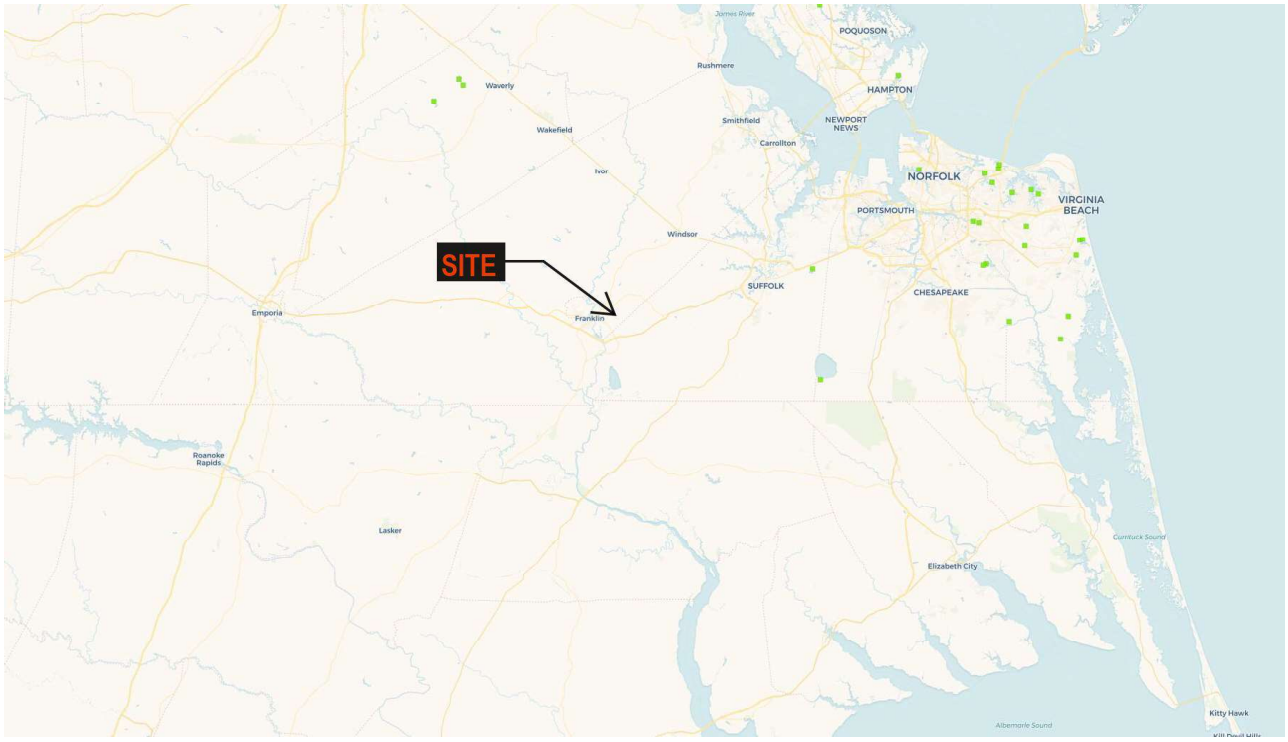
Map Center [longitude, latitude]: [-76.88361167907715, 36.6669387325187]

Map Link:
https://ccbbirds.org/maps/#layer=VA+Eagle+Nest+Locator&layer=VA+Eagle+Nest+Buffers&zoom=14&lat=36.6669387325187&lng=-76.88361167907715&legend=legend_tab_7c321b7e-e523-11e4-aaa0-0e0c41326911&base=Street+Map+%28OSM%2FCarto%29

Report Generated On: 02/22/2022

The Center for Conservation Biology (CCB) provides certain data online as a free service to the public and the regulatory sector. CCB encourages the use of its data sets in wildlife conservation and management applications. These data are protected by intellectual property laws. All users are reminded to view the Data Use Agreement to ensure compliance with our data use policies. For additional data access questions, view our Data Distribution Policy, or contact our Data Manager, Marie Pitts, at mlpitts@wm.edu or 757-221-7503.

CCB Mapping Portal



Layers: Eagle Roosts, Eagle Roost Polygons, Eagle Roost Buffers

Map Center [longitude, latitude]: [-76.86447143554688, 36.551568887374]

Map Link:
https://ccbbirds.org/maps/#layer=Eagle+Roosts&layer=Eagle+Roost+Polygons&layer=Eagle+Roost+Buffers&zoom=10&lat=36.551568887374&lng=-76.86447143554688&legend=legend_tab_59557df6-c07b-11e5-a485-0e31c9be1b51&base=Street+Map+%28OSM%2FCarto%29

Report Generated On: 02/22/2022

The Center for Conservation Biology (CCB) provides certain data online as a free service to the public and the regulatory sector. CCB encourages the use of its data sets in wildlife conservation and management applications. These data are protected by intellectual property laws. All users are reminded to view the Data Use Agreement to ensure compliance with our data use policies. For additional data access questions, view our Data Distribution Policy, or contact our Data Manager, Marie Pitts, at mlpitts@wm.edu or 757-221-7503.

Frank N. Stovall
Deputy Director for Operations

Darryl Glover
Deputy Director for Dam Safety, Floodplain Management and Soil and Water Conservation

Laura Ellis
Interim Deputy Director for Administration and Finance

COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

February 17, 2022

David Brame
Pilot Environmental, Inc.
743 Park Lawn Court
Kernersville, NC 27284

Re: 5876.2, Ho-Fel Solar

Dear Mr. Brame:

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 predicted suitable habitat modeling, there is potential for Eastern big-eared bat (*Corynorhinus rafinesquii macrotis*, G3G4T3/S2/NL/LE) to occur in the project area if suitable habitat exists on site. The Eastern big-eared bat is named for its enormous ears twice the length of its head, is extremely rare in Virginia and is currently known only from the southeastern portion of the state. Although widespread throughout the southeast, they are never found in large numbers. These bats roost singly or in small groups in hollow trees or abandoned buildings. They forage only after dark primarily in mature forests of both upland and lowland areas along permanent bodies of water (NatureServe, 2009). The details of this bat's feeding behavior and much of its natural history remain a mystery. Lack of information regarding the ecology of the Eastern big-eared bat, and their sensitivity to disturbance, make them particularly vulnerable to destruction of roost sites and feeding areas where their presence goes undetected (Handley and Schwab 1991, Harvey 1992).

Threats to this species include forest destruction, particularly hollow tree removal, decreasing availability of abandoned buildings, and possibly, insecticides. Please note that this species is currently classified as endangered by the Virginia Department of Wildlife Resources (VDWR).

DCR recommends avoiding tree removal in bottomland habitats and assessing any large potential roost trees and/or abandoned structures on the property for bat presence/absence. DCR also recommends coordination with DWR if removal of potential roost habitat for the Eastern big-eared bat becomes necessary to ensure compliance with the Virginia Endangered Species Act (VA ST §§ 29.1-563 – 570).

DCR 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, if tree clearing occurs, the proposed project may fragment Ecological Cores **(C4, C5)** as identified in the Virginia Natural Landscape Assessment (https://www.dcr.virginia.gov/natural-heritage/vaconvisvnla), one of a suite of tools in Virginia ConservationVision that identify and prioritize lands for conservation and protection. 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 unfragmented natural cover with at least 100 acres of interior 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. Cores also provide benefits in terms of open space, recreation, water quality (including drinking water protection and erosion prevention), and air quality (including carbon sequestration and oxygen production), along with the many associated economic benefits of these functions. The cores are ranked from C1 to C5 (C5 being the least ecologically relevant) using many prioritization criteria, such as the proportions of sensitive habitats of natural heritage resources they contain.

Fragmentation occurs when a large, contiguous block of natural cover is dissected by development, and other forms of permanent conversion, into one or more smaller patches. Habitat fragmentation results in biogeographic changes that disrupt species interactions and ecosystem processes, reducing biodiversity and habitat quality due to limited recolonization, increased predation and egg parasitism, and increased invasion by weedy species.

Therefore minimizing fragmentation is a key mitigation measure that will reduce deleterious effects and preserve the natural patterns and connectivity of habitats that are key components of biodiversity. DCR recommends efforts to minimize edge in remaining fragments, retain natural corridors that allow movement between fragments and designing the intervening landscape to minimize its hostility to native wildlife (natural cover versus lawns).

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 (August 17, 2022) has passed before it is utilized.

A fee of $90.00 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 Virginia Department of Wildlife Resources (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: Amy Martin, VDWR
Susan Tripp, DEQ
Randy Keaton, Isle of Wight County Administrator

Literature Cited

Handley, C.O., and D. Schwab. 1991. Eastern big-eared bat. In Virginia's Endangered Species: Proceedings of a Symposium. K. Terwilliger ed. The McDonald and Woodward Publishing Company, Blacksburg, Virginia. p. 571-573.

Harvey, M.J. 1992. Bats of the Eastern United States. Arkansas Game and Fish Commission, Little Rock, Arkansas. pp.46

NatureServe. 2009. NatureServe Explorer: An online encyclopedia of life [web application]. Version 7.1. NatureServe, Arlington, Virginia. Available http://www.natureserve.org/explorer. (Accessed: March 31, 2010).

United States Department of the Interior

FISH AND WILDLIFE SERVICE

Virginia Field Office
6669 Short Lane
Gloucester, VA 23061

Date: 2/22/22

Self-Certification Letter

Project Name: Ho-Fel Solar

Dear Applicant:

Thank you for using the U.S. Fish and Wildlife Service (Service) Virginia Ecological Services online project review process. By printing this letter in conjunction with your project review package, you are certifying that you have completed the online project review process for the project named above in accordance with all instructions provided, using the best available information to reach your conclusions. This letter, and the enclosed project review package, completes the review of your project in accordance with the Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884), as amended (ESA). This letter also provides information for your project review under the National Environmental Policy Act of 1969 (P.L. 91-190, 42 U.S.C. 4321-4347, 83 Stat. 852), as amended. A copy of this letter and the project review package must be submitted to this office for this certification to be valid. This letter and the project review package will be maintained in our records.

The species conclusions table in the enclosed project review package summarizes your ESA conclusions. These conclusions resulted in:

- "no effect" determinations for proposed/listed species and/or proposed/designated critical habitat; and/or
- Action may affect the northern long-eared bat; however, any take that may occur as a result of the Action is not prohibited under the ESA Section 4(d) rule adopted for this species at 50 CFR § 17.40(o) [as determined through the Information, Planning, and Consultation System (IPaC) northern long-eared bat assisted determination key]; and/or
- "may affect, not likely to adversely affect" determinations for proposed/listed species and/or proposed/designated critical habitat.

We certify that use of the online project review process in strict accordance with the instructions provided as documented in the enclosed project review package results in reaching the appropriate determinations. Therefore, we concur with the determinations described above for proposed and listed species and proposed and designated critical habitat. Additional coordination with this office is not needed.

Candidate species are not legally protected pursuant to the ESA. However, the Service encourages consideration of these species by avoiding adverse impacts to them. Please contact this office for additional coordination if your project action area contains candidate species.

Should project plans change or if additional information on the distribution of proposed or listed species, proposed or designated critical habitat becomes available, this determination may be reconsidered. This certification letter is valid for 1 year.

Information about the online project review process including instructions and use, species information, and other information regarding project reviews within Virginia is available at our website http://www.fws.gov/northeast/virginiafield/endspecies/project_reviews.html. If you have any questions, please contact Troy Andersen of this office at (804) 824-2428.

Sincerely,

Cindy Schulz
Field Supervisor
Virginia Ecological Services

Enclosures - project review package

Existing field on the southeast portion of parcel 72-01-022

Existing structures on 72-01-022 to be removed if approved

Looking Southeast on parcel 72-01-022

Looking East on parcel 69-01-086

Existing path on parcel 69-01-086

COMMONWEALTH of VIRGINIA

Ann Jennings
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
TDD: (804) 367-2386
www.dhr.virginia.gov

September 27, 2022

Hope Smith
Dutton + Associates, LLC
1115 Crowder Dr.
Midlothian, VA 23113

RE: Ho-Fel Solar Project
Isle of Wight County, Virginia
DHR File No. 2022-4749

Dear Dr. Smith:

We have received for review the report, *Phase I Cultural Resource Survey of the Ho-Fel Solar Project Area* prepared by Dutton + Associates (D+A) on behalf of Ho-Fel Solar I, LLC. We provide the following comments in support of an application to the Department of Environmental Quality (DEQ) for a Permit-by-Rule to construct and operate a small solar project Isle of Wight County.

Archaeology

The report documents a survey of approximately 417 acres. During the course of the survey, three previously recorded sites (44IW0152, 44IW0154, and 44IW0162) were re-identified and three new archaeological sites were identified (44IW0380, 44IW0381, 44IW0382) were identified. One unrecorded cemetery (44IW0383) was also identified. Two small, twentieth-century artifact scatters (44IW0155 and 44IW0177) were not re-identified. When they were first identified, these sites were recommended as ***not eligible*** for listing in the National Register of Historic Places (NRHP). Sites 44IW0152 and 44IW0154 were originally recommended ***not eligible*** for inclusion in the NRHP, and D+A concurs with this. Site 44IW0380, 44IW0381, and 44IW0382 are all early-twentieth century domestic sites that have been disturbed by demolition in the mid-twentieth century. Due to their recent date and the level of disturbance, D+A recommends these sites (44IW0380-44IW0382 *inclusive*) not eligible for inclusion in the NRHP, and no further consideration is required.

Two small cemeteries were delineated during this investigation. Site 44IW0162 was previously delineated by VCU archaeologists in the 1990s, and was recommend as ***potentially eligible*** for listing in the NRHP. The cemetery boundaries were reestablished during the current effort. D+A recommends that 44IW0162 is ***not eligible*** for listing in the NRHP. Site 44IW0383 was newly identified during this survey. Delineation resulted in the subsurface identification of five graves in addition to three surface grave markers. D+A recommends a 25-foot buffer around the delineated limits of both cemeteries.

DHR agrees that sites **44IW0152, 44IW0154, 44IW0380, 44IW0381**, and **44IW0382** are *not eligible* for listing in the NRHP. No additional work is needed at these locations. DHR considers 44IW0162 to be delineated; however, it is DHR's opinion that **44IW0162** is *potentially eligible* for listing the NRHP. Gable-lid coffins are one of the earliest formal burial types in Virginia and is consistent with Colonial and post-colonial internments. Please note that the information about the possible time period in VCRIS is not accurate and should be corrected to reflect the information documented during the 1995 project. Regarding the delineation of 44IW0383, DHR agrees that the southern boundaries of the cemetery appear to be reasonably delineated but has concerns that the northern boundaries were not sufficiently explored. Please clarify why the northern section was not stripped more. It appears that there have been several generations of fencing placed around this cemetery. It seems as though the former landowners did not know the exact boundaries of the cemetery and there is potential for burials north of the headstones. Finally, since the cemetery is near an existing transmission line, are there plans to upgrade or rebuild the line to support the proposed solar facility? If you have any other information about the transmission line, it would be helpful for DHR for understand potential future impacts.

Architecture

The architectural component of the report identified six (6) previously recorded resources and ten (10) newly identified resources within the 0.5-mile study area. One previously recorded resource (DHR ID #133-0056) was demolished since it was last surveyed.

D+A recommends a minimal impact to Virginia Landmarks Register (VLR) and National Register of Historic Places (NRHP)-listed Oak Crest (DHR ID #046-0019) and DHR will need additional information in order to concur with this. We understand that the resource is included within the project lease area.

The building was listed in the VLRNRHP under criterion C in the area of architecture, for its distinctive Federal-style influences and representation of an evolved nineteenth century home and the surrounding fields are noted as being integral to the broader setting. The fenced lot is bordered by open agricultural fields that were historically associated with the home, but have been subdivided off and are not included in the listed resource boundary. The solar arrays, infrastructure, and other improvements will be done within and around the resource boundary, although the home and associated property will be excluded from the development footprint. A setback buffer will also be in place around the perimeter of the property. There will be a visual impact to the resource. While the field layout is being maintained, the installation of solar panels is not consistent with the historic precedent and will diminish the integrity where visible, even seasonally visible.

We understand that the vegetation surrounding Oak Crest will obscure some views of the arrays/project area. However, there will be some visibility, particularly seasonal, through breaks in the vegetation. DHR will need to see a viewshed analysis with attention to areas in which the project area will be visible from the primary resource to be depicted in photographs of #046-0019 towards the proposed arrays and vice versa as well as from the boundary line of #046-0019 towards the proposed arrays and vice versa. The viewshed analysis should have several photos taken from key vantage points. The photos should be keyed to an aerial map with the direction indicated. Renderings of the arrays superimposed on some of the viewshed photos could be helpful. In addition, please provide us specifics on the areas in which the resource boundary will be encroached upon by the solar arrays, infrastructure, and other improvements. Please note that if any vegetative buffer is planned in relation to this resource, DHR will need to see those plans.

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. Adrienne Birge-Wilson, DHR
Chris Egghart, DEQ
Trent Blowe, Isle of Wight County

Attachment
DHR File No. 2022-4749
September 27, 2022

DHR ID#	Resource Name/Address	D+A Eligibility	DHR Eligibility	D+A Impact	DHR Impact
046-0019	Oak Crest	VLR/NRHP-Listed	Remain VLR/NRHP-Listed	**Minimal**	**More Information Needed**
046-0054	Lee's Mill	Treated as Eligible for the purposes of this project	Inaccessible; Treated as Eligible for the purposes of this project	No Impact	No Impact
046-0113	House	Not Eligible	Not Eligible	N/A	N/A
046-0114	House	Not Eligible	Not Eligible	N/A	N/A
046-1115	House	Not Eligible	Not Eligible	N/A	N/A
046-5701	House	Not Eligible	Not Eligible	N/A	N/A
046-5702	House	Not Eligible	Not Eligible	N/A	N/A
046-5703	House	Not Eligible	Not Eligible	N/A	N/A
046-5704	House	Not Eligible	Not Eligible	N/A	N/A
046-5705	House	Not Eligible	Not Eligible	N/A	N/A
046-5706	House	Not Eligible	Not Eligible	N/A	N/A
046-5707	House	Not Eligible	Not Eligible	N/A	N/A
133-0056	Cutchins Farm	Not Eligible	Not Eligible	N/A	N/A
133-5654	House	Not Eligible	Not Eligible	N/A	N/A
133-5655	Cemetery	Not Eligible	Not Eligible	N/A	N/A
133-5656	House	Not Eligible	Not Eligible	N/A	N/A

TABLE KEY:	Warrants Mitigation	Needs Attention	**DHR does not concur**

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

ISLE of WIGHT COUNTY MUSEUM

MEMORANDUM

TO: Trenton S. Blowe
Planner I, Isle of Wight County Department of Planning & Zoning

FROM: Jennifer England
Director, Isle of Wight County Museum
Historic Resources Manager, Isle of Wight County

RE: Ho-Fel Solar Facility
Phase I Cultural Resource Survey

DATE: October 7, 2022

After reviewing the Phase I Cultural Resource Survey of the Ho-Fel Solar Project Area prepared for Ho-Fel Solar I LLC by Dutton + Associates LLC with reference to the April 2022 Conditional Use Amendment Permit Application package (CUP-08-18), the Isle of Wight County Museum/Isle of Wight County Department of Historic Resources has found no concerns with the application – provided that the conclusions and recommendations set forth in the report are followed.

As noted in the report, the cemeteries should be protected with a 25-foot buffer around the delineated limits, and to reduce views, the project should be setback from the road in the vicinity of Oak Crest with no improvements closer to the road than the rear of the house with a supplemental landscape buffer planted along the perimeter of project improvements to further screen them from the road in the vicinity of this circa 1790 National Register of Historic Places property.

As the applicant moves forward with this project, the potential on these sites for archaeological artifacts and resources is highly probable. If the landowner is willing, the museum should be considered a repository for discovered artifacts and future finds on this site as they could further the interpretation or discovery of Isle of Wight County history.

103 Main Street
Smithfield, VA 23430
(757) 356-1014
(757) 357-0114 FAX

RESOLUTION NUMBER PC-22-15

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-02-22 TO ALLOW A MAJOR UTILITY SERVICE, SPECIFICALLY A UTILITY SCALE SOLAR ENERGY FACILITY and SUBSTATION, ON PROPERTY WITH TAX MAP PARCELS 69-01-086 AND 72-01-022

WHEREAS, Ho-Fel Solar, LLC, applicant, on behalf of Dustin and Brandy Atkins and Cobb Land Limited Partnership, property owners, has requested issuance of a conditional use permit for a portion of a certain tract of land with tax parcel numbers 69-01-086 and 72-01-022 situated in Isle of Wight County; and

WHEREAS, the specific request is to permit a major utility service, specifically a utility-scale solar energy facility and substation, in accordance with sections 1-1017 and 5-5003 of the Zoning Ordinance;

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 amendment to conditional zoning is reasonable and warranted due to a change in circumstances affecting the property and has considered the following factors and finds that the proposed rezoning 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 zoning map amendment 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-02-22, 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 modifications set forth on the attached listing of specific recommendations, and that the Board of Supervisors adopt the proposed Ordinance with such modifications.

DATE: _____

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

PLANNING REPORT

APPLICATION:

Discussion on a Proposed Change to Cemetery Setback Requirements

BACKGROUND:

The Board of Supervisors directed staff to draft a Zoning Ordinance amendment to reduce the required setbacks for new cemeteries. Currently, the Ordinance requires all new cemeteries to meet the setbacks of the underlying zoning district.

Staff will provide a comparison of the County's ordinance requirements with other local ordinances for the Planning Commission's review and consideration.

STAFF RECOMMENDATION:

This items is for Planning Commission discussion only. Following discussion, the Planning Commission may direct staff to advertise any proposed ordinance changes for public hearing at their next regular meeting.