

AGENDA
KING & QUEEN COUNTY PLANNING COMMISSION
MONDAY, NOVEMBER 2, 2026
6:00 P.M.
KING & QUEEN COURTS & ADMINISTRATIVE BUILDING
1st FLOOR COURT ROOM
242 ALLENS CIRCLE, KING & QUEEN CH, VA 23085

1. Call to Order
2. Roll Call/Determination of Quorum
3. Approval of Minutes
 - a. October 6, 2026 – Regular Monthly Meeting
4. Citizens Comment Period – Planning Related Issues Only (other than public hearing items on the agenda)
5. New Business
 - a. CBPA26-02 - Chesapeake Bay Exception & WQIA (New Single-Family Home Construction) – Steve & Terry Stone (*Public Hearing*)
 - b. CUP26-03 – Conditional Use Permit (Utility Scale Solar Facility) - Shirleyville LLC, C/o William Moye, II (*Public Hearing*)
6. Old Business
 - a. Review Chapter 3, King & Queen Zoning Ordinance Draft Amendments/Revisions (*Continued*)
7. Staff's Comments
 - a. Upcoming Application(s) (*if any*)
 - b. Other Comments/Updates (*if any*)
8. Commissioner's Comments
9. Meeting Schedule

The next meeting will be on Tuesday, December 1, 2026 at 6:00 p.m. in the 2nd Floor Conference Room A&B of the Courts & Administrative Building. (*Meeting room subject to change*)
10. Adjournment

AGENDA: *Monday, November 2, 2026, PC Meeting*

ITEM #1:

Chairman calls the November 2, 2026, Planning Commission meeting to order.

Note: In the absence of the Chairman, the Vice-chair will lead the meeting. In the absence of both the Chairman and Vice-chair, the Secretary will call the meeting to order.

AGENDA: *Monday, November 2, 2026, PC Meeting*

ITEM #2:

Chairman asks the Secretary to call the roll to determine if there is a Quorum.

In the absence of the Secretary, staff will take attendance.

AGENDA: *Monday, November 2, 2026, PC Meeting*

ITEM #3:

Approval of Minutes:

Chairman will ask for a motion and a second to accept or not accept the October 6, 2026, minutes as presented.

Note: If you did not attend the meeting, when taking a roll call vote, you may abstain.

If you have any corrections or additions, this is the time to note such and include in your motion.

**King & Queen County
Planning Commission Minutes
October 6, 2026**

The King & Queen County Planning Commission met on Tuesday October 6, 2026, at 6:00 p.m. in the King & Queen County Courts and Administrations Building in the Second Floor Conference Rooms A & B for their regular monthly meeting.

Planning Commission Members Present:

Mac Bradley	Edmond Wilson, Jr.
Hunter Richardson	Robert Coleman, Jr.
Barry Allen	William Thomas
Robert Shackelford	

Also in Attendance:

Vivian Seay, County Administrator/County Attorney
Donna Elliott Sprouse, Director of Community Development
Resa Wilson, Multifunction Coordinator
Lawrence Simpkins, Board of Supervisor

Call to Order

Chairman, Mr. Richardson, called the meeting to order.

Roll Call/Determination of Quorum

Ms. Wilson, acting secretary, took roll call and determined that a quorum was present.

**Approval of Minutes
September 1, 2026**

After review of the September 1, 2026 minutes, a motion was made by Mr. Thomas to accept the minutes as presented, seconded by Mr. Allen.

Voting For: Bradley, Richardson, Wilson, Thomas, Coleman, Shackelford
Voting Against: None
Abstain: Allen

Citizens Comment Period- Planning Related Issues Only

Mr. Richardson opened the floor for the citizen comment period.

Ann Ryland Glubiak, who lives at 4049 Canterbury Road, expressed support for the proposed tower after reviewing the revised plans. She also expressed appreciation for the process and the opportunity to work through concerns regarding the plans.

Bette Albert, from the Walkerton area, expressed hope that the monopole design would become the standard for new towers in the future to help preserve the rural appearance of the County.

Chairman Richardson closed the citizen comment period.

New Business

A. CBPA26-02 - Chesapeake Bay Exception & WQIA – Steve & Terry Stone (*Set Public Hearing*)

Chairman Richardson introduced CBPA26-02, a Chesapeake Bay Exception and WQIA request for Steve and Terry Stone, involving tax map parcel #1624-54R-32I, located off Courthouse Landing Terrace in the Stevensville District. Mrs. Sprouse provided information regarding the request to construct a single-family dwelling on a pre-existing nonconforming lot.

Mr. Thomas made a motion to set a public hearing for CBPA26-02 for November 2, 2026. Mr. Shackelford seconded the motion. The motion passed unanimously.

Old Business

A. CUP26-02 Conditional Use Permit – Clyde Scott Mitchell (Tax Map 32-53L-56) - New Verizon Communications Tower (*Continued*)

Following deferral from the previous meeting, Chairman Richardson opened discussion of CUP26-02, a Conditional Use Permit request for Clyde Scott Mitchell involving tax map parcel #32-53L-56.

Lisa Murphy, representing Vertical Bridge, reviewed the revised plans provided to Commission members. The proposed tower design was changed from a lattice tower to a monopole tower, and the proposed location was moved from the field farther back into the trees.

Mrs. Sprouse reviewed the revised conditions, including the requirement for a self-supporting monopole tower. Where a 50-foot natural treed vegetation buffer around the fence is not provided, a four-foot strip of evergreen trees, seven feet in height at planting and spaced fifteen feet apart, would be planted and maintained around the exterior of the security fence throughout the term of the lease and/or completion of tower decommissioning, whichever is longer.

Commission members discussed the revised proposal, including lighting requirements for the tower. Mr. Coleman made a motion to recommend approval of CUP26-02 to the Board of Supervisors with the revised conditions dated October 6, 2026. Mr. Bradley seconded the motion.

Voting For: Bradley, Richardson, Wilson, Thomas, Coleman, Shackelford, Allen

Voting Against: None

Abstain: None

**B. Review Chapter 3, King & Queen Zoning Ordinance Draft Amendments/ Revisions
(Continued)**

The Commission reviewed Articles 10, 11, 13, 17, 20, 22, and 23 of the draft zoning ordinance amendments, which had been assigned for review. Members and staff discussed each article.

Article 10- Floodplain Overlay District: Few substantive changes were proposed. The Commission expressed support for the article.

Article 11- Dragon Run Conservation District: Members asked about the district and the lands it encompasses. Chairman Richardson requested a map showing the area for the November meeting. The Commission will revisit this article.

Article 13- Airport Safety Overlay District: The article was simplified from the previous version. Members raised a question regarding the size of the area covered and expressed support for the revisions.

Article 17- Non-Conforming Uses: Members discussed how frequently the article is used. No changes were proposed to its purpose or substance. The article allows flexibility because circumstances vary. The Commission expressed support for the article.

Article 20- Appeals: The principal revision was to reference the applicable state code provisions governing appeals, reducing the need to revise the ordinance whenever those provisions change. Members expressed support for the article.

Article 22- Outdoor Lighting: Only minor cleanup revisions were proposed, with no substantive changes. The Commission expressed support for the article.

Article 23- Intensive Livestock, Dairy, Poultry Facilities: Members and staff discussed the need to strengthen the article, potentially by referencing DEQ materials concerning Concentrated Animal Feeding Operations (CAFOs) and applicable state statutes. The Commission agreed that additional revisions were needed and will revisit the article.

Staff's Comments

A. Upcoming Applications (if any)

- a. Mrs. Sprouse reported receiving an application the previous month for a solar facility located off Buena Vista Road. Commission members had received the

application, submission materials, and plans. Mrs. Sprouse explained that, once the public hearing was scheduled, she would prepare a staff report that included her recommendations.

Mr. Wilson made a motion to set a public hearing for CUP26-03 for November 2, 2026. Mr. Allen seconded the motion. The motion passed unanimously.

B. Other Comments/ Updates (if any)

- a. Mrs. Seay provided an update on the progress of the fire station.
- b. Mr. Simpkins thanked the Commission for its hard work and expressed appreciation for the work it undertakes on behalf of the Board of Supervisors.

Commissioner's Comments

Mr. Thomas expressed his concerns regarding the lighting requirements for the proposed communication tower. He requested that the FAA requirements be further verified to ensure compliance.

Mr. Allen no comment.

Mr. Bradley no comment.

Mr. Shackelford no comment.

Mr. Wilson no comment.

Mr. Coleman no comment.

Mr. Richardson commented is similar to last times as it pertains to the paving along Route 33 in Gloucester County and the shoulder width difference between the two counties. He asked Mr. Simpkins if he knew why there could be such a large difference in the shoulder width.

Adjournment

Mr. Richardson noted that the next meeting is set for Monday, November 2, 2026, at 6 p.m.

There being no further business, a motion was made by Mr. Thomas to adjourn, with all members in agreement.

Hunter Richardson, Chairman

AGENDA: *Monday, November 2, 2026, PC Meeting*

ITEM #4:

Citizen Comment Period:

Before opening the floor, advise the public that this is an opportunity to come before the Commission with comments that are not pertaining to a public hearing item listed on the agenda.

Open the floor for citizen comment, ask that citizens state their name, address, the voting district in which they reside. If there's a full agenda, consider asking that they try to limit their time to 3-5 minutes so that everyone has an opportunity to speak.

After hearing all comments or if there are no comments, close citizen comment period.

AGENDA: Monday, November 2, 2026, PC Meeting

ITEM #5:

New Business:

**A. CBPA26-02 – Steve and Terry Stone (Tax Map 1624-54R-32I) –
(public hearing)**

Chair will open the public hearing for CBPA26-02, a request for approval of a Chesapeake Bay Preservation Area Exception for the construction of a single-family dwelling, located within the landward Resource Protection Area. According to the submitted site plan, the proposed single-family dwelling encroachment will extend in the landward 100' RPA buffer a distance of 37.8 feet. The subject property is County Tax Map Parcel #1624-54R-32I, .50-acre parcel, located on Courthouse Landing Terrace, in the Stevensville Magisterial District.

Chair will ask staff to review the request.

Staff will read: Public notice ran in the Tidewater Review and Rappahannock Times for 2 consecutive weeks (October 21st and October 28th). Adjoining property owners were notified via certified return receipt mail.

Staff will review the request and provide overview of the staff report.

Chair will open the floor for public comment regarding the request. Ask that citizens state their name, address, and the voting district in which they reside. Ask that they limit their time to 3-5 minutes so everyone has a chance to speak.

Chair will close public comment.

Chair will close the public hearing.

Chair will ask the Commission if they have any questions or comments for staff, the applicant, or the County Attorney.

Chair will ask for a motion to recommend approval, denial, or defer CBPA26-02. Ask if there is a second.

Take a roll call vote.

September 24, 2026

CHESAPEAKE BAY EXCEPTION

CBPA26-02

Steve & Terry Stone - *Property Owners*
Steve Stone – *Applicant/Agent*

BACKGROUND

The Planning and Zoning Department received an application for the Planning Commission on September 14, 2026 (with payment) from Steve Stone, requesting a Chesapeake Bay Exception from Zoning Ordinance, Article 12, Section 3-277, Exceptions for the proposed construction of a single-family dwelling, located within the landward Resource Protection Area. The property is a pre-Chesapeake Bay Act parcel (1965).

GENERAL INFORMATION

LOCATION

The subject property is identified as County Tax Map Parcel #1624-54R-32I, a .50 acre parcel, located on Courthouse Landing Terrace, in the Stevensville Magisterial District.

PROPOSAL

The applicant requests a Chesapeake Bay Exception from Zoning Ordinance, Article 12, Section 3-277, Exceptions. Mr. Stone has also submitted a Minor Water Quality Impact Assessment that has been reviewed and deemed acceptable by the Zoning & Planning Department. According to the submitted site plan, the proposed single-family dwelling encroachment will extend in the landward 100' RPA buffer a distance of 37.80 feet. The applicant wishes to construct a single-story dwelling, with approximately 1,610 sq. ft. of the proposed structure (including a covered porch) within the landward Resource Protection Area (RPA) buffer.

ZONING ORDINANCE

Article 12, Section 3-272 B, Buffer Area Performance Standards states...

- A. When the application of the buffer areas would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, encroachments into the buffer area may be permitted through an administrative process in accordance with the requirements for a Plan of Development and the following criteria:
 - (1) Encroachments into the buffer areas shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities;
 - (2) Where practicable, a vegetated area that will maximize water quality protection, mitigate the effects of the buffer encroachment and is an area equal to the area encroaching the buffer area shall be established elsewhere on the lot or parcel; and
 - (3) The encroachment may not extend into the seaward 50 feet of the buffer area.

ZONING

The property is zoned Residential Single-Family (RS).

SUMMARY

Pursuant to Zoning Ordinance, Title II, Article 12, Section 3-277, Exceptions states...

- A. A request for an exception to the requirements of the Chesapeake Bay Preservation Area Overlay District shall be made in writing to the Planning Commission. It shall identify the impacts of the proposed exception on water quality and on lands within the RPA through the performance of a water quality impact assessment which complies with the provisions of this Article.
- B. The county shall notify the affected public of any such exception requests and shall consider these requests in a public hearing in accordance with 15.2-2204 of the Code of Virginia, except that only one hearing shall be required.
- C. The Planning Commission shall review the request for an exception and the water quality impact assessment and may grant the exception with such conditions and safeguards as deemed necessary to further the purpose and intent of this Article if the Planning Commission finds:
 - (1) Granting the exception will not confer upon the applicant any special privileges that are denied by this Article to other property owners in the Chesapeake Bay Preservation Area Overlay District;
 - (2) The exception request is not based upon conditions or circumstances that are self-created or self-imposed, nor does the request arise from conditions or circumstances either permitted or non-conforming that are related to adjacent parcels;
 - (3) The exception request is the minimum necessary to afford relief;
 - (4) The exception request will be in harmony with the purpose and intent of the Chesapeake Bay Preservation Area Overlay District, and not injurious to the neighborhood or otherwise detrimental to the public welfare and is not of substantial detriment to water quality; and
 - (5) Reasonable and appropriate conditions are imposed which will prevent the exception request from causing a degradation of water quality.
- D. Once the exception is granted, the exception will become null and void if a valid building permit has not been obtained within twelve (12) months of the approval date.
- E. If the Planning Commission cannot make the required findings or refuses to grant the exception, the Planning Commission shall return the request for an exception together with the water quality impact assessment and the written findings and rationale for the decision to the applicant, with a copy to the Board of Zoning Appeals. The applicant may then apply to the Board of Zoning Appeals for a variance as provided in Article 20 of this Ordinance.

- F. The Board of Zoning Appeals shall consider the water quality impact assessment and the findings and rationale of the Zoning Administrator in determining harmony with the intended spirit and purpose of this Article.
- G. A request for an exception to the requirements of provisions of this Article other than Sections 3-267.B., 3-271 and 3-272 shall be made in writing to the Zoning Administrator. The Zoning Administrator may grant these exceptions provided that
- a. Exceptions to the requirements are the minimum necessary to afford relief; and
 - b. Reasonable and appropriate conditions are placed upon any exception that is granted, as necessary, so that the purpose and intent of this Article is preserved.

**Please note that this is a request that shall not be permitted through an administrative process according to the Board of Supervisors.*

- H. Exceptions under Sections 3-270.B may be made provided that the findings noted in Sections 3-277.C. 1-5 are made.

STAFF RECOMMENDATION

Staff believes that all required findings as noted in Section 3-277 C, 1 through 5 can easily be made and would support approval of the request as submitted, including the submitted WQIA request.

King & Queen County Land Development Application

Planning & Zoning Department
P.O. Box 177
King & Queen Courthouse, VA 23085
Phone: (804) 785-5975 or (804) 769-5000
Fax: (804) 785-5999 or (804) 769-5070

**Please print in ink or use a typewriter*

Applicant: Steve & Terry Stone

Applicant's Address: King William VA 23086

Applicant's Phone: _____

Agent (Contact Person): Terry Stone

Agent's Address: King William VA 23086

Current Property Owner: Steve & Terry Stone

Owner's Address: _____, King William VA 23086

Owner's Phone: _____

Correspondence to be sent to: _____ Applicant ☒ _____ Owner _____ Agent _____ Other _____

Tax Map Number: 24 54R 32I Magisterial District: Stevensville

General Project Location: Courthouse Landing Terrace, Lot 6

Size of Request: 1785 SF

*Are Proffer's being offered along with this Application: YES _____ or NO ☒ . If so please attach.

Check Appropriate Request:

Zoning Administrator

_____: Site Plan (Level 1)
_____: 1-2 Lot Subdivision Request
_____: Family Subdivision Review
_____: Boundary Line Adjustment
_____: Plat Approval

Planning Commission

_____: Site Plan (Level 2)
☒ : Chesapeake Bay Exception
_____: Other
_____: Final Plat Review for Minor & Major Subdivision

Planning Commission & Board of Supervisors

_____: Rezoning
_____: Conditional Use Permit
_____: Zoning Ordinance Text Amendment
_____: Subdivision Ordinance Text Amendment
_____: Site Plan (Level 3)
_____: Other
_____: Preliminary Plat Review for Minor & Major Subdivision

Board of Zoning Appeals

_____: Administrative Appeal
_____: Variance
_____: Special Exception
_____: Other

King & Queen County Land Development Application

Complete As Applicable:

Name of Subdivision, Development, or Proposal: Courthouse Landing Terrace

Proposal/Request: Chesapeake Bay Exception

Reason for Request: To build house in 100' buffer of water to meet road setback and be consistent with

existing houses. Encroach 37.80' into the RPA buffer

Applicant: The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official or the Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.

Applicant's Signature: 

Date: 9/14/26

Owner: I have read this completed application, understand its content, and freely consent to it's filing. If this application is for the purpose of subdivision, further subdivision of this property will require a new application and approval by the Board of Supervisors. Furthermore, I grant permission to the Zoning Administrator and the other County Officials to enter the property and make such investigations and tests as they deem necessary.

Owner's Signature: 

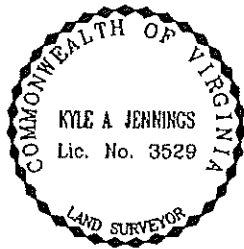
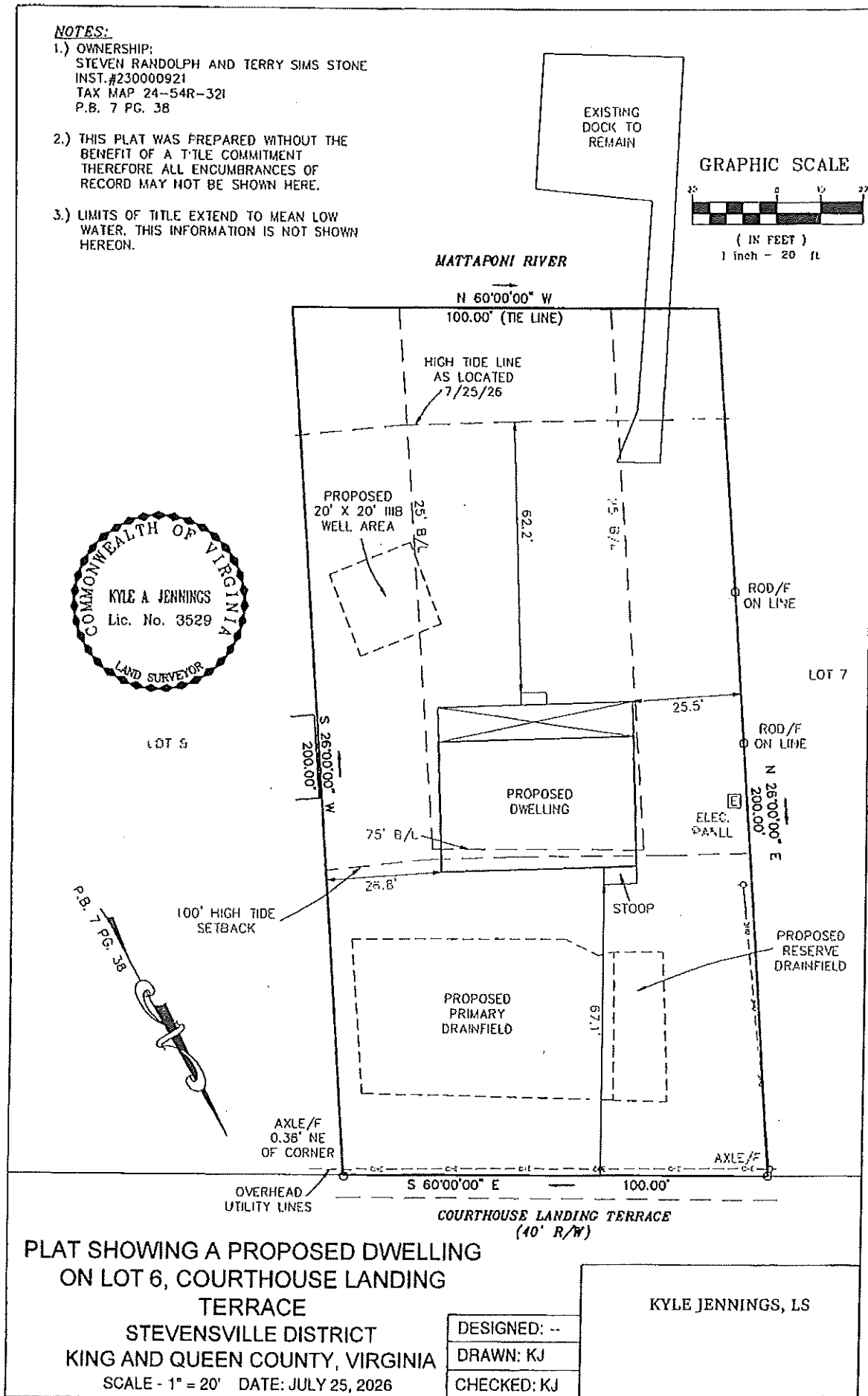
Date: 9/14/26

W. H. H. H. H. H.

9/14/26

NOTES:

- 1.) OWNERSHIP:
STEVEN RANDOLPH AND TERRY SIMS STONE
INST. #230000921
TAX MAP 24-54R-321
P.B. 7 PG. 38
- 2.) THIS PLAT WAS PREPARED WITHOUT THE
BENEFIT OF A TITLE COMMITMENT
THEREFORE ALL ENCUMBRANCES OF
RECORD MAY NOT BE SHOWN HERE.
- 3.) LIMITS OF TITLE EXTEND TO MEAN LOW
WATER, THIS INFORMATION IS NOT SHOWN
HEREON.





3 OF 5

King and Queen County

Department of Building & Zoning
P.O. Box 177, King and Queen Courthouse, VA 23085
Phone: 804-785-5975 Fax: 804-769-5000

Water Quality Impact Assessment (WQIA) Application

Note: Encroachment requests in the RPA must be heard by the Planning Commission as a Chesapeake Bay Exception.

OFFICE USE ONLY

Application #:	<u>WQIA 26-05</u>	Application Fee:	☒ Minor \$200 ☐ Major \$400
Tax Map #	<u>1624-54R-32I</u>	Surety Amount:	\$ _____
Decision:	☐ Approval ☐ Denied		
Conditions/Comments:	_____ _____ _____ _____		
Environmental Codes Compliance Officer	Date _____		

APPLICANT INFORMATION

Name: Steven & Terry Stone
Address: _____
City/State/Zip: Kirk William, VA 23086
Phone: 804-785-5975 Cell: _____ Fax: _____
E-mail: tsstone@kirkwilliam.com

PROPERTY OWNER INFORMATION

Name: Steven & Terry Stone
Address: See above
City/State/Zip: _____
Phone: _____ Cell: _____ Fax: _____
E-mail: _____

RESPONSIBLE LAND DISTURBER (Required if over 2,500 SF of land disturbance)

Name: N/A - see attached RLD# _____
Address: _____
City/State/Zip: _____
Phone: _____ Cell: _____ Fax: _____
E-mail: _____

PROJECT INFORMATION

Tax Map Number: 24.54R-32I E911/Street Address: Lot 6 Southview Landing Terrace

Magisterial District: Stevensville

Lot Size (in Acres): 0.50 acres

Existing Land Use: Residential Vacant

Purpose of Request: Build single family residential home

WATER QUALITY IMPACT ASSESSMENT

A. Total Lot Area (ft²): 0.50 acres = 21,780 SF

B. Total Amount of Disturbed Area (ft²): 3168'

C. Total Amount of Clearing (ft²): 3168'

D. Total Amount of Grading (ft²): 3168'

E. Impacts on Existing Vegetation:

Total Amount of Underbrush Removed (ft²): 3168'

Number of Healthy Trees Removed: 8 trees

Number of Dead/Dying/Diseased Trees Removed: 1 tree

F. Proposed Erosion and Sedimentation Control Practices:

- | | | | |
|-------------------------------------|-----------------------------|--------------------------|---------------------------------|
| ☒ | Silt Fencing | ☐ | Temporary Construction Entrance |
| ☐ | Straw Bale Barrier(s) | ☐ | Inlet Protection |
| ☒ | Temporary/Permanent Seeding | ☐ | Mulching |
| ☐ | Tree Protection | ☐ | Sediment Trap |
| ☐ | Other: _____ | | |

G. Proposed Mitigation Measures: Attached mitigation plan showing location of vegetation.

Number of New Canopy Trees Proposed: 8 Min size: 1 1/2"

Number of New Understory Trees Proposed: 16 Min size: 75"

Number of New Shrubs Proposed: 24 Min size: 15" tall

Number/Amount of groundcover proposed: _____ Min. size: _____

Definitions:

Canopy tree: a tree that reaches 35 feet in height or larger when mature

Understory tree: a tree that matures to a height of 12 feet to 35'

Large shrub: a shrub that reaches 10 feet of height or greater at maturity

Small shrub: a woody plant that can reach up to 10 feet of height at maturity

$\frac{1}{4}$ acre or less of buffer

Up to 10,890 square feet or less

For every 400 square-foot unit (20'x20') or fraction thereof plant:

one (1) canopy tree @ 1½" - 2" caliper or large evergreen @ 6'

two (2) understory trees @ ¾" - 1 ½" caliper or evergreen @ 4'

or one (1) understory tree and two (2) large shrubs @ 3'-4'

three (3) small shrubs or woody groundcover @ 15" - 18"

Example:

A 100-foot wide lot x 100-foot wide buffer is 10,000 square feet.

Divide by 400 square feet (20'x20' unit) to get:

25 units

<u>Units</u>	<u>x</u>	<u>plant/unit</u>	<u>Number of plants</u>
25 units	x	1 canopy tree	25 canopy trees
		2 understory trees	50 understory trees
		3 small shrubs	<u>75 small shrubs</u>
			150 plants

VEGETATION REPLACEMENT RATES		
VEGETATION REMOVED	PREFERRED REPLACEMENT VEGETATION	ACCEPTABLE ALTERNATIVE VEGETATION
1 tree or sapling ½"-2 ½" caliper	1 tree @ equal caliper or greater	Or 2 large shrubs @ 3'-4' Or 10 small shrubs or woody groundcover * @ 15"-18"
1 tree ≥ 2 ½" caliper	1 tree @ 1½" - 2" caliper, or 1 evergreen tree @ 6' min. ht., per every 4" caliper of tree removed (ex: a 12" cal tree would require 3 trees to replace it)	Or 75% trees @ 1½" - 2" and 25% large shrubs @ 3'-4' per every 4" caliper of tree removed. (ex: a 16" cal tree removed would require 3 trees and 1 large shrub) Or 10 small shrubs or woody groundcover @ 15"-18" per 4" caliper of tree removed (ex: a 8" caliper tree removed requires 20 small shrubs)
1 large shrub	1 large shrub @ 3'-4'	Or 5 small shrubs or woody groundcover @ 15"-18"
* Woody groundcover is considered to be a woody, spreading shrub that remains close to the ground, to 18" high, such as a shore juniper, <i>Juniperus conferta</i> . Vines may not be considered "woody groundcover" for the purpose of vegetation replacement.		

All mitigation plantings are to be native vegetation.

RESTORATION/ESTABLISHMENT TABLE B

Greater than ¼ acre of buffer

More than 10,890 square feet

- A. Plant at the same rate as for ¼ acre or less.
- B. The waterside 50% of the buffer (from the waterline inland for the first 50 feet):
For every 400 square-foot unit (20'x20') or fraction thereof plant:

one (1) canopy tree @ 1½" - 2" caliper or large evergreen @ 6'
two (2) understory trees @ ¾" 1 ½" caliper or evergreen @ 4'
or one (1) understory tree and two (2) large shrubs @ 3'-4'
three (3) small shrubs or woody groundcover @ 15" - 18"

AND

The landward 50% of buffer (from 50 feet inland to 100 feet inland):
either plant

Bare root seedlings or whips at 1,210 stems per acre¹, approximately 6'x6' on center (Minimum survival required after two growing seasons: 600 plants)

or

Container grown seedling tubes at 700 per acre approximately 8'x 8' on center (Minimum survival required after two growing seasons: 490 plants)

- C. If the applicant is willing to enter into a five year maintenance and performance guarantee:
100% of buffer planted with:
Bare root seedlings or whips at 1,210 per acre, approximately 6'x 6' on center (Minimum survival required after two growing seasons: 600 plants)
or
Container grown seedling tubes at 700 per acre approximately 8'x 8' on center (Minimum survival required after two growing seasons: 490 plants)

1 acre or more of buffer

With an evaluation from an arborist or forester or other professional, natural regeneration may be an acceptable method of buffer establishment, however, a forestry management plan must be in place prior to any vegetation being removed. A minimum of 35 feet next to the water must be left in forest and protected prior to any vegetation being removed. If over 20 percent of the vegetation must be removed for the health of the woodlot, within the 35 feet closest to the shoreline, vegetation must be reestablished by seedling plantings at the rates above.

¹ Palone, Roxanne S., and Al Todd, *Chesapeake Bay riparian handbook: A guide for establishing and maintaining riparian forest buffers*. May 1977. p. 7-20.

H. *Proposed List of Native Vegetation for Mitigation: (Please list scientific name)*

I. *Proposed Best Management Practices:*

- ☒ Vegetated Filter Strip(s)
- ☐ Grass Swale(s)
- ☐ Dry Well(s)
- ☐ Infiltration Trench(es)
- ☐ Other: _____

PLAN DRAWING REQUIRED

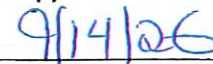
A site drawing, which shows the following and in accordance with Article 12, Section 3-273 & 3-274, must be attached to this water quality impact assessment:

1. Location of the components of the RPA (streams, rivers, wetlands), including the 100-foot buffer area;
2. Existing structures
3. Property lines (When possible, provide information on a copy of survey or plat)
4. **Location and nature of any proposed encroachment into the buffer area, including, type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;**
5. Type and location of proposed best management practices to mitigate the proposed encroachment;
6. Type and location of proposed erosion and sedimentation control devices;
7. Location of existing vegetation onsite, including the number, size, type of trees and other vegetation to be removed in the buffer to accommodate the encroachment or modification; and
8. Type, size and location of replacement vegetation.
9. Attach photos depicting the vegetation to be removed. Photos may also be taken by county staff to include in the file.

APPLICANT STATEMENT

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the King and Queen County Zoning Ordinance as written and also with the description contained in this application.

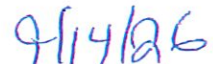

Applicant's Signature (if not Property Owner)

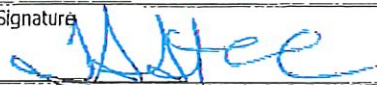

Date

PROPERTY OWNER(S) STATEMENT

I hereby certify that I/we own the above described property, that the information given is complete and correct to the best of my knowledge, and that the above person(s), group, corporation or agent has the full and complete permission of the undersigned owner(s) to make application for WQIA Permit approval.


Property Owner's Signature


Date


Property Owner's Signature


Date

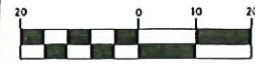
CONDITIONS

1. This permit application is not valid unless all property owner(s) signatures are affixed and dated.
2. All permit application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted. All checks for payment should be made payable to King and Queen County.
3. Any approval of a WQIA is issued on the basis of plans and applications approved and authorizes only the use, arrangement and construction set forth in such approved plans and applications. Any deviations from the plans and applications submitted shall render an approved WQIA null and void.
4. Signing this application serves as authorization for the King and Queen County Environmental Codes Compliance Officer or designated personnel and other agencies staff as deemed necessary for review of proposed activity by the County of King and Queen to enter upon property where approval is requested.
5. A Revolving Irrevocable Letter of Credit or Cash/Check Bonding is required prior to approval. For every tree or sapling 1/2" – 2 1/2" caliper planted or to be planted requires a bonding amount of \$50.00. For every tree ≥ 2 1/2" caliper planted or to be planted requires a bonding amount of \$100.00. For each shrub planted or to be planted requires a bonding amount of \$40.00. Once all vegetation has been planted according to the approved mitigation plan, the Environmental Codes Compliance Officer or designated personnel will continue to complete site inspections for a period of 24 months prior to releasing the Bond.

NOTES:

- 1.) OWNERSHIP:
STEVEN RANDOLPH AND TERRY SIMS STONE
INST.#230000921
TAX MAP 24-54R-321
P.B. 7 PG. 38
- 2.) THIS PLAT WAS PREPARED WITHOUT THE
BENEFIT OF A TITLE COMMITMENT
THEREFORE ALL ENCUMBRANCES OF
RECORD MAY NOT BE SHOWN HERE.
- 3.) LIMITS OF TITLE EXTEND TO MEAN LOW
WATER. THIS INFORMATION IS NOT SHOWN
HEREON.

GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

MATTAPONI RIVER

N 60°00'00" W
100.00' (TIE LINE)

HIGH TIDE LINE
AS LOCATED
7/25/26

PROPOSED
20' X 20' HUB
WELL AREA

KYLE A. JENNINGS
Lic. No. 3529

LOT 5

PROPOSED
DWELLING

LOT 7

ROD/F
ON LINE

N 26°00'00" E
200.00'

ELEC.
PANEL

STOOP

PROPOSED
RESERVE
DRAINFIELD

PROPOSED
PRIMARY
DRAINFIELD

100' HIGH TIDE
SETBACK

AXLE/F
0.36' NE
OF CORNER

OVERHEAD
UTILITY LINES

S 60°00'00" E
COURTHOUSE LANDING TERRACE
(40' R/W)

PLAT SHOWING A PROPOSED DWELLING
ON LOT 6, COURTHOUSE LANDING
TERRACE

STEVENSVILLE DISTRICT
KING AND QUEEN COUNTY, VIRGINIA

SCALE - 1" = 20' DATE: JULY 25, 2026

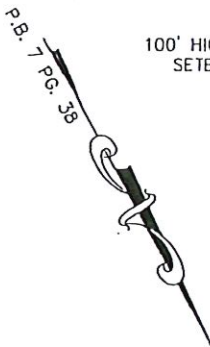
KYLE JENNINGS, LS

DESIGNED: --

DRAWN: KJ

CHECKED: KJ

8 Δ - Red maple *Acer rubrum*
16 □ - Dogwood - *Cornus florida*
29 ○ - Swamp white oak - *Quercus bicolor*



AGENDA: Monday, November 2, 2026, PC Meeting

ITEM #5:

New Business:

B. CUP26-03 – Shirleyville LLC, C/o William Moye, II (Tax Map 1623-66L-665A) – *(public hearing)*

Chair will open the public hearing for CUP26-03, a request for approval of a Conditional Use Permit to allow for the construction of a 20MW solar facility on County Tax Map Parcel #1623-66L-665A, 134-acre parcel, located on Buena Vista Road, in the Buena Vista Magisterial District as prescribed in §15.2-2288.7 & §15.2-2288.8 of the Code of Virginia.

Chair will ask staff to review the request.

Staff will read: Public notice ran in the Tidewater Review and Rappahannock Times for 2 consecutive weeks (October 21st and October 28th). Adjoining property owners were notified via certified return receipt mail.

Staff will review the request and provide overview of the staff report.

Chair will open the floor for public comment regarding the request. Ask that citizens state their name, address, and the voting district in which they reside. Ask that they limit their time to 3-5 minutes so everyone has a chance to speak.

Chair will close public comment.

Chair will close the public hearing.

Chair will ask the Commission if they have any questions or comments for staff, the applicant, or the County Attorney.

Chair will ask for a motion to recommend approval, denial, or defer CUP26-03. Ask if there is a second.

Take a roll call vote.

Please be sure to bring your Shacklefords Solar packet that was handed out during the October 6th meeting. Those who were not present to receive their copy, please contact me so we can either arrange delivery/pick-up or you may review the full packet online under the “Meetings and Agendas” tab under “Government”.

Staff report follows this page.

October 21, 2026

CONDITIONAL USE PERMIT, CUP26-03

Applicant/Agent – *Saluda VA Solar LLC, c/o Tucker Healy*

111 Speen St., Suite 410, Framingham, MA 01701

Owner – *Shirleyville, LLC, c/o William Moye, II*

P.O. Box 109, Topping, VA 23169

BACKGROUND

The Planning and Zoning Department received on August 26, 2026 an application dated July 26, 2026, from Gentry Locke Attorneys on behalf of Saluda VA Solar LLC, the Applicant, c/o Tucker Healy and on behalf of Shirleyville, LLC, the Owner, c/o William Moye, II, requesting approval of a conditional use permit to allow the construction of a 20MW solar facility on County Tax Map Parcel #1623-66L-665A, a 134-acre parcel, located on Buena Vista Road, in the Buena Vista Magisterial District, as prescribed in §15.2-2288.7 and §15.2-2288.8 of the Code of Virginia.

GENERAL INFORMATION

Location

The property is located on (SR 14), Buena Vista Road, approximately 3.2 miles from the intersection of (US33) Lewis B Puller Memorial Highway and (SR 14) Buena Vista Road, in the Buena Vista Magisterial District, further identified as County Tax Map Parcel No. 1623-66L-665A.

Proposal

Saluda VA Solar, LLC, on behalf of property owner Shirleyville, LLC, c/o William Moye, II, is requesting approval of a conditional use permit to allow for the construction of a 20MW solar facility on County Tax Map Parcel #1623-66L-665A, a 134-acre parcel, located on Buena Vista Road, in the Buena Vista Magisterial District, as prescribed in §15.2-2288.7 & §15.2-2288.8 of the Code of Virginia.

Zoning

The property is zoned Agricultural. Other surrounding land uses include agricultural and residential uses.

Planning Department

According to King and Queen County Code Chapter 3, Article 4, Permitted Use Table 4.1, Energy Generation by Natural Resources is a use that is permitted in the Industrial Zoning District with an approved Conditional Use Permit.

Va. Code § 15.2-2288.7 (B) states,

"An owner of real property zoned agricultural may install a solar facility on the roof of a residential dwelling on such property, or on the roof of another building or structure on such property, to serve the electricity or thermal needs of that property upon which such facilities are located, provided that such installation is (i) in compliance with any height and setback requirements in the zoning district where such property is located and (ii) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. A ground-mounted solar energy generation facility to be located on property zoned agricultural and to be operated under § 56-594 or 56-594.2 shall be permitted, provided that such installation is (a) in compliance with any height and setback requirements in the zoning district where such property is located and (b) in compliance with any provisions pertaining to any local historic, architectural preservation, or corridor protection district adopted pursuant to § 15.2-2306 where such property is located. Except as otherwise provided herein, any other solar facility proposed on property zoned agricultural, including any solar facility that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located, shall be considered pursuant to § 15.2-2288.8 unless otherwise permitted by right"

Va. Code § 15.2-2288.8 states,

"A. Unless otherwise provided by right, each locality shall require a special exception pursuant to §§ 15.2-2204, 15.2-2286, and 15.2-2288.7 or a siting agreement pursuant to § 15.2-2316.7 and include in its zoning ordinance regulations and provisions consistent with this section for a special exception as defined in § 15.2-2201, for any solar photovoltaic project. For the purposes of this section, "solar photovoltaic project" means a ground-mounted solar facility with a generating capacity of one megawatt or more that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facility is located.

Any special exception granted pursuant to this section is an amendment to the zoning ordinance pursuant to subdivision A 7 of § 15.2-2286 and shall comply with the following criteria. Where numerical ranges are attached to criteria, localities may choose to establish an ordinance that specifies any number within the applicable range that they deem appropriate for their community. In the issuance of a special exception, a variance from these ordinance criteria may be implemented only with a written agreement of the locality, the property owner or their agent, and the applicant. Nothing in this section shall (i) be construed to

relieve projects of the responsibility to comply with all relevant state and federal laws, regulations, and permits, including those related to tree canopy; (ii) require a locality to approve a special exception application considered pursuant to this section; (iii) be construed to prohibit a locality from permitting a solar photovoltaic project or energy storage project by right; or (iv) prohibit the owner of a proposed solar photovoltaic project and a locality from entering into a siting agreement that provides less stringent restrictions than those specified under this subsection.

1. Setback distances shall be measured from the nearest edge of the equipment as follows: (i) between 150 and 200 feet from the nearest point on the outer wall of existing occupied community buildings and dwellings on nonparticipating properties; (ii) between 50 and 100 feet from the outside edge of the roadbed of any road abutting the property; (iii) for projects not greater than 25 megawatts, 50 feet from the edge, and for projects greater than 25 megawatts, 100 feet from the edge, of tidal wetlands or nontidal wetlands, as defined in 9VAC25-830, or from the top of bank of perennial streams, as defined in § 62.1-44.122; (iv) for projects of any capacity within Chesapeake Bay Preservation Areas, between 100 and 125 feet from the edge of tidal wetlands, nontidal wetlands, or from the top of bank of perennial streams; and (v) between 50 and 75 feet measured from the nearest shared property line for nonparticipating properties. Nothing in this subdivision shall preclude the owner of a nonparticipating property from waiving the foregoing setback requirements by written agreement. Setbacks shall not be required for internal boundaries between adjacent participating parcels. For purposes of clauses (iii) and (iv), "equipment" is limited to solar panels, racking equipment, and inverters.

2. Fencing for the facility shall comply with § 55.1-2804, the latest version of the National Electrical Safety Code or any applicable successor standard regarding requirements for limiting access to facilities, and the Uniform Statewide Building Code (§ 36-97 et seq.). Vegetative visual screening requirements shall not be required to exceed three feet at planting, shall be between 25 and 50 feet wide, and shall allow for consideration of preexisting natural or manmade visual barriers.

3. The height of solar panels shall not exceed 25 feet above ground when the arrays are at full tilt, except in cases where a height variance is necessary to allow for agrivoltaics activity below or in proximity to the panels. For purposes of this section, "agrivoltaics" means the same as that term is defined in § 10.1-1197.5.

4. Visual impacts of facilities on public parks, scenic rivers and byways, and historic structures or sites listed on or eligible for the National Register of Historic Places or a county register of historic places shall be minimized. A locality may request a viewshed analysis as part of the special exception application to assure that visual impacts are minimized through solar panel placement, height, landscaping, and screening. Such

analysis shall account for existing vegetation and planned visual buffers. Such screening may be accomplished on any property with the consent of the property owner.

5. The facility shall implement light intensity dimming solution technology that provides a means of tailoring the intensity level of lights according to surrounding visibility.

6. The facility shall comply with all Department of Environmental Quality stormwater regulations as established in 9VAC25-880.

7. The facility shall minimize new impervious surface on the site and under its solar panels.

8. Land disturbance, including site grading, construction, and landscaping, shall be conducted in compliance with a stormwater pollution prevention plan. Topsoil shall not be removed from the project site. Topsoil shall be returned to disturbed areas from stockpiles as quickly as site conditions allow, unless returning soil would cause adverse impacts to topsoil integrity or is otherwise not practicable for construction activities. Site stabilization shall occur as the site is developed, following appropriate stabilization timelines as identified in the General VPDES Permit for Discharges of Stormwater from Construction Activities, and shall not be delayed until site construction is completed. The facility shall decompact soil as necessary and feasible for re-vegetation after construction has concluded.

9. When all land-disturbing activities at the construction site have been completed, the facility shall initiate permanent stabilization to provide vegetative ground cover that provides a minimum level of coverage over the project site. An ordinance may require up to 75 percent vegetative cover with no significant bare areas that is mature enough to survive and will inhibit erosion. The use of native and naturalized plants shall be encouraged and invasive plants as established pursuant to § 10.1-104.6:2 shall be prohibited. For projects or portions of projects not used for animal grazing, co-located crop production, native and naturalized pollinator plant species, or native and naturalized meadow species shall be planted, except for in the area directly beneath panels, and maintained throughout the solar project's life. The seed mix shall include a diversity of species with varied bloom times. Mowing shall be limited and performed on a schedule that promotes the establishment of the native plantings, controls invasive species, and minimizes impacts to wildlife. All trees and shrubs at the time of planting shall accommodate adequate screening or buffering at the end of five years of planting. Vegetation used to establish a visual screen shall not be trimmed to stunt upward and outward growth or to otherwise limit the effectiveness of the visual screen.

10. The facility shall provide for wildlife passage where needed by limiting fencing to the areas in reasonable proximity to arrays and interconnection

equipment to the extent practicable and consistent with safety and security requirements. The facility shall prioritize open wildlife access to riparian areas, wetlands, streams, and other areas not in proximity to panels.

11. The facility shall comply with all applicable state and federal labor and employment laws, including apprenticeships and labor standards necessary to achieve any available tax credit bonuses found in 26 U.S.C. §§ 45Y and 48E.

12. A locality shall require an applicant to enter into a written agreement to decommission equipment, facilities, or devices pursuant to § 15.2-2241.2.

B. Any locality may grant a special exception pursuant to § 15.2-2286, and include in its zoning ordinance reasonable regulations and provisions for a special exception as defined in § 15.2-2201, for an energy storage project. For the purposes of this section, "energy storage project" includes energy storage equipment and technology within an energy storage project that is capable of absorbing energy, storing such energy for a period of time, and redelivering such energy after it has been stored.

C. The governing body of such locality may grant a condition that includes (i) dedication of real property of substantial value or (ii) substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit, so long as such conditions are reasonably related to the project.

D. Once a condition is granted pursuant to subsection C, such condition shall continue in effect until a subsequent amendment changes the zoning on the property for which the conditions were granted. However, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

E. The governing body of such locality shall furnish the State Corporation Commission a record of special exception decisions reached pursuant to this section not more than 60 days after such decision is made. The record shall include (i) the reason for any adverse decision, (ii) any finding of nonconformity with the local comprehensive plan, and (iii) the date of the last revision to the comprehensive plan."

Va. Code § 15.2-2232 Legal Status of Plan, subsection H, states,

"A solar facility subject to subsection A shall be deemed to be substantially in accord with the comprehensive plan if (i) such proposed solar facility is located in a zoning district that allows such solar facilities by right; (ii) such proposed solar facility is designed to serve the electricity or thermal needs of the property upon which such facility is located, or will be owned or operated by an eligible customer-generator or eligible agricultural customer-generator under § 56-594

or 56-594.01 or by a small agricultural generator under § 56-594.2; or (iii) the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan. All other solar facilities shall be reviewed for substantial accord with the comprehensive plan in accordance with this section. However, a locality may allow for a substantial accord review for such solar facilities to be advertised and approved concurrently in a public hearing process with a rezoning, special exception, or other approval process.

RECOMMENDATION

The King & Queen County Planning Commission considered Conditional Use Permit CUP26-03, Shackelfords Solar Facility request, and finds that the application with the recommended conditions **satisfies** or **does not satisfy** the following standards:

1. That the proposed use is in accord with the comprehensive plan and other official plans adopted by the County;
2. That the proposed use or development of the land will be in harmony with the scale, bulk, coverage, density, and character of the area or neighborhood in which it is located;
3. That the proposed use will not hinder or discourage the appropriate development and use of adjacent land and buildings or impair the value thereof;
4. That the proposed use will not adversely affect the health or safety of persons residing or working in the neighborhood of the proposed use;
5. That the proposed use will not be detrimental to the public welfare or injurious to property or improvements within the neighborhood;
6. That the proposed use is appropriately located with respect to transportation facilities, water supply, wastewater treatment, fire and police protection, waste disposal, and similar facilities;
7. That the proposed use will not cause undue traffic congestion or create a traffic hazard; and
8. That the proposed use will have no unduly adverse impact on environmental or natural resources.

Staff suggested conditions are noted below, if approval should be recommended

A. General

1. The solar energy facility ("Facility") to be developed on current Parcel 23-66L-665A (referred to as the "Property") south and east of Stratton Major Road, north of Jonestown Road, and west of Buena Vista Road, consisting of approximately 154 acres,

in the Buena Vista Magisterial District, County. CUP26-03 constitutes the Shacklefords Solar Facility project ("Project" or "Facility").

2. The Facility will be designed to generate up to 20 megawatts (MW), as measured in alternating current (AC) generation capacity.

3. This CUP is issued to the owner of the property and shall run with the land unless and until this CUP is revoked, lapses, expires, or is voided. The applicant acting on behalf of the owner of the Property in applying for this CUP is Saluda VA Solar LLC. These conditions shall bind the applicant, landowner, occupants, and users of the Property, purchasers, lessees and any heirs or assigns of the Property or of the Project jointly and severally, which shall also be referred to at times collectively as the "Operator."

4. The Operator shall construct, manage and maintain a central File Transfer Protocol site ("FTP") to which the County and the Virginia Department of Environmental Quality ("DEQ") shall, at all times be granted unrestricted access. This FTP shall be activated prior to submission of a Final Site Plan application for the project and shall terminate upon final site stabilization, with sixty (60) days notice given to the County prior to deactivating the FTP. All future communications will be handled by e-mail. This FTP shall remain active until all applicable permits have been closed. A notice of termination of the FTP shall be provided, through postal mail, a minimum of thirty (30) days prior to termination.

5. To the extent that anything contained in the application, site plan and supporting documents contradicts the conditions set forth herein, the conditions shall govern.

6. The Operator shall secure and at all times maintain public liability insurance for personal injuries, death, and property damage, and umbrella insurance coverage, for the duration of the CUP in the minimum amounts set forth below, and shall include the County as co-insured:

- a. Commercial General Liability covering personal injuries, death and property damage \$1,000,000 per occurrence/ \$2,000,000 aggregate;
- b. Automobile Coverage: \$1,000,000 per occurrence;
- c. Excess Liability: \$2,000,000;
- d. Workers Compensation and Employers Liability Insurance in accordance with applicable statutory amounts.

7. The Operator's Commercial General liability insurance policy and excess liability policy shall specifically name the County and its officers, boards, employees, volunteers, attorneys, agents, and consultants as additional insureds.

8. The Operator's insurance policies shall be issued by an insurance company licensed to do business in the State of Virginia and with an AM Best's rating of at least A.

9. The Operator shall provide the Zoning Administrator Certificates of Insurance annually, and the amounts of required insurance shall be reviewed every two (2) years for adequacy of coverage by the County Administrator. Insurance coverage shall be increased when necessary to protect against any increased risks posed by the Project.

10. The Operator's insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least thirty (30) days prior written notice in advance of the cancellation of the insurance.

11. The Operator's insurance renewal or replacement policies or certificates shall be delivered to the Zoning Administrator at least fifteen (15) days before the expiration of the insurance that such policies are to renew or replace.

12. Prior to the issuance of a land-disturbing permit, the holder of the CUP shall deliver to the Zoning Administrator a copy of each of the policies or certificates representing the insurance in the required amounts.

If a regulated public utility is the sole owner of the Project or, in lieu of the provisions in Paragraphs (A) (6); (7); (8); (9); (10) and (11), such regulated public utility may self-insure for these coverages so long as such regulated public utility provides the County with written confirmation of such coverages on an annual basis and written notice of any changes or cancellation of any such coverages. Such self-insurance shall be in a form approved by the County Attorney in order to satisfy this condition.

13. The County Administrator, Building Official, Zoning Administrator, or Environmental Codes and Compliance Officer, or any other parties designated by those county officials, including any other federal, state or local government official, shall be allowed to enter the Property to check for compliance with the provisions of the CUP and any other federal, state or local permit/approval during the life of the Project, including up to completion of decommissioning of the Project as determined by the County. During construction, such entry may occur without notice in accordance with protocols established in the site plan, but notice shall be given simultaneously with entry to ensure safety of County personnel. Post-construction, written notice at least 24 hours in advance shall be given to the Operator to arrange an appointment to meet on the Property.

14. At all times, all activities conducted on this site shall be in conformance with all federal, state and local laws, regulations and ordinances. A violation of any type continuing for 30 days from the date written notice of violation ("NOV") is mailed to the Operator's written designated point of contact may result in revocation of this CUP if the Operator has failed to meet with the Zoning Administrator and submit a plan to address the violations cited in the NOV. With respect to any road repairs necessitated by the Operator's use of the roads during construction, any such repairs shall be made within a reasonable period of time after obtaining approval from Virginia Department of Transportation ("VDOT"). Failure to comply with any and all conditions as approved by the Board of Supervisors may result in this CUP being revoked after a public hearing by the Board.

15. If operations shall cease for a period of twelve months and the Operator and the Zoning Administrator have not agreed upon a plan to address the outage, the Project is considered abandoned and all permits and approvals, including the CUP shall be null and void and decommissioning shall then take place per the approved decommissioning plan and per any and all approved conditions as part of the latest approved CUP.

16. Construction must begin within the five (5) years from the date of CUP approval, otherwise the CUP shall automatically expire and become null and void.

17. The Project must be completed, stabilized and generating power within six (6) years from the date of the approval of the Final Site Plan, otherwise the Operator must obtain an extension of, or approval of a new CUP.

18. Soil testing shall be performed prior to Final Site Plan approval, to confirm that requirements of Minimum Standard 3 (MS3) can be met, per the Virginia Stormwater Management Handbook and to ensure that no "RCRA 8" materials are introduced into the soil as a result of activities on the Property. Soil testing shall be conducted using one of two methods:

- (i) If topsoil is to be spread on the site, such topsoil shall be tested prior to spreading by a qualified third-party who will provide test results to the Zoning Administrator that shows the soil is of sufficient quality to support grass growth in accordance with MS3; or
- (ii) If existing topsoil is to remain, soil testing shall be done by a qualified third-party who will provide test results to the Zoning Administrator that shows the soil is of sufficient quality to support grass growth in accordance with MS3, with testing at least one (1) test bore for every two (2) acres within the limits of disturbance of the site, as indicated on the approved Final Site Plan. Sampling shall be designed in accordance with the Environmental Protection Agency's "Guidance on Choosing a Sampling Design for Environmental Data Collection for Use in Developing a Quality Assurance Project Plan" Chapter 7 and as identified in Figure 7-1, Systematic Designs for Sampling in Space.

a. The following shall be submitted prior to the approval of the final Site Plan:

- 1. The Operator shall prepare an Erosion and Sediment Control ("ESC") plan which fully complies with all federal, state and local laws and ordinances. Operator shall provide for and pay for an independent third-party review of the ESC by an engineer of the County's choosing. Such third-party engineer shall report directly to the County all findings and comments regarding the proposed plan and thereafter, assist the County in working with the Operator toward an approved plan.
- 2. The Operator shall retain an expert approved by the County to determine existing soil conditions and components what soil amendments are necessary, proper and adequate to support plantings necessary for full stabilization of any disturbed area including: (a) exiting levels, if any, of the "RCRA 8" materials, (b) soil testing for

the typical nutrients and properties relevant to plant growth, including nitrogen, phosphorous, potassium, magnesium, sulfur, zinc, calcium, pH and texture; and (c) what types of grasses/plants are suitable and appropriate for planting under and around all panels. Such grasses/plants will be documented to be tolerant to extreme heat, have heat absorption qualities and extensive root structure.

- b. The following shall apply post construction:
 - 1. A sample frequency of at least 1 sample per 100 acres shall be collected.
 - 2. Samples shall be collected over a variety of site conditions and shall:
 - i. Be mapped to display the site's location and differentiate panels within proximity based on the panel's manufacturer and model.
 - ii. Include one sample collected from each side of each onsite stream or wetland at its most upstream and most downstream locations.
 - iii. Samples shall be analyzed for RCRA 8 materials.
 - iv. Samples shall be analyzed for type, acidity, and nutrient levels, including Nitrogen, Phosphorus, Potassium, Magnesium, Sulfur, Zinc, and Calcium.
 - v. Samples shall be analyzed for heavy metals and other toxins in accordance with test parameters set by DEQ.
 - c. Tests shall be performed by an expert retained by the Operator and approved by the County. Reports shall be provided to the Zoning Administrator prior to the issuance of a land-disturbance permit and every five (5) years thereafter and shall be accompanied by an executive summary of the results.
 - d. A test report shall be provided to the Zoning Administrator prior to and immediately following decommissioning.
 - e. Abnormal results, as determined by the County, in consultation with DEQ and other state agencies, may warrant additional studies, as determined by the County, to be performed by the Operator, at the Operator's cost, including but not limited to an Environmental Site Assessment, conducted in accordance with the applicable American Society for Testing and Materials, now known as ASTM International, standards and subsequent tests, as deemed necessary by the County or the Virginia DEQ. Results of all required testing shall be shared with the County free of charge and without demand therefor.
19. A sealed dry-waste container shall be maintained at the Facility for the disposal of any damaged solar panels throughout the life of the Project.
20. There shall be no subdivisions, lot line adjustments, or property line vacations on the tax parcels (including buffers and open space areas not in use) in which the Facility is located once the Final Site Plan is approved.
21. The Operator shall provide an annual report to the Board of Supervisors on the active, commercial operation of the Facility, including but not limited to issues relating to erosion and sediment control reports, status of perimeter screening vegetation, etc., to ensure that the Facility is still actively producing electricity for the power grid and

provide reports of maintenance and/or issues. This ensures that the site is being maintained and is still operational.

22. The Operator shall provide copies of all land leases for real property included in the Project to the Commissioner of Revenue, her consultants and assigns, who shall keep them confidential unless otherwise required by the Virginia Freedom of Information Act for the purposes of assessing real estate taxes. Operator shall annually provide copies of any addenda or alteration thereto until the leases expire or are terminated.

B. Construction

1. The Project shall meet all requirements of the National Electrical Code (NEC), National Electrical Safety Code (NESC), American Society of Civil Engineers (ASCE), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), or International Electrotechnical Commission (IEC) or any other federal and state code as applicable, and shall be inspected by a County Building Inspector/Official through the building permit process. Third party inspections may be used only if approved by the Building Official in advance.

2. A DEQ Permit by Rule, or as applicable, the SCC Certificate of Public Convenience and Necessity (CPCN) process/approval shall be required prior to issuing final Site Plan approval.

3. Construction shall be limited to 7:00 a.m. to 7:00 p.m., Monday through Saturday. The following measures shall be taken to mitigate construction noise impacts on the community:

- a. Maintain all construction-related vehicles in good working order.
- b. Mail or deliver a "Notice of Construction Activity" to the owners of all parcels adjacent to the Project and to residents who live along the roads near the entrances to the Project that summarizes upcoming construction activities, describes the areas in which construction will occur, including the main routes of delivery, and provides the contact information of a person to whom any complaints, concerns, or comments may be addressed, including a county staff point of contact.
- c. Provide the County and neighbors and post at all entrances to the Project the contact information of a designated Project person who will receive and address complaints, concerns, or comments about the Project.

4. Dust containment measures shall be utilized at all times and during periods of dry weather and wetting of the interior and access roads and any other dry areas with a discharge mechanism mounted on a water tank shall be performed as needed.

5. The lowest vertical clearance of all solar panels shall have a minimum elevation of two (2) feet from the ground to promote vegetated growth below each panel. No portion of any structure or panel may be taller than 15 feet, at its highest point measured vertical from the ground once installed, except for the Collection Yard, Substation or any

above-ground transmission line allowed under this section. Spacing between panel rows shall be a minimum of 15 feet measured from one piling to the next piling to allow for: (a) access for replacements, repairs, maintenance and mowing; (b) rain fall treatment; and (c) open space.

6. The installation of non-utility owned overhead distribution lines shall be limited to the interconnection equipment required by the utility to support the connection of the Project to the existing distribution line adjacent to the site, which shall generally conform to the layout as shown on Exhibit B (attached). All other non-utility owned lines within the Project parcel shall be installed underground.

7. The use of mirrors or the like shall be prohibited.

8. Panels and any other equipment or tools used shall be constructed of anti-reflective material.

9. Construction staging areas, parking areas, portable sanitation facilities, generators, and solid waste collection areas shall be set back a minimum of 100 feet from any parcel boundary line that is not zoned commercial/industrial and is located outside the Facility, proposed locations to be identified in Final Site Plan approval.

10. The Operator shall designate at least one public liaison and publicize a toll-free phone number and email address for communication with the liaison during construction. Such contact information shall be posted at each entrance on the gate for public view. At a minimum, the information shall be published on the Operator's website and provided to the Zoning Administrator for publication on the County's website and other social media. The liaison shall act as a point of contact between citizens and construction crews. The liaison shall be available in person and by phone during active construction hours and shall respond to any questions related to the Facility or Property. The liaison role shall commence prior to issuance of a land-disturbing permit and remain a minimum of six (6) months following land disturbance permit and DEQ Stormwater permit closure/final for the Facility. The liaison shall prepare a monthly report detailing each complaint, complaint date, resolution, and resolution date. The report shall be provided to the Zoning Administrator on the first business day of each month throughout the construction period and an additional six (6) months following land disturbance permit and DEQ Stormwater permit closure/final for the Facility.

11. With the exception of noise-producing signals, including horns, whistles, alarms, and bells for safety warning purposes, the following noise-reducing practices shall be followed to mitigate construction noise:

- a. Trucks and engine-powered equipment shall include mufflers and engine shrouds no less effective than those originally installed by the manufacturer;
- b. Trucks and engine-powered equipment shall be maintained in proper tune according to manufacturers' specifications; and
- c. The noise levels during construction or maintenance shall not exceed 85dBA over an 8-hour time-weighted average, measured at the outside of a dwelling unit on an

adjoining parcel to any of the parcels comprising the Project, and otherwise in accordance with the permissible exposure levels for construction workers promulgated by the Occupational Safety and Health Administration at 29 C.F.R. §1926.52 – Table D-2. Operator shall engage a third-party consultant with the expertise and testing equipment to check sound levels, address complaints and ensure compliance.

12. Above-ground equipment shall be enclosed by a metal chain link fence at least 6 feet high, but no taller than 12 feet, except for the Collection Yard, Substation or any above-ground transmission line. Such fencing shall meet applicable electric codes, safety requirements, and commercial insurance standards. Surety as set forth in the Siting Agreement reflecting the costs of anticipated fence maintenance shall be posted and maintained during the life of the Project up to the completion of decommissioning.

13. No bio-solids shall be used on the tax parcels in which the Project is located, including buffers and open space areas.

14. During and after construction, lighting on the Property shall comply with the King & Queen County Code of Ordinances.

15. No panels, inverters, pyranometers, substation or any other component required for energy generation shall be located within a floodplain.

C. Access and Traffic

1. The Operator shall participate in a Joint Construction Traffic Reaction Team, which shall also include County Staff and should include VDOT, the King & Queen County Sheriff's Office, and the Virginia State Police to identify and expeditiously resolve or mitigate traffic issues that arise during the construction phase of the Facility. The Operator shall assist in resolving and implementing solutions to traffic issues.

2. Prior to issuance of a land disturbing permit, the Operator shall secure a VDOT Land Use Permit and post surety for the estimated cost of repairs to public roads based on an estimate reviewed and approved by the County and VDOT.

3. Any pavement damage to roads, including shoulders and aprons, attributable to construction of the Facility shall be set out in a plan to make repairs according to VDOT standards by the Operator upon receiving notice from the County or VDOT that the damage has made a road unsafe. The Operator shall submit any such plan to the Zoning Administrator for approval with the 60-day period set out herein. With respect to any road repairs necessitated by the Operator's use of the roads during construction, any such repairs shall be made within a reasonable period of time after obtaining approval from VDOT.

4. The singular proposed entrance is directly from Buena Vista Road (Rt 14). No other site entrances shall be utilized for this Project.

5. The Operator shall fully fund any temporary or permanent signage as requested or required by the County or VDOT.

6. The Operator shall work with VDOT and the Zoning Administrator to ensure that the entrances approved in the Final Site Plan to be used for construction incorporate sufficient design features and safety methods, such as signage and flaggers, to maximize road safety during construction. The Final Site Plan shall include a construction traffic management plan subject to approval by the Zoning Administrator, which shall:

- a. Provide vehicle and trip estimates, propose steps to manage traffic safely and minimize inconvenience to the travelling public.
- b. Provide procedures for communicating with area residents about construction and anticipated traffic conditions.
- c. Prohibit personnel constructing the Project from parking their vehicles at locations other than the Project Area and from overnight lodging at the Project Area.
- d. Minimize heavy truck deliveries on roads near the Project Area when school buses are scheduled to use them.
- e. The Applicant shall be responsible for retaining and coordinating private traffic control staff to provide temporary traffic control for oversized, heavy-haul or other major equipment deliveries that warrant additional traffic control measures during the construction period. Such traffic management measures shall be implemented in a manner intended to maintain public safety and minimize traffic disruptions and in compliance with Virginia Department of Transportation practices and procedures.

D. Erosion and Sediment Control

Unless specifically defined in this Section D, all terms and abbreviations used herein shall be as defined in the King & Queen County Code of Ordinances, the Code of Virginia and the Virginia Administrative Code.

1. Stormwater Conveyance Channels and Sediment Basins
 - a. Stormwater conveyance channels ("SCC") and diversion ditches shall be designed for permanent stormwater control and shall utilize check dams or weirs as determined necessary per VESCH requirements to control sediment transport. Where applicable, rock check dams shall be installed in SCC immediately following construction and the establishment of final grade. Check dams shall be installed per the Virginia Erosion and Sediment Control Handbook ("VESCH") or per VDOT detail EC-4 standards and details as applicable. Check dams should be evaluated for sediment accumulation after each runoff-producing storm event and remediated as necessary to maintain function.
 - b. SCC, vegetated swales, or diversion dikes shall be installed to divert overland sheet flow or shallow concentrated flow to a stabilized outlet or a sediment

trapping facility during construction. When used at the top of a slope, the structure shall protect exposed slopes by diverting storm run-off away from the slopes to a stabilized outlet or sediment trapping device. When used at the base of a slope, the SCC shall protect downslope areas by diverting sediment-laden runoff to a sediment-trapping facility or stabilized outlet.

- c. Sediment basins shall be equipped with a visible indicator to indicate when sediment accumulation has reached a minimum of one (1) foot of clearance below the bottom of the de-watering device or 25% of the required wet storage volume, whichever is more restrictive. Sediment shall be removed from basins when accumulation reaches this indicator for each individual basin. In no case shall sediment cleanout levels be higher than one (1) foot below the bottom of the de-watering device. Remediation crews shall remove sediment or be able to correct any ESC issues within twenty-four (24) hours. The daily presence of these crews shall be indicated in the monitoring report. When Sediment Basins or traps are cleaned the intended use and location of the removed material shall be indicated in the monitoring report.
- d. ESC measures shall be installed as a first step in any land disturbing activity area and shall be made functional before upslope land disturbance takes place. Unless subject to stricter standards set out herein, all ESC measures shall at a minimum comply with VSMH and VDOT standards and details as applicable. Unless subject to stricter standards set out herein, the overall ESC plan shall comply with VSMH minimum standards.

2. Monitoring and Reporting

- a. The Operator shall have one Responsible Land Disturber ("RLD") and at least one VDEQ Certified Erosion Control Inspector ("ECI") per land-disturbing activity area. The RLD and ECI shall both be required to be knowledgeable of environmental permit compliance requirements and be experienced in ESC and Stormwater Management Best Management Practice installation, operation, and maintenance requirements. The ECI shall have obtained the Virginia Department of Environmental Quality Erosion and Sediment Control Inspector certification, or equivalent certification, and proof of this certification shall be submitted to the County prior to the commencement of land disturbing activities. In the event the ECI is changed during construction, the new ECI shall provide proof of certification to the County within five (5) business days of this change and prior to any inspections are completed. The RLD will also keep a daily log of activity documenting all Facility activities, including, but not limited to, construction, environmental permit compliance and corrective measures implemented, site visitors (i.e. non-Project staff), waterbody and wetland crossings, and ESC installation and maintenance activities. Such reports shall be logged into the FTP.
- b. The RLD shall provide e-reporting to a central File Transfer Protocol ("FTP") site, provided by the Operator, to which the County shall be granted access prior to the commencement of land disturbing activities. Reports will be submitted no later than next day following any inspections and shall include the inspection report for each disturbed area of development. Site inspections and reports shall

be conducted and reported at a minimum as required by the Virginia Stormwater Management Program ("VSMP") permit. Any corrective actions done in the field shall be e-mailed to the County within twenty-four (24) hours of completion. Such reports shall be logged into the FTP.

- c. Post-rainfall event inspections shall be required for any runoff-producing event (equal to or greater than one quarter (0.25) inches of rain within a twenty-four (24)-hour time period) and. Inspection logs shall be maintained on site and logged in an e-report uploaded to the FTP. An ECI shall evaluate erosion control measures and sediment basins to determine if maintenance is required. The ECI shall report any ESC failures within twenty-four (24) hours of identification with a proposed remediation plan and schedule. Any remediation that is required shall be performed immediately and reported to the County within twenty-four (24) hours of the completion of remediation activities. With respect to any remediation or corrective action, the County will consult with the Operator, but the County's determination of what remediation or corrective action is necessary shall be binding on the Operator and shall be completed by the Operator within a reasonable period of time.
- d. Water quality testing shall occur through the use of a stream gauge, which collects data on rainfall, turbidity and sediment loads, and pollutant loads. These gauges shall be placed at each discharge point on the site, as determined by the County. Prior to final stabilization and the closure of applicable land disturbance permits, the testing shall be reported in a monthly Water Quality Discharge Report which shall provide a summary of marginal increases or decreases of the measurements. Such reports shall be logged into the FTP. Following final stabilization and the closure of applicable land disturbance permits, Water Quality Discharge Reports shall not be required. Condition A. General, 18 (b) remains as a requirement post construction and as further directed in the condition.

3. Site Stabilization Conditions

- a. Windrows, filter socks, or slope breaks shall be constructed interior to array fields using soil, organic material, or mulch to reduce runoff velocity and sediment. These devices shall be a minimum six (6) inches in height above final grading. These devices shall be installed parallel to slope with a maximum spacing of 200 feet, or as needed based on slope and drainage area. These devices shall be maintained during the site stabilization process and may remain during operation.
- b. Sediment barriers such as silt fences, mulch berms, or brush barriers shall be used to temporarily intercept and detain small amounts of sediment from disturbed areas of limited extent and to decrease the velocity of sheet flows. Temporary sediment barriers shall be installed at the base of slopes adjacent to road crossings until disturbed vegetation has been reestablished.
- c. Sediment barriers shall be inspected daily by the Operator in accordance with Virginia Erosion and Sediment Control Program ("VESCP") and VSMP guidelines to identify any damage incurred during construction and after each runoff-producing rainfall as defined in D.2.c herein. The inspection reports shall

be maintained and logged in an e-report uploaded to a central FTP server to which the County shall be granted access, within twenty-four (24) hours of a qualifying rainfall event. Sediment barriers that are not functioning properly must be cleaned and restored to good working condition or replaced immediately.

- d. All disturbed soils shall be seeded and temporarily stabilized within seven (7) days after final grade is reached on any portion of the Property. Seed mixes used for permanent stabilization shall provide self-propagating, low maintenance groundcover that will minimize erosion and sedimentation while providing wildlife and pollinator habitat benefits.
- e. For both temporary and final stabilization, drill seeding, hydroseed or spraying of seed is an approved method of application. All seeding installation, bed preparations, seed mixes, lime, fertilizer, and mulch shall meet VESCH minimum standards and specifications for permanent and/or temporary seeding as applicable.
- f. Slopes at a grade of thirty-three percent (33% (3:1)) or steeper, if any, shall be stabilized with steep-slope soil stabilization blankets or erosion-control fabric, such as bonded fiber blankets or jute thatching. The blanket shall be nontoxic to vegetation and to the germination of seed and shall be entwined and anchored to the slope.
- g. Stabilization shall be fully established on all bare/disturbed areas at the completion of construction activities in accordance with the Erosion and Sediment Control Laws and Regulations, as determined by the County. Additionally, prior to commissioning each inverter, Operator shall: i) deliver to County an accurate scale drawing depicting the area of disturbance associated with the development and installation of panels and ancillary equipment necessary to support and/or provide energy to that inverter and ii) receive a written determination from the County that the area depicted in the drawing has been temporarily stabilized, via the installation of seed and straw as vegetative cover or other stabilization techniques, in accordance with the approved Final Site Plan.

E. Fire, Rescue, and Emergency Management

- 1. The Operator shall work with the King & Queen County Emergency Services Coordinator to update any and all Regional, State and Local Emergency Operation Plans, and the like as it relates to the Facility before energizing the site.
- 2. The Operator shall, for the life of the Facility, follow the policies and procedures contained in the Emergency Operations Plan, and any other like plan for King & Queen County.
- 3. Before energizing the site, Fire and EMS training shall be required and shall be in collaboration with our local Department of Emergency Services Office. Training shall include, but not be limited to, creating a set of protocols and procedures for managing risk of fire or responding to a medical emergency at the Facility. Tours of the Facility may be required for emergency responders.

4. Knox Boxes shall be installed at each entrance/gate for EMS/Fire/Police accessibility.

5. All access easements/entrances shall be maintained to allow for safe ingress and egress for EMS and Fire vehicles. All access easements shall be clear of any vegetation, tree stumps, limbs, debris, and overhang 14' from ground level.

6. There shall be signage installed at the entrance into the Project which shall include a Wayfinding Map, that shows each road segment within the Facility with a designated name and/or identifier and each array with an individual identifier, prior to the approval of any site plan or land disturbing permit.

7. Storage of mulch material shall not be permitted on the Property.

F. Landscaping, Maintenance, Setbacks, and Buffers

1. Permanent witness posts shall be erected at intervals not to exceed 100 feet along the length of the 100-foot RPA buffer located adjacent to areas of the Property to be disturbed prior to the commencement of land disturbance on the Project site, and shall be maintained until the time the Property has been completely decommissioned. A minimum of one sign using verbiage approved administratively by the County staff will be required every 500 feet.

2. Inverters shall be set back a minimum of 500 feet measured from the outside of a dwelling unit on an adjoining parcel to any of the parcels comprising the Project, unless otherwise approved on the final Site Plan upon a showing that the noise will be attenuated and such areas are screened from view. Inverters may be located no closer than 100 feet from the external property lines of the Project.

3. The minimum setback of any structure, improvement, or equipment, including but not limited to, inverters, generators, and solar arrays and supporting structures, from any VDOT right-of-way shall be a minimum of one hundred (100) feet. This shall not apply to construction and maintenance equipment which is temporary in nature during the periods when it is actively being used during construction or maintenance activities.

4. The setback requirements do not apply to berms, landscaping, plantings, access roads and bridges. Stormwater management and ESC facilities that do not diminish the viewshed mitigation provided by landscaping are permitted in the setbacks. With respect to this determination, the County will consult with the Operator but the County's determination that such facilities diminish the viewshed mitigation shall be binding on the Operator.

5. Fencing shall be to the interior of all vegetated and re-vegetated buffers. All fencing shall be installed prior to energizing the site.

6. All vegetation within the fenced area shall not be cut less than approximately 4" in height. Slopes greater than 8%, excluding weed whacking or similar operations to manage vegetation underneath solar panels, should be left as meadow with limited

cutting, so long as the vegetation does not reach the bottom of the fixed panels at its lowest clearance in order to reduce fire hazards and maintain panel efficiency.

7. A 100-foot vegetated buffer shall be provided and maintained around the facility. In locations where the existing vegetative buffer is less than 100 feet and deemed insufficient to screen the proposed facility's panels and electrical equipment from public roads or improved adjacent parcels, a landscaping buffer shall be established and maintained (the "Supplementary Landscaping Buffer"). The Supplementary Landscaping Buffer shall match the Typical Opaque Buffer Planting detail depicted in the preliminary plans attached as Exhibit A. (attached) The Supplementary Landscaping Buffer plans may be updated as part of the Final Site Plan. For purposes of this Condition, on-site buffers shall not be required if a 100-foot vegetated (treed) buffer, consistent with the requirements of the existing vegetative buffer in this paragraph exists on adjacent property. If, in the future, the off-site buffer is removed, a 100-foot vegetated buffer shall be established on-site within six (6) months thereafter. Such buffer shall be preserved and maintained at all times while the Property is occupied with panels. Surety in a form determined by the County Attorney shall be held by the County to ensure growth and maintenance thereof while the Project is operational. The vegetation shall remain in place until decommissioning has been deemed completed and final approval by the County. Establishment of the required vegetated buffer as provided herein shall be completed before any construction/disturbance shall take place other than disturbance resulting from perimeter control measures which shall be performed as the first construction activity in accordance with the Virginia Administrative Code 9VAC25-875-560 Section 4.

8. The Operator will maintain landscaping in good condition and at least annually, replace any diseased or dead vegetation within the Supplementary Landscape Buffer, with prior written notice to, and consultation with, the Zoning Administrator. However, for the first five (5) years the Operator shall replace any diseased or dead vegetation within the Supplementary Landscape Buffer every six (6) months. The Operator shall engage a Landscape Architect, licensed and certified in accordance with Virginia Code Title 54.1, to design, and Operator shall install, such supplemental plantings consistent with the requirements herein.

9. The Operator shall be responsible for maintaining all required trees. The Operator shall have an Arborist certified by the International Society of Arboriculture inspect all plantings biennially in August to determine which, if any, trees require replacement. The Operator shall replace such trees as indicated by the Arborist and shall submit to the Zoning Administrator by December 31st of that year a report of the Arborist's findings and the replacement plantings installed, if any throughout the life of the Facility.

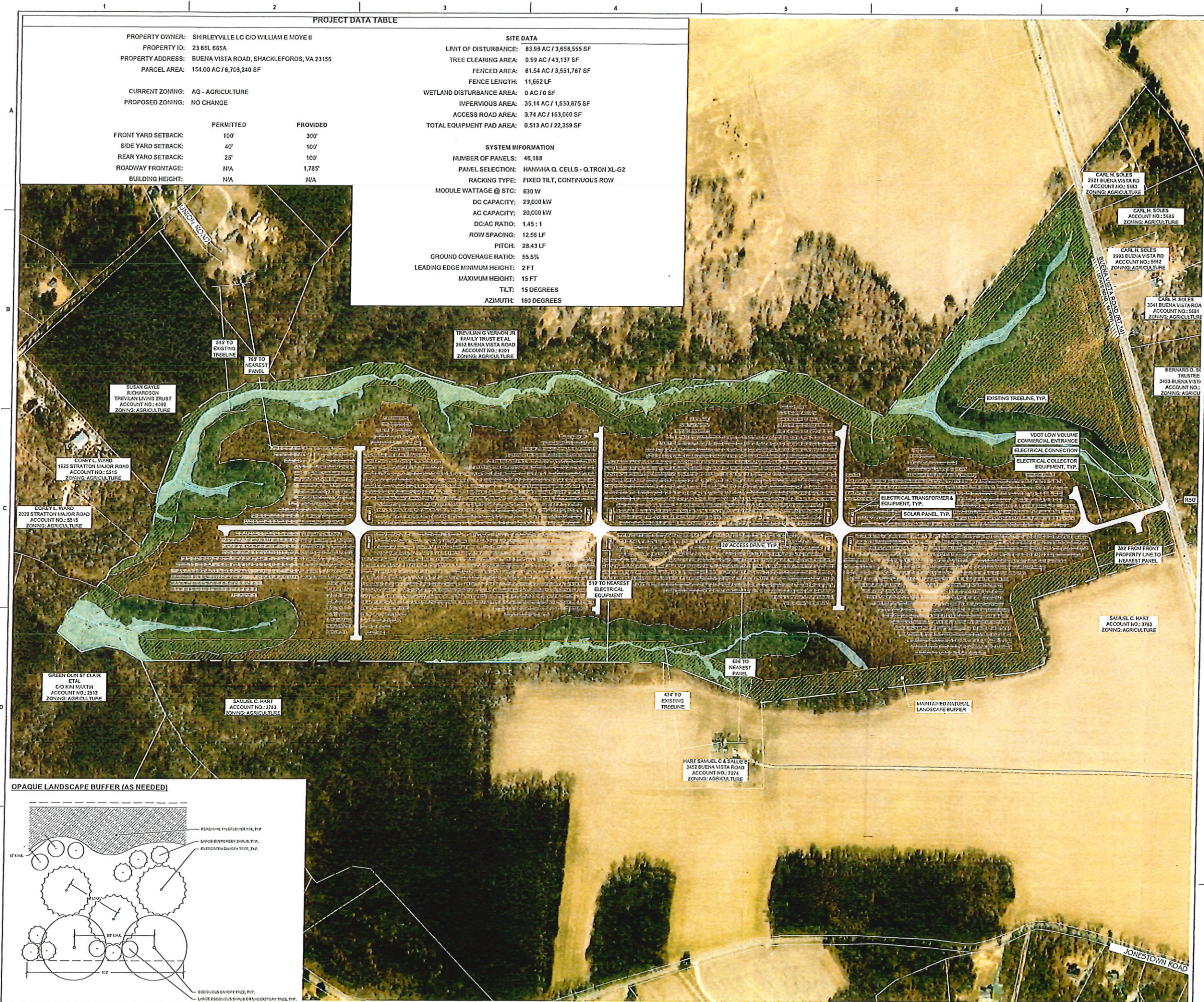
G. Biological

1. The use of all herbicides and insecticides shall be prohibited, except that herbicides and insecticides that are approved for commercial applications may be used pursuant to an approved herbicide and/or insecticide management plan prepared by a licensed professional that is submitted to, and approved by, the Zoning Administrator.

2. Fertilizers shall not contain phosphorus, except that fertilizers applied during construction in order to establish vegetative growth may contain phosphorus if

determined necessary to support growth. Fertilizer composition as regulated by Sec. 10.1-104.2 of the Code of Virginia shall be based upon soil testing. All fertilizers shall be applied by a Virginia Department of Agriculture and Consumer Sciences Certified Fertilizer Applicator and fertilizer shall only be applied at rates, times, and by methods that are consistent with standards and criteria for nutrient management promulgated pursuant to Sec. 10.1-104.2 of the Code of Virginia.

3. The Operator shall not plant any invasive species identified in Virginia Department of Conservation and Recreation's ("VDCR") "Virginia Invasive Plant Species List" and VDEQ's invasive seed in the "Frequently Asked Questions (FAQ) Native vs. Invasive Plant Species for Erosion and Sediment Control" published at the time of installation.



PROJECT DATA TABLE

PROPERTY OWNER: SHIRLEYVILLE LC C/O WILLIAM E MOYE II
PROPERTY ID: 23 6SL 665A
PROPERTY ADDRESS: BUENA VISTA ROAD, SHACKLEFORDS, VA 23156
PARCEL AREA: 154.00 AC / 6,703,240 SF

CURRENT ZONING: AG - AGRICULTURE
PROPOSED ZONING: NO CHANGE

	PERMITTED	PROVIDED
FRONT YARD SETBACK:	100'	300'
SIDE YARD SETBACK:	40'	100'
REAR YARD SETBACK:	25'	100'
ROADWAY FRONTAGE:	N/A	1,785'
BUILDING HEIGHT:	N/A	N/A

SITE DATA

LIMIT OF DISTURBANCE: 83.99 AC / 3,658,555 SF
TREE CLEARING AREA: 0.59 AC / 43,137 SF
FENCED AREA: 81.54 AC / 3,551,787 SF
FENCE LENGTH: 11,662 LF
WETLAND DISTURBANCE AREA: 0 AC / 0 SF
IMPERVIOUS AREA: 35.14 AC / 1,530,875 SF
ACCESS ROAD AREA: 3.74 AC / 163,060 SF
TOTAL EQUIPMENT PAD AREA: 0.513 AC / 22,359 SF

SYSTEM INFORMATION

NUMBER OF PANELS: 46,188
PANEL SELECTION: HANWHA Q CELLS - Q.TRON XL-G2
RACKING TYPE: FIXED TILT, CONTINUOUS ROW
MODULE WATTAGE @ STC: 630 W
DC CAPACITY: 29,000 kW
AC CAPACITY: 20,000 kW
DC/AC RATIO: 1.45:1
ROW SPACING: 12.59 LF
PITCH: 28.43 LF
GROUND COVERAGE RATIO: 55.5%
LEADING EDGE MINIMUM HEIGHT: 2 FT
MAXIMUM HEIGHT: 15 FT
TILT: 15 DEGREES
AZIMUTH: 180 DEGREES

SITE LEGEND

- PROPERTY BOUNDARY
- 100' BUILDING SETBACK
- WETLAND & STREAM
- RESOURCE PROTECTION AREA
- ACCESS ROAD
- MAINTAINED NATURAL LANDSCAPE BUFFER
- SOLAR PANELS



KCI TECHNOLOGIES, INC.
814 ROBERTSON ROAD
SHIRLEYVILLE, VIRGINIA 23152
410.316.7825 | www.kci.com

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111 SPEEN STREET, SUITE 410
FRAMINGHAM, MA 01701
1-816-AMERESCO

SHACKLEFORDS SOLAR FACILITY

BUENA VISTA ROAD
SHACKLEFORDS, VIRGINIA 23156
KING AND QUEEN COUNTY

CONDITIONAL USE PERMITTING

REVISIONS

NO	DATE	DESCRIPTION

COA APPROVAL OF DESIGN:
CLIENT SHALL REVIEW AND EITHER ACCEPT OR
REJECT THESE DESIGN DOCUMENTS PREPARED
BY KCI TECHNOLOGIES, INC. PRIOR TO THE
CONTINUATION OF ANY FURTHER WORK.

BY SIGNING AND DATING BELOW, I AM ACCEPTING
THESE DOCUMENTS IN THEIR ENTIRETY AND
APPROVE THE STATE OF CONSTRUCTION
DOCUMENTS.

DATE: 10/14/2026
DRAWN BY: KCI
REVIEWED BY: KCI
APPROVED BY: KCI

PRELIMINARY
NOT FOR
CONSTRUCTION

DATE: 10/14/2026
DRAWN BY: KCI
REVIEWED BY: KCI
APPROVED BY: KCI
KCI PROJECT NO.: 00000477_000
SHEET NAME

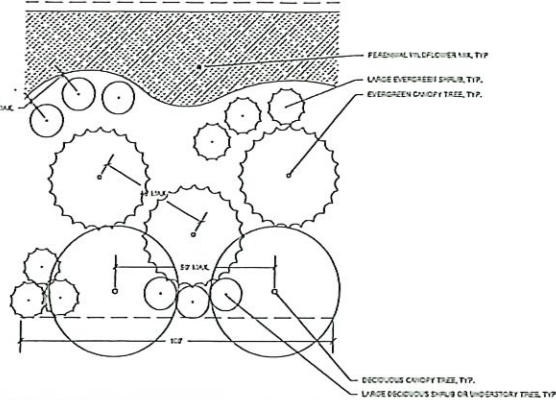
EXH-0 OVERALL SITE
PLAN EXHIBIT

SHEET NO.

EXH-0

Exhibit A-1

OPAQUE LANDSCAPE BUFFER (AS NEEDED)





SITE LEGEND	
SYMBOL	DESCRIPTION
[Pattern]	SIGHT DISTANCE CLEAR ZONE
[Pattern]	VEHICULAR GRAVEL PAVING
[Pattern]	MAINTAINED NATURAL LANDSCAPE BUFFER
[Pattern]	OPaque LANDSCAPE BUFFER
[Pattern]	BUILDING SETBACK
[Line]	FENCE LINE
[Line]	LIMIT OF DISTURBANCE
[Symbol]	SOLAR PANEL
[Symbol]	ELECTRICAL EQUIPMENT
[Symbol]	UTILITY POLE



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SHACKLEFORDS SOLAR FACILITY

BUENA VISTA ROAD
SHACKLEFORDS, VIRGINIA 23156
KING AND QUEEN COUNTY

CONDITIONAL USE PERMITTING

REVISIONS		
NO.	DATE	DESCRIPTION

COA: APPROVAL OF DESIGN:
CLIENT SHALL REVIEW AND EITHER ACCEPT OR REJECT THESE DESIGN DOCUMENTS PREPARED BY KCI TECHNOLOGIES, INC. PRIOR TO THE CONTINUATION OF ANY FURTHER WORK.

BY SIGNING AND DATING BELOW, I AM ACCEPTING THESE DOCUMENTS IN THEIR ENTIRETY AND APPROVE THE START OF CONSTRUCTION DOCUMENTS.

CLIENT SIGNATURE: _____ DATE: _____

SEAL:

PRELIMINARY
NOT FOR
CONSTRUCTION

DATE: 09/24/2025
DRAWN BY: KCI
REVIEWED BY: KCI
APPROVED BY: KCI

KCI PROJECT NO.: 00000977_0011
SHEET NAME:

OVERALL SITE PLAN

SHEET NO.:
CS-100

Exhibit B

King & Queen County Land Development Application

Planning & Zoning Department
P.O. Box 177
King & Queen Courthouse, VA 23085
Phone: (804) 785-5975 or (804) 769-5000
Fax: (804) 785-5999 or (804) 769-5070

**Please print in ink or use a typewriter*

Applicant: Saluda VA Solar LLC

Applicant's Address: 111 Speen St, Suite 410, Framingham, MA 01701

Applicant's Phone: 508-598-3088

Agent (Contact Person): Tucker Healy

Agent's Address: 111 Speen St, Suite 410, Framingham, MA 01701

Current Property Owner: Shirleyville LLC, William E. Moyer II

Owner's Address: Buena Vista Road, Shacklefords, VA 23156

Owner's Phone: Contact Applicant

Correspondence to be sent to: ☒ Applicant ☐ Owner ☐ Agent ☐ Other

Tax Map Number: Map ID: 23 66L 665A Magisterial District: Buena Vista

General Project Location: 0 Buena Vista Rd, Shacklefords, VA 23156

Size of Request: 154 acres

*Are Proffer's being offered along with this Application: YES ☒ or NO ☐ . If so please attach.

Check Appropriate Request:

Zoning Administrator

☐ : Site Plan (Level 1)
☐ : 1-2 Lot Subdivision Request
☐ : Family Subdivision Review
☐ : Boundary Line Adjustment
☐ : Plat Approval

Planning Commission

☐ : Site Plan (Level 2)
☐ : Chesapeake Bay Exception
☐ : Other
☐ : Final Plat Review for Minor & Major Subdivision

Planning Commission & Board of Supervisors

☐ : Rezoning
☒ : Conditional Use Permit
☐ : Zoning Ordinance Text Amendment
☐ : Subdivision Ordinance Text Amendment
☐ : Site Plan (Level 3)
☐ : Other
☐ : Preliminary Plat Review for Minor & Major Subdivision

Board of Zoning Appeals

☐ : Administrative Appeal
☐ : Variance
☐ : Special Exception
☐ : Other

RECEIVED
8/16/2016

King & Queen County Land Development Application

Complete As Applicable:

Name of Subdivision, Development, or Proposal: Shacklefords Solar Facility

Proposal/Request: Requesting a Conditional Use Permit for a Solar Project

Reason for Request: The applicant is requesting a Conditional Use Permit on an Agricultural Zoned parcel for the development of a solar energy facility

Applicant: The information provided is accurate to the best of my knowledge. I acknowledge that any percolation tests, topographic studies, or other requirements of the Health Official or the Zoning Administrator will be carried out at my expense. I understand that the County may deny, approve, or conditionally approve that for which I am applying. I certify that all property corners have been clearly staked and flagged.

Applicant's Signature: DocuSigned by:
Jonathan Mancini
A3BAE4B98818420...

Date: 7/26/2026

Owner: I have read this completed application, understand its content, and freely consent to it's filing. If this application is for the purpose of subdivision, further subdivision of this property will require a new application and approval by the Board of Supervisors. Furthermore, I grant permission to the Zoning Administrator and the other County Officials to enter the property and make such investigations and tests as they deem necessary.

Owner's Signature: Signed by:
Kathleen and William E Moye
FF66EBBF0C24B438...

Date: 7/24/2026

RECEIVED
R 10/22/26

CONDITIONAL USE PERMIT APPLICATION

Applicant:

Ameresco, Inc.

20 Winthrop Square
Boston, MA 02120

October 19, 2026

Prepared for:

King and Queen County, Virginia
Planning & Zoning Department

 Prepared by:

Gentry Locke Attorneys
919 E Main St Suite 1130, Richmond, VA 23219
Tel: 804-956-2074 | gentrylocke.com



GENTRY LOCKE
Attorneys

Conor O'Donnell
odonnell@gentrylocke.com
P: 804.956.2074
F: 540-983-9400

October 19, 2026

Donna E. Sprouse, Director of Community Development
King and Queen County Planning and Zoning Department
242 Allens Circle, Suite L
King and Queen C.H., VA 23085

Re: Conditional Use Permit Application for Saluda VA Solar LLC

Dear Ms. Sprouse:

Please accept the enclosed application package on behalf of Saluda VA Solar LLC (the "Applicant") for a Conditional Use Permit application to allow the development of the proposed Shacklefords Solar Facility (the "Project"), an "Energy Generation Facility (by Natural Resources Only)" – more specifically, a solar generation facility – as described in Section 3.82 of the King and Queen County Zoning Ordinance and pursuant to Virginia Code §§ 15.2-2288.7 and 15.2-2288.8.

The Project is proposed on a single 154-acre parcel identified as Tax Map ID 23-66L-665A (the "Property"), which is zoned Agricultural. Upon completion, the Project is expected to generate approximately 20 megawatts of alternating current (MWAC), providing a reliable source of clean, renewable energy to support local and regional energy needs.

We look forward to working with the County as these applications move forward. Please contact me at 804-956-2074 or odonnell@gentrylocke.com should you have any questions or require additional information.

Regards,
GENTRY LOCKE

Conor O'Donnell
Senior Land Use Planner

Contents

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Project Narrative.....	4
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Overview

Below for your consideration is information pertaining to a Conditional Use Permit ("CUP") application submitted by Gentry Locke Attorneys ("Agent") on behalf of Saluda VA Solar LLC ("Applicant"). The Applicant requests approval of a CUP pursuant to the applicable provisions of the Zoning Ordinance to establish an "Energy Generation Facility (by Natural Resources Only)," specifically a solar energy generation facility, and Virginia Code § 15.2-2288.7 which requires that a special exception for a solar facility in any zoning district be considered pursuant to § 15.2-2288.8.

The proposed Shacklefords Solar Facility (the "Project") is located on a 154-acre parcel identified as Tax Map ID 23-66L-665A (the "Property"), located on Buena Vista Road near its intersection with Jonestown Road. The Property is situated within the Buena Vista Magisterial District and is currently zoned Agriculture. Upon completion, the Project is expected to generate approximately 20 megawatts of alternating current (MWAC) and will provide a reliable source of clean, renewable energy to support local and regional energy needs.

Project Narrative

Applicant & Facility Owner

Ameresco is a leading energy solutions provider with more than two decades of experience developing, financing, constructing, owning, and operating renewable energy projects across North America. With extensive expertise in distributed generation, energy infrastructure, and long-term asset management, Ameresco has successfully delivered hundreds of energy projects for utilities, municipalities, government agencies, commercial customers, and private landowners. As a long-term owner and operator, Ameresco approaches each project with a focus on quality design, responsible development, and building lasting partnerships with the communities in which it invests.

Ameresco's solar development portfolio includes projects ranging up to 50 MWAC, with a strategic focus on facilities between 3 MWAC and 25 MWAC. This project size is intentionally targeted to efficiently utilize existing electric distribution infrastructure, providing a more predictable interconnection process while minimizing the need for significant transmission system upgrades. This approach enables Ameresco to develop well-sited, distributed generation projects that are technically sound, economically viable, and compatible with surrounding land uses.

Within the Commonwealth of Virginia, Ameresco currently has approximately 25 solar projects in various stages of development, including projects progressing through interconnection studies, engineering, local permitting, construction, and commercial operation. This active development portfolio demonstrates Ameresco's familiarity with Virginia's regulatory framework, local land use

processes, utility coordination, and stakeholder engagement. Supporting these efforts is Ameresco's dedicated Operations and Maintenance (O&M) organization, which provides comprehensive asset management, monitoring, preventative maintenance, and long-term operational support throughout the life of each facility.

Ameresco's experience as a developer, owner, and operator provides confidence that this project will be responsibly designed, constructed, and maintained in accordance with all applicable local, state, and utility requirements. The company is committed to being a long-term partner to the community by developing projects that generate reliable clean energy, provide lasting economic benefits, and operate safely and responsibly for decades.

Project Specifics

Project Location, Existing Conditions, and Surrounding Land Use

The Project is located south and east of Stratton Major Road, north of Jonestown Road, and west of Buena Vista Road, between 2668 Buena Vista Road and 3452 Buena Vista Road in the Buena Vista Magisterial District. The Property has historically been utilized for timber production and was most recently timbered in 2021. The overall parcel encompasses approximately 154 acres; however, the proposed Project will have a limited total disturbance area of approximately 90 acres.

The Property and surrounding parcels are currently zoned Agriculture. Existing surrounding land uses consist primarily of actively managed agricultural fields, forested areas, timberland, and scattered single-family residential dwellings. Mature forest vegetation is present along much of the Property boundary and provides existing visual screening resulting from prior silvicultural activities. This existing vegetation will continue to serve as a natural buffer between the Project and neighboring properties.

The nearest single-family residence is located south of the Property, approximately 695 feet from the closest equipment associated with the proposed solar facility. A substantial buffer of existing mature forest vegetation, ranging from approximately 100 to 350 feet in width in various points along the property line, separates the residence from the proposed solar equipment, providing effective visual screening and additional separation from Project components. In locations where existing vegetation does not provide adequate screening, supplemental vegetative buffers will be installed to further enhance visual mitigation. The next closest residences are located at least 750 feet from the nearest Project equipment. Most of these residences benefit from similar separation and visual buffering provided by existing mature vegetation, which further minimizes views of Project components and enhances compatibility with the surrounding landscape.

Site Characteristics and Existing Conditions

The Project site consists primarily of previously managed forestland and areas historically used for timber production. Existing site conditions reflect historic silvicultural use of the Property, with mature forest stands remain along portions of the Property boundaries, while interior portions of

the site were replanted following timber harvesting activities conducted in 2021.

The surrounding landscape is characterized by a mix of agricultural operations, managed forest resources, and low-density residential development.

Compatibility and Infrastructure Considerations

The Project is designed to be compatible with the existing agricultural character and land uses in the surrounding area. The existing setbacks, mature forest buffers, and limited disturbance area help minimize potential visual and operational impacts to neighboring properties. The Project will be designed and operated in compliance with applicable local noise standards, with equipment placement and vegetative buffers providing additional separation from nearby residences. The Project will not require the extension of public infrastructure or the installation of new public utilities, such as water or sewer service. The facility will interconnect with existing electrical distribution infrastructure, minimizing the need for additional utility construction and reducing potential impacts associated with new infrastructure development.

Community Engagement and Outreach

Ameresco has made a proactive effort to engage neighboring property owners and provide opportunities for community input throughout the development of the proposed Project. An initial community meeting was held in January 2025 to introduce the Project, answer questions, and receive feedback from residents. The meeting was well attended, and attendees raised several topics for consideration, including potential visual impacts, stormwater management, traffic during construction, and concerns regarding the conversion of productive farmland for solar development. Feedback received during the meeting was incorporated into the project's ongoing evaluation and design process as development continued.

Following a period during which the Project was temporarily placed on hold, Ameresco resumed development activities and hosted a second community outreach event on April 21, 2026. Rather than a traditional public meeting, this event was conducted as an on-site open house, allowing neighbors to visit the property, better understand the existing site conditions, view the proposed project location firsthand, and ask questions directly to the project team. Hosting the meeting on-site also provided an opportunity to address questions raised during the initial community meeting, particularly those related to visual impacts and concerns regarding the conversion of productive farmland for solar development by allowing residents to observe firsthand that, while the property is zoned Agricultural, the proposed project is not located on land that is being actively used as productive farmland and is in fact on land that was recently disturbed due to timbering operations. While invitations were extended to surrounding property owners, attendance at the on-site meeting was limited, with no formal attendees beyond several neighboring residents who acknowledged the event while passing by the site.

Ameresco values early and transparent communication with the community and remains committed to continuing that dialogue throughout the permitting, construction, and operational

phases of the project.

Community Meeting Summaries

<u>Date</u>	<u>Meeting Type</u>	<u>Summary</u>
January 30, 2025	Community Information Meeting	Well attended. Residents provided feedback regarding visual impacts, stormwater management, construction activities, and concerns related to the conversion of productive farmland for solar development.
April 21, 2026	On-Site Community Open House	Held after the project resumed development to provide an opportunity for neighbors to visit the site, better understand existing conditions, and discuss questions raised during the initial meeting. No formal attendees were present.

Potential Development Impacts and Mitigation

Landscape Buffers

The Project would maintain the existing 100 to 350-foot natural vegetative buffer currently along the property boundaries. Specified areas that cannot maintain this natural vegetative buffer will be supplemented with a staggered vegetative screening plan consisting of deciduous, evergreen, and shrub plantings as depicted in the attached plans.

Setbacks

The Project's proposed setbacks exceed all required setbacks outlined in the County Ordinance, as outlined in the table below.

Development Standard	Required	Provided
Front Yard Setback	100 ft	397 ft
Side Yard Setback	40 ft	100 ft
Rear Yard Setback	25 ft	100 ft
Roadway Frontage	300 ft	1,785 ft
Maximum Height	N/A	15 ft

The Project design maintains an approximately 700-foot setback between the nearest solar panels and the closest residence. All other nearby residences are located more than 750 feet from the

nearest Project equipment, providing substantial separation between the facility and surrounding homes.

Noise

Noise emanating from the Project will be limited to the electrical equipment housed at the centrally located equipment pads. This noise primarily emanates from the proposed central inverters during energy production hours. The Project utilizes centrally located inverters with a 79 dBA rating measured 1 meter from the equipment.

The current project design provides an approximate 500' setback between the closest property boundary to the nearest equipment pad. Preliminary calculations yield an approximate dBA level of 41 dBA at the nearest property line.

The current project design also provides an approximate 1000' setback between the closest residential structure to the nearest equipment pad. Preliminary calculations yield an approximate dBA level of 35 dBA measured at the nearest residential structure.

The applicant is willing to provide a formal noise study to support this analysis upon request.

Glint/Glare

The proposed project design utilizes south facing fixed tilt panels facing perpendicular to Buena Vista Road with substantial vegetative screening surrounding the facility. Accordingly, the project does not anticipate any glint or glare impacts on traffic or abutters.

Additionally, an Obstruction Evaluation/Airport Airspace Analysis pre-screening analysis was completed at this location and did not require further evaluation by the Federal Aviation Administration.

Traffic

During construction, the Project will have a minor impact on local traffic due to on-site construction worker passenger vehicle traffic and scheduled major equipment deliveries. To ensure the safe and efficient movement of oversized or heavy-haul equipment, the Applicant will retain, at Applicant's expense, private traffic control staff to provide traffic control and escort services, as necessary, during major equipment deliveries. These measures will be coordinated with the appropriate public safety agencies and implemented to minimize disruptions to the traveling public.

During operation, the Project will have negligible long-term traffic impacts during operation of the facility with traffic being limited to infrequent operations and maintenance activities on site.

Due to the significant traffic speed observed at the site entrance on Buena Vista Road, the

applicant is currently completing a Traffic Impact Analysis to maximize line of sights at the site entrance and promote safe entrance and exit to Buena Vista Road. The project will meet all VDOT requirements at the site entrance and is open to accommodating commercially-reasonable equipment delivery windows to minimize local traffic impacts.

Stormwater

The Applicant has completed a preliminary stormwater analysis to mitigate stormwater quantity and quality impacts from the construction of the proposed solar facility. The initial stormwater analysis shows anticipated compliance with all DEQ stormwater standards and requirements. Proposed grading, drainage plans, stormwater management practices, and erosion control measures are outlined in the attached site plans.

Further adjustments and supplements to the stormwater and erosion control plans are anticipated in the County's Site Plan Approval and Virginia DEQ review process.

Potential Environmental Impact and Mitigation

Wetlands

A formal wetlands delineation was completed in November 2024, and the results of the wetlands delineation are overlayed on the included site plans. The Project has been designed to avoid all wetlands to ensure zero impact. A 100-foot resource protection area buffer is also depicted on the site plans.

Wildlife Habitats

A threatened and endangered species review was completed in October 2024; the results of the threatened and endangered species review found no documented threatened or endangered species within a 2-mile radius of the project site, and no designated critical habitats at the project site.

As applicable, the project intends to avoid tree clearing within specified restricted windows to mitigate concerns of incidental take of endangered bat species.

Environmental, Cultural, and Historic Resources

The applicant conducted a review of available state and federal databases which indicated no documented sensitive natural heritage resources, no previously recorded archaeological sites, and no documented threatened and endangered species are present within the project area.

According to the Virginia Department of Conservation and Recreation (DCR), no natural heritage resources have been identified within the project area. Similarly, the Virginia Department of Wildlife Resources (DWR) reports no documented threatened or endangered species within a two-

mile radius of the site.

The U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) system identifies the northern long-eared bat (*Myotis septentrionalis*), tricolored bat (*Perimyotis subflavus*), monarch butterfly (*Danaus plexippus*), and bald eagle (*Haliaeetus leucocephalus*) as species that may occur in the broader vicinity of the project. However, no designated critical habitat for these species has been identified within the project area.

Financial Impact

Based on Virginia's Revenue Share framework, which King and Queen County has adopted, the 20 MWAC Project will generate approximately **\$1.19 million in direct revenue share payments** to the locality over a 30-year operating period. This revenue is generated without requiring additional public infrastructure investments or long-term County service obligations.

Years	Rate (\$/MW)	Annual Payment (20 MW)	Period Total
1-5	\$1,540.00	\$30,800	\$154,000
6-10	\$1,694.00	\$33,880	\$169,400
11-15	\$1,863.40	\$37,268	\$186,340
16-20	\$2,049.74	\$40,995	\$204,974
21-25	\$2,254.71	\$45,094	\$225,471
26-30	\$2,480.19	\$49,604	\$248,019
Total (30 Years)	—	—	\$1,188,204

In addition to the revenue share payments, the Applicant intends to negotiate a siting agreement that will provide additional contributions to the County, which may be used to support capital projects and other priorities identified in the County's Capital Improvement Plan. The Project is also expected to generate additional local tax revenue through increased real estate assessments associated with the underlying property, providing a long-term fiscal benefit to the County.

Regulatory Conformance

Conformance with Zoning Ordinance

The King and Queen County Zoning Ordinance does not currently contain a solar-specific ordinance or standards governing utility-scale solar facilities. However, the previously approved Walnut Solar project provides a useful precedent and includes a comprehensive set of conditions that can serve as a foundation for the proposed Shacklefords Solar Facility. A copy of the proposed conditions, which are largely modeled after the Walnut Solar approval, is included in **Appendix B** for the County's consideration.

Conformance with Comprehensive Plan

Comprehensive Plan Consistency Analysis – Section 15.2-2232 Substantial Accord Determination

Purpose

This analysis evaluates whether the proposed 20-megawatt utility-scale solar energy facility located off Buena Vista Road (Route 14) near Johnson Road in the Buena Vista Magisterial District is substantially in accord with the King and Queen County Comprehensive Plan 2030 (Updated January 2025) as required by Section 15.2-2232 of the Code of Virginia.

Overall Vision of the Comprehensive Plan

The Comprehensive Plan establishes that King and Queen County seeks to "preserve its rural atmosphere while "encouraging new development of appropriate scale and character." The Plan further states that it is intended to encourage "diverse economic development activities with sensitivity to both the rural community and natural environment" (Introduction, pp. 5-6).

The proposed solar energy facility directly supports this vision by representing a low-intensity, infrastructure-light form of economic development that preserves the property's open rural character while providing a significant private capital investment within the County.

Goal 2 – Economic Development

The Comprehensive Plan identifies as one of its primary goals: "Support and promote the County's existing economic base while exploring other economic development opportunities...to strengthen and expand the economy" (p. 9).

The Plan further states that the County seeks to:

- expand the non-residential tax base;
- attract capital-intensive industries;
- encourage industries with minimal public infrastructure demands; and
- diversify the local economy while preserving rural character (pp. 15-18).

The proposed solar facility advances these policies because it:

- represents a significant private capital investment;
- increases local tax revenues;
- requires no public water or sewer infrastructure;
- places minimal demands on schools, emergency services, or other County facilities;
- creates temporary construction employment while supporting local contractors; and
- diversifies the County's economic base through renewable energy infrastructure.

Importantly, the Comprehensive Plan states that King and Queen County seeks industries that are "capital intensive" while placing limited demands on County infrastructure (Future Strategies, p. 18). A utility-scale solar facility closely matches this policy objective.

Goal 4 – Land Use

The Comprehensive Plan embraces "Smart Growth" principles by promoting "a balanced mix of residential, commercial, and economic development uses" while encouraging "well-planned development opportunities" (Goal 4, p. 10).

Chapter 4: Land Use further explains that future land use decisions should:

- protect the County's small community atmosphere;
- provide well-situated development areas;
- accommodate future economic growth; and
- produce positive community-wide benefits while minimizing adverse impacts (pp. 33-34).

The proposed solar project is consistent with these objectives because:

- it maintains the site's predominantly open rural character;
- avoids permanent residential or commercial development;
- generates minimal daily traffic following construction;
- utilizes existing electrical distribution infrastructure;
- can be decommissioned at the end of its operational life, allowing the property to return to agricultural or other rural uses.

Goal 6 – Natural Resources

The Comprehensive Plan establishes a goal to: "Enhance, protect, and preserve King and Queen County's valuable environmental resources..." (Goal 6, p. 10). Chapter 6 contains policies regarding environmental stewardship, protection of wetlands, water quality, Chesapeake Bay resources, and environmentally sensitive lands.

The proposed facility is consistent with these policies as the project design will comply with applicable erosion and sediment control, stormwater management, wetlands, and environmental permitting requirements. Existing vegetation, buffers, and natural drainage features will be preserved where practicable, and permanent groundcover beneath the solar arrays will reduce erosion and maintain pervious surfaces across much of the project area. In addition, conversion of the Property from actively managed timberland to a solar facility is expected to reduce the frequency of timber harvesting and associated soil disturbance, helping to preserve site stability and protect environmental resources over the long term.

Transportation

The Comprehensive Plan recommends that future development be compatible with the County's transportation system and that transportation improvements be commensurate with anticipated development (Chapter 3, pp. 23-26).

Unlike residential or commercial development, a utility-scale solar facility produces very little operational traffic. Following construction, the project will generate only occasional maintenance and inspection trips, resulting in negligible long-term impacts on the County's roadway network.

Construction traffic will be temporary and managed through VDOT-approved access permits, private traffic control staff for major deliveries, and other traffic management measures.

Community Character

Throughout the Comprehensive Plan, King and Queen County emphasizes preservation of its rural identity while allowing compatible economic development. The Plan specifically states that development should respect the County's traditions, culture, and rural community atmosphere while supporting orderly growth (Introduction, pp. 5-6).

The proposed solar facility preserves this character because:

- development remains low profile;
- substantial setbacks and vegetative buffers can screen the facility from adjoining roads and properties;
- no urban-scale infrastructure is introduced;
- lighting is minimal;
- noise is limited to normal inverter operation; and
- the site remains predominantly open space throughout the project's operating life.

Compared to more intensive forms of development that could occur through future subdivision or nuisance agricultural or silvicultural operations, the proposed use offers an option to help preserve the rural landscape envisioned by the Comprehensive Plan for future generations when the solar facility is decommissioned.

Fiscal Responsibility

The Comprehensive Plan recognizes the importance of attracting economic investment that broadens the tax base without requiring significant expenditures for public services (Chapter 2, Economic Development, p. 17).

The proposed solar project fulfills this objective by generating additional real estate and machinery and tools tax revenues while requiring virtually no additional demand for County schools, public utilities, law enforcement, or other governmental services.

Substantial Accord Determination

The King and Queen County Comprehensive Plan does not specifically identify utility-scale solar energy facilities as either encouraged or discouraged land uses. Instead, the Plan establishes broad policy objectives emphasizing:

- compatible economic development;
- preservation of rural character;
- protection of environmental resources;

- fiscally responsible growth;
- efficient use of existing infrastructure; and
- well-planned development that minimizes impacts on surrounding properties.

The proposed 20-megawatt solar energy facility is consistent with each of these policy objectives. The project represents a significant private investment that diversifies the County's economy, broadens the tax base, preserves open rural landscapes, minimizes demands on public infrastructure, and can be appropriately conditioned through the Conditional Use Permit process to address buffering, landscaping, decommissioning, stormwater management, and other site-specific considerations.

Based upon the goals, objectives, and implementation strategies contained within the King and Queen County Comprehensive Plan 2030, the proposed utility-scale solar energy facility is substantially in accord with the Comprehensive Plan pursuant to Section 15.2-2232 of the Code of Virginia.

Facility Design

The Project consists of a 20 MWAC fixed-tilt solar energy facility with an approximately 83.98-acre limit of disturbance located within an approximately 81.54-acre fenced area. The current design avoids impacts to jurisdictional wetlands and has been configured to take advantage of existing site conditions while minimizing impacts to adjacent properties and environmental resources. The facility will interconnect with an existing Dominion Energy 34.5-kV three-phase distribution line located along Buena Vista Road through attachment facilities proposed near the site entrance. Primary access to the facility will be provided directly from Buena Vista Road. Construction of the Project is anticipated to occur over an approximately nine- to twelve-month period and will include a limited number of major equipment deliveries, currently estimated at approximately eight to ten deliveries throughout the construction process.

The Project incorporates several security and safety features, including a seven-foot-tall perimeter fence, a Knox Box at the entrance gate to facilitate emergency response access, and emergency contact signage posted at the facility entrance. Existing natural vegetation will provide substantial visual screening around the facility, with natural vegetative buffers ranging from approximately 100 to 350 feet in width surrounding much of the Project area. These buffers are supplemented by Project setbacks that exceed County requirements, including approximately 700 feet between the nearest solar panels and the closest residence and more than 750 feet between all other nearby residences and the nearest Project equipment and electrical facilities. In locations where existing vegetation is insufficient to provide effective screening, supplemental landscaping consisting of staggered plantings of deciduous trees, evergreen trees, and shrubs will be installed in accordance with a county-approved landscape plan.

Operation and Maintenance

Ameresco employs in-house operations and maintenance staff that the applicant intends to deploy for the proposed project. Ameresco's operation and maintenance department includes continuous system monitoring for performance and failures, conducting routine bi-annual site visits to ensure equipment remains in good operating condition. Additionally, in the event of failure or non-production, Ameresco's operations and maintenance team will be alerted in the event of system non-performance or failure and perform non-routine maintenance on the facility as needed to bring the site back to good operating condition.

Project Decommissioning

The applicant is committed to the proper decommissioning of the proposed facility at the end of the life cycle of the project, or in the event of non-performance of the proposed facility. A financial security will be put in place with the County, or other authorities having jurisdiction, to ensure adequate funding is available to support the decommissioning of the facility in the unlikely event of abandonment and non-performance by the Applicant. The amount of this financial security shall be reviewed and approved by the AHJ and will be re-evaluated every five (5) years to ensure the amount is appropriate for market conditions. The applicant intends to address this requirement in the conditions of approval associated with this application.

Conclusion

Based on the information provided and the proposed conditions of approval, the Shacklefords Solar Facility represents a compatible and appropriate use of the Property that advances local, regional, and statewide energy objectives. The Project will generate approximately 20 MWAC of renewable energy, remain subject to the conditions of the Conditional Use Permit, and comply with applicable zoning, site design, buffering, landscaping, and environmental requirements. Furthermore, the proposed conditions are modeled after those successfully implemented for the previously approved Walnut Solar project, providing a proven framework to mitigate potential impacts on adjacent properties and the surrounding community.

For these reasons, the Applicant respectfully requests approval of the requested Conditional Use Permit to allow development of the Shacklefords Solar Facility. The Project represents a substantial investment in King and Queen County and will provide long-term public benefits through the generation of clean, reliable energy while preserving the rural character of the area through thoughtful site design and operational standards.

Saluda Property

King and Queen County, Virginia

WSSI #35349.01

Cultural Resources Assessment

August 2024

Prepared for:

KCI Technologies Inc.

936 Ridgebrook Road

Sparks, Maryland 21152

Prepared by:



5300 Wellington Branch Drive, Suite 100

Gainesville, Virginia 20155

Tel: 703-679-5600 Email: contactus@wetlands.com

www.wetlands.com

INTRODUCTION

This transmittal presents an assessment of the potential for locating cultural resources on the ±152.4-acre Saluda property in King and Queen County, Virginia. The property is located along the eastern side of Buena Vista Road (Rt.14) about 2,000 feet north of the intersection of that road and Jonestown Road (Exhibit 1). The project area is topographically situated on a broad dissected east-west trending ridge (Exhibit 2). Drainage is generally to the west into various unnamed streams, Gressitt Pond, and Hockley Creek which flows into the York River about 3 miles southwest of the project area. Based on a review of aerial photographs, the vegetation in most of the project area appears to be early-successional with more mature forest limited to riparian areas and other locations along the boundaries of the project area (Exhibit 3).

KNOWN CULTURAL RESOURCES IN OR NEAR THE PROJECT AREA

The following inventory of previously recorded cultural resources within and near the project area was established by using the Virginia Department of Historic Resources' (DHRs) online Virginia Cultural Resource Information System (V-CRIS), and by examining cultural resource files and reports at the Thunderbird Archeology office in Gainesville, Virginia.

Based on information available in V-CRIS, the project area has not been previously subjected to Phase I cultural resources investigation and no archeological sites are located within the project area or within a one-mile radius of the project area. Only one previously recorded architectural resource (Resource 049-0068) is located within an approximate one-mile radius of the center of the project area; four additional architectural resources and one archeological site have been previously recorded just beyond the one-mile radius (Exhibit 4). V-CRIS shows that very few cultural resources investigations have been previously conducted in this portion of the county. As such, the low number of resources likely relates to lack of prior survey.

Resource 049-0068 is Shackelfords Chapel, a two-story Greek Revival-style church built in 1857. The DHR determined Shackelfords Chapel not eligible for listing in the National Register of Historic Places (NRHP) in 2007 following private efforts to list the church in the NRHP.

The more remote previously recorded architectural resources in the project area vicinity include Resource 049-0101, the ca. 1820 William Anderson House; Resource 049-5087, ca. 1948 Cape Cod dwelling at 463 Taylorsville Road; Resource 049-5127, a ca.1936 house at 906 Stratton Major Road; and Resource 049-5143, a ca. 1896 Colonial Revival dwelling at 1335 Taylorsville Road. These resources have all been determined not eligible for listing in the NRHP by the DHR except for the William Anderson House which has not been formally evaluated in terms of eligibility for listing. Very limited information is available relevant to the one outlying archeological site, Site 44GL0231. The site dated to the 18th century and is reportedly associated with a structure depicted on a historic map.

ARCHEOLOGICAL SITE PROBABILITY

The following presents an assessment of the probability that archeological sites will occur within the project area based on topography, drainage, the presence of roads and historic map projection. This has not been field verified.

The probability of locating precontact sites generally depends on the variables of topography, proximity to water, and internal drainage; sites are more likely on well-drained landforms of low relief near water. The project area is situated on a broad and flat ridge that appears to be well drained by various unnamed streams. Due to these factors and the proximity of the project area to the York River, we feel there is a high probability that precontact period archeological sites and deposits could be located within the project area.

If precontact sites are present in plowed upland settings, they are not likely to require work beyond the recordation done at the Phase I level as plowing disturbs the context of the Native American sites and reduces the information potential of a particular site. Precontact sites found outside of an upland setting (e.g., floodplain) or in unplowed contexts could require additional work if preserved deposits are identified.

The probability of the occurrence of historic period sites largely depends upon the historic map search, the history of settlement in the area, the topography and the proximity of a particular property to historic roads. As previously noted, the project area is situated on a broad and flat ridge with access to water. As such, locations within the project area may have been attractive for settlement throughout the historic period. Settlement in the vicinity of the project area likely dates to the second half of the 17th century. By 1700, the population of King and Queen County numbered 4,306, making it the second most populous county in Virginia at that time (KQTM 2024). A preliminary review of available historic maps found no buildings or structures depicted within the project area. However, the absence of structures on historic maps does not eliminate the possibility of an archeological site being present within the property as it was common for tenant, slave, and African American properties to be excluded from these maps.

Seventeenth-, 18th-, and 19th-century sites, if present within the project area, will likely require additional archeological work; this is particularly true of dwellings that were occupied by enslaved African Americans or tenants, as these site types have been less intensively studied. Twentieth-century sites are not likely to be considered significant or require additional archeological work unless they contain unique, intact cultural materials that would contribute new research information.

RECOMMENDATIONS

If impacts to Waters of the United States are planned in association with the development of the project area or if the proposed project involves federal funding, loans, permits, and/or licenses, then the U.S. Army Corps of Engineers (COE) or other relevant federal agency

(HUD, FCC, FHA, etc.) can require a Phase I cultural resources investigation that is subject to review by the DHR in order to comply with Section 106 of the National Historic Preservation Act of 1966 (as amended). A Phase I could also be requested under county land-use review.

A Phase I cultural resources investigation could also be required if the project is subject to review under the Virginia Department of Environmental Quality's (DEQs) Permit by Rule (PBR) regulations developed under §10.1-1197.6 of the Code of Virginia for solar-powered electric generation projects. Additionally, it is also possible that the DEQ may request coordination with the DHR for projects that do not meet the threshold for PBR review.

A field survey and assessment of NRHP eligibility of all architectural resources and cultural landscapes that are 45 years old or older within the potential viewshed of the project area may also be required if the project is subject to review under PBR or under Section 106 review in association with Clean Water Act permitting. While no such resources have been previously recorded in the vicinity of the project area, at least one resource in the vicinity, the previously discussed William Anderson House, has not been evaluated. Although somewhat unlikely due to distance from the project area and extensive forested land in the area that would provide screening, the DHR may request a preliminary significance evaluation of that resource in association with PBR or Section 106 review.

While it is possible that the USACE or other relevant federal agency, DEQ, and/or the locality may not require a Phase I cultural resources investigation in association with the proposed project, or if required may be narrowly defined and/or specific in scope, please note that there is a potential for extended project delays if significant cultural resources are identified by any required studies. As such, in our opinion a Phase I cultural resources investigation should be conducted to determine if any significant cultural resources that may be eligible for listing in the NRHP are located within the project area.

References Cited

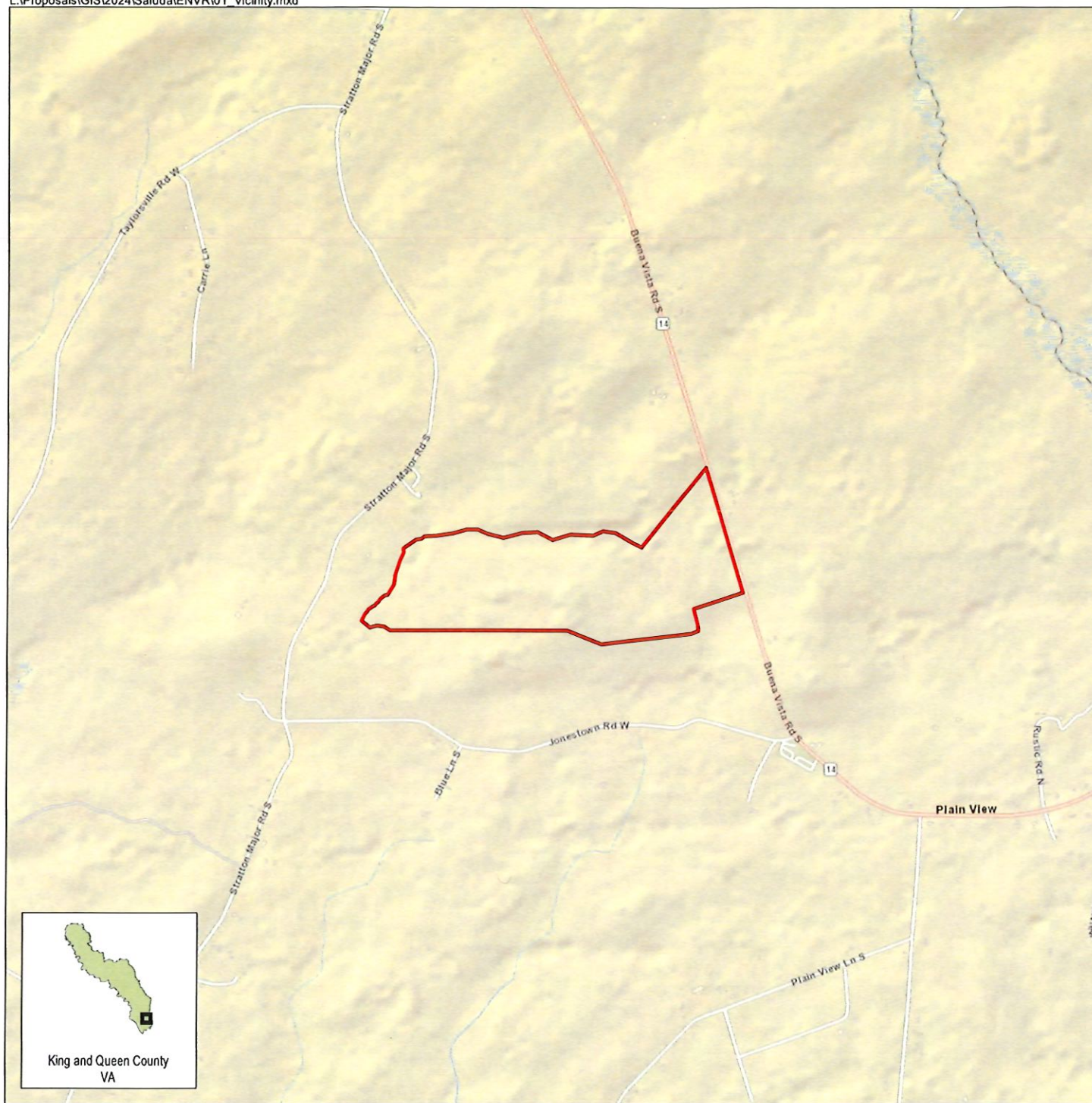
King & Queen Courthouse Tavern Museum (KQTM)

2024 "County History." Electronic document.

<https://www.kingandqueenmuseum.org/county-history/>, accessed October 2024.

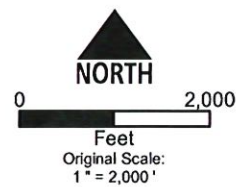
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EXHIBITS

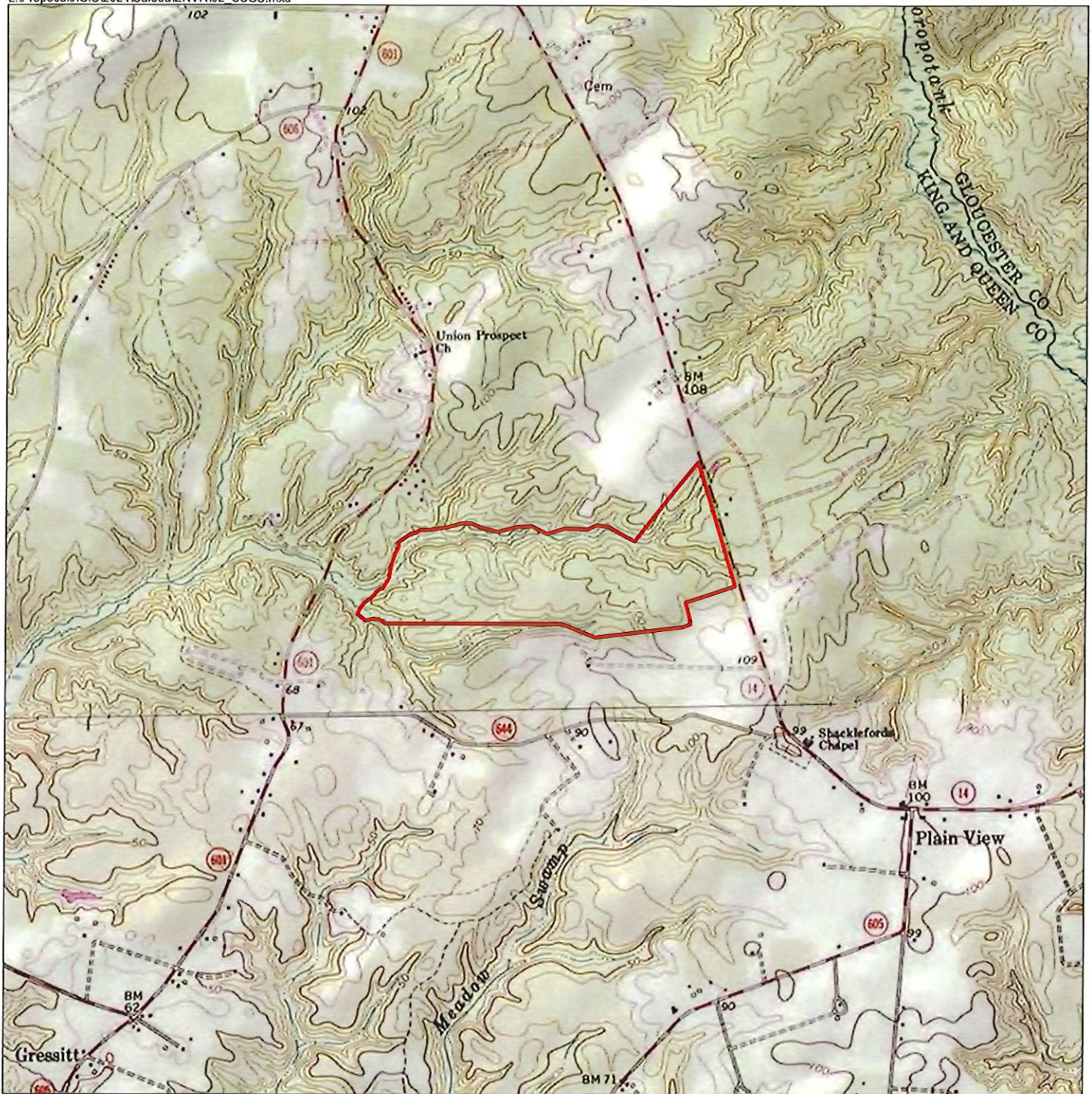


Project Area (± 152.4 acres)

Vicinity Map Saluda

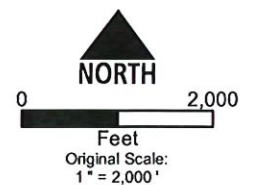


Source: World Street Map - ESRI



Project Area

USGS 7.5' Quadrangle Map Saluda

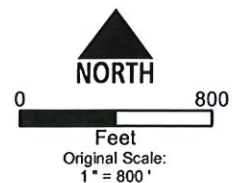


Shacklefords, VA 1989
 Latitude: 37°30'19"N
 Longitude: 76°41'7"W
 Hydrologic Unit Code (HUC): 020801070102
 HUC12 Name: Philbates Creek-York River
 COE Region: Atlantic and Gulf Coastal Plain



 Project Area

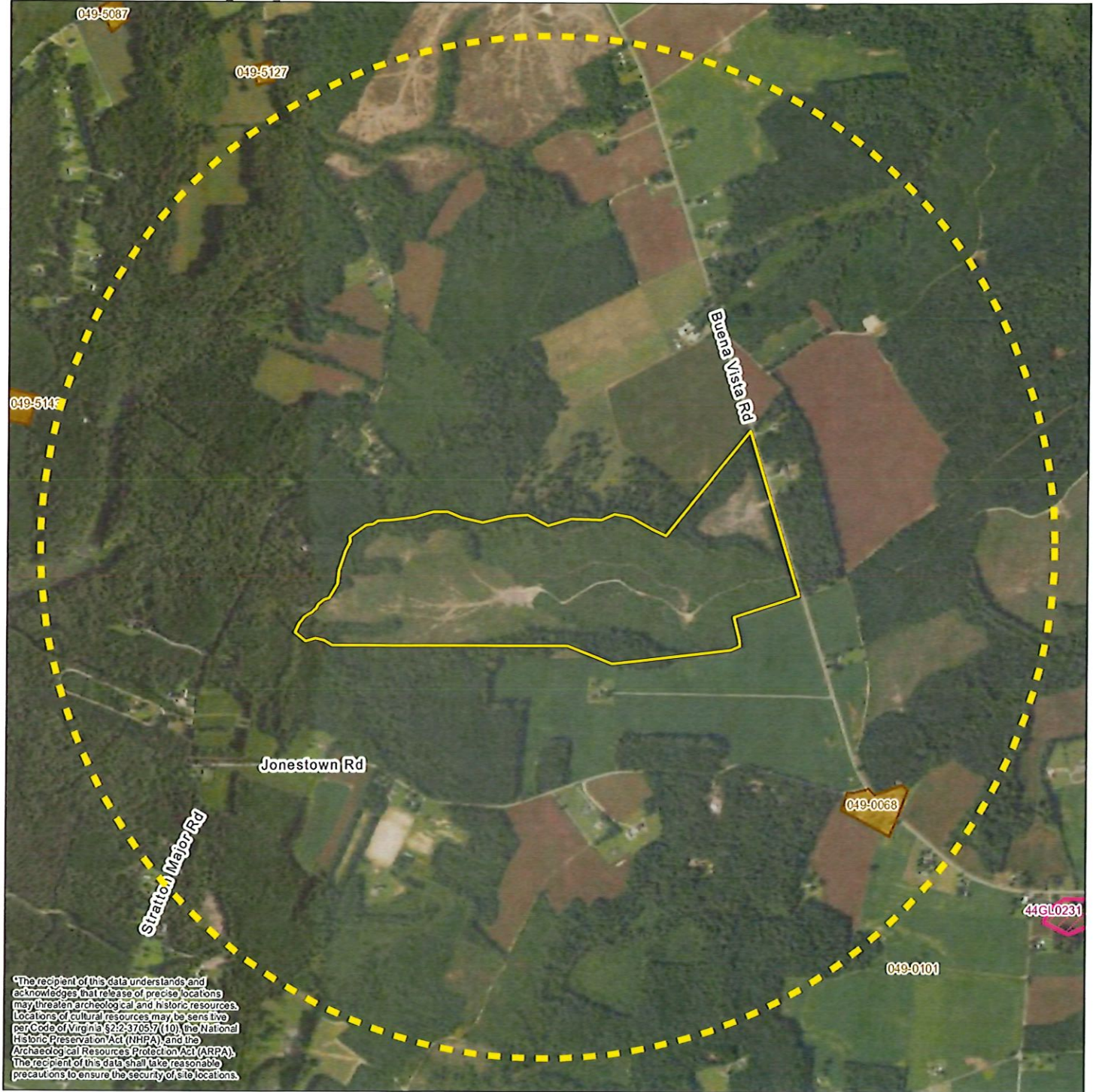
**Summer 2023 Natural Color Imagery
Saluda**



Source: National Agriculture Imagery Program (NAIP)

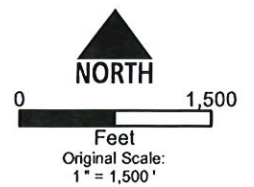
Wetland Studies and Solutions, Inc.
a **DAVEY** company

Exhibit 3



- Project Area
- Archeological Resource
- Architectural Resource
- 1 Mile Radius From Center of Project Area

Cultural Resources Map Saluda



Source: VA Department of Historic Resources (VDHR)* - December 14th, 2023
National Agriculture Imagery Program - 2018

CULTURAL RESOURCE FORMS

Property Information

Property Names

Name Explanation	Name
Current	Shackelfords Chapel
Current	Shackelfords Chapel United Methodist Church

Property Evaluation Status

DHR Staff: Not Eligible

Property Addresses

Alternate - Route 14
Current - 3727 Buena Vista Road

County/Independent City(s): King and Queen (County)

Incorporated Town(s): No Data

Zip Code(s): 23156

Magisterial District(s): No Data

Tax Parcel(s): No Data

USGS Quad(s): GRESSITT

Additional Property Information

Architecture Setting: Rural

Acreage: No Data

Site Description:

2007 PIF: Timber was cut in 2006 on acreage back (NW) of the church and loblolly pines were planted in March 2007.

1967: .5 mile northeast of Meadow Swamp.

1958: Located on Route 14, across from intersecting Route 644. Windows, ruins of older church across road.

2007 PIF: Brick walls and iron fences in the cemetery. Cemetery sited to the south of the church.

Surveyor Assessment:

2007 PIF: 1789Shackelfords Chapel has been an active Methodist congregation since 1789 according to a certificate from Cokesbury. The first chapel was a frame building across the road (Route 14) from the present building.

1797Francis Asbury preached here for 3 hours and was in the vicinity until 1781. Asbury was sent to the Colonies by John Wesley in 1771and was later known as the Bishop on Horseback.

1788 – 1859Minutes of the Gloucester Methodist Circuit are stored at Swem Library at The College of William and Mary and Shackelfords Chapel is mentioned many times as a meeting place and an active rural congregation.

1855A building committee was appointed to "dispose of the old church as they may deem best and with the promise and many already subscribed to contract for the building of a new church at Shackelfords." Members of this committee were, Rod Bland, Richard Shackelford, Beverly Anderson, and Curtis Roane.

1850 -1852The preacher in charge of Shackelfords, as well as the rest of the Gloucester Circuit was Lemuel Reed, Father of Dr. Walter Reed.

1858The building was dedicated by the Elder Doggett (later Bishop) on October 10, 1858.

1864During the Civil War years a quarterly meeting was interrupted by the Yankees according to The Charles A. Roane diary (1856-1872). There were many references to Union forces in the area.

Prominent Families belonging to this church over the years:

Anderson, Atkins, Bland, Bowden, Hart, Leigh, Lively, Milby, Post, Roane, Shackleford, Sutton, Trevilian.

Surveyor Recommendation: Legacy

Ownership

Ownership Category	Ownership Entity
Private	No Data

Associate

Property Associate Name	Property Associate Role
Reginsburg, Samuel A.	Builder

Primary Resource Information

Resource Category: Religion
Resource Type: Church/Chapel
NR Resource Type: Building
Historic District Status: No Data
Date of Construction: 1857
Date Source: Site Visit
Historic Time Period: Antebellum Period (1830 - 1860)
Historic Context(s): Funerary, Religion
Other ID Number: No Data
Architectural Style: Greek Revival
Form: No Data
Number of Stories: 2.0
Condition: Good
Threats to Resource: None Known
Cultural Affiliations: No Data
Cultural Affiliation Details:

No Data

Architectural Description:

2007 PIF:

Sand brick structure laid in American or common bond with 24-inch-thick walls; continuous brick foundation; windows 12 feet tall by 52 inches wide with 2 wood sashes, 9 panes each; front gable roof with asphalt shingles; 2 flue chimneys in side walls -not visible - caps removed from roof.

An addition was constructed on the rear of the 1857 40 ft x 50 ft building in 1962, measuring 20 ft x 37 ft
And 2 windows at the back were removed at that time.

An arcade and educational building were added on the east side in 1957.

1967 : Brick, one story, gable roof. Mid 19th century.

1958: Typical rectangular plan.

Exterior Components

Component	Component Type	Material	Material Treatment
Windows	Sash, Double-Hung	Wood	6/6
Windows	Sash, Double-Hung	Wood	9/9
Structural System and Exterior Treatment	Masonry	Brick	Bond, American
Chimneys	Interior stove flue	Brick	Bond, American
Foundation	Solid/Continuous	Brick	Bond, Common

Secondary Resource Information

Secondary Resource #1

Resource Category: Funerary
Resource Type: Cemetery
Date of Construction: 1771
Date Source: Date Stone/Cornerstone
Historic Time Period: Colony to Nation (1751 - 1789)
Historic Context(s): Funerary, Religion
Architectural Style: Other
Form: No Data
Condition: Good
Threats to Resource: None
Cultural Affiliations: No Data
Cultural Affiliation Details:

No Data

Architectural Description:

2007 PIF: Cemetery located to the south of the church and includes:
3 brick walls and
5 iron fences that surround family sections
1 marble marker for a veteran of the War of 1812
1 stone for Major Roderick Bland of the Militia
14 markers for Civil War veterans
6 head stones for World War I soldiers

Current Use: Church/Religious

Historic Religious Affiliation: Methodist

Ethnic Affiliation: No Data

Has Marked Graves: True

Has Unmarked Graves: False

Enclosure Type: Wall

Number Of Gravestones: 11 - 25

Earliest Marked Death Year: No Data

Latest Marked Death Year: No Data

Significant Burials

Marked Type	First Name	Last Name	Birth Year	Death Year
Other	Major Roderick	Bland	No Data	No Data

Historic District Information

Historic District Name: No Data

Local Historic District Name: No Data

Historic District Significance: No Data

CRM Events

Event Type: DHR Staff: Not Eligible

DHR ID: 049-0068

Staff Name: DHR

Event Date: 5/3/2007

Staff Comment

Shackelfords United Methodist Church, King and Queen County, DHR File Number 049-0068

The resource was originally considered on April 19, 2007. The minutes read: The original portion of the church is an 1857 rectangular brick section, laid in 5-course American bond, with a gable roof covered in asphalt shingles. Each side elevation has 3 large 9/9 double hung sash windows. A brick hyphen and educational building were added in 1967 to the south (front) elevation, forming an overall U-shape, and in 1962 a 1-story gable roofed annex was added to the rear of the original portion, necessitating the removal of 2 original windows. The property also includes a cemetery across Route 14, enclosed in brick and with graves from the mid-19th cemetery, as well as the potential ruins of the congregation's former church building, circa 1789. The resource was evaluated as locally significant under Criterion C (Architecture), with criteria consideration A (Religious Property), with a period of significance of 1858-1957. The committee deferred, pending more information from TRPO archaeologist Dave Hazzard and a site visit by Pam Schenian (TRPO assistant), and requested more information on the cemetery and the former church site. It noted that the architectural changes to the current church building could necessitate it being a secondary resource. Current meeting: After a site visit, Camille Bowman reported it was determined that no ruins of the earlier church exist, as had been thought possible from the aerial photography. What was thought to be ruins was in fact another gravestone. The committee recommended do not proceed to listing with 27 points.

Event Type: PIF Deferred

Project Review File Number: No Data

Investigator: DHR

Organization/Company: Unknown (DSS)

Photographic Media: No Data

Survey Date: 4/19/2007

Dhr Library Report Number: No Data

Project Staff/Notes:

Shacklefords United Methodist Church, King and Queen County, DHR File Number 049-0068
The original portion of the church is a 1857 rectangular brick section, laid in 5-course American bond, with a gable roof covered in asphalt shingles. Each side elevation has 3 large 9/9 double hung sash windows. A brick hyphen and educational building were added in 1967 to the south (front) elevation, forming an overall U-shape, and in 1962 a 1-story gable roofed annex was added to the rear of the original portion, necessitating the removal of 2 original windows. The property also includes a cemetery across Route 14, enclosed in brick and with graves from the mid-19th cemetery, as well as the potential ruins of the congregation's former church building, circa 1789. The resource was evaluated as locally significant under Criterion C (Architecture), with criteria consideration A (Religious Property), with a period of significance of 1858-1957. The committee deferred, pending more information from TRPO archaeologist Dave Hazzard and a site visit by Pam Schenian (TRPO assistant), and requested more information on the cemetery and the former church site. It noted that the architectural changes to the current church building could necessitate it being a secondary resource.

Surveyor's NR Criteria Recommendations: C - Distinctive Characteristics of Architecture/Construction

Surveyor's NR Criteria Consideration Recommendations: A - Religious Property, D - Cemetery

Phase II Intensive Survey Integrity Recommendations: Association, Feeling, Location, Materials, Setting, Workmanship

Event Type: PIF

Project Review File Number: No Data

Investigator: Trevilian, Mildred H.

Organization/Company: Unknown (DSS)

Photographic Media: No Data

Survey Date: 4/1/2007

Dhr Library Report Number: No Data

Project Staff/Notes:

No Data

Surveyor's NR Criteria Recommendations: C - Distinctive Characteristics of Architecture/Construction

Surveyor's NR Criteria Consideration Recommendations: A - Religious Property, D - Cemetery

Phase II Intensive Survey Integrity Recommendations: Association, Feeling, Location, Materials, Setting, Workmanship

Event Type: Survey:Phase I/Reconnaissance

Project Review File Number: No Data

Investigator: Fishburne, J.R.

Organization/Company: Unknown (DSS)

Photographic Media: No Data

Survey Date: 9/1/1967

Dhr Library Report Number: No Data

Project Staff/Notes:

No Data

Surveyor's NR Criteria Recommendations: C - Distinctive Characteristics of Architecture/Construction

Surveyor's NR Criteria Consideration Recommendations: A - Religious Property, D - Cemetery

Phase II Intensive Survey Integrity Recommendations: Association, Feeling, Location, Materials, Setting, Workmanship

Event Type: Survey:HABS Inventory

Project Review File Number: No Data

Investigator: Rayburn, A.K.

Organization/Company: Unknown (DSS)

Photographic Media: No Data

Survey Date: 8/7/1958

Dhr Library Report Number: No Data

Project Staff/Notes:

No Data

Surveyor's NR Criteria C - Distinctive Characteristics of Architecture/Construction

Recommendations:

Surveyor's NR Criteria A - Religious Property, D - Cemetery

Consideration Recommendations:

Phase II Intensive Survey Integrity Association, Feeling, Location, Materials, Setting, Workmanship
Recommendations:

Bibliographic Information

Bibliography:

No Data

Property Notes:

Name: Thomas Allen Haynes
Address 1: 133 Plain View Lane
City: Shacklefords
State: Virginia
ZIP: 23156

Property Information

Property Names

Name Explanation
Current

Name
Anderson, William, House

Property Evaluation Status

Not Evaluated

Property Addresses

Current - Route 605, Off

County/Independent City(s): King and Queen (County)

Incorporated Town(s): No Data

Zip Code(s): No Data

Magisterial District(s): No Data

Tax Parcel(s): No Data

USGS Quad(s): GRESSITT

Additional Property Information

Architecture Setting: No Data

Acreage: No Data

Site Description:

No Data

Surveyor Assessment:

No Data

Surveyor Recommendation: No Data

Primary Resource Information

Resource Category: Domestic

Resource Type: Single Dwelling

NR Resource Type: Building

Historic District Status: No Data

Date of Construction: Ca 1820

Date Source: Site Visit

Historic Time Period: Early National Period (1790 - 1829)

Historic Context(s): Domestic

Other ID Number: No Data

Architectural Style: No Data

Form: No Data

Number of Stories: 2.0

Condition: No Data

Threats to Resource: No Data

Cultural Affiliations: No Data

Cultural Affiliation Details:

No Data

Architectural Description:

No Data

Exterior Components

Component

Roof

Windows

Structural System and

Exterior Treatment

Component Type

Gable

Sash, Double-Hung

Frame

Material

Metal

Wood

Wood

Material Treatment

Standing Seam

6/6

Weatherboard

Windows
Chimneys
Foundation

Sash, Double-Hung
Exterior End
No Data

Wood
Brick
Brick

6/9
Bond, American
Bond, American

Secondary Resource Information

Secondary Resource #1

Resource Category: Agriculture/Subsistence

Resource Type: Smoke/Meat House

Date of Construction: Ca

Date Source: *No Data*

Historic Time Period: *No Data*

Historic Context(s): Domestic

Architectural Style: *No Data*

Form: *No Data*

Condition: *No Data*

Threats to Resource: *No Data*

Cultural Affiliations: *No Data*

Cultural Affiliation Details:

No Data

Architectural Description:

Architecture Summary: Frame with pyramidal shingle roof and single leaf door.

Number of Stories: 1

Historic District Information

Historic District Name: *No Data*

Local Historic District Name: *No Data*

Historic District Significance: *No Data*

CRM Events

Event Type: Survey:HABS Inventory

Project Review File Number: *No Data*

Investigator: VDHR

Organization/Company: Unknown (DSS)

Photographic Media: *No Data*

Survey Date: 1/1/1969

Dhr Library Report Number: *No Data*

Project Staff/Notes:

No Data

Bibliographic Information

Bibliography:

No Data

Property Notes:

No Data

Property Information

Property Names

Name Explanation Function/Location	Name
	House, 463 Taylorsville Road

Property Evaluation Status

DHR Staff: Not Eligible

Property Addresses

Current - 463 Taylorsville Road

County/Independent City(s): King & Queen (County)

Incorporated Town(s): No Data

Zip Code(s): 23156

Magisterial District(s): No Data

Tax Parcel(s): No Data

USGS Quad(s): SHACKLEFORDS

Additional Property Information

Architecture Setting: Rural

Acreage: 1

Site Description:

February 2018: On the south side of Taylorsville Road, there is a circa 1948 house with one equipment shed and two sheds. This building is situated on an approximately 1.00-acre parcel close to Taylorsville Road with a single-lane gravel driveway leading from Taylorsville Road to the south of the house. A mowed lawn with scattered mature trees and foundation plantings surround the house. Facing north, the building is set on a fairly-level grade with an opened agricultural field to the south and a tree line visible to the north. There is a painted-black metal lamppost situated between the house and driveway.

Surveyor Assessment:

February 2018: Site 049-5087, the circa 1948 house with one equipment shed and two sheds, appears to be occupied and in fair to good condition. The building does not possess any unique characteristics that would separate it from mid-20th century rural housing examples in King and Queen County. The design and workmanship of the building is undistinguished, and the construction materials are common (Criteria C). Further, the house is a Cape Cod cottage style house, which is common throughout King and Queen County and the Commonwealth of Virginia with several examples within the APE. A preliminary review of historic records including various maps and historical contexts for King and Queen County does not indicate significant contributions with events (Criteria A) or persons (Criteria B) associated with the property. Considering this, the building does not appear to be potentially eligible for the National Register of Historic Places under Criteria A, B, or C. Thus, Circa~ recommends no further architectural survey work on this resource.

Surveyor Recommendation: Recommended Not Eligible

Ownership

Ownership Category	Ownership Entity
Private	No Data

Primary Resource Information

Resource Category:	Domestic
Resource Type:	Single Dwelling
NR Resource Type:	Building
Historic District Status:	No Data
Date of Construction:	Ca 1948
Date Source:	Site Visit
Historic Time Period:	The New Dominion (1946 - 1991)
Historic Context(s):	Domestic
Other ID Number:	No Data
Architectural Style:	Vernacular
Form:	Cape Cod
Number of Stories:	1.5
Condition:	Fair
Threats to Resource:	None Known

Cultural Affiliations: *No Data*

Cultural Affiliation Details:

No Data

Architectural Description:

February 2018: This circa 1948, one-and-a-half-story, three-bay, steeply-pitched side-gable, Cape Cod cottage style, wood-frame house is clad in painted-white composition siding and rests on a Flemish-bond brick foundation with two central-interior Flemish-bond brick chimneys with corbelled caps. The roof is covered in asphalt shingles with metal gutters and downspouts. There is one front-gable dormer on the façade slope with paired, sash, double-hung, 6/6, wood-frame windows flanked by painted-black wood shutters. There is one shed roof dormer on the rear (south) slope. There is a one-bay, Flemish-bond brick stoop with two Flemish-bond brick steps that lead from the stoop to the front yard. Single and paired, sash, double-hung, 6/6, wood-frame windows flanked by painted-black wood shutters are typical on the façade and elevations. The entrance on the façade is a single-leaf, wood-panel door with lights covered by a metal storm door. There is a one-story, wood-frame screened-in porch on the rear (south) elevation.

There is a one-story, one-bay, steeply-pitched side-gable, wood-frame addition attached to the side (east) elevation clad in painted-white composition siding and resting on a Flemish-bond brick foundation. The roof is covered in asphalt shingles with metal gutters and downspouts. Sash, double-hung, 6/6, wood-frame windows are typical on the addition. No entrance is visible on the addition.

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Solid/Continuous	Brick	Flemish Bond
Structural System and Exterior Treatment	Wood Frame	Composite	Siding
Porch	Stoop/Deck	Brick	Square
Porch	1-Story Partial Width	Wood	Screened/Enclosed
Windows	Double-hung	Wood	<i>No Data</i>
Roof	Side Gable	Asphalt	<i>No Data</i>
Chimneys	Interior Central	Brick	Flemish Bond
Dormer	Gable	Wood	<i>No Data</i>
Dormer	Shed	Wood	<i>No Data</i>

Secondary Resource Information

Secondary Resource #1

Resource Category: Domestic
Resource Type: Shed - Vehicle
Date of Construction: 1948Ca
Date Source: Site Visit
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Domestic
Architectural Style: No discernible style
Form: *No Data*
Condition: Fair
Threats to Resource: None Known
Cultural Affiliations: *No Data*

Cultural Affiliation Details:

No Data

Architectural Description:

February 2018: To the south of the house, there is a circa 1948, one-story, one-bay, front-gable, wood-frame equipment shed clad in peeling painted-white wood siding resting on a concrete-block foundation. The roof is covered in standing-seam metal. No windows are visible on the equipment shed. The entrance on the façade is a single-leaf, painted-white vertical wood plank door.

There is a one-story, one-bay, shed roof, wood-frame addition attached to the side (east) elevation clad in peeling painted-white wood siding and resting on a concrete-block foundation. The roof is covered in standing-seam metal. No windows are visible on the addition. The entrance on the addition is a double-leaf, painted-white vertical wood plank door.

There is a one-story, one-bay, shed roof, wood-frame addition attached to the side (west) elevation clad in peeling painted-white vertical wood siding and resting on the ground. The roof is covered in standing-seam metal. No windows are visible on the addition. The north elevation of the addition is open.

Number of Stories: 1

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Solid/Continuous	Concrete	Block
Structural System and Exterior Treatment	Wood Frame	Wood	Siding

Property Information

Property Names

Name Explanation Function/Location	Name
	House, 906 Stratton Major Road

Property Evaluation Status

DHR Staff: Not Eligible

Property Addresses

Current - 906 Stratton Major Road

County/Independent City(s): King & Queen (County)

Incorporated Town(s): No Data

Zip Code(s): 23156

Magisterial District(s): No Data

Tax Parcel(s): No Data

USGS Quad(s): SHACKLEFORDS

Additional Property Information

Architecture Setting: Rural

Acreage: 1

Site Description:

February 2018: On the west side of Stratton Major Road, there is a circa 1936 house with one shed. This building is situated on an approximately 1.00-acre parcel away from Stratton Major Road with a single-lane dirt driveway leading from Stratton Major Road to the north of the house. An unkempt mowed lawn with scattered mature trees and overgrown plantings surround the house. Facing east, the building is set above grade on a fairly-level grade that slopes steeply to the east toward Stratton Major Road and to the north. There is evidence of tree removal on the eastern slope; the stumps have been left in place. There is a wooden utility pole to the northeast of the house and overhead utility lines run parallel to Stratton Major Road.

Surveyor Assessment:

February 2018: Site 049-5127, the circa 1936 house with one shed, appears to be occupied and in fair condition. The building does not possess any unique characteristics that would separate it from early- to mid-20th century rural housing examples in King and Queen County. The design and workmanship of the building is undistinguished, and the construction materials are common (Criteria C). Further, the house is a Minimal Traditional style house, which is common throughout King and Queen County and the Commonwealth of Virginia with several examples within the APE. A preliminary review of historic records including various maps and historical contexts for King and Queen County does not indicate significant contributions with events (Criteria A) or persons (Criteria B) associated with the property. Considering this, the building does not appear to be potentially eligible for the National Register of Historic Places under Criteria A, B, or C. Thus, Circa~ recommends no further architectural survey work on this resource.

Surveyor Recommendation: Recommended Not Eligible

Ownership

Ownership Category	Ownership Entity
Private	No Data

Primary Resource Information

Resource Category: Domestic

Resource Type: Single Dwelling

NR Resource Type: Building

Historic District Status: No Data

Date of Construction: Ca 1936

Date Source: Site Visit

Historic Time Period: World War I to World War II (1917 - 1945)

Historic Context(s): Domestic

Other ID Number: No Data

Architectural Style: Minimal Traditional

Form: No Data

Number of Stories: 1.0

Condition: Fair

Threats to Resource: None Known

Cultural Affiliations: No Data

Cultural Affiliation Details:

No Data

Architectural Description:

February 2018: This circa 1936, one-story, three-bay, side-gable, Minimal Traditional style, wood-frame house is clad in painted-red composition siding with one central-interior Flemish-bond brick chimney with a corbelled cap. The foundation is not visible due to overgrown vegetation and a large amount of debris around the foundation. The roof is covered in asphalt shingles. There is a one-story, full-width, wood porch under a shed roof supported by square wood posts. Two wood steps flanked by painted-red wood railings lead from the porch to the front yard. Single and paired, sash, double-hung, 1/1, wood-frame windows are typical on the façade and elevations. The entrance on the façade is a single-leaf, wood-panel door with lights covered by a metal storm door.

There is a one-story, one-bay, shed roof, wood-frame addition attached to the rear (west) elevation clad in painted-red composition siding. The foundation is not visible due to overgrown vegetation. The roof is covered in asphalt shingles. Paired, sash, double-hung, 1/1, wood-frame windows are typical on the addition. No entrance is visible on the addition.

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Not Visible	No Data	No Data
Structural System and Exterior Treatment	Wood Frame	Composite	Siding
Porch	1-Story Full-Width	Wood	Square
Windows	Double-hung	Wood	No Data
Roof	Side Gable	Asphalt	No Data
Chimneys	Interior Central	Brick	Flemish Bond

Secondary Resource Information

Secondary Resource #1

Resource Category: Domestic
Resource Type: Shed
Date of Construction: 1936Ca
Date Source: Site Visit
Historic Time Period: World War I to World War II (1917 - 1945)
Historic Context(s): Domestic
Architectural Style: No discernible style
Form: No Data
Condition: Fair
Threats to Resource: None Known
Cultural Affiliations: No Data
Cultural Affiliation Details:

No Data

Architectural Description:

February 2018: To the southwest of the house, there is a circa 1936, one-story, four-bay, shed roof, wood-frame shed clad in painted-green composition siding. The foundation is not visible due to overgrown vegetation. The roof is covered in corrugated metal. Sash, double-hung, 1/1, wood-frame windows are typical on the façade and elevations. The entrance on the facade is a single-leaf, wood-panel door with lights. The center bay of the façade is open.

Number of Stories: 1

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Not Visible	No Data	No Data
Structural System and Exterior Treatment	Wood Frame	Composite	Siding
Windows	Double-hung	Wood	No Data
Roof	Shed	Metal	No Data

Historic District Information

Historic District Name: No Data

Local Historic District Name: *No Data*
Historic District Significance: *No Data*

CRM Events

Event Type: DHR Staff: Not Eligible

DHR ID: 049-5127
Staff Name: Roger Kirchen
Event Date: 7/7/2020
Staff Comment
DHR Project File No. 2018-3356

Event Type: Survey:Phase I/Reconnaissance

Project Review File Number: 2018-3356
Investigator: Dawn Muir
Organization/Company: Circa~ Cultural Resource Management, LLC
Photographic Media: Digital
Survey Date: 12/10/2017
Dhr Library Report Number: KQ-025
Project Staff/Notes:

February 2018: In the winter of 2017, Circa~ Cultural Resource Management, LLC (Circa~) conducted a Phase I architectural survey of the Walnut Solar Site in King and Queen County, Virginia. The project area, which encompasses approximately 1,000 acres, is comprised of several individual tracts owned by different landowners. The project area is bordered by rural residential lands to the west, east, and south, and Route 33 to the north. The Area of Potential Effect (APE) for architectural resources is a ½-mile radius from the project area borders. The archaeological resources identified within the project area boundaries were discussed in a separate report for archaeology and are not included in this survey.

The contribution of many individuals made the successful completion of the Phase I survey for the project possible. At Circa~, Carol D. Tyrer served as Project Manager for the project and photographed the resources. Dawn M. Muir, Architectural Historian, completed the historic context and architectural survey and entered the information in the VDHR VCRIS system. Dawn M. Muir and Carol D. Tyrer prepared the report.

Circa~
2019 Feb Phase I Architectural Survey of the Walnut Solar Farm, King and Queen County, Virginia.
DHR Report No. KQ-025

Project Bibliographic Information:

Advisory Council on Historic Preservation
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Anonymous
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Coski, John M.
1988"All Confusion in the Plantations: Civil War in Charles City County," in James P. Whittenburg and John M. Coski (eds.), *Four Centuries of the Southern Experience: Charles City County, Virginia, from the Age of Discovery to the Modern Civil Rights Struggle*, pp. 180-201. Unpublished manuscript in the archives of the Virginia Department of Historic Resources, Richmond, Virginia.

Department of the Interior, National Park Service
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Historic Resources archives.

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Herrmann, Augustine

1670Virginia and Maryland in 1670. Available online at <http://www.loc.gov/maps/collections>

King and Queen County.

No date Deed, wills, inventories, surveyors records, plat books, tax assessors books, and tax records, personal property tax records.

Land and Community Associates

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Vaisz, W.

1852Map of the Virginia Central Rail Road showing the connection between tide water Virginia, and the Ohio River at Big Sandy, Guyandotte and Point Pleasant. Available online at <http://www.loc.gov/maps/collections>

Virginia Department of Historic Resources

2011Guidelines for Conducting Historic Resources Survey in Virginia. Available at the Virginia Department of Historic Resources archives.

Bibliographic Information

Bibliography:

No Data

Property Notes:

No Data

Roof Front Gable Metal *No Data*

Secondary Resource #2

Resource Category: Domestic
Resource Type: Shed
Date of Construction: 1948Ca
Date Source: Site Visit
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Domestic
Architectural Style: No discernible style
Form: *No Data*
Condition: Fair
Threats to Resource: None Known
Cultural Affiliations: *No Data*
Cultural Affiliation Details:
No Data

Architectural Description:

February 2018: To the south of the house, there is a circa 1948, one-story, one-bay, front-gable, wood-frame shed clad in painted-white composition siding and resting on a concrete-block pier foundation (noted as Shed 1 on the site plan). The roof is covered in standing-seam metal. No windows are visible on the shed. The entrance on the façade is a single-leaf, painted-white vertical wood plank door.

Number of Stories: 1

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Piers	Concrete	Block
Structural System and Exterior Treatment	Wood Frame	Composite	Siding
Roof	Front Gable	Metal	<i>No Data</i>

Secondary Resource #3

Resource Category: Domestic
Resource Type: Shed
Date of Construction: 1948Ca
Date Source: Site Visit
Historic Time Period: The New Dominion (1946 - 1991)
Historic Context(s): Domestic
Architectural Style: No discernible style
Form: *No Data*
Condition: Fair
Threats to Resource: None Known
Cultural Affiliations: *No Data*
Cultural Affiliation Details:
No Data

Architectural Description:

February 2018: To the south of the house, there is a circa 1948, one-story, one-bay, side-gable, wood-frame shed clad in painted-white vertical wood siding and resting on a concrete-block foundation (noted as Shed 2 on the site plan). The roof is covered in standing-seam metal. No windows are visible on the shed. The entrance on the façade is a single-leaf, wood-panel door.

Number of Stories: 1

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Solid/Continuous	Concrete	Block
Structural System and Exterior Treatment	Wood Frame	Wood	Vertical Board
Roof	Side Gable	Metal	<i>No Data</i>

Historic District Information

Historic District Name: *No Data*

Local Historic District Name: No Data
Historic District Significance: No Data

CRM Events

Event Type: DHR Staff: Not Eligible

DHR ID: 049-5087
Staff Name: Roger Kirchen
Event Date: 7/7/2020
Staff Comment
DHR Project File No. 2018-3356

Event Type: Survey:Phase I/Reconnaissance

Project Review File Number: 2018-3356
Investigator: Dawn Muir
Organization/Company: Circa~ Cultural Resource Management, LLC
Photographic Media: Digital
Survey Date: 12/10/2017
Dhr Library Report Number: KQ-025
Project Staff/Notes:

February 2018: In the winter of 2017, Circa~ Cultural Resource Management, LLC (Circa~) conducted a Phase I architectural survey of the Walnut Solar Site in King and Queen County, Virginia. The project area, which encompasses approximately 1,000 acres, is comprised of several individual tracts owned by different landowners. The project area is bordered by rural residential lands to the west, east, and south, and Route 33 to the north. The Area of Potential Effect (APE) for architectural resources is a 1/2-mile radius from the project area borders. The archaeological resources identified within the project area boundaries were discussed in a separate report for archaeology and are not included in this survey.

The contribution of many individuals made the successful completion of the Phase I survey for the project possible. At Circa~, Carol D. Tyrer served as Project Manager for the project and photographed the resources. Dawn M. Muir, Architectural Historian, completed the historic context and architectural survey and entered the information in the VDHR VCRIS system. Dawn M. Muir and Carol D. Tyrer prepared the report.

Circa~
2019 Feb Phase I Architectural Survey of the Walnut Solar Farm, King and Queen County, Virginia.
DHR Report No. KQ-025

Project Bibliographic Information:

Advisory Council on Historic Preservation
1986*36 CFR Part 800 – Protection of Historic Properties (incorporating amendments effective August 5, 2004) Regulations of the Advisory Council on Historic Preservation Governing the Section 106 Review Process. Available online at <http://www.achp.gov>

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1862Hare's map of the vicinity of Richmond, and Peninsular campaign in Virginia. Showing also the interesting localities along the James, Chickahominy and York Rivers. 1862. Available online at <http://www.loc.gov/maps/collections>

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Coski, John M.
1988"All Confusion in the Plantations: Civil War in Charles City County," in James P. Whittenburg and John M. Coski (eds.), Four Centuries of the Southern Experience: Charles City County, Virginia, from the Age of Discovery to the Modern Civil Rights Struggle, pp. 180-201. Unpublished manuscript in the archives of the Virginia Department of Historic Resources, Richmond, Virginia.

Department of the Interior, National Park Service
1983Archaeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines. Federal Register 48:44716-44762. Available online at <http://www.nps.gov>

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Historic Resources archives.

Fry, Joshua and Peter Jefferson

1751A map of the most inhabited part of Virginia containing the whole province of Maryland with part of Pensilvania, New Jersey and North Carolina. Available online at <http://www.loc.gov/maps/collections>

Harris, Malcolm Hart

1977Old New Kent County: Some Account of the Planters, Plantations, and Places in King William County, Vol II. Genealogical Publishing Company, Inc. Baltimore, Maryland.

Herrmann, Augustine

1670Virginia and Maryland in 1670. Available online at <http://www.loc.gov/maps/collections>

King and Queen County.

No date Deed, wills, inventories, surveyors records, plat books, tax assessors books, and tax records, personal property tax records.

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Manarin, Louis H., and Clifford Dowdey

1984The History of Henrico County. County of Henrico, Henrico, Virginia.

National Park Service

1990National Register of Historic Places Bulletin 15: How to Apply the National Register of Historic Places Criteria for Evaluation. Available online at <http://www.nps.gov>

Sears, Stephen

1992To the Gates of Richmond: The Peninsula Campaign. Mariner Books, Boston, Massachusetts.

Stantec Consulting Services

2014An Architectural Survey of King William County. Available at the Virginia Department of Historic Resources archives.

Tyler, D. Gardiner

1984A Brief History of Charles City County, Virginia. Charles City County 350th Anniversary Committee. Charles City County 350th Anniversary Committee.

United States Geological Survey

1917Urbanna Quad map. Available online at <http://historicalmaps.arcgis.com/usgs/>

1949Shacklefords Quad map. Available online at <http://historicalmaps.arcgis.com/usgs/>

1965Shacklefords Quad map. Available online at <http://historicalmaps.arcgis.com/usgs/>

Vaisz, W.

1852Map of the Virginia Central Rail Road showing the connection between tide water Virginia, and the Ohio River at Big Sandy, Guyandotte and Point Pleasant. Available online at <http://www.loc.gov/maps/collections>

Virginia Department of Historic Resources

2011Guidelines for Conducting Historic Resources Survey in Virginia. Available at the Virginia Department of Historic Resources archives.

Bibliographic Information

Bibliography:

No Data

Property Notes:

No Data

Property Information

Property Names

Name Explanation Function/Location	Name
	House, 1335 Taylorsville Road

Property Evaluation Status

DHR Staff: Not Eligible

Property Addresses

Current - 1335 Taylorsville Road

County/Independent City(s):	King & Queen (County)
Incorporated Town(s):	No Data
Zip Code(s):	23156
Magisterial District(s):	No Data
Tax Parcel(s):	No Data
USGS Quad(s):	SHACKLEFORDS

Additional Property Information

Architecture Setting: Rural

Acreage: 14

Site Description:

February 2019: On the east side of Taylorsville Road, there is a circa 1896 house with one garage, one well house, and one well. This building is situated on an approximately 14.00-acre parcel well away from Taylorsville Road. The building is surrounded by a mowed lawn with mature trees and plantings. Facing west, the building is set on a fairly-level grade with a single-lane driveway that leads from Taylorsville Road to the north of the house. A wooden utility pole is situated in the front yard and overhead utility lines run from the pole to the house. A second wooden utility pole is visible to the west of the garage. A tree line is visible to the north and there is freestanding metal satellite dish on the southern side of the house.

Surveyor Assessment:

February 2019: Site 049-5143, the circa 1896 house, appears to be occupied and in fair to good condition. The building does not possess any unique characteristics that would separate it from late 19th century rural housing examples in King and Queen County. The design and workmanship of the building is undistinguished, and the construction materials are common (Criteria C). Further, the house is a typical Colonial Revival style house, which is common throughout King and Queen County and the Commonwealth of Virginia with several examples within the APE. A preliminary review of historic records including various maps and historical contexts for King and Queen County does not indicate significant contributions with events (Criteria A) or persons (Criteria B) associated with the property. Considering this, the building does not appear to be potentially eligible for the National Register of Historic Places under Criteria A, B, or C. Thus, Circa~ recommends no further architectural survey work on this resource.

Surveyor Recommendation: Recommended Not Eligible

Ownership

Ownership Category	Ownership Entity
Private	No Data

Primary Resource Information

Resource Category:	Domestic
Resource Type:	Single Dwelling
NR Resource Type:	Building
Historic District Status:	No Data
Date of Construction:	Ca 1896
Date Source:	Site Visit
Historic Time Period:	Reconstruction and Growth (1866 - 1916)
Historic Context(s):	Domestic
Other ID Number:	No Data
Architectural Style:	Colonial Revival
Form:	No Data
Number of Stories:	2.0
Condition:	Good

Threats to Resource: None Known

Cultural Affiliations: No Data

Cultural Affiliation Details:

No Data

Architectural Description:

February 2019: This circa 1896, two-story, three-bay, side-gable, Colonial Revival style, wood-frame house is clad in painted-white composition siding with one central-interior Flemish-bond brick chimney with a corbelled cap. The foundation is not visible under a metal skirt. The roof is covered in standing seam metal. There is a one-story, one-bay, concrete-block porch under a front-gable supported by square-painted-white wood posts. Three painted-white concrete-block steps lead from the porch to the front yard. Sash, double-hung, 1/1, wood-frame windows flanked by painted-black wood shutters are typical on the façade and elevations. The entrance on the façade is a single-leaf, wood-panel door covered by a metal storm door.

There is a one-story, two-bay, side-gable, wood-frame addition attached to the rear (east) elevation clad in painted-white composition siding with one central-interior Flemish-bond brick chimney with a corbelled cap. The foundation is not visible under a metal skirt. The roof is covered in standing seam metal with a boxed cornice. Sash, double-hung, 1/1, wood-frame windows flanked by painted-black wood shutters are typical on the addition. No entrance is visible on the addition.

There is a one-story, five-bay, shed roof, wood-frame addition attached to the rear (east) elevation and the south elevation of the addition clad in painted-white composition siding. The foundation is not visible under a metal skirt. The roof is covered in standing seam metal with metal gutters and downspouts. There is a one-bay, poured-concrete stoop flanked by wood railings. Two poured-concrete steps lead from the stoop to the yard. Sash, double-hung, 1/1, wood-frame windows are typical on the addition. The entrance on the addition is a single-leaf, wood-panel door with lights.

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Not Visible	No Data	No Data
Structural System and Exterior Treatment	Wood Frame	Composite	Siding
Porch	Portico/Entry Porch	Wood	Posts
Windows	Double-hung	Wood	No Data
Roof	Side Gable	Metal	No Data
Roof	Shed	Metal	No Data
Chimneys	Interior Central	Brick	Flemish Bond

Secondary Resource Information

Secondary Resource #1

Resource Category: Domestic
Resource Type: Garage
Date of Construction: 1896Ca
Date Source: Site Visit
Historic Time Period: Reconstruction and Growth (1866 - 1916)
Historic Context(s): Domestic
Architectural Style: No discernible style
Form: No Data
Condition: Good
Threats to Resource: None Known
Cultural Affiliations: No Data
Cultural Affiliation Details:

No Data

Architectural Description:

February 2019: To the northeast of the house, there is a circa 1896, one-story, one-bay, front-gable, wood-frame garage clad in painted-beige composition siding and resting on a concrete-block foundation. The roof is covered in standing seam metal with exposed rafter tails. No windows are visible on the garage. The entrance on the façade is a double-leaf opening.

Number of Stories: 1

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Solid/Continuous	Concrete	Block
Structural System and Exterior Treatment	Wood Frame	Composite	Siding
Roof	Front Gable	Metal	No Data

Secondary Resource #2

Resource Category: Domestic
Resource Type: Well House
Date of Construction: 1896Ca
Date Source: Site Visit
Historic Time Period: Reconstruction and Growth (1866 - 1916)
Historic Context(s): Domestic
Architectural Style: No discernible style
Form: *No Data*
Condition: Good
Threats to Resource: None Known
Cultural Affiliations: *No Data*
Cultural Affiliation Details:

No Data

Architectural Description:

February 2019: To the northeast of the house, there is a circa 1896, one-story, one-bay, shed roof, concrete-block well house resting slightly above grade on a concrete-block foundation. The roof is covered in corrugated metal. No windows are visible on the well house. The entrance on the façade is not visible.

Number of Stories: 1

Exterior Components

Component	Component Type	Material	Material Treatment
Foundation	Solid/Continuous	Concrete	Block
Structural System and Exterior Treatment	Masonry	Concrete	Block
Roof	Shed	Metal	<i>No Data</i>

Secondary Resource #3

Resource Category: Domestic
Resource Type: Well
Date of Construction: 1896Ca
Date Source: Site Visit
Historic Time Period: Reconstruction and Growth (1866 - 1916)
Historic Context(s): Domestic
Architectural Style: No discernible style
Form: *No Data*
Condition: Good
Threats to Resource: None Known
Cultural Affiliations: *No Data*
Cultural Affiliation Details:

No Data

Architectural Description:

February 2019: To the northeast of the house, there is a circa 1896, round, poured-concrete well resting slightly above grade. A poured-concrete cap covers to the top of the well.

Historic District Information

Historic District Name: *No Data*
Local Historic District Name: *No Data*
Historic District Significance: *No Data*

CRM Events

Event Type: DHR Staff: Not Eligible

DHR ID: 049-5143
Staff Name: Roger Kirchen
Event Date: 7/7/2020
Staff Comment
DHR Project File No. 2018-3356

Event Type: Survey:Phase I/Reconnaissance

Project Review File Number: 2018-3356
Investigator: Dawn Muir
Organization/Company: Circa~ Cultural Resource Management, LLC
Photographic Media: Digital
Survey Date: 1/4/2019
Dhr Library Report Number: KQ-025

Project Staff/Notes:

January 2019: In the winter of 2017 and 2018, Circa~ Cultural Resource Management, LLC (Circa~) conducted a Phase I architectural survey of the Walnut Solar Site in King and Queen County, Virginia. The project area, which encompasses approximately 1,000 acres, is comprised of several individual tracts owned by different landowners. The project area is bordered by rural residential lands to the west, east, and south, and Route 33 (Lewis B. Puller Memorial Highway) to the north. The Area of Potential Effect (APE) for architectural resources is a ½-mile radius from the project area borders. The archaeological resources identified within the project area boundaries were discussed in a separate report for archaeology and are not included in this survey.

In late 2018, the project borders changed and Circa~ returned to the field to conduct an additional architectural Phase I survey. The contribution of many individuals made the successful completion of the Phase I survey for the project possible. At Circa~, Carol D. Tyrer served as Project Manager for the project. Dawn M. Muir, Architectural Historian, completed the historic context and architectural survey. Dawn M. Muir and Carol D. Tyrer prepared the report. At The Timmons Group (Timmons), Rick Thomas and Laura Major provided information and maps for the survey. Carol D. Tyrer photographed the resources and Dawn M. Muir and Skye Hughes entered the information into the VDHR VCRIS system.

Circa~
2019 Feb Phase I Architectural Survey of the Walnut Solar Farm, King and Queen County, Virginia.
DHR Report No. KQ-025

Project Bibliographic Information:

Advisory Council on Historic Preservation
1986 "36 CFR Part 800 – Protection of Historic Properties (incorporating amendments effective August 5, 2004)" Regulations of the Advisory Council on Historic Preservation Governing the Section 106 Review Process. Available online at <http://www.achp.gov>

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1983 Archaeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines. Federal Register 48:44716-44762. Available online at <http://www.nps.gov>

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Herrmann, Augustine
1670 Virginia and Maryland in 1670. Available online at <http://www.loc.gov/maps/collections>

King and Queen County.
No date Deed, wills, inventories, surveyors records, plat books, tax assessors books, land tax records, personal property tax records.

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Virginia Department of Historic Resources
2017 Guidelines for Conducting Historic Resources Survey in Virginia. Available at the Virginia Department of Historic Resources archives.

Bibliographic Information

Bibliography:

No Data

Property Notes:

No Data

Snapshot

Date Generated: October 31, 2024

Site Name: No Data
Site Classification: Terrestrial, open air
Year(s): 1700 - 1799
Site Type(s): No Data
Other DHR ID: No Data
Temporary Designation: No Data

Site Evaluation Status

Not Evaluated

Locational Information

USGS Quad: GRESSITT
County/Independent City: Gloucester (County)
Physiographic Province: No Data
Elevation: No Data
Aspect: No Data
Drainage: No Data
Slope: No Data
Acreage: No Data
Landform: Other
Ownership Status: No Data
Government Entity Name: No Data

Site Components

Component 1

Category: No Data
Site Type: No Data
Cultural Affiliation: Indeterminate
Cultural Affiliation Details: No Data
DHR Time Period: Colony to Nation, Contact Period, Early National Period
Start Year: 1700
End Year: 1799
Comments: No Data

Bibliographic Information

Bibliography:

No Data

Informant Data:

No Data

CRM Events

Event Type: Other

Project Staff/Notes:

No Data

Project Review File Number:

No Data

Sponsoring Organization:

No Data

Organization/Company:

Unknown (DSS)

Investigator:

VDHR-Martha McCartney

Survey Date:

9/1/1983

Survey Description:

No Data

Threats to Resource:

No Data

Site Conditions:

Site Condition Unknown

Survey Strategies:

Historic Map Projection

Specimens Collected:

No

Specimens Observed, Not Collected:

No

Artifacts Summary and Diagnostics:

No Data

Summary of Specimens Observed, Not Collected:

No Data

Current Curation Repository:

No Data

Permanent Curation Repository:

No Data

Field Notes:

No

Field Notes Repository:

No Data

Photographic Media:

No Data

Survey Reports:

No Data

Survey Report Information:

Site depicted on Alexander Berthier's 1781 map of James-York and Gloucester.

Survey Report Repository:

No Data

DHR Library Reference Number:

No Data

Significance Statement:

No Data

Surveyor's Eligibility Recommendations:

No Data

Surveyor's NR Criteria Recommendations, :

No Data

Surveyor's NR Criteria Considerations:

No Data

Appendix D – Endangered and Threatened Species Report



October 30, 2024

Jennifer Leonard, RLA, LEED AP
KCI Technology Inc.
936 Ridgebrook Road
Sparks, Maryland 21152

Via Email: Jennifer.Leonard@kci.com

Re: Endangered and Threatened Species (ETS) Review
Saluda (± 152.4 acres)
King and Queen County, Virginia
WSSI Project #35349.01

Dear Ms. Leonard:

Enclosed is a letter from the Virginia Department of Conservation and Recreation (DCR) and the results of searches of the Virginia Department of Wildlife Resources (DWR) and U.S. Fish and Wildlife Service (USFWS) Information Planning and Consultation (IPaC) online databases regarding Endangered and Threatened Species (ETS) on the Saluda project area.

The DCR letter indicates that natural heritage resources (which include endangered and threatened species) have not been documented in the project area. The DWR database search indicates that no ETS species have been documented within a 2-mile radius from the project area. The USFWS IPaC database indicates that the federally endangered and state threatened northern long-eared bat (NLEB, *Myotis septentrionalis*), the proposed federally endangered tricolored bat (*Perimyotis subflavus*), the federal candidate monarch butterfly (*Danaus plexippus*), and federally protected bald eagles (*Haliaeetus leucocephalus*) may occur within the project vicinity. However, no critical habitat has been documented for any of these species within the project area.

Below is information regarding each species' habitat requirements and the potential for the Saluda project area to support the species and information regarding other natural heritage resources.

Northern Long-eared Bat

The federally endangered and state threatened northern long-eared bat (NLEB, *Myotis septentrionalis*) may occur within the project area. During the winter, the NLEB occupies caves and mines with constant temperatures, high humidity, and no air currents. Summer habitat for this species consists of living trees or dead snags where the bats roost singly or in colonies under the bark.



Due to the presence of forest stands within the project area, it is WSSI's opinion that suitable summer-phase habitat for the NLEB may be located within the site. However, no known NLEB hibernacula or maternity roosts are present within King and Queen County¹.

The USFWS published a final rule to reclassify the NLEB from threatened to endangered, which went into effect March 31, 2023. Guidance, including the Interim Consultation Framework and Northern Long-eared Bat Rangewide Determination Key (Dkey), was provided by USFWS in mid-March 2023, which will continue to be updated as more information becomes available. Projects with a federal nexus will need to complete the Rangewide Dkey to obtain an effects determination or see if additional coordination with your local USFWS Field Office is necessary. Time of year restrictions (TOYR) on tree clearing vary depending on the project location within Virginia². Ongoing coordination with the USFWS, through the IPAC system, is recommended through the project timeline. Similarly, any other projects that have undergone coordination for the NLEB under the 4(d) rule will need to re-coordinate with the USFWS following the effective date of the final rule if work has not been completed.

Tricolored Bat

The federally proposed endangered and state-endangered tricolored bat (*Perimyotis subflavus*) typically occurs in western Virginia in caves (hibernacula) during the winter and forms small maternity colonies during the spring and summer. The tricolored bat roosts primarily among leaf clusters of live or recently dead deciduous hardwood trees in the summer and exhibit high site fidelity, returning to the same summer roosting location year after year. This species can also be found in artificial roosts such as barns, bridges, and abandoned structures.

Suitable habitat for the tricolored bat may be located on the project area, although no known tricolored bat hibernacula or maternity roosts are present within King and Queen County³; therefore, it is WSSI's opinion that this species will not be adversely affected by the project. However, this species has been proposed for listing as endangered by the USFWS with a final rule expected to be published in 2024. If the species becomes listed, it is anticipated that a TOYR may be implemented from May 15 to July 31 (the pup season). Further guidance pertaining to this listing may amend this information as it becomes available.

Bald Eagle

Bald eagles (*Haliaeetus leucocephalus*) typically nest in large trees along the shores of large rivers and other water bodies or near the edges of large, forested areas adjacent to marshes. Bald eagles may nest in other open areas or in logged over areas where scattered seed trees

¹ <https://dwr.virginia.gov/wildlife/bats/northern-long-eared-bat-application/> (accessed October 24, 2024)

² TOYR for most of Virginia will be from April 1 – November 14. Projects in the coastal plain of Virginia, east of Interstate 95 and south of the James River, where northern long-eared bats are active year-round will have a TOYR from December 15 – February 15 and April 15 – July 30.

³ <https://dwr.virginia.gov/wildlife/bats/little-brown-bat-tri-colored-bat-winter-habitat-roosts-application/> (accessed October 24, 2024)

remain. Typical foraging habitat includes coasts, rivers, and large lakes. The bald eagle is protected by the Bald and Golden Eagle Protection Act and the Migratory Bird Treaty Act.

A review of the Eagle Nest Locator online database⁴ created by the Center for Conservation Biology (CCB) indicates that there are no documented bald eagle nests on, or within the immediate vicinity of the project area. The closest documented bald eagle nest is nearly one mile east of the project area. Furthermore, suitable nesting habitat is not present on the site. Thus, WSSI does not anticipate this species posing a constraint on the issuance of a wetlands permit.

Monarch Butterfly

The monarch butterfly (*Danaus plexippus*) is not currently listed under the Endangered Species Act; however, the USFWS currently considers protection for this species as “warranted but precluded” and it is currently a candidate for listing.

The monarch butterfly is a long-distance migratory species that occupies a variety of habitats but is primarily dependent on milkweed species (*Asclepias* sp.) as their larval host plant. These butterflies occur in North, Central, and South America; Australia; New Zealand; and islands of Pacific and Caribbean. In temperate climates such as those in North America, the monarch will begin migrating in the fall season to their overwintering habitats, and in early spring (February to March), monarchs will mate in their overwintering habitats before dispersing.

Suitable habitat is not present on the project area. The project area is a recent cutover with thick herbaceous and woody components. Thus, WSSI does not anticipate this species posing a constraint on the issuance of a wetlands permit.

Migratory Birds

While not listed under the state and federal endangered species acts, certain species of migratory birds are protected under the Migratory Bird Treaty Act (MBTA). The USFWS IPaC database results list a number of MBTA-protected species that may be present on the project area at certain times of year. While MBTA-protected species are not expected to come up during the wetland permitting process, USFWS provides guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds.

Ecological Core:

The DCR letter indicates that the proposed project will fragment an Ecological Core (C4) as identified in the Virginia Natural Landscape Assessment. If tree removal is proposed for this area, it will fragment the Ecological Core. DCR recommends mitigation measures to preserve the natural patterns and connectivity of habitats by incorporating a landscape design

⁴ <https://ccbbirds.org/maps/#eagles> (accessed October 24, 2024)

that minimizes edge in remaining fragments, retains natural corridors that allow movement between fragments, and incorporates natural vegetation buffers to reduce habitat fragmentation in this portion of the study area. Note that this is not a legal designation and the U.S. Army Corps of Engineers (COE), and the Virginia Department of Environmental Quality (DEQ) will not have to consider this resource during the wetland permitting process.

How this Information Affects your Project:

Data on the occurrence of all federally listed ETS are reviewed by federal agencies, and potential impacts to federally listed ETS are considered by the U.S. Army Corps of Engineers (COE) through consultation with the USFWS during the federal wetlands permitting process. Additionally, the Virginia Department of Environmental Quality (DEQ) considers impacts to state listed ETS, through consultation with DWR and DCR⁵ during its wetlands permitting process. Both the COE and the DEQ may require searches for listed species if they determine that their issuance of a wetlands permit or waiver could result in adverse impacts to ETS. If such a search indicates that ETS occur or are likely to occur on a project site, the COE and/or the DEQ may require implementation of measures to avoid and minimize adverse effects to ETS prior to issuing a wetlands permit.

Please note that endangered and threatened species searches are considered valid for six months from the time of issuance and thus may need to be periodically updated through the wetland permitting process. Please contact me at (703) 994-7142 or jcoan@wetlands.com if you have any questions regarding this information or if you would like WSSI to further investigate the potential occurrence of the ETS species on the project area.

⁵ Under a Memorandum of Agreement between the Virginia Department of Agriculture and Consumer Services (VDACS) and the DCR, the DCR represents the VDACS in comments regarding potential impacts to state-listed endangered and threatened plant and insect species.

Sincerely,

WETLAND STUDIES AND SOLUTIONS, INC.

A handwritten signature in black ink, appearing to read "Julia Coan". The signature is fluid and cursive, with the first name "Julia" being more prominent than the last name "Coan".

Julia Coan
Environmental Technician

A handwritten signature in black ink, appearing to read "Karen Dodson". The signature is fluid and cursive, with the first name "Karen" being more prominent than the last name "Dodson".

Karen Dodson, PWD, PWS, VSWD, CE
Assistant Manager

Enclosure

L:\35000s\35300\35349.01\Admin\05-ENVR\ETS\Saluda ETS Report 10302024.docx



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



In Reply Refer To:

10/18/2024 17:30:19 UTC

Project Code: 2025-0008140

Project Name: Saluda

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 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 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:

<https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.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/program/migratory-bird-permit/what-we-do>.

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/library/collections/threats-birds>.

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/partner/council-conservation-migratory-birds>.

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
- Bald & Golden Eagles
- 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: 2025-0008140

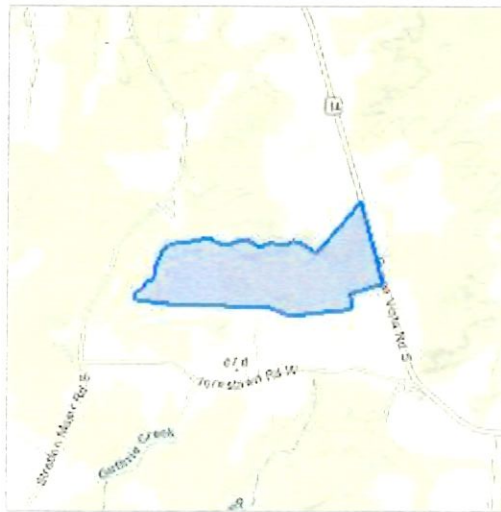
Project Name: Saluda

Project Type: Power Gen - Solar

Project Description: This is an approximately 152 acre site that is located off of Buena Vista Road in Saluda VA. This site is being examined for potential solar development.

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@37.50579085,-76.68543224715654,14z>



Counties: King and Queen County, Virginia

ENDANGERED SPECIES ACT SPECIES

There is a total of 3 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 Fisheries¹, 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 <i>Myotis septentrionalis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9045	Endangered
Tricolored Bat <i>Perimyotis subflavus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10515	Proposed Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> 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.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

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.

BALD & GOLDEN EAGLES

Bald and golden eagles are protected under the Bald and Golden Eagle Protection Act¹ and the Migratory Bird Treaty Act².

Any person or organization who plans or conducts activities that may result in impacts to bald or golden eagles, or their habitats³, should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

-
1. The [Bald and Golden Eagle Protection Act](#) of 1940.
 2. The [Migratory Birds Treaty Act](#) of 1918.

3. 50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)

There are likely bald eagles present in your project area. For additional information on bald eagles, refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#)

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

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31

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 "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

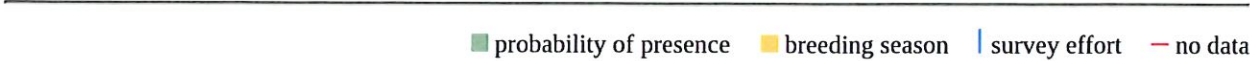
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

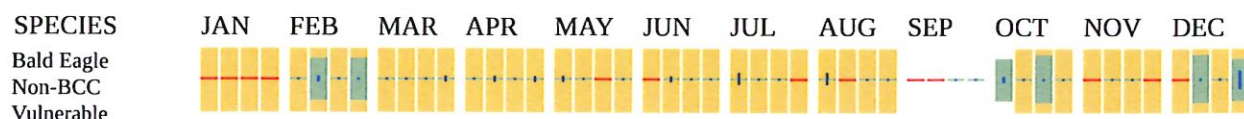
Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

MIGRATORY BIRDS

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats³ should follow appropriate regulations and consider implementing appropriate conservation measures, as described in the links below. Specifically, please review the ["Supplemental Information on Migratory Birds and Eagles"](#).

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)

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

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31

NAME	BREEDING SEASON
Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i> 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/8329	Breeds Jun 1 to Aug 20
Prairie Warbler <i>Setophaga discolor</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9513	Breeds May 1 to Jul 31
Prothonotary Warbler <i>Protonotaria citrea</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9439	Breeds Apr 1 to Jul 31
Wood Thrush <i>Hylocichla mustelina</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9431	Breeds May 10 to Aug 31

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 "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Green bars; the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during that week of the year.

Breeding Season (■)

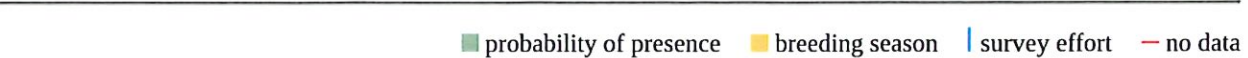
Yellow bars; liberal estimate of the timeframe inside which the bird breeds across its entire range.

Survey Effort (|)

Vertical black lines; the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data (—)

A week is marked as having no data if there were no survey events for that week.





Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds <https://www.fws.gov/library/collections/avoiding-and-minimizing-incidental-take-migratory-birds>
- Nationwide conservation measures for birds <https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC <https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

IPAC USER CONTACT INFORMATION

Agency: Private Entity
Name: Kyle Zinn
Address: 1620 Brook Road
City: Richmond
State: VA
Zip: 23220
Email: kzinn@wetlands.com
Phone: 7249635432

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Army Corps of Engineers



Department of Conservation & Recreation

[CONSERVING VIRGINIA'S NATURAL & RECREATIONAL RESOURCES](#)

Web Project ID: WEB00000024040

Client Project Number:

PROJECT INFORMATION

TITLE: Saluda

DESCRIPTION: This is an approximately 152 acre site that is located off of Buena Vista Road in Saluda VA. This site is being examined for potential solar development.

EXISTING SITE CONDITIONS: Forested /Recent cut over/Scrub shrub

Instream Activity: No - Instream Work Not Required

QUADRANGLES: Shacklefords

Major Ground Disturbing Activities: Other: grading potential slopes for solar panels

COUNTIES: King and Queen

Minor Ground Disturbing Activities: Other: putting solar panels into the ground

Latitude/Longitude (DMS): 37° 30' 18.6930" N / 76° 41' 7.2325" W

Acreage: 152 acres

Comments:

REQUESTOR INFORMATION

Priority: N

Tier Level: Tier II

Tax ID:

Contact Name: Kyle Zinn

Company Name: Wetland Studies & Solutions Inc.,

Address: 1620 Brook Road

City: Richmond

State: VA

Zip: 23220

Phone: 7249635432

Fax:

Email: kzinn@wetlands.com

Conservation Site	Site Type	Brank	Acreage	Listed Species Presence	Essential Conservation Site?
Natural Heritage Screening Features Intersecting Project Boundary					

Site Name	Group Name	Common Name	Scientific Name	GRANK	SRANK	Fed Status	Species of Concern	State Status	EO Rank	Last Obs Date	Essential EO?
Natural Heritage Resources Intersecting Project Boundary											

Intersecting Predictive Models
Predictive Model Results

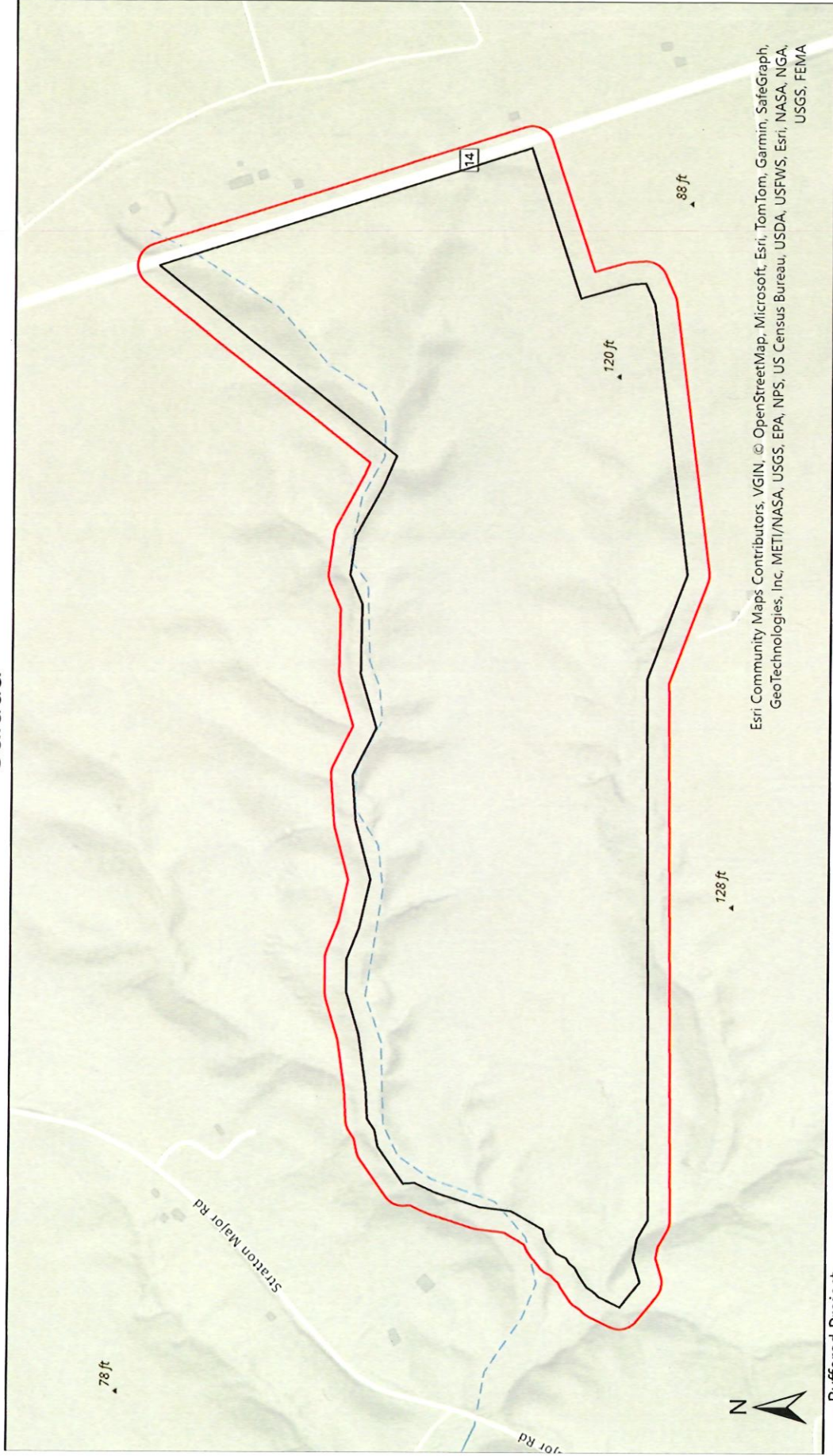
ECOLOGICAL CORES In addition, the proposed project will impact an Ecological Core(s) C4 as identified in the Virginia Natural Landscape Assessment (<https://www.dcr.virginia.gov/natural-heritage/vaconvisvnl4>). Mapped cores in the project area can be viewed via the Virginia Natural Heritage Data Explorer, available here: <https://vanhde.org/content/map>.

Ecological Cores are areas of at least 100 acres of continuous interior, natural cover that provide habitat for a wide range of species, from interior-dependent forest species to habitat generalists, as well as species that utilize marsh, dune, and beach habitats. Interior core areas begin 100 meters inside core edges and continue to the deepest parts of cores. Cores also provide the natural, economic, and quality of life benefits of open space, recreation, thermal moderation, water quality (including drinking water recharge and protection, and erosion prevention), and air quality (including sequestration of carbon, absorption of gaseous pollutants, and production of oxygen). Cores are ranked from C1 to C5 (C5 being the least significant) using nine prioritization criteria, including the habitats of natural heritage resources they contain.

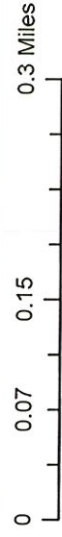
Impacts to cores occur when their natural cover is partially or completely converted permanently to developed land uses. Habitat conversion to development causes reductions in ecosystem processes, native biodiversity, and habitat quality due to habitat loss; less viable plant and animal populations; increased predation; and increased introduction and establishment of invasive species.

DCR recommends avoidance of impacts to cores. When avoidance cannot be achieved, DCR recommends minimizing the area of impacts overall and concentrating the impacted area at the edges of cores, so that the most interior remains intact.

Saluda



- Buffered Project Boundary
- Project Boundary



Scale: 1:7,176

Quads: Shacklefords
Counties: King and Queen

Company: Wetland Studies & Solutions Inc.,
Lat/Long: 373018 / -764107



COMMONWEALTH of VIRGINIA
DEPARTMENT OF CONSERVATION AND RECREATION

The project mapped as part of this report has been searched against the Department of Conservation and Recreation's Biotics Data System for occurrences of natural heritage resources in the vicinity of the area indicated for this project. 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 the information currently in Biotics, natural heritage resources have not been documented within the submitted project boundary including a 100 foot buffer. In addition, the project area does not intersect any of the predictive models identifying potential habitat for natural heritage resources.

Under a Memorandum of Agreement established between the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Conservation and Recreation (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.

Any absence of data may indicate that the project area has not been surveyed, rather than confirm that the area lacks additional natural heritage resources. New and updated information is continually added to Biotics. Please revisit this website or contact DCR for an update on this natural heritage information if a significant amount of time passes (DCR recommends no more than six months) before it is utilized.

The Virginia Department of Wildlife Resources maintains a database of wildlife locations, including threatened and endangered species, trout streams, and anadromous fish waters, that may contain information not documented in the Natural Heritage Data Explorer. Their database may be accessed from <https://services.dwr.virginia.gov/fwis/> or contact Amy Martin (804-367-2211 or amy.martin@dwr.virginia.gov).

Thank you for submitting your project to the Virginia Department of Conservation and Recreation's Natural Heritage Data Explorer Web Service. Based on the preliminary screening results for this project, no further correspondence will be sent from this office. Should you have any questions or concerns about this report, the Data Explorer, or other Virginia Natural Heritage Program services, please contact the Natural Heritage Project Review Unit at 804-371-2708.

Site Location

37,30,19.0 -76,41,07.0
is the Search Point

Show Position Rings

☒ Yes ☐ No
1 mile and 1/4 mile at the
Search Point

Show Search Area

☒ Yes ☐ No
2 Search distance miles
radius

Search Point is at
map center

Base Map [Choices](#)

Topography

Map Overlay [Choices](#)

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

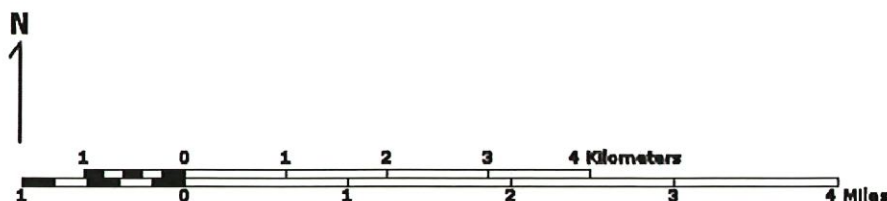
Virginia Fish and Wildlife Information Service


[Refresh Browser Page](#)

Map Click **Pan** **Zoom** **Out**

Map Scale **In** **Zoom** **Out**

Screen Size **Small** **Size** **Big**

[Help](#)


Point of Search 37,30,19.0 -76,41,07.0

Map Location 37,30,19.0 -76,41,07.0

Select Coordinate System: ☒ Degrees, Minutes, Seconds Latitude - Longitude

☐ Decimal Degrees Latitude - Longitude

☐ Meters UTM NAD83 East North Zone

☐ Meters UTM NAD27 East North Zone

Base Map source: USGS 1:100,000 topographic maps (see [Microsoft terraserver-usa.com](https://microsoft.terraserver-usa.com) for details)

Map projection is UTM Zone 18 NAD 1983 with left 346245 and top 4157061. 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 pixels. 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

Map Overlay Legend**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 J23 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 Wildlife Resources.

map assembled 2024-10-18 12:47:42 (qa/qc March 21, 2016 12:20 - tn=2703661.0 dist=3218
I)
\$poi=37.5052780 -76.6852778

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VaFWIS Initial Project Assessment Report

Compiled on 10/18/2024,
12:48:32 PM

[Help](#)

Known or likely to occur within a **2 mile radius around point 37.5052780 -76.6852778**
in **073 Gloucester County, 097 King and Queen County, VA**

[View Map of
Site Location](#)

517 Known or Likely Species ordered by Status Concern for Conservation
(displaying first 28) (28 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
050022	FEST	Ia	Bat, northern long-eared	Myotis septentrionalis		BOVA
010032	FESE	Ib	Sturgeon, Atlantic	Acipenser oxyrinchus		BOVA
030075	FESE	Ic	Turtle, leatherback sea	Dermochelys coriacea		BOVA
030071	FTST	Ia	Turtle, loggerhead sea	Caretta caretta		BOVA
040110	FTSE	Ia	Rail, eastern black	Laterallus jamaicensis jamaicensis		BOVA
030072	FTST	Ib	Turtle, green sea	Chelonia mydas		BOVA
040120	FTST	IIa	Plover, piping	Charadrius melodus		BOVA
050020	SE	Ia	Bat, little brown	Myotis lucifugus		BOVA
050027	FPSE	Ia	Bat, tri-colored	Perimyotis subflavus		BOVA
040096	ST	Ia	Falcon, peregrine	Falco peregrinus		BOVA
020044	ST	IIa	Salamander, Mabee's	Ambystoma mabeei		BOVA,Habitat
100079	FC	IIIa	Butterfly, monarch	Danaus plexippus		BOVA
030067	CC	IIa	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin		BOVA,Habitat
030063	CC	IIIa	Turtle, spotted	Clemmys guttata		BOVA
040040		Ia	Ibis, glossy	Plegadis falcinellus		BOVA
020002		IIa	Treefrog, barking	Hyla gratiosa		BOVA
040052		IIa	Duck, American black	Anas rubripes		BOVA
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
040114		IIa	Oystercatcher, American	Haematopus palliatus		BOVA
040181		IIa	Tern, common	Sterna hirundo		BOVA
040320		IIa	Warbler, cerulean	Setophaga cerulea		BOVA
040140		IIa	Woodcock, American	Scolopax minor		BOVA
060071		IIa	Lampmussel, yellow	Lampsilis cariosa		BOVA
040203		IIb	Cuckoo, black-billed	Coccyzus erythrophthalmus		BOVA

040105		IIb	Rail, king.	Rallus elegans		BOVA,Habitat
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To view **All 517 species** [View 517](#)

*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 Wildlife Action Plan Conservation Opportunity Ranking:

a - On the ground management strategies/actions exist and can be feasibly implemented.; b -

On the ground actions or research needs have been identified but cannot feasibly be implemented at this time.; c -

No on the ground actions or research needs have been identified or all identified conservation opportunities have been exhausted.

Bat Colonies or Hibernacula: **Not Known**

Anadromous Fish Use Streams

N/A

Colonial Water Bird Survey (3 records)

[View Map of All Query Results
Colonial Water Bird Survey](#)

Colony_Name	N Obs	Latest Date	N Species			View Map
			Different Species	Highest TE [*]	Highest Tier ^{**}	
POROPOTANK RIVER	6	May 2 2003	1			Yes
Gressitt Pond	1	Jun 1 1993	1			Yes
Poropotank River Northwes	1	Jun 1 1993	1			Yes

Displayed 3 Colonial Water Bird Survey

Threatened and Endangered Waters

N/A

Managed Trout Streams

N/A

Bald Eagle Concentration Areas and Roosts

N/A

Bald Eagle Nests

N/A

Habitat Predicted for Aquatic WAP Tier I & II Species

N/A

Habitat Predicted for Terrestrial WAP Tier I & II Species (3 Species)[View Map of Combined Terrestrial Habitat Predicted for 3 WAP Tier I & II Species Listed Below](#)

ordered by Status Concern for Conservation

BOVA Code	Status*	Tier**	Common Name	Scientific Name	View Map
020044	ST	IIa	Salamander, Mabee's	Ambystoma mabeei	Yes
030067	CC	IIa	Terrapin, northern diamond-backed	Malaclemys terrapin terrapin	Yes
040105		IIb	Rail, king	Rallus elegans	Yes

Public Holdings:

N/A

Compiled on 10/18/2024, 12:48:32 PM 12703661.0 report=IPA searchType= R dist= 3218 poi= 37.5052780 -76.6852778

PixelSize=64; Anadromous=0.018911; BECAR=0.015858; Bats=0.015906; Buffer=0.063644; County=0.052794; Impediments=0.016186; Init=0.094438; PublicLands=0.022975; SppObs=0.219036; TEWaters=0.01925; TierReaches=0.019621; TierTerrestrial=0.034083; Total=0.745059; Tracking_BOVA=0.194089; Trout=0.018803

Appendix E – Waters of the U.S. and Wetlands Delineation; Resource Protection Area Evaluation

Saluda, VA Solar Project

King and Queen County, Virginia
WSSI #35349.01

Waters of the U.S. (Including Wetlands) Delineation and Resource Protection Area Evaluation

November 8, 2024

Prepared for:

Jennifer Leonard, RLA, LEED AP
KCI Technologies, Inc.
936 Ridgebrook Road
Sparks Glencoe MD, 21152

Prepared by:



1620 Brook Road
Richmond, Virginia 23220
Tel: 804-442-3330 Email: contactus@wetlands.com
www.wetlands.com

Waters of the U.S. (Including Wetlands) Delineation And Resource Protection Area (RPA) Evaluation

Saluda, VA Solar Project (±152 acres) WSSI #35349.01

Introduction

Wetland Studies and Solutions, Inc. (WSSI) has determined the boundaries of the jurisdictional wetlands and other waters of the U.S. (WOTUS, i.e., streams) on the referenced site. Additionally, Resource Protection Area (RPA) core components and buffers on and within 100 feet of the site were evaluated to determine the extent of the RPA on the site. As discussed in this report, jurisdictional wetlands and other WOTUS are present on the site including palustrine forested (PFO) and palustrine emergent (PEM) wetlands associated with Gressit Pond a tributary of Philbates Creek. Our findings are depicted (as an unsurveyed sketch) on the Waters of the U.S. (Including Wetlands) Delineation and Resource Protection Area Evaluation Map (Attachment I) and are discussed briefly below.

Project Location

The site is located off of Buena Vista Road (State Route 14) northwest of Plain View in the southern portion of King and Queen County, Virginia. Exhibit 1 is a vicinity map that depicts the approximate boundaries of the site and its general location.

Methodology

This wetland delineation was performed pursuant to the "Corps of Engineers Wetlands Delineation Manual," Technical Report Y-87-1 (1987 Manual) and subsequent guidance, and modified by the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region*, Version 2.0 dated November 2010. The Routine On-Site Wetland Determination Method for sites more than 5 acres was used. Field work was performed by Kyle Zinn, W.P.I.T.¹ on October 16 - 17, and 21, 2024.

Prior to conducting field work, relevant background information was reviewed, including site topography, the Shacklefords, VA 1989 USGS quadrangle (Exhibit 2) and Digital National Wetlands Inventory (Exhibit 3; downloaded May 2024) maps, King and Queen County Soils Map data (Exhibit 4), the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map, Panels 51097C0289D and 51097C0295C (Exhibit 5; Effective 10/21/2021), and the King and Queen County Resource Protection Area (RPA) Map (Exhibit 6). Aerial photographs of the site, including a Spring 2009 natural color imagery from Virginia Base Mapping Program (VBMP) (Exhibit 7), Spring 2017 color infrared imagery from VBMP (Exhibit 8), and Summer

¹ Wetland Professional In Training, Society of Wetlands Scientists Certification Program, Inc.

2023 near color imagery from National Agriculture Imagery Program (NAIP) (Exhibit 9), were also examined to investigate whether signatures indicative of WOTUS are found on the site and to document recent land use changes in the vicinity of the project site.

WSSI also reviewed The U.S. Army Corps of Engineers (COE) Antecedent Precipitation Tool (APT) to evaluate precipitation conditions prior to and during field work. The APT indicates that the area was under “normal conditions” at the time of field work and 30 days prior to field work during October 16 and 17 but indicated drier than normal conditions on Monday October 21 (Exhibit 10).

Stream evaluation methods developed by the North Carolina Division of Water Quality (NCDWQ)² were applied in the field to determine whether the streams on the site and within 100 feet of the project site were intermittent or perennial. Stream evaluation data forms that provide the results of the stream evaluation method and summarize WSSI’s stream-flow determinations are provided in Exhibit 11.

Observations of vegetation, soils and hydrology were recorded at representative locations in the wetlands and adjacent non-wetland areas to determine the wetland boundaries. Routine Wetland Determination data forms describing representative plant communities, hydrology indicators, and soil characteristics are included as Exhibit 12. Photographs of the data point locations, representative wetland and non-wetland communities, and other existing site conditions are included in Exhibit 13. The approximate locations of delineated wetlands, other WOTUS, data sites, and photographs are depicted on Attachment I.

Waters of the U.S. Delineation Findings

In WSSI’s opinion, jurisdictional wetlands and other WOTUS (i.e., streams) are present on this site. These jurisdictional WOTUS include seven unnamed perennial tributaries (S-1 through S-7 and S-9) and two unnamed intermittent tributaries (S-8 and S-5) that drain from/to PFO and PEM wetlands located throughout the site. Approximately 145 acres of the site is classified as uplands.

Resource Protection Area Evaluation

Based on WSSI’s field work, the limits of the field-verified RPA on the site are more extensive than the County-mapped RPA boundary depicted on the King and Queen County RPA Map (Exhibit 6). As depicted on Attachment I, one PFO wetland (W-22) drains to Gressitt Pond via an intermittent stream, and therefore is not considered to be contiguous and connected by surface flow to the perennial stream. WSSI placed an “RPA cutoff” in the field at the point above which the intermittent stream and wetland is not considered to be contiguous and

² NC Division of Water Quality. 2010. *Methodology for Identification of Intermittent and Perennial Streams and their Origins, Version 4.11*. North Carolina Department of Environment and Natural Resources, Division of Water Quality. Raleigh, NC.

connected by surface flow to the perennial stream. The locations of these RPA cutoffs are depicted on Attachment I.

The field-verified RPA boundary, based on WSSI's delineation and survey, stream flow evaluations, and RPA evaluation, is depicted on Attachment I. The RPA delineation will be confirmed upon approval of a Resource Protection Area Plan by King and Queen County.

Summary

In WSSI's opinion, jurisdictional wetlands and other WOTUS are present within the site based on our described site observations depicted on Attachment I. There also is an RPA located along perennial streams and multiple wetlands in the northern, western, and eastern portions of this site.

The WOTUS on the site (i.e., the wetlands and streams) are regulated by Sections 401 and 404 of the Clean Water Act and by state wetlands laws and regulations and cannot be disturbed without the appropriate permits. Such permits may include permits from local agencies, as well as the U.S. Army Corps of Engineers and the Virginia Department of Environmental Quality, depending upon the extent and type of impacts.

Limitations

This study is based on examination of the vegetation, soils and hydrology and available reference documents. Field indicators can change with variations in hydrology and other factors. Therefore, our conclusions may vary significantly from future observation by others. This report assesses the potential for wetlands at the site at the time of our review and does not address conditions at a given time in the future.

WSSI's review and report have been prepared in accordance with generally accepted guidelines for the conduct of a survey for potential wetlands. Conclusions presented herein are based upon our review of available information, the results of our field studies, and/or professional judgement. WSSI makes no other warranties, either expressed or implied, and our report is not a recommendation to buy, sell, manage, subdivide, or develop the property.

WSSI offers no opinion and does not purport to opine on the possible application of various building codes, zoning ordinances, other land use or platting regulations, environmental or health laws and other similar statutes, laws, ordinances, code and regulations affecting the possible use and occupancy of the Property for the purpose for which it is being used, except as specifically provided above.

The foregoing opinions are based on applicable laws, ordinances, and regulations in effect as of the date hereof and should not be construed to be an opinion as to the matters set out herein should such laws, ordinances or regulations be modified, repealed or amended.

Any reuse or modification of any of this document (whether hard copies or electronic transmittals) prepared by WSSI without written verification or adaptation by WSSI will be at the sole risk of the individual or entity utilizing said document and such use is without the authorization of WSSI. WSSI shall have no legal liability resulting from any and all claims, damages, losses, and expenses, including attorney's fees arising out of the unauthorized reuse or modification of this document. Client shall indemnify WSSI from any claims arising out of unauthorized use or modification of the document whether hard copy or electronic.

This report does not constitute a jurisdictional determination of WOTUS since such determinations must be verified by the U.S. Army Corps of Engineers or the Natural Resources Conservation Service (as applicable), and are subject to review by the U.S. Environmental Protection Agency. This report does not constitute a stream characterization determination; nor does it constitute a Resource Protection Area determination since such determinations must be verified by King and Queen County.

WETLAND STUDIES AND SOLUTIONS, INC.

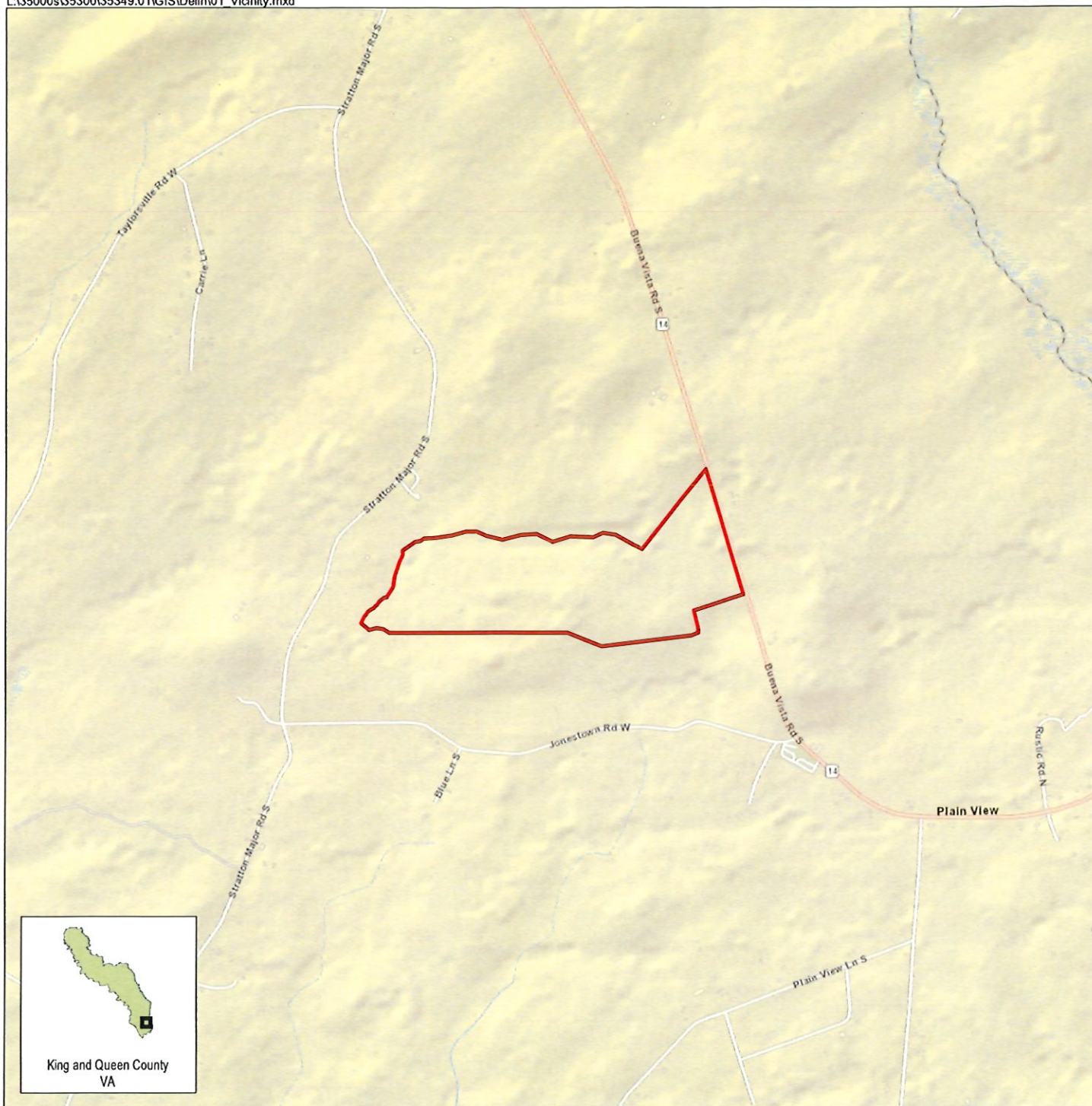


Kyle Zinn, WPIT, CFA
Environmental Scientist



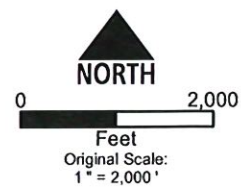
Karen Dodson, PWD, PWS, VSWD, CE
Assistant Manager – Environmental Science

L:\35000s\35300\35349.01\Admin\05-ENVR\Delin\Report\Saluda_WOTUS Report.docx

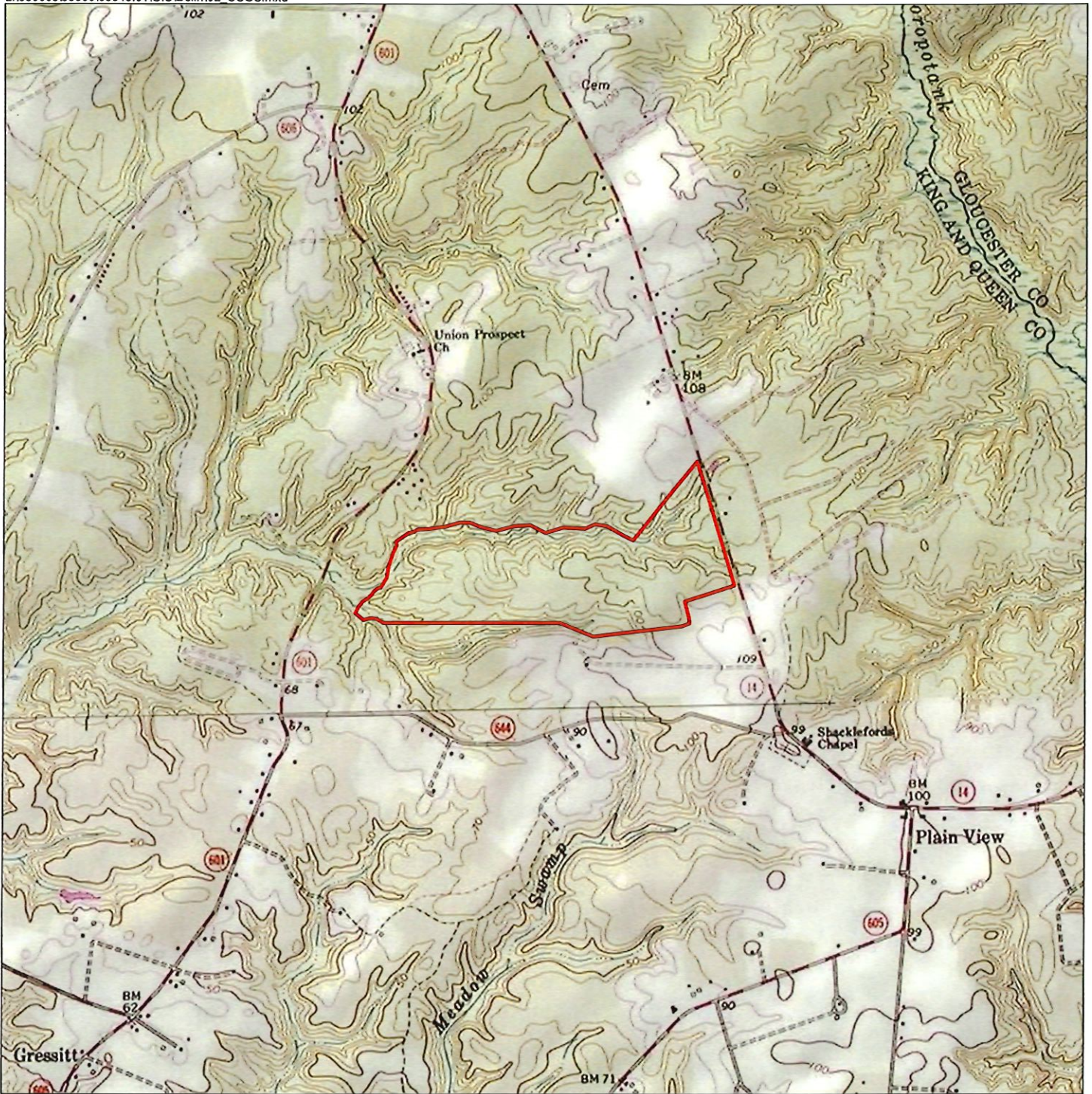


 Site (± 152.4 acres)

Vicinity Map Saluda, VA Solar Project

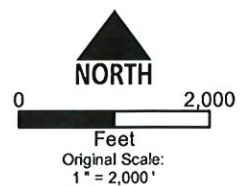


Source: World Street Map - ESRI

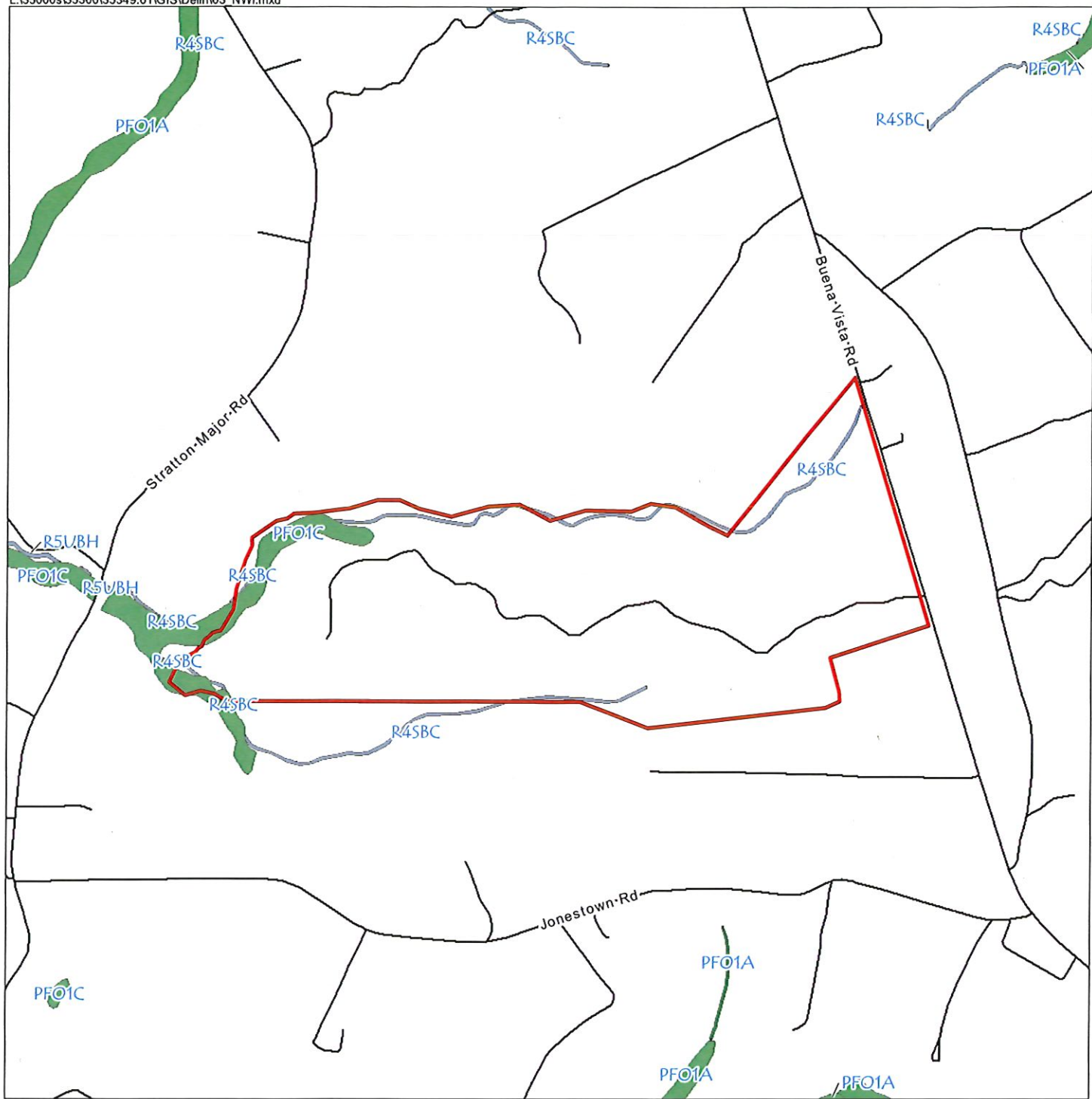


 Site

**USGS 7.5' Quadrangle Map
Saluda, VA Solar Project**

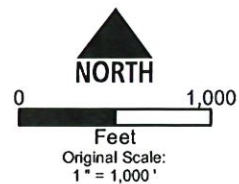


Shacklefords, VA 1989
Latitude: 37°30'19"N
Longitude: 76°41'7"W
Hydrologic Unit Code (HUC): 020801070102
HUC12 Name: Philbates Creek-York River
COE Region: Atlantic and Gulf Coastal Plain

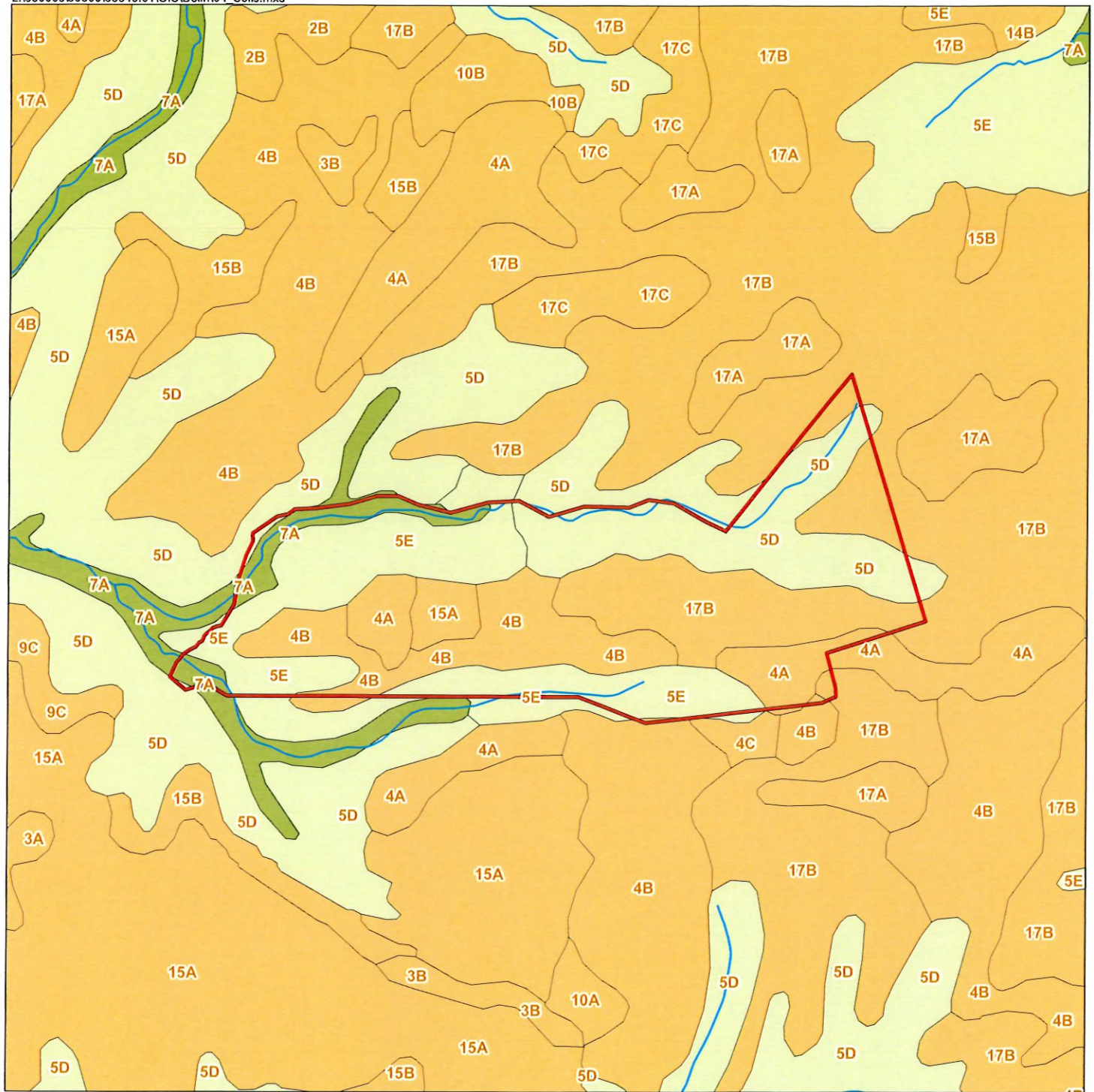


- Site
- Wetland Type**
- Open Water
- Freshwater Forested/Shrub Wetland
- Freshwater Emergent Wetland
- Estuarine and Marine Wetland
- Other

Digital National Wetlands Inventory Map Saluda, VA Solar Project

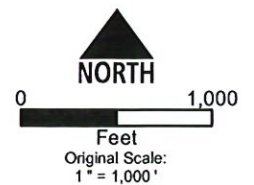


Source: U.S. Fish and Wildlife Service; May 2024



- Site
- Hydric Soil
- Soil with Hydric Inclusion
- Non-Hydric Soil
- Water

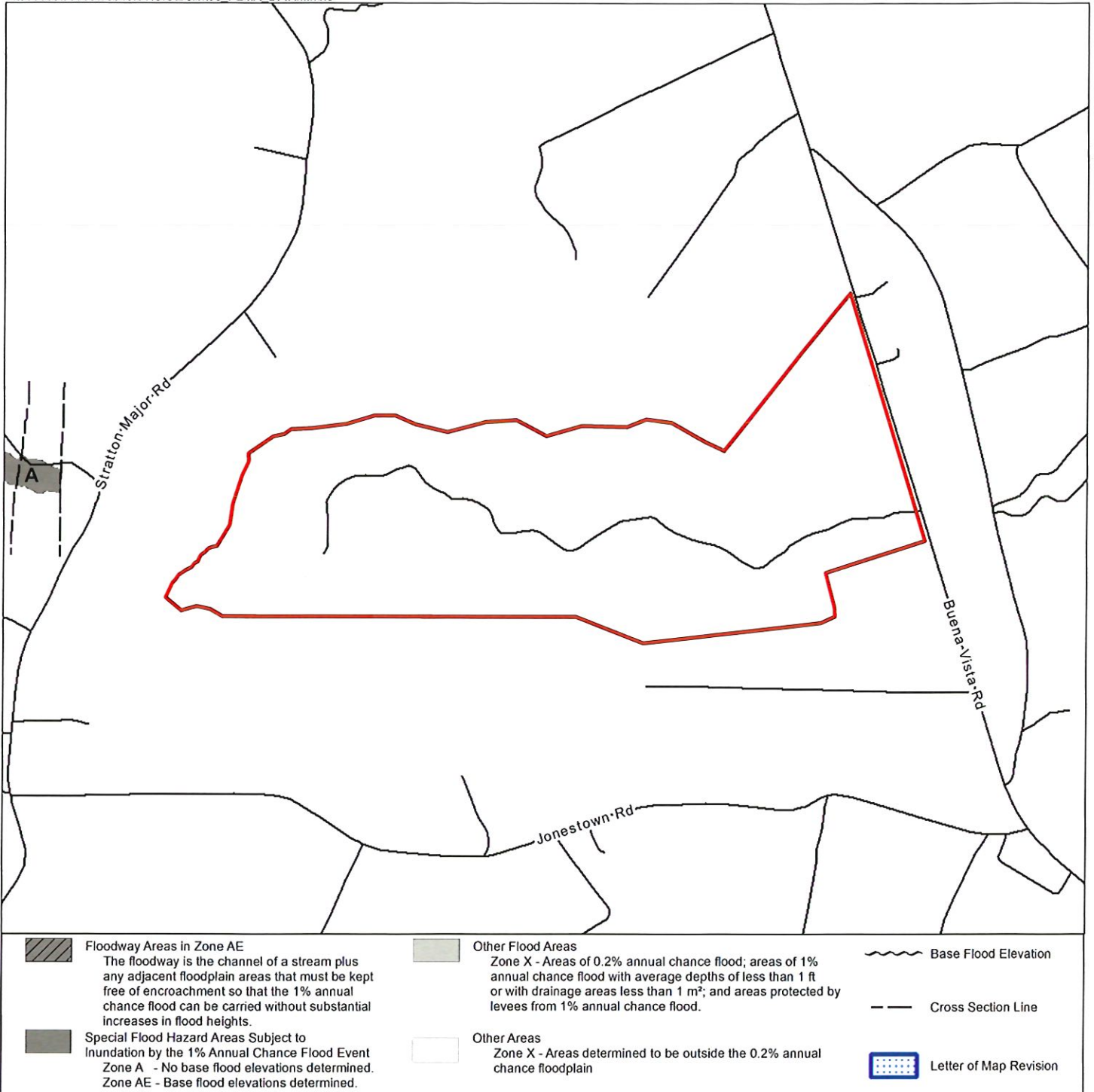
Soils Map Saluda, VA Solar Project



Major Land Resource Area: Southern Coastal Plain, 133A
 Land Resource Region: South Atlantic and Gulf Slope Cash Crops, Forest, and Livestock Region, P
 Source: King and Queen County Digital Data, U.S. Department of Agriculture, 2021

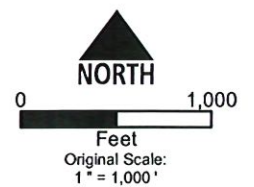
Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4A	Emporia sandy loam, 0 to 2 percent slopes	11.9	7.8%
4B	Emporia sandy loam, 2 to 6 percent slopes	23.5	15.4%
4C	Emporia sandy loam, 6 to 10 percent slopes	0.0	0.0%
5D	Emporia-Slagle-Rumford complex, 6 to 15 percent slopes	31.3	20.6%
5E	Emporia-Slagle-Rumford complex, 15 to 50 percent slopes	40.4	26.5%
7A	Kinston and Bibb soils, 0 to 2 percent slopes, occasionally flooded	7.6	5.0%
15A	Slagle sandy loam, 0 to 2 percent slopes	4.4	2.9%
17B	Suffolk sandy loam, 2 to 6 percent slopes	33.2	21.8%
Totals for Area of Interest		152.4	100.0%

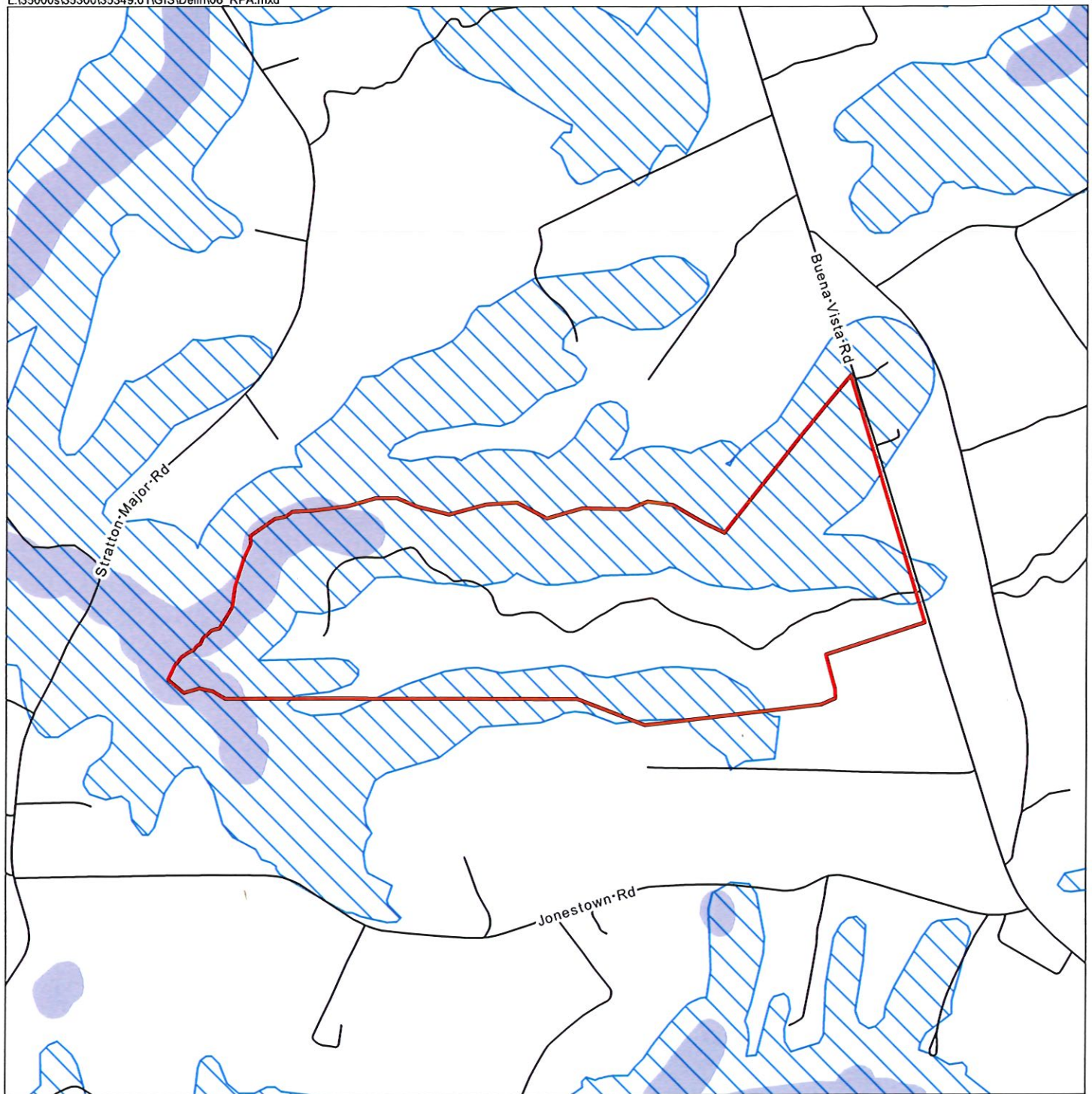


Site

FEMA Digital Flood Insurance Rate Map Saluda, VA Solar Project

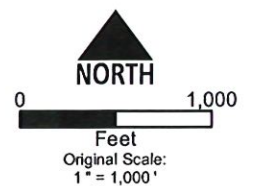


Panel: 51097C0289D, Effective: 10/21/2021
Panel: 51097C0295C, Effective: 10/21/2021

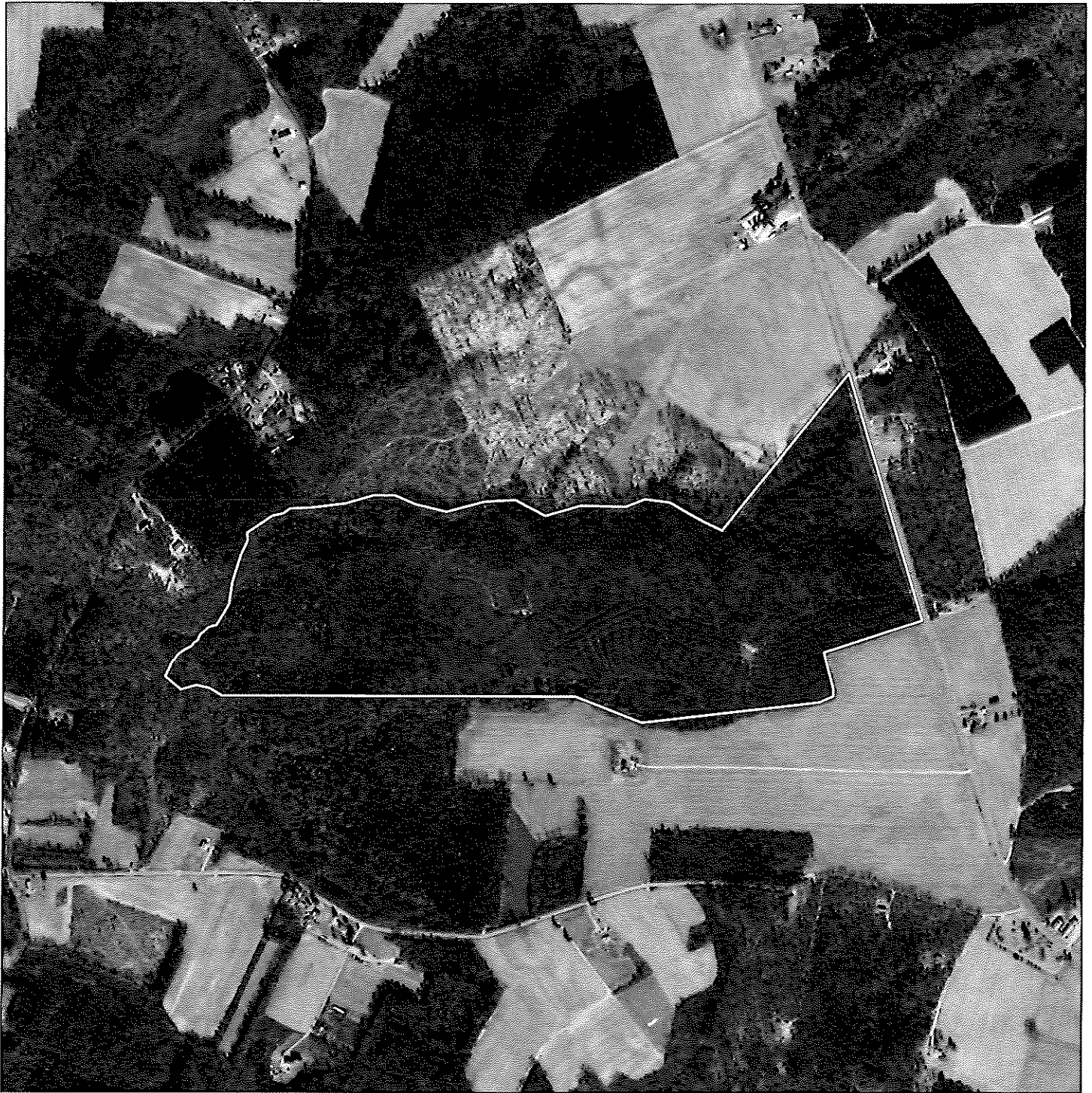


-  Site
-  County Mapped RPA
-  County Mapped RMA

**Resource Protection Area Map
Saluda, VA Solar Project**

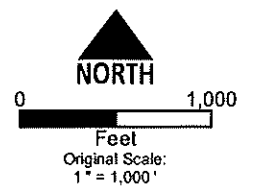


Source: King and Queen County Digital Data



 Site

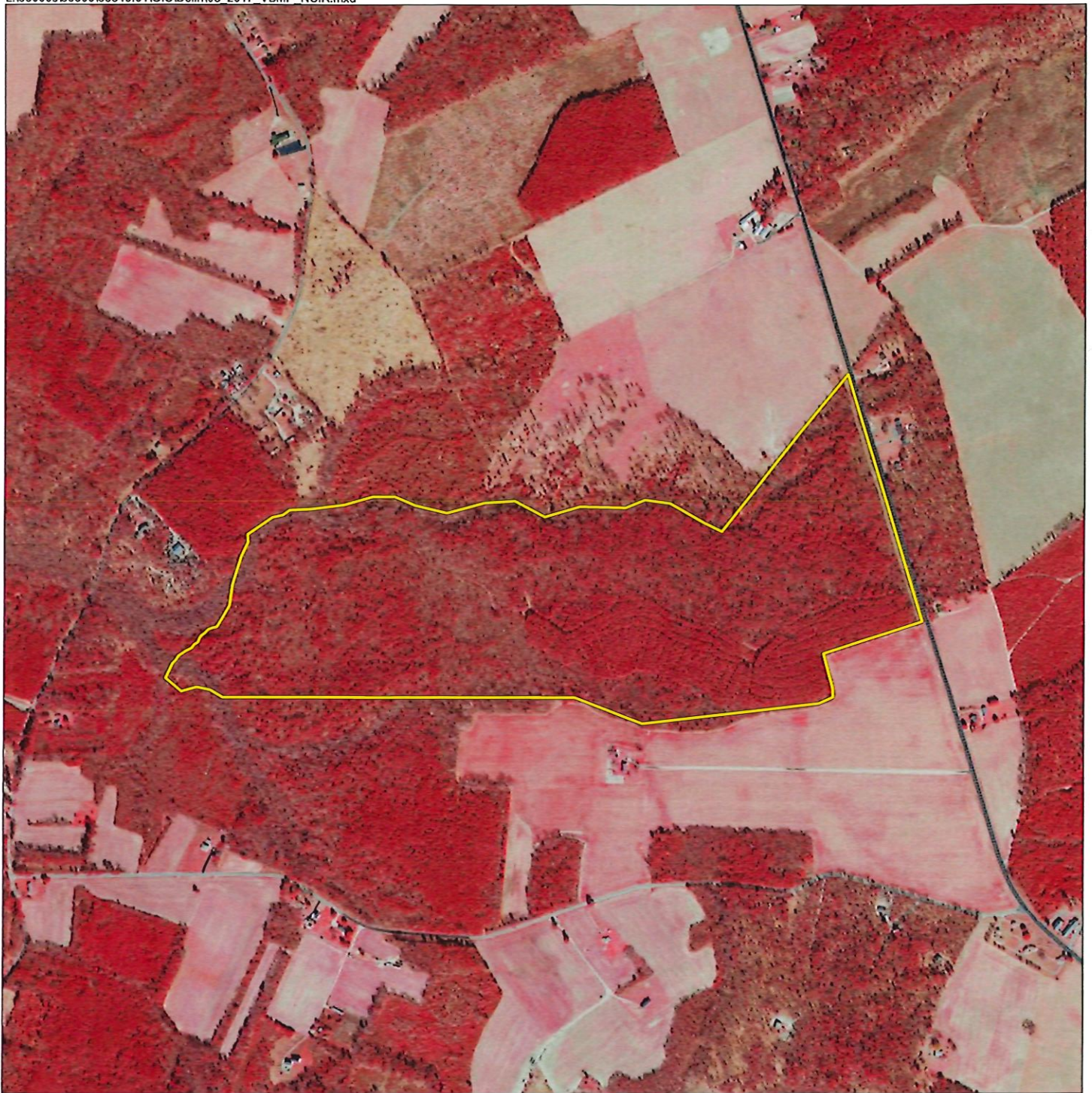
**Spring 2009 Natural Color Imagery
Saluda, VA Solar Project**



Source: Virginia Base Mapping Program (VBMP)

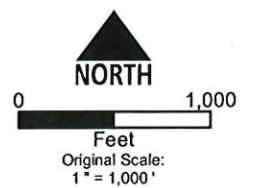
Wetland Studies and Solutions, Inc.
a **DAVEY**  company

Exhibit 7



 Site

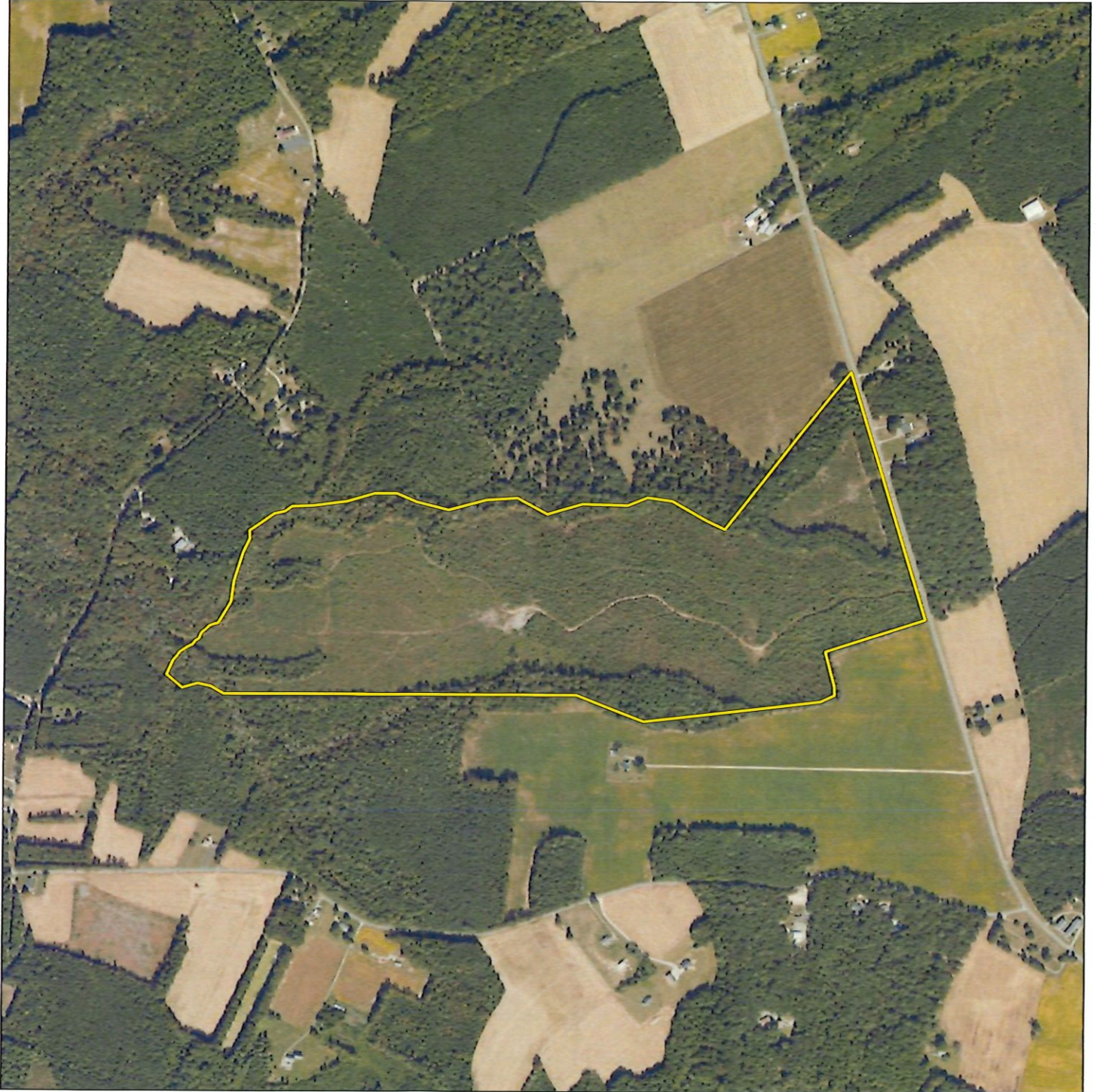
**Spring 2017 Near Color Infrared Imagery
Saluda, VA Solar Project**



Source: Virginia Base Mapping Program (VBMP)

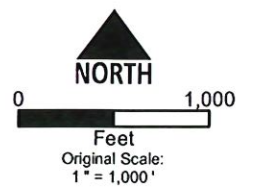
Wetland Studies and Solutions, Inc.
a **DAVEY**  company

Exhibit 8



 Site

**Summer 2023 Natural Color Imagery
Saluda, VA Solar Project**

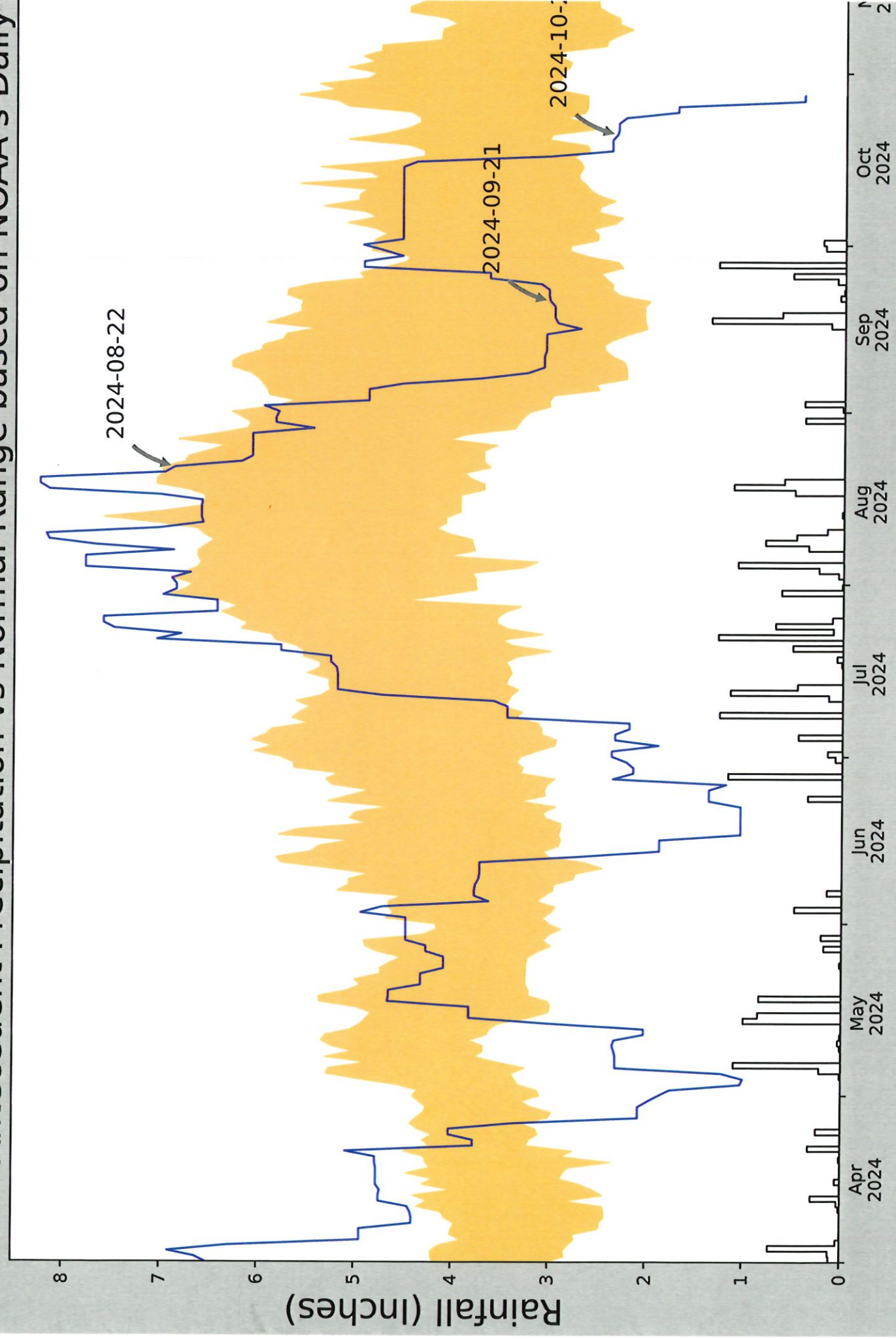


Source: National Agriculture Imagery Program (NAIP)

Wetland Studies and Solutions, Inc.
a **DAVEY**  company

Exhibit 9

EXHIBIT 10



Coordinates	37.503444, -76.687234
Observation Date	2024-10-21
Elevation (ft)	56.008

30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)
2024-10-21	3.023622	4.757087	2.350394
2024-09-21	2.004724	5.579921	3.035433

EXHIBIT 11

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda		Date: 10/16/2024		Data Point: S-1		
Evaluator: KZ		County: King and Queen		Lat/Long:		
Total Points:39.5		Stream Determination (circle one): Ephemeral Intermittent Perennial				
Stream is at least intermittent if ≥ 19 or perennial if $\geq 30^*$						
A. Geomorphology Subtotal = 19		Absent	Weak	Moderate	Strong	Score
1* Continuity of channel bed and bank		0	1	2	3	3
2. Sinuosity of channel along thalweg		0	1	2	3	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence		0	1	2	3	3
4. Particle size of stream substrate		0	1	2	3	1
5. Active/relict floodplain		0	1	2	3	3
6. Depositional bars or benches		0	1	2	3	2
7. Recent alluvial deposits		0	1	2	3	2
8. Headcuts		0	1	2	3	1
9. Grade control		0	0.5	1	1.5	0.5
10. Natural valley		0	0.5	1	1.5	0.5
11. Second or greater order channel		No = 0		Yes = 3		0
*artificial ditches are not rated; see discussions in manual						
B. Hydrology Subtotal =11.5						
12. Presence of Baseflow		0	1	2	3	3
13. Iron oxidizing bacteria		0	1	2	3	2
14. Leaf litter		1.5	1	0.5	0	1.5
15. Sediment on plants or debris		0	0.5	1	1.5	1
16. Organic debris lines or piles		0	0.5	1	1.5	1
17. Soil-based evidence of high water table?		No = 0		Yes = 3		3
C. Biology Subtotal =9						
18. Fibrous roots in streambed		3	2	1	0	3
19. Rooted upland plants in streambed		3	2	1	0	3
20. Macrobenthos (note diversity and abundance)		0	1	2	3	1
21. Aquatic Mollusks		0	1	2	3	0
22. Fish		0	0.5	1	1.5	0
23. Crayfish		0	0.5	1	1.5	1
24. Amphibians		0	0.5	1	1.5	1
25. Algae		0	0.5	1	1.5	0
26. Wetland plants in streambed		FACW = 0.75; OBL = 1.5 Other = 0				0
*perennial streams may also be identified using other methods. See p. 35 of manual.						
Notes:						
Sketch:						

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda	Date: 10/16/2024	Data Point: S-2			
Evaluator: KZ	County: King and Queen	Lat/Long: 37.506111 -76.679444			
Total Points: 38.5 Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*	Stream Determination (circle one): Ephemeral Intermittent Perennial				
A. Geomorphology Subtotal = 19	Absent	Weak	Moderate	Strong	Score
1* Continuity of channel bed and bank	0	1	2	3	3
2. Sinuosity of channel along thalweg	0	1	2	3	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	3
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	3
6. Depositional bars or benches	0	1	2	3	2
7. Recent alluvial deposits	0	1	2	3	2
8. Headcuts	0	1	2	3	1
9. Grade control	0	0.5	1	1.5	0.5
10. Natural valley	0	0.5	1	1.5	0.5
11. Second or greater order channel	No = 0		Yes = 3		0
*artificial ditches are not rated; see discussions in manual					
B. Hydrology Subtotal =10.5					
12. Presence of Baseflow	0	1	2	3	3
13. Iron oxidizing bacteria	0	1	2	3	2
14. Leaf litter	1.5	1	0.5	0	1.5
15. Sediment on plants or debris	0	0.5	1	1.5	0.5
16. Organic debris lines or piles	0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3
C. Biology Subtotal =9					
18. Fibrous roots in streambed	3	2	1	0	3
19. Rooted upland plants in streambed	3	2	1	0	3
20. Macrobenthos (note diversity and abundance)	0	1	2	3	1
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	1
24. Amphibians	0	0.5	1	1.5	1
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0				0
*perennial streams may also be identified using other methods. See p. 35 of manual.					
Notes:					
Sketch:					

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda		Date: 10/16/2024		Data Point: S-3	
Evaluator: KZ		County: King and Queen		Lat/Long: 37.505556 -76.6925	
Total Points:35.5 Stream is at least intermittent if ≥ 19 or perennial if $\geq 30^*$		Stream Determination (circle one): Ephemeral Intermittent Perennial			
A. Geomorphology Subtotal = 16	Absent	Weak	Moderate	Strong	Score
1* Continuity of channel bed and bank	0	1	2	3	3
2. Sinuosity of channel along thalweg	0	1	2	3	3
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	3
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	2
6. Depositional bars or benches	0	1	2	3	1
7. Recent alluvial deposits	0	1	2	3	1
8. Headcuts	0	1	2	3	1
9. Grade control	0	0.5	1	1.5	0.5
10. Natural valley	0	0.5	1	1.5	0.5
11. Second or greater order channel	No = 0		Yes = 3		0
*artificial ditches are not rated; see discussions in manual					
B. Hydrology Subtotal =10.5					
12. Presence of Baseflow	0	1	2	3	3
13. Iron oxidizing bacteria	0	1	2	3	2
14. Leaf litter	1.5	1	0.5	0	1.5
15. Sediment on plants or debris	0	0.5	1	1.5	0.5
16. Organic debris lines or piles	0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3
C. Biology Subtotal =9					
18. Fibrous roots in streambed	3	2	1	0	3
19. Rooted upland plants in streambed	3	2	1	0	3
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3	1
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	1
24. Amphibians	0	0.5	1	1.5	1
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0				0
*perennial streams may also be identified using other methods. See p. 35 of manual.					
Notes:					
Sketch:					

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda		Date: 10/17/2024		Data Point: S-4	
Evaluator: KZ		County: King and Queen		Lat/Long: 37.505556 -76.6925	
Total Points:24.5		Stream Determination (circle one): Ephemeral Intermittent Perennial			
Stream is at least intermittent if ≥ 19 or perennial if $\geq 30^*$					
A. Geomorphology Subtotal = 12	Absent	Weak	Moderate	Strong	Score
1 ^a Continuity of channel bed and bank	0	1	2	3	2
2. Sinuosity of channel along thalweg	0	1	2	3	1
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	1
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	1
6. Depositional bars or benches	0	1	2	3	0
7. Recent alluvial deposits	0	1	2	3	0
8. Headcuts	0	1	2	3	1
9. Grade control	0	0.5	1	1.5	1
10. Natural valley	0	0.5	1	1.5	1
11. Second or greater order channel	No = 0		Yes = 3		3
*artificial ditches are not rated; see discussions in manual					
B. Hydrology Subtotal =4.5					
12. Presence of Baseflow	0	1	2	3	0
13. Iron oxidizing bacteria	0	1	2	3	0
14. Leaf litter	1.5	1	0.5	0	1
15. Sediment on plants or debris	0	0.5	1	1.5	0
16. Organic debris lines or piles	0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3
C. Biology Subtotal =8					
18. Fibrous roots in streambed	3	2	1	0	3
19. Rooted upland plants in streambed	3	2	1	0	3
20. Macrobenthos (note diversity and abundance)	0	1	2	3	0
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	1
24. Amphibians	0	0.5	1	1.5	1
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0				0
*perennial streams may also be identified using other methods. See p. 35 of manual.					
Notes:					
Sketch:					

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda		Date: 10/17/2024		Data Point: S-5	
Evaluator: KZ		County: King and Queen		Lat/Long: 37.503889 -76.694444	
Total Points:35.5		Stream Determination (circle one): Ephemeral Intermittent Perennial			
Stream is at least intermittent if ≥ 19 or perennial if $\geq 30^*$					
A. Geomorphology Subtotal = 18	Absent	Weak	Moderate	Strong	Score
1 ^a Continuity of channel bed and bank	0	1	2	3	3
2. Sinuosity of channel along thalweg	0	1	2	3	2
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	2
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	2
6. Depositional bars or benches	0	1	2	3	1
7. Recent alluvial deposits	0	1	2	3	1
8. Headcuts	0	1	2	3	1
9. Grade control	0	0.5	1	1.5	1
10. Natural valley	0	0.5	1	1.5	1
11. Second or greater order channel	No = 0		Yes = 3		3
*artificial ditches are not rated; see discussions in manual					
B. Hydrology Subtotal =9.5					
12. Presence of Baseflow	0	1	2	3	2
13. Iron oxidizing bacteria	0	1	2	3	2
14. Leaf litter	1.5	1	0.5	0	1.5
15. Sediment on plants or debris	0	0.5	1	1.5	0.5
16. Organic debris lines or piles	0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3
C. Biology Subtotal =8					
18. Fibrous roots in streambed	3	2	1	0	3
19. Rooted upland plants in streambed	3	2	1	0	3
20. Macrobenthos (note diversity and abundance)	0	1	2	3	0
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	1
24. Amphibians	0	0.5	1	1.5	1
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0				0
*perennial streams may also be identified using other methods. See p. 35 of manual.					
Notes:					
Sketch:					

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda		Date: 10/21/2024		Data Point: S-6		
Evaluator: KZ		County: King and Queen		Lat/Long: 37.503333 -76.686944		
Total Points:35.5		Stream Determination (circle one): Ephemeral Intermittent Perennial				
Stream is at least intermittent if ≥ 19 or perennial if $\geq 30^*$						
A. Geomorphology Subtotal = 18		Absent	Weak	Moderate	Strong	Score
1* Continuity of channel bed and bank		0	1	2	3	3
2. Sinuosity of channel along thalweg		0	1	2	3	2
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence		0	1	2	3	2
4. Particle size of stream substrate		0	1	2	3	1
5. Active/relict floodplain		0	1	2	3	2
6. Depositional bars or benches		0	1	2	3	1
7. Recent alluvial deposits		0	1	2	3	1
8. Headcuts		0	1	2	3	1
9. Grade control		0	0.5	1	1.5	1
10. Natural valley		0	0.5	1	1.5	1
11. Second or greater order channel		No = 0		Yes = 3		3
*artificial ditches are not rated; see discussions in manual						
B. Hydrology Subtotal =9.5						
12. Presence of Baseflow		0	1	2	3	2
13. Iron oxidizing bacteria		0	1	2	3	2
14. Leaf litter		1.5	1	0.5	0	1.5
15. Sediment on plants or debris		0	0.5	1	1.5	0.5
16. Organic debris lines or piles		0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?		No = 0		Yes = 3		3
C. Biology Subtotal =8						
18. Fibrous roots in streambed		3	2	1	0	3
19. Rooted upland plants in streambed		3	2	1	0	3
20. Macroinvertebrates (note diversity and abundance)		0	1	2	3	0
21. Aquatic Mollusks		0	1	2	3	0
22. Fish		0	0.5	1	1.5	0
23. Crayfish		0	0.5	1	1.5	1
24. Amphibians		0	0.5	1	1.5	1
25. Algae		0	0.5	1	1.5	0
26. Wetland plants in streambed		FACW = 0.75; OBL = 1.5 Other = 0				0
*perennial streams may also be identified using other methods. See p. 35 of manual.						
Notes:						
Sketch:						

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda	Date: 10/21/2024	Data Point: S-7
Evaluator: KZ	County: King and Queen	Lat/Long: 37.503056 -76.684167

Total Points:35.5

Stream is at least intermittent if ≥ 19 or perennial if $\geq 30^*$

Stream Determination (circle one):
Ephemeral Intermittent **Perennial**

A. Geomorphology Subtotal = 18	Absent	Weak	Moderate	Strong	Score
1* Continuity of channel bed and bank	0	1	2	3	3
2. Sinuosity of channel along thalweg	0	1	2	3	2
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	2
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	2
6. Depositional bars or benches	0	1	2	3	1
7. Recent alluvial deposits	0	1	2	3	1
8. Headcuts	0	1	2	3	1
9. Grade control	0	0.5	1	1.5	1
10. Natural valley	0	0.5	1	1.5	1
11. Second or greater order channel	No = 0		Yes = 3		3

*artificial ditches are not rated; see discussions in manual

B. Hydrology Subtotal =9.5

12. Presence of Baseflow	0	1	2	3	2
13. Iron oxidizing bacteria	0	1	2	3	2
14. Leaf litter	1.5	1	0.5	0	1.5
15. Sediment on plants or debris	0	0.5	1	1.5	0.5
16. Organic debris lines or piles	0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3

C. Biology Subtotal =8

18. Fibrous roots in streambed	3	2	1	0	3
19. Rooted upland plants in streambed	3	2	1	0	3
20. Macroinvertebrates (note diversity and abundance)	0	1	2	3	0
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	1
24. Amphibians	0	0.5	1	1.5	1
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0				0

*perennial streams may also be identified using other methods. See p. 35 of manual.

Notes:

Sketch:

NC DWQ Stream Identification Form Version 4.11

Project/Site: Saluda	Date: 10/21/2024	Data Point: S-8			
Evaluator: KZ	County: King and Queen	Lat/Long: 37.503056 -76.683056			
Total Points: 21 Stream is at least intermittent if ≥ 19 or perennial if ≥ 30*	Stream Determination (circle one): Ephemeral Intermittent Perennial				
A. Geomorphology Subtotal = 9	Absent	Weak	Moderate	Strong	Score
1* Continuity of channel bed and bank	0	1	2	3	2
2. Sinuosity of channel along thalweg	0	1	2	3	1
3. In-channel structure: ex. riffle-pool, step-pool, ripple-pool sequence	0	1	2	3	0
4. Particle size of stream substrate	0	1	2	3	1
5. Active/relict floodplain	0	1	2	3	1
6. Depositional bars or benches	0	1	2	3	1
7. Recent alluvial deposits	0	1	2	3	1
8. Headcuts	0	1	2	3	1
9. Grade control	0	0.5	1	1.5	0.5
10. Natural valley	0	0.5	1	1.5	0.5
11. Second or greater order channel	No = 0		Yes = 3		0
*artificial ditches are not rated; see discussions in manual					
B. Hydrology Subtotal =4.5					
12. Presence of Baseflow	0	1	2	3	0
13. Iron oxidizing bacteria	0	1	2	3	0
14. Leaf litter	1.5	1	0.5	0	1
15. Sediment on plants or debris	0	0.5	1	1.5	0
16. Organic debris lines or piles	0	0.5	1	1.5	0.5
17. Soil-based evidence of high water table?	No = 0		Yes = 3		3
C. Biology Subtotal =7.5					
18. Fibrous roots in streambed	3	2	1	0	3
19. Rooted upland plants in streambed	3	2	1	0	3
20. Macrobenthos (note diversity and abundance)	0	1	2	3	0
21. Aquatic Mollusks	0	1	2	3	0
22. Fish	0	0.5	1	1.5	0
23. Crayfish	0	0.5	1	1.5	1
24. Amphibians	0	0.5	1	1.5	0.5
25. Algae	0	0.5	1	1.5	0
26. Wetland plants in streambed	FACW = 0.75; OBL = 1.5 Other = 0				0
*perennial streams may also be identified using other methods. See p. 35 of manual.					
Notes:					
Sketch:					

EXHIBIT 12

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Saluda City/County: King and Queen County Sampling Date: 2024-10-16
Applicant/Owner: KCI Technologies, Inc. State: Virginia Sampling Point: DP1
Investigator(s): KZ Section, Township, Range: _____
Landform (hillslope, terrace, etc.): Flat Local relief (concave, convex, none): None Slope (%): 1-3
Subregion (LRR or MLRA): P 133A Lat: 37.50889142 Long: -76.67867805 Datum: NAD 83
Soil Map Unit Name: 17B - Suffolk sandy loam, 2 to 6 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No _____ (If no, explain in Remarks.)
Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No _____
Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No _____	Is the Sampled Area within a Wetland? Yes _____ No ☒
Hydric Soil Present? Yes _____ No ☒	
Wetland Hydrology Present? Yes _____ No ☒	

Remarks:

Only one of the three wetland parameters (i.e., hydrophytic vegetation) was observed at this location

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- | | |
|--|--|
| ☐ Surface Water (A1) | ☐ Aquatic Fauna (B13) |
| ☐ High Water Table (A2) | ☐ Marl Deposits (B15) (LRR U) |
| ☐ Saturation (A3) | ☐ Hydrogen Sulfide Odor (C1) |
| ☐ Water Marks (B1) | ☐ Oxidized Rhizospheres along Living Roots (C3) |
| ☐ Sediment Deposits (B2) | ☐ Presence of Reduced Iron (C4) |
| ☐ Drift Deposits (B3) | ☐ Recent Iron Reduction in Tilled Soils (C6) |
| ☐ Algal Mat or Crust (B4) | ☐ Thin Muck Surface (C7) |
| ☐ Iron Deposits (B5) | ☐ Other (Explain in Remarks) |
| ☐ Inundation Visible on Aerial Imagery (B7) | |
| ☐ Water-Stained Leaves (B9) | |

Secondary Indicators (minimum of two required)

- | |
|--|
| ☐ Surface Soil Cracks (B6) |
| ☐ Sparsely Vegetated Concave Surface (B8) |
| ☐ Drainage Patterns (B10) |
| ☐ Moss Trim Lines (B16) |
| ☐ Dry-Season Water Table (C2) |
| ☐ Crayfish Burrows (C8) |
| ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Geomorphic Position (D2) |
| ☐ Shallow Aquitard (D3) |
| ☐ FAC-Neutral Test (D5) |
| ☐ Sphagnum moss (D8) (LRR T, U) |

Field Observations:

Surface Water Present? Yes _____ No ☒ Depth (inches): _____
Water Table Present? Yes _____ No ☒ Depth (inches): _____
Saturation Present? Yes _____ No ☒ Depth (inches): _____
(includes capillary fringe)

Wetland Hydrology Present? Yes _____ No ☒

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

No hydrology was observed at this location.

VEGETATION (Four Strata) – Use scientific names of plants.

 Sampling Point: DP1

Tree Stratum (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____

_____ = Total Cover

50% of total cover: _____ 20% of total cover: _____

Sapling/Shrub Stratum (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Ligustrum sinense</u>	<u>10</u>	<u>✓</u>	<u>FAC</u>
2. <u>Magnolia virginiana</u>	<u>10</u>	<u>✓</u>	<u>FACW</u>
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____

_____ = Total Cover

 50% of total cover: 10.00 20% of total cover: 4.00

Herb Stratum (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Dichanthelium clandestinum</u>	<u>40</u>	<u>✓</u>	<u>FACW</u>
2. <u>Glechoma hederacea</u>	<u>12</u>	<u>✓</u>	<u>FACU</u>
3. <u>Solidago altissima</u>	<u>10</u>	_____	<u>FACU</u>
4. <u>Lonicera japonica</u>	<u>8</u>	_____	<u>FACU</u>
5. <u>Solanum carolinense</u>	<u>8</u>	_____	<u>FACU</u>
6. <u>Polygonum pensylvanicum</u>	<u>6</u>	_____	_____
7. <u>Woodwardia areolata</u>	<u>3</u>	_____	<u>OBL</u>
8. _____	_____	_____	_____
9. _____	_____	_____	_____
10. _____	_____	_____	_____
11. _____	_____	_____	_____
12. _____	_____	_____	_____

_____ = Total Cover

 50% of total cover: 43.50 20% of total cover: 17.40

Woody Vine Stratum (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____

_____ = Total Cover

50% of total cover: _____ 20% of total cover: _____

Dominance Test worksheet:

 Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

 Total Number of Dominant Species Across All Strata: 4 (B)

 Percent of Dominant Species That Are OBL, FACW, or FAC: 75.00 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>3</u>	x 1 = <u>3</u>
FACW species <u>50</u>	x 2 = <u>100</u>
FAC species <u>10</u>	x 3 = <u>30</u>
FACU species <u>38</u>	x 4 = <u>152</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>101</u> (A)	<u>285</u> (B)

 Prevalence Index = B/A = 2.82
Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
☒ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0¹
☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:
Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

 Hydrophytic
Vegetation
Present?

 Yes ✓ No _____

Remarks: (If observed, list morphological adaptations below).

No tree or woody vine strata was observed at this location.

SOIL

Sampling Point: DP1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0 - 18	2.5Y 6/4	70	2.5Y 4/4	30	D	M	Sandy Loam	
-								
-								
-								
-								
-								
-								

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ Organic Bodies (A6) (LRR P, T, U)
☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
☐ Muck Presence (A8) (LRR U)
☐ 1 cm Muck (A9) (LRR P, T)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Coast Prairie Redox (A16) (MLRA 150A)
☐ Sandy Mucky Mineral (S1) (LRR O, S)
☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
☐ Thin Dark Surface (S9) (LRR S, T, U)
☐ Loamy Mucky Mineral (F1) (LRR O)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)
☐ Marl (F10) (LRR U)
☐ Depleted Ochric (F11) (MLRA 151)
☐ Iron-Manganese Masses (F12) (LRR O, P, T)
☐ Umbric Surface (F13) (LRR P, T, U)
☐ Delta Ochric (F17) (MLRA 151)
☐ Reduced Vertic (F18) (MLRA 150A, 150B)
☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- ☐ 1 cm Muck (A9) (LRR O)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20)
 (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ☒

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Saluda City/County: King and Queen County Sampling Date: 2024-10-16
 Applicant/Owner: KCI Technologies, Inc. State: Virginia Sampling Point: DP2
 Investigator(s): KZ Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Swale Local relief (concave, convex, none): Concave Slope (%): _____
 Subregion (LRR or MLRA): P 133A Lat: 37.50852871 Long: -76.67879367 Datum: NAD 83
 Soil Map Unit Name: 17B - Suffolk sandy loam, 2 to 6 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ☒ No _____	Is the Sampled Area within a Wetland? Yes ☒ No _____
Hydric Soil Present?	Yes ☒ No _____	
Wetland Hydrology Present?	Yes ☒ No _____	
Remarks: All three wetland parameters (i.e., wetland hydrology, hydrophytic vegetation, and hydric soil) were observed at this location.		

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply) ☐ Surface Water (A1) ☒ High Water Table (A2) ☒ Saturation (A3) ☐ Water Marks (B1) ☐ Sediment Deposits (B2) ☐ Drift Deposits (B3) ☐ Algal Mat or Crust (B4) ☐ Iron Deposits (B5) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9) ☐ Aquatic Fauna (B13) ☐ Marl Deposits (B15) (LRR U) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Thin Muck Surface (C7) ☐ Other (Explain in Remarks)		Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes _____ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No _____ Depth (inches): <u>3</u> Saturation Present? Yes ☒ No _____ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No _____	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Four Strata) – Use scientific names of plants.

 Sampling Point: **DP2**

<u>Tree Stratum</u> (Plot size: <u>30 ft r</u>)			
	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Acer rubrum</u>	<u>20</u>	☒	<u>FAC</u>
2. <u>Ilex opaca</u>	<u>20</u>	☒	<u>FAC</u>
3. <u>Liriodendron tulipifera</u>	<u>12</u>	☒	<u>FACU</u>
4. <u>Nyssa sylvatica</u>	<u>12</u>	☒	<u>FAC</u>
5. <u>Fagus grandifolia</u>	<u>10</u>		<u>FACU</u>
6. <u>Pinus taeda</u>	<u>8</u>		<u>FAC</u>
7. _____			
8. _____			

82 = Total Cover

 50% of total cover: 41.00 20% of total cover: 16.40

<u>Sapling/Shrub Stratum</u> (Plot size: <u>30 ft r</u>)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			

_____ = Total Cover

50% of total cover: _____ 20% of total cover: _____

<u>Herb Stratum</u> (Plot size: <u>30 ft r</u>)			
1. <u>Smilax rotundifolia</u>	<u>5</u>	☒	<u>FAC</u>
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
12. _____			

5 = Total Cover

 50% of total cover: 2.50 20% of total cover: 1.00

<u>Woody Vine Stratum</u> (Plot size: <u>30 ft r</u>)			
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			

_____ = Total Cover

50% of total cover: _____ 20% of total cover: _____

Dominance Test worksheet:

 Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

 Total Number of Dominant Species Across All Strata: 3 (B)

 Percent of Dominant Species That Are OBL, FACW, or FAC: 133.33 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>0</u>	x 2 = <u>0</u>
FAC species <u>65</u>	x 3 = <u>195</u>
FACU species <u>22</u>	x 4 = <u>88</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>87</u> (A)	<u>283</u> (B)

 Prevalence Index = B/A = 3.25
Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
☒ 2 - Dominance Test is >50%
☐ 3 - Prevalence Index is ≤3.0¹
☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present?

 Yes ☒ No _____

Remarks: (If observed, list morphological adaptations below).

No sapling/shrub or woody vine strata was observed at this location.

SOIL

Sampling Point: DP2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0 - 18	2.5Y 3/2	95	7.5YR 4/6	5	C	PL / M	Sandy Loam	
-								
-								
-								
-								
-								
-								

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ Organic Bodies (A6) (LRR P, T, U)
☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
☐ Muck Presence (A8) (LRR U)
☐ 1 cm Muck (A9) (LRR P, T)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Coast Prairie Redox (A16) (MLRA 150A)
☐ Sandy Mucky Mineral (S1) (LRR O, S)
☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
☐ Thin Dark Surface (S9) (LRR S, T, U)
☐ Loamy Mucky Mineral (F1) (LRR O)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☒ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)
☐ Marl (F10) (LRR U)
☐ Depleted Ochric (F11) (MLRA 151)
☐ Iron-Manganese Masses (F12) (LRR O, P, T)
☐ Umbric Surface (F13) (LRR P, T, U)
☐ Delta Ochric (F17) (MLRA 151)
☐ Reduced Vertic (F18) (MLRA 150A, 150B)
☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- ☐ 1 cm Muck (A9) (LRR O)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20)
 (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Saluda City/County: King and Queen County Sampling Date: 2024-10-21
 Applicant/Owner: KCI Technologies, Inc. State: Virginia Sampling Point: DP3
 Investigator(s): KZ Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): None Slope (%): 1-3
 Subregion (LRR or MLRA): P 133A Lat: 37.50305937 Long: -76.68206838 Datum: NAD 83
 Soil Map Unit Name: 5E - Emporia-Slagle-Rumford complex, 15 to 50 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No _____	Is the Sampled Area within a Wetland? Yes _____ No ☒
Hydric Soil Present? Yes _____ No ☒	
Wetland Hydrology Present? Yes _____ No ☒	
Remarks: Only one of the three wetland parameters (i.e., hydrophytic vegetation) was observed at this location.	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes _____ No ☒ Depth (inches): _____ Water Table Present? Yes _____ No ☒ Depth (inches): _____ Saturation Present? Yes _____ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No ☒	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
No hydrology was observed at this location.

Sampling Point: DP3

Atlantic and Gulf Coastal Plain Region – Version 2.0

SOIL

Sampling Point: DP3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features			Loc ²	Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹			
0 - 18	2.5Y 5/3	95	7.5YR 6/8	5	C	M	Silty Clay Loam	
-								
-								
-								
-								
-								
-								

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ Organic Bodies (A6) (LRR P, T, U)
☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
☐ Muck Presence (A8) (LRR U)
☐ 1 cm Muck (A9) (LRR P, T)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Coast Prairie Redox (A16) (MLRA 150A)
☐ Sandy Mucky Mineral (S1) (LRR O, S)
☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
☐ Thin Dark Surface (S9) (LRR S, T, U)
☐ Loamy Mucky Mineral (F1) (LRR O)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)
☐ Marl (F10) (LRR U)
☐ Depleted Ochric (F11) (MLRA 151)
☐ Iron-Manganese Masses (F12) (LRR O, P, T)
☐ Umbric Surface (F13) (LRR P, T, U)
☐ Delta Ochric (F17) (MLRA 151)
☐ Reduced Vertic (F18) (MLRA 150A, 150B)
☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- ☐ 1 cm Muck (A9) (LRR O)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20)
 (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ☒

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Saluda City/County: King and Queen County Sampling Date: 2024-10-21
 Applicant/Owner: KCI State: Virginia Sampling Point: DP4
 Investigator(s): KZ Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Swale Local relief (concave, convex, none): Concave Slope (%): 1-3
 Subregion (LRR or MLRA): P 133A Lat: 37.50316041 Long: -76.68213343 Datum: NAD 83
 Soil Map Unit Name: 5E - Emporia-Slagle-Rumford complex, 15 to 50 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No _____	Is the Sampled Area within a Wetland? Yes ☒ No _____
Hydric Soil Present? Yes ☒ No _____	
Wetland Hydrology Present? Yes ☒ No _____	
Remarks: All three wetland parameters (i.e., wetland hydrology, hydrophytic vegetation, and hydric soil) were observed at this location.	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☒ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes _____ No ☒ Depth (inches): _____ Water Table Present? Yes _____ No ☒ Depth (inches): _____ Saturation Present? Yes _____ No ☒ Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? Yes ☒ No _____

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

VEGETATION (Four Strata) – Use scientific names of plants.

 Sampling Point: **DP4**

<u>Tree Stratum</u> (Plot size: <u>30 ft r</u>)			
	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Liquidambar styraciflua</u>	<u>60</u>	<u>✓</u>	<u>FAC</u>
2. <u>Carpinus caroliniana</u>	<u>15</u>		<u>FAC</u>
3. <u>Ilex opaca</u>	<u>8</u>		<u>FAC</u>
4. <u>Acer rubrum</u>	<u>5</u>		<u>FAC</u>
5. _____			
6. _____			
7. _____			
8. _____			

88 = Total Cover

 50% of total cover: 44.00 20% of total cover: 17.60

<u>Sapling/Shrub Stratum</u> (Plot size: <u>30 ft r</u>)			
	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Clethra alnifolia</u>	<u>15</u>	<u>✓</u>	<u>FACW</u>
2. <u>Carpinus caroliniana</u>	<u>7</u>	<u>✓</u>	<u>FAC</u>
3. <u>Ilex opaca</u>	<u>3</u>		<u>FAC</u>
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			

25 = Total Cover

 50% of total cover: 12.50 20% of total cover: 5.00

<u>Herb Stratum</u> (Plot size: <u>30 ft r</u>)			
	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Clethra alnifolia</u>	<u>5</u>	<u>✓</u>	<u>FACW</u>
2. <u>Parathelypteris noveboracensis</u>	<u>5</u>	<u>✓</u>	<u>FAC</u>
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
12. _____			

10 = Total Cover

 50% of total cover: 5.00 20% of total cover: 2.00

<u>Woody Vine Stratum</u> (Plot size: <u>30 ft r</u>)			
	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
_____ = Total Cover			
50% of total cover: _____ 20% of total cover: _____			

Remarks: (If observed, list morphological adaptations below).

No woody vine stratum was observed at this location.
Dominance Test worksheet:

 Number of Dominant Species That Are OBL, FACW, or FAC: 5 (A)

 Total Number of Dominant Species Across All Strata: 5 (B)

 Percent of Dominant Species That Are OBL, FACW, or FAC: 100.00 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>20</u>	x 2 = <u>40</u>
FAC species <u>103</u>	x 3 = <u>309</u>
FACU species <u>0</u>	x 4 = <u>0</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>123</u> (A)	<u>349</u> (B)

 Prevalence Index = B/A = 2.83
Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
☒ 2 - Dominance Test is >50%
☒ 3 - Prevalence Index is ≤3.0¹
☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:
Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present?

 Yes ✓ No _____

SOIL

Sampling Point: DP4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0 - 18	2.5Y 5/2	90	7.5YR 6/8	10	C	PL / M	Clay Loam	
-								
-								
-								
-								
-								
-								

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ Organic Bodies (A6) (LRR P, T, U)
☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
☐ Muck Presence (A8) (LRR U)
☐ 1 cm Muck (A9) (LRR P, T)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Coast Prairie Redox (A16) (MLRA 150A)
☐ Sandy Mucky Mineral (S1) (LRR O, S)
☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
☐ Thin Dark Surface (S9) (LRR S, T, U)
☐ Loamy Mucky Mineral (F1) (LRR O)
☐ Loamy Gleyed Matrix (F2)
☒ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)
☐ Marl (F10) (LRR U)
☐ Depleted Ochric (F11) (MLRA 151)
☐ Iron-Manganese Masses (F12) (LRR O, P, T)
☐ Umbric Surface (F13) (LRR P, T, U)
☐ Delta Ochric (F17) (MLRA 151)
☐ Reduced Vertic (F18) (MLRA 150A, 150B)
☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- ☐ 1 cm Muck (A9) (LRR O)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20)
 (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Saluda City/County: King and Queen County Sampling Date: 2024-10-21
 Applicant/Owner: KCI Technologies, Inc. State: Virginia Sampling Point: DP5
 Investigator(s): KZ Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Swale Local relief (concave, convex, none): Concave Slope (%): 2-4
 Subregion (LRR or MLRA): P 133A Lat: 37.50387483 Long: -76.69340837 Datum: NAD 83
 Soil Map Unit Name: 5E - Emporia-Slagle-Rumford complex, 15 to 50 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No _____	Is the Sampled Area within a Wetland? Yes ☒ No _____
Hydric Soil Present? Yes ☒ No _____	
Wetland Hydrology Present? Yes ☒ No _____	
Remarks: All three wetland parameters (i.e., wetland hydrology, hydrophytic vegetation, and hydric soils) were observed at this location	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☒ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☒ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☒ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☒ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☒ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes _____ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No _____ Depth (inches): <u>0</u> Saturation Present? Yes ☒ No _____ Depth (inches): <u>0</u> (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No _____	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

VEGETATION (Four Strata) – Use scientific names of plants.

 Sampling Point: **DP5**

<u>Tree Stratum</u> (Plot size: <u>30 ft r</u>)		Absolute % Cover	Dominant Species?	Indicator Status
1.	<i>Pinus taeda</i>	30	✓	FAC
2.	<i>Salix nigra</i>	15	✓	OBL
3.	<i>Acer rubrum</i>	10		FAC
4.	<i>Fagus grandifolia</i>	10		FACU
5.	<i>Carpinus caroliniana</i>	5		FAC
6.				
7.				
8.				

70 = Total Cover

 50% of total cover: 35.00 20% of total cover: 14.00

<u>Sapling/Shrub Stratum</u> (Plot size: <u>30 ft r</u>)		Absolute % Cover	Dominant Species?	Indicator Status
1.	<i>Magnolia virginiana</i>	10	✓	FACW
2.	<i>Carpinus caroliniana</i>	5	✓	FAC
3.	<i>Liquidambar styraciflua</i>	3		FAC
4.	<i>Ilex opaca</i>	2		FAC
5.				
6.				
7.				
8.				

20 = Total Cover

 50% of total cover: 10.00 20% of total cover: 4.00

<u>Herb Stratum</u> (Plot size: <u>30 ft r</u>)		Absolute % Cover	Dominant Species?	Indicator Status
1.	<i>Parathelypteris noveboracensis</i>	5	✓	FAC
2.	<i>Woodwardia areolata</i>	3	✓	OBL
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				

8 = Total Cover

 50% of total cover: 4.00 20% of total cover: 1.60

<u>Woody Vine Stratum</u> (Plot size: <u>30 ft r</u>)		Absolute % Cover	Dominant Species?	Indicator Status
1.				
2.				
3.				
4.				
5.				

= Total Cover

50% of total cover: _____ 20% of total cover: _____

Remarks: (If observed, list morphological adaptations below).

No woody vine stratum was observed at this location.
Dominance Test worksheet:

 Number of Dominant Species That Are OBL, FACW, or FAC: 6 (A)

 Total Number of Dominant Species Across All Strata: 5 (B)

 Percent of Dominant Species That Are OBL, FACW, or FAC: 120.00 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>18</u>	x 1 = <u>18</u>
FACW species <u>10</u>	x 2 = <u>20</u>
FAC species <u>60</u>	x 3 = <u>180</u>
FACU species <u>10</u>	x 4 = <u>40</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>98</u> (A)	<u>258</u> (B)

 Prevalence Index = B/A = 2.63
Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
☒ 2 - Dominance Test is >50%
☒ 3 - Prevalence Index is ≤3.0¹
☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:
Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

**Hydrophytic
Vegetation
Present?**

 Yes ☒ No ☐

SOIL

Sampling Point: DP5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0 - 7	2.5Y 4/1	95	7.5YR 4/6	5	C	PL / M	Sandy Loam	
7 - 18	7.5YR 4/2	97	7.5YR 4/6	3	C	PL / M	Sandy Loam	
-								
-								
-								
-								
-								

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils³:

- | | | |
|--|---|--|
| ☐ Histosol (A1) | ☐ Polyvalue Below Surface (S8) (LRR S, T, U) | ☐ 1 cm Muck (A9) (LRR O) |
| ☐ Histic Epipedon (A2) | ☐ Thin Dark Surface (S9) (LRR S, T, U) | ☐ 2 cm Muck (A10) (LRR S) |
| ☐ Black Histic (A3) | ☐ Loamy Mucky Mineral (F1) (LRR O) | ☐ Reduced Vertic (F18) (outside MLRA 150A,B) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) | ☐ Piedmont Floodplain Soils (F19) (LRR P, S, T) |
| ☐ Stratified Layers (A5) | ☒ Depleted Matrix (F3) | ☐ Anomalous Bright Loamy Soils (F20) |
| ☐ Organic Bodies (A6) (LRR P, T, U) | ☐ Redox Dark Surface (F6) | ☐ (MLRA 153B) |
| ☐ 5 cm Mucky Mineral (A7) (LRR P, T, U) | ☐ Depleted Dark Surface (F7) | ☐ Red Parent Material (TF2) |
| ☐ Muck Presence (A8) (LRR U) | ☐ Redox Depressions (F8) | ☐ Very Shallow Dark Surface (TF12) |
| ☐ 1 cm Muck (A9) (LRR P, T) | ☐ Marl (F10) (LRR U) | ☐ Other (Explain in Remarks) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Depleted Ochric (F11) (MLRA 151) | |
| ☐ Thick Dark Surface (A12) | ☐ Iron-Manganese Masses (F12) (LRR O, P, T) | |
| ☐ Coast Prairie Redox (A16) (MLRA 150A) | ☐ Umbric Surface (F13) (LRR P, T, U) | |
| ☐ Sandy Mucky Mineral (S1) (LRR O, S) | ☐ Delta Ochric (F17) (MLRA 151) | |
| ☐ Sandy Gleyed Matrix (S4) | ☐ Reduced Vertic (F18) (MLRA 150A, 150B) | |
| ☐ Sandy Redox (S5) | ☐ Piedmont Floodplain Soils (F19) (MLRA 149A) | |
| ☐ Stripped Matrix (S6) | ☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D) | |
| ☐ Dark Surface (S7) (LRR P, S, T, U) | | |

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ☒ No ☐

Remarks:

WETLAND DETERMINATION DATA FORM – Atlantic and Gulf Coastal Plain Region

Project/Site: Saluda City/County: King and Queen County Sampling Date: 2024-10-21
 Applicant/Owner: KCI Technologies, Inc. State: Virginia Sampling Point: DP6
 Investigator(s): KZ Section, Township, Range: _____
 Landform (hillslope, terrace, etc.): Hillslope Local relief (concave, convex, none): None Slope (%): 2-4
 Subregion (LRR or MLRA): P 133A Lat: 37.50390796 Long: -76.69342605 Datum: NAD 83
 Soil Map Unit Name: 5E - Emporia-Slagle-Rumford complex, 15 to 50 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes ☒ No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ☒ No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ☒ No _____ Hydric Soil Present? Yes _____ No ☒ Wetland Hydrology Present? Yes _____ No ☒	Is the Sampled Area within a Wetland? Yes _____ No ☒
Remarks: Only one of the three wetland parameters (i.e., hydrophytic vegetation) was observed at this location.	

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (minimum of one is required; check all that apply) ☐ Surface Water (A1) ☐ Aquatic Fauna (B13) ☐ High Water Table (A2) ☐ Marl Deposits (B15) (LRR U) ☐ Saturation (A3) ☐ Hydrogen Sulfide Odor (C1) ☐ Water Marks (B1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Sediment Deposits (B2) ☐ Presence of Reduced Iron (C4) ☐ Drift Deposits (B3) ☐ Recent Iron Reduction in Tilled Soils (C6) ☐ Algal Mat or Crust (B4) ☐ Thin Muck Surface (C7) ☐ Iron Deposits (B5) ☐ Other (Explain in Remarks) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)		Secondary Indicators (minimum of two required) ☐ Surface Soil Cracks (B6) ☐ Sparsely Vegetated Concave Surface (B8) ☐ Drainage Patterns (B10) ☐ Moss Trim Lines (B16) ☐ Dry-Season Water Table (C2) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Geomorphic Position (D2) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5) ☐ Sphagnum moss (D8) (LRR T, U)
Field Observations: Surface Water Present? Yes _____ No ☒ Depth (inches): _____ Water Table Present? Yes _____ No ☒ Depth (inches): _____ Saturation Present? Yes _____ No ☒ Depth (inches): _____ (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No ☒	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
 No hydrology was observed at this location.

VEGETATION (Four Strata) – Use scientific names of plants.

Sampling Point: DP6

<u>Tree Stratum</u> (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Pinus taeda</u>	<u>20</u>	☒	<u>FAC</u>
2. <u>Pinus virginiana</u>	<u>20</u>	☒	<u>UPL</u>
3. <u>Populus tremuloides</u>	<u>10</u>		<u>FAC</u>
4. <u>Fagus grandifolia</u>	<u>5</u>		<u>FACU</u>
5. <u>Quercus rubra</u>	<u>5</u>		<u>FACU</u>
6. _____			
7. _____			
8. _____			

60 = Total Cover

50% of total cover: 30.00 20% of total cover: 12.00

<u>Sapling/Shrub Stratum</u> (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. <u>Ilex opaca</u>	<u>12</u>	☒	<u>FAC</u>
2. <u>Carpinus caroliniana</u>	<u>8</u>	☒	<u>FAC</u>
3. <u>Vaccinium formosum</u>	<u>5</u>		<u>FAC</u>
4. <u>Ostrya virginiana</u>	<u>3</u>		<u>FACU</u>
5. <u>Quercus rubra</u>	<u>3</u>		<u>FACU</u>
6. _____			
7. _____			
8. _____			

31 = Total Cover

50% of total cover: 15.50 20% of total cover: 6.20

<u>Herb Stratum</u> (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			
6. _____			
7. _____			
8. _____			
9. _____			
10. _____			
11. _____			
12. _____			

_____ = Total Cover

50% of total cover: _____ 20% of total cover: _____

<u>Woody Vine Stratum</u> (Plot size: <u>30 ft r</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1. _____			
2. _____			
3. _____			
4. _____			
5. _____			

_____ = Total Cover

50% of total cover: _____ 20% of total cover: _____

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.00 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>0</u>	x 2 = <u>0</u>
FAC species <u>55</u>	x 3 = <u>165</u>
FACU species <u>16</u>	x 4 = <u>64</u>
UPL species <u>20</u>	x 5 = <u>100</u>
Column Totals: <u>91</u> (A)	<u>329</u> (B)

Prevalence Index = B/A = 3.61

Hydrophytic Vegetation Indicators:

- ☐ 1 - Rapid Test for Hydrophytic Vegetation
- ☒ 2 - Dominance Test is >50%
- ☐ 3 - Prevalence Index is ≤3.0¹
- ☐ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Four Vegetation Strata:

Tree – Woody plants, excluding vines, 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/Shrub – Woody plants, excluding vines, less than 3 in. DBH and greater than 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vine – All woody vines greater than 3.28 ft in height.

Hydrophytic
Vegetation
Present?

Yes ☒ No _____

Remarks: (If observed, list morphological adaptations below).

No herbaceous or woody vine strata were observed at this location.

SOIL

Sampling Point: DP6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0 - 18	2.5Y 6/4	100					Sandy Loam	
-								
-								
-								
-								
-								
-								

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains.²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ☐ Histosol (A1)
☐ Histic Epipedon (A2)
☐ Black Histic (A3)
☐ Hydrogen Sulfide (A4)
☐ Stratified Layers (A5)
☐ Organic Bodies (A6) (LRR P, T, U)
☐ 5 cm Mucky Mineral (A7) (LRR P, T, U)
☐ Muck Presence (A8) (LRR U)
☐ 1 cm Muck (A9) (LRR P, T)
☐ Depleted Below Dark Surface (A11)
☐ Thick Dark Surface (A12)
☐ Coast Prairie Redox (A16) (MLRA 150A)
☐ Sandy Mucky Mineral (S1) (LRR O, S)
☐ Sandy Gleyed Matrix (S4)
☐ Sandy Redox (S5)
☐ Stripped Matrix (S6)
☐ Dark Surface (S7) (LRR P, S, T, U)

- ☐ Polyvalue Below Surface (S8) (LRR S, T, U)
☐ Thin Dark Surface (S9) (LRR S, T, U)
☐ Loamy Mucky Mineral (F1) (LRR O)
☐ Loamy Gleyed Matrix (F2)
☐ Depleted Matrix (F3)
☐ Redox Dark Surface (F6)
☐ Depleted Dark Surface (F7)
☐ Redox Depressions (F8)
☐ Marl (F10) (LRR U)
☐ Depleted Ochric (F11) (MLRA 151)
☐ Iron-Manganese Masses (F12) (LRR O, P, T)
☐ Umbric Surface (F13) (LRR P, T, U)
☐ Delta Ochric (F17) (MLRA 151)
☐ Reduced Vertic (F18) (MLRA 150A, 150B)
☐ Piedmont Floodplain Soils (F19) (MLRA 149A)
☐ Anomalous Bright Loamy Soils (F20) (MLRA 149A, 153C, 153D)

Indicators for Problematic Hydric Soils³:

- ☐ 1 cm Muck (A9) (LRR O)
☐ 2 cm Muck (A10) (LRR S)
☐ Reduced Vertic (F18) (outside MLRA 150A,B)
☐ Piedmont Floodplain Soils (F19) (LRR P, S, T)
☐ Anomalous Bright Loamy Soils (F20)
 (MLRA 153B)
☐ Red Parent Material (TF2)
☐ Very Shallow Dark Surface (TF12)
☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

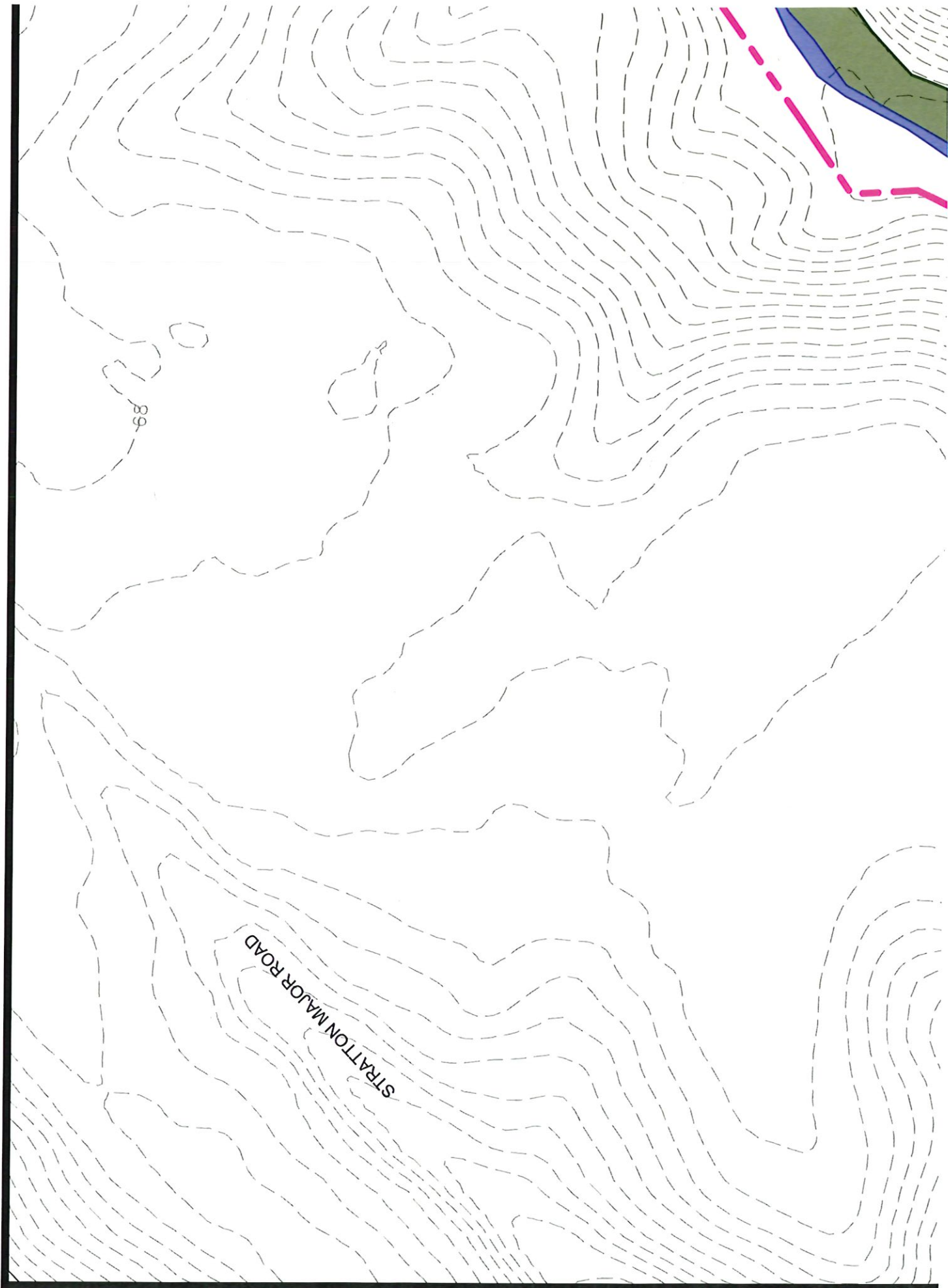
Depth (inches): _____

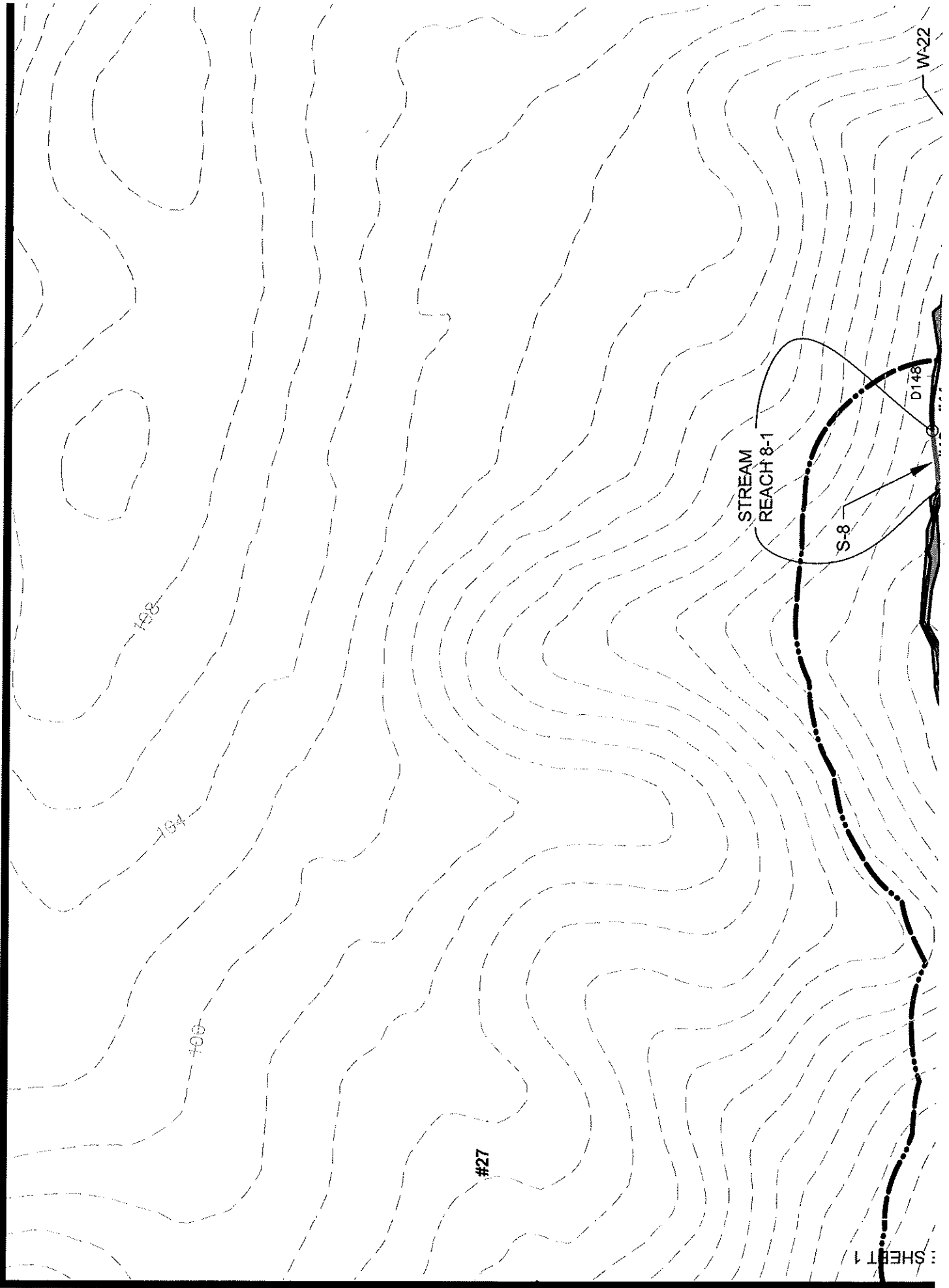
Hydric Soil Present? Yes _____ No ☒

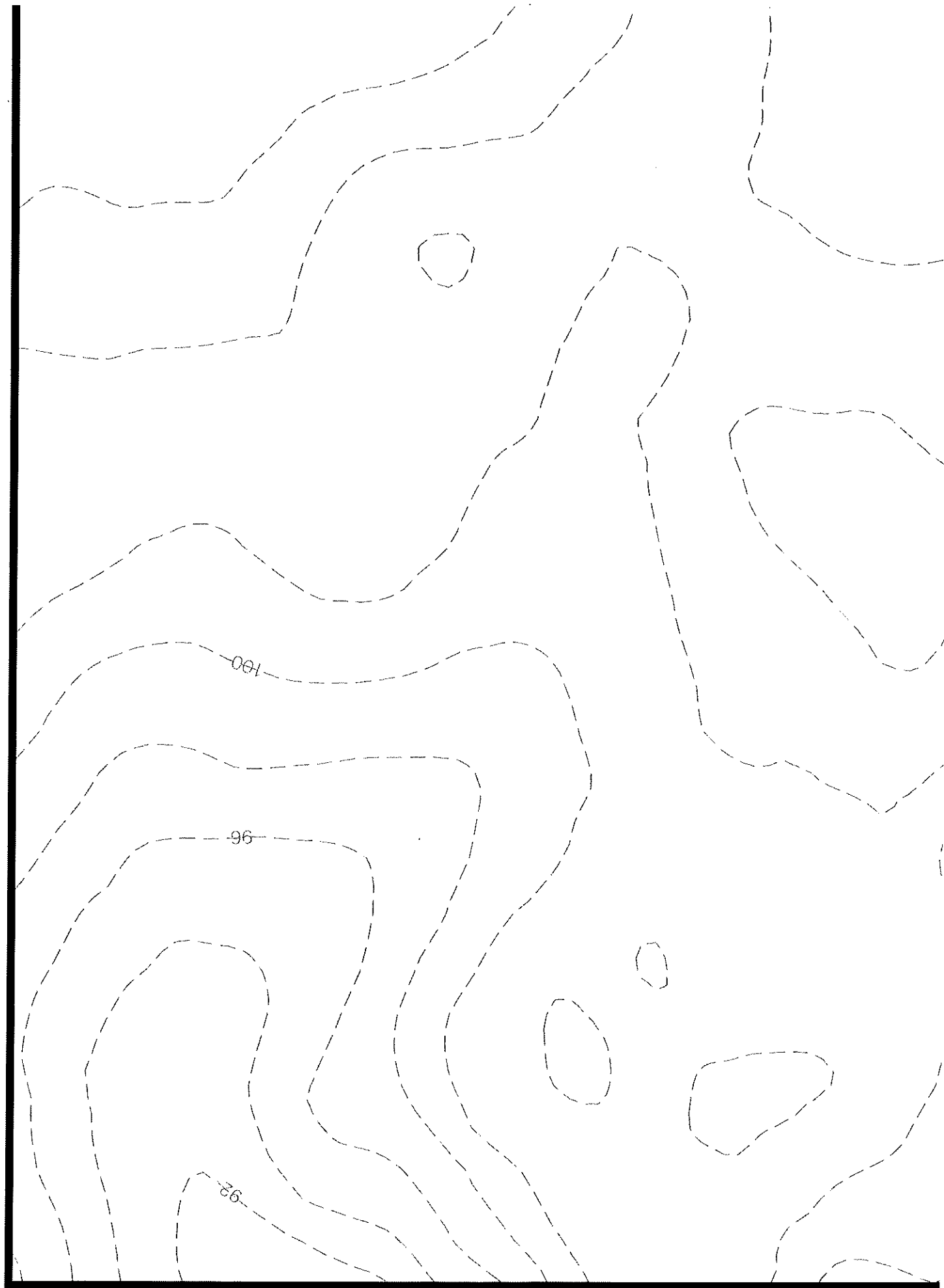
Remarks:

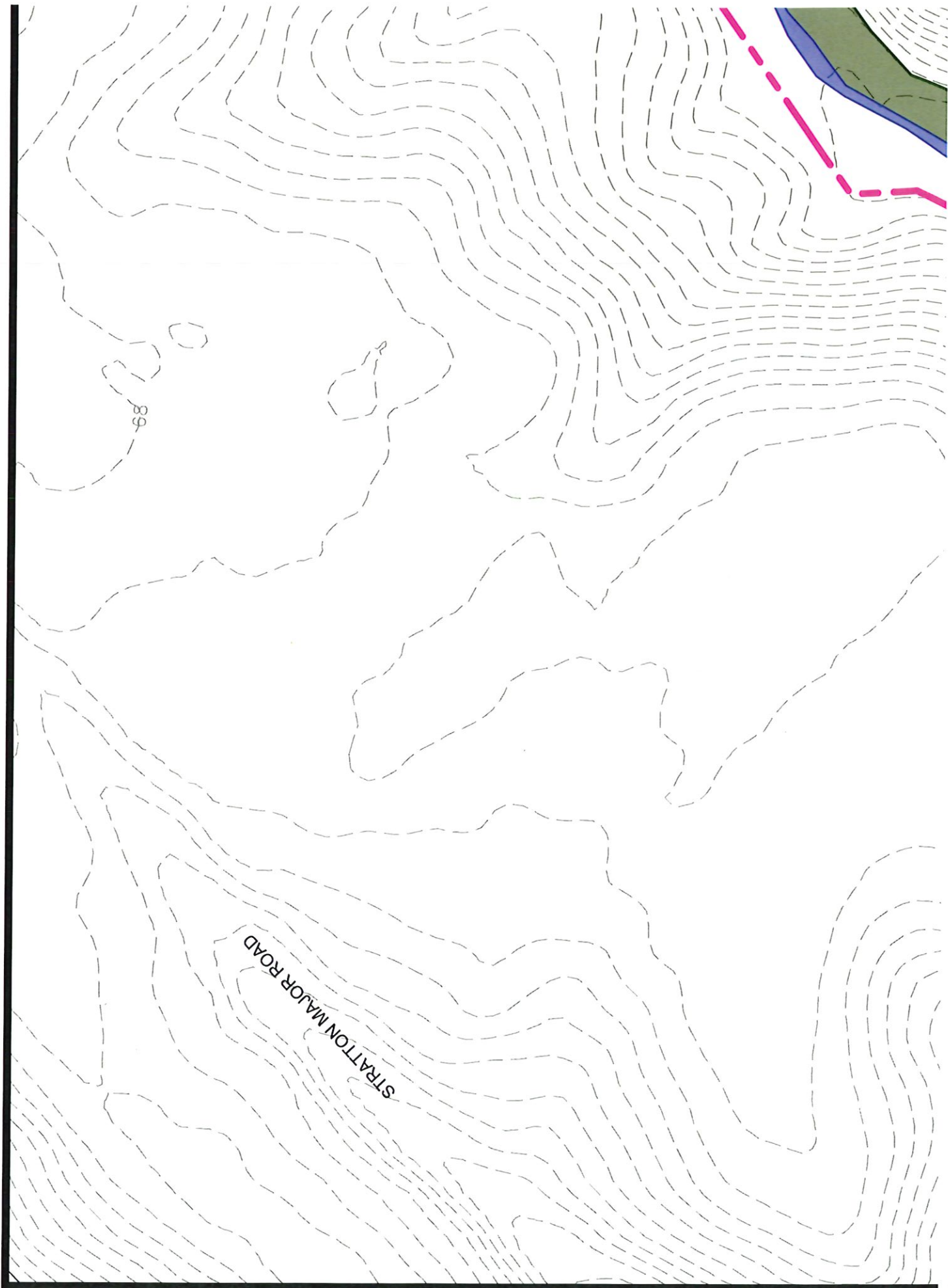
EXHIBIT 13

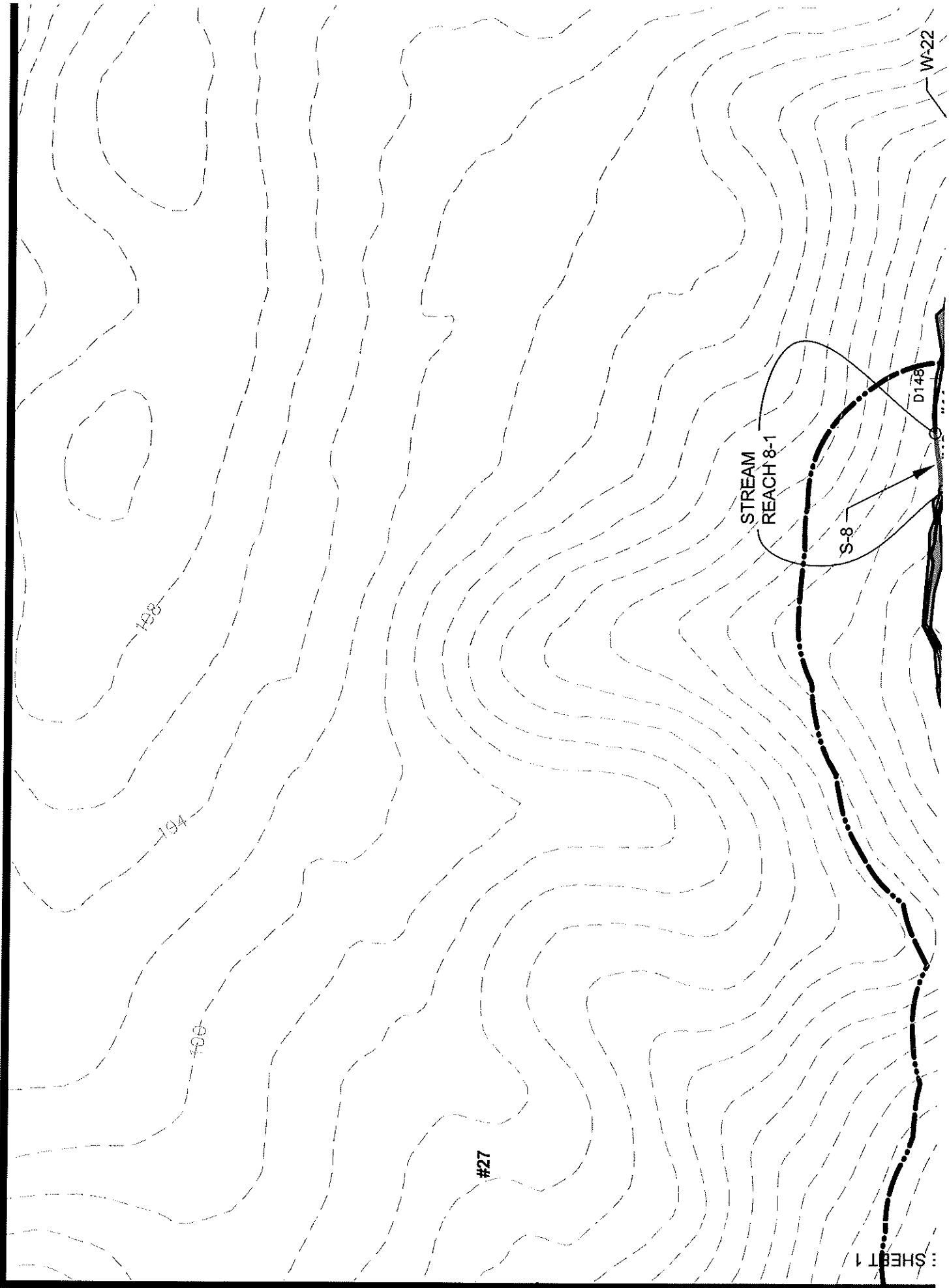
ATTACHMENT I

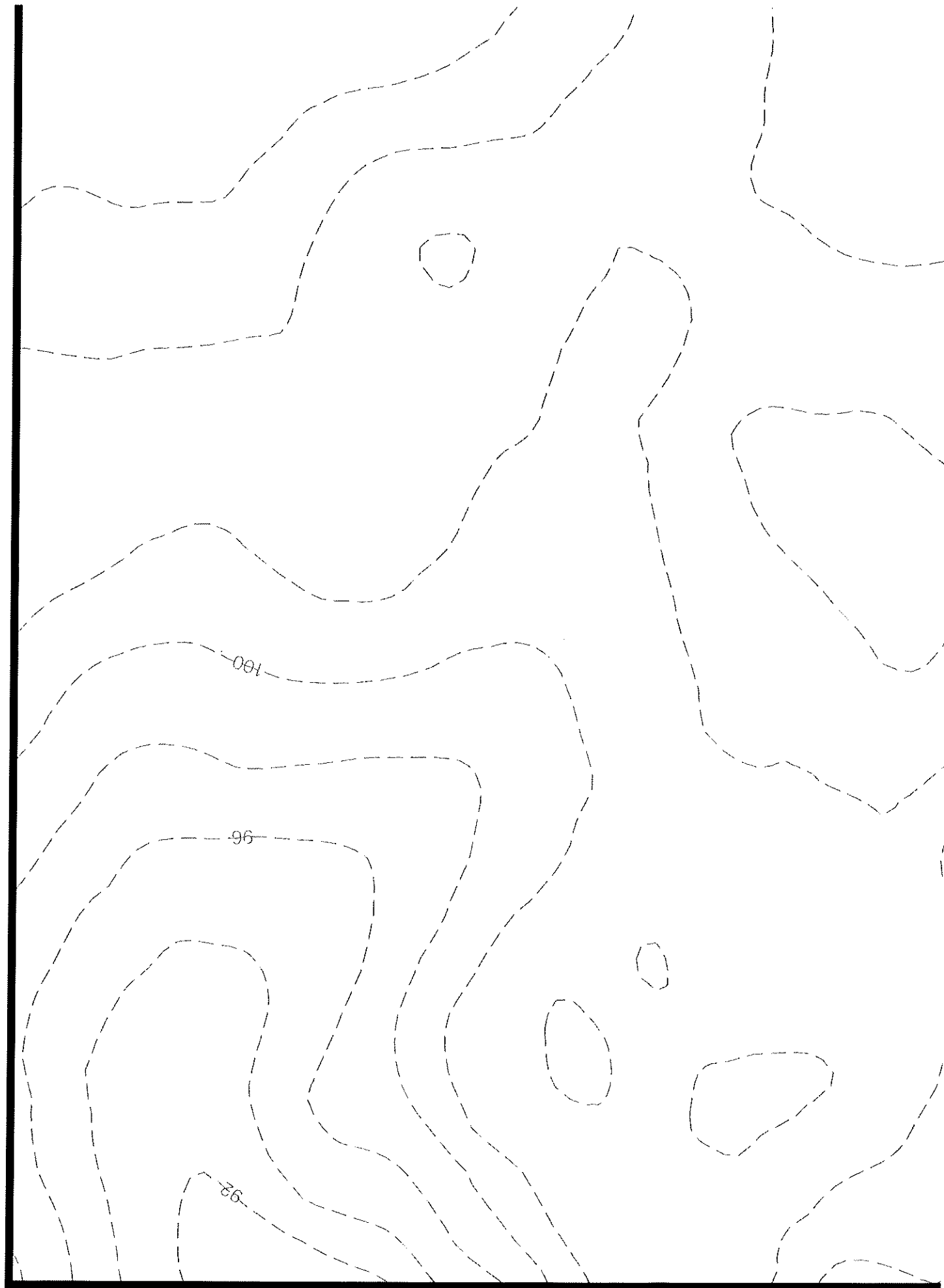












Appendix F – USACE Preliminary Jurisdictional Determination



DEPARTMENT OF THE ARMY
US ARMY CORPS OF ENGINEERS
NORFOLK DISTRICT
FORT NORFOLK
803 FRONT STREET
NORFOLK VA 23510-1011

May 12, 2025

PRELIMINARY JURISDICTIONAL DETERMINATION

Northern Virginia Regulatory Section
NAO-2024-03074 (Hockley Creek)

Mr. Kyle Zinn
Wetland Studies and Solutions, Inc.
1620 Brook Road
Richmond, Virginia 23220

Dear Mr. Zinn:

This letter is in regard to the request you submitted on behalf of KCI Technologies, Inc. for a preliminary jurisdictional determination of the aquatic resources (e.g., wetlands, streams, and ponds) within an approximate 152-acre study area located west of Buena Vista Road (Route 14), north of Jonestown Road (Route 644), and east of Stratton Major Road (Route 601), in King and Queen County, Virginia.

An on-site delineation of aquatic resources conducted by Wetland Studies and Solutions, Inc. has identified approximately 6.36 acres of nontidal wetlands and 7,949 linear feet of stream channel within the project boundaries. The attached map entitled "Attachment I: Waters of the U.S. (Including Wetlands) Delineation and Resource Protection Area Evaluation Map Saluda VA Solar Project" (Sheets 1 through 3), prepared by Wetland Studies and Solutions, Inc., dated November 4, 2024, and stamped as received by the Corps on January 17, 2025, depicts the approximate location and extent of aquatic resources within the defined project area. This letter is not confirming the Cowardin classifications of these aquatic resources.

These aquatic resources exhibit wetland criteria as defined in the 1987 Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Atlantic and Gulf Coastal Plain Region.

Please be aware that you may be required to obtain a Corps permit for any discharge of dredged and/or fill material, either temporary or permanent, into a water of the U.S. In addition, you may be required to obtain a Corps permit for certain activities occurring within, under, or over a navigable water of the U.S. subject to the Section 10 of the Rivers and Harbors Act. Furthermore, you may be required to obtain state and local authorizations, including a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ), a permit from the Virginia Marine Resources Commission (VMRC), and/or a permit from your local wetlands board.

This is a preliminary jurisdictional determination and is not a legally binding determination regarding whether Corps jurisdiction applies to the aquatic resources in question. To determine Corps' jurisdiction, you may request and obtain an approved jurisdictional determination.

This delineation of aquatic resources can be relied upon for no more than five years from the date of this letter. New information may warrant revision. Enclosed is a copy of the "Preliminary Jurisdictional Determination Form". Please review the document, sign, and return one copy to me either via email (keith.r.goodwin@usace.army.mil) or via standard mail to U.S. Army Corps of Engineers, Regulatory Office, and ATTN: Keith Goodwin, 803 Front Street Norfolk, Virginia 23510.

If you have any questions, please contact me at (757) 613-5431 or via email at keith.r.goodwin@usace.army.mil.

Sincerely,

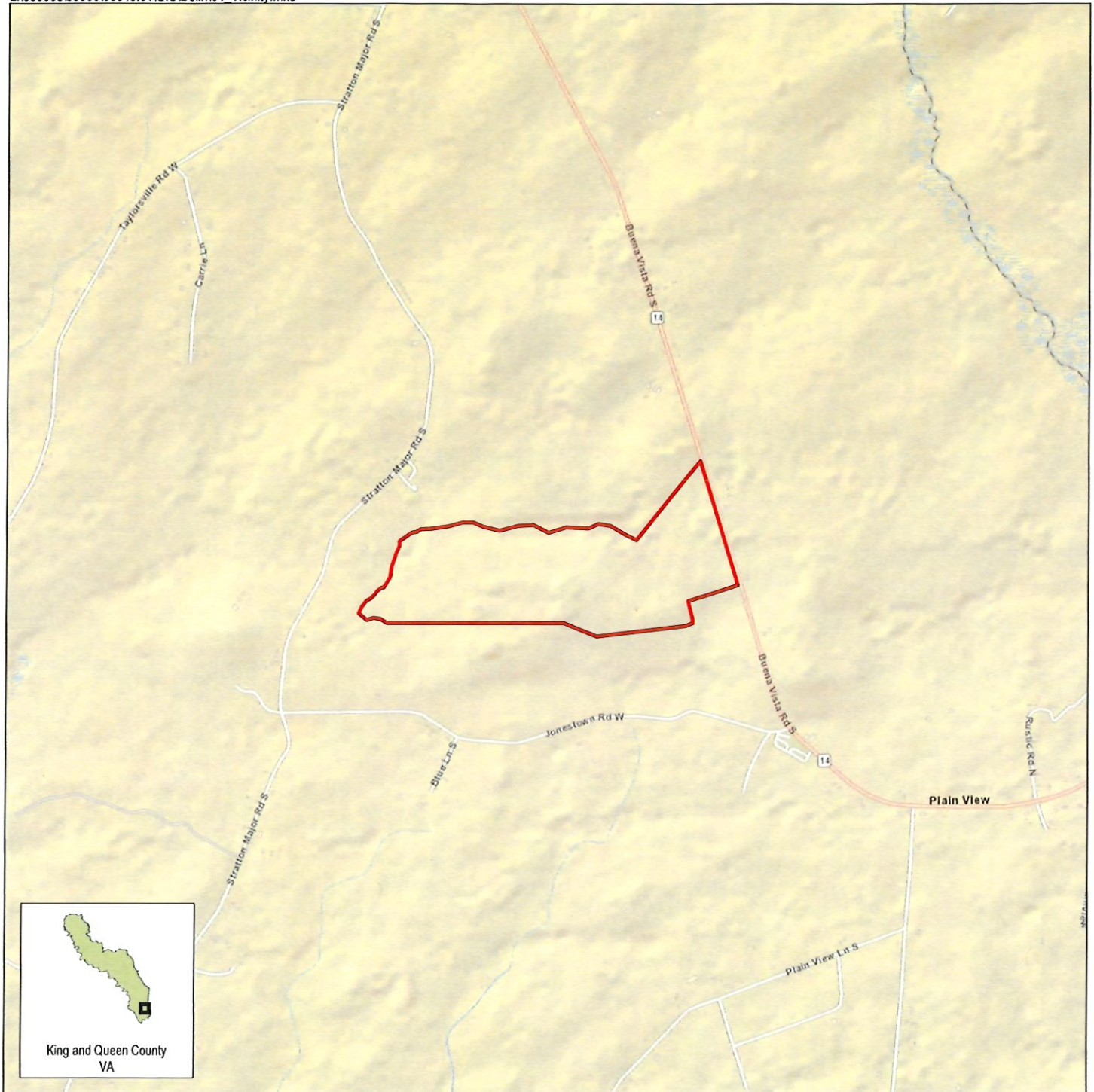
A handwritten signature in black ink, appearing to read "Keith R. Goodwin", written in a cursive style.

Keith R. Goodwin
Environmental Scientist
Northern Virginia Regulatory Section

Enclosures: Delineation and Resource Protection Area Evaluation Map
Preliminary Jurisdictional Determination Form

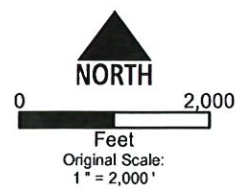
Cc: Virginia Department of Environmental Quality

L:\35000s\35300\35349.01\GIS\Delin\01_Vicinity.mxd



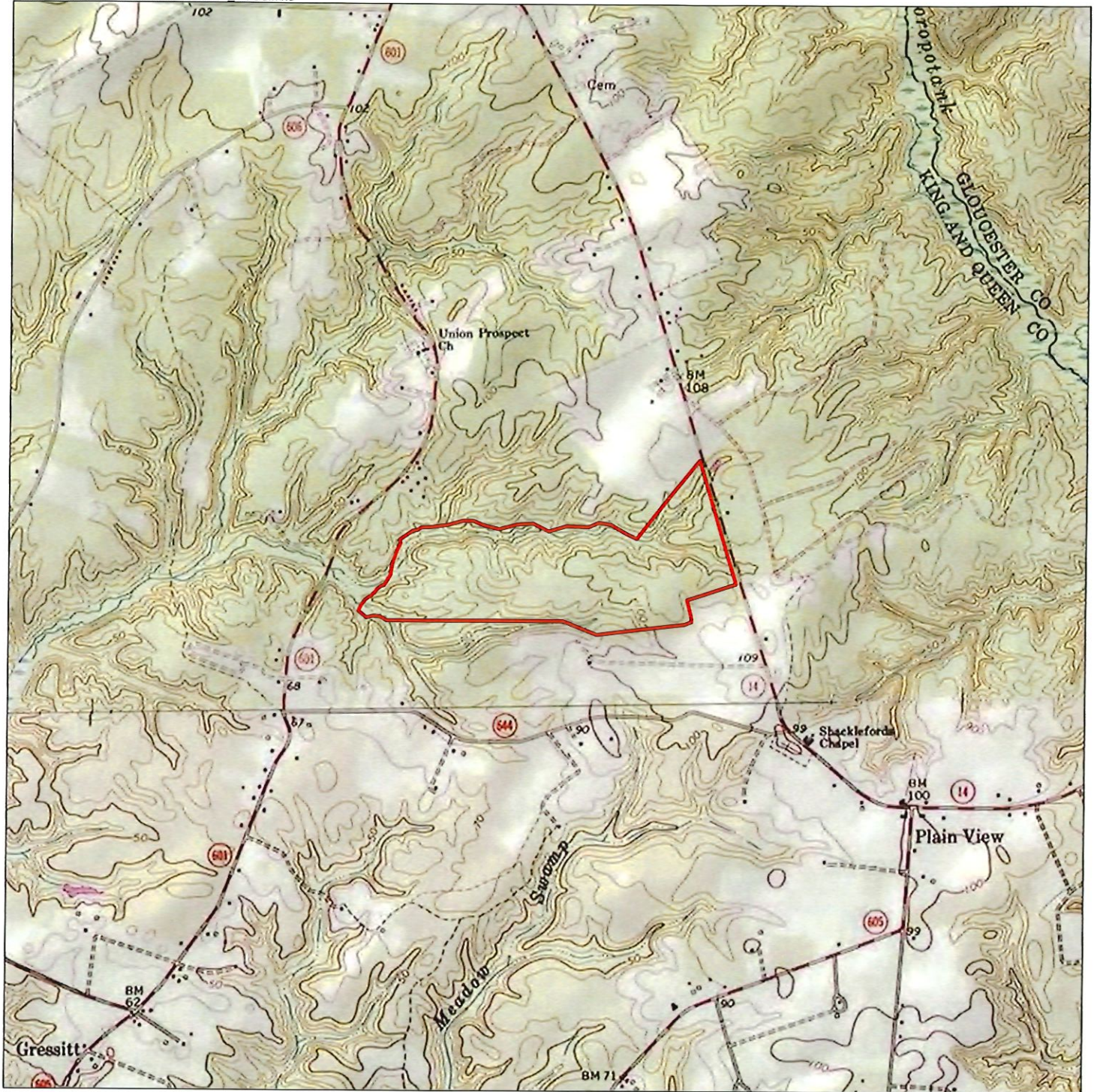
Site (±152.4 acres)

Vicinity Map Saluda, VA Solar Project



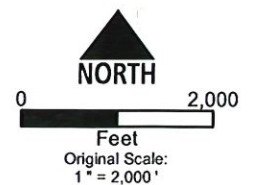
Source: World Street Map - ESRI

L:\35000s\35300\35349.01\GIS\Delin\02_USGS.mxd

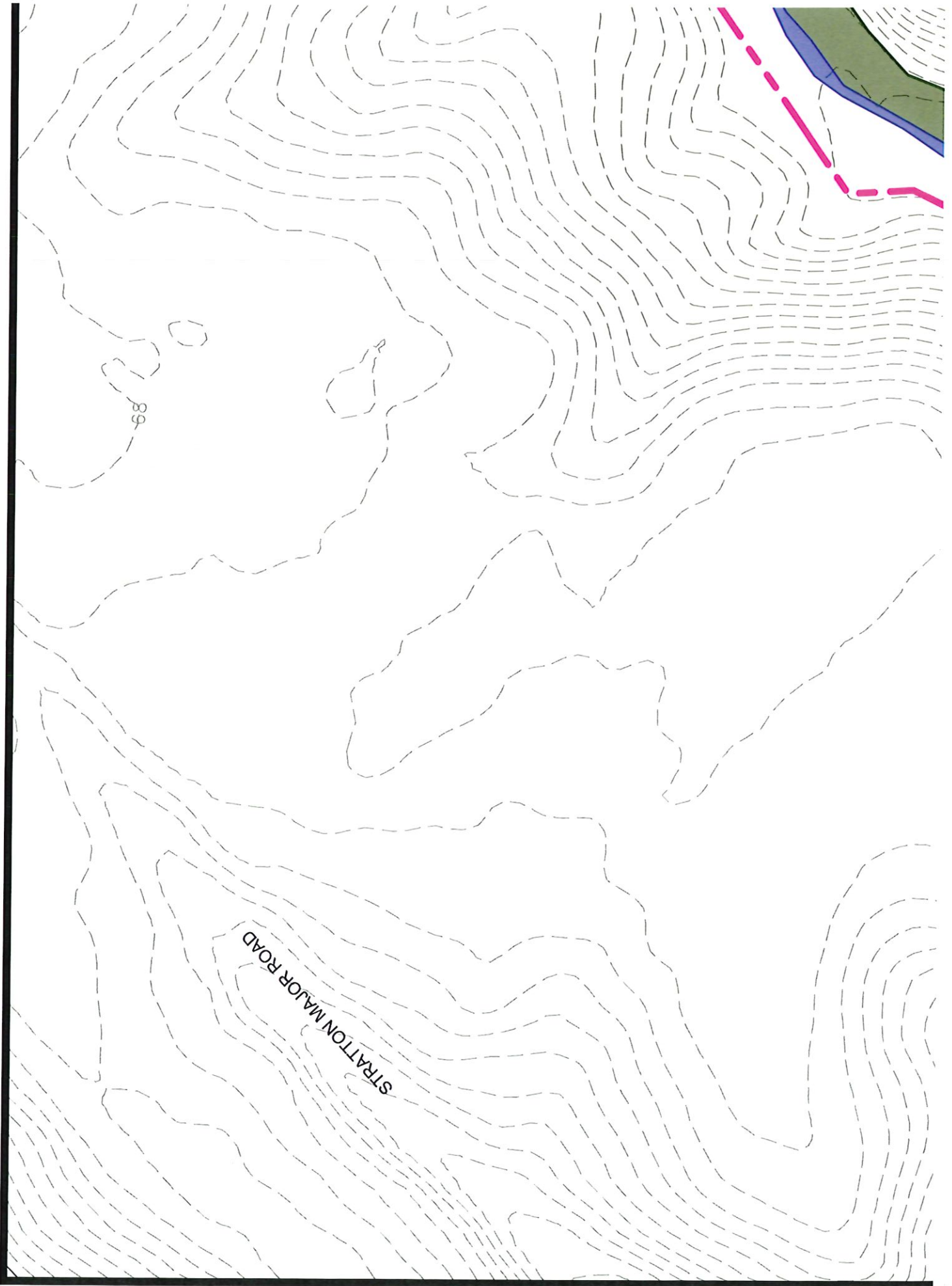


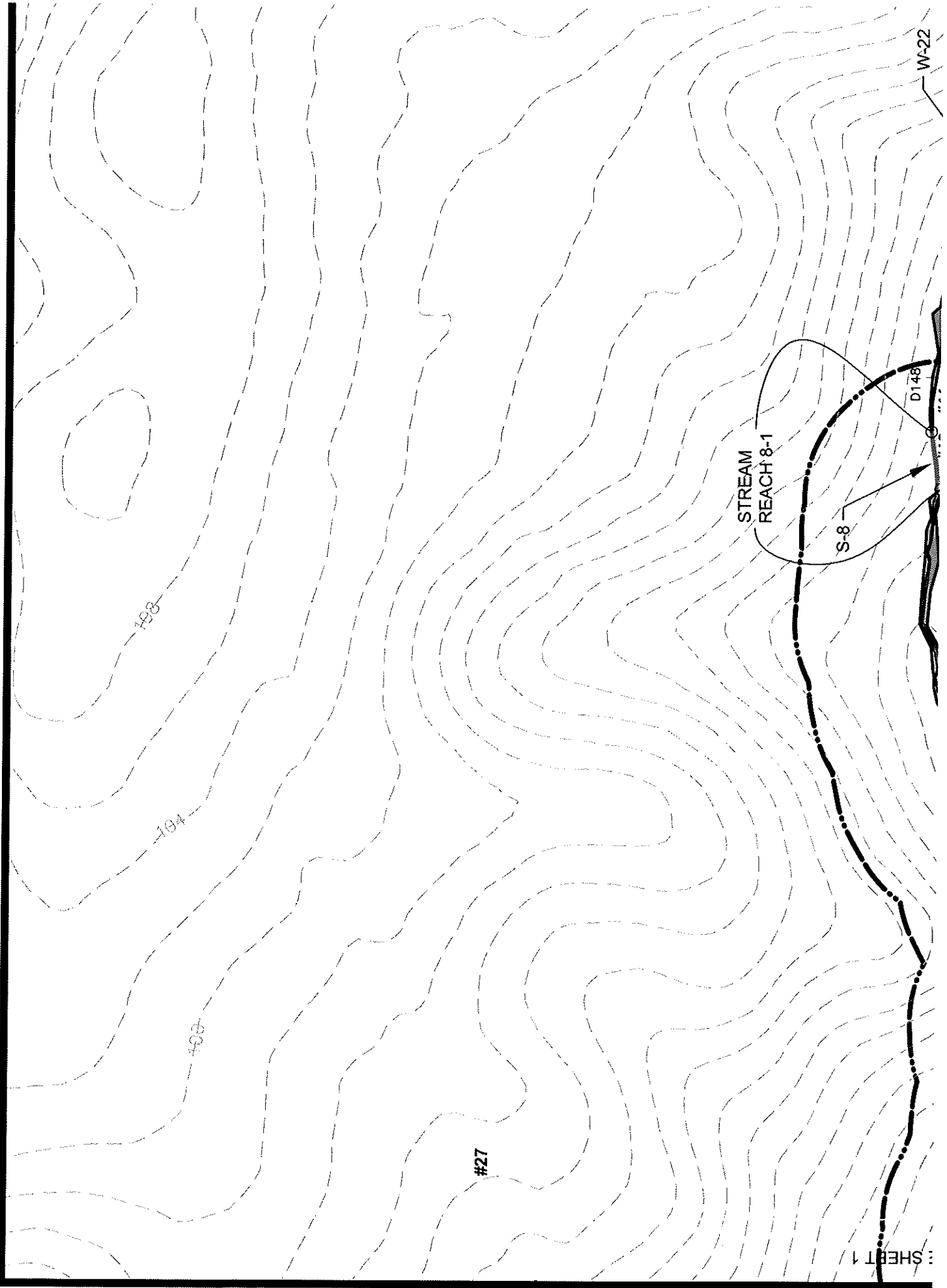
Site

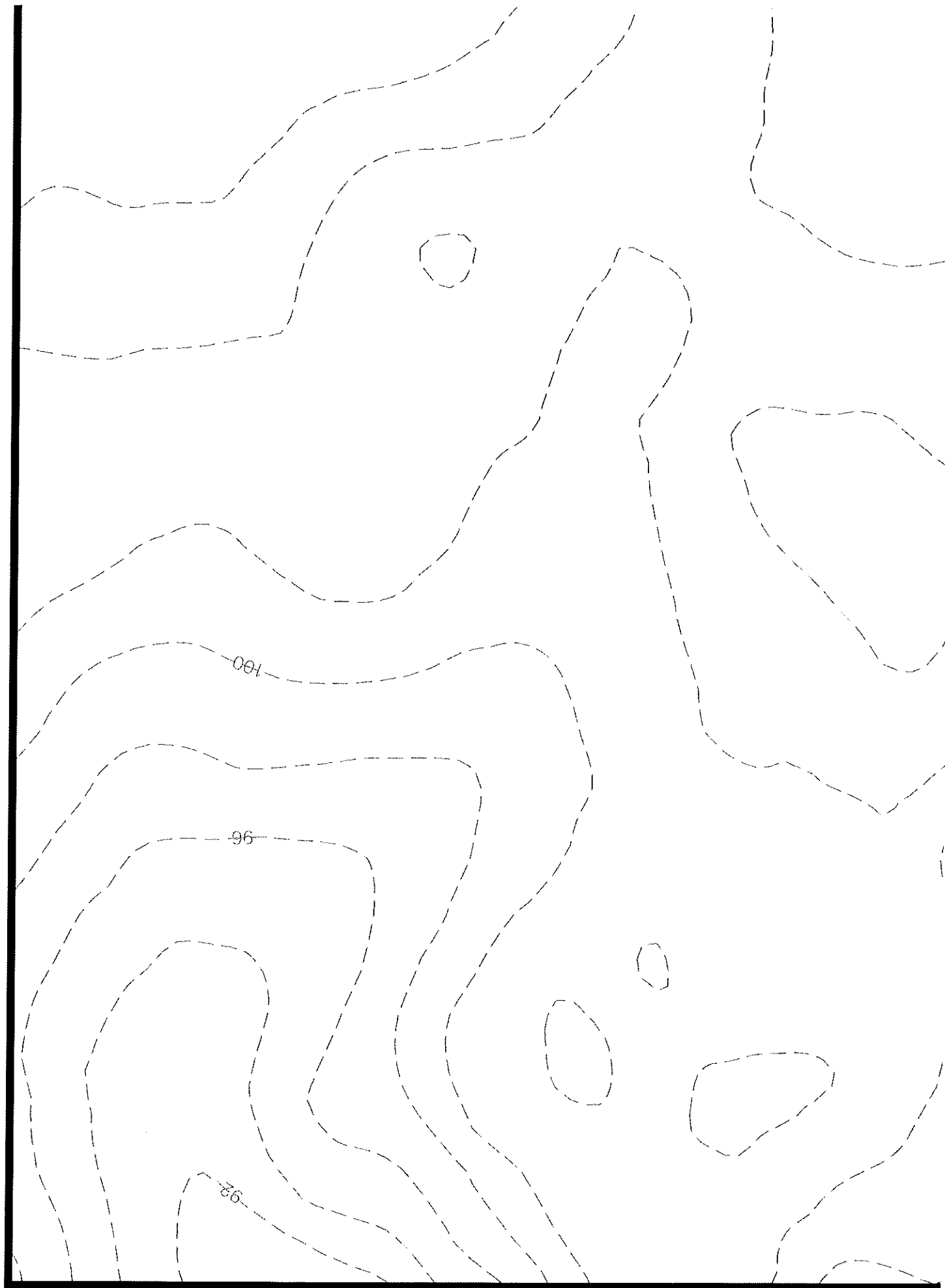
USGS 7.5' Quadrangle Map Saluda, VA Solar Project



Shacklefords, VA 1989
Latitude: 37°30'19"N
Longitude: 76°41'7"W
Hydrologic Unit Code (HUC): 020801070102
HUC12 Name: Philbates Creek-York River
COE Region: Atlantic and Gulf Coastal Plain







BACKGROUND INFORMATION**A. REPORT COMPLETION DATE FOR PJD: 12-MAY-2025****B. NAME AND ADDRESS OF PERSON REQUESTING PJD:**

Applicant: Jennifer Leonard
 KCI Technologies, Inc.
 936 Ridgebrook Road
 Sparks Glencoe, Maryland 21152

Agent: Kyle Zinn
 Wetland Studies and Solutions, Inc.
 1620 Brook Road
 Richmond, Virginia 23220

C. DISTRICT OFFICE, FILE NAME, AND NUMBER:

NAO, VA Solar Project, NAO-2024-03074

D. PROJECT LOCATION AND BACKGROUND INFORMATION:
(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: Virginia County/Parish/Borough: King and Queen County City: Shacklefords

Center coordinates of site (lat/long in degree decimal format):

Lat.: 37.505278° Long.: -76.685278°

Universal Transverse Mercator: 18 S 351042.86 m E 4152261.11 m N

Name of nearest waterbody: Hockley Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- ☒ Office (Desk) Determination. Date: May 12, 2025
☐ Field Determination. Date(s):

TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO
 REGULATORY JURISDICTION.

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
S-01	37.504167	-76.695000	0.088 acres	Non-wetland waters	Section 404
S-02	37.506111	-76.679444	0.7031 acres	Non-wetland waters	Section 404
S-03	37.505556	-76.692500	0.0329 acres	Non-wetland waters	Section 404
S-04	37.503889	-76.692500	0.0161 acres	Non-wetland waters	Section 404
S-05	37.503889	-76.694444	0.0223 acres	Non-wetland waters	Section 404
S-06	37.503333	-76.686944	0.0817 acres	Non-wetland waters	Section 404
S-07	37.503056	-76.684167	0.0069 acres	Non-wetland waters	Section 404
S-08	37.503056	-76.683056	0.0024 acres	Non-wetland waters	Section 404
W-01	37.506111	-76.679722	1.514 acres	Wetland	Section 404

¹ Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM 30-JUN-2024

W-02	37.505833	-76.677778	0.0357 acres	Wetland	Section 404
W-03	37.506389	-76.681667	0.0426 acres	Wetland	Section 404
W-04	37.506667	-76.683611	0.0327 acres	Wetland	Section 404
W-05	37.506667	-76.683889	0.0071 acres	Wetland	Section 404
W-06	37.506667	-76.684444	0.005 acres	Wetland	Section 404
W-07	37.506667	-76.684722	0.0079 acres	Wetland	Section 404
W-08	37.506667	-76.685278	0.0034 acres	Wetland	Section 404
W-09	37.506667	-76.685556	0.0019 acres	Wetland	Section 404
W-10	37.506667	-76.685833	0.004 acres	Wetland	Section 404
W-11	37.506667	-76.685556	0.0234 acres	Wetland	Section 404
W-12	37.506667	-76.686389	0.0009 acres	Wetland	Section 404
W-13	37.506944	-76.687500	0.1553 acres	Wetland	Section 404
W-14	37.506389	-76.688889	0.0225 acres	Wetland	Section 404
W-15	37.506667	-76.689722	0.0326 acres	Wetland	Section 404
W-16	37.506389	-76.691389	0.1305 acres	Wetland	Section 404
W-17	37.506944	-76.690556	0.6087 acres	Wetland	Section 404
W-18	37.506389	-76.690833	0.0043 acres	Wetland	Section 404
W-19	37.505556	-76.693611	1.7444 acres	Wetland	Section 404
W-20	37.503056	-76.692500	0.0244 acres	Wetland	Section 404
W-21	37.503611	-76.686111	0.3331 acres	Wetland	Section 404
W-22	37.503056	-76.682778	0.1834 acres	Wetland	Section 404
W-23	37.503333	-76.692222	0.3344 acres	Wetland	Section 404
W-24	37.503333	-76.694444	0.7117 acres	Wetland	Section 404
W-25	37.503611	-76.694722	0.3942 acres	Wetland	Section 404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD or no JD whatsoever, which do not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the USACE has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD or reliance on no JD whatsoever; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of USACE permit authorization based on a PJD or no JD whatsoever constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively

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appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the USACE will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- ☒ Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: "Attachment I: Waters of the U.S. (Including Wetlands) Delineation and Resource Protection Area Evaluation Map Saluda VA Solar Project", prepared by Wetland Studies and Solutions, Inc., dated November 4, 2024, and stamped as received by the Corps on January 17, 2025, depicts the approximate location and extent of aquatic resources within the defined project area.
- ☒ Data sheets prepared/submitted by or on behalf of the PJD requestor.
 - ☒ Office concurs with data sheets/delineation report.
 - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps:
- ☐ Corps navigable waters' study:
- ☐ U.S. Geological Survey Hydrologic Atlas:
 - ☐ USGS NHD data.
 - ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Shacklefords, Virginia
- ☒ Natural Resources Conservation Service Soil Survey. Citation: USDA-NCSS Digital SSURGO and STATSGO Data
- ☒ National wetlands inventory map(s). Cite name: USFWS Digital Wetland and Riparian Data
- ☒ Aerial Photographs: 2002, 2009IR, 2017IR, 2021, 2024
- ☐ Previous determination(s). File no. and date of response letter:
- ☒ Other information (please specify): USGS Nationwide 3DEP Elevation Data

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the USACE and should not be relied upon for later jurisdictional determinations.



Signature of Regulatory Staff Member
Completing PJD

Kyle Zinn

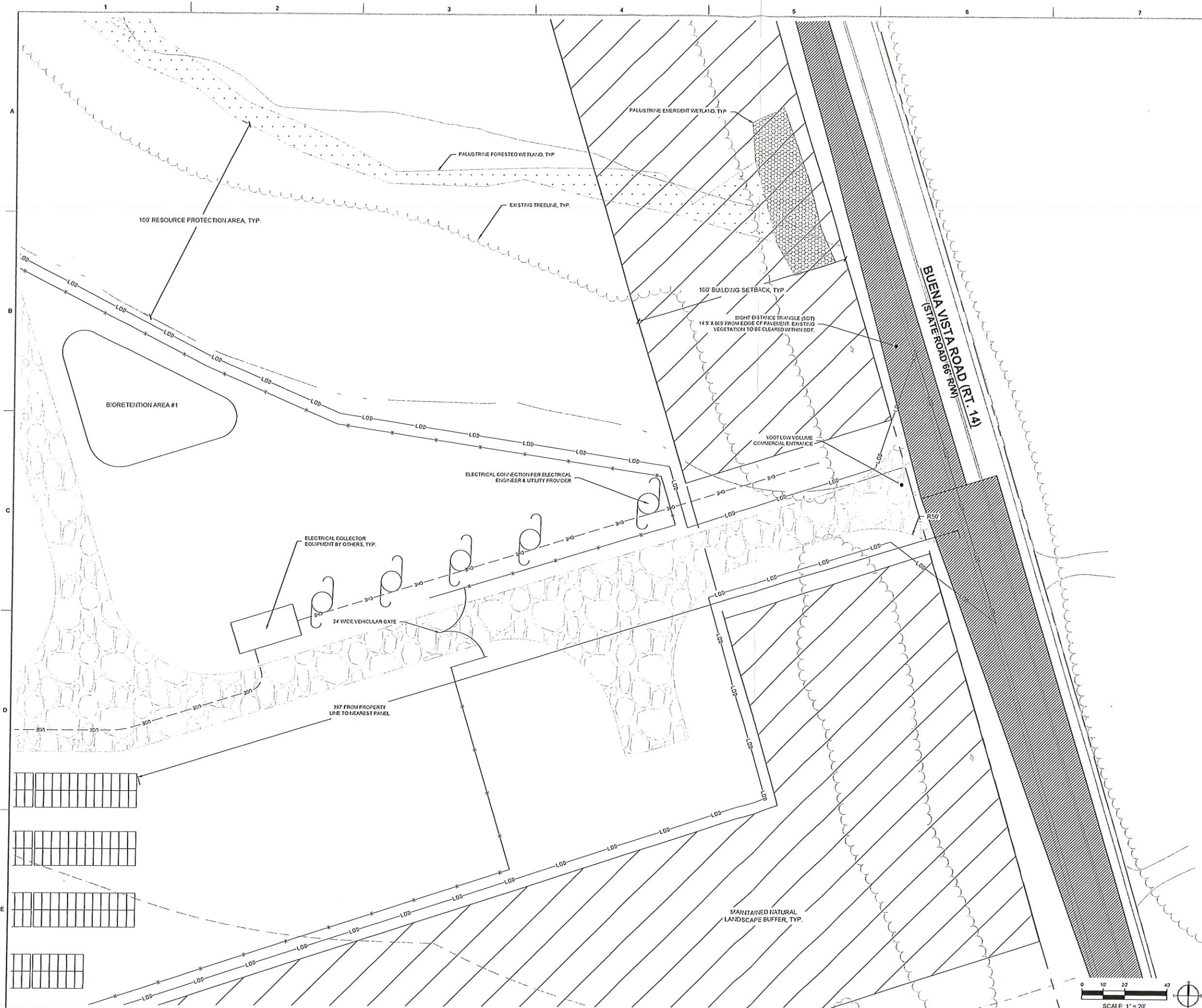
Digitally signed by Kyle Zinn
DN: C=US,
E=kzinn@wetlands.com,
CN=Kyle Zinn
Date: 2025.05.13 08:20:27-04'00'

Signature of Person Requesting PJD
(REQUIRED, unless obtaining the
signature is impracticable)¹

¹ Districts may establish timeframes for requester to return signed PJD forms. If the requester does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

Appendix G – Adjacent Property Owner's List

Parcel ID	Parcel Address	Parcel City/State	Owner Address	Owner City/State	Owner Name	Zoning	District
23 133R 753	—	—	2586 TILSON ROAD	DECATUR GA 30032	GREEN OLIN ST CLAIR ETAL C/O KIM MARTIN	AG	BUENA VISTA
23 133R 760	1925 STRATTON MAJOR ROAD	SHACKLEFORDS, VA 23156	1925 STRATTON MAJOR RD	SHACKLEFORDS VA 23156	WARD COREY	AG	BUENA VISTA
23 133R 760A	—	—	2668 BUENA VISTA ROAD	SHACKLEFORDS VA 23156	RICHARDSON SUSAN GAYLE TREVILIAN LIVING TRUST	AG	BUENA VISTA
23 133R 760B	2029 STRATTON MAJOR ROAD	SHACKLEFORDS, VA 23156	1925 STRATTON MAJOR ROAD	SHACKLEFORDS VA 23156	WARD COREY L	AG	BUENA VISTA
23 66L 664	2652 BUENA VISTA ROAD	SALUDA, VA 23149	2668 BUENA VISTA ROAD	SHACKLEFORDS VA 23156	TREVILIAN G VERNON JR TRUST ET AL	AG	BUENA VISTA
23 66L 665	—	—	1324 BUENA VISTA RD	SHACKLEFORDS VA 23156	HART SAMUEL C	AG	BUENA VISTA
23 66L 665A	—	—	P O BOX 109	TOPPING VA 23169	SHIRLEYVILLE LC C/O WILLIAM E MOYE II	AG	BUENA VISTA
23 66L 665B	3452 BUENA VISTA ROAD	SALUDA, VA 23149	1324 BUENA VISTA RD	SHACKLEFORDS VA 23156	HART SAMUEL C & SALLIE B	AG	BUENA VISTA
23 66L 248B	2921 BUENA VISTA ROAD	SALUDA, VA 23149	2993 BUENA VISTA ROAD	PLAIN VIEW VA 23156	SOLES CARL H	AG	BUENA VISTA
23 66L 248D	—	—	2993 BUENA VISTA ROAD	PLAIN VIEW VA 23156	SOLES CARL H	AG	BUENA VISTA
23 66L 248A	2993 BUENA VISTA ROAD	SALUDA, VA 23149	2993 BUENA VISTA ROAD	PLAIN VIEW VA 23156	SOLES CARL H	AG	BUENA VISTA
23 66L 248	3041 BUENA VISTA ROAD	SALUDA, VA 23149	2993 BUENA VISTA ROAD	PLAIN VIEW VA 23156	SOLES CARL H	AG	BUENA VISTA
23 66L 249	3403 BUENA VISTA ROAD	SALUDA, VA 23149	1786 PLAIN VIEW LANE	SHACKLEFORDS VA 23156	SOLES BERNARD O TRUSTEE	AG	BUENA VISTA
23 133R 761	1667 STRATTON MAJOR ROAD	SHACKLEFORDS, VA 23156	2340 STRATTON MAJOR RD	SHACKLEFORDS VA 23156	JONES DORIS M & LEONARD M JR	AG	BUENA VISTA



SITE LEGEND	
SYMBOL	DESCRIPTION
[Hatched Box]	SIGHT DISTANCE CLEAR ZONE
[Diagonal Lines Box]	VEHICULAR GRAVEL PAVING
[Dotted Box]	MAINTAINED NATURAL LANDSCAPE BUFFER
[Cross-hatched Box]	OPAQUE LANDSCAPE BUFFER
[Solid Line]	BUILDING SETBACK
[Dashed Line]	FENCE LINE
[Thin Solid Line]	LIMIT OF DISTURBANCE
[Small Square]	SOLAR PANEL
[Circle with Cross]	ELECTRICAL EQUIPMENT
[T-shaped Symbol]	UTILITY POLE



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801 FORD STREET, SUITE 210
SPRINGFIELD, MA 01103
413-734-7000 | www.kci.com



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FRAMINGHAM, MA 01701
1-816-AMERESCO

SHACKLEFORDS SOLAR FACILITY

BUENA VISTA ROAD
SHACKLEFORDS, VIRGINIA 23156
KING AND QUEEN COUNTY

CONDITIONAL USE PERMITTING

REVISIONS		
NO.	DATE	DESCRIPTION

COA: APPROVAL OF DESIGN:
CLIENT SHALL REVIEW AND EITHER ACCEPT OR
REJECT THESE DESIGN DOCUMENTS PREPARED
BY KCI TECHNOLOGIES, NO PRIOR TO THE
CONTINUATION OF ANY FURTHER WORK.

BY SIGNING AND DATING BELOW, I AM ACCEPTING
THESE DOCUMENTS IN THEIR ENTIRETY AND
APPROVE THE START OF CONSTRUCTION
DOCUMENTS.

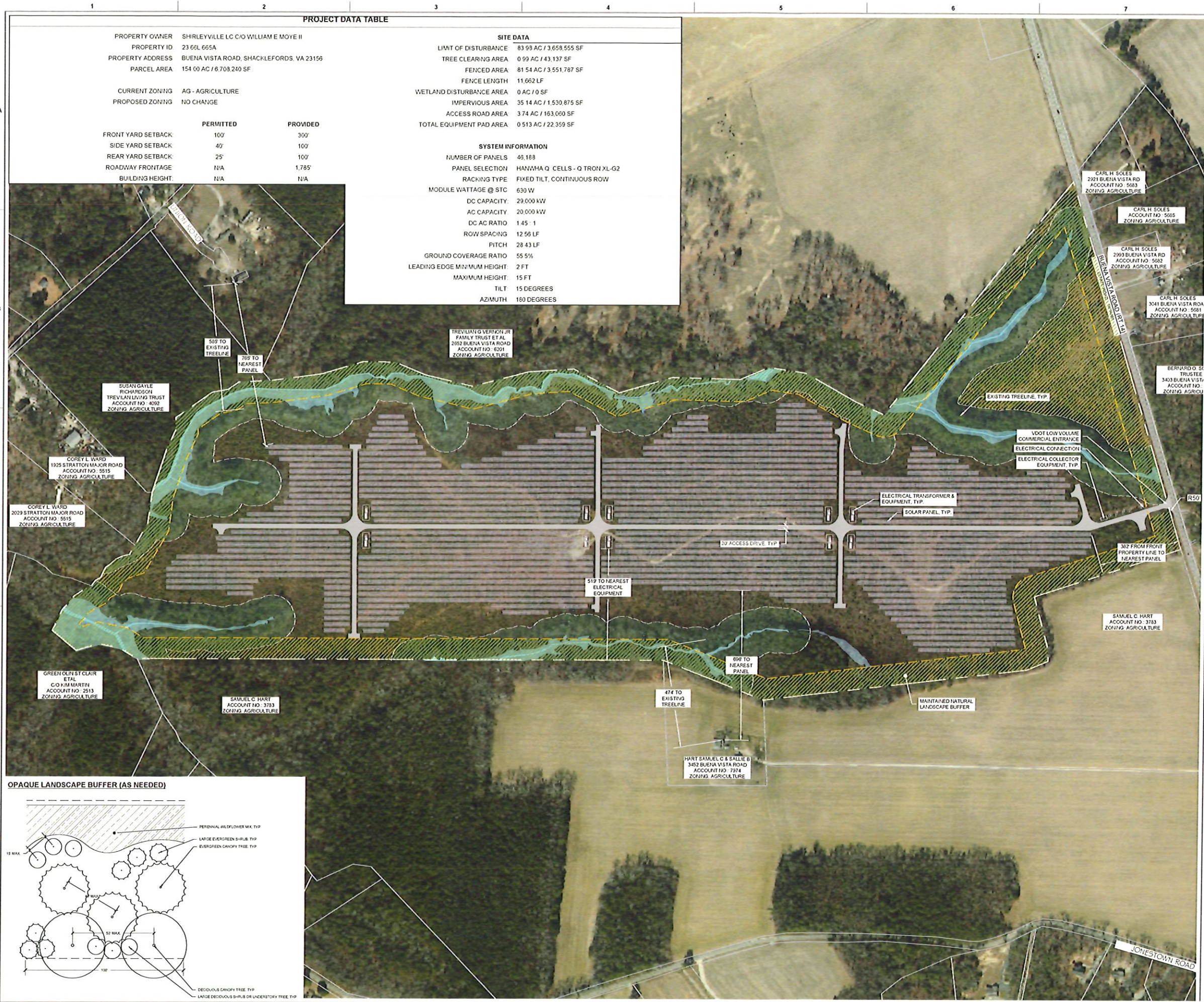
CLIENT SIGNATURE _____ DATE _____
SEAL: _____

PRELIMINARY
HOPE FOR
CONSTRUCTION

DATE: 09/24/2026
DRAWN BY: KCI
REVIEWED BY: KCI
APPROVED BY: KCI
KCI PROJECT NO: 00000977_0001
SHEET NAME:

OVERALL SITE PLAN

SHEET NO:
CS-100



KCI TECHNOLOGIES, INC.
505 RIDGEVIEW ROAD
SPARKS, MARYLAND 21152
410.314.7616 | www.kci.com

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APPROVE THE START OF CONSTRUCTION
DOCUMENTS.

CLIENT SIGNATURE DATE
SEAL:

PRELIMINARY
NOT FOR
CONSTRUCTION

DATE 10/14/2025

DRAWN BY: KCI

REVIEWED BY: KCI

APPROVED BY: KCI

KCI PROJECT NO: 00000277_0001

SHEET NAME

EXH-0 OVERALL SITE
PLAN EXHIBIT

SHEET NO:

EXH-0

PROJECT DATA TABLE

PROPERTY OWNER SHIRLEYVILLE LC C/O WILLIAM E MOYE II
PROPERTY ID 23 66L 665A
PROPERTY ADDRESS BUENA VISTA ROAD, SHACKLEFORDS, VA 23156
PARCEL AREA 154 00 AC / 6,709,240 SF

CURRENT ZONING AG - AGRICULTURE
PROPOSED ZONING NO CHANGE

	PERMITTED	PROVIDED
FRONT YARD SETBACK	100'	300'
SIDE YARD SETBACK	40'	100'
REAR YARD SETBACK	25'	100'
ROADWAY FRONTAGE	N/A	1,785'
BUILDING HEIGHT	N/A	N/A

SITE DATA

LIMIT OF DISTURBANCE 83.98 AC / 3,658,555 SF
TREE CLEARING AREA 0.99 AC / 43,137 SF
FENCED AREA 81.54 AC / 3,551,787 SF
FENCE LENGTH 11,662 LF
WETLAND DISTURBANCE AREA 0 AC / 0 SF
IMPERVIOUS AREA 35.14 AC / 1,530,875 SF
ACCESS ROAD AREA 3.74 AC / 163,060 SF
TOTAL EQUIPMENT PAD AREA 0.513 AC / 22,359 SF

SYSTEM INFORMATION

NUMBER OF PANELS 46,188
PANEL SELECTION HANWMA Q CELLS - Q TRON XL-G2
RACKING TYPE FIXED TILT, CONTINUOUS ROW
MODULE WATTAGE @ STC 630 W
DC CAPACITY 29,000 kW
AC CAPACITY 20,000 kW
DC AC RATIO 1.45 : 1
ROW SPACING 12.56 LF
PITCH 28.43 LF
GROUND COVERAGE RATIO 55.5%
LEADING EDGE MINIMUM HEIGHT 2 FT
MAXIMUM HEIGHT 15 FT
TILT 15 DEGREES
AZIMUTH 180 DEGREES

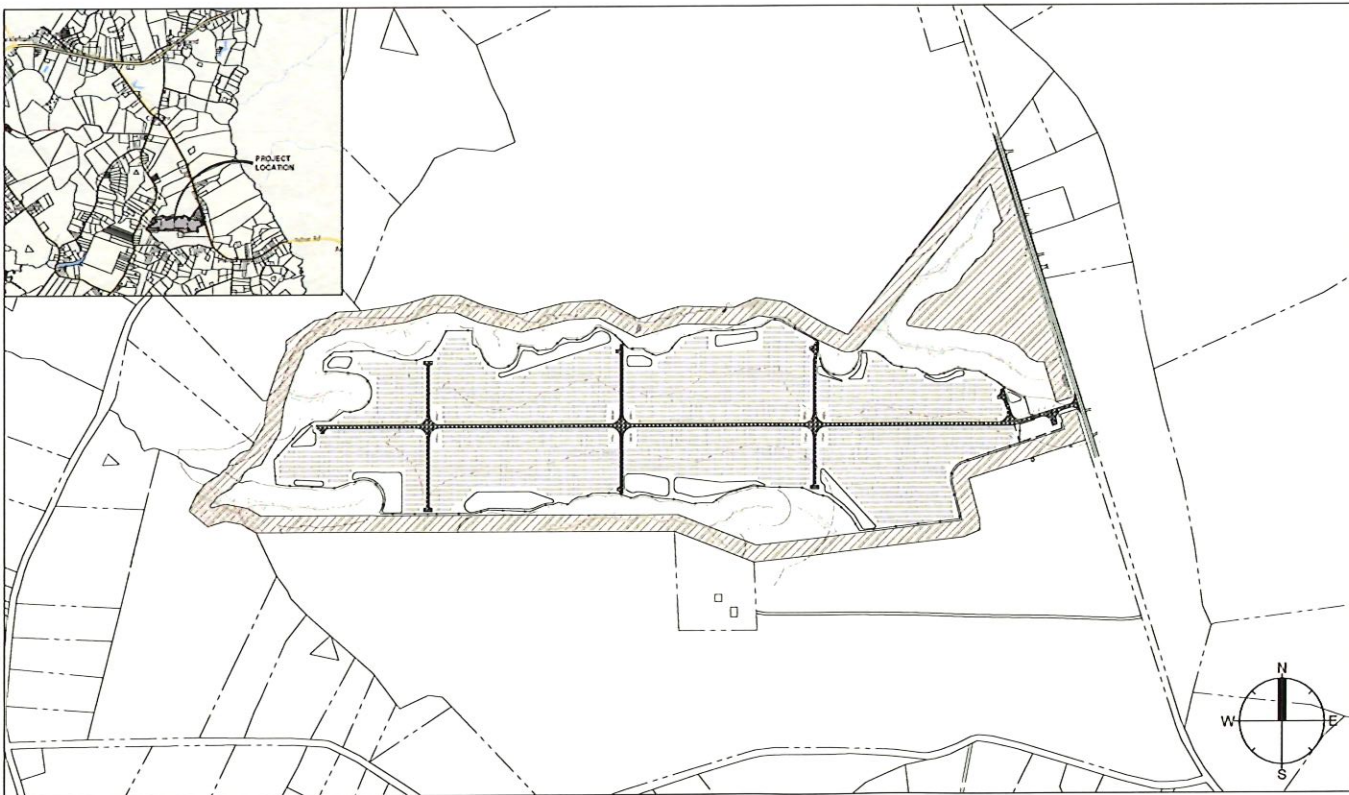
GENERAL NOTES & CONDITIONS

- NO WATER OR SANITARY SEWER PUBLIC UTILITIES ARE REQUIRED OR PROPOSED
- THERE WILL BE NO DWELLING UNITS OR RESIDENTIAL ASSOCIATED STRUCTURES ON SITE
- A 7' TALL PERIMETER FENCE SURROUNDING ALL SOLAR PANELS AND GROUND MOUNTED ELECTRICAL EQUIPMENT WILL BE PROVIDED
- THE PROJECT AREA HAS NOT BEEN PREVIOUSLY SUBJECTED TO ANY CULTURAL RESOURCE INVESTIGATIONS. VIRGINIA DEPARTMENT OF CONSERVATION AND RECREATION (DCR) INDICATES THAT NATURAL HERITAGE RESOURCES, WHICH INCLUDE ENDANGERED AND THREATENED SPECIES (ETS), HAVE NOT BEEN DOCUMENTED IN THE PROJECT AREA. THE VIRGINIA DEPARTMENT OF WILDLIFE RESOURCES (DWR) DATABASE SEARCH INDICATES THAT NO ETS SPECIES HAVE BEEN DOCUMENTED WITHIN A 2-MILE RADIUS FROM THE PROJECT AREA. THE U.S. FISH AND WILDLIFE SERVICES (USFWS) INFORMATION PLANNING AND CONSULTATION (IPAC) DATABASE INDICATES THAT THE FEDERALLY ENDANGERED AND STATE THREATENED NORTHERN LONG-EARED BAT (NLEB, MYOTIS SEPTENTRIONALIS), THE PROPOSED FEDERALLY ENDANGERED TRICOLORED BAT (PER MYOTIS SUBFLAVUS), THE FEDERAL CANDIDATE MONARCH BUTTERFLY (DANANUS PLEXIPPUS), AND FEDERALLY PROTECTED BALD EAGLES (HALIAEetus LEUCOCEPHALUS) MAY OCCUR WITHIN THE PROJECT VICINITY. HOWEVER, NO CRITICAL HABITAT HAS BEEN DOCUMENTED FOR ANY OF THESE SPECIES WITHIN THE PROJECT AREA. NO CRITICAL HABITAT HAS BEEN DOCUMENTED FOR ANY OF THESE SPECIES WITHIN THE PROJECT AREA.

SHACKLEFORDS SOLAR FACILITY

BUENA VISTA ROAD | SHACKLEFORDS, VIRGINIA 23156
KING AND QUEEN COUNTY

CONDITIONAL USE PERMITTING



LOCATION MAP

1" = 500'

Sheet List Table

Sheet Number	Sheet Title
GI-000	COVER SHEET
GI-010	GENERAL NOTES
VL-100	EXISTING CONDITIONS PLAN EXHIBIT
CD-100	OVERALL DEMOLITION PLAN
CS-100	OVERALL SITE PLAN
CS-400	CONNECTION AREA ENLARGEMENT
CS-500	SITE DETAILS
CS-501	PLANTING DETAILS
CG-100	OVERALL GRADING & DRAINAGE PLAN
CE-100	OVERALL EROSION AND SEDIMENT CONTROL PLAN
CE-500	EROSION CONTROL DETAILS
CE-501	EROSION CONTROL DETAILS



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SHACKLEFORDS SOLAR FACILITY

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KING AND QUEEN COUNTY

CONDITIONAL USE PERMITTING

REVISIONS

NO.	DATE	DESCRIPTION

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BY KCI TECHNOLOGIES, INC. PRIOR TO THE
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BY SIGNING AND DATING BELOW, I AM ACCEPTING
THESE DOCUMENTS IN THEIR ENTIRETY AND
APPROVE THE START OF CONSTRUCTION
DOCUMENTS.

CLIENT SIGNATURE _____ DATE _____
SEAL: _____

PRELIMINARY
NOT FOR
CONSTRUCTION

DATE 10/15/2026

DRAWN BY: KCI

REVIEWED BY: KCI

APPROVED BY: KCI

KCI PROJECT NO: 00000877_0001

SHEET NAME:

COVER SHEET

SHEET NO:

GI-000

CLIENT



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Green • Clean • Sustainable

PREPARED BY



KCI TECHNOLOGIES, INC.
936 RIDGEBROOK ROAD
SPARKS, MARYLAND 21152
410.316.7800
WWW.KCI.COM

CONTACT LIST

CLIENT - AMERESCO

TUCKER HEALY
DIRECTOR - SITE ORIGINATOR
508-598-3136

111 SPEEN STREET, SUITE 410
FRAMINGHAM, MA 01701

SITE CIVIL ENGINEER:
KCI ASSOCIATES OF NC, P.A.

JOSE F. MARTINEZ, PE, PLS
PRACTICE LEADER
919.278.2460
JOSE.MARTINEZ@KCI.COM

LANDSCAPE ARCHITECT:
KCI ASSOCIATES OF NC, P.A.

NICOLE E. STEELE, PLA
LANDSCAPE ARCHITECT
919.270.4320
NICOLE.STEELE@KCI.COM

SURVEY - H&B SURVEY & MAPPING, LLC

LEISA WEATHERFORD
LICENSED SURVEYOR
804.330.3781
LWEATHERFORD@HBSURVEYING.COM

614 MOOREFIELD PARK DRIVE
RICHMOND, VA 23235



EXISTING CONDITIONS LEGEND

SYMBOL	DESCRIPTION
[Pattern]	PALUSTRINE FORESTED WETLAND
[Pattern]	REVERINE UPPER PERENNIAL WETLAND
[Pattern]	PALUSTRINE EMERGENT WETLAND
[Pattern]	100' RESOURCE PROTECTION AREA BUFFER
[Pattern]	250' RESOURCE MANAGEMENT AREA BUFFER
[Line]	STREAM CENTER LINE
[Line]	TREE LINE
[Line]	BRUSH LINE
[Line]	EDGE OF PAVEMENT
[Line]	PROPERTY LINE (GIS)
[Line]	ADJACENT PROPERTY LINE (GIS)
[Symbol]	UTILITY POLE
[Symbol]	TREE

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SHACKLEFORDS SOLAR FACILITY

BUENA VISTA ROAD
SHACKLEFORDS, VIRGINIA 23156
KING AND QUEEN COUNTY

CONDITIONAL USE PERMITTING

REVISIONS

NO	DATE	DESCRIPTION

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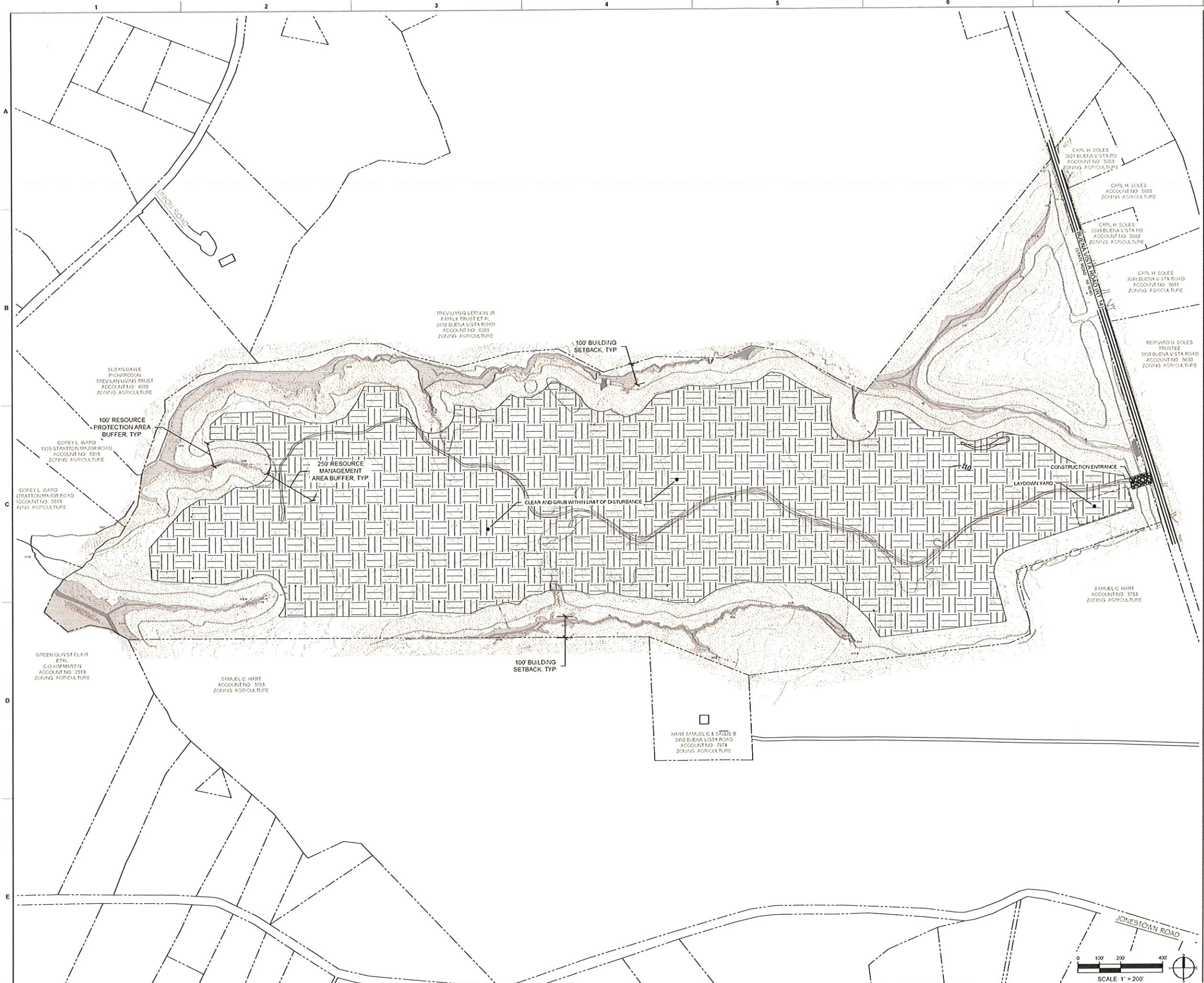
CLIENT SIGNATURE: _____ DATE: _____
SEAL: _____

**PRELIMINARY
NOT FOR
CONSTRUCTION**

DATE: 10/15/2025
DRAWN BY: KCI
REVIEWED BY: KCI
APPROVED BY: KCI
KCI PROJECT NO.: 00000877_0001
SHEET NAME:

**EXISTING CONDITIONS
PLAN EXHIBIT**

SHEET NO.:
VL-100



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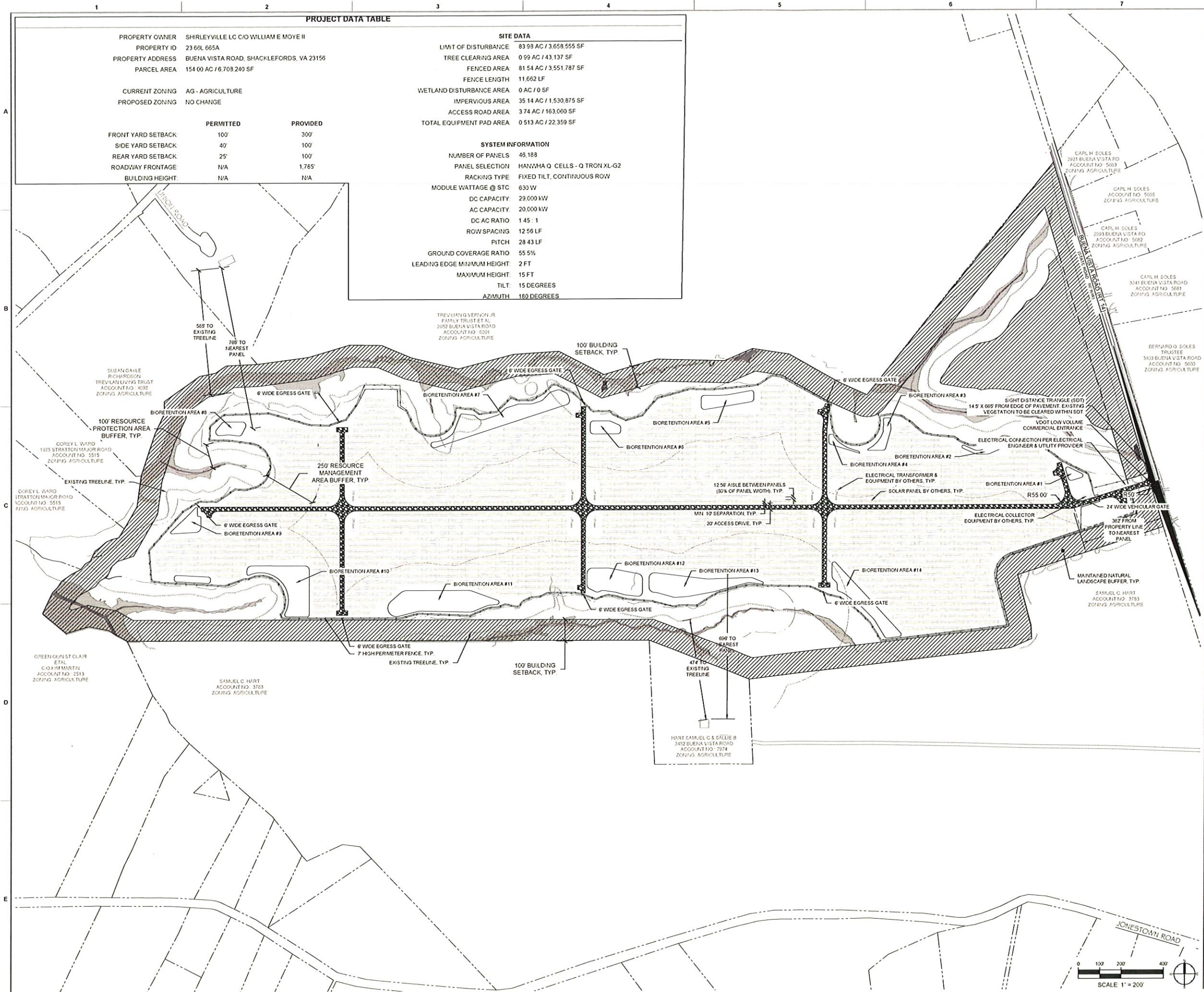
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DATE: 10/15/2026
DRAWN BY: KCI
REVIEWED BY: KCI
APPROVED BY: KCI
KCI PROJECT NO.: 00000877_0001
SHEET NAME: _____

OVERALL DEMOLITION
PLAN

SHEET NO.:
CD-100



1

2

3

4

PROJECT DATA TABLE

PROPERTY OWNER SHIRLEYVILLE LC C/O WILLIAM E MOYE II
PROPERTY ID 23 66L 665A
PROPERTY ADDRESS BUENA VISTA ROAD, SHACKLEFORDS, VA 23156
PARCEL AREA 154.00 AC / 6,709,240 SF

CURRENT ZONING AG - AGRICULTURE
PROPOSED ZONING NO CHANGE

	PERMITTED	PROVIDED
FRONT YARD SETBACK	100'	300'
SIDE YARD SETBACK	40'	100'
REAR YARD SETBACK	25'	100'
ROADWAY FRONTAGE	N/A	1,785'
BUILDING HEIGHT	N/A	N/A

SITE DATA

LIMIT OF DISTURBANCE 83.93 AC / 3,658,555 SF
TREE CLEARING AREA 0.99 AC / 43,137 SF
FENCED AREA 81.54 AC / 3,551,787 SF
FENCE LENGTH 11,662 LF
WETLAND DISTURBANCE AREA 0 AC / 0 SF
IMPERVIOUS AREA 35.14 AC / 1,530,875 SF
ACCESS ROAD AREA 3.74 AC / 163,060 SF
TOTAL EQUIPMENT PAD AREA 0.513 AC / 22,359 SF

SYSTEM INFORMATION

NUMBER OF PANELS 45,188
PANEL SELECTION HANWHA Q CELLS - Q TRON XL-G2
RACKING TYPE FIXED TILT, CONTINUOUS ROW
MODULE WATTAGE @ STC 630 W
DC CAPACITY: 29,000 KW
AC CAPACITY: 20,000 KW
DC AC RATIO 1.45 : 1
ROW SPACING 12.56 LF
PITCH 28.43 LF
GROUND COVERAGE RATIO 55.5%
LEADING EDGE MINIMUM HEIGHT 2 FT
MAXIMUM HEIGHT 15 FT
TILT 15 DEGREES
AZIMUTH 180 DEGREES

UNION ROAD

SITE LEGEND	
SYMBOL	DESCRIPTION
	SIGHT DISTANCE CLEAR ZONE
	VEHICULAR GRAVEL PAVING
	MAINTAINED NATURAL LANDSCAPE BUFFER
	BUILDING SETBACK
	FENCE LINE
	LIMIT OF DISTURBANCE
	SOLAR PANEL
	ELECTRICAL EQUIPMENT
	UTILITY POLE



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REVIEWED BY: KCI
APPROVED BY: KCI
KCI PROJECT NO.: 00000877_0001

SHEET NAME: OVERALL SITE PLAN

SHEET NO.: CS-100



SITE LEGEND	
SYMBOL	DESCRIPTION
	SIGHT DISTANCE CLEAR ZONE
	VEHICULAR GRAVEL PAVING
	MAINTAINED NATURAL LANDSCAPE BUFFER
	BUILDING SETBACK
	FENCE LINE
	LIMIT OF DISTURBANCE
	SOLAR PANEL
	ELECTRICAL EQUIPMENT
	UTILITY POLE

[illegible]

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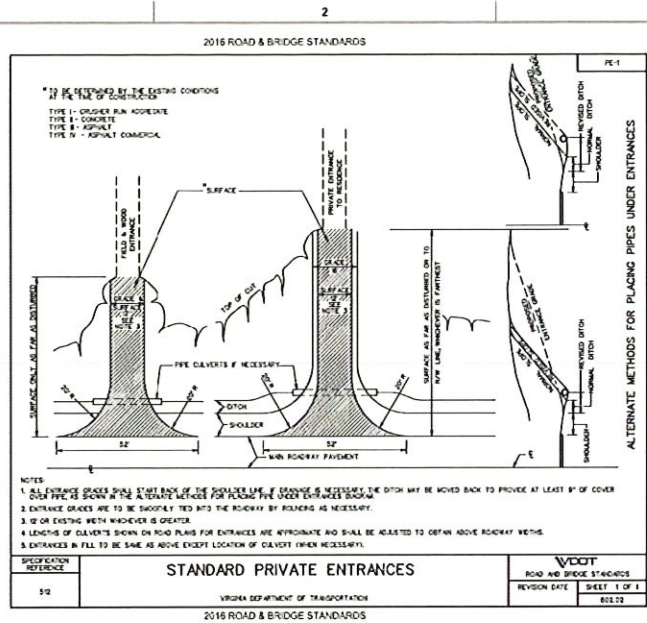
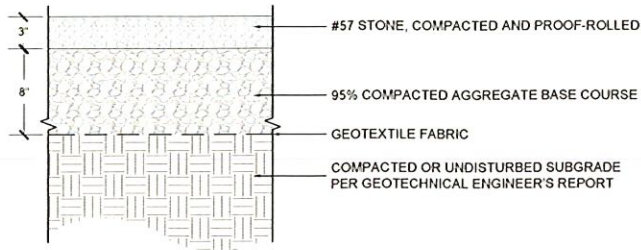
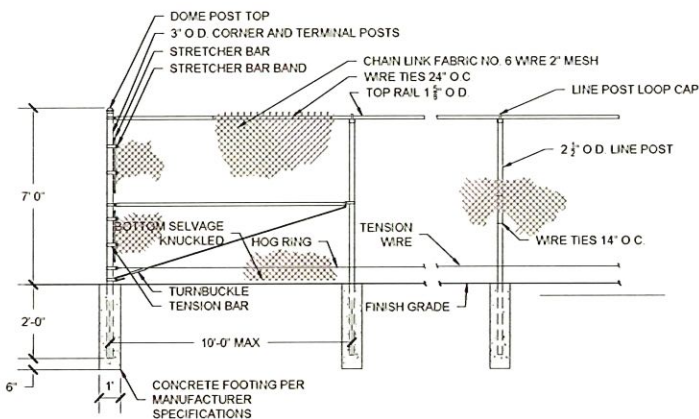
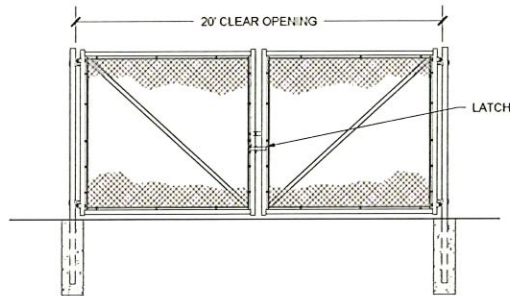
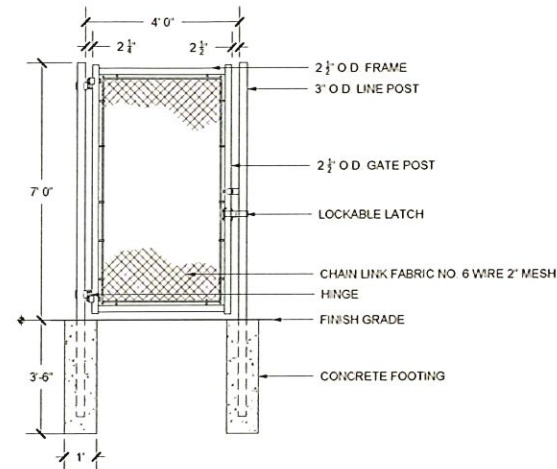
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REVIEWED BY:	KCI
APPROVED BY:	KCI
KCI PROJECT NO.:	00006877_0001
SHEET NAME:	

**CONNECTION AREA
ENLARGEMENT**

SHEET NO: **CS-400**



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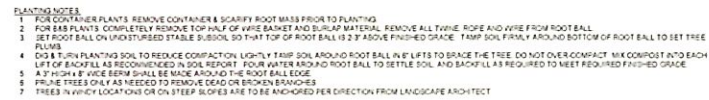
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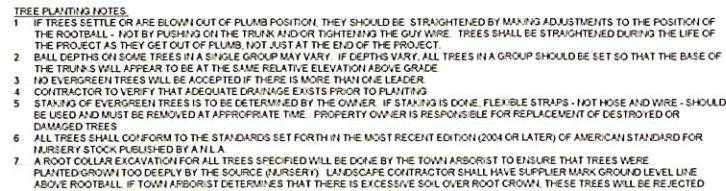
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SHEET NAME:

SITE DETAILS

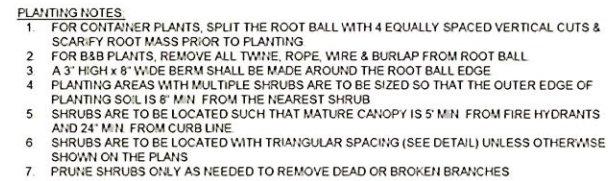
SHEET NO.: CS-500



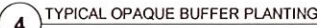
1 TYPICAL DECIDUOUS TREE PLANTING



NTS **2** TYPICAL EVERGREEN TREE PLANTING



3 TYPICAL SHRUB PLANTING



OPAQUE BUFFER INTENT

FORMATION OF AN OPAQUE SCREEN TO OBSCURE VIEW FROM ADJACENT PROPERTY USING AN EARTHEN BERM IN COMBINATION WITH EVERGREEN AND DECIDUOUS CANOPY TREES AND SHRUBS

MUST USE A MINIMUM OF 4 OF THE RECOMMENDED SPECIES FOR EACH PLANT TYPE THROUGHOUT THE ENTIRE BUFFER WITH NO SINGLE SPECIES REPRESENTING MORE THAN 40% OF THE TOTAL QUANTITY FOR THAT TYPE.

- | | |
|---|---|
| <p>DECIDUOUS CANOPY TREES (MIN 2' CALIB HEIGHT)</p> <ul style="list-style-type: none"> MINIMUM 2 DECIDUOUS CANOPY TREES PER 100 LF SPACING 50' O.C. MAX FOR EACH CLUSTER RECOMMENDED SPECIES <p>QUERCUS PHAELOS / WILLOW OAK
 QUERCUS LYRATA / OVERCUP OAK
 QUERCUS BICOLOR / SWAMP WHITE OAK
 QUERCUS STELLATA / POST OAK
 QUERCUS SHUMARDI / SHUMARD OAK
 PLATANUS OCCIDENTALIS / AMERICAN SYCAMORE
 ULMUS AMERICANA / AMERICAN ELM
 ACER RUBRUM / RED MAPLE</p> | <p>DECIDUOUS UNDERSTORY TREES/SHRUBS (MIN 1' CALIB HEIGHT)</p> <ul style="list-style-type: none"> MINIMUM 6 UNDERSTORY TREES PER 100 LF IN CLUSTERS OF THREE SPACING 15' O.C. MAX FOR EACH CLUSTER RECOMMENDED SPECIES <p>CERCIS CANADENSIS / EASTERN REDBUD
 AMELANCHIER ALNIFOLIA / SERVICEBERRY
 HAMAMELIS VIRGINIANA / CORNUS WHITENUT
 MYRTICA CERIFERA / SISKIYOU NAX MYRTLE
 CORNUS FLORIDA / FLOWERING DOGWOOD
 HYDRANGEA QUERULFOIA / OXHEAF HYDRANGEA
 VIBURNUM DENTATUM / ARROWWOOD VIBURNUM
 ILEA VIRGINICA / VIRGINIA SWEETSPICE
 CARPINUS CAROLINIANA / AMERICAN HORSEBANE</p> |
| <p>EVERGREEN CANOPY TREES (MIN 15' CALIB HEIGHT)</p> <ul style="list-style-type: none"> MINIMUM 3 DECIDUOUS CANOPY TREES PER 100 LF SPACING 40' O.C. MAX RECOMMENDED SPECIES <p>MAGNOLIA GRANDIFLORA / BRACKETS BROWN BEAUTY
 BRACKETS BROWN BEAUTY SOUTHERN MAGNOLIA
 ILEX OPACA / AMERICAN HOLLY
 JUNIPERUS VIRGINIANA / EASTERN RED CEDAR
 PINUS VIRGINIANA / VIRGINIA PINE
 PINUS ECHINATA / SHORTLEAF PINE
 CRYPTOMERIA JAPONICA / CRYPTOMERIA</p> | <p>EVERGREEN UNDERSTORY TREES/SHRUBS (MIN 1' CALIB HEIGHT)</p> <ul style="list-style-type: none"> MINIMUM 6 SHRUBS PER 100 LF IN CLUSTERS OF THREE SPACING 15' O.C. MAX FOR EACH CLUSTER RECOMMENDED SPECIES <p>MAGNOLIA GRANDIFLORA / LITTLE GEM SOUTHERN MAGNOLIA
 PRUNUS CAROLINIANA / CAROLINA CHERRY LAUREL
 ILEX VOMITORIA / YALPOM HOLLY
 ILEX NELLIEI / STEVENS / NELLIE R. STEVENS HOLLY
 ILEX GLABRA / INDIAN HAWTHORN
 OSMANTHUS FRAGRANS / TAO OLIVE</p> |

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APPROVED BY: K.G

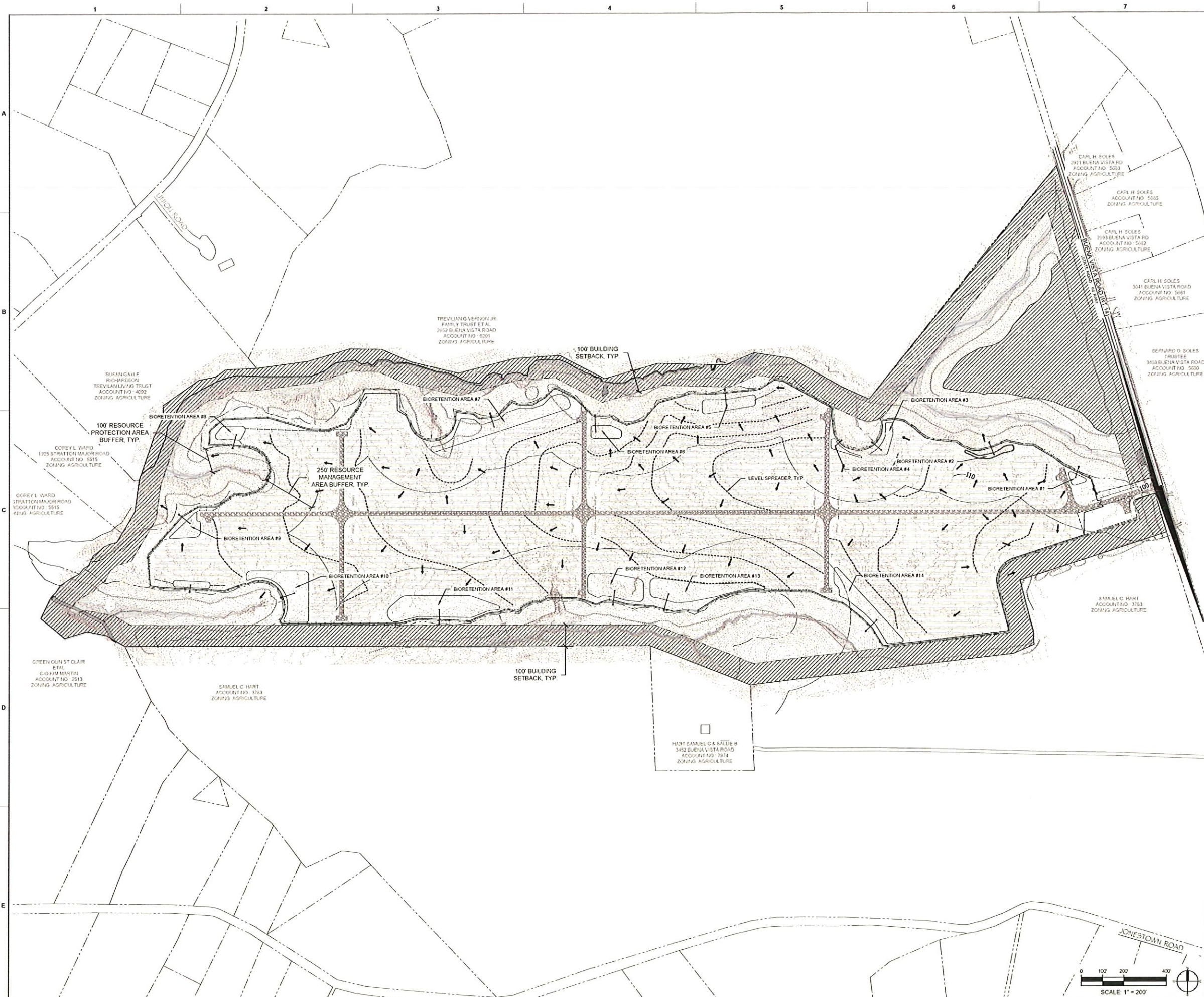
PROJECT NO: 00000977_0001

SHEET NAME:

PLANTING DETAILS

SHEET NO.:

CS-501



GRADING LEGEND

SYMBOL	DESCRIPTION	DETAIL
---	EXISTING MAJOR CONTOUR	
- - -	EXISTING MINOR CONTOUR	
---	PROPOSED MAJOR CONTOUR	
- - -	PROPOSED MINOR CONTOUR	
=====	LEVEL SPREADER	1 CE 500
→	DIRECTION OF FLOW	

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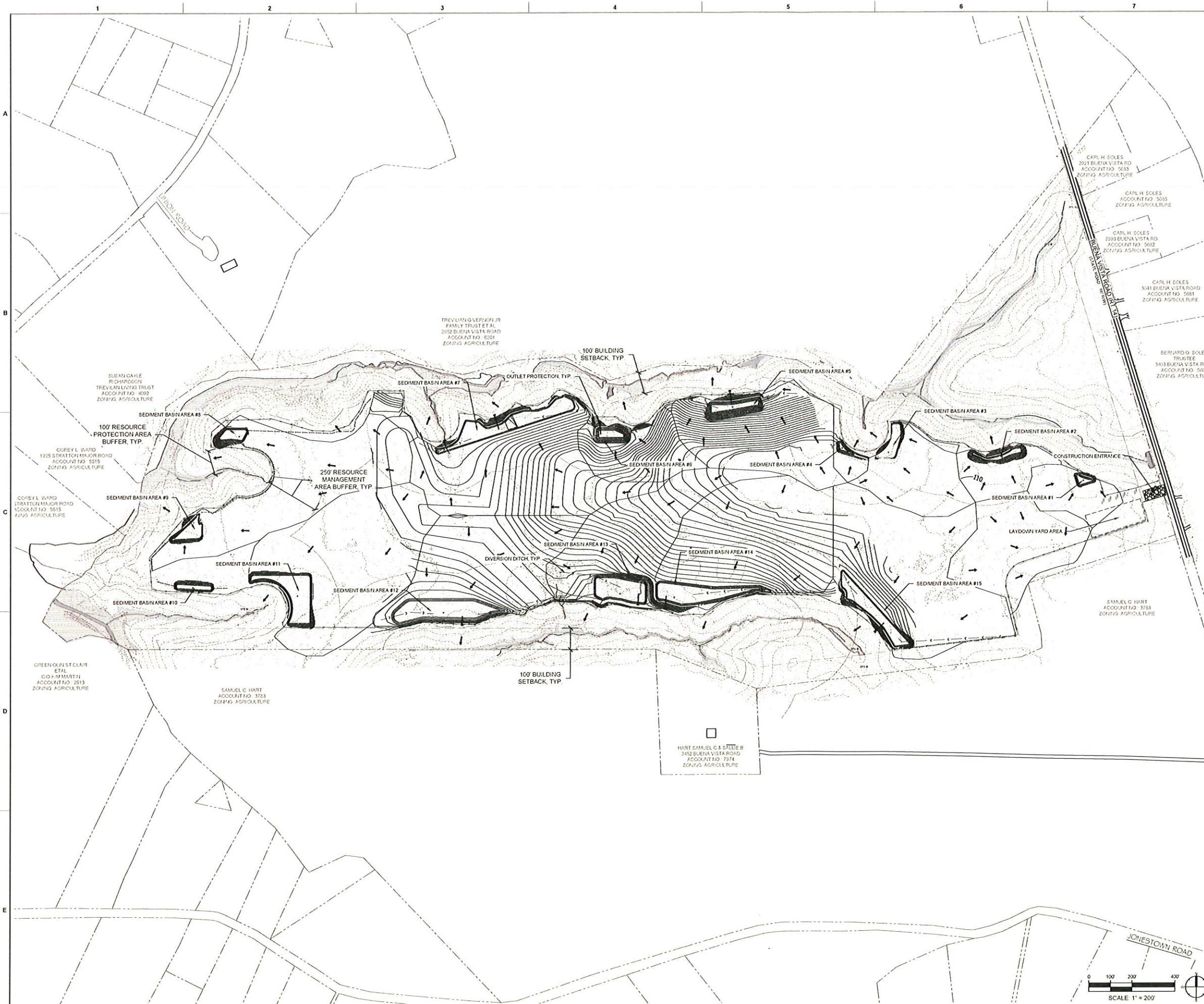
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KCI PROJECT NO.: 00000877_0001
SHEET NAME:

**OVERALL GRADING &
DRAINAGE PLAN**

SHEET NO.:
CG-100



EROSION CONTROL LEGEND		
SYMBOL	DESCRIPTION	DETAIL
	SILT FENCE	4 CE-500
	DIVERSION DITCH	1 CE-502
	SWALE	3 CE-500
	SEDIMENT BASIN	6 CE-501
	RIPP RAP PROTECTION	5 CE-500
	CONSTRUCTION ENTRANCE	7 CG-500



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APPROVED BY: KCI
KCI PROJECT NO.: 00000877_0001
SHEET NAME:

OVERALL EROSION AND
SEDIMENT CONTROL
PLAN

SHEET NO:
CE-100

AGENDA: Monday, November 2, 2026, PC Meeting

ITEM #6:

Old Business:

**A. Review Chapter 3, King & Queen Zoning Ordinance Draft
Amendments/Revisions (Continued)**

**If time allows, we will begin reviewing the articles as noted in their
zoning ordinance review table.**

**Please be sure to bring your green binders with you to this and future
meetings.**

AGENDA: *Monday, November 2, 2026, PC Meeting*

ITEM #7:

Staff's Comments:

A. Upcoming Applications (if any)

B. Other Comments/Updates (if any)

AGENDA: *Monday, November 2, 2026, PC Meeting*

ITEM #8:

Commissioner's Comments:

Planning Commission will provide comments, if any, other than items already discussed during the meeting/public hearing.

AGENDA: *Monday, November 2, 2026, PC Meeting*

ITEM #9 & #10:

Meeting Schedule/Adjournment:

The next Planning Commission meeting is scheduled for Monday, December 1, 2026, at 6:00 p.m.

Ask the Commission for a motion to adjourn the meeting.

Ask is there a second.

All in favor say "Aye"