

The Permitting Landscape in NC

Erin Kimrey, NC Conservation Network

Paul Quinlan, NC Sustainable Energy Association

Where wind could be developed



Key State Laws for Wind Projects

NCUC Certificate	- All
Ridge Law	- Mountains
CAMA permit	- Within 75 feet of water - In state water
SEPA EIS + state land / \$ + state action + impact	- NOT on private land - Maybe on state land - Likely in state water - NEPA in federal water

Other state regulations that might kick in

- Sedimentation / erosion control plan
- Buffers
 - 50 foot in Neuse and Tar-Pam watersheds
 - 30 foot in coastal zone
- Wetland disturbances
- Historical significance

Other agencies that might review

(for example through SEPA or CAMA)

- State agencies
 - Marine Fisheries
 - Water Quality
 - Land Resources
 - Wildlife Resources
 - Cultural Resources
 - Environmental Health
- Federal agencies
 - Army Corps of Engineers
 - Fish and Wildlife Service
 - Marine Fisheries
 - EPA

Gaps in the NC Process

- There is no consistent or guaranteed process for addressing environmental impacts (especially on private land)
- There is no mechanism for addressing cumulative impacts
- Many windy counties don't have zoning or necessary in-house resources
- The regulatory process is patchy and confusing.

Minnesota's Process

- Wind-specific state level permit (over 5 MW)
- Consolidated permit
- Lead agency: MN Environmental Quality
- Wind-specific environmental review
- Clear timeline (180 days)
- Public input process

What a Statewide Wind Siting Process Can Provide...

- Streamlined and clear review process
- Consistent review and mitigation of possible environmental impacts
- A clear and transparent public input process
- Public confidence
- HB 1821, DENR Permits for Siting Wind Energy Systems

Local Government

- Existing county wind ordinances
 - Watauga County
 - Ashe County
 - Camden County
- Pending county wind ordinances
 - Currituck County
- Existing municipal wind ordinances
 - Blowing Rock – ban on wind development
 - Kill Devil Hills – approved turbines at brewery

Moving Forward

- Continue to educate the general public
 - Public hearings
 - Demonstration projects
- Work with local government officials
 - Provide resources to local governments
 - Comment on draft wind ordinances
- Clarify state-level regulatory issues
 - Identify existing regulatory responsibilities



Photo by Kris Coracini. Location: Denmark

Erin Kimrey, NC Conservation Network

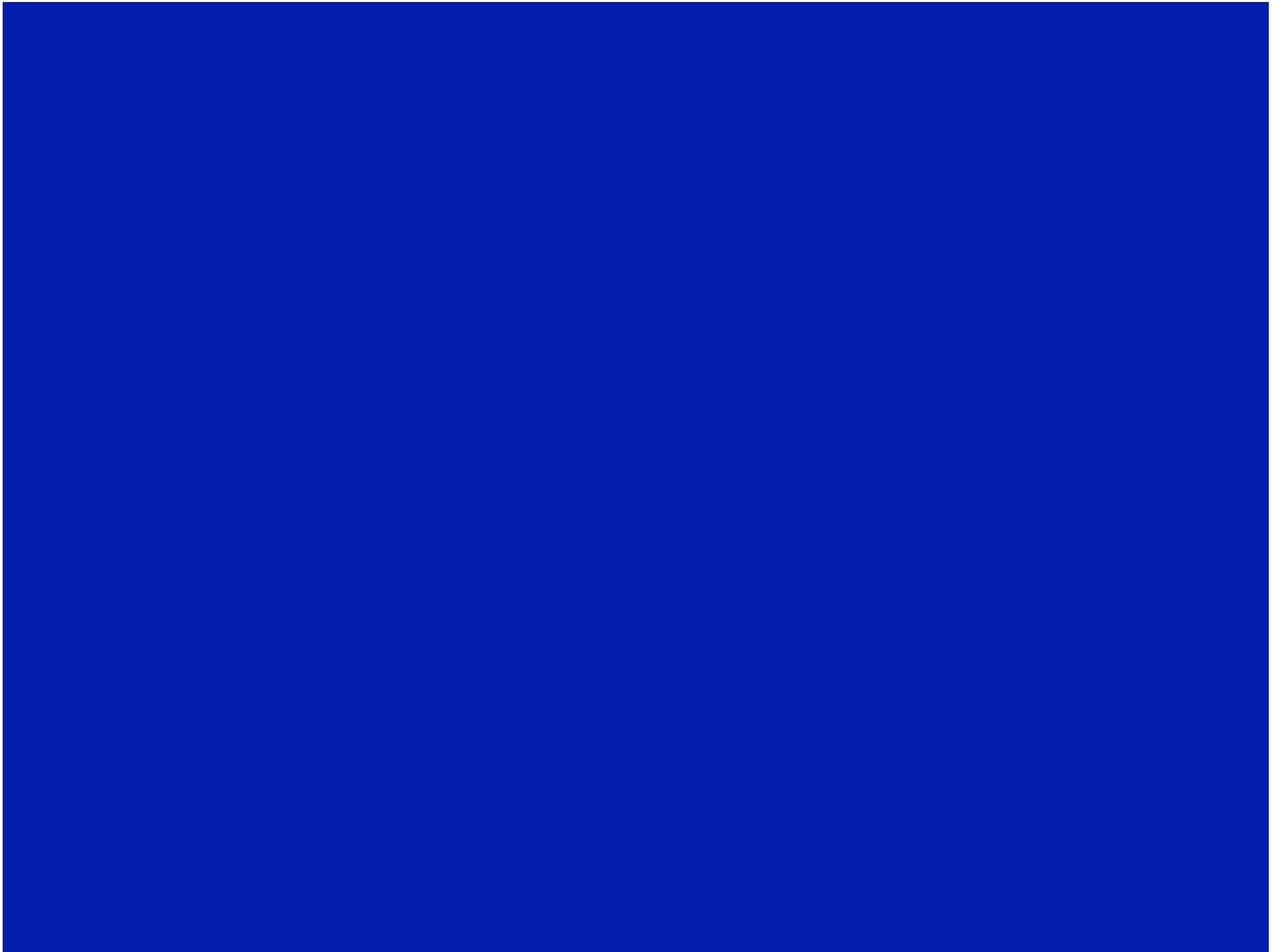
erin@ncconservationnetwork.org

919-857-4699 x107

Paul Quinlan, NC Sustainable Energy Association

paul@energync.org

919-832-7601



Other states

	PUC Certificate	Centralized Permit	Enviro. Review		
TX	•				
CA			•		
IA	•	•			
MN	•	•	•		
OR	•	•	•		
WA	•	•	•		
PA					
VT	•		•		
VA	•		•		

	NCUC certificate	Ridge Law	SEPA EIS	CAMA permit
Mountains -- state land	Yes	Yes	Maybe	
Mountains -- private	Yes	Yes		
Coastal land -- state land	Yes		Maybe	Probably if within 75' of water
Coastal land -- private	Yes			
State water	Yes		Likely	Yes
Federal Water	Yes		NEPA	