

**Buckingham County
Board of Supervisors
Planning Commission
Joint Meeting
February 28, 2022**

At a joint meeting of the Buckingham County Board of Supervisors and Planning Commission held on Monday, February 28, 2022 at 6:00 p.m. at the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following were present: T. Jordan Miles, III, Chairman; Joe N. Chambers, Jr., Vice Chairman; Dennis Davis, Jr.; Donald E. Bryan; Donald R. Matthews, Jr.; Harry W. Bryant, Jr.; and Danny R. Allen. Also present were Karl Carter, County Administrator; E.M. Wright, Jr. County Attorney; and Jamie Shumaker, IT Manager.

Those present for the Planning Commission were John E. Bickford, Vice Chairman; Ashley Shumaker; James D. Crews, III; Steve Dorrier; Joyce Gooden and Stephen Taylor and Danny R. Allen.

Re: Call to Order by Planning Commission

Vice Chairman Bickford called the meeting of the Buckingham County Planning Commission to order.

Re: Establishment of a Quorum by Planning Commission

Vice Chairman Bickford established there was a quorum, seven of seven members present and the meeting could continue.

Re: Reconvene the February 14, 2022 meeting of the Board of Supervisors

Chairman Miles called to order the reconvened meeting of February 14, 2022 meeting of the Buckingham County Board of Supervisors.

Re: Establishment of Quorum by Board of Supervisors

Chairman Miles established there was a quorum, seven of seven members were present and the meeting could continue.

Re: Invocation and Pledge of Allegiance

Supervisor Chambers gave the invocation and Commissioner Shumaker led the Pledge of Allegiance which was said by all who were in attendance.

Re: Approval of Agenda

Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to approve the amended agenda of the Board of Supervisors as presented.

Commissioner Gooden moved, Commissioner Dorrier seconded and was unanimously carried by the Commission to approve the agenda as presented.

Re: Approval of the Planning Commission Minutes

Commissioner Shumaker moved, Commission Crews seconded and was unanimously carried by the Commission to approve the minutes of the January 24, 2022 meeting.

Re: Moment of Silence for Commission Chairman Pat Bowe

Bickford: Before the Public Comment period, for those that may not know, the Chairman of the Planning Commission Pat Bowe, passed away Friday morning. So if you would join me in a moment of silence in his memory. Thank you.

Re: Public Comments

Bickford: Thank you very much. That brings us to the general public comment period. Do we have anyone sign up for that?

Lann: Yes, sir. We have Quinn Robinson, District Four.

Bickford: Please remember to come forward, state your full name, address. Public comment period is only for matters that we do not have a public hearing for which is the solar farm and the Board of Supervisors has the one for the Siting Agreement.

Quinn Robinson, District 4: Good evening, my name is Quinn Robinson. I live in Andersonville, District 4. I just have a couple of brief things in general. I noticed that the meeting was canceled and completely confused me and I hope at some point you or someone can explain the reason for that. I was also disappointed that the Herald published the cancellation without any comment about why it was initiated. But that's their problem. I can't understand your attachment to these joint meetings. They confuse things. Read over the minutes when they come back. You don't know who's who and who's doing what and what the responsibilities are. It's a mess. And this is supposed to be Buckingham's is a rural community, slower pace of things. Why you have to have four permits at one meeting, which happened earlier this year. It's just not realistic. There's too much information to absorb. And you complicate your task. And now with this being on YouTube, you're showing a great deficit to anybody that's watching. It's not a good form. The main thing I wanted to talk about was this the emergence of Weyerhaeuser as a sponsor for these various things. That's appropriate, I guess, but it's also risky. We already have one Superfund site near Andersonville and the solar site has great possibility and potential monetary return. And I assume that you're going to pass that easily. The gold mine thing is another matter. It's a great problem to another Superfund site, and I don't think anybody wants that. And I hope you could get rid of it. Oh, one matter in particular about this and I appreciate the effort of Supervisor Miles to get the data out to the population. And Page Three it says the county will receive additional real estate taxes for the land within the fence of the project. That's fine, but it's an exact contradiction from what you've done with the cellphone towers for years. Each time on listings come up, I know several times I've asked that the property be reassessed at a higher value.

Bickford: Times up, Mr. Robinson. We got to keep right on tight schedule. Appreciate it, sir. Any other?

Lann: That's all.

Bickford: That's all okay.

Re: Old Business-Planning Commission

**Re: Joint Public Hearing-Planning Commission and Board of Supervisors on Case 22-SUP299
Apex Clean Energy**

Bickford: That brings us to Old Business.

Edmondston: Good evening, Mr. Vice Chair, members of the Planning Commission and the Board of Supervisors. Tonight we're here for a public hearing for Case 22-SUP200. The landowner is Weyerhaeuser Company and the applicant is Apex Clean Energy. Property information includes Tax

Map 17 Parcel 8 containing approximately 520 plus acres; Tax Map 17 Parcel 9 containing over 97 acres; Tax Map 17 Parcel 13 with approximately 59.5 acres and Tax Map 18 Parcel 2 containing approximately 1,286 plus acres. The parcels are north of Bridgeport Road; east of Route 20; west of Hardware Road and in the Slate River Magisterial District. The Zoning District is currently A-1. The applicant wishes to obtain a special use permit to allow for the construction and operation of a 149.5 megawatt utility scale solar facility on approximately 1,996 acres. The zoning ordinance does not permit a public utility generating plant as a permitted use. However, within the A-1 Agricultural District, Public Utility generating plants, public utility booster or relay stations, transformer substations, meters and other facilities including rural roads and facilities and water and sewage facilities may be permitted by the Buckingham County Board of Supervisors by a special use permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district at the special use permit is approved. Riverstone Solar LLC, the applicant or Riverstone request a special use permit to allow for the construction and operation of a 149.5 megawatt utility scale solar facility known as the project on approximately 1,996 acres of private land in northern Buckingham County. This project is being developed by Apex Clean Energy, a renewable energy development, construction and operations company based in Charlottesville, Virginia. The Board of Supervisors approved Case 21-SUP290 for Apex Riverstone Solar LLC project on November 8, 2021. Condition 7 limited the solar equipment and accompanying stormwater features to no more than 1,729 acres of the incorrectly stated acreage of the project is 1966 and should have said 1996. The application for 22-SUP299 was received due to ongoing studies and evaluations necessitating the request for the additional 35 acres that will be used by the applicant. As an additional space that will permit flexibility in the design and construction on the project. The applicant states that while the project can still be constructed in accordance with 21-SUP290 approval, the additional 35 acres will permit flexibility to avoid cultural or environmental sensitive areas that may be identified during environmental studies or may be used for an alternative internal access to the interconnection switching station, staging of construction equipment or additional solar equipment. Below are 30 conditions that were provided to you in your packet. And these conditions are designed to protect the integrity of A-1 zoning district.

Bickford: Thank you, Mrs. Edmondston. Before we open up the public hearing, do any of the Planning Commissioners or Board of Supervisors have any question for the applicant at this time?

Miles: Does any Supervisor have any questions for Mrs. Edmondston or the applicant at this time, gentlemen?

Allen: I'm just wondering if it'd be a good thing to have Nicci to read the changes that we've made on these conditions before people speak so they would know what we've done to try to help to make it better.

Miles: Would you be amenable to that, Supervisors? Y'all good with that, Chairman Bickford? Is your group okay with that?

Bickford: I believe so.

Edmondston: The 30 conditions listed below with the final version provided to you on February 23rd. The updates and revisions are necessary as determined by public feedback since the introduction on January 24th, 2022.

Below are conditions that you may consider attaching to the request if approved:

Version 2.23.22 (Updates and Revisions necessary, as determined by Public Feedback, since Introduction on January 24, 2022)

1. **Inspections.** Riverstone Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility (the "Applicant") consent to annual administrative inspections by Planning Department Staff for verification of compliance with the requirements of this SUP after the completion of the construction of the Project. During construction of the Project, the County and its assigns and designees shall have access to the site for inspections and to assure compliance with the conditions of the SUP.
2. **Compliance with Conditions.** The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. **Compliance with Laws; Erosion and Sediment Control and Stormwater.** That all federal, state, and local laws, regulations, permit requirements and ordinances will be adhered to including but not limited to:
 - a. All active solar systems and solar equipment used in this Project shall meet the 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) as applicable and comply with state building code and shall be inspected by a County building inspector through the building permit process.
 - b. An Erosion and Sediment Control Plan must be submitted to the County and approved by the Soil and Water Conservation District and the Virginia Department of Environmental Quality prior to any land disturbance. Prior to Applicant's submission of the Erosion and Sediment Control Plan, the

Applicant will contact the County's erosion and sediment control reviewer and use reasonable efforts to arrange a meeting on the Property with the Applicant's engineer. The County may obtain an independent third party review of the Erosion and Sediment Control Plan at the expense of the Applicant.

c. The erosion and sediment control plan shall be prepared in accordance with the Virginia Erosion and Sediment Control Handbook. As an additional precaution, the erosion and sediment control plan will be implemented as a sequential progression, demonstrating that not more than 25% of the Maximum Extents (a "Phase") be initially disturbed during construction without temporary seeding or other stabilization in accordance with the Virginia Erosion and Sediment Control Handbook. Temporary seeding or other stabilization in accordance with the Virginia Erosion and Sediment Control Handbook shall be implemented as soon as possible, and no more than 7 days after final grading in a Phase is complete. As soon as the stabilization of a phase, as referenced in sentence 2 of this condition, has been completed, construction activity (disturbance) may commence in a subsequent Phase. This condition shall not prevent continued construction activities in a previous Phase after a previous Phase has been stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, and such stabilized areas will not be subject to the 25% limitation of sentence 2 of this condition; however continued construction activities, excluding maintenance of erosion and sediment control and stormwater management features or associated activities, shall not be re-initiated in a previous Phase until at least 50% vegetative cover (as determined by an independent inspector) has been established in that Phase or 60 days after a Phase has been temporarily stabilized, whichever is sooner. During this period, the applicant shall take continued action implementing best management practices to promote successful establishment of vegetative cover in a Phase. The erosion and sediment control plan will provide the means and measures in accordance with the Virginia Erosion and Sediment Control Handbook to achieve stabilization of the disturbed areas and to comply with this condition.

d. During the construction of the Project, the Applicant shall require the following:

(1) All Erosion and Sediment Control facilities will be inspected by a qualified third party inspector: (i) at least every four calendar days; or (ii) at least once every five calendar days and within 48 hours following any runoff producing storm event. Any discrepancies should be noted and corrective action should be taken to ensure facilities are operating properly. Corrective measures include regularly cleaning out sediment basins and traps, stabilizing eroded banks or spillway structures, cleaning inlets and outlets and repairing damaged silt fence shall be prioritized.

(2) Runoff at stormwater outfalls will also be observed just as often for characteristics listed in the land disturbance permit (clarity, solids, etc.).

(3) A record of the amount of rainfall at the Project during land disturbing activities.

(4) A record of major land disturbing activities, including dates when clearing, grading and excavating occurred in each Phase. Dates when construction activities are either temporarily or permanently ceased in the Phase should be recorded along with stabilization areas.

e. The County may inspect the Project during construction as determined by the County and shall retain all enforcement rights under applicable law.

f. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance. The Applicant will obtain approval of a Stormwater Pollution Prevention Plan (“SWPPP”). The Applicant and its contractor will have operational day-to-day control of the Project and must implement the SWPPP measures. The Applicant will cause the active up-to-date SWPPP to be made publicly available either electronically or at a location viewable not less than once per month upon request by the public. The Applicant and its contractors will ensure that the applicable subcontractors are trained on appropriate best management practices and requirements in the SWPPP.

g. The Project shall fully comply with all applicable provisions of the Buckingham County Zoning Ordinance, to the extent not modified herein, throughout the life of this SUP.

4. **Expiration.** The building permit application must be submitted within 2 years of obtaining the Special Use Permit and the commercial generation of solar electricity shall begin within 24 months of the approval of the building permit or this SUP shall be null and void. The building permit deadline will be extended for 12 months (3 years total), and the construction time period extended by 12 months (30 months total) by administrative approval of the County Administrator after consultation with the Board of Supervisors due to delays in state permits, interconnection approval, or other good cause demonstrated by the Applicant. Any timeframe under which the Commonwealth is under an Executive Order of the Governor declaring a statewide emergency will toll the timeframe specified in this condition.

5. **Definitions.** All racking, solar modules, inverters, breakers, switches, cabling, communications components, and other ancillary components necessary to convert solar energy to electricity and interconnect to the electrical transmission are considered “Solar Equipment” and subject to the requirements for such, together with setback requirements of that district and other requirements, unless otherwise stated in these conditions. Solar Equipment shall not include access roads and transmission lines and poles. “Project Area” shall include all areas within the Property line boundary that include, but not limited to the following: Solar Equipment, ingress/egress, access roads, fencing, parking, laydown areas, setbacks, buffers, storage area, wetlands, erosion and sediment control features, storm water management features, and other ancillary components. Battery storage and other energy storage methods are not approved as part of this SUP and will require separate special use permitting. The “Maximum Extents” shall not exceed 1,765 acres and is depicted on the General Plan. The “Property” is defined as 1,992-acres consisting of Tax Map Section: 17, Parcel 8, Tax Map Section: 17, Parcel 9, Tax Map Section: 17, Parcel 13, and Tax Map Section: 18, Parcel 2.

6. **Binding Obligation.** This SUP shall be binding on the Applicant or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.

7. **General Plan.** The construction of the Project shall be in substantial conformance with these conditions and in general conformance with the Special Use Preliminary Site Plan prepared by Apex Clean Energy dated January 12, 2022 (the “General Plan”). The Solar Equipment and accompanying storm water features shall be limited to no more than the 1,765 acres of the 1,992-acre Property as

shown on the General Plan. Modifications to the General Plan shall be permitted at the time of building permit based on state and federal approvals and final engineering and design requirements that comply with these conditions.

8. **Construction Hours.** All site activity required for the construction and operation of the solar energy facility shall be limited to the following:

a. All pile driving activity shall be limited to the hours from the earlier of sunrise or 8 a.m. to the later of 6 p.m. or sunset, Monday through Friday. Applicant may request permission from the Zoning Administrator to conduct piling driving activity on Saturday or Sunday, but such permission will be granted or denied at the sole discretion of the Zoning Administrator; and

b. All other construction activity within the Project Area shall be limited to the hours from the earlier of sunrise or 8 a.m. to the later of 6 p.m. or sunset, Monday through Sunday in accordance with the provisions of the County's Noise Ordinance and shall not be unreasonably loud for a sustained duration of time as monitored at the property line of the Project Area.

9. **Noise.** After completion of construction, the solar energy facility, during normal operation, but excluding maintenance, shall not produce noise that exceeds 50 dbA as measured at the property lines of the Project Area boundary, unless the owner of the adjoining affected property has given written agreement to a higher level.

10. **Setback from Existing Residential Dwellings.** A minimum three hundred and fifty (350) foot setback shall be maintained from Solar Equipment to any adjoining or adjacent residential dwellings (and not the property line) that exist at the time of the approval by the Board of Supervisors. This requirement may be reduced or waived for the life of the solar energy facility, if agreed to, in writing, by the owner of the residence. Transmission lines and poles, security fence, and project roads may be located within the setbacks only where necessary. During construction, the setback may be used for the staging of materials and parking if the buffer is not disturbed. The Applicant shall retain and maintain existing vegetation and timber in the setback that are under the control of the Applicant and located on the Property.

11. **Setback to Property Lines and Rights of Way.**

a. **Property Line.** A minimum of a fifty (50) foot setback from Solar Equipment to the property line shall be provided around the perimeter of the Solar Equipment where it is adjacent to property not owned by the same property owner as covered in the SUP at the time of the approval by the Board of Supervisors.

b. **Right of Way.** The Applicant shall provide a minimum of a seventy-five (75) foot setback from Solar Equipment to any adjoining public right of way.

c. Transmission Lines and poles, security fence, and project roads may be located within the setbacks only where necessary.

12. **Setback to Perennial Streams and Connected Wetlands.** As an additional erosion and sediment control and stormwater management precaution, a minimum fifty (50) foot setback shall be maintained from Solar Equipment to the edge of all perennial streams and connected wetlands located within the Project Area. Transmission lines and poles, project roads, erosion and sediment control and stormwater management features may be located within the setbacks where necessary.

13. **Buffer.**

a. Within the setback, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the property line. Along the property line where there is no vegetation or timber to retain, the Applicant will supplement the buffer with new plantings in the fifty (50) foot buffer.

b. Along existing public right-of-way (ROW) where there is existing timber, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the public right-of-way. Along existing public rights-of-way where there is not at least 50' of vegetation and timber remaining to substantially obscure from view the Solar Equipment and security fence, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist and subject to the prior written approval of the Zoning Administrator prior to the issuance of a building permit. All plantings installed in the buffer shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of at least twenty (20) feet. Any new plantings shall be planted during the appropriate time of year after the completion of construction of the Project. The buffer may be included in the setback area.

c. The Applicant will maintain all buffer areas with the advice and support of a professional arborist or forester for the duration of the Project's operational life. Such maintenance may include thinning, trimming, seeding or other modifications to the buffer to ensure the health of the vegetated buffer areas, public safety, and the energy efficiency of the Project. In the event the health of the vegetation within the buffer area is compromised and no longer substantially obscures the visibility of the Solar Equipment and security fence, the Applicant will plant a new buffer, or supplement the remaining buffer, including timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist or forester.

d. A performance bond reflecting the estimated costs of anticipated landscaping maintenance, as determined by the Applicant with the advice of a professional arborist or forester, shall be posted by the Applicant prior to construction. This ensures buffer landscaping is adequately maintained for the life of the Project.

14. **Fencing.** The Applicant shall install a security fence around the Solar Equipment that is a minimum six (6) feet in height. Fencing must be installed on the interior of the vegetative buffer required in this section so that it is screened from the ground level view of adjacent property owners. The fencing shall be always maintained while the facility is in operation.
15. **Lighting.** Construction lighting shall be minimized and shall be directed downward. Post--construction lighting shall be limited to security lighting only and shall be full cut-off lighting pointed in a down direction. All post-construction lighting shall be dark sky compliant.
16. **Interconnection.** The Project shall not receive a building permit until evidence has been given to Buckingham County that the electric utility company has a signed an interim interconnection service agreement or interconnection service agreement with the permittee.
17. **Decommissioning.** If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twelve (12) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the Project becoming abandoned, inactive and/or shutting down operation. The Applicant or its successor and/or assign ("Project Owner") shall decommission the Project within twelve (12) months abandonment, inactivity, or substantially discontinuing the delivery of electricity to an electrical grid, whichever occurs first. The decommissioning shall be in accordance with a Decommissioning Agreement between the Applicant, Project Owner and the County. If the Project (or relevant part) is not removed within the specified time, the County may cause the removal of the Project with costs being borne by the Project Owner as will be provided for in the approved Decommissioning Agreement. The costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a bond, letter of credit, cash, or a parent guarantee by an investment grade entity. The Applicant's cost estimate of the decommissioning shall not include the salvage value of the Solar Equipment. The cost estimate of the decommissioning shall be updated by the Applicant every five (5) years and be provided to the County. At its option, the County may require the surety amount be increased based on the new cost of decommissioning. The Decommissioning Agreement shall be agreed upon and the surety shall be provided before the issuance of the building permit.
18. **Decommissioning Timeframe.** The Project shall be decommissioned within twelve (12) months. The decommissioning shall require (i) the removal of any Project facilities installed or constructed thereupon, (ii) the filling in and compacting of all trenches or other borings or excavations made in association with the Project and (iii) the removal of all debris caused by the Project from the surface and 36" below the surface of the Property.
19. **Training of Emergency Services.** The Applicant shall coordinate with the County's emergency services staff to provide materials, education, and/or training to the departments serving the solar energy facility regarding how to safely respond to on-site emergencies. Prior to construction, the Applicant shall ensure that emergency services staff has keys and other access to the Property and the Applicant

shall provide the County and emergency services with safety data sheets (SDSs) on the Solar Equipment for the life of the project.

20. **Access Roads and Signage.** Access roads are to be marked by the Applicant with identifying signage. The manufacturers' or installers' identification and appropriate warning signage shall be posted on or near the panels in a clearly visible manner. The signage must identify the owner and provide a 24-hour emergency contact phone number. Each access gate must also have the signage that identifies the owner and provides a 24-hour emergency contact phone number.

21. **Construction Management.** The following measures will be taken:

a. A Construction Traffic Management Plan and mitigation measures shall be developed by the Applicant and submitted to the Virginia Department of Transportation (VDOT) and Buckingham County for review. The Plan shall address traffic control measures, an industry standard pre- and post-construction road evaluation, proposed work zones and delivery locations, and any necessary localized repairs (i.e., potholes, wash-boarding of gravel, shoulder rutting, culvert crushing, etc.) to the public road that are required as a result of damage from the Project.

b. During construction, each project entrance will have a dedicated wash station to mitigate natural debris from unintentionally leaving the Project Area. The Applicant will take all reasonable precautions to minimize impact and damage to public roads including regular maintenance, washing and sweeping. If a traffic issue arises during the construction of the Project, the Applicant shall immediately develop with input from the County and VDOT and implement appropriate measures to mitigate the issue.

c. During construction, the Applicant will hold a Town hall every quarter within the County, inviting county officials, neighboring landowners, and the broader Buckingham community. During these town halls, the Applicant will provide a report on the Project's construction progress from the previous quarter and summarize construction activity to occur in the subsequent quarter, and provide an opportunity to receive citizen comments.

22. **Parking.** Parking of vehicles or staging of equipment or materials related construction or decommissioning of the Project shall be limited to the Project Area.

23. **Glare.** All panels will use anti-reflective coatings. Exterior surfaces of the collectors and related equipment shall have a non-reflective finish and solar panels shall be designed and installed to limit glare to a degree that no after image would occur, towards vehicular traffic and any adjacent building.

24. **Height.** No aspect of the Solar Equipment shall exceed 17 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to electrical distribution facilities, substations, or transmission lines.

25. **No County Obligations.** Nothing in this SUP shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

26. **Severability of Conditions.** If any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.

27. **Enforcement.** Any infraction of the above-mentioned conditions could lead to a stop order and discontinuation or revocation of the special use permit in accordance with Virginia law.

28. **Road Use Restrictions.** The Applicant will be restricted from using Paynes Road, Georgia Creek Road, Quail Run Lane and the portion of Paynes Pond Road from the intersection of Route 20 to the northern boundary of the Project Area for access to the Project Area during the construction and decommissioning phases of the Project. The Applicant will be restricted from using Paynes Road and Quail Run Lane during the operations and maintenance phases of the Project.

29. **Solar Panel Technology.** The Applicant will be restricted from utilizing photovoltaic panels with internal components containing cadmium telluride. Only silicon type panels, or those other panels that have been established as optimal standard best practice shall be utilized by the Applicant.

30. **Ground Cover; Pollinators.** Prior to the start of construction, the Applicant will perform no less than 10 soil tests in areas across the Project Area to achieve an appropriate sample size of Project Area. The soil tests will be used to inform and develop a comprehensive and detailed vegetative management plan with the intended effect to revegetate the Project Area with ground cover. The vegetative management plan may include the optimal seed types, fertilizer rates, and liming rates (if necessary) to be used for temporary and permanent stabilization. Once operational, the Applicant will maintain ground cover in good condition throughout the operation of the Project. Where grubbing is not required for the construction or operation of the solar farm, or for the installation of erosion control and stormwater management features, existing stumps shall remain in place. The Applicant will consider implementation of Pollinator Habitats where appropriate and in accordance with applicable laws and regulations.

Those are the 30 conditions that have been offered for your review.

Bickford: Thank you, Mrs. Edmondston.

Miles: Thank you.

Allen: You done a good job. Appreciate it.

Bickford: All right. Before I open the public comment period, few rules and schedules. We'll have a lot of voicemails and emails. So around somewhere approximately a quarter to nine, nine o'clock, take

about a 10 minute break, and just stretch, and we'll get back and resume listening to all. At the completion of that, Apex will present a presentation. And at the conclusion of that, I will then open it up for the Commissioners as well as Board of Supervisors for questions to the applicant and discussion. At that, the Planning Commission will make a recommendation either up, down or possibly tabling it. Once we make that action, we will then recess and reconvene on Wednesday at 6pm. At this time, if everyone would make sure their phone is either silent or off. So we don't have you know, everything goes right on through. If you hear speaking, I have to hold your feet to the fire three minutes, because a lot. Third thing is please respect whoever is speaking. I'll give one warning for outburst. Try to maintain if you can, I know it's a passionate, you've got things at stake here. But it's very important not only during the comment period for the Commissioners and Supervisors to make sure we hear everything, but also when the presentation by Apex is going on because that's, you know, that gives us the opportunity, we don't want to miss anything and make sure we got it all straight before we make a decision. So if you would honor those I would greatly appreciate it. With that is do we have any...the final thing is if you're here, and you sent a voicemail or email in, then you have the opportunity to come forward and speak but you only get one opportunity. So you can either if you want to come and speak and you sent a voicemail or email, that won't be read or heard. It will be you to substitute your speaking. If you did and you don't want to come forward and it'll be read. Both in all three cases, it'll become part of the public record. So you're fine with that. Okay. With that I'm going to ask if we have any people present to sign up? Present. Okay. We will start first with the people that are here. And then when we get through that then we'll go to the voicemails and emails.

Natalie Aldridge, District 1: Thank you for the updates, but I will still speak my comments. Good evening. There are multiple lawsuits against Apex Clean Energy for the same scale projects like SUP299. Multiple individuals from the area all feel the same way about the proposed project. I'm Natalie Aldridge and I'm here to speak on the behalf of my family from District Six at 286 Hummingbird Road Scottsville Virginia. And the surrounding families SUP299 will affect. 1996 acres of solar panels will be placed in my family's backyard if the SUP299 request is approved. Throughout my high school years, I have met some of your families and friends who would be just as upset as I am if these solar panels were placed in your backyard. I have grown up around the 1996 acres that Apex is trying to place all of these solar panels on for 17 years. The childhood that I had is not only in jeopardy, but also in jeopardy for my future children and my family's current children. My childhood consisted of driving four wheelers just off Payne Pond Road and swimming in the Georgia Creek and James River every summer. And I quote, "The imminent soil erosion and harm to the streams like the Little Georgia Creek and James River will happen if this is approved" by Farmville Herald. The company is aware of the 150 megawatt power production so why have they deliberately set their limit to 149.5 megawatts just

to be safe with the SCC. I'm concerned with the effects this will have on the James River which is the largest watershed leading into the Chesapeake Bay and Atlantic Ocean. The deconstruction and construction of the panels will have a risk in the carbon emissions as well as pollutants that Apex would cause for the ocean through one runoff. The ocean takes in 25% of carbon dioxide emitted by us as is, so this project will only add to that with the placement of the solar fields. Furthermore, the ecology of the land will be altered with the manufacturing and placement of the solar fields. Finally, here are just a few of my questions. What are the future plans for this company and Buckingham County? Will this affect the surrounding watersheds? What will Apex do to help if these effects are detrimental to surrounding residents and their livelihood? Green energy should be something that the county should consider, but not on the scale and not for the companies that don't consider the livelihood of those that may affect. Industrial power projects do belong in our, do not belong in our backyards. I pray as you all do before every meeting that Buckingham County will vote no for the approval of SUP299. Thank you.

Bickford: Thank you

Ruth Aldridge District 1: Hi, I'm Ruth Oleander Aldridge from District 1 now changed to 6. Comments are regarding the SUP299 Solar Farm, and the Riverstone Solar facility. I've been living here for over the 20 years working at the University of Virginia various positions in the health care and education administration fields. Also, I was most recently involved with a health care initiatives locally for the testing of water quality for our citizens. Clean water is a basic but vital need for survival for people animals in our environment. I find myself still questioning with lots of concerns due to the lack of information prior to the knowledge of this project. I will keep to what is most important prior to any decisions made by the County Board of Supervisors' roles that they are charged to uphold for the citizens in the county of those who live here and beyond. There is lacking information on what the solar panels are made from and how they can react to the environment during the project duration. The information communicated thus far has been ever changing and fluid which leads to complete confusion. For example, how will this affect waterways prior to construction and beyond for future generations to come? Will taxes be paid on the agricultural and industrial land by the entities? Are their documents to be viewed for financial budgets for the county and the line items for expenditures and potential contractors? Will the country, will the county be working with the Chesapeake Bay Watershed Agreement established in 2014 for protection of the Bay and one of their themes for clean water? Has the research been completed and shared with the public on the potential positives and negatives to the local established 2016 B city initiative in Scottsville, Virginia. Scottsville, Virginia is approximately five miles from the project, part of the Chesapeake Bay Watershed Waterways that flow from the properties that are just beyond our family's land for three generations. More important to me is when a natural disaster can occur. For example, a ratio or tornado or even an earthquake, like the one that occurred in my hometown of Louisa County, Virginia in 2011, and was the magnitude of 5.6. epicenter. An

earthquake that was unpredictable caused damage to many areas in the Town of Mineral and Louisa. The earthquake that damaged the Washington Monument which is approximately 100 miles away. On a personal level, the same earthquake that caused water issues for our family, where we had to completely replace our water system. I urge a pause on the vote and rethinking if this was in your backyard with more focus time on resources and research to impact if it has any issues for the waterways in the environment. Not just for the area here but even 100 miles away. Thank you for additional updates and comments that were provided.

Maggie Snoddy, District 5: Good evening. My name is Maggie Snoddy. I live in the Glenmore district. My address is 194 Mountain View Road Scottsville, Virginia. I wanted to speak on the proposed 2000 acre industrial solar farm. I do support renewable energy but we must do it correctly. As with all new technology, there are pluses and minuses and we must develop plans to counteract and minimize the minuses. This is an appeal to each of you to slow down and research this issue more fully and listen to your constituents. There have been many articles in the Farmville Herald which I'm sure you've read. Most experts talk about the dangers of having industrial solar farms in agricultural and residential areas. This is a huge project with potentially significant long term environmental impacts. There is no harm done by taking more time to investigate further. I heard the county's developing utility scale solar policy. That should be the first priority to be addressed. Finish that before we move forward with this project. The county should be the driver of this project, not Riverstone. No citizen in the county will see any reduction in their utility bill from this project. We should be looking instead to smaller scale projects that do reduce the utility bills for the citizens. Has the county reached out to Campbell County to discuss in detail some of the problems that they have had? Has the county consulted with impartial experts to get their expertise and opinion and advice? In my opinion, it's not prudent to go forward at this time with this project. Can anyone give us an example where another solar farm of this magnitude has been successfully implemented with no environmental impact? I urge you to listen to the experts and your constituents take more time to fully understand the impact of these large scale industrial solar farms and vote no on this project. Thank you.

Brad Pickens, District 6: Good evening. Brad Pickens, District Six, Blue Heron Lane in Scottsville. Before I start, I do want to recognize those of you who are serving as our public servants. I know your charges moving the County forward and I know sometimes we don't make your job easy when we bombard you from all sides. So I do thank you. You're also charged with protecting the residents. With that in mind, I want to remind everyone why we're really here tonight. It's not to approve additional 35 acres for SUP290. SUP290 is in litigation for failure to provide timely notice. And for APEX failure to provide adequate signage. A verdict for the plaintiffs will vacate the approved SUP290 and Apex knows this. So rather than wait for the court to rule Apex submitted a new SUP299. This is a totally new proposal and should get full public, PC and BOS review prior to vote. Combining votes short circuits

that review. But even with just two weeks notice from BOS introduction tonight, we've shown the historical risk associated with projects of this size. We've shown that no county has invited Apex back after their experience. And we've given you firsthand accounts of Apex Campbell County horror. 299 is Apex's most ambitious project to date and the second largest in the state. Why are we rushing to a vote? Mr. Bowe stated never again to the Route 60 projects yet here we are with something literally 10 times that size. You can't just stick your head in the sand hoping all of Apex's promises will come true. If you haven't looked at Apex actual historic performance, you're being negligent. The 30 conditions you've added are a great start, but most are actually ineffective or even unenforceable. Moving forward with SUP299 and without a county solar ordinance is irresponsible. I'm willing to work with you and with the solar committee to develop enforceable standards with more actual benefits to the county. But you cannot approve SUP299 without a rigorous and independent review. Every project over 200 acres has had major problems. Why would you risk this with no solar guidelines? The lawsuit bought you time. Please use it wisely. You have three choices, vote yes and accept those risks. Vote no and nothing changes, or vote not yet and be more deliberate in your review and establish those solar ordinance before even considering a vote. However, if yes is the right answer tonight, it'll still be the right answer in two months. In closing, I would like to work with you to develop a better agreement but if you vote to accept the risk on my behalf, you also accept the responsibility for those damages. Thank you.

Jennis Pickens, District 6: I'm Jennis Pickens, an affected landowner and homeowner in District 6 at 1806 Paynes Pond Road and thus I'm commenting on SUP 22 SUP299. I'm adamantly opposed. To the Commissioners, I respect your abilities to as land use planners to carefully weigh the testimonies of those most affected by this this proposal. Proper land use planning is critical to ensure the balance between sustainable and efficient land use practices while also meeting future clean energy goals. A 40 year lease is a very long time and there are 2000 acres at stake. This decision will affect your children and your grandchildren. Please delay the approval of this SUP until a solar ordinance is in place to protect the interest of the residents. Please delay approval until Virginia legislators can pass House Bill 206 which offers additional protections for forest and crop lands. 58% of utility scale solar projects in Virginia are destroying precious forested lands. 58% and 25% are gobbling up crop lands. And this is according to an analysis published by VCU of land use in Virginia in December. This alarming trend is not a sustainable practice. And you have the responsibility to the citizens of Buckingham to say no. Utility scale solar belongs in parking lots and on rooftops, not in land that has been forested for 60 years. The solar camp compound is sited less than half a mile from the scenic James River and the Little Georgia Creek runs through it. Our family owns the historic Payne's Mill Pond. When all the trees are removed and the land brought to grade by denuding it of vegetation and topsoil runoff is inevitable. I asked you to pay attention to the experiences of other counties in Virginia, Essex, Campbell, Mecklenburg, Spotsylvania and Louisa who agreed to replace their agricultural land with utility scale solar. Those counties are still recovering from the catastrophic effects of runoff and erosion on their

water quality, their wells, their creeks, their ponds and their streams. Those counties are refusing utility scale solar. Apex's proposal does not bode well for Buckingham. To the Board of Supervisors. Why do you think Apex is courting Buckingham County? Apex chose the site because of its proximity to high voltage electrical transmission lines. A significant cost savings in their industry, ignoring the fact that it is an ecologically precious place full of trees and wildlife.

Bickford: That's your time. Thank you.

David Ligon, District 6: Hello, my name is David Ligon. I appreciate the opportunity to speak to you all tonight. I'm a landowner on Payne's Pond Road. I have 67 acres between the two creeks. And I'd like to just share a little experience about what it was like to be a landowner on Payne's Pond Road. So we have a state maintained road that is gravel, but it's very rarely maintained. We have potholes, wash boarding and hills that sometimes are impossible to get up in a regular vehicle. So when I come to visit the property, I have to come in my pickup truck with four wheel drive half the time to access the property. Over the years we've owned the property, several years ago, Dominion decided that the new clean energy was natural gas. So without my ability to fight it, Dominion and Columbia gas decided there with I'm sure your assistance decided they're going to put a 24 inch high pressure gas line through 12 acres of my property. So for that clean energy project, I lost 12 acres of land. Didn't lose it, it's my land. But now to cross the land, to cross that gas line from my home site that I've been preparing for over a decade for my retirement, I have to go rent steel bridges, logging bridges. They have to be brought in on tractor trailers. They have to be lifted in set with a bucket, you know, heavy piece of equipment. I've had to do that twice since they've installed the gas line on my property. Now that's not Clean Energy. Now solar is clean energy. So now you want to come down and approve a 1900 plus acre solar farm and on the backside of my property. My back property line borders, it's halfway through Georgia Creek. Already when we have hard rains, snows that run off that bottom is a flood basin. And the property line doesn't change but the creek changes. There's a football field difference in where that creek sometimes flows. And now we're going to dump 1900 plus acres of stormwater into that creek to add to that problem. I'm going to say based on what I've seen over the years, I object to the SUP299. And I would please urge all of you to do the same. Thank you

Laurie Collins, District 1: I'm Laurie Collins. I live at 511 Blue Heron Lane. My view from my front porch is the tree line to this project. That tree line is about 100 feet higher than my home, as well as the properties on three sides of me where this project will be. I have a creek that is beside my home. It is 28 feet from my deck where it drops to a 30 foot chiasm. In the event of stormwater runoff, which is got to happen because it's all I'm in a little valley. It can affect the structure and foundation of my home. During one of the many conversations with Planning Commission and Board members, one of them said and I quote, "the people who live near the project will have to give up some things for the good of the

whole county.” That person went on to say “and if they don't like it tough”. I will not repeat the word that followed tough. But it started with an S and ended with a T. I wouldn't ask anyone to give up their peace of mind for money. I wouldn't ask Buckingham residents to give up safe roads or ask them to endure the noise and diesel you know seven days a week for a year so that the county can get some money. We should not ask people to give up their sense of security and allow 350 to 400 strangers next door possibly overnight like the pile drivers. This area's remote in the event of a problem helps far away. But would I ask members of the community to endure a higher risk of fire or flooding for the possibility of green energy? Of course not. Unless there are guarantees of compensations for damages, bonds in place, ordinance in place to protect us this should not happen. We need to be responsible for each other. We need to follow God's Golden Rule. Do unto others as you would have them do to you. If it isn't good for all of Buckingham County, you need to vote no. Thank you.

Chin Henshaw: Good evening. First I would like to personally thank you for taking the time to listen to what the residence of Buckingham County, I have nine years, has to say in regards to the matter at hand this evening.

Bickford: Ma'am, would you give your full name and address please?

Henshaw: Chin Henshaw, 9868 South James River Highway. And now imagine that you are driving down 60 which is a drive you have done for many years. What was once considered a beautiful and peaceful drive is now covered in acres of solar panels on both sides. And now I realize where the new side is a little bit away from what I will drive by but still, it just gave me some idea what is going to be look like. The wild and plant life that wants to cover this land has been destroyed to make ways for what is approximately 66,000 solar panels that are being...I used Amazon Cloud for the information I have. While in the long run solar energy is indeed a greener method of energy. The process in order to install the panel's especially in a county as beautiful as Buckingham would burn high amount of fossil fuels and plastic waste along the way. They're also in stuck location once installed. They can be turn or move other than going through what she was saying how they're going to undo it. It will be one thing for the residents of Buckingham that have lived here for years to benefit from this. But it wouldn't. How does this benefit the residents if it does? Land that is being taken away and altered, and that it really is not what the residents wants? I'm against this project, just because once we have those mega panels, we don't know that effect of it. And is it how we want to look ourselves and further generation and it's how we're going to invite other people to move into our county in the future and for generations to come. And as a resident for many years, I've always loved Buckingham for quiet beauty and quality of life that it provides I feel that this big project such as this taken away that I will no longer get that feeling. Please take my point into consideration when deciding to continue this project. And as I look, when you look

back on that emblem it shows what I consider a history in the Buckingham County, the trees and logging. Do we really want to put the solar panel up there? Thank you.

Rachel Brown: My name is Rachel Brown. I have a solar farm in our backyard. I live on Claybank Road. So I wish all of you luck. I have, we have complained from the beginning up until last week, I even called and complained. A lot of noise. A lot of dirt, dust. Rangers, no respect. We were told that we would get a buffer we haven't gotten one yet. It's been six years. Mrs. Edmondson was not here when that started Mrs. Cobb was. I asked several times for her and Mr. Carter to come out and see what we were having to put up with. Six years we haven't seen them yet. So if any of you want to ride on Claybank Road and come and see what we have to deal with every day. The Board of Supervisors changed the main entrance for that first solar farm from High Rock Road to Claybank Road, which is right behind us. We see it all day. They're in there two, three times a week. Last Wednesday, six o'clock they were back there making who knows all kinds of noise. So yeah, I wish all of you luck. Because if they treat you the way they have treated us. It'll be there. It'll be there.

Dale Moore: My name is Dale Moore. I'm a Campbell County Board of Supervisors. I heard about this project and want to come over and give you my two cents to consider. These same folks have about a 1200 acre site in Campbell County and it's the worst thing that's happened to Campbell County in a long, long time. I spent numerous hours on that site trying to get them to clean up, to not put mud on the roads, tore the ditches in the roads. They run red water, muddy water into the Otter River. Neighbors call me, people call me all the time. The man's cattle can't drink out of the creek because it runs red mud all the time. I'm gonna tell you, I go in there sit in their office with them. And the man sit right there and tell me, don't you worry, I'm gonna take care of it. Every time, every time. He never did one thing. Not one thing. It's the worst thing that's happened in Campbell County. And I own a company, I founded a company employs 700 people. I've seen a lot of stuff. I've built a lot of your buildings. Heating, Air, electrical, Moore Electrical and Mechanical, I have seen a lot of stuff. And I'm going to tell you, I've seen a lot of stuff over the years of construction. These people know they don't care one thing about it. If I kept track of the hours, if I got paid \$10 an hour for the hours I spent on those sites. I could probably take me a long vacation. And I assure you that your county, I say this again, I will make emphasize, your people employed by your county will be on that site a lot. The cost you're going to incur there because they won't do it unless you make them do it. I promise you that. Like I said, run off and mud in the water. I wish I could, wish I could say more. I wish I could just get out. I guess I would close it by saying, check these people out, find out how many sites and many solar sites they've done and where it's at. You know, it's not as good as it sounds. Believe me, it's not as good as it sounds. I'll end with that.

Jason Hicks: Good evening. My name is Jason Hicks. I'm an attorney. I represent Emanuel Zunz, who lives at 991 Paynes Road. He owns Willow Tree Farm, which is a farm that is adjacent to the proposed

solar farm. Mr. Zunz shares the concerns of many of the people in here tonight. The objections to this project. But I want to focus on a unique issue. That is Apex doesn't own the property that's necessary to build this project. In order for the electricity that's going to be generated at the solar farm to get to the electrical grid, it has to connect to a power line. That power line is solely on my clients property. It's not on Apex's property. Last year, Apex approached Mr. Zunz and asked him for an easement in order to build a power line across his farm to connect to the existing AP line that's on his property. Mr. Zunz did not grant them that easement. They do not have an easement to go onto his property to connect to the power line. Now it has been suggested by Apex that they can use the original easement in the 1940s that AEP or Appalachia Power Company originally had in order to build the high voltage line that's across his farm. Now Apex is wrong about that. That easement from the 1940s doesn't give AEP or anybody the right to build an additional line interconnect to the solar farm. But you don't have to decide that issue. You don't have to look at the easement and try to figure out what the scope of that easement is. Because it's not Apex's easement. It's an AEPS easement. And there's nothing in the materials that are submitted in the application, that should that demonstrate that AEP thinks it has the ability to connect to this whole solar farm. They haven't taken the position that they can do this yet. And there's nothing in your, in the application that shows that Apex can connect to the high voltage power line that is on Mr. Zunz's property. So what's the sense in approving a solar farm that cannot produce any electricity? In order to apply for a special use permit, you have to show that you own the property that you're going to build the thing on. You can't approve a special use permit for Joe in order to build something on Bob's property. Same is true here. Apex doesn't have the property rights it needs to build this farm. And it hasn't shown the Board or the Planning Commission that it has the rights and the ability to do that. At the very least, the county should wait to hear from AEP to see what their position is on this issue before approving. Thank you.

Gavin Lee: Good evening. My name is Gavin Lee. I may be a familiar face to some of you but I'll take a second to introduce myself. I used to be a state trooper here in Buckingham County. I'm not originally from Buckingham County. However, I've called Buckingham my home for the past eight years during my tenure with Virginia State Police. I have recently changed professions. I'm currently the Superintendent at Arbor Pro, Virginia. You may ask what does that have to do with the Riverstone solar project. I speak to you today as a prospective vendor to Riverstone Solar. We are a relatively small and local based company that offers services of land clearing, vegetation removal. And so on the solar farm as large as a Riverstone solar project will be what we call a home run if granted opportunity to bid. This is in no way intended to be a bribery tool or promotion to commercial solar projects, but rather an insight on how such project can benefit to community and local businesses. Buckingham County is without a doubt one of the most beautiful and secluded counties in the state. The downside to being so secluded in rural is the amount of revenue generated. Based on the figures that were provided by Apex energy constructing a commercial solar farm and the county would essentially double the county's

current yearly revenue over the course of the next 40 years. Installing a solar farm as large as Riverstone solar project will insert a total of approximately \$16 million to the county with little or no cost to the county itself. As I see it, it's free money and Buckingham County needs all the help it can get. In my tenure as a state trooper I got to work side by side with some of the most genuine and hardworking citizens of the county to keep this county safe. The money generated by the Riverstone project could easily supplement the volunteer fire departments and emergency services for new and improved equipment. Money could be distributed to the Buckingham County Sheriff's Office which I know all too well is overworked and underpaid. Revenue generated could also be infused into the school systems in which a recent survey based on data collected from the US Census Bureau ranks Buckingham as the eighth least educated county out of 95 counties in the State of Virginia. Not only will the project generate revenue for the county, but during the construction of the project, which will take a better part of a year, there'll be a massive surge in the revenue inserted into local businesses. Riverstone solar project is projected to bring more than 400 jobs in the county during construction. Of these 400 jobs many of them will be local hires which will provide well-paying jobs to the citizens of the county for a year more. Construction sites of these magnitudes also support your local businesses from restaurants, gas stations, hotels, to your local electricians, heavy equipment operations and hauling services that are normal basis would have to travel outside of Buckingham County to find. Again I'm not speaking to you this evening to promote Apex energy or the Riverstone solar project but trying to give you a reason to locally based company that could potentially benefit from project. Thank you for allowing me to use my three minutes of time to voice my opinions and views and urge you to approve all special use permits presented by Apex.

Neal Aldridge: Passed

Reinhard Rieder: Good evening, my name is Reinhard Rieder. We own a property on 2737 Bridgeport Road and have a common border with protected solar farm. Currently, we are already experiencing severe erosion from runoff from this property. And that's before even all this vegetation is taken out and just ground level vegetation is put in. So this erosion problem will only increase. Second, I did some research, where other product besides those local bad experiences with some solar farms. I researched where else it was experience collected with solar farms. And so, of course, I was interested how is it done in my home country in Austria. Austria is comparable in size with Virginia. But it's a landlocked Central European country, and more mountainous of course, then Virginia. So land is scarce. And therefore, what I found out is there's only one industrial solar farm approved in Austria, and that's on two and a half acres, two and a half acres. A recent application for a larger solar industrial solar farm of about 10 acres was rejected by direct popular vote. So the solution is not solar farms industrial size. The solution is as it was mentioned by another speaker before small implementations of solar. The result was in Austria, any new construction, especially home construction has to have a minimum amount of solar

panels installed. So you're not wasting any additional land goes right on the roof of the building. That's the solution. That's the application of solar. And that's the right application. A waste of land where you have a relative low power production on a huge portion of land is not a good idea. That's all I wanted to say. A little bit of food for thought. Thank you.

Laura Keeton, District 1: Good evening. My name is Laura Keeton. And I live at 3284 Paynes Pond Road. I think it's District 6. I spoke at the first public meeting concerning the solar panels. And I told of the story of my farmer friend from Tappahannock, who was approached by their solar companies to lease his land, even though he would instantly become wealthy. His final answer was that he cannot have his farm turned into land that would not go back to farmland. After the meeting, I happened to meet my friends for lunch. And they told me about the solar farm that was consequently, built in that area. Well, it caught fire, and it spread to the adjacent land and properties. The presence of the solar companies had left the area. And when the fighters got to the site, the gates of the solar farm were locked, adding to the time to extinguish the fire. After hearing about this, I did some research and actually, there's fires all over the United States with solar farms that are started by lightning and storms, tornadoes and hurricanes. The local newspaper articles all noted how difficult it was to extinguish the fires and how their solar companies did not train the local fire departments on this kind of fire dealing with highly toxic and carcinogenic waste. My friend also told me of the horrible brown runoff that goes into the Rappahannock River. I know all your proposals tonight your wonderful 30 proposals sound like proposals, but I'm not sure it's going to take place. I find it also so amazing that we are so sensitive to our environment, our Chesapeake watershed, our protection of animal species, our health, except when it comes to this solar energy. It seems to be okay to have overlook the destruction of forests and farms, the water runoff that will go into our Chesapeake Bay, the disruption of wildlife, both local and migratory, the desecration of the land, and the loss of aesthetic beauty. We call them farms, but they are far from farms, and they are far from safe. They make the company rich, and maybe a few landowners and politicians. But do you want it in your backyard? I would also like to add that we would not be in this horrific problem with Ukraine if our government weren't so eager to push a green new deal. Please do not turn a deaf ear to what we've said. Thank you

Richard Walker, District 6: Good evening everyone. Richard Walker, property land owner on Union Hill Road who survive the Atlantic Coast Pipeline that this commission and this board pretty much approved hands down that we had to deal with as well as the and I hear your issues, that it's in your backyard. But when it was in our backyard, that we get this help? Did we get the support? When we tried to get rid of fossil fuels, when we tried to get rid of Atlantic Coast pipeline? Did we get the support?

Miles: Excuse me, Mr. Walker, but would you mind speaking into the mic just so we record this.

Walker: The issue being you know that I'm still fighting for Dominion to repair the road the right away that they created ,the Atlantic Coast Pipeline, I'm still fighting with FERC to have some restorative justice be done to our to the landowners that had ultimately lost their property during the time. You know, I'm believing that Apex will not bring a man camp into your area to bring in, invite individuals from all over the country that you have no clue of what they're going to do to your community, your county. This is the safest way for growth in this county is through Apex. And I truly believe that. Which is the other alternative? We can conceivably add these folks still vote to have another pipeline come through here. Because it was too reckless, haphazard. The Atlantic Coast pipeline, we had to literally get attorneys to fight in the fourth district court of appeals to end the Atlantic Coast pipeline. You know, anyone that was here at the Buckingham Middle School when former Vice President Al Gore and Reverend Dr. Bobber if you were there, I thank you. But however, are any of you there to help us fight when Atlantic Coast pipeline wanted to build a connector to the former Transco line on my family's property that we've owned since 1867. That was the fight. That's where we needed your support. You know, Apex, I truly believe will not bring the hazardous materials that the Atlantic Coast pipeline had in mind when they wanted to build a compressor station less than a quarter of a mile from my family's land. You know, I'm for Apex, you know, but I trust that this body will monitor everything that goes on with that construction site, because I believe that they will step up to the challenge and make sure. I train individuals on how to install solar panels. So I'm looking to be able to bring in folks from Farmville, from Buckingham County, from Dillwyn, from Richmond, from Charlottesville to work on that project so that they don't have to import individuals from across the other side of America. Who we have no clue who they are. That they can hire individuals from within these communities. Thank you.

Tom Snoddy, District 6. Thomas Snoddy.

Snoddy: I'm Tom Snoddy but I didn't sign a piece of paper. If you want me to talk, I'll do that.

Lann: It's up to you. Your name is on here.

Snoddy: Okay, well I'm Tom Snoddy. I'm from District 6 Representative is Mr. Bryant. I do have something to say.

Bickford: What's your address?

Snoddy: 1011 Logan Road Scottsville. Virginia. I think it's good to move forward and technology. I agree with some other comments, you need to do it slow. Make sure you do it right. I think everybody up here may have been, probably voted into the seats that they hold. I don't know about you guys. I

would recommend that you get the citizens and residents of Buckingham County, let them get involved. Let them vote. See what they got to say. Because you don't have them all right here. But they, you are where you are because of them. So that's my recommendation for the evening. Thank you.

Ronald Dorrier, District 1: Good evening, gentlemen. My name is Ronald Dorrier, my address is 612 Hummingbird Road Scottsville, Virginia. First, I'd like to thank the people that came in front of me. They were well prepared, good neighbors that spoke their piece, and I'm proud of them. But I have another issue. I believe a man is known by his word. And with that, I have a question for you. Size of this project, the scope of this project, the amount of unknowns is going to potentially happen. Would you vote for this project if it was in your backyard? And I would like to you to show a set a hands on this if you would do it if it was in your backyard? And I see some hands. Well, then this begs the question, why are you so willing to put it on your neighbor's property? Is it a case of it ok as long as it's not in my backyard? Is that what you're saying? Thank you very much. I appreciate your honesty.

Jorge Secada, District 1: Good evening. Thank you for allowing me to speak. My name is Jorge Secada. I live in 344 Quail Run Lane, and I have around 40 acres adjacent to this project. I've been a resident there for more than 26 years. I work at the University of Virginia. I know what the benefits of this project are. They will bring a lot of revenue to the county. Revenue which might in the long term, make us not need to have these kinds of projects approved quickly. Without due consideration of the risks that are being run. I know that one negative of the project is effects of the people, the people who are around it. But that's not the only risk. We've heard the experience that other counties have had with this company. We've heard of the risks of an environmental kind that this could bring to the Chesapeake Bay. The land that is going to be used is adjacent to little George Creek, which runs into the James River, which runs into the bay. And we know that one of the risks that are being run by the project is that it will spill undesirable materials into the creek. So I'm going to ask you why not make sure that the risks are not taken care of lightly? That they are considered. That provisions are taken so that in case the thing doesn't work, we will not be left with 2000 acres of unusable land for God knows how long. So that we don't destroy the environment in the way that we could be destroying it. That is the negative side of the project. Now, you could just say no to it, and then nothing would have happened. Or you could say we're going to wait for a while. And we're going to make sure that all these issues are addressed carefully. So that everybody that has a concern and that is a whole county has been addressed. Thank you.

Ivan Petersheim, District 2: Good evening Board and Commission. My name Ivan Petersheim, District 2. And I live on Scotts Bottom Road. District 2. I just moved in, me and my wife moved in this area a year ago. I'm just a new guy here but I'm opposed to the solar panels because of the agricultural movement into this area. The demand for farmland has increased in Buckingham County and I think we

are well on our way to regenerative agriculture and preserving open lands basing to the point that it could change the landscape of Buckingham County. One of my questions was what is in the plan for after the 40 year lease is up? Been talk about it but I don't know what it is or what the options are after that. And can grass grow on a red soil that's excavated after the solar panels are installed. I know some of those red clay doesn't grow grass very well. Also, speaking of agriculture, haven't we learned from world events of the food insecurity and there's a auction Buckingham County selling local end seeds and produce to accommodate the trend of buying local vegetables and other food. That's about all I go out and visit your local farmer.

Framer Harris: Good evening. My name is Framer Harris. I live at 93 Hardware Road off of Bridgeport Road where the solar panels going to be made. My land joins their land. Between my land and their land is a small creek. It runs eventually to James River. All the runoff from that solar farm is going to hit that creek. It's a little branch but it runs right to James River. That picks up stuff as you go along. Anyway, I came here this afternoon because I'm a member of the Baptist Church. Our pastor asked me to speak on behalf because she wasn't here. And we oppose this project all together. Because when it comes to Bridgeport Road, all the traffic and trucks and things is going to be on Bridgeport Road and we got enough traffic up there now. It's just unbelievable how much traffic on Bridgeport Road and how much more it will be. They said that I attended the meeting at the Arvonnia Fire House. They said all the traffic would come through Bridgeport Road for the solar farm project and we got enough up there now. I came through Payne Mill today and I can see the cutting the wood already. Moving timber already up there off Payne Pond. I don't know how they got permission to start already. They cutting it already. But anyway I'm opposed of it because other if they have all these trucks coming on Bridgeport Road, it's not to big now. It's in bad shape. Who's gonna fix it when the company is gone? Who's gonna monitor the noise that the solar panel make? Wildlife will be affected because they are fenced in and the runoff is tremendous. I ask you please vote against solar farm. Thank you.

Scott Flood: Good evening Commissioners, Supervisors and Citizens. My family has property between the proposed site and the river. I would like everyone to see how close to the James River this project truly is. This photo of the project looming high on the bluff is in your folder. From 200 feet above the river, that's higher than the 20 story building. Any construction misstep will have catastrophic consequences. Stormwater will transport this load of mud and silt down the steep slopes. This location carries a very high risk. This topography map here is in your folder. Dominion Energy's letter to the governor recommends slope of 8% or less. And in your folder in front of you there's a red and green topography map. Everything red is too steep. Real world example, Apex developed and constructed one solar project in Virginia. Alta Vista Solar in Campbell County. Regarding the many problems there, Mr. Merrick replied, not us and points blame to the contractor. Would that be the same not me finger pointing excuse when things go bad here. Apex sold their interest in that project last February. The

overwhelming majority of violations of stop work orders, the sale of the stock is for the public record. Many are stormwater and erosion problems. Timmons Group did the design and it's also designing here. If you feel this project is a must, at the very least for protections you would want if this were by your home or property. Favor the decision for now and strengthen the conditions. Anticipate as many future problems as you can. We have heard a few more that need to be addressed tonight. Decommissioning. Protect future generations by getting the dollar amount upfront. How much is the bond amount? Will it cover the decommissioning require everything removed. Not just 36 inches deep. This will keep things like broken panels from being buried. Buffers. If approved, the chief mechanism for mitigating impacts to adjacent properties is through vegetative buffers. There are not only necessary to obscure visual and noise impacts but also ensure that adjacent properties are not affected or damaged by erosion and stormwater. The 50 foot buffer is woefully inadequate for a project of this size and intensity. Louisa, which is much smaller and less intense requires a full 150 foot vegetated buffer surrounding the entire perimeter of the project. Despite these buffers, the runoff from clearing construction still caused significant damage to adjacent farmland. Condition 13 buffers must be amended to expressly prohibit the construction of roads and ENS or stormwater management infrastructure within the buffer. This defeats the purpose of the buffer and could lead to significant runoff and damage to adjacent properties. This was the case in Spotsylvania. Allowed stormwater ponds and roads within the 100 foot buffer, significantly damaged adjacent farms. Much new information has been presented. Many voices added. Please do not approve this SUP tonight. Give the people what they want.

Robert Wilmoth: How y'all doing? I'm Robert Wilmoth. I live on 270 Paynes Road. It's hard for me to improve on my opposition on this from what everybody said. But I live there. Okay. And if it goes through, it goes through. I have to live with it. I have to keep moving on with my life. Don't want it. I want to see it. But I'm not gonna blame these fellows over here for building it. All these people that see right appear in front of me the ones we voted for and put into place. That's who I'm going to come and express my concerns and fuss at. Not that I'm going to danger anybody's life or do anything stupid like that. But that's who I'm gonna be knocking on the door of. If you don't want to see me at your door, I say the best thing to do is to table this thing and get it straight, or toss it in the trash. Thank you.

David Ball, District 3: Good evening, David Ball District 3. I want to say my condolences to the Bowe family. And I want to talk about this solar. I think Nicci's done a fabulous job in putting this together. But I'm amiss, you know, the old saying, you can't shut the corral when the horse is already out. And you've let solar into this county. And the property owner is not the owner of the solar. Or he didn't do the work. It was subcontracted and then it was sold off to an energy company. So you've already let solar in the county. How are you going to justify stopping this? You set yourself up for a legal battle. Because the door is already open. But you could have done because I went into the CRC meeting I believe was last November. And at the CRC, every county in the CRC except for two had solar policies.

Comprehensive solar policies. The other counties that didn't had a moratorium until they finished their solar policy. The only one who had no solar policy was Buckingham County. So until you have a solar policy, you've got an open door. Without a policy, you have no regulation. You have a standardized regulation, you can control the issues. But trying to do everything by method of throwing all these little additional regulations to an application as it comes, doesn't address the full issue. You leave too many things to play. And what you need to do is have a policy. What you should have done in the situation you're in is adopt a moratorium until you could have a comprehensive policy determined, evaluated and put in place. But you're already with the gate open, and the horses are out. So what are you going to do? The fact is, you already have a problem. And now you have to face it. And I'm not a lawyer, but I would think if you tried to stop this application because you want to step back and rethink things. They might have a legal reason to come back to the county and say excuse me, but we were so previously approved. We had a small issue about the size of the property. Now there is an issue again. There's a lot to think about and a lot to consider because you're the ones responsible. Thank you.

Kenda Hanuman, District 5: Good evening, I'm Kenda Hanuman, District 5. I'm in favor of environmentally friendly energy. I applaud you for proving small community scale solar. SUP299 is definitely not small or community based. I've heard this referred to as good because it's green energy. This is more than convenient labeling. This is about the site and the scale or the size. For example, would you place or site a water treatment plant in your yard or prefer the size of a garden hose rather than a fire hose to drink from? I was one of only two participants attending Jimmy Merricks first webinar last June on the Riverstone project. I wanted to learn more in order to make an educated decision. The more I've heard, the less I approved of Apex's 149.5 megawatt proposal. And why that number? If it were a mere point five megawatts more, it would require more stringent regulations and oversight. This seems sneaky, at the very least. Is this hearing about democracy and the will of the people or dictatorship with your mind's made up to do what Weyerhaeuser and Apex demand? You have options now before approving the 2000 acre industrial SUP on agricultural land. This can wait for everyone to get a bigger picture of this huge solar project. How about public presentations by other counties? And I thank you for attending tonight, Mr. Moore. On their experience with solar development projects, or our referendum to allow citizens to vote on the scale and siting of these industrial complexes. Your constituents hope you'll choose a right side of history as you make your decision tonight. I'm sure it will take courage to stand up to these powerful corporations. Thank you.

Marie Flowers, District 3: Good evening. I am Marie Flowers, District 3 266 LeGrande Lane. I live nowhere near the proposed solar station. I'm here because I care about what happens in my area and I consider the county my area. Let's see, there was a Republican in the state legislature who presented an ordinance in Richmond to do a study if the solar farms are more than 10 acres. So there must be concern in other areas. Now let's see. One of my questions was would the bond be enough to cover any damage?

Apex has a bad history Um, what happens and who would close the farm down if it had to be closed down? Also, is it safe from hackers? You know? I think Vladimir Putin has long arms. And anyway, ladies and gentlemen, there were far more people at the pipeline and compressor station hearings, then there are here. And this these two boards approved the compressor station. And I hope that you will take the time to be more careful with this. I'm guessing that most of the people here are in favor of renewable, energy, renewable. But there are a lot of questions. There were a lot of things that people brought up here that I had no idea about. And my guess is you probably didn't either. You need to take your time. You're responsible for people. That your first responsibility for them. And also Nicci, you spoke too quickly, and can you repeat everything you shared? I didn't hear it. Thank you.

Lann: And that is all of the in person.

Bickford: Okay? We'll start with whichever in order how you have them for the emails and voicemails.

Baird: Alright, we'll start with voicemails.

Alison Purcell: Parcel 18-1 Bridgeport Road, SUP299. Dear members of the Planning Commission and the Board of Supervisors of Buckingham County. Fact: as of 2019, 15 counties in Virginia required a decommissioning estimate and our solar application before the project is approved by the Board of Supervisors. The decommissioning Condition 17 on Apex's proposal is vague and lacking the necessary stipulations to protect the county. To grant this SUP now and then figure out the details later is poor policy. The decommissioning and land reclamation costs prepared by Dr. Herb Eklund, for the Riverstone Apex project is estimated to be over \$15 million. There's no guarantee in the condition that Apex will post this amount and it is in the developer's best interest to underestimate the cost of decommissioning. Decommissioning Condition 18 states that Apex is only required to remove debris caused by the project on the surface, and 36 inches below the surface of the property. It is common practice in counties around Virginia to require that all cabling, electrical components and pilings be removed during the decommissioning process. This requirement is specified in their ordinances or special conditional use permit before approval. There is nothing written in the current condition to prevent equipment or solar panels from being buried more than 16 inches below the surface. Condition 29 states that the applicant will be restricted from utilizing PV panels with internal components containing cadmium telluride. Why does it read internal components? This condition should restrict Apex from using toxic cadmium telluride in the panel's period. You all have the power to tell Apex no deal until a detailed decommissioning plan is completed. And the condition is clear that the solar panels do not contain toxic cadmium telluride. Would you not want our children and grandchildren to be the ones responsible for the renewable of hundreds of 1000s of toxic solar panels in 30 years? Please vote

no or table this vote until these valid concerns with conditions 18, 19 and 29 are addressed. Thank you very much.

Miles: Mrs. Lann, what was her name?

Lann: Allison Purcell.

Barbara Dorrier: My name is Barbara Dorrier. I'm in the Georgia Creek district. I do not want the solar. We don't need the solar and I don't understand why they need so much acreage when other places, they are they have like 200 acres and they are not being fair to the wildlife. And I don't want my taxes to go up and another thing, you supervisors, they never come around when you need them and to ask you questions and then they come around when they want you to vote for them. So forget them friends. Thank you. Bye.

Barry Dorrier: My name is Barry Dorrier: I live in the Georgia Creek district. Calling about the Apex solar project. The Board of Supervisors, please vote no because of land erosion and animals, how do you say it, housing. They need to have a place to eat and also a place to hide and everything else. So please vote no. Thank you.

Christian Pickens: Hey, this is Christian Pickens. District 6. Property directly adjacent to the Weyerhaeuser site. I'm commenting on Case 22-SUP299. I'd first like to bring up the statistic that's Virginia's the 13th highest state with deforestation, three square miles of land that's about to be clear-cut is home to tons of different animals. Quail, turkey, pheasants, deer, even some species of muscle that are endangered right now, are going to be affected by this clear cutting all this land is going to have a pretty negative effect on the climate as well. Deforestation releases 1000s of tons of co2 and greenhouse gases in the atmosphere that comes from trees leaking co2 as they die, and from all the equipment needed to cut them down. Not to mention all of this is hill. It has to be in a 2% grade to truly be able to for them to be able to put solar panels on so for them to move that much earth, for them to cut down this many trees, we've got to ask ourselves is this really the spot where we want to put this? Would it be better just to move this out somewhere else? I don't know. Payne's Pond is very special to me. I prefer to just stay the way it is. Appreciate your time. I hope you'll take this into consideration.

Derrick Eppard: Yeah, I was calling, this Derrick Eppard, 5403831963. I was calling on behalf of the Riverstone Apex solar farm project. Just a lot of concerns that I had is watershed that comes off of the tributaries that own that property. All feed the James River and speaking to the people out of the Louisa area, Spotsylvania, Mecklenburg area, there's problems that created afterwards of a settlement that gets into the streams and I lived beside of the Shadow River all my life and can't eat nothing out of that river.

They will never be able to eat anything out of it. Then we've leased the property for about 12 years now for recreational use and a lot of kids, family friends that's put money out throughout the year to have a place to go to spend our money in the county, groceries, gas you know, just it's been a lot spent down there. We're not all county residents. I think that, I don't know if anybody's looked into the attachment where they are wanting to attach the solar panels to the powerline, because there's a cemetery within about 100 yards of that access right there. Which could be the Matt Davis cemetery. But I'd like to see the county vote no on the project for all the reasons of wildlife, residents in the area, of farming, the James River, which is a big attraction for Scottsville. But I would like to see the Board of Supervisors vote no and I appreciate all the work that the Board of Supervisors do. Thank y'all and have a good day.

Dillan Hollins: Yes, my name is Dillan Hollins. I'm calling in response to the proposed Apex Riverstone solar project. I'd like to ask the Board of Supervisors to please respectfully vote no to the solar substation. This substation is going to be placed on a piece of property where wildlife is currently flourishing. There are varieties of wildlife here, including whitetail deer, black bear, Eastern wild turkey, Eastern cottontails, bobcats, bobwhite quail, gray squirrel, numerous songbirds and birds of prey, as well as numerous amphibians and reptiles along with Georgia Creek. The construction of a solar plant will take up hundreds of acres and it will permanently destroy this wildlife habitat that's able to harbor these animals. With the increase in subdivision neighborhoods in the area, these animals have will have nowhere to go pretty much. They'll likely die due to inability to find cover or place to occupy. So thank you for your consideration.

Dorothy Dowdy: Hello, Buckingham Supervisors This is Dorothy Dowdy, I live in the Francisco District of Buckingham County at 106 Cook Farm Lane, Dillwyn, Virginia, and I'm calling to urge you to permit the clean energy proposal by Riverstone Solar. I. I feel that it is imperative that we act now to reduce carbon in the atmosphere. It will make all the difference in avoiding the tipping point of permanent damage to the Earth and all its inhabitants. And therefore I think we should look positively on this and not with the traditional not in my backyard attitude that people naturally take to anything new. I'm particularly motivated by the various protections that have been already thought of by a Riverstone. In particular, I have in mind protection of the James River and the Chesapeake Bay from the rainwater erosion created by runoff and Riverstone Solar has provided, will provide over 100 runoff ponds to collect this and do it. And I feel that as time goes by, they're always unintended consequences to new uses and innovations. And that Riverstone Solar, because it is a subsidiary of Dominion Power, would have the resources to make adjustments as they become necessary. In addition, I'm encouraged by Riverstone Solar having set aside in a bond money that will deal with adjustments without having to use taxpayer dollars. And of course, the enormous resources of Dominion Power stand behind them. For these reasons and considering all of the implications globally, I urge you to think globally and allow a beginning of a large, clean energy solutions through solar power in Buckingham County. Thank you.

Gloria Waycaster: Hi, my name is Gloria Waycaster. I'm in the Whitehall District. Phone number is 983-2248. I'm calling to voice my opinion on the Apex Riverstone solar hearing. I am truly against it. It's an eyesore. We don't have enough information about it yet about health concerns. There's long term effect. What the gains would be. Anyway my voice is no. Please do not pass this request. Thank you.

Heidi Dhivya Berthoud: Hello, my name is Heidi Dhivya Berthoud. I live in the James River district and I have been the secretary for Friends of Buckingham for seven years now. As a very concerned resident, I asked you not to approve both permits that you have on the agenda for the Riverstone project tonight. The good people of this county have spoken. Please listen to them. Press pause. Please get your facts straight and your understanding more comprehensive. There are numerous problems that would benefit from a slower, careful, closer look. Responsible citing of these projects, it's so important to maximize the benefits and minimize the problem. From what I hear this has not been satisfied. The front end revenue numbers for the county are enticing, but not truly as they seem. When factoring in the local costs to the county, the externalized costs of mitigation, cleanup restoration don't look so good. The following are costs that I don't think have been factored into the real costs of this project. For example, the avoidance of sensitive forestry and agricultural land. This project is not collocated near a high energy demand center. In fact, it's not going to be used like that. There will be a lot of energy lost in transmission. I understand that the state permitting processes are quite lacking and not yet up to speed. Erosion, sedimentation, and stormwater protections are not what they should be. If you approve this project, we cannot count on the state permitting process to do what is best needed. You have the power to slow this process down at the local level. And look at the hard lessons learned by other communities across the state. And they are hard lessons. And that please, you would be benefiting us all by doing so. Please press pause now. Thank you.

John Camper, Virginia Beach: Hi, this is John Camper up from Virginia Beach, Virginia. Commenting on the solar farm there in Buckingham County, and the proposal. I am the grandson of John Thomas Camper who purchased the adjacent property back in the 1960s, early 60s, I believe. And my sons and myself have been using the property over the years hunting and fishing and enjoying the property. So obviously this proposal brings great concern. I also have quite a bit of experience in commercial development. And I have concern there also. That said I'm appealing to a reasonable approach here with regard to the proposal. It's pretty clear that there is a potential of erosion causing significant impact on the river and also the tributaries to the regarding the environment number one and number two, also the wildlife. And although I don't think anybody has any mal intent, obviously, I think everybody's intentions are good. Unfortunately, when you do these types of developments, you can't rewind the tape. And I do believe that each of these concerns need to be vetted. No different than any other POD and or plan of development in the Commonwealth is approached that way. So that the

municipalities have their concerns vetted, local citizens have their concerns vetted. Because again, once something like this goes forward, and you have the result and ramifications, they can't be mitigated. The results are what the results are. I do understand that no one would go forward with something that they felt would cause great harm to a beautiful environment the way that we have there Buckingham County. I would argue and I don't think that anybody would argue with me that that area of the country might be one of the more beautiful areas in number one the Commonwealth and also throughout the country, and I just have grave concern as to the direction this is going. So my appeal is really for everybody to sit back and to rather than aggressively push to sit back and reasonably approach this view and address each of the concerns in a practical way. And once everything is reviewed and all of those concerns are addressed, then the direction is determined based on the results. So thank you very much for your time.

Jeeva Abbate: Hello, my name is Jeeva Abbate, representing Yogaville Environmental Solution. I'm in District 5, Harry Bryant is my supervisor. I'm commenting on the Riverstone Solar farm project hearing on Monday, February 28, 2022. This project of 150 megawatt solar field, expected to generate energy to power up to 29,000 homes is just the type of renewable energy project that is needed all over the region or all over the world to respond to the climate emergency crisis that we face. In fact, scientists at NASA and many universities have asked us to support the implementation of renewable energy at every scale, every village, town, city, region, state and country so as to achieve the mitigation of this climate emergency. There have been concerns brought up about runoff from this project when the clearing of trees is prepared for the project. Claiming that the runoff from this tree clearing would be disastrous for the land, creeks and river. If that is the case, why haven't we heard a complaint about Weyerhaeuser in their constant clearing of large segments of trees on the same property for decades? That complaint can be tossed aside. There have been some complaints that the solar farm will take useful land out of production, and leave the land bare or desolate. That's false. Many plants and grasses can thrive under a solar array. In Jack Solar Garden in Boulder, Colorado, there is a solar array on this farm that is able to grow under the panel's carrots, kale, tomatoes, garlic, beets, radishes, lettuce, grass and wildflowers. So that's so much for that concern. Now there's a concern that the solar equipment could not be recycled after reaching the end of its effective generation. At this point, they produce that 85% effectiveness and they can be recycled into other projects where 85% effectiveness still provides solar power. In addition, there are recycling companies nationally that can handle this. One offers to be a single source for all excess, recalled or end of life solar products. In summary, I support the county and approving this clean energy Riverstone solar farm project and ask that you approve the permit for this project to go forward. Thank you very much. May you all be blessed.

Katherine Keel: My name is Katherine Keel. I live in Chase City, Virginia. Grasshopper Solar is around two thirds of my farm. My farm is a third in town and two thirds out of town of Chase City. It's a historic landmark. I think I live on an aquifer that goes to Butcher's Creek. There are a number of

tributaries on my land, including a couple of springs. There are a number of tributaries on the land next to me that has Grasshopper. They bought 900 some acres. I own 175. I put a conservation easement on my farm before it was sold by Matt Bailey to Dominion Energy. I have ridden my large ponies all around and down where the topsoil has been removed and the damage it has done to the tributaries. It has been unbelievable. I have 400 and some pictures. When they came here they told us that they would help our town. Our town is in worse shape than it was before. Matt Bailey robbed our town by offering \$500,000. He gave it only to charitable organizations where he could get a charitable deduction. I have been over there where a lot of people do not go once the solar farm is done and I can go down to the creeks and see the damage that they've done. They have blocked up tributary. I have photographs of all of this the damage to the water is unbelievable. They said that it would make no noise. The solar panels make noise on a continual basis. Sometimes more than others. As the solar panels are turning to face the sun it sounds like 1000 cameras at one time. That is not you know that that is not accurate. The environmental guy, Sterling Turner for Dominion Energy said it would be the quietest neighbor I have. It's a much louder neighbor than I thought. Also, there's no proof as to what is in the solar panels and through the air was being transmitted. There is also in a great deal of damage done to the tributaries which flow into Bugs Island Lake which a lot of the people in our county get water from. It is what they have done is they have taken off the topsoil since the beginning of time on this land. They have raped the land and taken the topsoil off and what's happened is they have not been able to replace it. So all the sediment is flowing into the sediment ponds which is again flowing in the to the tributaries, which makes Butcher's Creek and they have...the water is what saves everyone that is what is going to keep us alive. It is unbelievable. I've had DEQ here. I have numerous water reports. I'm not able to really understand the reports but they're different each time. I will be glad to open and share everything that I can with you. (comments were cut off due to 3 minutes reached)

Katherine Thimnakis: Katherine Thimnakis, Glenmore district. Monday public meeting, Riverstone Solar Project in crisis. My recommendation, revoke Riverstone Soar's permits and proudly send them packing back to corporate Charlottesville. Apex squandered their best opportunities. The county's sincerely work constructively for the project's optimum success. We community advocates were invited to participate in partnership with the project's corporate steward. Apex management proved themselves to be negligent and ethically deficient. Personally experienced, we advocates are available to submit evidence of the opportunistic games played to acquire permits, with no intention of implementing even the basics. Stunning. Stunning that the 2000 acre site has no security infrastructure. A soft target for vandals and menacing punks, roaming feral and wild animals perilous disease traps, cautiously optimistic I strive for Apex to hire highly skilled veterans who were security engineers on United States bases which are rural. Revoke Apex's permits and heavily fine Riverstone Solar for any expensive and damages incurred by our county administrators.

Kenneth Bland: This is Kenneth Bland, Afton, Virginia 22827. I'm calling to the Riverstone project. We rent that land and we are against putting solar panels on it and plants, animals, a lot of reasons. So thank you. Have a nice day.

Larry Baker: Hi, my name is Larry Baker. I live at 167 Liberty Lane here in Buckingham County. I'm calling to support the Riverstone Solar SUP. I'm asking the Commission to approve this. I'm a strong believer in solar. I have solar panels on my own home. I read their proposal and what they intend to do for the county and for the customers of their product and I think it would be very positive thing for the county. Thank you.

Lawson Smith: Hello my name is Lawson Smith and my grandfather owns land adjacent to the proposed Riverstone solar facility. I'm against the construction of this facility for many reasons. First of all, the negative effect it has on the environment is that when you have to clear so much land it means you have to clear trees too. Trees absorb and store carbon dioxide and produce oxygen. This is also tearing down animal habitat. Some animals really depend on the forest to survive, like deer, bears, bobcats and lots of other animals. This is also creating erosion, floods and mudslides because there are no trees or bushes with deep roots to stop the water from eroding the grounds and soil when it rains. Just because they use solar energy doesn't mean it's the right thing for the environment. If we don't do anything about this, all of our trees and forests will be decreasing fast. In South Korea, more than 2 million trees were cut down to put solar panels on in only three years. That's a lot of trees. Do you know where most of our oxygen comes from? It comes from trees and grass. Trees also absorb carbon dioxide, which is the main greenhouse gas. If we don't stop this, our world could end up looking just like it was in the movie, The Lorax. Whatever happened to saving the earth? What you're about to do is the opposite of saving. It's destroying. What happens when solar panels break off or reach their life expectancy? When solar panels are damaged and break apart, elements such as lead, cadmium, and other toxic chemicals can be released into groundwater that we drink. Solar panels can also cause 300 times more toxic waste than nuclear level wastes. When they reach their life expectancy, scientists don't know what to do with them. So they just go to landfills and take up more space and release toxic chemicals into the earth. Do you think this is a good thing? I hope not. Instead of ruining forested land, fertile farms, solar panels are better installed on houses, stores, schools, hospitals, landfills, office buildings and brownfields. So most importantly, it will not be hurting the natural landscape. But it will help to save the environment by taking advantage of already constructed properties. Our planet only has a certain amount of undeveloped land left and it's our job to protect and take care of it. So think hard about what's really the right thing. Thank you.

Linda Jefferson: Yes, please. My name is Linda Jefferson and I'm a resident of Buckingham County. I would like to tell you that I do not want the Apex Riverstone solar. To let you know of that now. Thank you very much. Bye Bye.

Ricky Best: Hello, my name is Ricky Best. Member of Lake Jake Hunting Club. Calling in reference to the Riverstone Solar, Apex Riverstone solar project taking place on Payne's Pond Road and off of Bridgeport Road and also a Little Georgia Creek Road. We currently lease 1050 acres right there along with another club Old Number 7 leasing the other side of Payne's Pond Road, which is all the same track of land. Calling to try and persuade y'all to vote no on the solar project plan. By bringing in this and taking over so much agriculture land, you will be losing a whole bunch of funds going into stores, the corner stores, gas stations, food all around the area. Hunting land is becoming harder and harder to find each year throughout houses being developed. And now we got to worry about these solar fields. Just blows my mind. There's a reason why Dominion and Rappahannock Electric hasn't been putting up any solar fields for the last 40 or so years. If there was something beneficial in the future, I feel like they would have definitely already done that. We have right many kids in our hunting club that enjoy the great outdoors. Love going, you know, of course with their fathers or their mothers or wherever else. And we love hunting in Buckingham County, and we like to keep it that way. Everybody around there is nice folk and that's what we enjoy. Also, the looking at the maps that they have provided, after spending my last probably 10 or 12 years with the lease of that property, I have seen the way that the erosion takes a toll on it and even still looking at their erosion plan and the location of their retaining ponds, actually being on the land and knowing how it flows pretty well, I really don't see that making a buffer or a difference as far as the erosion goes. Basically whenever they timber cut it, they bring dozers in there and make tons and tons and tons of water runoff, wash outs, berms and you know some ways to block it from spreading so fast. I just I don't see it being good for the environment. Making creeks bigger, streams bigger, flooding you know, adjacent landowners properties in a big severe rain or snow storm. This could go on and on and on and on, but like they're just calling to try and persuade yall.

Ricky Stocks: Yes. My name is Ricky Stocks and I would like to ask the Board to please vote no on the industrial solar farm proposal. We need to leave Buckingham County as a rural county and not an industrial county. Thank you

Robert Hopper: My name is Robert Hopper. I own 66 acres in Buckingham County. Commenting on the Apex Riverstone Solar Planning Commission and Board of Supervisors. Please vote no on this objective. This will only do harm to Buckingham County and hurt the environment. You can look at previous industrial solar projects that have had a pattern of environmental harms across Virginia. Please if need be, do another study but please vote no as we go forward. Thank you. Have a good day.

Shelly Flood: Shelly Flood. Riverstone. Buckingham is very special to me. It has been a part of my life since I was born. From all my time exploring the beautiful creeks and scenic river and hiking through the land, I've learned about nature and the importance of respecting it. Gazing up at the stars at night still takes my breath away. If this project goes through these streams, creeks, river and wildlife are at risk. Industrial scale solar does not belong near waterways, forested land and communities. This part of the river has scenic designation. Virginia Scenic Rivers Program intent is to identify, designate and help protect rivers and streams that possess outstanding scenic characteristics of statewide significance for future generations. Doesn't this project seem like a contradiction? The river is the people to Virginia to enjoy, and we should work together to protect it. I can't understand why no one on the board has reached out to any other counties to learn from past experiences. This is irresponsible, careless and reckless. When you do a project at your home, do you check references? I feel certain you do. So why wouldn't you call the supervisors from Apex's own Campbell County project and reach out to other numerous projects around the state to find out from their experiences and learn. Do you sign a contract and then get other opinions? I'm sure you don't. That would be foolish. What's going on here? What are we missing? Do you do any of your own research? Or do you just believe the salesman promises and sales pitch? Your job is to listen to your residents and landowners. Protect them not sacrifice them. If you decide to vote yes then everyone has voting yes, let's put utility scale solar in your backyard and see how much further investigation you'll do when you are directly affected. Do you want Buckingham to be in the headlines when this goes catastrophic? Assurances have been given that the DEQ will oversee it as they have in Mecklenburg, Essex, Louisa, Prince George and Spotsylvania with their handbook from 1992. By the way, there's no new handbook. We confirmed that with the DEQ. These counties have major negative erosion issues which the residents continue to live with. This does not come from me. Can you guarantee this won't happen? After contract is signed, there's no hope for change only Apex's bottom line. When things got rough in Campbell County. that's when Apex sold. They're not the county's friend. Remember, they're an LLC and protecting themselves. Protect the county. Listen to your people. It's not green to destroy nature. Be smart before thinking. Lead the way. Vote no to Apex Riverstone. At the very least don't vote yet. Do take your time to talk to other professionals, counties, leaders and residents around the state. They have firsthand knowledge. Don't just be lured by the promise of money. Your project of this magnitude and long term commitment or deserves much further investigation and a third party review prior to voting. Thank you Shelly Flood family. Property off Bridgeport Road.

Stephanie Seay Smith: My name is Stephanie Smith. My family owns property in Buckingham, Virginia. And I'm commenting on the Apex Riverstone solar public hearing. Dear Buckingham County Board of Supervisors. I'm writing to the Buckingham County Board of Supervisors representing my family who has owned land in Buckingham since the 1960s. And asking the Board of Supervisors to say no to the Apex Solar farm project. Spending time in Buckingham and on the James River was the

highlight of my adolescence, and it's continued as I raised my own children. Living in a city all my life traveling to Buckingham is like arriving in a land of beauty and tranquility. With vast acres of green farmland and common sounds like running streams, creeks and the James River. I've always imagined that my grandchildren would be able to experience that same feeling of having such a special place here in Virginia. The land in Buckingham is known for agricultural and rural use and not industrial scale solar projects. Constructing a solar farm of the magnitude proposed, clear cutting existing trees and exterminating all underlying vegetation will render the land useless for future purpose. The ultimate effect of decades of chemical defoliation cannot be predicted, but it doesn't take a genius to anticipate the results will be disastrous. Solar projects should never be placed near rivers and streams due to the damage and contamination of the water quality resulting from large scale runoff and the increase of soil erosion and sediment displacement during and after the construction of a solar farm. This leads to long term soil destruction and water contamination. As has already happened in Louisa, Campbell, Essex, Spotsylvania and Mecklenburg counties. Not only will the solar farm destroy the surrounding land and local waterways, including the James River, it will also destroy the existing wildlife habitat. Deer, turkey, quail, rabbits and bird populations rely on local vegetation to be destroying 1200 acres of habitat will either drive wildlife away, lead them to starvation or some combination of both. New fencing surrounding the solar farm will artificially restrict free ranging animals and no doubt result in multiple in animal injuries and deaths as they become ensnared in the solar farms barricades. Solar farms are regularly referred to as green projects that are good for the environment. What about the predictable consequences of proposed Buckingham solar farm benefits for environment? The destruction of agriculture community? No. The destruction of its waterways and wildlife? Definitely no. Why are we considering the construction of an industrial project that will destroy everything that makes Buckingham the home we love? Put aside the false promise of immediate monetary return and consider the consequences that the solar farm will have on our current and future generations of Buckingham residents who will ultimately be forced to deal with the fallout of this ill-advised endeavor. The citizens of Buckingham County have entrusted you as members of the Board of Supervisors to look out for their best interest. Please fulfill your civic duty and vote no to the Apex Solar Project and ensure the county land... (comments cut off at 3 minutes)

Susan Fahad: Yes, my name is Susan Fahad. I'm in New Canton, Virginia. I'm calling to say that I do not want the Apex Riverstone Solar in our county. Thank you.

Terry Stocks: I just wanted to vote no for their solar farm going on Bridgeport Road.

Miles: What was the name of that gentleman, Mrs. Lann?

Lann: Terry Stocks.

Theodore Smith III: Hello, Buckingham County Board of Supervisors. My name is Theodore Smith, III and I'm calling to express my opposition to the proposed Riverstone Apex solar facility. My family has owned property between the James River and the northeast corner of the proposed project for the past 55 years. I'm a 2001 graduate of Virginia Tech with a Bachelor of Science Degree in Crop and Soil Environmental Science. I've worked as a golf course superintendent for the past 20 years at multiple properties in the State of Virginia and have two decades of experience establishing and maintaining turf grass and working with erosion control projects during course construction and renovations. The proposed site in question has a high percentage of slope and it's very susceptible to erosion. There were other solar facilities in the state that have been built on sites with similar topography for surrounding properties, streams, wetlands and rivers have been ruined by runoff and erosion. Most notably the solar project that was completed in Campbell County by Apex Riverstone and the Timmons group engineers. During the construction process we push large, large scale projects where 400 acres will be disturbed at a time. Erosion control is impossible due to the amount of time it takes for turf grass to fully salvaged from seed and form dense root structure is strong enough to withstand high volumes of runoff from heavy rainstorms. Depending on time of year and rainfall, turf grass and ground covers could take up to one to two years to form deep fibrous roots. Also when the land is regraded, and the native topsoil is stripped and removed, the subsoil consists of stray clay that's high in iron and very acidic, devoid of organic matter in essential nutrients such as nitrogen and phosphorus. It's highly compacted subsoil is not conducive for supporting vegetative growth without 10s of 1000s of pounds of lime and other organic amendments, stabilization is impossible. And natural soil structure on these projects has changed forever and simply returning the land back to agriculture or forestry after the usable life of the solar facilities exhausted, was not feasible without millions of dollars of remediation. In other words, these lands will be classified as brownfields. Board of Supervisors, I implore you to wake up and make the responsible decisions and vote no to the Riverstone Apex solar projects. This quote unquote Green Project is the opposite of green. It's a green to eliminate 2000 acres of productive carbon sequestering oxygen producing trees? Is it green destroying natural wildlife habitat and create massive amounts of erosion and sediment released into the streams? Will Georgia Creek and James River when the crystal clear water of the mighty James was turned orange, Buckingham County will be known for turning the blind eye and allowing this catastrophic environmental disaster to occur. If you approve this project, the only green initiative will be the greenbacks lining your pockets.

Tim Hollis: My name is Tim Hollis. I wanted to call and you know advise the Board of Supervisors to vote no on this Apex Riverstone solar project. I'm worried about two things. The loss of wildlife habitat in area plus the environmental impact. You know looking at the plan that appears to be creeks and some waterways on this you know in this area and I'm worried about the runoff from the batteries or you know anything else like that that could affect the environment. Thank you.

Wayne Troy: Wayne Troy calling about the Buckingham County solar and do not want the solar plant in that area of Buckingham. Thank you.

Baird: That is all for voicemails. We do have about 60 letters. Did you want to take that break now or do you want to go ahead and proceed?

Bickford: I'll tell you what if you got 60, let's go ahead and take a 10 minute break and then we'll start on those when we get back.

Miles: The Board of Supervisors will do the same thing and take a 10 minute break.

Tony and Petty Gibson: To the Buckingham Planning Commission and Board of Supervisors My Name is Tony Gibson & Peggy Gibson and I live at 717 Hummingbird Ln, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you
Tony Gibson & Peggy Gibson

Trudy Berry: Trudy Berry, 1662 Bethel Church Road, Green Bay, VA 23942-2008, Planning Commission, 13380 W. James Anderson Hwy, PO Box 252, Buckingham, VA 23921

publiccomments@buckinghamcounty.virginia.gov

Public Comment to the Planning Commission: I live in Lunenburg County and am running for Delegate for House District 50, of which Buckingham County is not a part, but these utility-scale solar facilities affect rural citizens across the Commonwealth. I hope the Planning Commission is looking at projects that improve the local economy while protecting the environment, wildlife, and the health and safety of citizens. This project does neither. It does not provide a significant number of well-paid, long-term jobs for Buckingham residents and it renders the land useless for forestry – that provides products and habitat for wildlife – and for food production to alleviate the adverse effects of food insecurity.

Apex and any of its parent or subsidiary companies cannot guarantee specific revenue amounts for the county – they can only make promises based on best guesstimates – or that their site will protect the health and safety of the environment, including clean drinking water, during construction, use, and beyond its lifespan. Because Apex has set the output of their facility at 149.5 MW, to ensure that there is no State Corporation Commission oversight of their project, who is going to provide the oversight to ensure that the environment remains safe and healthy for citizens and does not, in fact, produce greater than 149.5 MW of energy? You and DEQ are not equipped or staffed to do so. For the reasons stated above, I ask that you deny Apex/Riverstone Solar’s permit request. Respectfully, Trudy Berry

Taylor Gould: Dear Buckingham County Planning Commission, Board of Supervisors and County Administrator: The Buckingham County Planning Commission (PC) and Board of Supervisors (BOS) should be paying attention to all the recent issues counties around the Commonwealth have been having with industrial utility scale solar farms. The current Riverstone Solar project located in Northern Buckingham County will have adverse impacts to multiple streams and large creeks with confluence to the James River. It’s up to the PC and our local elected officials to listen and respect your citizens and become vocal on protecting our environment that we call home. It’s shocking and to be honest, reckless, for the County to not have an approved (thru public hearings, process and working with consultants) Utility Scale Solar Ordinance. Instead the County is working with the Riverstone Solar developer Apex Clean Energy to create a ‘solar policy’. This is NOT how you develop solid planning and design ordinances that are meant to protect the residents and landowners. This process is essentially letting the fox (developer) into the hen house to develop standards and criteria that suits the developer’s interest. WRONG. The County should change the size and density of the current project and build this into a solar ordinance. At almost 2,000 acres, disturbing current timber and multiple streams and Little George Creek, the project is too large. Its won’t be the last project to target these areas of transmission lines in the County—hence the issue of equity as well as the impacts to the local community and the environment. An ordinance should spread these facilities out to make them more equitable, limit the size and negative impacts to the site. Such facilities should not be sited on prime agricultural and forest land and ecological sensitive lands. The least productive land should be used first to minimize the loss of productive agricultural/forested land. Most of the topsoil in these projects is removed and not replaced after construction—so the site will not support any active agricultural or forestry resources in the future. Any ordinance should react and learn from this issue and ensure that construction activities must retain the sites’ original topsoil. But the County must FIRST create a Utility Solar ordinance based on proper and established land use planning principles, work and involve the public and NOT be ramming thru a developer’s project request. Thank you, Taylor Gould, RLA, ASLA, Landscape Architect and Planner Lunenburg County, Virginia

Sue Liles: Sue Liles, District 1, 9094 Bridgeport Rd, Arvon, VA 23004. As a taxpayer and new resident to Buckingham County, I am opposed to the SUP299 and ask that you deny this proposal. It does not conform to the Buckingham Comprehensive Plan. The ecosystem of the James River that runs parallel to said property is at risk. Bridgeport Rd cannot sustain the amount of traffic this project will bring. The potholes and road surface is not the best currently so why destroy it more? The local economy cannot provide resources to accommodate the added gas requirements, food or grocery

requirements, restaurants, and or living quarters for this plan. The noise and added stress to our community is not worth the money that the solar plant may bring to Buckingham. It hasn't been here for 100 years so why now? Thank you for the consideration, Sue Liles

Susan Tyler: To the Buckingham Planning Commission and Board of Supervisors. My name is Susan Tyler and I live at 712 Hummingbird Ln. I ask you to deny SUP 299. It does not conform to the Buckingham Comprehensive Plan; it lowers our property values, and will ruin the quality of our rural life. The wildlife and the natural habitat of our district will be harmed. The ecosystem of our streams, ponds and the James River is also in danger. Bridgeport Road is my neighborhood; subjecting it to the increased traffic of construction will endanger all the residents. The project will have over 5,000 trips by dump trucks and tractor trailers up and down Bridgeport. Hundreds of out of state workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process! It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as they ride to and from school, and other activities. Construction noise will affect our day to day life, with heavy equipment working 7 days a week and pile driving 5 days a week. Studies show livestock are negatively affected by pile driving, our farmers will lose production and income. Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank you Susan Tyler

Stephanie and Richard Taylor. Stephanie and Richard Taylor. We've done some research and have a serious concern with what a solar project has with the environment. This must not be rushed and thought out careful of the pros and cons. It seems that this project is being rushed and pushed down our throats. Take a look at this website as a start....<https://www.citizensforresponsiblesolar.org/> And also look at the other solar farms in Virginia and their results, pros & cons. We need to do our homework. Regards, Stephanie & Richard Taylor

Steven Wilmouth: To the Buckingham Planning Commission and Board of Supervisors My Name is Steven Wilmouth and I live at 68 Bolling, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you. Steven Wilmouth

Spencer Young: Spencer Young. The county comp plan mentions in several places that building new electrical power generating infrastructure to support growth is a priority and a strategy to be employed. This project fits perfectly with the goals of the county comp plan. Approve the Riverstone SUP.

Steve Toney: Steve Toney. The county comp plan mentions in several places that building new electrical power generating infrastructure to support growth is a priority and a strategy to be employed. This project fits perfectly with the goals of the county comp plan. Approve the Riverstone SUP.

Sue Hackett: Dear Supervisor Buckingham County Board of Supervisors, People here may site a Harvard Business Review article entitled The Dark Side of Solar Power but will neglect to mention that the end of that article states, quote, “None of this should raise serious doubts about the future or necessity of renewables. The science is indisputable: Continuing to rely on fossil fuels to the extent we currently do will bequeath a damaged if not dying planet to future generations. Compared with all we stand to gain or lose, the four decades or so it will likely take for the economics of solar to stabilize to the point that consumers won’t feel compelled to cut short the lifecycle of their panels seems decidedly small.” We can’t afford not to approve this SUP. Regards, Sue Hackett, 190 Rock Island Farm Ln Scottsville, VA

Sharon Helmick: Sharon Helmick. Buckingham Board of Supervisors, you’ve already approved this project once. This time around Apex has committed to even stronger conditions that will ensure the appropriate precautions and oversight are place before, during and after construction to manage the construction of the project. Approving this Special Use Permit with the newly proposed conditions will only strengthen Buckingham’s position.

Sharon Black Snoddy: To the Buckingham Planning Commission and Board of Supervisors, My name is Sharon Black- Snoddy I live at Bridgeport, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals S, 400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. Sharon Black Snoddy

Sharon and Donovan Anderson: To the Buckingham Planning Commission and Board of Supervisors My Name is Sharon and Donovan and we live at 1 Beaver Place Scottville VA, District 1. We respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you Sharon Anderson Please take the time to review previous studies on the horrible impact commercial solar farms will have on rural America. Have drainage studies been done. The actual percent of solar power generated compared to the potential environmental impact? The decrease in value of our land is not worth it. It's not just today its 15 years from now. Put it somewhere else! We must have an open mining pit somewhere! All residence will be watching this closely. What is the tax revenue impact- will our property taxes go significantly down?

Renee Taggart: To The Buckingham Planning Commission and Board of Supervisors, My name is Renee Taggart I own at Bridgeport Rd District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. Renee Taggart

Sean Fogarty: Supervisors and Commissioners, My name is Sean Fogarty and I live in western Spotsylvania County near sPower's new 500MW utility solar plant. I was heavily involved in researching this project and monitoring construction. I strongly encourage you to vote NO on Apex Energy's request for a Special Use Permit to construct and operate a 149.5 MW utility solar plant in Buckingham County. There are many reasons for this recommendation. I'll highlight several:

Stormwater runoff and erosion: Similar to Apex's project, sPower cleared 4,500 acres of trees which removed any buffering to adjacent properties that would have helped absorb some of the stormwater runoff. The 50 foot buffer that Apex has proposed is inadequate especially since some of the buffer will have no trees at all. sPower's silt fencing and other erosion controls had very little affect during heavy rain events even with our 100' buffer requirement. In some areas, the sediment basins couldn't function properly before they filled up and ran onto adjacent property. Third party inspectors documented the problems but were limited in forcing sPower to fix the problems. Michael O'Bier and his family suffered for nearly two years with regular flooding of his property. sPower was finally forced to purchase his home and property because they had destroyed his quality of life. He had lived there for 35 years. Accountability and Land Use. sPower has since been sold to an international energy company which is common for these projects. These projects are all owned through LLCs making the bankruptcy process seamless. When that happens - since the U.S. doesn't require recycling of these panels containing hazardous materials - the panels etc. could very well end up in your or neighboring landfills. Additionally, our experience in Spotsylvania is 4,500 acres of land clear-cut, graded and compacted with heavy construction equipment during the 2 years of construction. It's my opinion that this land will never be restored to its previous agricultural use making it a de facto rezoning to industrial use. What's in it for Buckingham County? Why approve a project that provides a small increase in tax revenue in exchange for permanently converting 2,000 acres of the County to an industrial use? I've read the draft SUP: Paragraph 13a: A 50' buffer is not enough! 100' should be the minimum to help control stormwater runoff and prevent erosion and environmental impacts. Even our 100' buffer has proven inadequate. Paragraph 11c: Setback violations should only be allowed for ingress/egress. Otherwise Apex will defeat the purpose with roads and transmission lines and other infrastructure. This was a significant issue in Spotsylvania resulting in a BZA appeal and legal action. Paragraph 17: The detailed decommissioning plan should be part of the SUP. You have leverage now to ensure that the County is protected. Our SUP contained 8 pages of decommissioning provisions. Your draft SUP has two paragraphs. I strongly encourage you to vote NO on this project, leaving this land as agricultural thus preserving the character of Buckingham County. Thank you.

Samantha Aldridge: Hello my name is Samantha Aldridge. I am a Buckingham County High School graduate and live in District 1 on 286 Hummingbird Road. I pray that the board will consider rethinking their decision on SUP 299. There are too many questions left unanswered with this project. It may benefit Buckingham County financially, but at what cost to the environment and livelihood of residents around it? My family has property owned for over 4 generations adjacent to this project. It hurts to know

that I have to stand against this project being proposed in my family's backyard as I feel most people would prefer to not have an invasive industrial size project in their backyard. As mentioned in a recent document discussing the Riverstone Solar Facility and the impact of property values near the project published by The Maysville Voice says that "Studies that have been conducted show that there is no significant decrease in property values in the counties where these projects are built." There was a study done in the Netherlands that challenges this. According to energy policy 155 (2021) 112327 Wind Turbines, solar farms, and house prices, the study says "We find evidence of a decrease in property values of about 2.6% after the placement of a solar farm. This effect is confined to 1 km." The study goes on to say, "The estimated coefficient is somewhat smaller: house prices decrease on average by 2.6% after the opening of a solar farm. The effect is highly statistically significant." 1 km is approximately 3280.84 feet. In the agenda conditions attached under section 10. if the request is approved, it mentions, "A minimum 350 foot setback shall be maintained from Solar Equipment to any adjoining or adjacent residential dwellings (and not the property line) that exist at the time of the approval by the Board of Supervisors." This is an extremely small minimum set back compared to the study performed in the Netherlands mentioning the negative impacts of residential housing prices being 1km (3280.84 feet) away. The minimum set back should be increased based on this study because it confirms there are negative effects on residential value within 1km of solar farm placements. Finally, please research the lawsuits against Riverstone Solar LLC and Apex Clean Energy as you decide to move forward with this project. The community has voiced their opinions on this project and I hope this will not be one that Buckingham County will look back on and regret. Thank You. References: Study for Solar and Wind Turbine effects on Property Value, The Maysville Voice

Nate Olansen: Dear Buckingham County Board of Supervisors: My name is Nate Olansen, and my family owns property that is contiguous to the proposed Solar farm, bordered on the east by the James, and bisected by the Little Georgia Creek. To say we will have an up close and personal view of the environmental devastation that will occur when the Apex Riverstone Solar Farm is constructed is an understatement. Since our property is land-locked, we will have a right of way that cuts through the heart of the Solar farm; a regular reminder of what the land once was. However, I'm not writing to discuss the environmental impact of the Solar farm, rather, I would like to discuss its financial aspects. As a tax attorney and CPA, I spend my day helping my clients understand income statements, financial reports and pro forma finance projections to help them make intelligent, rational decisions. After reading the Economic and Fiscal Contribution report produced by Mangum Economics (the "Report"), I believe the Board could use some independent advice. I will keep it simple and focus on the most important aspects of the Solar farm project described in the report – new jobs and the Revenue Sharing Agreement. As you read my message, remember this study is FUNDED BY APEX RIVERSTONE AND REPRESENTS THE BEST-CASE SCENARIO. RIVERSTONE WANTS TO PAINT A ROSY PICUTRE. The Construction Phase discussion in the Report is filled with large numbers designed to make the Board believe that Buckingham will recognize hundreds of new jobs and millions of dollars of new economic activity from building the Solar farm. However, like all reports, the devil is in the details. As pointed out in footnotes 20 and 21, these aren't "new jobs." All the Solar farm project does is re-allocate the nominal Buckingham construction workforce away from other local projects. Meaning it's a zero-sum pie that only shifts the source of labor income, it does not increase labor income. In order to

meet normal demands, Riverstone will bring in its own transient workforce to support project development since Buckingham does not have the available labor pool. The result – Buckingham will recognize no new local jobs, and little to no economic impact from the Construction Phase of the project. During the Ongoing Operations Phase, the Report assumes that 6 new jobs and \$255,000 in labor income will be created by the Solar farm. This sounds nice, but the problem is that buried in the last page of the report, is the current economic output of the land’s agricultural use, which is 4 jobs and \$204,000 in labor income. This is a statistical wash; the Solar farm will only replace existing permanent jobs with new permanent jobs with little to no change in gross economic output. Since Construction and Ongoing Operations provide no benefit, this leaves only the Revenue Sharing Agreement as the only real source of income for Buckingham from the Solar farm project. But like I said, the devil is in the details.

Rob Hop: Vote no. Need a more detailed study.

Mary S. Payne: To the Buckingham Planning Commission and Board of Supervisors. My Name is Mary S Payne and I live at 709 Georgia Creek Rd Scottsville VA 24590, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you. Mary S Payne

Laurie Corley: To The Buckingham Planning Commission and Board of Supervisors, My name is Laurie Corley I live at 7642 Bridgeport Rd Arvon VA 23004, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but

Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. Laurie Corley

Michael Johnson: Michael Johnson. The need for this project is due to global warming as well as the diminishing supply of fossil fuels. Developing solar and energy projects within the county are both good for the environment and will provide significant economic benefits to county residents.

Maria Bryan: Maria Bryan. Mining has been a fundamental part of this county since its inception. Slate and Kyanite have been extracted from the ground and processed in this area for hundreds of years by diesel-guzzling and emission spouting machines. If we can stand those mining operations and their environmental impact, we can handle even the worst possible scenario from a solar farm.

Marie P. Johnson: To the Buckingham Planning Commission and Board of Supervisors
My Name is Marie P. Johnson and I have property at Georgia Creek Rd, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you. Marie Johnson

Kelly Franz: Kelly Franz, District 1. I find it incomprehensible that this SUP is going to vote after being introduced only 2 weeks ago. Nonetheless the fact remains, a decision may be made tonight that affects the citizens of Northern Buckingham County and their descendants for the rest of their lives. In the past 2 weeks many emails, some containing news links with stories describing catastrophic results at other Virginia Counties have been submitted to public record, many emails sent and phone calls made to County Board and Commission Members, all in an attempt to educate and assist them in making the best decision possible. Bottom line is this, those of us living in and around the proposed solar site are frightened. We did not choose to live in an industrial zone, we treasure our rural quality of life, and don't want to lose it. We treasure the solitude and beauty of our corner of Buckingham, we

respect the history and natural resources of the James River area, and love living in harmony with the wildlife. We are frightened our property values will decrease, an eventuality that will occur despite what the developer funded “studies” may say. Neighbors have already lost rental income! What in the 30 conditions protects us from that? We have valid concerns about the safety of our drinking water, months of pile driving is bound to affect the water table. When questioned, APEX dismissed those concerns saying people nowadays have deep water wells and needn’t be concerned. Many of the houses within the project area are considerably older, have been passed down from generation to generation, and shallow wells are a norm. Even my house, which is relatively new, does not have a deep water well. When the water runs brown into our homes, what in the 30 conditions protects us? Erosion is inevitable once the land is deforested and “brought to grade” i.e. leveled and scraped down to bare clay. Please protect adjacent land owners, the ecosystem and natural habitat by not buying into a well spun sales pitch but by learning from mistakes of other projects and by fully vetting this project prior to approval tonight. The mountain of information we have shared with the County is immense and a huge challenge to absorb in two weeks even if this Board or Commission job was full time. We understand that is not the case so a reasonable vote would be NO or NOT YET. Approving this SUP without having a thorough review by neutral third party and having an approved Buckingham Solar Ordinance in place is negligence. By voting in favor of this SUP tonight, the County assumes all risk and will be responsible and therefore liable for damages incurred by the residents. Please protect the citizens of District 1 and vote NO on SUP 299. Thank you.

Josh Jones: Josh Jones. There are local businesses all over Buckingham County that will benefit from a solar project in our county. Obviously not every job needed for this project won’t be taken by a Buckingham County resident, but every job that is taken will result in more money being spent in our county. This project will also make use of local companies, and that money they make will be spent on salaries for Buckingham County residents who will ALSO spend that money locally. It couldn’t be a more obvious choice: approve the Riverstone SUP today.

Kathy Wildauer: To the Buckingham Planning Commission and Board of Supervisors. My Name is Kathy Wildauer and I live at Forest Pass/ Georgia Creek District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to

lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you. Kathy Wildauer

Larry LeSueur: Dear Supervisor Buckingham County Board of Supervisors, Far too often reactionary residents and local governments are fully in support of solar energy until it comes to their own backyard. Very minor disruptions to environmental and view sheds are a very small price to pay for a massive reduction in the carbon footprint projects like this provide. Regards, Larry LeSueur, 150 Physic Spring Rd, Dillwyn, VA 23936

Judy Brothers: The Friends of the Meherrin River came together to fight the original "Seven Bridges" proposed solar industrial mega site which was five times the size of our existing and operating 500 acre "Grasshopper" site here in Mecklenburg County Va. and would have fronted the scenic Meherrin River for 19,000 ft. Our county officials have roundly voted "Seven Bridges" down two times! They have become wise to the hollow promises and outright lies of the solar developers after seeing the poor performance of the 500 acre "Grasshopper" site which was fairly level cow pasture, no grubbing or stumping required, and is now owned by Dominion Energy. With their bottomless checkbook they have been unable to stop the thousands of tons of silt from destroying Butcher's Creek and sending a plume of mud into the Kerr Lake ten miles away every time it rains. If Dominion Energy can't correct this issue here, we doubt there will be a better result from the almost 2,000 acre, much steeper grades of the proposed site for Apex Riverstone facility located only one half mile from the scenic James River and threatening the historic Payne's Pond as well as another nearby historic pond. This site is totally inappropriate for utility scale solar with all it's issues of erosion such as the Essex disastrous flooding of Muddy Gut Creek and the Louisa County complaints from farmers' flooded fields directly caused by solar site erosion. Recently Nottoway, Lunenburg and Henry counties have scrapped plans for solar and Charlotte County has an ongoing criminal investigation of allegations directly relating to actions of the solar developers there. As a result, it may be a good time to reconsider a no vote on this project. Please take into account the results and actions taken in other Virginia counties when you make your decision. This project is clearly not in compliance with the Comprehensive Plan and should go through a thorough public review process with a solar ordinance in place that protects the citizens and complies with the Comprehensive Plan for the county. Thank You, Judy Brothers, Friends of the Meherrin River, PO Box 542, Chase City ,Virginia, 23924, 434-372-0142

Jeremy Holland: Jeremey Holland. Economic development opportunities like this don't come around often. What other opportunities are presenting themselves to Buckingham? Riverstone will bolster Buckingham's economy and keep the county from having to raise taxes in the near future. Apex has been engaged in this process for over 8 months and continues to demonstrate a willingness to listen to our community and adjust their project design accordingly. This is a strong project. I urge the planning commission and board to approve their Special Use Permit.

Jim Covington: Dear Supervisor Buckingham County Board of Supervisors, Climate change is an existential threat to every sparrow, squirrel, catfish, and every other animal living in Buckingham County. Projects like this Riverstone take us one step closer to averting the types of catastrophes that

will wipe out entire species. Approve their SUP. Regards, Jim Covington, 715 Arvon Rd, Arvon, VA 23004

James Olansen: Commissioners and Supervisors, The introduction of a massive solar project brings major concerns. Please ask and learn everything about this new proposal. **Changing such a large percentage of a district from agricultural to industrial forever changes the character of the area. This area is rural and the surrounding properties are families and farmers. The whole community will suffer through construction, will sacrifice property value, surrender quality of life and land use will change forever. Industrial solar does not belong in this location.** We have learned so much about the environmental harms these industrial projects cause and removing everything from vast areas is certainly not “green”. The environmental plans have failed in many counties. Failure here also damages the James River. **Let’s talk with and learn from the officials of counties with solar facilities like this.** Campbell, Essex, Louisa, Mecklenburg, Prince George, Spotsylvania have all had major harms. Many problems were related to sediment, erosion and runoff. Creeks were silted in. Adjacent properties washed out. Roads damaged and rendered dangerous. There were violations, stop work orders and fines. Issues year after year. There is a real cost to having your community damaged and disrupted by hundreds of out of state workers up and down local roads daily. Thousands of truck trips and the unending noise day and night. Why did this happen to other counties, because they did not know better. Now, they deny these industrial solar projects or they have stringent conditions that far exceed those in the Riverstone SUP. They know what questions to ask and what to look out for. Nobody wants to be taken advantage of. Let the hard lessons learned elsewhere keep us from being harmed and fooled. I respectfully recommend calling Campbell County first, but please, call the others too. **There is nothing to lose by using due diligence. We have only to gain. The County could easily end up losing money on this deal. An independent economic analysis will show the true costs. Require independent review of everything else too. The County chooses the reviewers. The developer pays for the reviews. The reviews are BEFORE the approval of the SUP.** There is so much more...this project and proposal are so massive. Why are we moving so fast? Let’s get it right. The cost of getting it wrong is not worth the risk. Let’s take a timeout. Respectfully, James Jarrod Olansen

James Crowley: To The Buckingham Planning Commission and Board of Supervisors, My name is James Crowley I live at 58 Bridgeport Rd, District 5. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial

solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. James Crowley

Irene Ellis: To Buckingham County of Supervisors. From Irene Ellis James river district Case 22-SUP299- Apex Riverstone Solar. I believe solar energy has many benefits. I also believe production agriculture and our forest and forestry operations are very important to Buckingham county. Please carefully study all pros and cons of permitting nearly 2000 acers on Buckingham county land to be used for 149.5 utility scale solar facility. Thank you. Irene Ellis.

H. Clark Leming: Dear Mr. Carter: I am writing to you on behalf of Theodore Smith, who is the owner of Tax Map Parcel Number 18-1 (the "Smith Property"). The Smith Property abuts the 1,996-acre property that Riverstone proposes to develop into a 149-megawatt Solar Energy Facility ("Facility") pursuant to the above-referenced SUP (the "SUP Property"). The SUP will be considered by the Buckingham County Board of Supervisors (the "Board") and Planning Commission at the joint public hearing scheduled for this evening. For several decades, the Smith Property has been accessed via a road located on the SUP Property off of Bridgeport Road. The Smith Property is the beneficiary of an easement to utilize the access road, and Mr. Smith and his family have continuously utilized and maintained the access road since the 1960s. The access road is shown as a "40 ft. ROW" on the Preliminary Site Plan submitted by Riverstone as part of the SUP Application. Riverstone's plans show the access road being blocked by a fence and serving as a staging area for Riverstone's proposed Facility, and it is unclear whether Riverstone intends to provide replacement access to the Smith Property during construction and operation of the Facility. Mr. Smith's family has submitted requests to Riverstone for information as to its intended use of the access road and how it will be impacted by Facility construction and operations. Riverstone has not responded to these requests and has not provided any assurance that it will not obstruct access to the Smith Property during construction and operation of the Facility. In light of the foregoing, Mr. Smith respectfully requests that the Board and Planning Commission develop conditions to ensure that access to the Smith Property via the access road is preserved and maintained during construction and operation of the Facility as part of this SUP process. Thank you for your consideration.

James and Sarah Spencer: To the Buckingham Planning Commission and Board of Supervisors My name is James and Sarah Spencer and I live at 7562 Bridgeport Rd, Arvon VA 23004. I ask you to deny SUP 299. It does not conform to the Buckingham Comprehensive Plan; it lowers our property values, and will ruin the quality of our rural life. The wildlife and the natural habitat of our district will be harmed. The ecosystem of our streams, ponds and the James River is also in danger. Bridgeport Road is my neighborhood; subjecting it to the increased traffic of construction will endanger all the residents. The project will have over 5,000 trips by dump trucks and tractor trailers up and down Bridgeport. Hundreds of out of state workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process! It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as they ride to and from school, and other

activities. Construction noise will affect our day to day life, with heavy equipment working 7 days a week and pile driving 5 days a week. Studies show livestock are negatively affected by pile driving, our farmers will lose production and income. Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank you
James and Sarah Spencer District 6

Grayson McNeely: To the Buckingham Planning Commission and Board of Supervisors
My name is Grayson McNeely and I live at 7009 Bridgeport Rd Arvon, VA 23004.
I ask you to deny SUP 299. It does not conform to the Buckingham Comprehensive Plan; it lowers our property values, and will ruin the quality of our rural life. The wildlife and the natural habitat of our district will be harmed. The ecosystem of our streams, ponds and the James River is also in danger. Bridgeport Road is my neighborhood; subjecting it to the increased traffic of construction will endanger all the residents. The project will have over 5,000 trips by dump trucks and tractor trailers up and down Bridgeport. Hundreds of out of state workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process! It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as they ride to and from school, and other activities. Construction noise will affect our day to day life, with heavy equipment working 7 days a week and pile driving 5 days a week. Studies show livestock are negatively affected by pile driving, our farmers will lose production and income. Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank you
Grayson McNeely

Helen Crowley: To The Buckingham Planning Commission and Board of Supervisors. My name is Helen Crowley I live at 58 Bridgeport Rd, District 5. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. Helen Crowley

Governor Brown: Dear Supervisor Buckingham County Board of Supervisors, Apex has gone to great lengths to address and provide a plan for each of the concerns that have been brought up throughout this process. Not only that, but they're going to pay for whatever 3rd party firm that the county chooses to

review this project. It's far beyond time to approve this SUP. Regards, Governor Brown, 5301 Melita Rd, Arvon, VA 23004

Dewey Wharam: Dear Supervisor Buckingham County Board of Supervisors, Buckingham County's land area is about 580 miles, or 371200 acres. Riverstone Solar, at 2000 acres, takes up a paltry 0.5% of all of Buckingham County. That's 5 tenths of 1 percent of all the land in our county. If you account for the acres that will actually have panels on them, it's even less. This county can easily approve this project while still maintaining the vast majority of its rural and forested land. Regards, Dewey Wharam 97 Adams Ln, New Canton, VA 23123

Deborah Fischer: To the Buckingham Planning Commission and Board of Supervisors
My Name is Deborah Fischer and I live at 1001 Georgia Creek Rd Scottsville VA, District 1.
I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you,
Deborah Fischer

Gladys Banton: To the Buckingham Planning Commission and Board of Supervisors
My Name is GH Banton and I live at 715 Hummingbird Ln, District 6. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in

industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you. Gladys Banton

Donald Dorrier: To the Buckingham Planning Commission and Board of Supervisors, My name is Donald L. Dorrier and I live at 14546 South Constitution Rt. Scottsville Va. in District I. I respectfully request you deny SUP299. You have heard many resident talking about the different reasons to reject this proposal. I will not continue to harp on this I just hope you are listening instead of hearing. It's common sense to know that the erosion, noise, traffic, habitat and safety that is involved in such a project is of great concern to all residents of the county. Remember 2000 acres, the biggest anywhere around is what's on the table. The land will never be the same. Forty years is a long, long time which will by this proposal tie the county and its resident's hands as far as future growth in this area. We know from another project (Three Ponds) that most work and workers came from other counties, yes some stone and local dump truck drivers were used but over 95% or more come from other counties which achieved tax revenue from work being done in our county. Food and lodging was mostly in Albermarle because Buckingham has nothing to offer in the northern end. Escavation came from Louisa, so what did the residents of the county get. On this project we will not even have the opportunity to get one watt of electricity. That power will be sent elsewhere, we just get the horrible sight. The people making the presentation for APEX are sales people who slick talk and paint a pretty picture to their advantage to attempt to get passage and if so move on to another county or state. Later when questions come up that were never thought of, well then these guys are gone and you have to talk to someone else. I ask that when you vote that you ask yourself, is this the way I would vote if this project boarded my property and I had to look at it for the rest of my life. Would you then really vote yes? There is an old saying Out of Sight – Out of Mind. This should not apply to this proposal. Thank you for your time.

Clayton Davis: To The Buckingham Planning Commission and Board of Supervisors, My name is Clayton I live at Bridgeport, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. Clayton D

Darlene Piercy: To The Buckingham Planning Commission and Board of Supervisors, My name is Darlene Piercy I live at hardware Rd, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and

wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Hardware Rd is my neighborhood; Accessible only by Bridgeport Road. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as Thank You. Darlene Piercy

C.W. Fischer: To the Buckingham Planning Commission and Board of Supervisors. My Name is C.W. Fischer and I live at 1001 Georgia Creek Rd. Scottsville VA, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you. C. Warren Fischer

David Yancey: To the Buckingham Planning Commission and Board of Supervisors, My name is David Yancey and I live at 7483 Bridgeport Rd. I ask you to deny SUP 299. It does not conform to the Buckingham Comprehensive Plan; it lowers our property values, and will ruin the quality of our rural life. The wildlife and the natural habitat of our district will be harmed. The ecosystem of our streams, ponds and the James River is also in danger. Bridgeport Road is my neighborhood; subjecting it to the increased traffic of construction will endanger all the residents. The project will have over 5,000 trips by dump trucks and tractor trailers up and down Bridgeport. Hundreds of out of state workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process! It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as they ride to and from school, and other activities. Construction noise will affect our day to day life, with heavy equipment working 7 days a week and pile driving 5 days a week. Studies show livestock are

negatively affected by pile driving, our farmers will lose production and income. Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank you, David Yancey

Dan Crawford: As a fellow Virginian and resident of Earth, I share my view. We need all the renewable energy we can get to transition away from fossil fuels. Wind is the greatest producer, with solar making encouraging progress. Utility-scale means large, and the more, the better. We are fortunate having Apex Clean Energy proposing River Stone. They have an impressive record of environmental stewardship and concern for communities they serve. With regulations now in place, the environment and community will be very well served. We need this clean energy, and Apex can provide it now. Please support this project and know how fortunate we are to have Apex ready to build it now. Thank you for consideration, Dan Crawford, 2311 Kipling St. S.W., Roanoke, Va. 24018

Clarence Davis: To the Buckingham Planning Commission and Board of Supervisors. My name is Clarence J. Davis and I live at 9924 Bridgeport Rd. I ask you to deny SUP 299. It does not conform to the Buckingham Comprehensive Plan; it lowers our property values, and will ruin the quality of our rural life. The wildlife and the natural habitat of our district will be harmed. The ecosystem of our streams, ponds and the James River is also in danger. Bridgeport Road is my neighborhood; subjecting it to the increased traffic of construction will endanger all the residents. The project will have over 5,000 trips by dump trucks and tractor trailers up and down Bridgeport. Hundreds of out of state workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process! It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as they ride to and from school, and other activities. Construction noise will affect our day to day life, with heavy equipment working 7 days a week and pile driving 5 days a week. Studies show livestock are negatively affected by pile driving, our farmers will lose production and income. Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank you. Clarence J Davis

Cindy Webster: My name is Cindy Webster. My husband and I own 90 acres in northern Buckingham County, and we are against the proposed Riverside APEX solar farm. Solar Farms are not the solution to our energy independence and energy needs: Capacity factor is the measure of power being generated 100% of the time. Nuclear 92.5%, natural gas 56.6%, hydropower 41.5% and solar 24.9%. (Source US Energy Information Administration) Currently in the US only 10% of used solar panels are recycled. It is estimated that 8 - 80 million metric tons of used solar panels will fill landfills by 2050. (The US is behind its recycling efforts compared to France and other European nations.) Misinformation exists but the following is indisputable: The Virginia Clean Economy Act requires Dominion Energy to produce their electricity from 100 percent renewable sources by 2045. The types of renewable energy currently available in Virginia are biomass, solar, hydroelectric and wind. Solar panels are inefficient compared to other types of energy. They are unable to produce sustainable, reliable, 24/7 electricity. Solar farms require a lot of land. Therefore, the rural landscape across Virginia is being changed as land is acquired. Solar panels can contain hazardous materials such as cadmium,

arsenic, chromium, copper, selenium, lead, etc. and have created environmental hazards. Although we were disappointed in the boards initial vote to approve construction of the solar farm without directly notifying nearby residents, we are hopeful your vote will change this evening. If after listening to your constituents and your decision is not reversed, we would like to request the following of you and APEX: How many full-time Buckingham residents will the solar farm employ after construction? What is the guaranteed amount Buckingham County will earn? The solar panels used on the project shall not contain cadmium. An independent, nonbiased lab will conduct continual soil and sediment samples of the site and continuous water testing of Payne's Pond, and other nearby waterways such as streams, creeks, storm water, etc. testing for contamination, heavy metals, etc. at APEXs expense. APEX agrees to spend a minimum of 5% of its yearly profit from the Riverside project on the development of renewable recycling. This includes their solar and wind renewable energy projects across Virginia. Upon the conclusion of the 20-year lease at Riverside APEX, at least 90% of the solar panel components and materials used on the project will be recycled by APEX at their expense. There is landscaping done so the panels are not in view from the road(s). No other solar projects will be considered by this board for a period of no less than 5 years to allow time to investigate the impact of this project to our rural landscape and its economy. Finally, I pray this hearing serves as a wakeup call across this county, state, and nation to vote in November. A few in Richmond should not be allowed to push their agendas changing our way of life.

Cindi Dorrier: To the Buckingham Planning Commission and Board of Supervisors. My Name is Cindi Dorrier and I live at 14546 S Constitution Rte. Scottsville VA, District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. My neighborhood access is from Route 20 and backs up to the proposed industrial solar project. The increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Certainly a majority will arrive to Bridgeport Road via Route 20. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process' It will become difficult to even get in and about our neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my front, side or backyard! Please vote NO to protect us as residents of Buckingham County. Thank you. Cindi Dorrier

Claudia Perkins: The purpose of this letter is to forewarn Buckingham's joint meeting regarding the proposed 2000 acre Apex's Riverstone solar project of dangers that lie ahead. I speak with a firsthand account of problems created by a 1,304 acre solar project in Louisa County begun Spring 2000. All acres were timberland. They were deforested, stripped down to subsoil and land packed hard to hold panel poles. Within a few weeks our section of creek which was about two to three miles from the solar site had turned brick red with sediment water that ran 24 hours 7 days a week into the South Anna River.

At 3 different points between August and January a different holding pond each time malfunctioned or broke due to improper construction. Each time there had not been rain for weeks, but suddenly a torrent of highly sediment water gushed down our creek. In November 2020 there was a 5.5 inch rain over a two day period. That was not a 25 year rain event much less a 100 or 500 year event, but devastation from the 7 holding ponds releasing water rapidly was unimaginable! Two of the holding ponds sent water rolling over two neighbors' two farms. Water was not even following the creek bed. (One of those neighbors now has an additional creek that appears on his land whenever it rains due to what is happening with the holding pond.) The creek went well over its banks and farm fencing carrying huge amounts of sand from sand bagging at the solar site. The huge volume of water weighted with sand along with the extremely high velocity of water created huge bank washouts on 5 farms as well as additional bank erosions to expose large amounts of tree roots along the entire creek. Weakened tree systems caused trees to fall into the creek over the coming months. The whole bank system has been eroded and softened to the point that even at this moment a 1.5 to 2 inch rain over a period of 2 days erodes away creek banks due to a significant rise in volume and velocity of water beyond normal with those 7 holding ponds dropping additional water into the creek. Never has anything like this happened when timber was cut. It is not sustainable stewardship of our natural resources of land and water to allow these huge grabs of land for solar development. Whatever is developed must be done wisely and in very small increments to monitor the effect on surrounding land and water. Please I urge you do not fall prey to the words of someone who cares only for the fast money they can make and have no care for the precious resources which we have been trusted to protect. It is our hope that our experiences will help others foresee and avoid such detrimental effects. Respectfully, Claudia Perkins

Bernice Townsend: To The Buckingham Planning Commission and Board of Supervisors, My name is Bernice Townsend I live at 257 Old Oak Rd Prospect VA 23906 District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process. It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. Bernice Townsend

Barbara Wyland: To The Buckingham Planning Commission and Board of Supervisors, My name is Barbara Wyland and I live at 1285 Bridgeport Rd Scottsville VA 24590 District 1. I respectfully request you deny SUP 299 on the grounds it is not keeping to the Buckingham Comprehensive Plan and will harm the natural habitat and wildlife of our district. The ecosystem of our streams, ponds and The James River are also in peril. It will also negatively affect our property values, and will forever ruin our rural

quality of life. Bridgeport Road is my neighborhood; subjecting it to the increased construction traffic will affect the safety of all the residents. The project estimates 2,700 trips by tractor trailers and dump trucks which in reality equals 5,400 trips as they must also return via Bridgeport. Almost 400 workers will be arriving and leaving twice a day. APEX claims this will be a yearlong process I It will become difficult to even get in and about our-neighborhood safely, and most importantly, keep our children safe as busses and parents compete with a deluge of trucks and heavy equipment. Construction noise will also affect our daily lives, with heavy equipment working 7 days a week and pile driving every day but Sunday. Studies also show livestock are negatively affected by pile driving, what do our farmers stand to lose? Industrial solar belongs in industrial parks, not in my neighborhood! Please vote NO to protect us as residents of Buckingham County. Thank You. Barbra Wyland

Amanda LeSueur: Dear Supervisor Buckingham County Board of Supervisors, Most of the opposition you'll hear tonight has nothing to do with renewable energy or environmental concern, it's just people not wanting change. Imagine if this county had turned down Buckingham Slate or the James River Slate Company or Kyanite Mining? Where would we be now? Regards, Amanda LeSueur, 1370 Little Creek Rd, Dillwyn, VA 23936

Amanda Williams: Amanda Williams. Time and time again, when hurricanes and other weather disasters hit the east coast, the first power generating facilities back up and running are solar farms. Solar farms are safe, reliable, and consistent. Let's not pass up one here because a few rich neighbors don't want it.

Ava Jahoda: Dear Supervisor Buckingham County Board of Supervisors, People here may site a Harvard Business Review article entitled The Dark Side of Solar Power but will neglect to mention that the end of that article states, quote, "None of this should raise serious doubts about the future or necessity of renewables. The science is indisputable: Continuing to rely on fossil fuels to the extent we currently do will bequeath a damaged if not dying planet to future generations. Compared with all we stand to gain or lose, the four decades or so it will likely take for the economics of solar to stabilize to the point that consumers won't feel compelled to cut short the lifecycle of their panels seems decidedly small." We can't afford not to approve this SUP. Regards, Ava Jahoda, 292 Logan Rd, Scottsville, VA 24590

Jane Moss: Jane Moss at 384 Blue Heron Lane, Scottsville Virginia 24590 and it states Dear Mrs. Edmondston. As an adjacent landowner I'm writing to express my opposition to 22-SUP299. Apex Riverstone LLC solar project. Apex promised to plant and manage the vegetation buffer to protect my view shed yet it did not end up in the final plan. The 117 Page property value impact study included in the packet submitted by the solar salesman for APEX has no bearing on the proposed project. The study concluded the adjoining properties are well set back from the proposed solar panels and most of the site has good existing landscaping for screening the proposed solar farm. Unfortunately, this is not the case with the residence I own. My home is located the closest to the proposed project of any neighboring properties. Tax map 17-2-6B. There is not enough existing vegetation to screen the construction nor completed solar panels from my view. The proposed plan does not include a managed vegetation buffer

that will protect my view shed. The vegetation buffer promised by Apex does not exist on Blue Heron Lane. I would not anticipate any impacts on property value due to construction on the study site stated Richard Kirkland Jr. in the property value impact study. Unfortunately, there have already been impacts to my property value. My rental home was vacated, no one wants to live next to a major construction site with the noise of pile driving going on from sunup to sundown every day. Apex can operate heavy machinery 24/7. The concern of unknowns is a real phenomenon in real estate valuation regardless of whether it is warranted in the long term. Apex promised a plan to manage the vegetation buffer to protect my view shed yet it did not end up in the final plan. This should be a red flag to the Planning Commission. Once this plan is approved, there's no going back please slow this process down and make sure that the 2000 acre project has all of the enforcement mechanisms Buckingham County needs please read the plan closely and look for what is not included that was promised. I understand this project is not in your backyard. But I implore you to consider the concerns of the people who live and farm on the land that is adjacent to the project. Please deny the SUP and keep the land zoned for agriculture. Sincerely, Jane moss.

Edmondston: Vice Chairman Bickford while I'm here, I neglected to add at the beginning of the meeting, that there have been a few emails sent to just myself, some to Mr. Carter, I'd like to commit those to the formal minutes of this meeting as well and they will be entered into the packet.

Bickford: Do you plan on reading those now?

Edmondston: No sir. They were not submitted according to the public comment guidelines. They were just sent for supplemental to be included.

THE EMAILS WILL HEREBY BE ATTACHED TO THE END OF THE MINUTES AND WILL BECOME A PART OF SAID MINUTES.

Bickford: Okay, thank you. With that, I'm gonna close the public hearing. And we'll yield to Chairman Miles.

Miles: Thank you, Mr. Chairman. Now, what we're going to do is the public hearing has been closed. And so Mr. Merrick, would you like to make a presentation? Please?

Merrick: I will turn it over to Jon Puvak first.

Miles: Yeah, um, thank you, sir. Just for the Planning Commission members and from us fellow Supervisors, if you have any questions just, you know, indicate so please. Thank you.

Karl Carter

From: scott.flood@verizon.net
Sent: Wednesday, February 23, 2022 10:56 AM
To: Karl Carter; Nicci Edmondston
Subject: Louisa County resident report on multiple harms from Industrial solar facility

Dear Mr. Carter and Ms. Edmondston,

Please include the letter in the forwarded email written by Claudia Perkins, a resident of Louisa County, in the record for SUP299 Apex Riverstone Solar. Please share with all members of the Board of Supervisors and Planning Commission.

Ms. Perkins has given me permission to share her letter. Her phone number is 1.804.514.6846 and she is available for confirmation and comment. Please note, Supervisor Fitzgerald Barnes of Louisa County was addressed with her email as well. I hope he will also be contacted and asked to share his insights. Email for Supervisor Fitzgerald: LCBS_PHD@louisa.org

Her letter offers great insight into the numerous and ongoing damages she and neighbors have experienced. It will become clear that there was no one event in Louisa and there was no onetime failure. **The failures and damages are ongoing and multiple.** Her creek has run red with mud and so has the South Anna River. Land is being carried away and trees are being lost to erosion.

She told me there was an on-site visit recently by officials from Caroline County who wanted to see for themselves what had happened to her neighbors' properties and talk with the affected citizens. I hope officials from Buckingham County will thoroughly investigating the many counties that have experienced harms from industrial solar.

Thank you for considering and sharing this important resource regarding a critical decision. This is real world experience.

Sincerely,
Scott Flood
(757)630-2255

-----Original Message-----
From: Claudia Perkins <claudia.b.perkins@gmail.com>
To: Fitzgerald Barnes <LCBS_PHD@louisa.org>
Cc: scott.flood@verizon.net
Sent: Mon, Feb 21, 2022 5:26 pm
Subject: Re: Buckingham County Proposed Solar

I would love to give a first hand account of what has happened to us here in Louisa County! This solar project took about 1,304 acres of heavily and totally forested land to deforest, strip down to subsoil and pack the land in order to hold poles for panels. The result has been the most devastating experience for our creek and well exceeds any damages ever created by floods including damages from hurricanes such as Camille. While flooding occurred in hurricanes, it was not the continued daily, weekly, monthly issues this creek deals with now.

At the beginning of this solar project construction in 2020 within a matter of a few weeks our section of creek which was about two to three miles from the project had managed to be turned brick red with sedimented water 24 hours a day and 7 days a week and remained that way for weeks to the point we felt the need to move our herd of cattle to a field with a source of clean water. This was only the beginning of issues to come. In August or September of 2020 one of the new holding ponds malfunctioned or broke due to improper construction and created more negative creek issues. In that same time period the Board of Supervisors was being approached to add another 703 acres of

additional development to this site. I and many other concerned citizens spoke at the Board meeting urging the Board not to approve additional development beyond the 1,304 original acres because of the huge negative impact we were already experiencing. Gratefully, our Board heard our request. It was at this meeting when one of the speakers referred to the fact that the original solar site had been described as able to handle a hundred year event, but she said Mother Nature was proving otherwise with what we were already experiencing. As that speaker left the podium, I overheard the spokesman from the developer whisper "This will not even hold a 25 year event." My question is why was it even promoted that it could hold a hundred year event when they ALREADY KNEW it would not even do a 25 year event!!

In November of 2020 we had approximately 5 and 1/2 inches of rain over a two day period. That was not a 25 year event much less a 100 or in your case a 500 year event event, but the devastation was unimaginable. Two of the site's more recently created holding ponds at that time sent water rolling over two neighbors' farmland that was not even following the creek beds. (One neighbor now has an additional creek that appears on his land whenever it rains due to what is happening with that pond.) At that point with the 5 and 1/2 inches of rain, the creek went well over its banks and over farm fencing carrying a great amount of sand in the water from sand bagging at the project. The huge volume of water, weight in the water, and extremely high velocity of water being released from 7 holding ponds into this creek created huge bank/land washouts on five farms, additional bank erosions to expose large amounts of tree roots along creek banks which then resulted in weaker tree systems and trees began to fall into the creek over the coming months. The whole bank system has been eroded and softened to the point that even at this moment even 1 and 1/2 inch or 2 inch rains over a period of even two days erodes away the creek with those 7 holding ponds dropping additional water into the creek.

In December 2020 another holding pond malfunctioned even after weeks of no rain again sending a torrent of highly sedimented water down the creek. About two weeks later a third holding pond malfunctioned—again no rain had occurred between that 2nd holding pond malfunction and the third one—another torrent of highly sedimented water came down the creek. Both events taking days for the creek to clear up not to mention additional erosion. Both events due to faulty construction we were told.

The creek has continued to show significant rise beyond normal rise after rains of 1 and 1/2 or two inches as well as high velocity of water both continuing bank erosions of the weakened banks, and the sedimented water occurs at those points as well, but now it is the continued bank erosions that are of major concerns as the high level volume and velocity remain for days.

It is not sustainable stewardship of our natural resources of land and water to allow these huge grabs of land for solar development. Whatever is developed must be done wisely and in very small increments to monitor the effect on the surrounding land and water. Please I urge you do not fall prey to the words of someone who cares only for the fast money they can make and has no care for our precious natural resources which we have been trusted to protect.

If anyone from Buckingham would like to come visit these five farms that have been and still are being so negatively impacted by a huge solar development, they are more than welcome to come visit. It is our hope that our experiences will help others foresee and avoid such detrimental effects.

Respectfully,

Claudia Perkins

Sent from my iPhone

Karl Carter

From: scott.flood@verizon.net
Sent: Wednesday, February 23, 2022 6:55 AM
To: Karl Carter; ddavis@buckinghamcounty.virhinia.gov; Donnie Bryan; Don Matthews; jmiles@buckunghamcounty.virginia.gov; Harry "Brother" Bryant; Danny Allen
Subject: Fwd: For your review and for public record: What is in a "wildlife corridor"
Attachments: FFDE386F-4B61-455F-AAE3-3103AA2FF5E4.jpeg; 5E849D39-E6C7-4105-8078-E5E5E9B8400B.jpeg

Dear Mr. Carter,

Please include the following in the public record for case22-SUP299. Please share with all members of the Board of Supervisors. Thank you.

Dear Supervisors,

Do you think runoff points, sediment basins, check dams, roads, drains, rocks, riprap and culverts should be called "wildlife corridors"? Do deer, turkey, and bear walk on water? Do they wade through deep sediment? Do they cross steep manmade slopes covered in large rocks?

Please careful look at the maps from the solar salesperson and evaluate the "wildlife corridors". Note that much of everything outside the fences surrounding the solar arrays is being called a wildlife corridor, even Paynes Pond Road. **(yes, a public road is part of what Apex Riverstone calls the wildlife corridor)**

Please look at the attached map of the "wildlife corridor plan" (it is the one provided by Apex Riverstone Solar) By starting at the upper left corner of the project, where Georgia Creek Rd connects to the project, the whole length of the wildlife corridor is mostly covered with storm water control features. Follow the route east to the connection with Little George Creek and you will see the same manmade controls in the corridor.

Where are the east west connections in the site? There are none. Maybe it is Bridgeport Road? Have the patterns of animal movement been evaluated and corridors planned to follow those routes? If these routes are wrong, there will be definite changes to land use for adjoining properties.

Please look at the attached depiction of the "Site Plan" (it is the one provided by Apex Riverstone Solar) The proposed locations of the storm water control features are outlined throughout the "site plan". They are outside the fenced solar arrays and are the reason the areas left untouched are so small compared to what may be assumed based on the developers depictions. These features need to be subtracted to determine the true size of of the area for animals. Also, that a corridor does not always function as a passage for animals.

Look at Paynes Pond Road on both the "site plan" and the "wildlife corridor plan". The road is being considered one of the corridors.

The "true" size of the corridor should be considered much smaller than that depicted. Erase all of the corridor except the areas being left in their natural state. What is left is a much more accurate representation of what is trees and habitat that is leftover for the wildlife.

When so many acres are deleted, so little life remains. Please also consider that all animals that cannot flee will perish.

Please consider the above. I would very happy to discuss the "wildlife corridors". Please call me.

Sincerely,
Scott Flood
(757)630-2255

Photos of storm water controls from Spotsylvania Solar Center -



SPECIAL USE PRELIMINARY SITE PLAN



REVISIONS
DATE BY
11/22/22 RY

- PROJECT LIMITS - 1,996 ACRES
- MAJOR ROAD EXTENTS - 1,765 ACRES
- FENCE - 952 ALFERS
- FLOODPLAIN
- SURVEYED STRIP/AD
- MAIN ROAD
- UNPAVED BACK ROAD
- AEP 15KV TRANSMISSION LINE
- PROPOSED TRANSMISSION LINE
- VEGETATION BUFFER
- TEMPORARY CONSTRUCTION BRIDGE

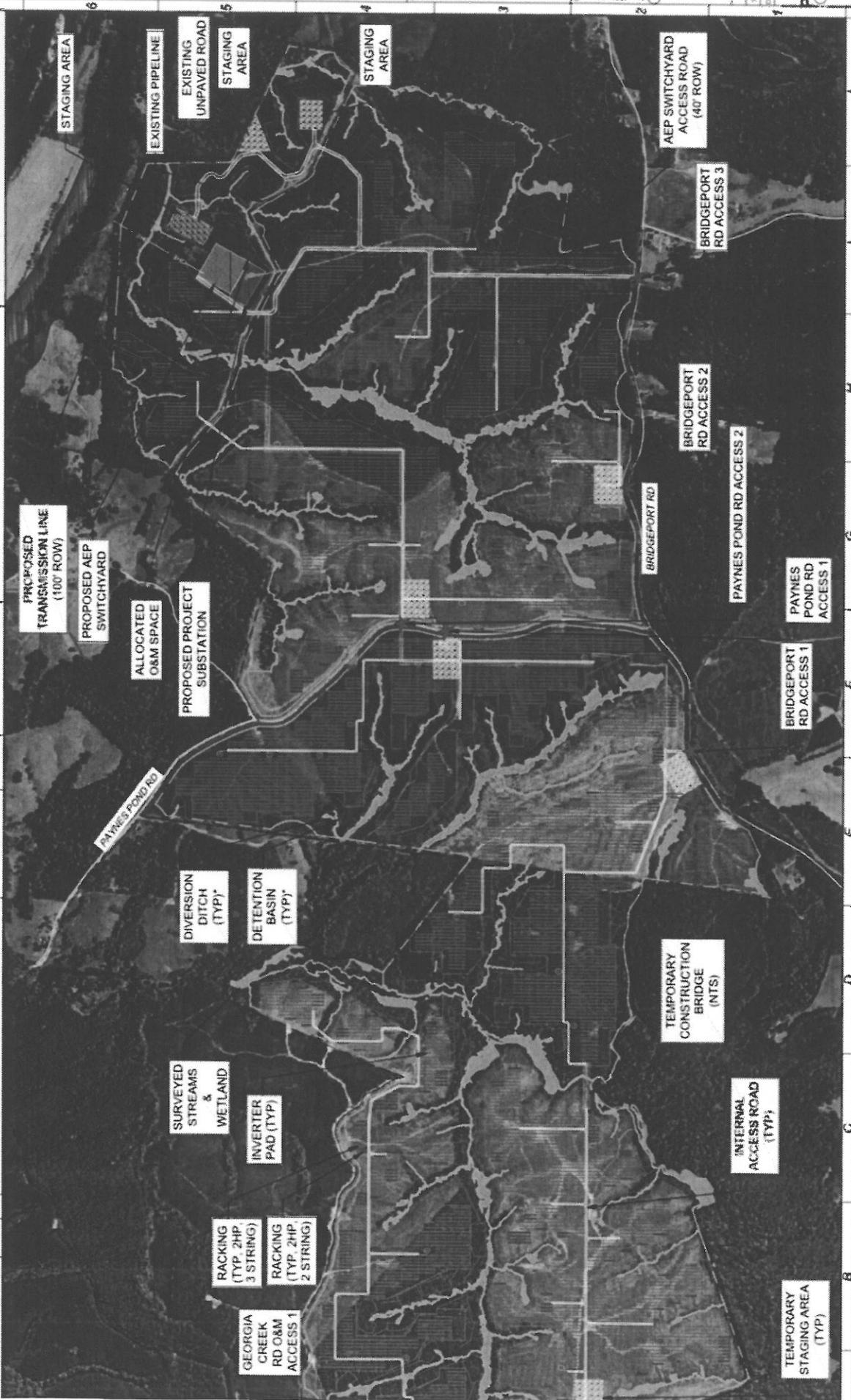
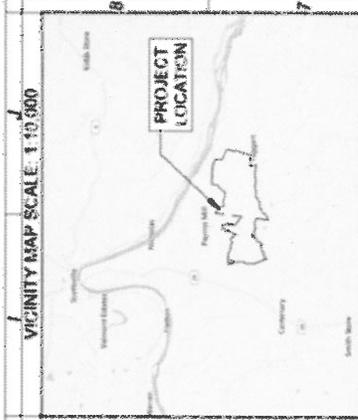
LINE TYPE LEGEND

COLLECTION ROUTE 1	---
COLLECTION ROUTE 2	---
COLLECTION ROUTE 3	---
COLLECTION ROUTE 4	---
COLLECTION ROUTE 5	---
COLLECTION ROUTE 6	---
COLLECTION ROUTE 7	---

SYSTEM SUMMARY

DATE	11/22/22
LONGITUDE	-78.45165862
AC (GRID LIMIT)	1,49,500
GENERATION	400V
WATTAGE	355,495

- NOTES**
- Vegetation buffer to exist along the ROW between the development envelope and project boundary. Mature trees will be left in place along the ROW and screening will be added where vegetation does not currently exist. Shrubs and screening areas will be collected within space.
 - Lighting will be included at the proposed project location per requirements. No other permanent lighting will be present on site.
 - Location and sizing of stormwater management features is subject to change.
 - All solar facilities are located outside of flood plain. There are no known historical sites or grave sites within the project area. Areas are identified they will be possible during construction.
 - Continuous routes through the project area to exist for suitable conditions.



PRELIMINARY
NOT FOR CONSTRUCTION



SCALE: 1" = 100'

APEX CLEAN ENERGY
310 4th St.
CHARLOTT
22902

RIVERSTONE
LLC - RIVERSTONE
SOLAR PROJECT

Riverstone Cr.
LAT: 37.728461
LONG: -78.45165862

DATE:	11/22/22
DESIGNER:	RY
CHECKED BY:	GC
SCALE:	1" = 100'
PROJECT NO.:	22-001
PROJECT NAME:	RIVERSTONE LLC - RIVERSTONE SOLAR PROJECT
STATUS:	PRELIMINARY

A-

Karl Carter

From: scott.flood@verizon.net
Sent: Wednesday, February 23, 2022 6:53 AM
To: Karl Carter
Subject: Fwd: URGENT! Analysis of Apex economic claims

Dear Mr. Carter,

Please include the following in the public record for SUP299 Apex Riverstone Solar.

I respectfully ask you and the Board of Supervisors to have an independent review of the submitted "RIVERSTONE SOLAR LLC - ECONOMIC AND FISCAL CONTRIBUTION TO BUCKINGHAM COUNTY, VIRGINIA".

Please discuss this urgent matter with Mr. Nathan Olansen.
It would be reckless and imprudent to only consider the material submitted by the developer.

Please let me know if I can assist in arranging a conversation or contact him at (757)831-4631. There is no financial cost to the County to discuss with him. You and the BOS will only benefit by gaining insight and a deeper understanding of the proposal.

Sincerely,
Scott Flood
(757)630-2255

-----Original Message-----

From: scott.flood@verizon.net
To: kcarter@buckinghamcounty.virginia.gov <kcarter@buckinghamcounty.virginia.gov>
Sent: Wed, Feb 16, 2022 1:24 pm
Subject: URGENT! Analysis of Apex economic claims

Dear Mr. Carter,

There has been much talk of the economic implications the Apex Riverstone could have on the County. These affects are based on information that the developer has submitted. Much of their submitted claims are based on assumptions.

I am respectfully asking for you and members of the Board of Supervisors to discuss the Apex Economic report with Mr. Nathan Olansen. He is a lawyer who is also a CPA. He has extensive financial knowledge.

Please let me know and I will be able to put you in contact with him for a discussion. There is no financial cost to the County to hear and discuss with him. You have only to gain insight and a deeper understanding of the proposal

Respectfully,
Scott Flood
(757)630-2255

Karl Carter

From: Jane Moss <mossnicki13@gmail.com>
Sent: Monday, February 21, 2022 5:37 PM
To: Karl Carter
Subject: Opposition to 22 SUP-299 Apex Riverstone LLC solar project

Dear Mr. Carter,

Since you are the County Administrator, I wanted to write and express my concerns about 22 SUP-299 Apex Riverstone LLC solar project- an already massive solar project- that was reintroduced to the Planning Commission, requesting an additional 35-acres of solar panels.

As an adjacent landowner, I am opposed to 22 SUP-299 Apex Riverstone LLC solar project. Apex promised to plant and manage a vegetation buffer to protect my viewshed, yet it did not end up in the final plan.

The 117-page property value impact study included in the packet submitted by the solar salesman for Apex has no bearing on the proposed project. The study concluded, "the adjoining properties are well set back from the proposed solar panels and most of the site has good existing landscaping for screening the proposed solar farm."

Unfortunately, this is not the case with the residence I own. My home is located **the closest to the proposed project** of any neighboring properties (Map 17-2-6B).

- There is **not enough existing vegetation** to screen the construction nor completed solar panels from my view.
- The proposed plan **does not include a managed vegetation buffer** that would protect my viewshed.
- The vegetation buffer promised by Apex does not exist on Blue Heron Lane!!

"I would not anticipate any impacts on property value due to construction on the site," stated Richard Kirkland, Jr. in the property value impact study. Unfortunately, there have already been impacts to my property value. My rental home was vacated. No one wants to live next to a major construction site with the noise of pile driving going on from sunup to sundown every day. Apex can operate heavy machinery 24/7. The "concern of unknowns" is a real phenomenon in real estate valuation, regardless of whether it is warranted in the long term.

Apex promised to plant and manage a vegetation buffer to protect my viewshed, yet it did not end up in the final plan. Property values are already affected, despite the property value impact study. This should be a **RED FLAG to the County Administrator and the BOS**. Once this plan is approved, there is no going back. Please slow this process down and make sure that the 2,000-acre project has all of the enforcement mechanisms Buckingham County needs. Please read the plan closely and look for what is not included that was promised.

I understand this project is not in your backyard, but I implore you to consider the concerns of the people who live and farm on the land that is adjacent to the project. Please deny the SUP and keep the land zoned for agriculture.

Sincerely,

Karl Carter

From: scott.flood@verizon.net
Sent: Sunday, February 20, 2022 11:15 PM
To: Karl Carter
Subject: News articles about solar projects in other counties
Attachments: CBF JRA comments on developing turbidity criteria May 12 2021.pdf

Dear Mr. Carter

Please include the following letter and information in the public record for SUP299.

Please review and please share with all members of the Board of Supervisors.

Thank you,
Scott

Dear Chairman and Supervisors:

Below are links to several news articles, TV news reports and a webinar about solar projects in other counties. Please review each of these items. I firmly believe this information is needed to adequately evaluate the proposed Apex Riverstone Solar project.

Louisa County: (DEQ fines)

You might hear some trying to dismiss what happened in Louisa as being due to a single weather event. These articles chronicle the problems that occurred over years and also list out multiple months that the issues occurred. Between the two links you will hear that many of the problems and that these occurred multiple times. There were DEQ fines. There are ongoing issues. Dominion has apologized and says they will work to make it better. They also acknowledge that the design, which is acceptable to the state, allows these harms to occur.

Newspaper article: https://www.thecentralvirginian.com/news/dominion-apologizes-for-solar-runoff/article_db39d65c-c965-11eb-8f8c-e3ac9691fc3f.html?utm_medium=social&utm_source=email&utm_campaign=user-share

TV news story: How Virginia farmers claim Dominion is destroying their land: 'It's pretty catastrophic'
<https://www.wtvr.com/news/problem-solvers/problem-solvers-investigations/virginia-farmers-and-dominion-energy>

"If they want a solar field back there, that's their property and their business," one farmer said. "But when you destroy surrounding land, then it becomes our business."

Campbell County: (This is Apex ONLY solar project in Virginia)

The project in Campbell had the same developer as the one trying to build here in Buckingham. (Apex Clean Energy) You will hear things like Apex has not owned that project in years and that most problems were after they sold it. The truth is Apex was the developer, they hired the contractor, and Apex did **not** sell their interest in the project until the end of February 2021. The Environmental manager from Campbell County told me the heavy construction began in January of 2020.

They have tried to distance themselves from this project and when Buckingham questioned the developer about the problems, the answer was "that was the contractor not us". Really, the salesman said it and it is recorded. Why should

the County do business with a company that just passes the buck. You will notice that the TV news reports were from before Apex sold the project. You will see the Apex logo on the entrance sign during the news footage. Also note that Timmons Group was the engineer for the project (same engineer being used in Buckingham). The Environmental Manger of Campbell County told me that there "were significant erosion impacts site wide." He also said to remember the minimum standards per DEQ are only 60% effective (read 40% ineffective). This should be proof enough that this is not the right location for an industrial solar power plant. The James River and its immediate tributaries are too valuable to allow this harm. Not to mention the 2,000 acres of forest (there are hundreds of acres of tall pines), the neighboring properties, the community, the rural character or the area, etc...

Link to [wset.com](https://wset.com/news/local/campbell-county-solar-farm-stop-work-order-residents-concerned-road-damage-virginia-complaints-leesville-road) TV report: <https://wset.com/news/local/campbell-county-solar-farm-stop-work-order-residents-concerned-road-damage-virginia-complaints-leesville-road>

Link to wsls.com TV report: [Campbell County residents file complaints about solar farm construction \(wsls.com\)](http://wsls.com)

News article on Campbell County harms and no longer wanting projects this size: [What is the future of solar in Campbell County? Local leadership discusses loss of appetite for county solar projects. | Local News | newsadvance.com](http://newsadvance.com)

Essex County: (This project also had DEQ fines)

Essex Solar is a great example of why environmental groups do NOT want utility scale solar to be next to rivers. Things can go wrong very quickly and the damages to the environment can be catastrophic. The project in Essex is only 200 acres. The proposed project in Buckingham is 10 times as big at 2,000 acres. Extreme risk to the James River from being so close and the watershed of the entire project going to the river. This is a monumental, national news worthy disaster in the making.

Link to wtvr.com TV report: "Green solar farm is turning an Essex County watershed brown" <https://www.wtvr.com/2018/02/08/green-solar-farm-is-turning-an-essex-county-watershed-brown>

"Mud coming in from the solar farm, all the way up the road, down in Muddy Gut Creek, which feeds right into the river."

Mecklenburg County (five years in and still having erosion and sediment issues)

Letter summarizing ongoing problems and recent NO vote to proposed project due to real world experience. Link to newspaper: [Solar farms – protecting the environment | | brunswicktimes-gazette.com](http://brunswicktimes-gazette.com)

Spotsylvania County (subject of Virginia Tech webinar by Spotsylvania Environmental manager - covers failures of approved design that had already greatly exceed the DEQ standard by using enhanced protocols)

Article summarizing many problems of the project, <https://arcg.is/OufOe>

Link to Virginia Tech webinars: (to see Spotsylvania, check out Webinar 1, more on Virginia in Webinar 4): <https://sites.google.com/vt.edu/vceinservice121919solarfarms/home>

Prince George County

Complaints to DEQ by James River Association and Chesapeake Bay Foundation due to effects on waterways and damages to aquatic habitat

Document Attached to this email.

Please vote no to Apex Riverstone Solar and keep Buckingham County off this list. Please protect "America's Founding River".

Please contact me with any questions.

Respectfully,
Scott Flood



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure



May 12, 2021

David Whitehurst
1111 East Main Street, Suite 1400
P.O. Box 1105
Richmond, VA 23218

Via email: david.whitehurst@deq.virginia.gov

Dear Mr. Whitehurst:

On behalf of the Chesapeake Bay Foundation (CBF) and the James River Association (JRA), please accept these comments regarding turbidity standards. We appreciate the Virginia Department of Environmental Quality's (DEQ) efforts to address our concerns on this issue. We first raised these matters as a part of the triennial review public hearing on September 13, 2018, then through the reissuance of the construction general permit on December 28, 2018. We appreciate the State Water Control Board's (Board) directive to develop turbidity standards, and the agency's efforts to carry out this directive, which will help protect Virginia's waters.

CBF is a nonprofit organization dedicated to saving the Chesapeake Bay with more than 91,000 members in Virginia. CBF carries out its mission through restoration, advocacy, education, and litigation from offices in Richmond, Virginia Beach, and other locations in the Bay watershed. It conducts restoration activities along numerous Bay tributaries from the Lynnhaven River to the Shenandoah River, and it operates on-the-water student education programs from its island centers in the Chesapeake Bay and through boat-centered programs on the James, Cowpasture, and other rivers.

JRA is a member-supported nonprofit organization founded in 1976 to serve as a guardian and voice for the James River. Throughout the James River's 10,000-square mile watershed, JRA works toward its vision of a fully healthy James River supporting thriving communities. Its thousands of members and supporters have important economic, professional, and personal interests in the health of the James River, and JRA is pleased to offer a voice for the River and its stakeholders through these comments.

- 1. Numeric criteria are enormously valuable for helping DEQ transparently implement protective measures; there have been clear examples of turbidity violations in the past without action by the agency.**

In order to protect Virginia's aquatic resources from the negative consequences of runoff and, specifically, of sediment and turbidity, Virginia has adopted generally applicable water quality criteria that prohibit turbidity in state waters in amounts inimical or harmful to human, animal,

plant, and aquatic life.ⁱ The Clean Water Act and State Water Control Law require Virginia to protect water quality by enforcing this general narrative water quality standard; however, at the present time, Virginia has adopted only a partial framework for upholding and enforcing this water quality standard by focusing on sediment deposits in waterways that are not covered by a Virginia Water Protection Permit.ⁱⁱ Virginia also currently employs probabilistic monitoring (i.e. Virginia Stream Condition Index) of streams to establish Total Maximum Daily Loads (TMDLs) for sediment in order to protect benthic habitats. However, these programs include no reference to turbidity and, while sedimentation and turbidity are often correlated, turbidity represents a parameter DEQ should specifically consider and protect against.

Numerous examples have been provided to DEQ and the Board, documenting clear examples of high turbidity events without any significant actions. This includes several incidents related to pipeline construction but is not limited to those projects. Recently, exceedingly high turbidity readings and photos were provided to DEQ in relation to a solar farm construction project in Prince George County. Beginning September 16, 2020, JRA observed repeated high turbidity events in Flowerdew Hundred Creek, a tributary of the James River that flows adjacent to the Fort Powhatan Solar Project. Upon further investigation by DEQ and the solar farm consultant, it was reported back to JRA that high turbidity events in the creek were being driven not only by incidental construction runoff, but by pumping and dewatering of stormwater ponds on the construction site. The dewatering activities resulted in an incredible amount of fine sediments entering the creek, driving turbidity up to 233 nephelometric turbidity units (NTU) on September 16, 2020, and to 667 NTU on a separate event on March 30, 2021. Additional photos and data from this timeframe are provided in Appendix 1. Despite these events, no violation or additional action was taken by DEQ and dewatering in this fashion was reported to be an allowable activity under the facility's existing construction permit.

Additionally, DEQ staff testimony before the Board on August 21, 2018 suggested that DEQ does not currently attempt to enforce the general narrative water quality criteria for turbidity in the water column.ⁱⁱⁱ Given the agency's limited staff and significant responsibilities, providing clear numeric criteria will help the agency in protecting state waters from these impacts.

As such, the turbidity standards represent an important step to ensuring the intended level of water quality protection will be implemented. The majority of states, including neighboring Pennsylvania, Maryland, and North Carolina, already utilize numeric criteria for turbidity for protection of water quality and can provide several examples for how Virginia could move forward.^{iv}

2. Turbidity has negative effects upon water quality, including aquatic life and recreational uses; these should both be utilized to develop criteria.

Sediment loads have broad impacts across Virginia waters. Runoff from construction sites, agricultural and industrial operations, and other anthropogenic sources can result in negative impacts to the water quality of receiving streams. These effects are wide ranging and span many important variables but have been well documented. Sediment loads degrade aquatic life whereby bottoms of streams are smothered with a layer of fine material, eliminating important habitat.

Turbidity, which is heavily influenced by sediment loads, can serve as a predictor for sediment impacts, but also has explicit effect in and of itself. Turbidity degrades streams by increasing suspended solids, thus preventing sunlight from reaching underwater grasses—which has been especially problematic for Virginia’s rivers and estuaries. Turbidity can also yield negative impacts for fish including reduced hatching success, inability to acquire food, damaged gill tissue, and even direct mortality.^v Increased turbidity has also been associated with decreased dissolved oxygen and increased water temperature, which have negative impacts. Increased turbidity and suspended solids also have the potential to alter food web structure by disrupting primary producers.^{vi} Efforts at the federal level have documented some of these effects and provide valuable input on the development of these criteria.^{vii} Virginia currently has four benthic TMDLs under development covering 23 water segments in which sediment was identified as a probable stressor for all of them.

Freshwater mussels, which represent one of the most threatened classes of organisms in the country, should be specifically considered and evaluated through this process. A recent study found that increased turbidity and suspended solids have the potential to cause substantive aquatic life impacts to freshwater mussels, which represent a critically imperiled group of organisms that improve water quality through filtration.^{viii} Goldsmith et al. (2021) acknowledges the variability of impacts across systems, but also documents clear examples of sediment and turbidity related impacts to mussels at various life stages:

Specifically, we found clearance rates (a measure of feeding) were negatively impacted by TSS concentrations >8 mg/L, and respiratory stress occurred at 600 mg/L. Declines in fertilization success and glochidial (i.e., mussel larvae) development were observed at TSS values of 15 mg/L, and reproductive failure occurred at 20 mg/L. Impacts on host fish attachment and glochidial encystment occurred at TSS concentrations of 1250–5000 mg/L. Impacts on fish varied depending on the biological endpoint but typically occurred at TSS values ranging from 20 to 5000 mg/L. We also found mussels were sensitive to smothering and mortality occurred at depths as low as 0.6–2.5 cm of substrate.

Norkko et al. (2006) documents that sediment and turbidity impacts to mussels can occur through long-term chronic impacts as well as acute effects:

*...Continued sediment input, leading to infilling and increased muddiness of estuaries, has a significant negative impact on bivalve physiology...
...matching the temporal dynamics of the response variable with the dynamics of the stressor is imperative...*

Protection of freshwater mussels, which are considered ubiquitous across freshwater systems in Virginia, should be explicitly considered when creating numeric turbidity standards.

In addition to aquatic life impacts, turbidity can degrade recreational designated uses and protections should be included to avoid such impacts. Turbid waters are a significant deterrent to swimming and boating and Virginia should adopt numeric standards that are protective of these uses.

In order to determine the relative contribution to ambient turbidity levels, it may be necessary to establish baseline water quality conditions for turbidity. While some ambient water quality monitoring data exists for turbidity and closely related parameters like TSS, primarily through monitoring data submitted from citizen monitoring sites, it will be necessary to increase ambient monitoring for turbidity.

Where ambient baseline water quality monitoring data for turbidity does not exist, it may also be necessary to require representative baseline water quality monitoring data to be generated in advance of approving any proposal to authorize any activity expected to increase turbidity. One such example for generating this baseline water quality data is West Virginia's regulatory approach to antidegradation.^{ix} Under these regulations, if baseline water quality data has not been generated for a specific water segment and any entity is proposing to impact the segment, then the regulatory authority must determine the baseline water quality for that segment. The regulations allow for the use of existing data from outside sources so long as it is recent and reliable. Where no such data exists, that regulatory authority must establish a plan for obtaining the necessary data, including the option of coordinating with the entity proposing the project. DEQ should consider establishing regulatory baseline water quality conditions to support implementation of numeric turbidity criteria.

3. DEQ should develop numeric water quality standards AND numeric controls to ensure construction sites (or other facilities that produce runoff) do not degrade designated uses.

Numeric water quality standards and control measures are needed to establish clear expectations for permittees about construction site runoff, as well as to initiate impaired water listings that lead to the Total Maximum Daily Loads.

Numeric water quality standards are needed to assess attainment of designated uses in relation to turbidity. We appreciate these criteria will require careful consideration of ecoregions and other geomorphology factors, but we believe the agency is capable of establishing a scientifically defensible approach, and that ultimately, this will be helpful to the agency fulfilling its responsibility to protect waterways.

Specifically, we urge the agency to develop approaches that allow for the use of TSS measurements as a potential means of assessing turbidity. Such an approach has several benefits. It would allow for more data to be utilized in this effort and ultimately, TSS is likely the basis of any TMDL developed as a result of this process. As such, allowing for conversions between these parameters is important to consider in the regulation. Virginia's submerged aquatic vegetation criteria provide an example of how this could be implemented (9VAC25-260-185). Recent efforts in other states may also serve as a guide for how TSS can be incorporated. For instance, Minnesota recently addressed turbidity and TSS relationships through the state's triennial review process.^x

In addition to water quality standards, the agency should develop clearly defined expectations and limitations for permittees that result in protection from turbidity. These limits should prohibit

defined levels of increases in turbidity associated with a specific construction activity as well as exceedance of maximum thresholds. These should be applicable in all waters, as would be fully consistent with Virginia's current narrative criteria. Clear criteria will improve DEQ's ability to transparently and objectively evaluate compliance. Adopting both forms of water quality criteria is essentially to fulfilling the directive from the Board and protecting waters from turbidity issues.

We appreciate DEQ's literature review on this subject. Below we provide an additional list of references we have identified that relate to this subject for DEQ consideration.

We urge DEQ to incorporate local water quality and turbidity expertise. Specifically, we believe local U.S. Geological Survey experts (i.e. Doug Moyer, John Jastram) would be especially helpful to this process.

We appreciate your consideration of our comments and we look forward to working with all interested stakeholders through the regulatory advisory panel to develop appropriate numeric criteria for the protection of water quality in the Commonwealth of Virginia.

Sincerely,



Joseph D. Wood, Ph.D.
Virginia Senior Scientist
Chesapeake Bay Foundation

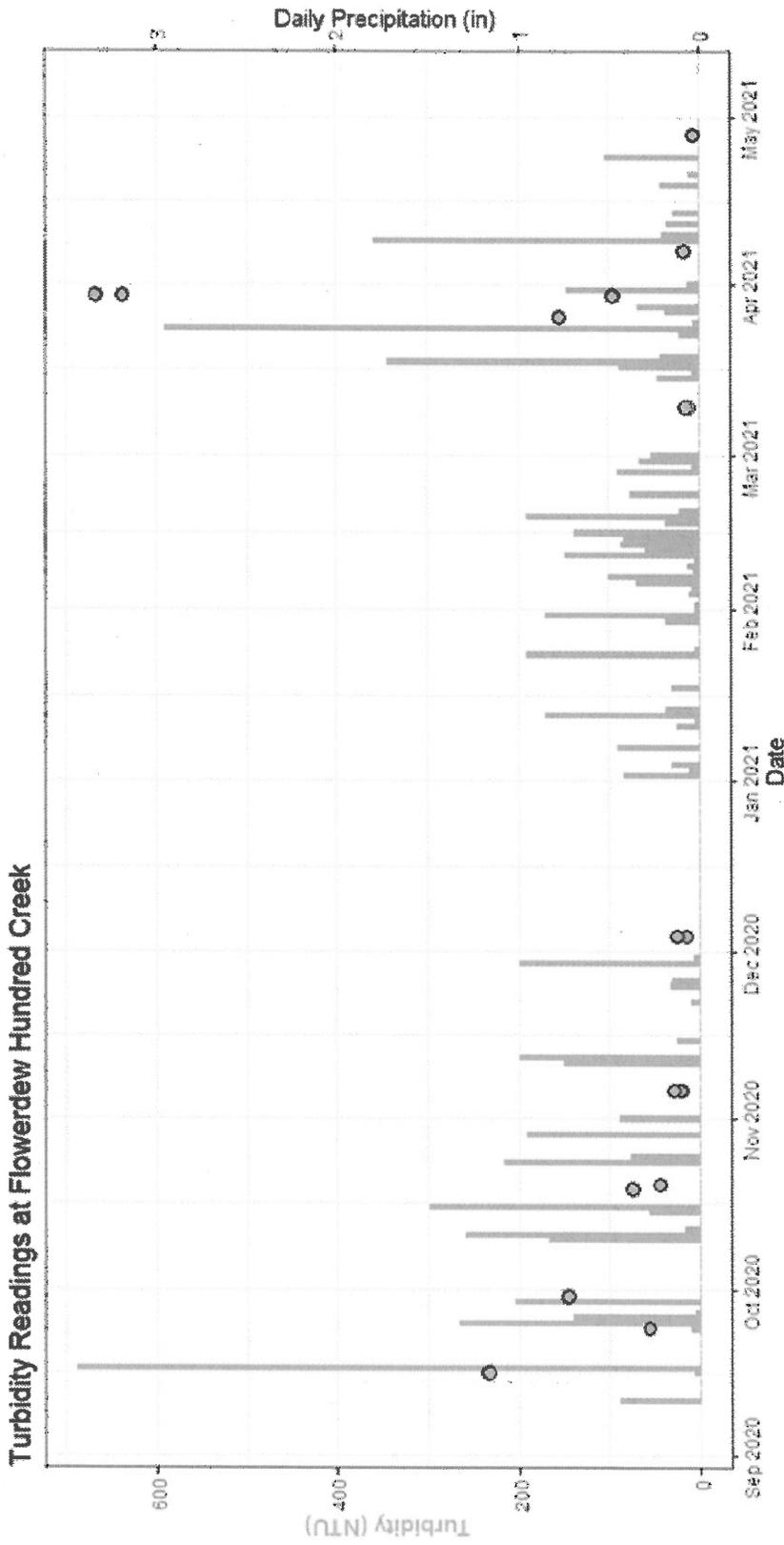


Jamie Brunkow
James Riverkeeper & Sr. Advocacy Manager
James River Association

Attachments

cc: The Honorable Ann F. Jennings, Deputy Secretary of Natural Resources
Jutta Schneider, Water Planning Division Director, DEQ
Tish Robertson, Water Quality Assessment Coordinator, DEQ
Sandy Mueller, Water Monitoring and Assessment Program Manager, DEQ
Juan Vincenty-Gonzalez, EPA Region 3 Water Quality Standards Coordinator
Peggy Sanner, Virginia Executive Director, CBF
Patrick Fanning, Virginia Staff Attorney, CBF

Appendix 1: Turbidity Data and Photos from Flowerdew Hundred Creek



Precipitation Data Source: Data Downloads Tools in the Climate Toolbox (<https://climatetoolbox.org/toolbox-download-gridMET>) (<http://www.climatologylab.org/gridMET.html>) Lat/Lon of 4-km Grid Cell Center: 37.2750 North, -77.1000 East

Appendix 1: Turbidity Data and Photos from Flowerdew Hundred Creek



September 16, 2020 – Nobles Road, Turbidity: 233 NTU



**September 16, 2020 – Wards Creek Road crossing
of Flowerdew Hundred Creek**

Appendix 1: Turbidity Data and Photos from Flowerdew Hundred Creek



September 24, 2020 – Nobles Road, Turbidity: 56.5 NTU

Appendix 1: Turbidity Data and Photos from Flowerdew Hundred Creek



September 30, 2020 – Nobles Road, Turbidity: 145 NTU

Appendix 1: Turbidity Data and Photos from Flowerdew Hundred Creek



October 19, 2020 – Nobles Road, Turbidity: 75.2 NTU

Appendix 1: Turbidity Data and Photos from Flowerdew Hundred Creek

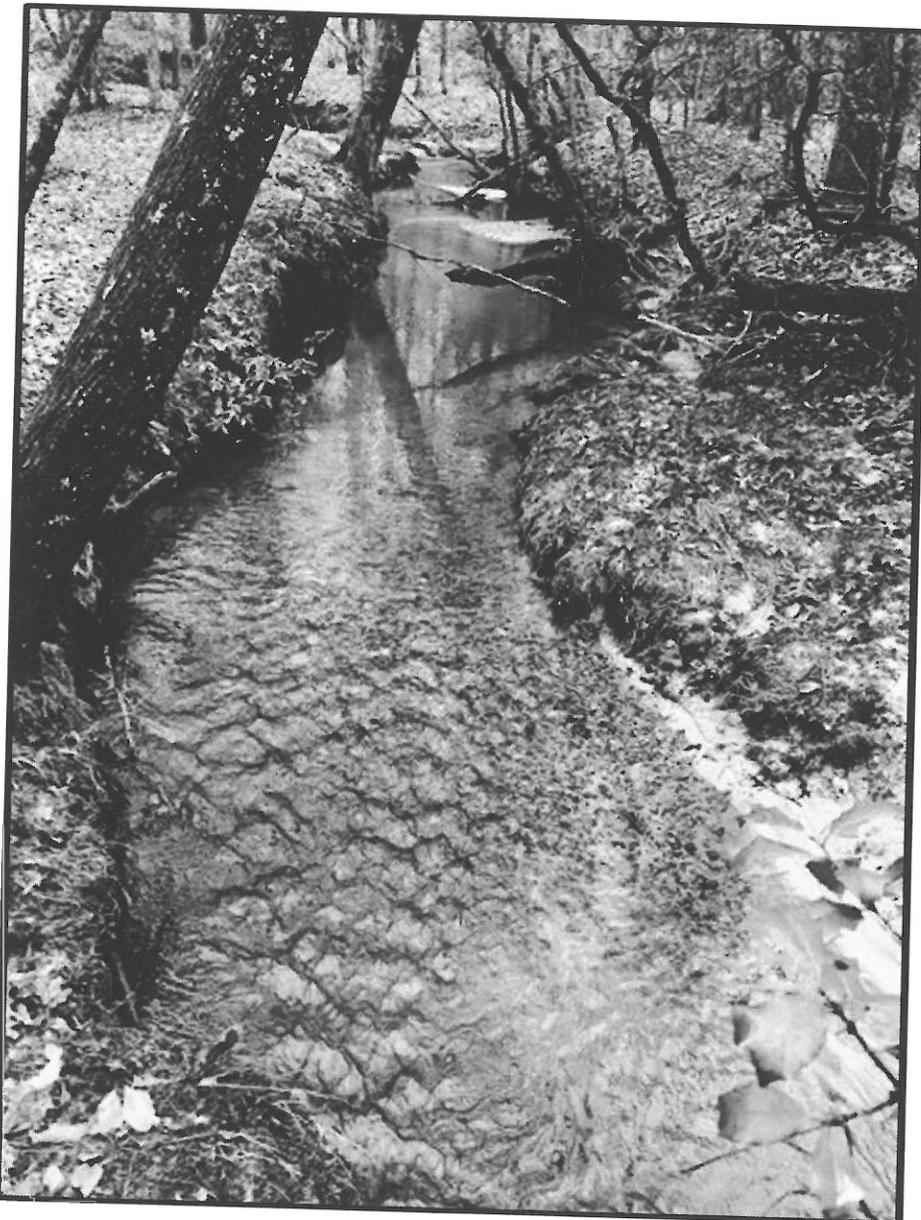


March 30, 2021 – Nobles Road, Turbidity: 667 NTU



March 30, 2021 – Nobles Road, Turbidity: 667 NTU

Appendix 1: Turbidity Data and Photos from Flowerdew Hundred Creek



Reference Photo – February 26, 2020 – Nobles Road

Appendix 2: Peer-reviewed literature focused on turbidity and TSS impacts.

- “A Novel Image Processing-Based System for Turbidity Measurement in Domestic and Industrial Wastewater - ProQuest.” Accessed November 9, 2020. <https://0-search-proquest-com.read.cnu.edu/docview/2021149304/24152FF0447642EDPQ/2?accountid=10100>.
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- Birtwell, I. K., O. Canada, and W. Vancouver. “The Effects of Sediment on Fish and Their Habitat,” 1999. /paper/The-Effects-of-Sediment-on-Fish-and-their-Habitat-Birtwell-Canada/927613a50c491725ff36f5feae1430ee1a193b68.

- Bright, Christina E., and Sarah M. Mager. "A National-Scale Study of Spatial Variability in the Relationship between Turbidity and Suspended Sediment Concentration and Sediment Properties." *River Research and Applications* 36, no. 8 (2020): 1449–59. <https://doi.org/10.1002/rra.3679>.
- Buczek, Sean B., W. Gregory Cope, Richard A. McLaughlin, and Thomas J. Kwak. "Acute Toxicity of Polyacrylamide Flocculants to Early Life Stages of Freshwater Mussels." *Environmental Toxicology and Chemistry* 36, no. 10 (2017): 2715–21. <https://doi.org/10.1002/etc.3821>.
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Appendix 3: Endnotes

- ⁱ See, e.g., 9VAC25-260-20 (listing requirement to control substances which cause turbidity in harmful amounts).
- ⁱⁱ See, e.g., 9VAC25-210-50 (prohibiting discharges of pollutants into surface waters); 9VAC25-210-120 (requiring Virginia water protection permits to prohibit the unpermitted discharge of pollutants (including sediment or dirt) into surface waters).
- ⁱⁱⁱ See transcript of State Water Control Board meeting, August 21, 2018, testimony of Melanie Davenport, at 92-93 (“If we see sedimentation and turbidity in the water column, we do not have an instream water quality criterion for sediment. It’s a - - and I don’t know how you would even calculate. It’s not like there is a point source and you can grab a sample of what’s coming out of that actual pipe and analyze it and do the analysis. If you’ve got turbidity that’s moving downstream and is not settling out it is a temporary event.”).
- ^{iv} States with numeric Turbidity Criteria: Alabama, Alaska, Arizona, Arkansas, Connecticut, Delaware, Florida, Hawaii, Idaho, Indian, Iowa, Louisiana, Maryland, Minnesota, Montana, Nevada, New Hampshire, New Jersey, North Carolina, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Utah, Vermont, Washington, West Virginia, Wyoming. EPA, 1988. Water Quality Standards Criteria Summaries: A compilation of state/federal criteria. As one example, Maryland has adopted both a narrative and a numeric standard for turbidity. The numerous standard is as follows: “Turbidity in the surface water resulting from any discharge may not exceed 150 units at any time or 50 units as a monthly average. Units shall be measured in Nephelometer Turbidity Units.” COMAR 26.08.02.03-3.
- ^v (Bisson and Bilby 1982; Lake and Hinch 1999; Sweka and Hartman 2003; Sutherland and Meyer 2007; Gray et al. 2012).
- ^{vi} Bilotta, G. S., and R. E. Brazier. “Understanding the Influence of Suspended Solids on Water Quality and Aquatic Biota.” *Water Research* 42, no. 12 (June 1, 2008): 2849–61. <https://doi.org/10.1016/j.watres.2008.03.018>.
- ^{vii} <https://archive.epa.gov/epa/sites/production/files/2015-10/documents/sediment-report.pdf>
- ^{viii} Buczek, S. B., Cope, W. G., McLaughlin, R. A., & Kwak, T. J. (2018). Effects of Turbidity, Sediment, and Polyacrylamide on Native Freshwater Mussels. *JAWRA Journal of the American Water Resources Association*.
- ^{ix} See West Virginia Legislative rule Title 60, Series 5, Section 3.4, available at: <http://apps.sos.wv.gov/adlaw/csr/readfile.aspx?DocId=7095&Format=PDF>
- ^x <https://www.pca.state.mn.us/sites/default/files/wq-s6-11.pdf>

Puvak: Alright, thanks. We know it's been a long night. We appreciate the attention here. Jon Puvak. I'm working with Apex and Riverstone Solar. Appreciate your attention. But you've heard a lot. We've been here, but we really want to take a few minutes. We brought the whole design team. We brought experts to answer any questions you might have. So we want to we want to take some time and go through some of the points that we've that we've heard tonight. Again, we talked about why this application. You know, again, why we're asking this application. We had a prior SUP approved, but these processes are a long development process. Their ongoing studies are continuing. So this gives us additional flexibility to achieve those designs. What we're talking about, though, is a special use permit, not talking about a rezoning of the land. The zoning ordinance clearly requires that. Clearly allows it. All properties are zoned A-1. This is not a permanent use of the land, this is a temporary use. There's only going to be one Riverstone project. Whether this SUP is approved or the prior SUP approved. There's not two separate projects. There's only one solar project... And this is the details of the project. I've seen this slide many times, you know, 149.5 megawatts in terms of what we're talking about projected life of 40 years, 900 acres will be within panels. So yes, it's a 2000 acre property. But 900 acres would be under panels or within the fence. And we talked about the benefits in terms of CO2 offsets. We can't lose the fact that this is privately owned timber property. So we wouldn't be coming here asking you for a decision on this if there hasn't been a robust process already. There's been talked about this being a rushed process. I'm not going to go through both these slides. But by all accounts, there's been 29 meetings on these projects. I've had the privilege of working on dozens of solar projects in Virginia. And this is not the norm. Virginia law requires a public hearing, one public hearing before the Planning Commission, and one public hearing for the Board of Supervisors. Can't ignore again, what I talked about the Riverstone project that we and this Board reviewed previously, is a substantially similar project. So you can't ignore all the work that's been done to this point. We have multiple public hearings. We've had seven different meetings, where there's been public comment, like tonight where there's an opportunity for public comment. But don't worry about what's already happened. There's still more to come. So we have significant levels of review that we're still going to do. There's lots of permits that are done at the local level and the state level. This is just a handful of projects. If this SUP is approved tonight, Riverstone does not have any right to put a shovel in the ground. There's additional reviews and additional permits that need to occur. Some of those include, you know, clean water approvals, certifications, Water Protection permits, again provided DEQ pollution discharge permits, that includes stormwater prevention plans, sometimes referred to as Swift's, stormwater management plan, permit by rule is the DEQ structure. It's a rigorous structure that these projects go through multiple levels of review. That is, and that has been used for about 75 projects today. 75 projects in Virginia have gone through the DEQ process and been reviewed by the PBR and approved by the DEQ. Then you also have local controls in place. You have county's Erosion Sediment Control Ordinance, in combination with a DEQ reviewing the Erosion and Sediment Control Plan. You have site plans, and building permits. So again, the county is going to have a chance, as we move forward as our plans develop. We

don't have fully design plans today. It's expensive enough coming through these processes with initial designs and things like that. But we don't final design these projects until later in the process. And getting through a zoning approval is one of those early steps. So we're always with these decisions balancing. How much analysis can we do here? So we'll answer as many questions as you have. But just know that there's more review to come, the more approvals are coming. So it's not the end of the road at all. We try to follow all the rules. We've, you know, over notice this prop this application based on the zoning ordinance and state law. So we have written letters that were mailed by the county legal advertisements, and then the applicant and the county both posted signs. These are locations of where each signs were posted for the property in terms of the number of signs and what the signs say. So there is no argument that anyone can be unaware of what was happening with this application in this project. And the county has its own permit that our own signs that were also posted as well at other locations. So again, those were posted over the property, both the mailed notices, and the postings have been there since February 1. Public comments, because of the all the opportunities I talked about, where we had multiple meetings, seven opportunities for public comments, just like tonight, we've listened. So in the last two meetings, January 24 meeting and the February 14 meeting, we've prepared written responses to every one of those notices that we just received today. And we've given those of the Board and the Planning Commission prior to the start of this meeting. So we think that that again, we also posted on the county's website. So we're again trying to be responsive and trying to be reflective of what we've heard. Comprehensive planning. There's always an element for every one of these projects that element not for a solar project, it's an element when you prove a cell tower or school or road, anything like that has been forged the Comprehensive Plan. The good news is your comprehensive plan does support this project. There's specific elements of the comprehensive plan you can look to. It recognizes the need for commercial development, while balancing agricultural and rural history of the county. You know, every land use decision whether it's a solar farm, you know, any other kind of economic development opportunity or something, a subdivision, you're there's always a balance between preservation, and what might come from that development. A specific land use goal is to encourage commercial industrial development in appropriate areas of the county. So again, we've already demonstrated the economic benefits associated with this without the need for any public services. Preservation. So it's been noted before how little property this is actually using, one half of 1% of the commercial forest in Buckingham County. And again, this is not a permanent use. We're not paving. We're not taking anything out. And we're actually one of the few uses that exist, where we say, hey, whenever we're done, we're going to remove it. I'm sure the county has examples of blighted properties and other things that they like to get rid of, that don't have money for. This is a use reason to put money in the bank to say when we're done, we're taking it all back, and you can put back the trees and it can return to forest and timber property. On the comprehensive plan, again, a couple of other elements here is that Congress notes the loss of agricultural land and states that economic benefits and environment impacts should be considered to maintain a balance between development and preservation objectives throughout the county. Again,

that's a tough decision. But again, we're showing why in this case, this project makes sense to pursue that development. It's also consistent with a future land use plan. The future land use plan has, this is outside of any village center, growth corridor, high growth area, recreation, anything like that. This is situated in a remote area, the county is not identified for higher uses. So as Jimmy mentioned, you know, we've been an Mrs. Edmondston was been really helpful in reading through the conditions, but we've been listening. So what Mr. Merrick is going to do is go through some specific conditions that we've modified this go around in order to address public comment what we've heard from staff.

Miles: Thank you, sir.

Merrick: Good evening, sir. Chairman Bickford, Members of the Commission, Chairman Miles, Members of the Board. Happy to be here tonight. As John said, so, Nicci already walked through the conditions. But I thought it would be good to just highlight a lot of the changes that we've made, since the conditions that were actually codified in November with the original approval of the project. The reality is, is, you know, the whole public participation part of this process, it does encourage feedback, right, like, community does have an opportunity to give feedback. And we have been listening the entire time. Since the first meeting that we had with the county in March, since the first community meeting that we had back in June, and then all the community meetings and public hearings and special sessions and everything leading up until today. We've been listening the whole time. And we've made substantial changes, even after the conditions that were codified back in November, we made the decision to come back through this process to request an additional 35 acres to give us more flexibility. And we knew that that would open up the opportunity for additional changes to the conditions. Right, we understood that. Now, a lot of things were raised in in the last 30 to 45 days that we felt like warranted consideration. So we've done a tremendous amount of additional diligence. We've spoken directly with Campbell County, right, all the issues that have been raised about Alta Vista. We've said this in the past, but we'll say it again, we developed that project, but we were not in a financial position to build that project and own it through construction. We made a business decision to sell that project. And then the new owner of that project, selected through a competitive RFP process. And then they started construction for that project. Now, you know, that ended up being a challenging site. And there was record setting rainfall in the second half of the year, when that site was in construction. 30 more inches of rain than the year prior. And on top of that, even though that that county had a solar policy, there was only about five conditions that project was actually totally binded to. There was one inspector that was responsible for the entire construction of that project. So, you know, there are a tremendous amount of lessons learned where we have actually sat down with Campbell County, that all of those issues are well documented. We've spent hours with them with the Environmental Programs Manager, writing it all down, figuring it out talking about it. We've spoken with Timmons. We've spoken with our internal engineers. We've spoken with really all the industry experts that we've had available to us during this whole process. And the

conditions before you tonight is really reflective of all the changes that we've made, because we felt like it was the right thing to do based on doing the additional due diligence that we've done. So I just wanted to use this as an opportunity to really walk through that. And, and we can talk about it. And if there's anything else, you know, that you all feel might add, you know, provide added protections for the community and in the surrounding land uses we'd be we'd be happy to consider that. So getting right into it. If you all have your conditions in front of you, I'm going to walk through the conditions. And then I'll also have some slides that relate to the conditions. I'll try to flip through the PowerPoint sort of as I walk through the conditions. The first sort of change that we've made as this has been, this is a sort of as a result of actually speaking with your own environmental programs manager. So if you look at 3 B, Lyn had expressed that some projects in the past, they would provide civil designs, and the engineers actually hadn't been to the site, and they hadn't seen it firsthand. And we actually heard similar feedback from Campbell County's environmental programs manager that if you review these plans without seeing what it is actually on site, then you might run into some issues. And so we went ahead, and we added that in here, on 3B, the second sentence, prior to the applicant submission, the erosion and sediment control plan, the applicant will contact the county's erosion and sediment control reviewer and use reasonable efforts to arrange a meeting on the property with the applicants engineer. The county may obtain with an independent third party review of the erosion sediment control plan at the expense of the applicant. So we're saying from the start, we're going to sit down with your environmental programs manager, we're going to get our engineers out, we're going to walk the site, and then we're going to use that to help better inform the civil design of this project. Now, without a doubt, the biggest commitment that we've made is reflected in 3 C. So we've aren't we already committed to phasing in the original set of conditions back in November, right. And so that basically, you know, dictates that the land within that's going to have solar panel facilities, or that will require some site work that will be disturbed in a sequential progression, right. And so, not more than 25% of the site will actually be disturbed at any one time, right. And so you disturbed 25% of the site, you stabilize it for the erosion sediment control handbook. Now, we've taken that a step further through direct feedback and a lot of conversations with the folks that actually do the inspections on these projects, our internal engineers, and we've gotten a lot of feedback that in reality, a really simple approach to avoid a lot of the issues that you run into is just getting grass out there growing. And so what we've done is we basically said, will discern the first phase, stabilize it move on to the next phase, but we actually won't go back into that previous phase until at least 50% of vegetative cover has been established, or two months has passed. And so that's just leaves time for grass to germinate, to establish, to mature. And we had this conversation, you know, we already had made this change prior to us actually meeting with Campbell County, but when we made this change, they said that this would have stopped a lot of problems. If they had done this at their own site. You know, grass is a great filter. I mean, really any vegetative cover is a great filter. And so a lot of the things that we've done here is to just try to limit the impacts to the extent that we can to make sure that there is proper erosion and sediment control and proper filters throughout the entire project site.

Now one thing I'll say is that that commitment, right you're basically there's gonna be months at a time in every phase where you're just watching literally watching grass grow. It's that simple. But what that does is it actually extends our construction schedule out. And so we're anticipating having this project operational in 2023. By making this commitment, the construction phase of the project will take longer. So there is downsides, but you do mitigate a lot of the risks that we've heard were associated with erosion and sediment control. And so we anticipated this would add that at least six months to the construction schedule, and so it ended up being about a year and a half for construction. And so more than likely, the project, if we're able to start construction in November, like we want to, that would bring us all the way out to 2024, sometime in 2024. So net, you know, summer of 2024. So, you know, it can take a little bit longer than that, but time is money, right. And then also construction loans. They're not indefinite. And so, you know, we've really pushed it as far as we could push it, to still being able to keep this project financially feasible for that. But, you know, again, it just, it felt like the right thing to do, given a lot of the concerns that the community has raised. And so we wanted to do that. Now, the next one is 3D, I mean, really, a lot of a lot of the things we put in 3 is directed towards erosion, sediment control. So 3D, a lot of this actually came out with speaking with the Division of Timmons Group that they're actually, they're the third party inspectors that will, that are, will be hired, or can be hired for sites like this. They're the boots on the ground, they're the ones inspecting these projects every day. And so coordinating with them, you know, we had a call and we said, okay, given what you guys see in all the projects that you work on all experience that you have, you know, what is what is something that you that you see as a problem. And so one of the major things that they said is really, you just need to be able to keep up with inspections. You need to be able to do preventative maintenance, like pretty much constantly. And so making sure that you know, there is proper oversight to ensure that the proper best management practices are being followed, you know, all everything is done by the block and proactively addressing any issues, you know, before they get worse. I mean, really, you know, an ounce of prevention is worth more than a pound of cure. And so really, that's what all this is, right. All these erosion and sediment control features, they're set up to just manage rain events, you know, that happened during construction. And so making sure that the contractor is on top of those, and is receiving inspections, basically daily, telling them where they need to make improvements where they need to go, you know, where there might be deficiencies in the site that allows them to take direct action based on those, that paperwork that they're getting from the third party inspectors, and fix the site and make sure that all the basins have the appropriate volumes, and everything is done the right way. So now, you know with that, all the inspections, right, the first one D, all erosion and sediment control facilities will be inspected by a quality, a qualified third party inspector, at least every four calendar days, or at least once every five calendar days, within 48 hours following any runoff producing storm event. Right. And so it puts it right in there, how often somebody needs to be out there. Now, the county, you could have somebody out there every single day. So in our setting agreement, we've committed to \$400,000 to support the County, the county can have county contracted inspectors, and we will reimburse them up to

\$400,000. And we've even got language in there where if it for whatever reason, exceeds that, then we can discuss, you know what else it might take. And we will be willing to do that. There's legal language in there that allows for that, and so \$400,000 that you can use to support plan reviews, and to support inspections throughout the duration of construction. Now, originally, that was \$300,000 in the last project proposal that was approved in November, but because of the length and construction schedule, we felt that it was the right thing to do to add a buffer in there to just make sure that there were, you know, enough funds to support all the inspections that would be necessary. So 2, 3, 4, all additional things is associated with erosion and sediment control. And then E, so it's came to our understanding that it sounds like that the county is going to opt in to DEQ to help support erosion and sediment control reviews. This is part of recent regulations that have been passed at the state level where the county has additional resources, they can opt in and work with the DEQ to support not just the stormwater, but also erosion sediment control. So we also added E here to say that while the county is opting in, the county, quote, the county may inspect the project during construction, as demonstrated by the county, and shall retain all enforcement rights under applicable law, right. And so the county would retain their jurisdiction. They would still have their third party inspectors, you know, Lyn would be there, the Soil and Water Conservation District and so it just adds even more oversight and confirmation that the county does retain all jurisdictional authority over the project. Moving on F, another stormwater, this is related specifically to the swift, you know, of course, it will obtain it. And that will maintain operational day to day controls of the swift measures. And that the applicant will cause the active updates to have to be made publicly available either electronically or at a location viewable not less than once per month, upon request by the public. So just best management practices that we went ahead and added in there. So this slide I have up is a slide that you've seen, and I've talked through this a little bit, but you know, there's been a lot of concerns with erosion and sediment control that folks that raised and so we sort of just want to beat the dead horse here, and revisit some of the things that we've already talked about. Again, AltaVista was a challenging site, it did have slope and Topo. They found springs, you know, when they were doing the grading work had record setting rainfall. Riverstone if you actually compare it side by side is much more favorable from a topography perspective. And then on top of that, with Alta Vista, I mean, we've done a pretty in depth analysis. Those drainage areas at Alta Vista is sort of shaped like a bowl. They do compound and all the waters are generally directed into the same location whereas Riverstone, there are established drainage areas throughout the entire project area. It's more spread out. It's not shaped like a bowl. And we've talked about this a lot but it what did that allows for is we can actually utilize the natural topography, utilize the existing drainage areas. And because there's so many undulations, you're actually going to have multiple smaller stormwater basins. We're actually anticipating about 200 stormwater basins for Riverstone. And so we had a discussion again, with Campbell County, and, you know, they had about 40 stormwater basins and had talked about, you know, a more enhanced design would actually be smaller, many more stormwater basins throughout the project. And so, you know, again, applying lessons learned directly from, you know, previous projects

that have well documented things where we can learn from the industry is always learning. Also, from a protections perspective, John did talk about we have about 900 acres of fenced area. Outside of that there's, you know, more than 1000 acres basically of just wildlife corridors, stormwater basins, erosion and sediment control features are like streams and wetlands that are that are going to be conserved open space within there. That's, that's going to allow for ample protections, it goes back to vegetation, right, and, and using all that that's in existence to our advantage, and making sure that the proper filters are in place. So the natural filters that that the earth provides us. We've talked about construction phasing. And we've talked about the third party oversight and just how preventative maintenance and oversight is critical to the success of these construction projects. I've included a site plan here. Just so folks will... But what we've done in the previous slides is the site plan, which we're all very familiar with at this point. But this slide is the panel facilities actually overlaid onto a topo map. So the red is greater than 25% slope and then the yellow is 15 to 25% slope. And then everything from 15% down is not highlighted. And so you can see here, yes, this is preliminary but we have a tremendous amount of in house resources that can get us really close to what this project will end up looking like you know, and you know, this I'm not trying to push the narrative that there's not going to be any grading where the solar panels are. There will be site work required there. There will be grading required. That's the nature of it. But you know, we are going to be this with this map demonstrates is that a vast majority of the steep slopes will be avoided. And I think that's a pretty powerful image that, you know, there have been comments that, you know, we'll have to grade everything flat and you can't build over 2%. But the reality is actually, that a lot of industries available technologies we can build up to 30%. Now industry standard is about 15%. And so that's why we've selected 15% to show this and you know, you can actually look the project on 60, you can see that that project follows the natural undulations, you know of the Earth, it's you know, so there is an image that will level this site, but it's frankly a misconception and untrue. I have up there is just the wildlife corridors. And so we've expanded these. We have about 450 acres of wildlife corridors. So this this basically allows for free passage of wildlife and everything within. This is just wetland streams, wetlands, stormwater features that you know, are comprised of basically grass. And then, you know, trees and buffers and things like that. And so in the yellow there is are all the wildlife corridors that we've included in this project that, that, you know, just pushing forward the concept that we don't have to fence this whole site with one contiguous fence, it's actually smaller sites. And each of the various arrays in each of the various regions of the property are individually fence creating free passage of wildlife and environmental species through the project. So jumping into just definitions here, Condition 5, you know, solar equipment. We were, we were asked to share some pictures, and give people a bit of a better understanding of kind of what to anticipate, right. You know, there are some there's been some confusion about the size of these solar panels. And so industry standard for a commercial solar panel that we would use is approximately seven feet long, and three and a half feet wide. And they weigh approximately 64 pounds. They vary by the manufacturer, but they all follow this, you know same general size and dimension. Now, there's two different racking methods. On

the left, you have fixed tilt, which those are oriented east to west the fixed tilt are just mounted to a fixed structure at the sort of perfect degree to harness as much power from the sun as possible. And then you have the single axis tracker, so those are actually oriented north to south. And then they pivot on a on a pole. And so when the sun rises in the east comes over and then sets in the west, it will track that sun throughout the duration of the day and then reset in the morning. So there's been some questions about what the collection station might look like. And so the collection station, there are two basically like sub stations associated with the project. There is what we typically refer to as the project collection station. And so all of the 34 5 KV collector from the panels in the inverters run into this project collection station. So this is a collection station for 138 kV. line just like Riverstone will be also in AEP territory, just like Riverstone will be. And so this is a substantially similar image to exactly what the Riverstone's project collection station will look like in the northeastern part of the project. There's typically right next to it and you can see the wires in the left side of the screen. These are right next to each other. Wires moving over into the interconnection switching station. So the interconnection switching station is actually this is what's going to be owned by AEP and so this is for 138 kV and then you can see the transmission lines and poles. You know, you can either have an H frame structure or a monopole. These are steel monopoles, and really all it's doing is it's just splicing the wires right into the existing transmission lines. And so this is exactly what we would have at Riverstone. Substantially similar. So going back to Campbell County in the Alta Vista project, we asked the project owners as we were doing our diligence and speaking with them about, you know, the items with that project, if we could actually go out to that site and take photos. So last October, we had an opportunity to go out. And these are actual photos of the Alta Vista solar project. Now, I'm using these as photos to demonstrate sort of what a single axis tracker and a fixed tilt would look like. But I also want to use it as an opportunity to show you that grass is growing, the project is stabilized, right, you can look at this photo. So these are single axis trackers from the front. And then you look at the next photo. These are single axis trackers from the side. And the wires are hung on the backs of the panels and then ran down along the side. And they'll all run on a home run down to an inverter station. This is the backside of a single axis tracker. Each panel is basically just mounted to this racking system and then daisy chain together. The wires are and then they're just tucked into the back of the panel, and then they'll just run down the full string. And then and then from there, they'll go to the inverters. This is Alta Vista in operations. They went into operations back in May when we took these photos in October. So this is a fixed tilt array. Alta Vista had a hybrid. So it was actually a single axis tracker and a fixed tilt. This is a fixed tilt array at Alta Vista, the areas fully stabilized and in operations. I know I've been talking a lot. I wanted to demonstrate this jumping to basically screening and setbacks. Those Condition 10 is really the start of it. But we also reproduced a third party visual simulation by Stantec. It's an engineering firm where they can actually graphically engineer these panels and they can put them in here. So if you if you try to follow along, I've passed out some binders as well. So this first page, I think there's three binders floating around, this first page indicates the location of where all these photos. Yeah, so this first page indicates all the photos that

were taken at the respective vantage points that they were taken from and they're numbered, one through six. So there was a total of six photos basically taken on all the major right ways along Bridgeport Road and also through on Payne's Pond Road. So we have photos here where you're basically right in the direct center of the site. So you know surrounded by panels we've taken pictures of that will show you before and after. This is photo location one this is at Payne's Pond and Payne's Road right at that intersection. So this is before. This is how it currently is so these photos were taken I think it was last September, August or September and then you go to the next photo. So this is generated five to seven years. This is what the site is anticipated look like in five to seven years with panels this is with panels installed. And so in five to seven years when you're when you're driving down Payne's Pond Road, you will not see panels to your right. This is a and then I'll skip the for those of you that have the binder, there's a 10 to 15 year too, but we'll just skip that because you know this you get the picture. Photo location 2. So this is at Payne's Pond and Bridgeport Road. So this is currently this is how the site looks right now. And as you know, we've committed to leaving a 50 foot buffer along all right-aways. well actually 75 buffer on right-aways. Now we've made that additional commitment, but then a 50 foot screening, or basically around all right ways and the entire property. And so this is what it looks like now. And then if you go to the next photo, this is what it'll look like in five to seven years. All of that vegetative screening will be maintained. And so unlike the project on 60, you can drive by it, and you can see the whole thing, you're going to leave all this vegetative buffer in place. And so folks that are driving by that might be concerned about the view shed, you know, they might not want to look at solar panels, what have you. You're not, you're not going to see it at this intersection. This is the third photo location. This is a Dianna Mill Road and Bridgeport road in the very south east corner of the project site. This is what it looks like today. And then if you go to the next photo, this is what it'll look like in five to seven years. So there's substantial screening along the right away here already in existence, and we'll maintain all that. You go to photo 4, this is right in the center of the project. So this is right in the center of Payne's Pond Road, except you're looking to the West. This is what it looks like right now, at that location. And then you go to the next photo. And this is what it'll look like in five to seven years. And so when you're driving down Payne's Pond Road, you know, Bridgeport is to your back, and you're driving up Payne's Pond Road towards 20, you look out to the left side of your car, this is where you're gonna see while you're driving through a solar farm. And then location 5. So this is a site that was very recently cleared by Weyerhaeuser. And you can see there's just some scrubby pines there. You know that they've replanted only I think about a year or two ago. So along this right away, we do have additional commitments that we've made specifically along right ways where basically, if there's inadequate screening already installed, we'll go back, or inadequate screening or vegetation in existence will actually go back and we'll supplement that with additional trees. We've actually made an additional commitment. We're going to do that along property lines too. But this this site, so this is, again, center the project, you're right on Payne's Pond Road, except you're looking east. So it's the same location, except instead of looking at the left side of your car, you're looking on the right side of your car. So this

is what it looks like today. And then you go to the next slide, this is what it will look like in five to seven years. We use all the same stand data provided to us by Weyerhaeuser. All the growth rates, and we worked with Stantec, who does this stuff all the time, based on the trees that are already planted there, this is what it will look like. And, so I mean, I think that's pretty powerful, right, you're in the center of a solar project and you're driving through the main vein that travels through that into your left and to your right, you're not seeing any solar panels. Now this 5th or 6th location, this is right on the very sort of like southwestern corner of the project. So this is on Bridgeport Road. So this is like the highest elevation of the of the very southern corner of the project. And so from this vantage point, you can actually have pulled off many times right there at that access road for Weyerhaeuser. You can actually stand on a mound and you can look out where however on the on the road you're a little further back, but this is sort of like worse, you know worst case scenario that we wanted to try to demonstrate here. So you look at this photo, and then you go to the next photo in five to seven years like at the highest elevation, you know, even with all the undulations, there is a chance that you will see some tops of the solar panels but you give it another couple of years and you won't see the project at all along Bridgeport Road. And so, you know while I've got the conditions here, list, you know condition starting with condition 10, setback from additional or sorry setback from existing residential dwellings, a minimum of 350 feet setback shall be maintained from solar equipment to any adjoining or adjacent residential dwellings. It's essentially a football field and so any existing residential dwellings there won't be a solar panel within 350 feet of that.

Matthews: Mr. Merrick, I do you have a question, If you don't mind? There was one citizen that said that stuff that was promised to her, which is Miss Jane Moss, is what she's saying, is that correct from what you guys have got?

Merrick: Would you please remind me what was...?

Matthews: She said she's within 100 feet, her residence is within 100 feet and she lives on is it Blue Heron Road? Is that what it was?

Miles: Ys, sir. Supervisor Matthews.

Merrick: Okay. So I know where Blue Heron Road is. And I'm familiar with that property. And so that property shares a pretty significant border with us. I don't recall the comment that she made, there were a lot of comments that were made, but I can say, along that were her property joins ours, at a minimum, there will be a 50 foot vegetative buffer there, at a minimum, and if her house was in, her house was built within 350 feet of our property line, like say it's like 100 feet from our property line, then you can basically draw, you know, you can pull line off that and draw a half circle, you know, we're where we

can't put any solar panels, you know, within 250 feet of that. And we'll maintain a vegetative buffer in that in that whole area, to the extent that we have control over that buffer.

Matthews: What is what is that distance? What would that distance be?

Merrick: So if she if, if what you're saying that she was saying that her house is 100 feet from the property line, and that would mean that there is a 250 foot buffer of contiguous vegetative screening that is that is maintained within that vegetative buffer. And so it's, it's basically 250 feet of forest. Okay. And there's no trees, or there's, you know, beyond that is where we would then be able to locate solar panels, but that would be a substantial screening for that for that landowner.

Matthews: Do we give that in writing?

Merrick: There? Yeah, we will be happy to provide a map actually, that shows...

Matthews: Can you get something to her too, in reference to that?

Merrick: Yeah, I'd be happy to do that. And so yeah, for all for all the landowners, we can actually it's really easy for us to generate, you know, we can look at where all the existing residential dwellings are, and we can apply these setbacks to them. And from a GIS perspective, you can see exactly every house and the distance of the buffer and how much screening that they're gonna have. We can be happy to provide that.

Matthews: Thank you. I appreciate that.

Miles: Thank you, Mr. Merrick.

Davis: I've got a question.

Miles: Yes, sir. Supervisor Davis.

Davis: Mr. Smith was saying something about his right away. What about that?

Merrick: So Mr. Smith...

Davis: Excess road to that property.

Merrick: Yeah, I mean, so we received the letter today, be happy to communicate with him about that. We can't violate any private property rights. You know, if they have an easement, they have an easement. We have to we have to honor that. And so we'll be in communication with them. And, and, you know, but that is a, that's a that's a private access, right. It's not necessarily germane to tonight's decision. But, you know, all existing, you know, easements that are in place in a project, we can't infringe upon those property rights.

Miles: Does that answer your question, Supervisor Davis?

Davis: Yes.

Miles: Okay. Thank you. Mr. Merrick. Before we go any further does any does any Supervisor or Chairman Bickford, do any of your members of the Planning Commission have any questions right now?

Bickford: Questions at this point or do you want to finish the presentation first? We're gonna wait until he finishes the presentation. Thank you, Mr. Chairman Miles.

Merrick: Okay, so before I get into some of the construction management, just to wrap up the conditions. One thing I want to jump to is 11 B. So what was codified in November was a 50 foot setback along right ways. So we've increased that to 25 feet more. So we have a total of a 75 foot setback along right ways. And so sort of where most of the community will be passing by the project along right ways and things like that. We've added additional setback so that the equipment is just sort of further off the highway there. And then 12, so this is actually a nod to sort of erosion and sediment control measures. Now, coastal counties in Virginia, they have requirements with the Chesapeake Bay Act. And that's actually where I grew up. And you'll see where they they've implemented areas like language basically regulations, where houses can't build up to a certain amount of the water. You know, they do that and primarily for stormwater creates more of a vegetative buffer between the Chesapeake Bay and where you see development. And so what we did is actually we included that here, where we have a setback from perennial streams of connected wetlands. So we've delineated streams or wetlands throughout the entirety of the project area. And what we're saying is, as an additional erosion and sediment control and stormwater management precaution, a minimum of a 50 foot setback shall be maintained from the solar equipment to the edge of all perennial streams and connected wetlands located within the project area. And so that's on both sides of it. And so all the streams that you sort of see when you're looking at the site plan that cut through the project and the associated wetlands and things that have indicator species there, we're going to set back off of all those an additional 50 feet on both sides, just to create more of a sort of vegetated filter, you know, to help manage and scrub water quality. Now

that we also heard from the community that there were issues with the fact that the buffers along property lines were not, quote maintained. And so we went ahead, and we just added that in there. If you look at 13 C, the applicant will maintain all buffer areas, right, and then expanded it with all the other language that we already had in there. So all buffer areas, including setbacks on property lines, setbacks, along right aways, and setbacks, from residential dwellings, everybody gets a buffer that's maintained. Now, along property lines, primarily, what we're going to do is just preserve existing vegetation that's there and just let that grow up. But, you know, we have taken that a step further. So if you look at 13 A, we say, the last sentence of 13 A, along the property line where there is no vegetation, or timber to retain. So it's just nothing there right now, there's nothing to retain, the applicant will supplement the buffer with new plantings in the 50 foot buffer. So this is around the entire perimeter of the project. This is uncommon for our industry. But we're sort of going above and beyond here just to just to show that you really are not going to see this project, and we're doing our best to protect you know, the view shed to the neighboring community make sure that this project can coexist with surrounding land uses. Okay, so the next thing I want to talk about is construction, there's been a lot of comments about traffic. And then just like jet in general managing construction and sound and things like that. So, 8A, we've committed to no pile driving over the weekends, so only Monday through Friday, which is the loudest activity typically associated with the construction of these projects. And so there'd be no pile driving on the weekends. Now 21. We've got it...we've already... this was already codified. But we're going to do a construction traffic management plan to basically, it's going to articulate how we're going to manage construction, right, the temporary traffic control measures that will have to be put in place to just make sure that the native joining roads maintain, you know, safety and everything like that. Now, we don't anticipate traffic to exceed the available road capacities. We think that there's pretty good roads right there adjacent to the project. So some folks have talked about construction counts, how many vehicles is it? So on this slide, we've actually, now this is based on a one year schedule. And so keep in mind, this is sort of like worst case, you know, because of the commitments that we've made with erosion and sediment control, and a longer drawn out construction, you get more days, but it's all the same amount of work. So a lot of these numbers likely will drop. But let's start with grading and site prep. So that, we anticipate that's gonna be about three to four months. That's about 50% of the heavy vehicle loads. So employee traffic, in that first phase is about 50 to 75 people a day, excavators and folks like that. But then average heavy vehicle traffic that's primarily going to be 23 loads a day. By far the largest deliveries are going to be dump trucks delivering gravel to make the internal access roads and then land clearing and prep. So about 23 loads a day for three to four months. And then you go into panel installation. So four to six months for panel installation. That'll probably take a little bit longer with the new schedule that we've got. Employee traffic, 150 to 200, on average, and there will... it is anticipated or will be shorter periods of up to 400 people. I mean, that's when you have the most people on site, just installing panels and getting the project built. And then average heavy vehicle traffic goes down as you progress into the project. So the primarily gravel and concrete delivery again, but also piles, rack

deliveries, and solar panel deliveries, and those are primarily coming in on, you know, larger trucks for deliveries. And then mechanical and electrical inspections. This is sort of the last phase here, employee traffic will be reduced significantly. A lot of this is just electrical work. Employee traffic is about 25 to 50 people. That's a typo that shorter periods about to 400 shouldn't be in there. But then average heavy vehicle traffic is about 10 loads per day, there's some going to be inverter deliveries, then also electrical equipment deliveries. And so one of the other concerns that we've heard, with AltaVista, we talked about this with Campbell County is debris on the roads. And so in the in the last set of conditions, we had talked about that we would take reasonable precautions to minimize impact and damage to public roads, including regular maintenance, and washing and sweeping. Now we've sort of expanded that, to where we basically just said, Each project is going to have a dedicated wash station, or sorry, each entrance is going to have a dedicated wash station. This is direct feedback from Campbell County. We had talked to them about this. And they this is something that they actually instituted. You know, after you saw some of those articles that had came out, they're like, we got to fix this, what are we going to do so they instituted this, in Campbell County told us that that helped considerably. And so there was much less debris on the roads after they instituted those and they no longer ran into issues moving forward.

21 C. So this is speaking with the new owners of Alta Vista, this was a recommendation and then was also discussed a bit with some of you all but during construction, the applicant will hold a town hall every quarter within the community. And so we would invite county officials, neighboring landowners and the broader Buckingham community. During these town halls, the applicant will provide a report on the project's construction progress from the previous quarter, and summarize construction activity to occur in the subsequent quarter and provide an opportunity to receive citizen comments, right. And so especially for the folks that are living nearby the project, if they have specific concerns or anything like that, or if they just want to understand sort of what's going on, they can show up to these town halls. We're going to do an every quarter during construction. They can ask questions. They can get an update on what happened and what's going to happen. And then they can voice any complaints that they might have straight to us. And then we can make design changes just to you know, iterate iteratively throughout the construction process just to make sure that their comments are being heard. And you all can join those meetings as well. You can participate and we can get together and if there's any issues, we can work it out. That's a lot of it. So, you know, moving on to the next one here. We had talked about this in the previous process. But you know, I've seen more comments from folks on Quail Run Lane, Hummingbird Lane, Georgia Creek Road, you know, those sort of surrounding communities to the northwest. And so in the last process, we're making the same commitment that we're making here. So all construction traffic is prohibited from using Quail Run lane. You know, the red roads here, Quail Run Lane, Hummingbird Lane, Georgia Creek Road, the northern entrance of Paynes Pond Road and so construction traffic can't travel south from the or sorry north from the you know, once you basically exceed the project limits, so no traffic on that sort of gravel road there on Payne's Pond Road as it extends throughout 20. So all of our construction traffic and primary access points will be along

Bridgeport Road and on Payne's Pond Road. Now during operations, we do need access that Western pride part of the project and so we have requested O and M access only through Georgia Creek Road to access sort of that that northwestern portion but that would be only in operations. And once you're in operations, it's only about one to two pickup trucks a week just for landscaping activities. We've discussed that in the past. So, before I wrap up here, I just wanted to cover condition 30. So, this sort of just adds an extra step that we're going here just to make sure that we can get appropriate ground cover established not only during construction, but you know, have a good rehab plan for long term stabilization. So, for ground cover prior to the start of construction, the applicant will perform no less than 10 soil test scenarios across the project area. To achieve an appropriate sample size of the project area. The soil test will be used to inform and develop a comprehensive and detailed vegetative management plan with the intended effect to revegetate the project area with ground cover. The vegetative management plan may include optimal seed types, fertilizer rates, lining rates, if necessary to be used for temporary and permanent stabilization. Once operational, the applicant will maintain cover in good condition throughout the operation of the project. Also where grubbing is not required for the construction or operation of the solar farm, or for the installation of erosion control and stormwater management features, existing stumps shall remain in place. So along, pretty much along all wetlands, and most of those buffer areas and anywhere in the project property where we don't need to touch it. We're leaving the stumps there, we're leaving everything in place, it's in everybody's best interest to limit grading to the extent practicable, and leave existing vegetation right where it is and not pull the earth up. So, you know, I think we've made wholesale changes, right. And like I said in the beginning, that's what this process was designed to do. And we've always from day one said that we're listening, we want to incorporate the community's feedback and you know, make changes. So next I asked Dan Jamison from Timmons group to join us. We also have an expert that produced the property value impact study, he's here. He can give a brief overview on property values as well. But if there are any questions before we move on, I'd be happy to answer them.

Miles: Thank you for your presentation. Mr. Merrick. Vice Chairman Chambers has indicated he has a question, sir.

Chambers: You said you will have at this project starts you will have town hall meetings? T

Merrick: That's correct.

Chambers: Were you willing to let me appoint someone in the community to inspect the project before the meetings?

Merrick: You appoint somebody...

Chambers: To represent the citizens in District Six? I represent District Six, and I'm gonna protect the people all I know how. Would you let me put somebody to go into project and, you know, before?

Merrick: Yeah, I think that's a good recommendation.

Chambers: I haven't talked to them yet. I'd like to appoint Mr. Pickett and Mr. Flood if they would do that? We're you willing to sit and work with the community?

Merrick: Yeah. Yeah, we can we can add language in here that, you know, basically, the county can elect to select somebody to represent District Six.

Chambers: Wait a minute. I'm not saying the county. Let me ask Mr. Flood and Mr. Pickens, would they be wanting to serve on a committee? Okay, Mr. Flood, would you be? Thank you. Okay. I think this should pick their representatives.

Merrick: Now, I don't know if it's appropriate to codify them specifically in this. I mean, they could move.

Chambers: No, what I'm saying is this. We need somebody that when you had a town hall meeting to verify that the project is going like you say it's going. They're going according to the plans. All I'm saying there. That's fair enough.

Miles: Thank you for that response. Mr. Merrick. Does anyone else have any questions for Mr. Merrick, right now?

Matthews: I do.

Miles: Yes, sir. Supervisor Matthews.

Matthews: There was a couple other citizens had referred to the depth of the decommissioning stuff, the wires and different things and, you know, I think it spilled out it's 36 inches right now, but I think there's some reservations, you know, in the general public, about possibly going a little bit deeper. So what the chances of that being...

Merrick: So, with regards to depth for decommissioning, 36 inches is industry standard. And that's pretty deep. 36 inches, I mean, three feet is really deep. You know, it's much deeper than a lot of the

phone lines or fiber or things that are that are installed, you know, in our residential communities. That's a good number for us. You know, it's, it can get really expensive to go, you know, below that. But, you know, we'd be open to, to considering that if it's something that that's important in the county. It ends up just sort of being more disruptive to remove it if we've got to go deeper, remove more Earth.

Miles: Mr. Chairman Bickford.

Bickford: Commissioner Crews has a question.

Crews: Yeah, I just had a question about the easement. The lawyer that spoke earlier said that you we're gonna need to be able to attach into the line.

Merrick: Yeah, I mean, similar to the other easement concern that was raised, it's a private legal access matter. And with all due respect to Mr. Hicks and his client, you know, we disagree with their assertion that, that we don't have the rights to that, you know, we're confident in our rights. And we don't need any additional easements to construct and operate the solar project. So but we're, we've been in communication with Mr. Hicks, and, frankly, his client for better part of a year, you know, we continue to communicate, you know, just last week, you know, we've had recent communications, and so we'll continue to work that out. But similar, you know, to my previous response, it's not necessarily, you know, germane to this decision before you, but I will say, you know, we're gonna honor, you know, the laws and existing easements and anything that may be in place.

Crews: Thank you.

Dorrier: Jimmy, I have a question. Someone brought this up during the meeting, about shallow wells. And that's all that's in that end of the county. We're not on the water system. Worst case scenario, what happens if you get a big rain and contaminate 20 wells? Could somebody elaborate on what would happen? Have you had this problem?

Merrick: No, it's we've had it raised in the past, but I mean, there's nothing that this project would do to the groundwater. The deepest that we go into the earth is really with the piles that hold up the racking systems. The average is about seven feet. And generally, you're not even in the bedrock at that at that point. And so we're not tapping in any reservoirs or, or anything like that, you know, we're not going anywhere deep enough to where you would actually have any even opportunity to damage the water quality of any of the any of the surrounding wells.

Dorrier: I was speaking of runoff, not from the depth that you go, but the runoff that you'd have. Shallow wells, we have this problem all the time, when we get a real bad rain, some of the people will have problems with it. The real problem with your runoff, it could contaminate all these wells and that's a big deal with these families down there.

Merrick: I mean, I'm not an expert on shallow water wells. But what I would say is like, typically with most wells, right, the, when it rains, the ground, like percolates through the ground. And as water filters down, gravity does its thing. It hits the bedrock. And that whole process of it going from you know, right at the ground level is to wherever the bedrock is 30 feet below, that's filtering the water the whole way down. And then and then it will, it will, you know, eventually it get trapped. And then you know, wherever you know water is gonna go path of least resistance to those ground wells and so the natural earth will filter that water you know, but I'd be happy to look into it a little bit further for you, but I don't I don't anticipate any issues with shallow wells.

Dorrier: Let's say, we have five inches of rain. It's gonna filter to that ground. It's gonna go really deep. And with the runoff that you have from this project...

Merrick: So we have Timmons here to discuss that in depth. I mean, construction, runoff, or post construction runoff will not exceed pre construction runoff. That's the law. Right there. All of these stormwater basins that we've proposed, when it rains, that rain will get trapped in these stormwater basins, sediment will fall to the bottom of that basin. And then rainwater will percolate through that naturally back into the ecosystem. We don't anticipate any runoff associated with this project.

Dorrier: Okay.

Merrick: We also have Dan here with Timmons. He's a civil engineer, he designs these projects.

Miles: Mr. Merrick, what I was going to do is just ask the board, rather than having all three or four people present, would you all rather have them present or just ask them questions of them, maybe? What's your prerogative as far as questions? Okay. So maybe you could introduce who you have here for the Board and for the Planning Commission.

Merrick: Yes. So Dan Jameson is a civil engineer with Timmons Group based out of Richmond. And then we also have Rich Kirkland. He's actually the appraiser that put together the property value impact analysis that we included in our application. So Dan's good with water and civil, and then pitch rates can talk, you know, property values or any impacts, you know, folks that might have concern with that.

Miles: Planning Commission and Board, are you all good with that? Yes, sir. Supervisor Davis.

Davis: Virginia State Sediment and Erosion Control says that it should be active once every five business days or within 24 hours of any quarter inch rain or more. We had 48 hours in there, should be any significant rain.

Miles: That is condition number...

Merrick: That's gonna be D, I think.

Miles: Just for the Board and the Commission, that's condition 3d.

Davis: I have to take this every three years.

Merrick: We can change it, we can change it to 24 hours.

Miles: Are you amenable to that, Mr. Merrick?

Merrick: I think it's a good idea. I mean, I think there's gonna be more inspections. And even what we've got in here.

Davis: It states is this is DEQs Protocol. Any rain event more than a quarter of an inch it has to be?

Puvak: Yeah. John, you got that? Yeah, I'll just I'll clarify, you know, this was intended to be enact, we know, we have to meet law. So this, this isn't specific to, you know, this is any random event. Right. So I mean, your threshold is more than that for separate events. So this was intended to be more inspections, but we can put in there for clarification that, you know, if we, if it's a significant rainfall, we'll do it within 24 hours. Its just meant to be really for any rainfall.

Miles: Supervisors Davis, do you would you like to have that? Okay. So, with the consent of the Board, and the Planning Commission, on Item 3 D on the third line, will change 48 to 24. Is everyone on the same page with that? Yeah, so on Item 3 D. We would amend the third line down, change that from 48 to 24. Is the only would be the only change there. Is that correct? Supervisor Davis?

Davis: No, it would be any rain fall of quarter inch or more.

Miles: For just for clarification, for clarification that right now it says following any storm event. So, so that would capture that? Is that correct, Mr. Merrick?

Davis: Ok.

Merrick: Yeah. Okay.

Miles: Just 24 then?

Davis: If this gets approved or whatever, whoever our 3rd party contractor is would have to go there.

Miles: Right. Okay. Yeah, so that's changing 48 to 24 on line 3, under condition 3 D. Does anyone have any questions for any of Mr. Merrick's colleagues with regards to values or water and engineering?

Allen: Land value has come up if that's what he's got.

Merrick: Rich, you want to give me a couple minutes.

Kirkland: So, good evening again, my name is Rich Kirkland with Kirkland Appraisals. I'm out of Raleigh, North Carolina. I'm a certified general appraiser in a number of states including North Carolina and Virginia, also an AMI, which is a national designation put out through the Appraisal Institute. I've been looking at solar farms for about 13 years. And I'm sorry, when I'm, I don't know what I'm doing to this microphone. But it doesn't like me. Is it better to get closer or further? Further? Okay. So I've been looking at solar farms for about 13 years, and that time, I've looked at over 900 solar farms. We're looking to just see where they're located, what's around them, how close they get to solar, adjoining homes. We've been compiling that data and looking for sales of homes next to solar farm so we can measure to see if there's any impact on property values. So as we've done that it's presented, I believe it's part of the record, or is it not? It is. So we've been doing that analysis for some time now. And you've got the match pairs that we've gotten there. They're consistently showing no impact on property values. And it's very consistent with what we've found looking at National University Studies, University of Rhode Island's put out a study that found it gets cited a lot because it says it did find an impact and high population density suburban areas, but in rural areas, they found no impact on property values. And they defined rural is less than 2000 people per square mile. The area and we were this is less than 200 people per square mile. So significantly below that threshold. University of Texas has got a survey of appraisers out that showed no impact on property value. It was the conclusion of that study. It gets cited sometimes because in the survey process, they interviewed appraisers who self-identified as saying they

had no experience with solar, but they were going to guess it impacts anyway. And they consistently were the ones who guessed very high impacts. All the appraisers who self-identified with experience or pricing around solar farms came up with impacts between minus three to plus 10%, saying that this farm was more likely to be an enhancement than a negative. There was a Georgia Technical Institute did a study looking at agricultural lands across North Carolina, found actually a slight positive impact on agricultural land after a solar farm was put in. They attribute that to perception that there might be potential for additional solar farms in those areas. I believe I'm not exactly sure. But again, the university studies are all supporting in that thing. I'm not familiar with it, Netherlands study that was mentioned earlier, but I would focus more on the data from the States. We've also surveyed assessors across Virginia and North Carolina just to find out how they treat property next to solar farms. We've got a 100% reply from the counties and the county assessor's where they have solar farms, but they make no adjustments for property is next to solar farms. And I've got three responses suggesting that it might be a positive impact on property values, but they don't make adjustments for that. So the match pair data that I've looked at, the university studies, the assessors data are all showing no impact on property value. And again, I've interviewed and I've been involved looking at these solar farms across 20 states at this point, I've worked with MAI's and other appraisers and all these other states, including 2 here in Virginia. We've reviewed my work has been peer reviewed multiple times. So again, there we have to go into greater detail or answer any other questions.

Allen: I mean, so was it a difference between having vegetation or no vegetation? Was land going down?

Kirkland: Again, yes, I mean, to an extent, we do impact analysis on a lot of things, not just solar farms. And the only category of externality that doesn't impact from solar farms is really that view shed the appearance. And so appearance is typically the smallest category impact we can measure. And what happens is, is with distance that setbacks and landscape buffering, it addresses that fuse shed and adequately does. And that is actually part of what the study from University of Texas discussed was that additional landscaping buffering would always be advantageous. And that is what we're finding is data that is supporting that is that appropriate setbacks and landscape buffering is addressing that. That's not to say that you have to have an invisible solar farm. You can see in the report that I gave you, I've got pictures of homes that sold next to solar farms, where you can see them, but they have filtered views for the most part where you can maybe see bits of them are very distant views. But again, they have distances. Typically, starting at 100 feet, I've got the closest match pair I've looked at as a home, brand new home that was built next to an existing solar farm. So 105 feet, I think, to be exact between the closest point in the home the closest panel, and they had minimal landscaping buffering there. So there's a wide range and it happens, you find that typically more in those areas where you've got more development pressure.

Miles: Supervisor Allen, does that answer your question, sir?

Allen: Yeah, I guess so.

Miles: Okay. Thank you, sir. Does anyone else have any questions for the gentlemen? Mr. Merrick, do you have more that you'd like to present, sir? Or does that conclude your remarks?

Merrick: We have 2 last slides, we will make it really quick. So really, we just want to hit again, on the economic impacts that this project will have the county. So to the left is the current agricultural use currently on the on the Weyerhaeuser property. So if you look at the tax rate for the next 40 years, that brought that whole property that we're proposing this project on rolling at about \$300,000 for the county. Now, if you look at it with the proposed solar project, that's a total of \$16.8 million that the county would receive in direct economic tax benefits for the life of the project. And so your choice is \$303,000, or \$16.8 million. Now, also, during construction, we've talked about this, but there's a significant pulse of, you know, onetime flux of economic activity with all the jobs and buying, you know, approximately 400 jobs, you know, more than that, more than likely, that represents about 24.3 million in wages associated with those jobs, and also 66.7 million in economic output. And so that economic output is purchasing gravel, you know, paying for all the land work and everything like that, paying for hotels, gas, all you know, you know, all the restaurants full and all the hotels full and everything like that. And then during operations, things drop off, right, the solar farm operates pretty passively, things get quiet. From that point on, we estimated about six full time jobs during operations of the project, about 250,000. In wages, it's primarily landscaping activities, and you know, stormwater base and maintenance, things like that replacing panels were maybe necessary, but the minimal wages there, and then about 725 in economic output. So the county did pass a revenue share ordinance last year, we have committed to paying the county the full 1400 per megawatt for the revenue share, and that escalates actually 10% every five years. But that starts in 2026. That's not tied to when the project becomes operational. So as soon as like two years from when we anticipate COD in the project, reaching commercial operations is when that 10% would hit. And so then that's when you start to see the revenues jump there. But in year one, just in like the revenue share, and in real estate taxes, it's about starts out at about 261,000. And then this graph shows you how that will continually escalate over the life of the project to about half a million. Now, through the siting agreement, we've also committed to additional payments to the county. So when you include those siting agreement payments, the county, within the first year of operations will receive about 1.8 million in direct tax benefits of reaching commercial operations for the project. So that's all I have today available for any questions you all may have. You know, we want to make sure that you have all the information you need to make decisions on this request. Thank you.

Miles: Thank you, Mr. Merrick. Does any supervisor have any last minute or any member of the Planning Commission have any last minute questions for Mr. Merrick before we turn it back over to the Planning Commission for deliberation?

Bickford: I do have one question I'd like to ask. To engineer please. I think I already knows the answer. But I just like to make sure. Once the project has been approved, and it started in the construction phase of it, what is the flexibility you have to say, for example, add an additional catch pond, or enlarge a catch pond? What's the flexibility in that, in the process? The main concern, the most of the constituents always goes back really to the construction phase, one with the dirt being moved and possibility of runoff occur. So if say, for the county agent were to go out and realize that the plan doesn't call for catch pond that may be needed, what's the flexibility in changing that?

Jameson: The swift document as a whole, which is the document during construction, that's what the it's going to have all the inspection reports, it's going to basically, you know, inform them how to go about building and inspecting and contains the approved plans. And there, it's meant to be a living document fuel conditions, we can do the best we can on paper fuel conditions may dictate something different, it's meant to be then just updated accordingly. And that's something as large as a catch basement, if it especially if it's going to be permanent. As most of these are converted, we're using them during construction for the sediment to catch the sediment laden water, but we're using them in operational for the rate control to make sure that that pre to post. So if it's something large like that, then you probably wouldn't need to go through a permit modification, just make sure that everyone has reviewed that, you know, it's not just the contractor digging a hole and putting a pipe in it, that an engineer's looked at it. And that takes a little bit of design effort. But typically, that would just be coordinated with that environmental inspector, the county, whoever the appropriate EHJ authority having jurisdiction would be, you know, and mostly if it's an original control item here at the county level that we all agreed needs to be put in, we can come up with a design and make sure that is appropriately designed.

Bickford: Would that process take long if you had to make a modification?

Jameson: Well, that's really up to, you know, the inspectors in the county, if it's something that you see that's really needed, we could go ahead and get, you know, I would recommend that we go ahead and get it on the ground. As you know, at least we can come up with a preliminary design. If it needs to go through the state permitting process if we're going to keep it at their modification, while they don't really have a process that goes through the typical review. They're pretty understaffed right there. So that does take a little bit of time, but we can at least get it on the ground and approved from the erosion control

standpoint. That's a pretty quick, easy calculation while we're going through the permitting side with the state for the permanent measure.

Bickford: Okay, thank you, sir.

Jameson: Absolutely.

Miles: Any other questions from the Board before we turn it back over to the Planning Commission for their deliberation and their recommendation? Okay, all right, Chairman Bickford, I'll turn it over to you and your body, sir.

Bickford: Thank you. Chairman Miles. Alright. That brings it to the Commission. You have any discussion? Or other questions that might need to be asked?

Gooden: Do we still have VDOT on the line?

Bickford: Oh, you mean about traffic?

Edmondston: We don't. We had VDOT until 930. And they were no longer with us. But they are both available with questions later, but they could not stay for this meeting.

Gooden: Okay. Thank you.

Bickford: Any other discussion among Commissioners? Seeing none, I need a motion to move forward, or deny or perhaps to table?

Miles: Mr. Chairman, if I could, I would just make sure that you have those two changes. The one from 48 to 24. And then the adding the language from Vice Chairman Chambers that would have to county appointees from District 6, to be involved in some inspections and to be present during the town hall meetings.

Bickford: Right. If we move forward, it will be.

Miles: I just want to make sure.

Shumaker: Mr. Chairman I'm confident in the work that we've done. I think Jimmy did a good job tonight in his presentation. We heard a lot of notes about slowing down, turning a deaf ear. I think he did

a good job outlining that timeline and made a decision a few months ago. So on that note with these changes, I would move that application 22-SUP299 be sent to the Board of Supervisors with the recommendation of approval with the attached conditions with the modifications.

Bickford: Okay, have a motion, do we have a second?

Gooden: I second it.

Bickford: Do we have any further discussion? Seeing none all in favor, raise your right hand. That's four. All opposed the same sign. 4 for and 3 against. Chairman Miles, the Planning Commission has approved it with a 4-3 vote with the changes in conditions.

Miles: Yes, sir.

Commissioner Shumaker moved, Commissioner Gooden seconded to approve 22-SUP299 to move forward to the Board of Supervisors with the approved modifications in the conditions as outlined. This motion passed with a 4-3 vote. Commissioners Shumaker, Gooden, Bickford, and Crews voting in favor. Commissioner/Supervisor Allen, Commissioners Taylor and Dorrier opposed.

Miles: So the Planning Commission has voted to recommend approval of this project based on what was presented and with the two changes that are outlined from 48 to 24 hours of a rain event and then adding language in there to add two representatives from the District Six community to be present during the quarterly town hall meetings and to be privy and present for some inspection. So does anyone have any comments, Supervisors, any questions before we take action? So I ask you what is your pleasure?

Bryan: Chairman.

Miles: Yes, sir Supervisor Bryan.

Bryan: I've listened to the comments both for and against. I do know that we have about 51 years of oil left, 114 years of coal and 53 years of gas and fossil fuels will be probably done. Renewable energy is probably the cleanest way to go. I think with all the conditions that we have in place to prevent it from being seen. Therefore upon a consideration the information set forth in the application of the material by the staff that has been done with the Planning Commission I move that application SUP299 be approved with the attached conditions received from the Planning Commission be approved.

Matthews: Second.

Miles: Is there a second to that motion? Okay, motion by Supervisor Bryan seconded by Supervisor Matthews to approve 22-SUP299 with the attached conditions and after having received the recommendation from the Planning Commission. Does anyone have any questions or comments before we vote? Okay, all in favor of that motion, raise your hand in support of the motion. That's four and opposition to the motion. That's three. So the application is approved on a vote of 4-3.

Supervisor Bryan moved, Supervisor Matthews seconded that application SUP299 be approved with the attached conditions received from the Planning Commission be approved. This motion passed with a 4-3 vote with Supervisors Bryan, Matthews, Miles and Bryant voting in favor. Supervisors Allen, Chambers and Davis opposing.

Davis: Mr. Chairman.

Miles: Yes, Supervisor Davis.

Davis: I suggest that the County hire Hurt & Profitt to approve any erosion and sediment control plan that's set forth by Apex.

Miles: It's making noise.

Davis: I make recommendation that the County put Hurt & Profitt on retainer to approve, to inspect or go over any erosion and sediment control plan to set forth by Apex on behalf of the County, since they know what they're looking at. Can we do that, E.M.?

Mr. Wright stated that there could be preliminary discussions but the procurement policy must be complied with.

Miles: Supervisor Davis, Mr. Wright. Thank you. Mr. Vice Chairman Chambers?

Chambers: Mr. Pickens and Mr. Flood are to serve on the committee right?

Miles: Yes, sir. Yeah, that was understanding in the motion. Yeah. Okay. Um, I do want to say, thank you all for coming out. Thank you for your public comments. They were many, and we certainly did listen. And so thank you all for what you submitted. And I'll turn it back over to the Planning Commission now for their further action.

Bickford: Do I have a motion to recess with reconvening on this Wednesday at six o'clock?

Dorrier: So moved.

Crews: Second.

Bickford: We have a motion and a second. All in favor, raise your right hand. That was unanimous and we are in recess. Thank everyone for their participation. And thank the staff for the hard work they did getting the worksheets and all through us and thank you public participation.

Re: Public Hearing: Siting Agreement

Miles: We do have, so the Board of Supervisors will remain. Thank the members of the Planning Commission and the chairman. We do have another public hearing to hold with regards to consideration of a siting agreement between the County of Buckingham and Riverstone Solar LLC. And Mr. Wright, I would hope that you would address that place. And we're gonna go and so, so if everyone so if everyone would, will remain quiet as they leave so we can continue our business, if you don't mind. Thank you, Mr. Wright

Wright: The Board has advertised a public hearing from the siting agreement tonight. Very briefly, the copy that you received in your package has one typo there. And if you look on page three, paragraph three, the most of those amounts should be \$400,000. I understand Ms. Lann has provided you with a correct copy where both of them provide for \$400,000 rather than \$400,000/\$300,000 as it was so that that means that has been corrected.

Miles: Mr. Wright. Could you repeat that, please? And could you get a bit closer to the mic if you don't mind, sir.

Wright: On page three, paragraph three, both those numbers should be \$400,000. You have a corrected copy that Mrs. Lann provided you at the beginning of the meeting.

Bryan: Yes, sir.

Wright: Alright, so that's the agreement we're working from. The highlights to hit the highlights. There's some pretty important things in it there. There's at \$400,000 to set for reviews and inspections. Also, the agreement help sets the parameters of the decommissioning agreement the bond surety to

ensure performance, review over five years and adjusted accordingly. The decommissioning agreement needs to be agreed upon before the building permit can be issued and combined with the SUP conditions are not using salvage value, etc. The general form of the decommissioning agreement has begun to take shape on major issues. It also gives the right of insert for enforcement of decommissioning. It sets the building permit at \$250,000. And it provides cash payment to the county of \$1,750,000 paid to the county 30 days after commencing operations. And the rest of it is primarily just the housekeeping items associated with an agreement. But that's the highlights concerning I understand this one person signed up for public comment.

Miles: Yes. So what I'll do is go ahead now and declare the public comment, period. I mean, the public hearing open. Mrs. Lann, do we have anyone signed up?

Lann: Scott Flood.

Miles: Mr. Flood if you would come up and you have three minutes sir from when you start talking.

Scott Flood: Well, good evening again. This is the last opportunity that the Board has to review this project. Once the siting agreement is approved, the Board loses its discretion over all aspects of this project. All remaining approvals, including the bonding for decommissioning must be done administratively by staff without further review or input from the board. The costs and information before the Board, specifically those related to decommissioning are inadequate and should be vetted more fully before adoption of this agreement. So how much will it cost to decommission? Very important question. It could cost the county a lot of money. All of this that we've gone through, all of this will go through for the next 40 years could any money that the county is getting could easily be erased or easily end up costing the county money. So at the decommissioning, if there's no LLC, which is very likely to not be and the landowner sheds his property. The county will be responsible for whatever comes next. So if this bond, this put up is not in the right amount. So to go to that aspect we asked his name is Dr. Herbert Eklund. He's an Emeritus Professor of Mechanical and Aerospace Engineering, North Carolina State. And this, this information's been sent in before as the decommissioning report. Anyways, he recommends and this is he does these, it's not like he's not an expert. He's saying that the decommissioning and land reclamation costs could exceed \$15 million. So the numbers that we've heard so far, we were told, what were we told 4 million, 5 million we might get the bond for. So \$15 million, so and that's in today's dollars. So if you put that 14 point 8 million in today's dollars, it's coming, what is it down to like 9 million? So now we've got a \$10 million difference at the end. Alright, so we're taking the project apart. \$10 million difference. We went through all of this, we sacrificed all of this to lose money. So now where they get this responsibility of another, maybe another Love Landfill. The county could be stuck with all of that expense. It's just a possibility. It seems

like before the siting agreement is approved, you should take a pause right. Absolutely, respectfully and take a pause and please get your third party review in please ask someone who has financial expertise with all these things to just give you some other opinions of what it might cost. It really could save the county a lot of money in the end. Thank you.

Miles: Thank you, Mr. Flood. That being the case, and we don't have I'm sorry, Mr. Wright?

Wright: The decommissioning agreement will come back where you will have to authorize your signature before it's entered into.

Miles: Yes, sir. Thank you for that clarification, Mr. Wright. That being the case. Okay. So no more public speakers, ma'am.

Lann: Kenda Hanuman had signed up but she left.

Miles: So I'll declare the public hearing closed the and turn it over to the Board of Supervisors for consideration or any questions of Mr. Wright.

Bryan: Mr. Chairman, I move that the siting agreement between Riverstone Solar LLC and the County of Buckingham be improved. County Administrator be authorized to sign the agreement on behalf of the County.

Allen: Second.

Miles: Okay, the motion by Supervisor Bryan and has been seconded by Supervisor Allen to approve the siting agreement as stated in the motion. Does anyone have any questions before we vote? Okay. All in favor, raise your right hand if you're in favor of the motion. Okay, those opposed? The motion is agreed to on a vote of six to one. Thank you, Mr. Wright.

Supervisor Bryan moved, Supervisor Allen seconded to approve the siting agreement between Riverstone Solar LLC and the County of Buckingham and authorize the County Administrator to sign the agreement on behalf of the County. This motion passed with a 6-1 vote with Supervisor Davis opposing.

Re: Consider request for contribution of \$2,000-4,000 to the Cody Woodson Memorial Computer Science Scholarship, VCU College of Engineering, VCU will match the contributions if \$50,000 can be raised.

Miles: We do have a few other Board matters to consider three of them. Actually, the first one is item I-1 Consider requests for contribution between \$2,000 and \$4,000 for the Cody Woodson Memorial Computer Science Scholarship, VCU College of Engineering. VCU will match the contributions if \$50,000 can be raised and there is some documentation as to this.

Chambers: Mr. Chairman, I make a motion to approve for \$4,000 for the Cody Woodson.

Allen: Second.

Miles: The motion by is by Vice Chairman Chambers, seconded by Supervisor Allen to contribute \$4,000 to the said Memorial Scholarship in honor of Cody Woodson. Any questions before we vote? All in favor please raise your right hand. Those opposed? That decision is unanimous. Thank you.

Vice Chairman Chambers moved, Supervisor Allen seconded and was unanimously carried by the Board to approve to contribute \$4,000 to the Cody Woodson Memorial Scholarship.

Re: The Fire Association wants to move the Tractor Pull a week early to July 16th and rain date of July 17th. The Board approved July 23rd and 24th at the February 14th meeting.

Miles: The next item is with regards to a date change for and a rain date change for the tractor pull that we've previously approved. Mr. Carter, do you want to chat about that? Or is there any discussion needed?

Carter: You guys like it said approved at the last meeting to let them use that property on July 23, with a rain day of July 24. I've met with the Firefighters Association last week, and they had an unseen conflict that they want to move it up a week, so you want to use it July 16, the rain date of July 17. So in order to change that day, we need you guys to vote. I need a motion.

Chambers: So moved.

Bryan: Second.

Miles: Motion by Vice Chairman Chambers, seconded by Supervisor Bryan to agree to date. Does anyone have any questions before we vote? All in favor? Raise your right hand please. Those opposed? Decision is unanimous.

Vice Chairman Chambers moved, Supervisor Bryan seconded and was unanimously carried by the Board to approve the date change from the Fireman's Association for the tractor pull from July 23 and 24th rain date to July 16th and 17th as rain date.

Re: Alternative Education classes for the School Board to use the Arts Council Building for their classes

Miles: Our last piece of business is with regards to Alternative Ed use at the Arts Council building. Mr. Carter or is there any? You want to elaborate, sir?

Carter: I'll read this. It was per instruction of the Board of Supervisors to meet with Dr. Keeler, and a school board representative. So you assigned a committee which was Supervisor Chambers and Supervisor Matthews and we met with Dr. Keeler. We tried to give him some alternatives to use a community center. So we met with him I can't remember the day, we met with him here we took a tour of the Arts Council building and Dr. Keeler thought that Arts Council building was a good site for his alternative education program. We have a couple housekeeping items we got to do to make that space work for him, but we can get that done. He also mentioned he will pay us rent. So we were thinking if we get that rent money, we could use that money to actually work toward repairs in that building. So Dr. Keeler took this to his board and his board agreed. They would like to use this building. The hours will be 9:00 to 1:00 each day. They want to start using the facility March 7, so it'd be a week from Monday.

Miles: Do we really need action on that service?

Carter: We need to take action so I'm asking you tonight to approve.

Allen: So moved.

Chambers: Second.

Carter: I and the County Attorney will work on getting documents for the agreement.

Miles: Thank you Mr. Carter. So Supervisor Allen moved and the Vice Chairman Chamber seconded the motion to allow for such use in the building. Any questions before the vote? All in favor, raise your right hand. Those opposed? It's unanimous.

Supervisor Allen moved, Vice Chairman Chambers seconded and was unanimously carried by the Board to approve for the School Board to use the Arts Council Building from 9:00 to 1:00 daily for Alternative Education Classroom.

Re: Recess to reconvene

Miles: Our next item is we're going to recess to reconvene at 5:00 p.m. on March 14, 2022. For our VDOT Six Year Plan Work session.

There being no further business to discuss, Chairman Miles declared the meeting recesses to reconvene at 5:00 p.m. on March 14, 2022 for VDOT Work Session.

ATTEST:

Karl R. Carter
County Administrator

T. Jordan Miles, III
Chairman