



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2015-295

NOTICE DATE:
January 10, 2022

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
➡ **February 9, 2022**

Public Notice U.S. Army Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT:

Ford Motor Company
Attn: Kevin Whipp
17000 Rotunda Drive
Dearborn, Michigan 48120
Ph: (313) 618-2737

Agent:

Walbridge
Attn: Elise Lewandowski
777 Woodward Avenue, Suite 300
Detroit, Michigan 48226
Ph: (270) 792-8176

PURPOSE: The purpose of the project is to construct an electric vehicle and battery manufacturing complex (Blue Oval City) at the West Tennessee Regional Megaseite in Haywood County, Tennessee.

LOCATION: The project site is located north of Interstate 40 and approximately 2.5 miles south of Stanton, Tennessee, in Haywood County at approximate Latitude 35.416750° and Longitude -89.412960° as shown on the Stanton, Tennessee 1:24,000 USGS topographic quadrangle (Figure 1).

DESCRIPTION OF WORK: The applicant is requesting permit authorization to place dredged or fill material into a total of 13,137 linear feet of stream channel and 4.82 acres of wetland. An overall site plan indicating the location of the proposed impacts is shown on Figure 2. A detailed explanation of the proposed stream and wetland impacts is shown on Exhibits 1-5 and further discussed below:

Stream 1A: Proposed impacts to 2,777 l.f. with construction of a 4-sided box culvert as part of railroad yard construction. See Exhibits 1 and 3 (attached) for details.

Stream 1B: Proposed impacts to 164 l.f. from abandoning and directly filling (97 l.f.) that will result in more direct flow from the proposed Steam 1A culvert into a straightened section of Stream 1B that will extend 67 l.f. to the site's northern property boundary as part of railroad yard construction. See Exhibits 1 and 3 (attached) for details.

Stream 2: Proposed fill of 2,598 l.f. of the existing stream with flows re-directed to the nearby Stream 9 through a 750 l.f. open, vegetated channel as part of railroad yard construction. See Exhibits 1 and 3 (attached) for details.

Stream 4A: Proposed fill along its reach of 6,220 l.f. to accommodate construction and use of plant administrative space, employee parking areas, and storm-water detention facilities. Treated stormwater will be collected and routed to a series of detention facilities that will ultimately discharge into the existing channel at the downstream end of the proposed impact area. See Exhibits 1 and 5 (attached) for details.

Stream 9: Proposed impacts to 595 l.f. of existing stream with straightening of 113 l.f. into an open, vegetated channel where the newly constructed Stream 2 would enter the channel (see above) and placing 482 l.f. of the downstream reach into a 4-sided box culvert to tie into the proposed Stream 1-A culvert as part of railroad yard construction. See Exhibits 1 and 3 (attached) for details.

Stream 11: Proposed direct fill of 783 l.f. of the far upper reach of the stream as part of railroad yard construction. See Exhibits 1 and 4 (attached) for details.

Wetland 3: Proposed fill of an approximately 0.42-acre farm pond that has developed wetland characteristics as part of grading for the proposed stamping facility. See Exhibit 5 (attached) for details. Please note (as described below) that the applicant has asserted that this feature does not meet the definition of waters of the United States.

Wetland 9: Proposed fill of 4.40 acres of wetland and other waters as part of railroad yard construction. See Exhibit 2 (attached) for details. Please note (as described below) that the applicant has asserted that this feature is isolated and therefore does not meet the definition of waters of the U.S.

The Corps is currently processing a request for an approved jurisdictional determination for potential aquatic resources within the proposed project area. In addition to the waters described above, there are approximately 14,564 linear feet of ephemeral channels and/or erosional features, 15.02 acres of wetlands, and 5.47 acres of farm ponds that are being evaluated for geographic jurisdiction according to current U.S. Army Corps of Engineers regulations and guidance. Many of these features are outside of the proposed footprint of the facility. However, approximately 3,218 linear feet of ephemeral channels/erosional features, 4.82 acres of wetlands, and 1.75 acres of farm ponds are within the proposed footprint. The applicant has asserted that these features do not meet the definition of waters of the United States and are therefore not jurisdictional under Section 404 of the Clean Water Act. Impacts to any features that the Corps determines are waters of the U.S. would increase the total impacts described above.

AVOIDANCE/MINIMIZATION: The project will avoid direct impacts to 14.97 acres of the 19.75 total acres of wetland that would be protected on-site as part of the development. For the streams, 16,848 l.f. of the 29,985 l.f. of streams located on the project site will be avoided. Avoided streams and wetlands will be protected during construction. Figure 2 shows the wetlands and streams that are being avoided within the project area. According to the applicant, over 25 alternative project sites were evaluated for this project across the United States. The applicant further evaluated several on-site configurations in efforts to avoid and minimize the proposed stream and wetland impacts. The applicant concluded none of the evaluated off-site or on-site alternatives would further minimize project impacts while achieving the project's purpose. The Memphis District will review the applicant's alternatives evaluation for compliance with the Section 404 (b)(1) Guidelines.

MITIGATION: The applicant is proposing compensatory mitigation for the proposed stream impacts with the implementation of the Cub Creek Permittee-Responsible Mitigation (PRM) site located in Henderson County, Tennessee. The PRM site would produce 10,347 functional feet of ecological lift by restoring approximately 20,794 linear feet along Cub Creek and several unnamed tributaries. The Cub Creek PRM site is located in the Lower Hatchie River 8-digit HUC (08010208) which is the same HUC8 as the project site. The applicant is proposing to purchase wetland mitigation credits for proposed wetland impacts at a 2:1 ratio from the Hatchie River Wetland Mitigation Bank in Haywood County, Tennessee, which is also located within the same HUC8 as the project. The Memphis District will evaluate the proposed plans against the project impacts prior to making a formal decision on mitigation.

WATER QUALITY CERTIFICATION: The applicant is required to request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Resources, that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all state laws and regulations promulgated pursuant thereto. This certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit.

This public notice serves as the notification to the Administrator of the Environmental Protection Agency pursuant to Section 401(a)(2) of the Clean Water Act

ENDANGERED SPECIES: The Indiana bat and northern long-eared bat are listed as endangered or threatened by U.S. Fish and Wildlife Service (USFWS) in Haywood County according to their IPaC website: <https://ecos.fws.gov/ipac/location/PLN4EOU24FHC7D63RIOXK3OQX4/resources>. Based on review of the Tennessee Standard Local Operating Procedures for Endangered Species agreement with USFWS, the effect determination for both bat species is “may affect, not likely to adversely affect”. No further consultation with USFWS is required.

CULTURAL RESOURCES: In compliance with Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, the Memphis District is soliciting comments from federal, state, and local agencies, federally-recognized Indian Tribes, the public, and other interested parties in order to identify and evaluate potential impacts of the proposed action on historic properties.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the project, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project 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, floodplain 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; federally recognized 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 need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice.

This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: Send comments to the Corps of Engineers, Memphis District. Comments may be sent via mail or email to the following:

U.S. Army Corps of Engineers – Memphis District
Regulatory Division
ATTN: Mitch Elcan
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: james.m.elcan@usace.army.mil
phone: (901) 544-0737
fax: (901) 544-0211

The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

For Final Individual Permits actions in the Memphis District, go to the following link:

<http://permits.ops.usace.army.mil/orp-public>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the “**Pending IP**” tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Division office for examination.

Gregg W. Williams
Chief
Regulatory Division

Attachments

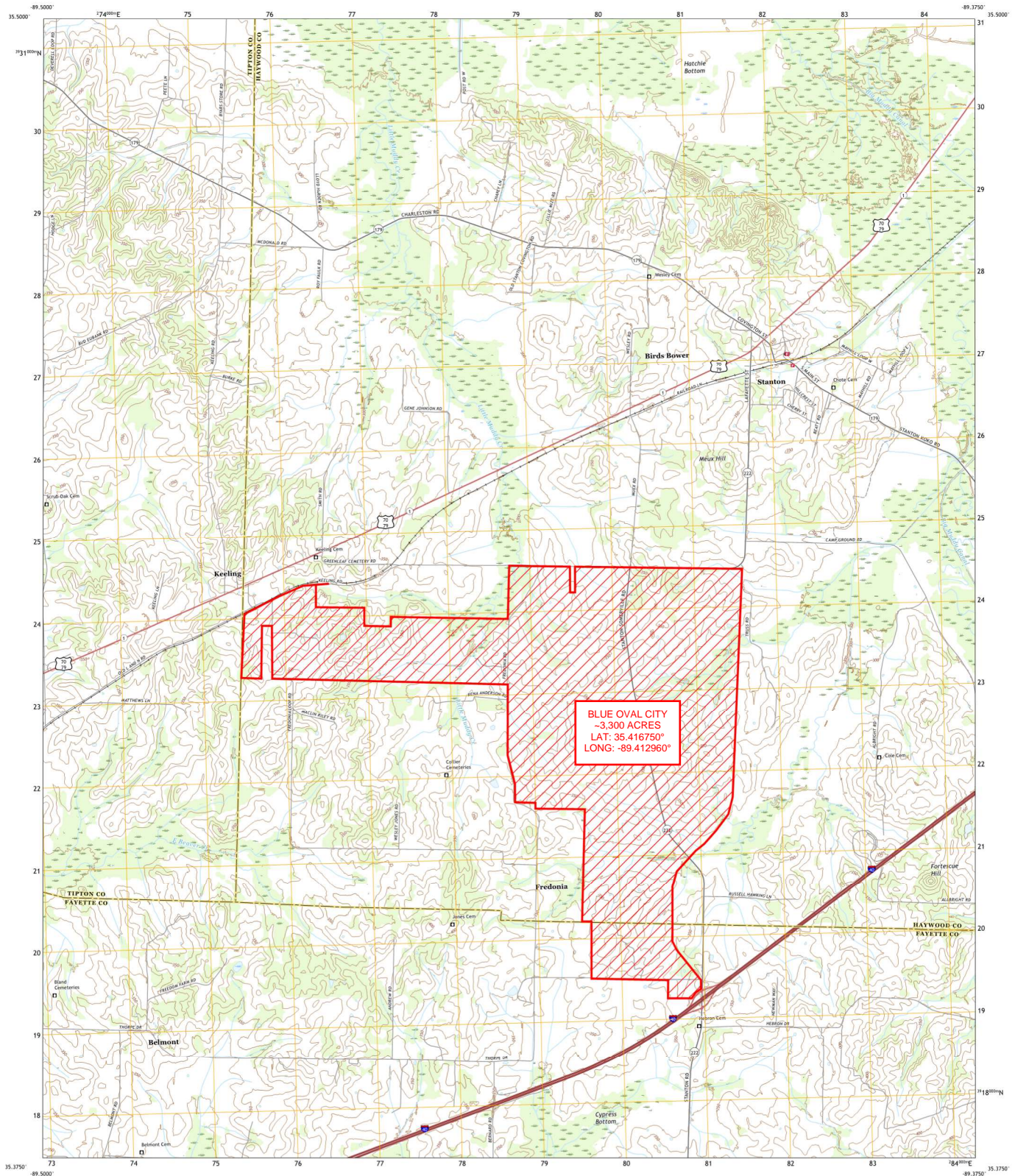
Figure 1.



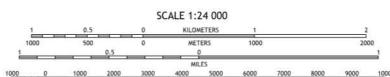
U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY



STANTON QUADRANGLE
TENNESSEE
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1 000-meter grid Universal Transverse Mercator, Zone 16S
This map is not a legal document. Boundaries may be
generalized for this map scale. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.
Imagery:.....NIP, June 2016 - October 2016
Roads:.....U.S. Census Bureau, 2016 - 2019
Names:.....National Hydrography Dataset, 2016 - 2018
Hydrography:.....National Hydrography Dataset, 2016 - 2018
Contours:.....National Elevation Dataset, 2011 - 2017
Boundaries:.....Multiple sources; see metadata file 2017 - 2018
Wetlands:.....FWS National Wetlands Inventory 1985 - 1981



This map was produced to conform with the
National Geospatial Program US Topo Product Standard, 2011.
A metadata file associated with this product is draft version 0.6.18



ROAD CLASSIFICATION	
Expressway	Local Connector
Secondary Hwy	Local Road
Ramp	WFO
Interstate Route	US Route
	State Route

STANTON, TN
2019

640169462
U.S. GEOLOGICAL SURVEY
NADA REF NO. 640169462



A/E PM: J. HEIDT
DESIGNER: D. FLYNN
CHECKER: C. HARTMAN
A/E PROJ #: 021-01658-00

BLUE OVAL CITY
SHEET TITLE
EXISTING AQUATIC
FEATURE LOCATIONS

FORD LAND DOCUMENT PROJECT #:
2000000-001
SHEET NUMBER
AQUATIC IMPACT - 000

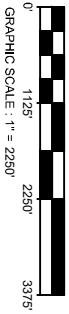


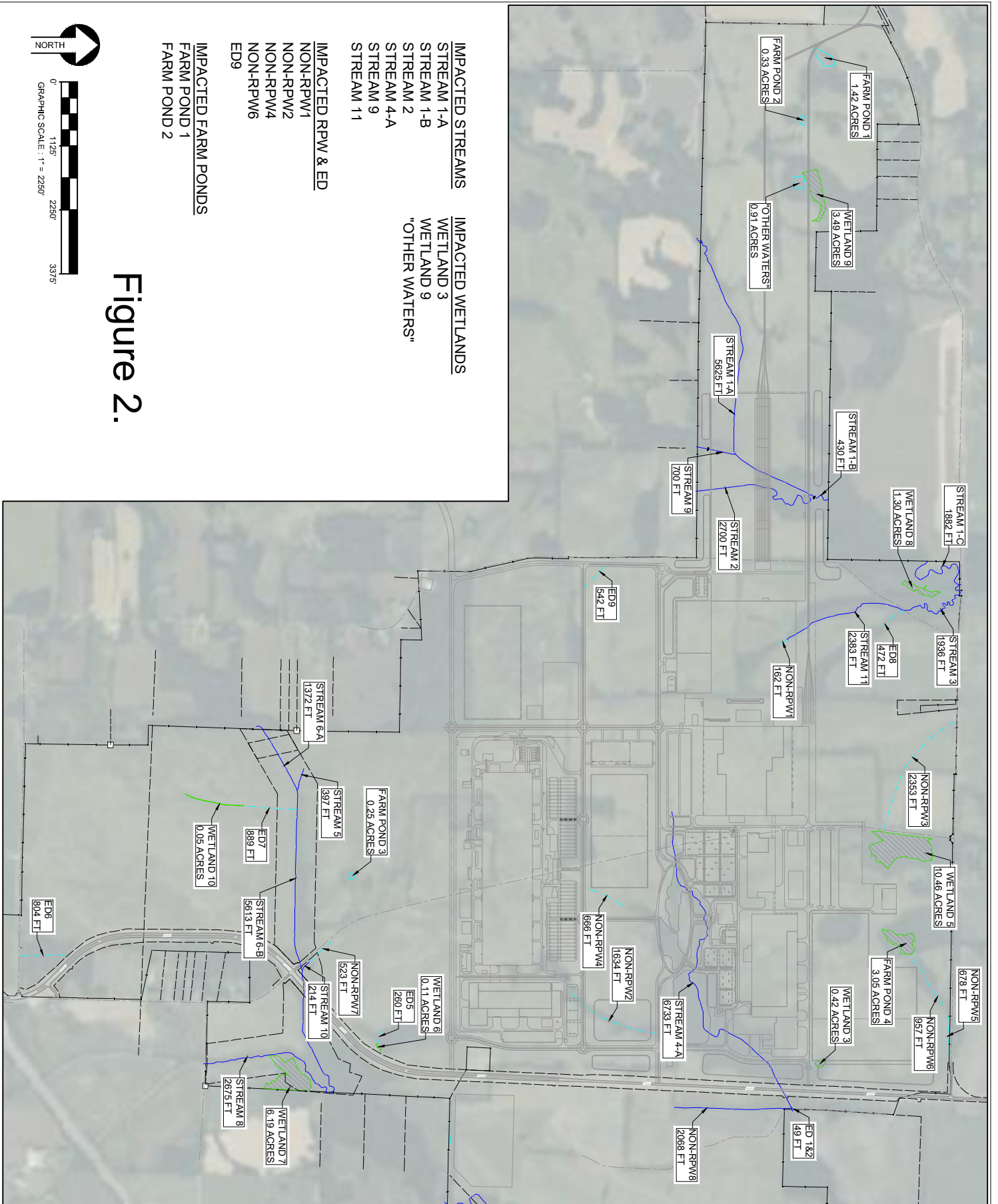
Figure 2.

IMPACTED STREAMS
STREAM 1-A
STREAM 1-B
STREAM 2
STREAM 4-A
STREAM 9
STREAM 11

IMPACTED WETLANDS
WETLAND 3
WETLAND 9
"OTHER WATERS"

IMPACTED RPW & ED
NON-RPW1
NON-RPW2
NON-RPW4
NON-RPW6
ED9

IMPACTED FARM PONDS
FARM POND 1
FARM POND 2



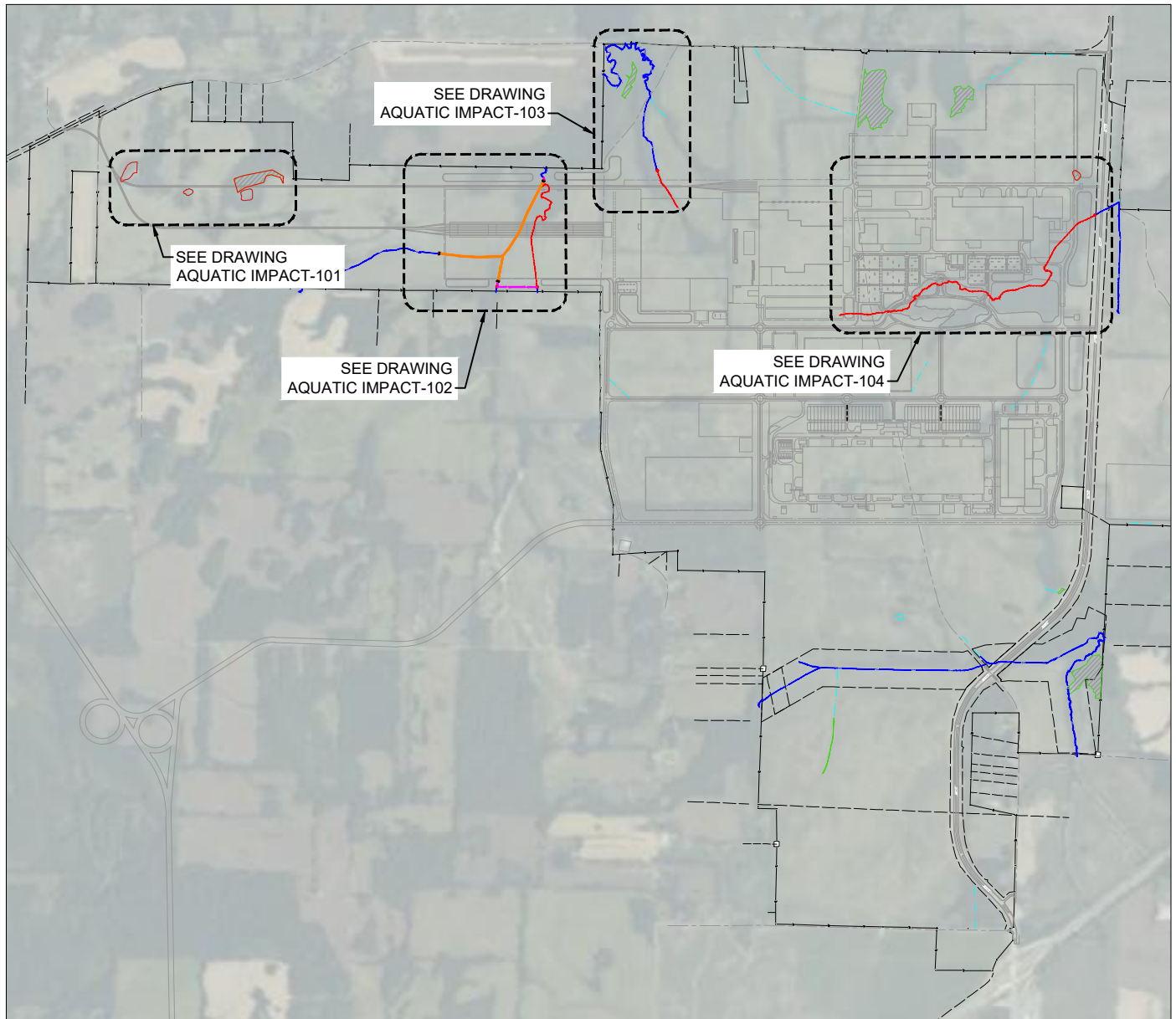
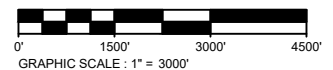
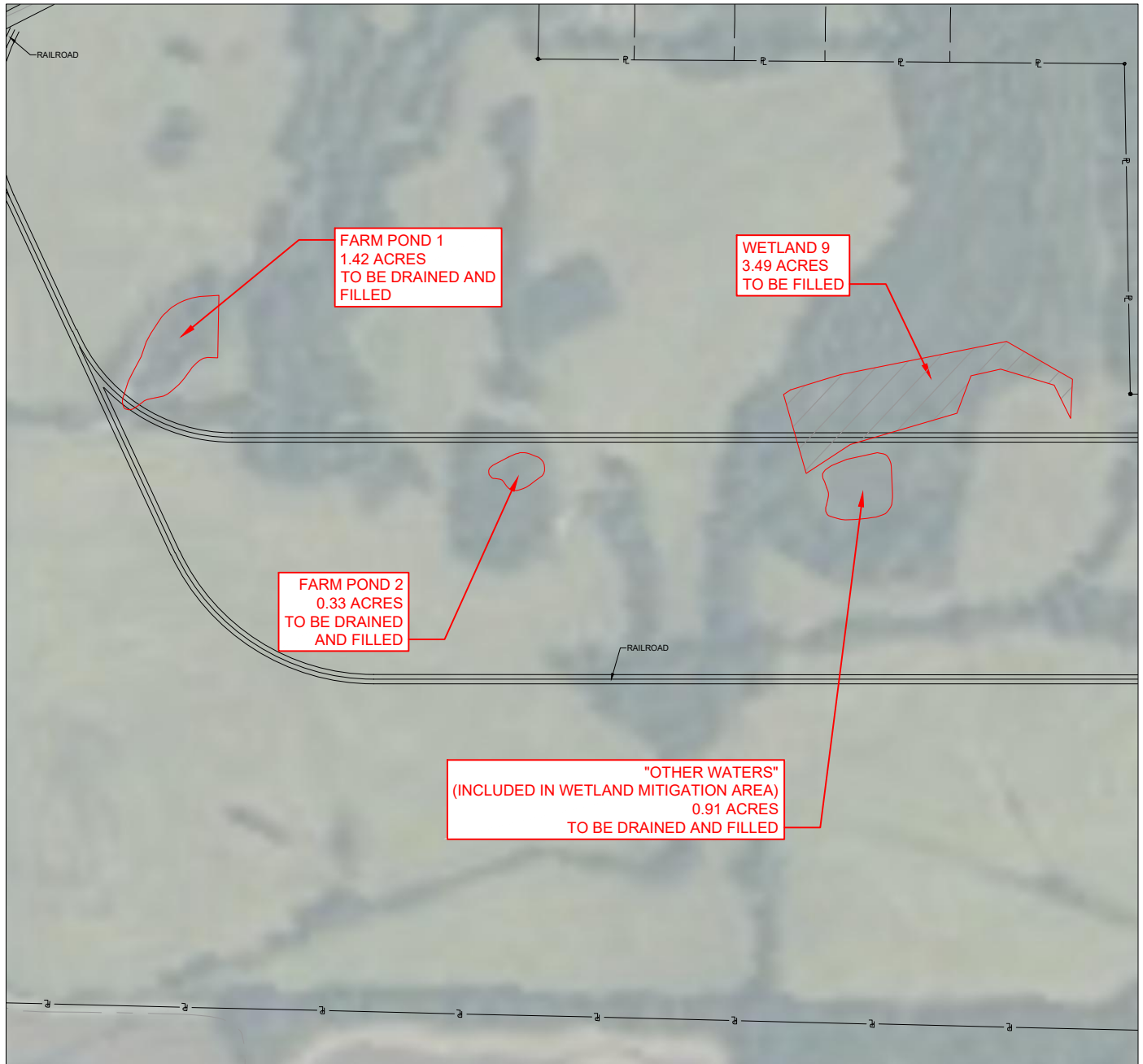


Exhibit 1.



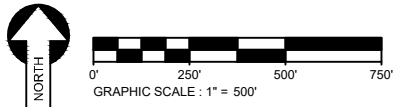


A/E PM:	J. HEIDT	BLUE OVAL CITY SHEET TITLE AQUATIC IMPACTS FARM POND 1 & 2 WETLAND 9 "OTHER WATERS"	FORD LAND DOCUMENT PROJECT #:
DESIGNER:	D. FLYNN		2000000-001
CHECKER:	C. HARTMAN		SHEET NUMBER
A/E PROJ #:	021-01658-00		AQUATIC IMPACT - 101



LEGEND	
	IMPACTED WETLAND
	FILLED POND

Exhibit 2.





A/E PM:	J. HEIDT	BLUE OVAL CITY SHEET TITLE AQUATIC IMPACTS STREAM 1-A, 1-B STREAM 2 STREAM 9	FORD LAND DOCUMENT PROJECT #:	2000000-001
DESIGNER:	D. FLYNN		SHEET NUMBER	AQUATIC IMPACT - 102
CHECKER:	C. HARTMAN			
A/E PROJ #:	021-01658-00			

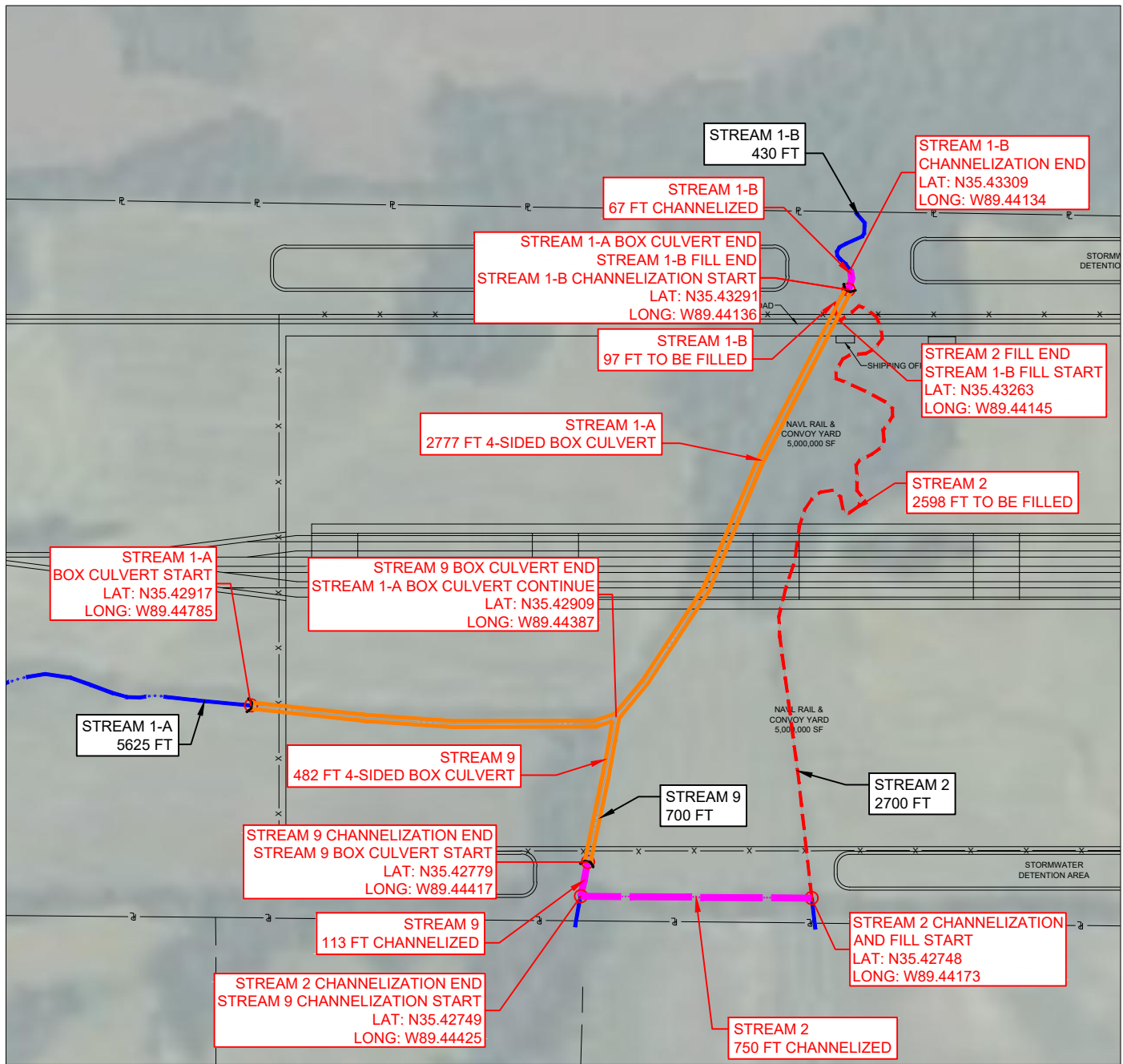
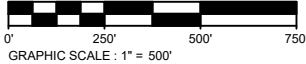


Exhibit 3.

LEGEND	
	PROPOSED STREAM IMPACT 4-SIDED BOX CULVERT
	PROPOSED STREAM IMPACT FILL
	PROPOSED STREAM IMPACT CHANNELIZATION
	EXISTING STREAM NOT BEING IMPACTED

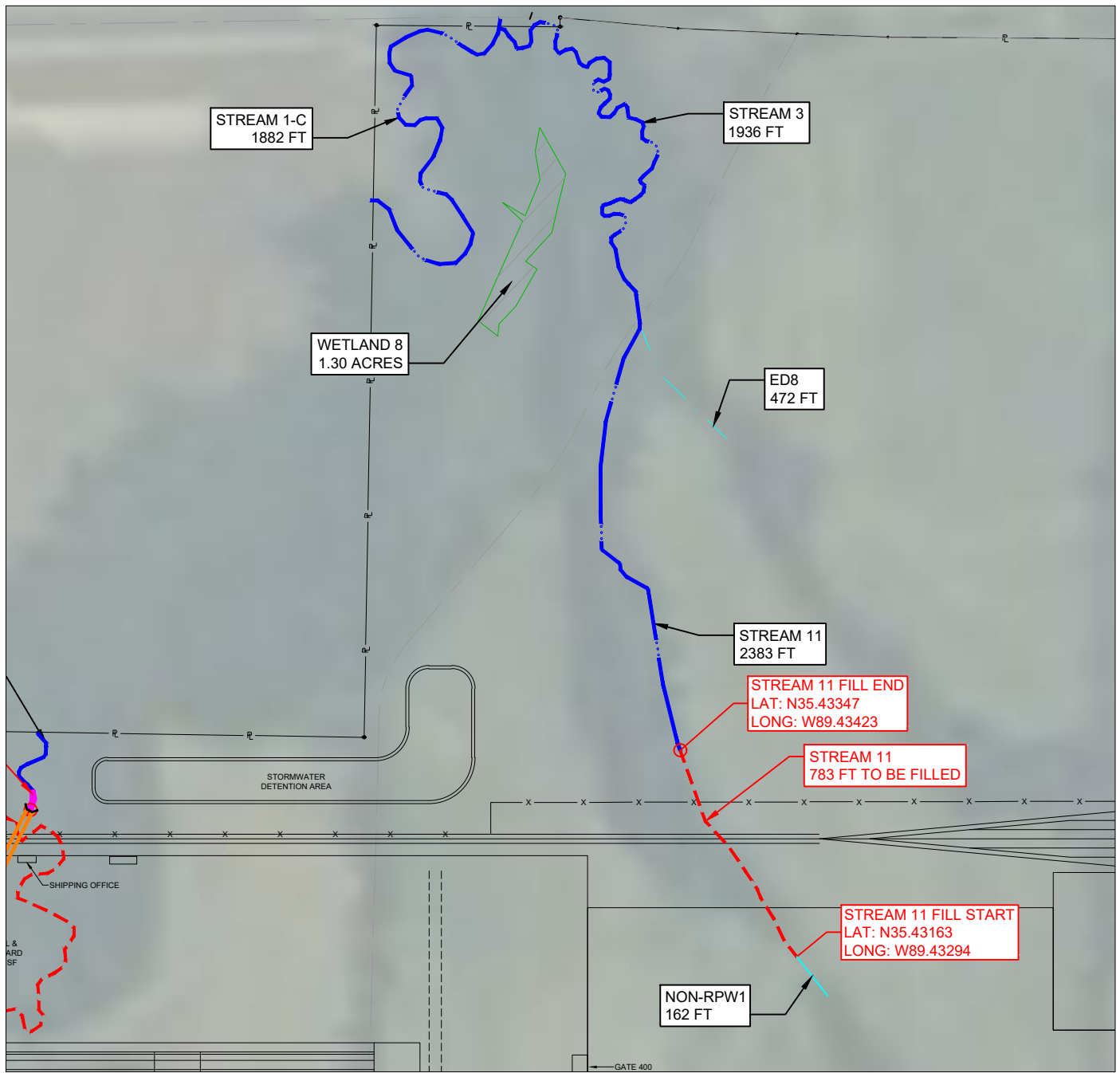




A/E PM: J. HEIDT
DESIGNER: D. FLYNN
CHECKER: C. HARTMAN
A/E PROJ #: 021-01658-00

BLUE OVAL CITY
SHEET TITLE
AQUATIC IMPACTS
STREAM 11

FORD LAND DOCUMENT PROJECT #:
2000000-001
SHEET NUMBER
AQUATIC IMPACT - 103



LEGEND	
	PROPOSED STREAM IMPACT FILL
	PROPOSED STREAM IMPACT CHANNELIZATION
	EXISTING STREAM NOT BEING IMPACTED
	EXISTING WETLAND
	RELATIVELY PERMANENT WATER / EROSION DITCH

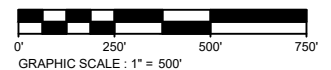


Exhibit 4.



FORD LAND DOCUMENT PROJECT #:
2000000-001

SHEET NUMBER
AQUATIC IMPACT - 104

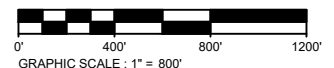
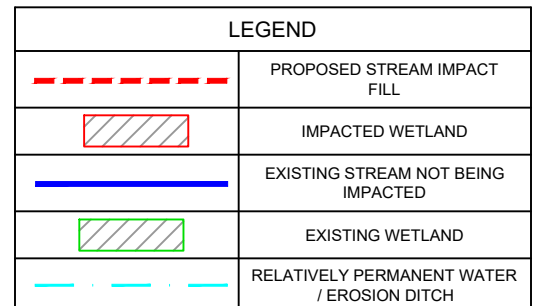


Exhibit 5.