



**U.S. Army Corps
of Engineers**
Pittsburgh District

Public Notice

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. LRP 2019-1080

Date: January 15, 2020

Notice No. 20-2

Closing Date: February 15, 2020

1. **TO ALL WHOM IT MAY CONCERN:** The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act.
2. **APPLICANT:** General Motors LLC on behalf of GigaPower LLC
300 Renaissance Center
Detroit, MI 48265
3. **LOCATION:** The Project site is located on unnamed tributaries and adjacent wetlands of Mud Creek in the Village of Lordstown, Trumbull County, Ohio northeast of I-80, west of State Route 45 (Tod Ave SW), and east of the Lordstown Motors Corporation manufacturing facility and is more specifically located at coordinates 41.152727, -80.863155 (the Site). The Site includes one parcel owned by NP Lordstown 173, LLC totaling approximately 158 acres. The Site is bounded to the north by an existing railroad switching yard, to the east by State Route 45 (Tod Avenue SW), to the south by a new development by Old Dominion Freight Line Inc. and by the Lordstown Motors Corporation plant, and to the west by the Lordstown Motors Corporation plant.
4. **PURPOSE AND DESCRIPTION OF WORK:** The applicant proposes a joint venture, currently named GigaPower LLC, between General Motors Holdings LLC and LG Chem Michigan Inc. (LG). The proposal is to develop approximately 158 acres of land located in the Village of Lordstown, Trumbull County, Ohio to construct a mass-production battery cell manufacturing plant near rail and highway access in order to supply next generation battery-electric vehicles. The project will result in the unavoidable impact of 65.99 acres of 24 wetlands and 81 linear feet of 1 stream. Impacts to forested wetlands will be 16.78 acres and impacts to non-forested wetlands will be 49.21 acres. The applicant is proposing to mitigate for those impacts that cannot be avoided. Due to the unavailability of mitigation bank credits and an insufficient number of in-lieu fee credits in the Mahoning watershed, the applicant is proposing to provide permittee-responsible mitigation for the on-site wetlands on an approximate 180-acre parcel of land located within the Mosquito Creek Wildlife Area; an Ohio Department of Natural Resources owned property in Mecca Township, Trumbull County, Ohio (Mahoning River Hydrologic Unit (HUC 05030103)). The proposed compensatory mitigation will be "in-kind" with respect to the structural and functional

types of resources to be impacted. The goal is to re-establish 130.19 acres of wetland and to rehabilitate 2.9 acres of existing wetland.

5. WATER QUALITY CERTIFICATION: A Permit will not be granted until Water Quality Certification is received or waived from:

Ohio Environmental Protection Agency (Ohio EPA)
Section 401 Coordinator
PO Box 1049
Columbus, Ohio 43266-0149
Telephone Number: 614-644-2001

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project will have no effect on endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. While concurrence with this determination is not required, this Public Notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing. BE ADVISED: The Corps and the Ohio Environmental Protection Agency will be holding a joint public meeting/hearing. The date, time, and location will be announced via a subsequent public notice.

9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection

and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Division, attn Matthew Gilbert at the above address, by telephoning (412) 395-7189, or by e-mail at matthew.c.gilbert@usace.army.mil Please refer to CELRP-RG 2019-1080 in all responses.

FOR THE DISTRICT ENGINEER:

//SIGNED//

Scott A. Hans
Chief, Regulatory Division