

Attachment L – Mitigation Plan

WALLER SOLAR I, LLC MITIGATION PLAN

The Applicant proposes the following mitigation efforts to minimize/remove the potential impacts to natural and cultural resources within and in close proximity to the Project.

Threatened and Endangered Species

Threatened and/or endangered species do not exist within the Project. Information provided by VDCR and VDWR indicate the Project will not have an adverse impact, so mitigation is not required.

Coastal Avian Protection Zones

The Project is within CAPZ 12 and 13, which is associated with breeding bald eagles. An aerial and ground-based bald eagle nest survey performed in April 2022 determined that there are no bald eagle nests or other raptor nests within the Project or a 660-foot buffer around the Project. Per Section 9VAC15-60-60, financial mitigation will be provided at a rate of \$1,000 per megawatt of rated capacity, or partial megawatt thereof, produced within Zone 12. The portion of the project within Zone 12 totals 53 acres and supply approximately 5.41MWac of rated capacity. The Applicant will contribute a one-time payment of \$5,410 as financial mitigation to benefit further scientific research on the impacts of projects in Coastal Avian Protection Zones. The financial mitigation will be sent to the Virginia Department of Environmental Quality at time of the final Permit by Rule submittal.

Cultural Resources

Archaeological

As a result of the archaeological investigation of the Phase I cultural report, two archaeological resources (VDHR ID #s 44LA0184 and 44LA0185) were identified and recommended as potentially eligible for inclusion in the. To avoid potential adverse impacts, sites 44LA0185 and 44LA0184 will be avoided with a 25-foot buffer. VDHR concurred with this avoidance plan in a letter dated October 31, 2022., which can be found in Attachment I of Waller Solar's Permit by Rule Application.

Prior to construction, a 25' buffer area around both site 44LA0185 and site 44LA0184 will be marked off with plastic safety mesh or similar highly visible symbolic fencing. The areas will remain demarcated and closed to all vehicular entry. The sites and buffer areas will be clearly depicted on both the final construction plans and the Project as built rendition labeled "Cultural Resources Protection Area". Following construction, the archeological site areas will be maintained in their original land use and condition, with no ground disturbing activity, other than general maintenance in order to not impact the solar panels, undertaken for the life of the installation to include decommissioning. The site areas will remain as is with no tree removal or other major alteration to the vegetative cover.

Architectural

There are a total of 114 architectural resources greater than 50 years of age within one-half mile of the Project. Seven resources are considered eligible for listing in the National Register of Historic Places (NRHP). As a result of the impacts assessment and avoidance plan prepared on September 19, 2022, the Project will have no more than a minimal impact on any NRHP-eligible architectural resources. VDHR concurred with these findings in a letter dated October 31, 2022, as noted in the table below.

Table 1: NRHP-eligible architectural resources with VDHR recommendations of project impacts

VDHR ID #	Resource Name/Address	NRHP Eligibility	Project Impacts
051-0008	Epping Forest, 677 Moratico Road	Eligible	Minimal
051-0041	Edgely, 9279 Courthouse Road	Eligible	Minimal
051-0059	Lebanon Baptist Church, 20 Alfonso Road	Potentially Eligible	Minimal
051-0096	Lively School, Mary Ball Road	Potentially Eligible	Minimal

The planting plan consists of a 40' vegetative buffer around the entire project area (See Figure 1). The buffer will consist mainly of native plants. The planting schedule includes four rows of medium to large evergreen shrubs spaced no further than three feet apart in the row, and the rows should be no more than 10' and no closer than 8'. Evergreen trees will be included in this planting area and spaced 10' apart. The trees must be 4' tall at planting and reach a height of 10' within two years; shrubs shall be 12" tall at planting. Existing vegetation may be accepted in lieu of planting.

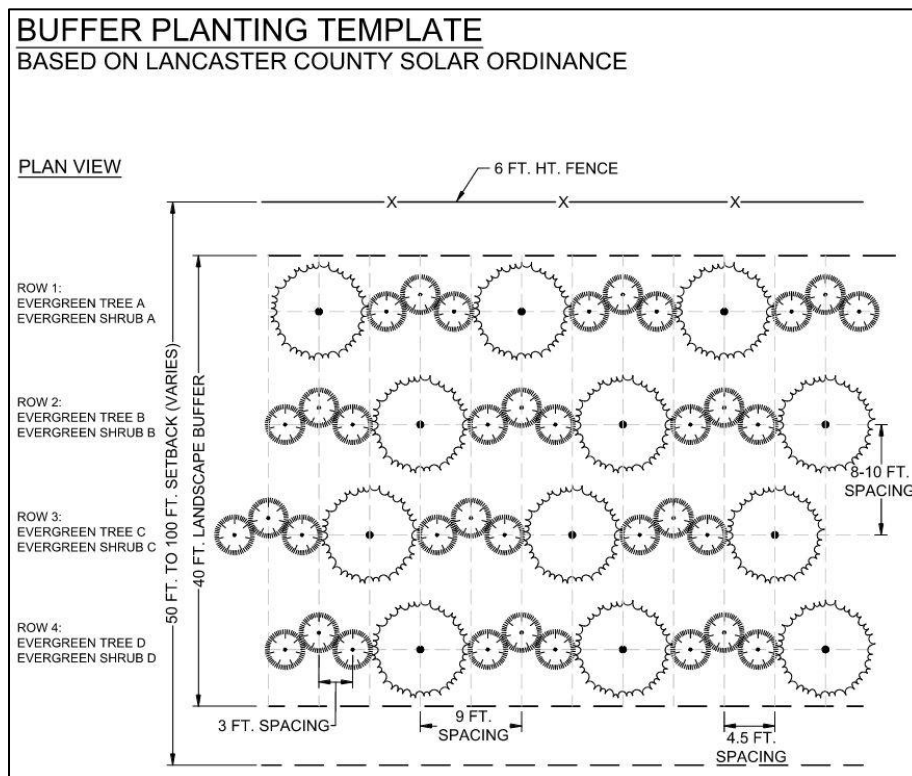


Figure 1. Vegetative Buffer Template

To minimize impact to the Epping Forest (VDHR# 051-0008), the Applicant reengineered the Project to avoid utilization of the field nearest to Epping Forest and has set back all improvements an additional 1,000 feet. The proposed landscaping plan was also revised to shift the supplemental plantings with the array setback. The revised layout and landscape plan results in no more than a minimal impact to Epping Forest. Existing vegetation may be accepted in lieu of planting. VDHR concurred with this planting plan and recommendations in a letter dated October 31, 2022.

As part of the Phase I survey and initial viewshed analysis, VDHR conditionally concurred that the Project would have minimal impact on Edgely (VDHR# 051-0041), Lebanon Baptist Church (VDHR# 051-0059), and Lively School (VDHR# 051-0096) but requested detailed planting plans and photo renderings depicting mature buffer growth to confirm the level of impact in a letter dated July 22, 2022. The array layout and landscape plan reaffirmed the Project will pose no more than a minimal impact to these three resources. VDHR concurred with this mitigation in a letter dated October 31, 2022, which can be found in Attachment I of Waller Solar's Permit by Rule Application.

Additional Mitigation Measures

If stream crossings are necessary, they will be permitted and culverted to maintain flow. A 100' buffer area will be maintained around delineated streams and wetlands that require a resource protection area (RPA) per the Chesapeake Bay Preservation Act. Therefore, no beneficial or adverse impacts to streams or wetlands are anticipated.

Where practicable, the Applicant will consider revegetating the Project area with a seed mix that includes Virginia-native species, some of which are also pollinator-friendly species.