



# United States Department of the Interior

NATIONAL PARK SERVICE  
Fredericksburg and Spotsylvania  
National Military Park  
120 Chatham Lane  
Fredericksburg, Virginia 22405



IN REPLY REFER TO:  
1.A.2 (FRSP)

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Dear Commissioners,

The National Park Service (NPS) is writing in response to the Planning Department's request for comment on the SPower Development Co., LLC (sPower) proposal to construct the Spotsylvania Solar Energy Center in western Spotsylvania County, Virginia (County) over sections of three areas comprising 6,350 acres. NPS appreciates the number of project documents the County and sPower have made available for public review. We provide comments below. Additional comments may be submitted over time as more documents are provided, the County receives responses from sPower to its review comment letters and additional agencies weigh in with their comments.

The National Park Service, through the Fredericksburg & Spotsylvania National Military Park (FRSP), has enjoyed a long and productive history working in partnership with Spotsylvania County. Whether it has been collaboratively looking for ways to boost the County's major tourist features or working to resolve planning needs, FRSP values the history we share and the meaning and economic value of the Civil War history found in Spotsylvania County. Just so, the work with the County to provide assistance as requested with areas the NPS is deeply familiar with has been and continues to be one of the ways we bring value to the community within which these nationally significant resources of FRSP reside. As was offered at the May 22, 2018 Board of Supervisors meeting, the NPS is here to assist and provide information in a manner consistent with how our parks engage on other solar projects across the country.

## **Best Practices and the SPower Project**

The NPS frequently works with energy developers and state and local governments regarding proposed projects in the vicinity of units of the National Park System in order to help ensure that projects are sited,

designed, and constructed using least impactful methods. NPS has expertise in a number of areas relevant to these projects, such as visual resources, transportation, archaeology, cultural landscapes, and wildlife migrations, and we have drawn upon our staff knowledge and experience in reviewing the sPower proposal as it relates to FRSP with the goal of developing comments that add value to your process. We appreciate the diligence the County has displayed in its review and response to the large volume of project documents.

Among the management techniques Spotsylvania County has recommended to sPower, as identified in the revised Generalized Development Plan (GDP) and its accompanying narrative dated October 28, 2018, as well as other documents, NPS identifies the following measures as best practices that address NPS priorities:

- 1,173.01 acres placed in a conservation area. The Preservation Area Plan (EX-2-0) shows that the anticipated areas set aside are the streams, waterways and wetlands within the project area. We note the response from sPower in its October 28, 2018 “sPower Response to Comments - Round 4” document and look forward to seeing the final map of conservation areas.
- The Landscape and Buffer Area Plan (EX-2-1) shows that the project proposes to established a vegetation setback along the entire perimeter of the project, to include in certain areas 50-foot minimum setbacks and vegetation, with some areas also receiving constructed berms to help screen the development. This is generally very effective. NPS agrees with the County’s comments regarding the 50-foot setback.
- The Preliminary Assessment of Threatened and Endangered Species notes that an invasive species management plan will be developed for the project. NPS supports this effort to avoid the inadvertent introduction of invasive plants to the area, including into the park.

## **Visuals**

We acknowledge the consideration that sPower has given to the potential visual impact of its proposed project. The Viewshed Analysis is very helpful in providing some perspective views and demonstrating the visual effect the project may have on neighboring properties and roadways. Based upon the analysis, the project will not be a visual intrusion upon NPS managed resources. We also appreciate the management techniques and screening strategies identified to reduce the impacts to adjacent properties.

## **Battlefield Impacts**

NPS finds that the project has been effectively designed to minimize potential effects to the Mine Run and Spotsylvania Courthouse Civil War Battlefields, which were identified in the NPS American Battlefield Protection Program's 1993 *Civil War Sites Advisory Commission Report on the Nation’s Civil War Battlefields*. The siting of the project and the use of tree screening to reduce visibility from more central areas of the battlefields will help to minimize direct and visual effects, particularly in the case of Mine Run and Wilderness (VHDR#s 068-0017 and 088-5183), where the Area of Potential Effect (APE)

intersects with the battlefields peripherally. In the case of Spotsylvania Courthouse (VDHR# 088-5182), from the NPS perspective the cultural resource surveys properly considered the events that occurred within the APE and used appropriate archeological methods to argue that the proposed project will not reduce the archeological integrity of the battlefield, and we support VDHR's finding of no adverse effect.

### **Water Quantity and Quality**

The NPS notes that sPower has not fully committed to avoiding the use of groundwater during construction, and therefore withdrawals of groundwater may be necessary if sufficient public water is not available to serve sPower's needs. It is unclear to NPS at this time whether potential groundwater withdrawals could impact water resources of FRSP. The NPS would appreciate additional clarification on this point. Moreover, water management as it pertains to ponding or other storage techniques and the impacts of runoff are unclear to NPS. As a member of the Chesapeake Bay Watershed, the NPS supports the comment by the Department of Conservation and Recreation that sPower should strictly adhere to erosion and sediment control / stormwater management regulations and laws in order to best ensure protection of the area streams and wetlands.

### **Traffic and Intersection Changes**

Increased traffic on Orange Plank Road (Route 621), as it passes through Wilderness Battlefield, has long been a concern of the NPS. Just a few miles to the east of the proposed project, Orange Plank Road serves as a designated tour route for visitors to Wilderness Battlefield. The NPS owns and maintains three tour stops with parking areas, which includes the historically significant intersection with Brock Road (Route 613). In 2008, Spotsylvania County signed a Memorandum of Agreement (MOA) with the Federal Communications Commission (FCC), Advisory Council on Historic Preservation, Virginia Department of Historic Resources, and the NPS. This was a FCC MOA for a wireless telecommunications tower erected at Fire Station No. 7, but we assert that the provisions of the MOA apply to this project as well. The MOA identified prescribed management techniques that included consideration of traffic patterns at the intersection of Orange Plank Road and Brock Road (Route 613). The County agreed "not to propose any modifications to the existing intersection" and "to work cooperatively with any federal, state, or local agencies affected by any proposed road construction with the intent to use alternatives rather than the existing intersection."

The NPS remains concerned about the intersection and the potential impact from increased traffic generated from the proposed development. NPS requests that project construction and operations traffic be directed away from FRSP roads. Should the County approve the project, and no practicable alternative exists except to utilize NPS owned roads in the construction or operation of this project, sPower would need to submit a permit application to NPS in consideration of the commercial traffic use of federal park roads. NPS is very willing to work with the County and sPower on this issue.

Thank you once again for your inquiry regarding the sPower project proposed in Spotsylvania County. We look forward to continuing our partnership with the County and providing information regarding best

practices and the latest scientific findings while helping to maintain our nation's most important resources.



Sincerely,  
Kirsten Talken-Spaulding  
Superintendent  
Fredericksburg & Spotsylvania National Military Park