



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
4751 BEST ROAD, SUITE 140
COLLEGE PARK, GEORGIA 30337**

January 4, 2024

Regulatory Division
SAS-2023-00213

**JOINT PUBLIC NOTICE
Savannah District/State of Georgia**

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344), as follows:

The comment period for the Department of the Army Permit application will close 30 days from the date of this public notice. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit, and must be submitted to be received on or before the last day of the comment period. Written comments concerning this Department of the Army Permit application must reference the Applicant's name and the Permit Application Number and be forwarded to the US Army Corps of Engineers (Corps) at the above address, or via the email listed at the end of this notice.

This Joint Public Notice announces a request for authorizations from both the U.S. Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local governmental approval.

Application Number: SAS-2023-00213

Applicant: Mr. HJ Jung
Hanwha Q Cells Georgia, Incorporated
5770 Power Ferry Rd NW #300
Atlanta, GA 30327

Agent: Mr. Alton Brown
Resource and Land Consultants, LLC
41 Park of Commerce Way, Suite 101
Savannah, Georgia 31405

Location of Proposed Work: This proposed 380-acre project site is located west of and immediately adjacent to an existing solar cell and module manufacturing facility that is currently under construction, located west of Great Valley Parkway and adjacent to and south of Cass Pine Log Road approximately 0.75 mile east of Interstate 75 north of the city of Cartersville in Bartow County, Georgia (centered at approximately latitude:

34.283141, longitude: -84.797922). The on-site aquatic resources drain south towards Two Run Creek, located approximately 0.72-mile south of the site.

Description of Work Subject to the Jurisdiction of the U.S. Army Corps of Engineers:

The project involves the expansion of operations at the existing facility. The current facility has been designed to accommodate ingot production, wafer production, cell fabrication, and module assembly. The applicant's preferred plan consists of an expansion to accommodate additional capacity, primarily in the cell fabrication and module assembly functions. The facility layout was dictated by a variety of design considerations including topography, aquatic resources, the manufacturing, assembly, safety, logistics and operational requirements for material flow and positioning during the manufacturing process. The site plan includes two buildings, stormwater infrastructure, parking, site access, external support infrastructure (e.g., above ground storage tanks), and other attendant features. Implementation of the plan would impact a total of 2.2-acres of wetland, 2,239 linear feet of intermittent stream, and 513 linear feet of ephemeral stream.

There are 513 linear feet of ephemeral stream and 1.1-acre of wetlands on the site that the applicant believes to be non-jurisdictional and has requested an approved jurisdictional determination.

The applicant has proposed mitigation for impacts to 2,239 linear feet of intermittent stream, 513 linear feet of ephemeral stream, and 2.2-acres of wetland. To offset the loss in aquatic function associated with the proposed impacts to aquatic resources, the applicant would purchase 13.20 legacy wetland credits or 1.65 slope 2018 Standard Operating Procedure wetland credits will be purchased from an approved mitigation bank. A total of 13,475.70 legacy stream credits or 1871.63 non-perennial 2018 Standard Operating Procedure stream credits will also be purchased from an approved mitigation bank to off-set the stream impacts.

BACKGROUND

On February 24, 2023, an approved jurisdictional determination (AJD) request for the project site was received by this office. No determination was made due to the pause on issuance of AJDs at the time. This Joint Public Notice announces the request for authorizations from both the Corps and the State of Georgia. The applicant's proposed work may also require local governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division will review the proposed project for Water Quality Certification, in accordance with the provisions of Section 401 of the Clean Water Act. The applicant requested a pre-filling meeting on November 17, 2023, and a meeting was held on November 27, 2023, as required prior to requesting a Water Quality Certification with the State of Georgia. Prior to issuance of a Department of the Army Permit for a project located in, on, or adjacent to the waters of the State of

Georgia, review for Water Quality Certification in accordance with Section 401 of the Clean Water Act is required. A reasonable period of time, which shall not exceed one year, is established under the Clean Water Act for the State to act on a request for Water Quality Certification, after which, issuance of such a Department of the Army Permit may proceed. This public notice serves as notification to the Administrator of the U.S. Environmental Protection Agency (USEPA) pursuant to section 401(a)(2) of the Clean Water Act for neighboring jurisdiction review and begins the 30-day clock for USEPA to notify affected states.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or other appropriate instrument.

U.S. ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army permit.

Cultural Resources: Stantec Consulting Services, Incorporated performed a Phase I Cultural Resources and Archaeological Survey for the project area. The survey of the project area took place January 17 through January 26, 2023, and May 1 through May 5, 2023. The archaeological survey of the project included visual inspection of the entire project area of potential effects (APE) and subsurface testing within 100 meters of every wetland and waterbody crossing of the project. Historic resource reconnaissance survey included accessible parcels, associated properties, and known or potential resource groups for which any portion of the property intersected with the project area. There were no historic resources located during this survey. As a result of the survey, 16 archaeological sites and two isolated finds (IFs) were recorded. Twelve of the sites were prehistoric lithic scatters, three sites were historic refuse/dump sites, and one was a multi-component site. The two IFs were each a single lithic flake found on the surface. None of the sites could be associated with a significant historical event or person and, consequently, were recommended ineligible for nomination to the National Register of Historic Places (NRHP) under Criterion A or B (36 CFR § 60.4 [a-d]). The artifacts did not appear to exhibit any distinctive characteristic of a type, period, or method of construction, or to represent the work of a master or possess high artistic values, and consequently the sites were recommended ineligible under Criterion C. The conditions of the sites were determined unlikely to yield information important to prehistory or history beyond that recorded during the present survey, and consequently the sites are recommended ineligible for the NRHP under Criterion D. Therefore, the archaeological sites were recommended as ineligible for listing in the NRHP under any criteria.

Endangered Species: Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. § 1531 et seq.), we request information from the U.S. Department of the Interior, Fish and Wildlife Service, the U.S. Department of

Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service; or, any other interested party, on whether any species listed or proposed for listing may be present in the area. Based on a preliminary review of the U.S. Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service-Protected Resource Division's (NMFS-PRD) list of Endangered and Threatened Species (IPaC), no Federally-designated critical habitats are located onsite. However, this report does list the following Federally-protected species that may potentially be affected at this location: the endangered Northern Long-eared Bat (*Myotis septentrionalis*), the endangered Gray Bat (*Myotis grisescens*), the threatened Cherokee Darter (*Etheostoma scotti*), the threatened Large-flowered Skullcap (*Scutellaria montana*), the endangered Tennessee Yellow-eyed Grass (*Xyris tennesseensis*), the threatened White Fringeless Orchid (*Platanthera integrilabia*), the non-essential experimental Whooping Crane (*Grus americana*) population, and the candidate Monarch Butterfly (*Danaus plexippus*).

Public Interest Review: 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 proposal, 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.

Consideration of Public Comments: The Corps is soliciting comments from the public; federal, state, and local agencies and officials; Native American 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 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.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's 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. The Applicant's current proposal reviewed four off-site alternatives two on-site alternatives

for the facility expansion. The applicant states that no other alternatives were determined to be practicable with the exception of the applicant's preferred alternative, when considering cost, technology, and logistics

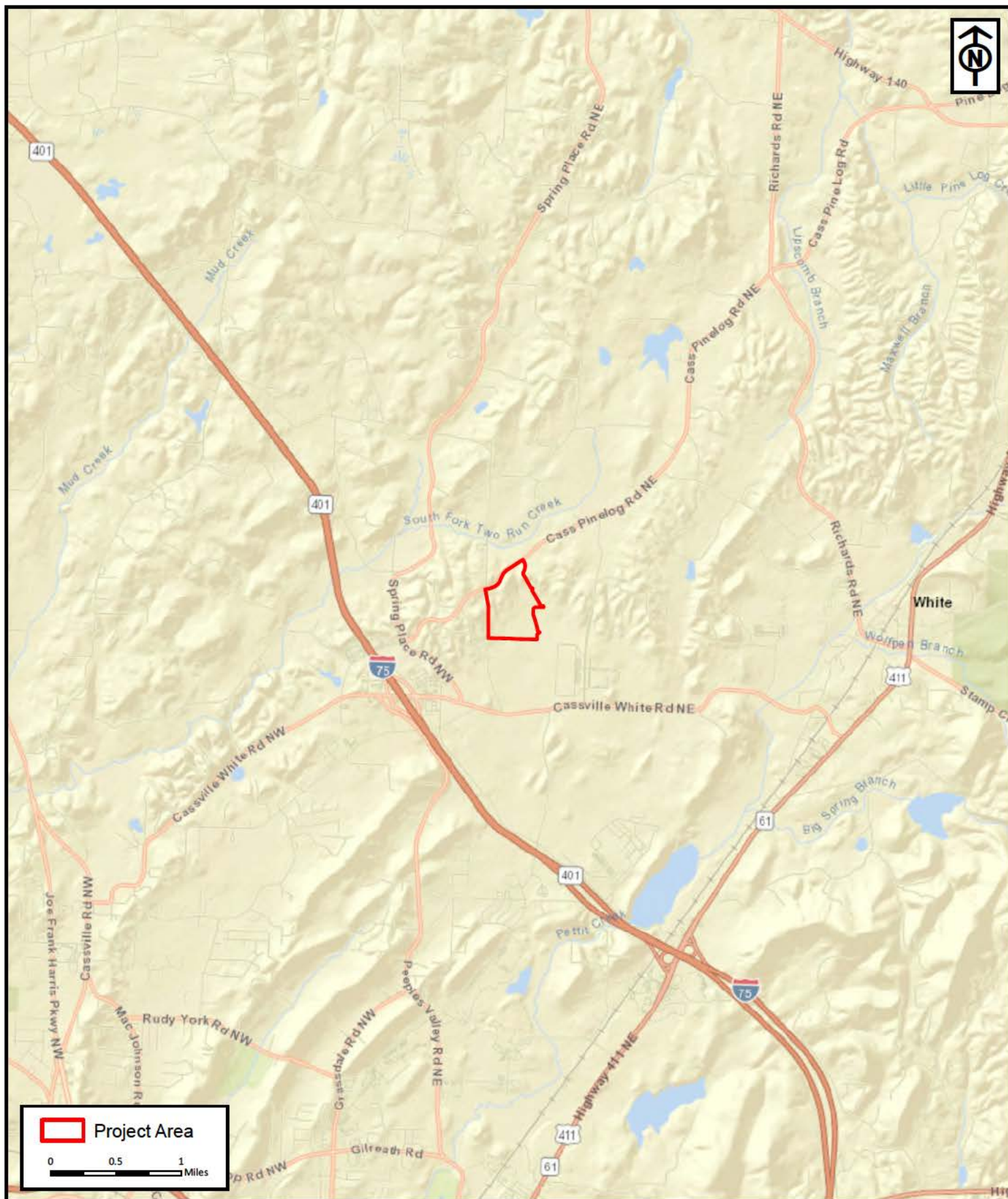
Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

Comment Period: Anyone wishing to comment on this application for a Department of the Army permit should submit their written comments by e-mail to Amy.K.Egoroff@usace.army.mil within **30 days** of this notice. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Amy Egoroff, Project Manager, 4751 Best Road, Suite 140, College Park, Georgia 30337, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Amy Egoroff, Lead Biologist, of the Piedmont Branch, by e-mail at Amy.K.Egoroff@usace.army.mil or at 678-422-6571.

Enclosures:

1. Figure 1 Project Location
2. Exhibit 3 Aerial Photo with Aquatic Resource Locations
3. Sheet 01 Wetland Disturbance Full Site Wetland Impact Exhibit Redeemer #2
Prepared for: QCELLS
4. Sheet 02 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS
5. Sheet 03 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS
6. Sheet 04 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS
7. Sheet 05 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS
8. Sheet 06 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS
9. Sheet 07 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS
10. Sheet 08 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS
11. Sheet 09 Wetland Impact Exhibit Redeemer #2 Prepared for: QCELLS



RLC Project No.:	23-074
Figure No.:	1
Prepared By:	MW
Sketch Date:	5/19/2023
Map Scale :	1 inch = 1 miles

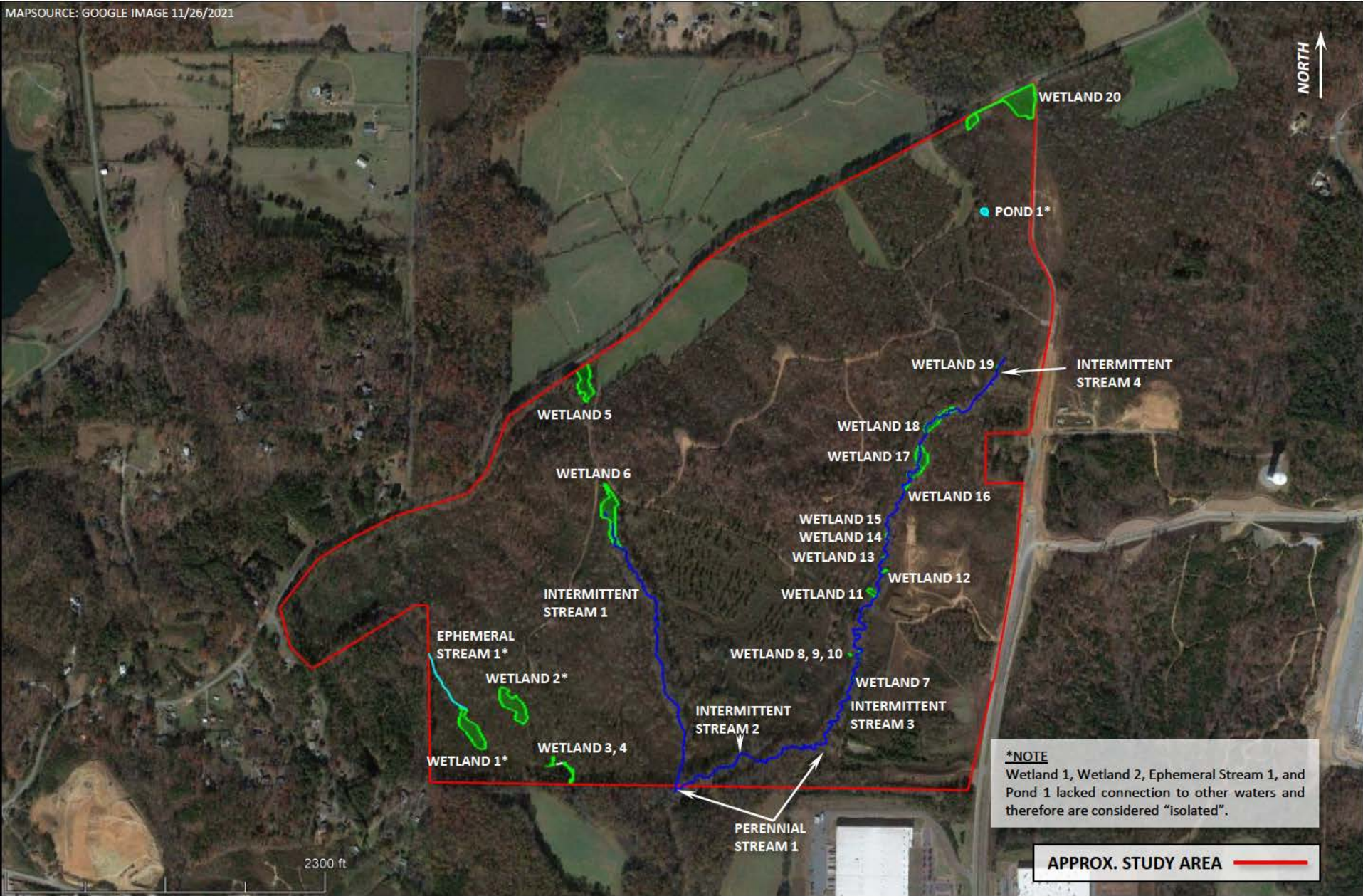
Redeemer 2

Bartow County, Georgia

Project Location

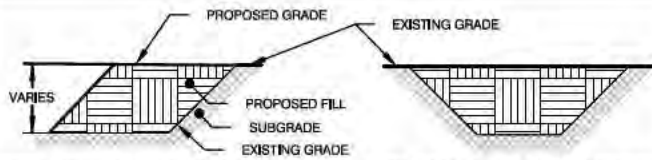
Prepared For: Qcells

RLC
RESOURCE+LAND
CONSULTANTS
 41 Park of Commerce Way, Ste. 101
 Savannah, Georgia 31425
 912.443.5696 www.rlcinc.com



***NOTE**
Wetland 1, Wetland 2, Ephemeral Stream 1, and Pond 1 lacked connection to other waters and therefore are considered "isolated".

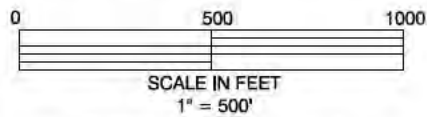
APPROX. STUDY AREA ———



TYPICAL WETLAND #1 SECTION
NOT TO SCALE

TYPICAL WETLAND #2 SECTION
NOT TO SCALE

WETLAND DISTURBANCE FULL SITE

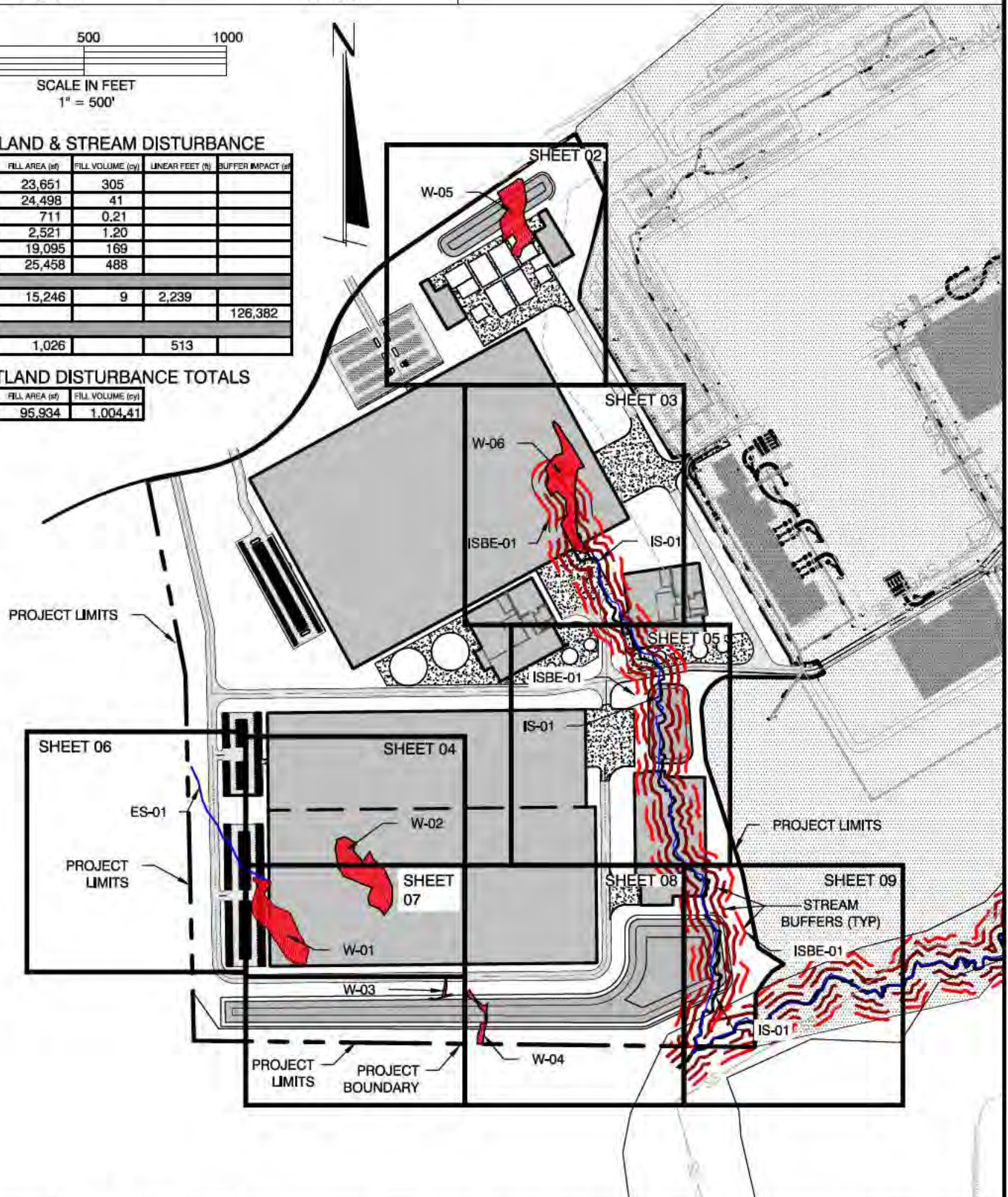


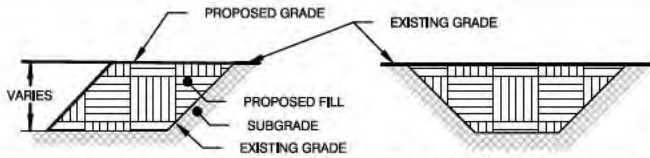
WETLAND & STREAM DISTURBANCE

	FILL AREA (sf)	FILL VOLUME (cy)	LINEAR FEET (ft)	BUFFER IMPACT (sf)
W-01	23,651	305		
W-02	24,498	41		
W-03	711	0.21		
W-04	2,521	1.20		
W-05	19,095	169		
W-06	25,458	488		
IS-01	15,246	9	2,239	
ISBE-01				126,382
ES-01	1,026		513	

WETLAND DISTURBANCE TOTALS

	FILL AREA (sf)	FILL VOLUME (cy)
WIT	95,934	1,004.41

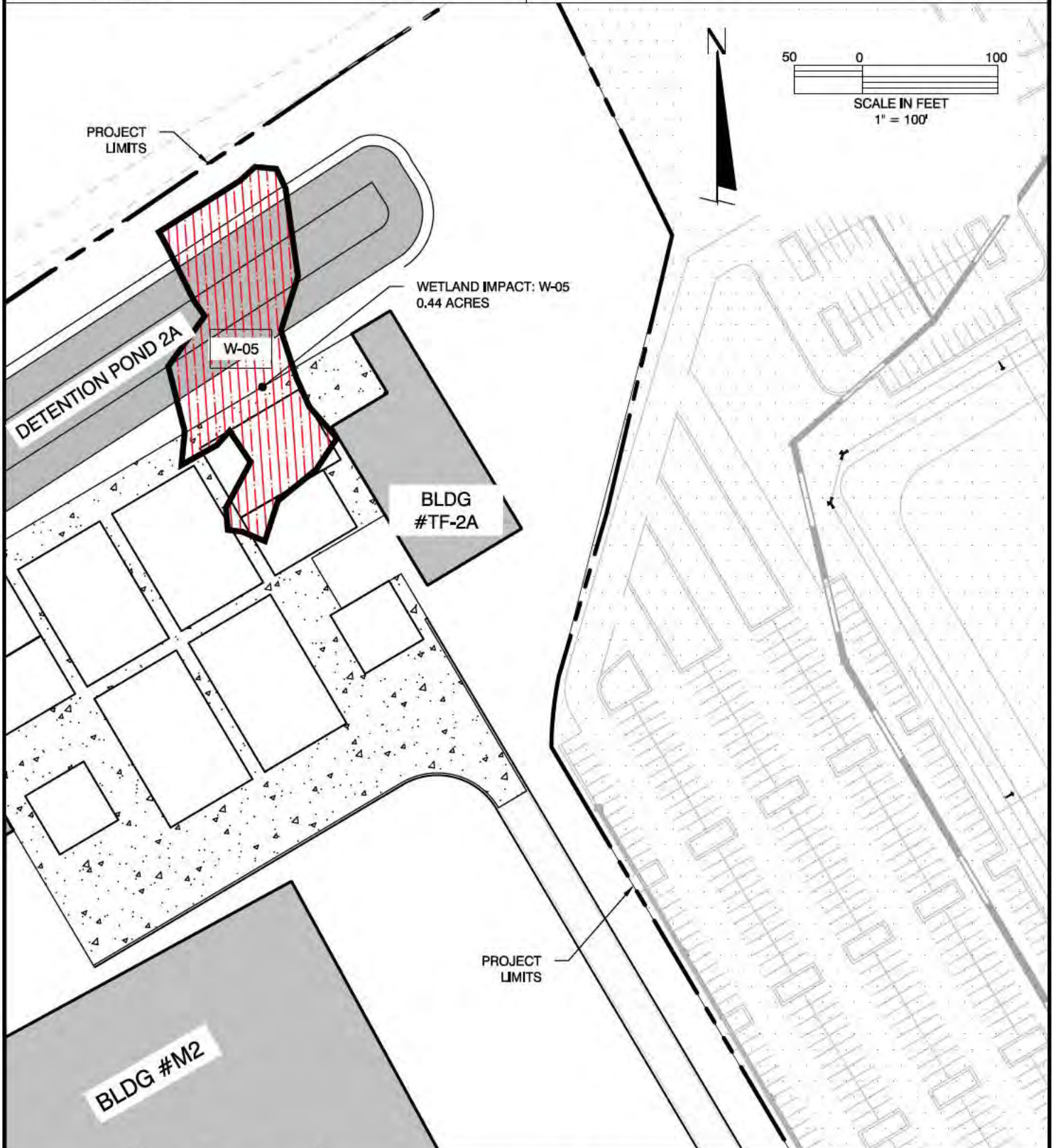




TYPICAL WETLAND #1 SECTION
NOT TO SCALE

TYPICAL WETLAND #2 SECTION
NOT TO SCALE

WETLAND DISTURBANCE AREA		
FILL AREA (SF)		FILL VOLUME (CY)
W-05	19,095	169



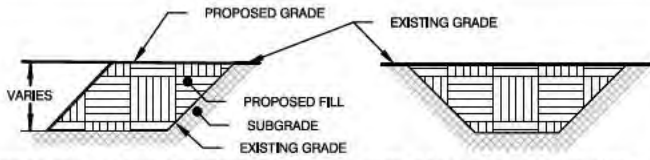
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JOB #: GA230091
DATE: 04/21/2023
DRAWN BY: BOB
CHECKED BY: JHS
SCALE: 1"=100'

WETLAND IMPACT EXHIBIT
REDEEMER #2
PREPARED FOR: QCELLS



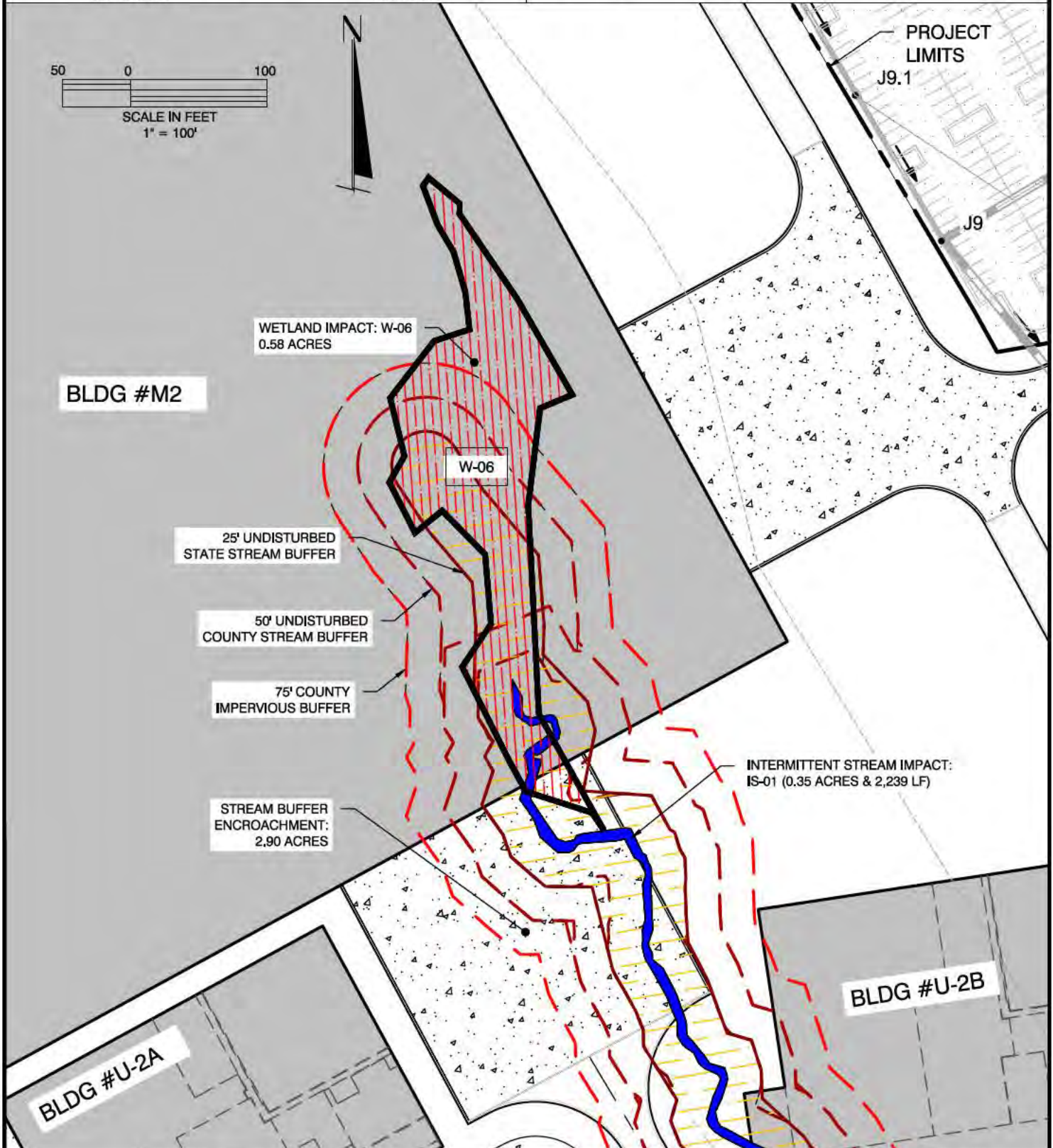
HARRIS GRAY, LLC
ENGINEERS • SURVEYORS • PLANNERS
CERTIFICATE OF AUTHORIZATION NO: PE000640
824 THIRD AVENUE • WEST POINT, GEORGIA 31833
PHONE: (706) 846-5885



TYPICAL WETLAND #1 SECTION
NOT TO SCALE

TYPICAL WETLAND #2 SECTION
NOT TO SCALE

WETLAND & STREAM DISTURBANCE AREA		WETLAND DISTURBANCE VOLUME	BUFFER ENCROACHMENT AREA
FILL AREA (SF)		FILL VOLUME (CY)	FILL AREA (SF)
W-06	25,458	488	126,382
IS-01	15,246	9	



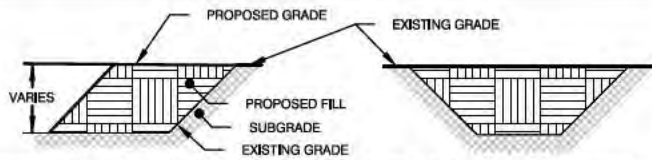
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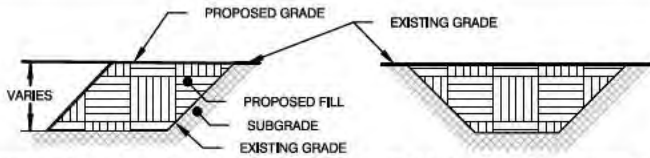


TYPICAL WETLAND #1 SECTION
NOT TO SCALE

TYPICAL WETLAND #2 SECTION
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WETLAND DISTURBANCE AREA		
FILL AREA (SF)		FILL VOLUME (CY)
W-01	23,651	305
W-02	24,498	41

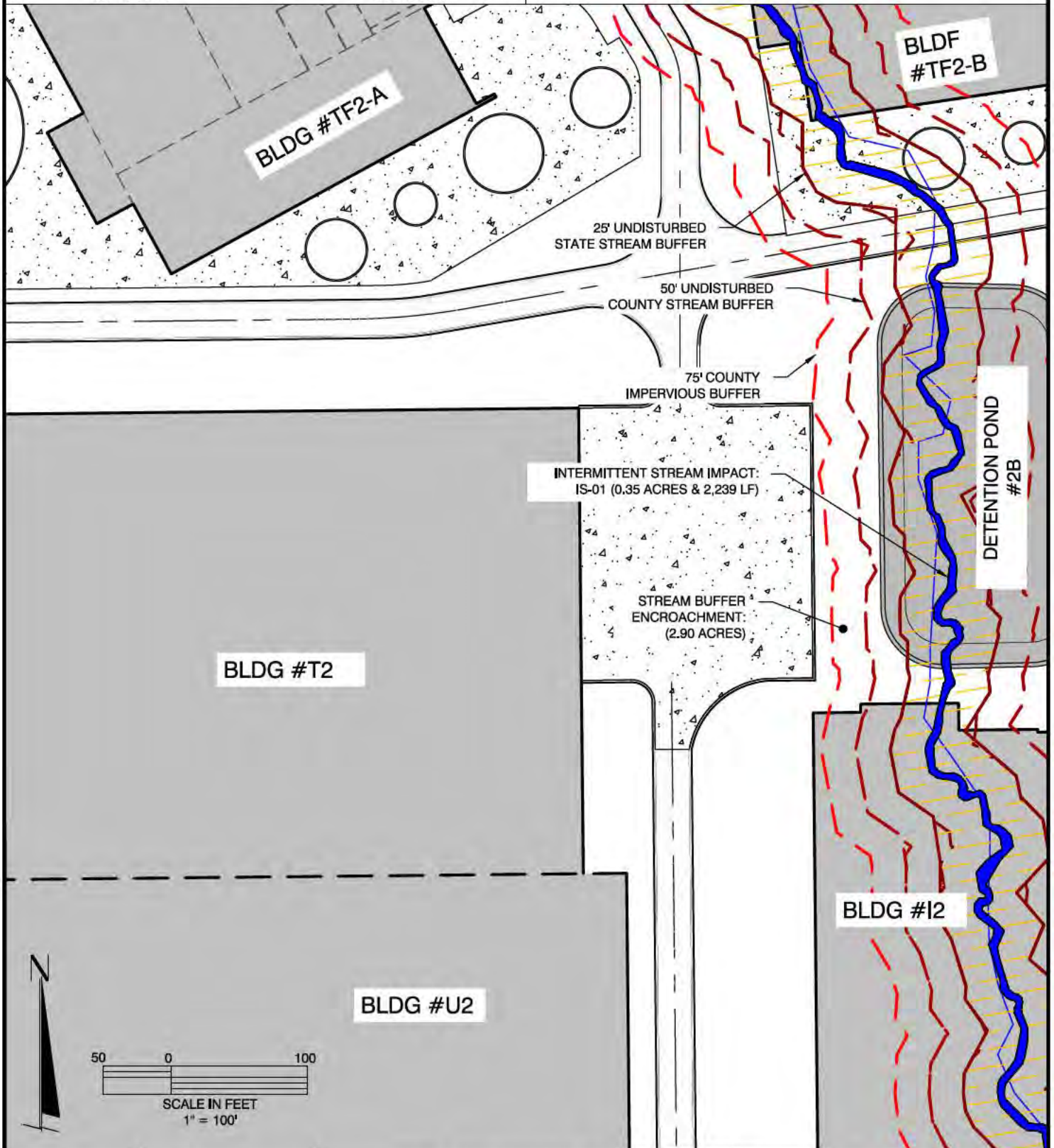




TYPICAL WETLAND #1 SECTION
NOT TO SCALE

TYPICAL WETLAND #2 SECTION
NOT TO SCALE

STREAM DISTURBANCE AREA		BUFFER ENCROACHMENT AREA	
FILL AREA (SF)	FILL VOLUME (CY)	FILL AREA (SF)	
IS-01	15,246	9	126,382



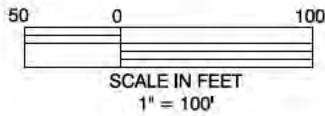
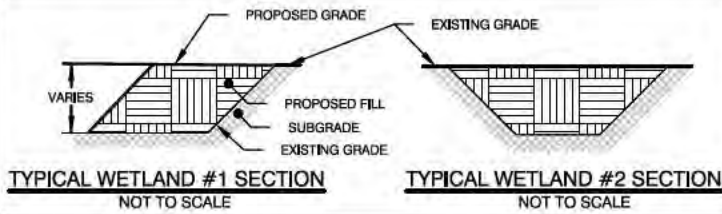
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EPHEMERAL STREAM
IMPACT ES-01:
513 (LF)

PROJECT
LIMITS

PROJECT
BOUNDARY

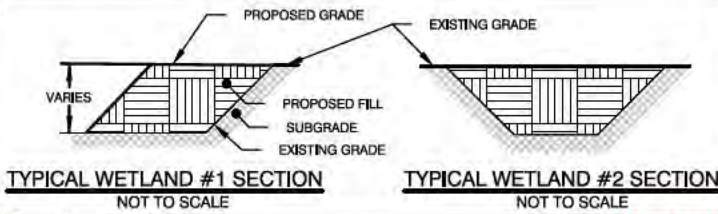
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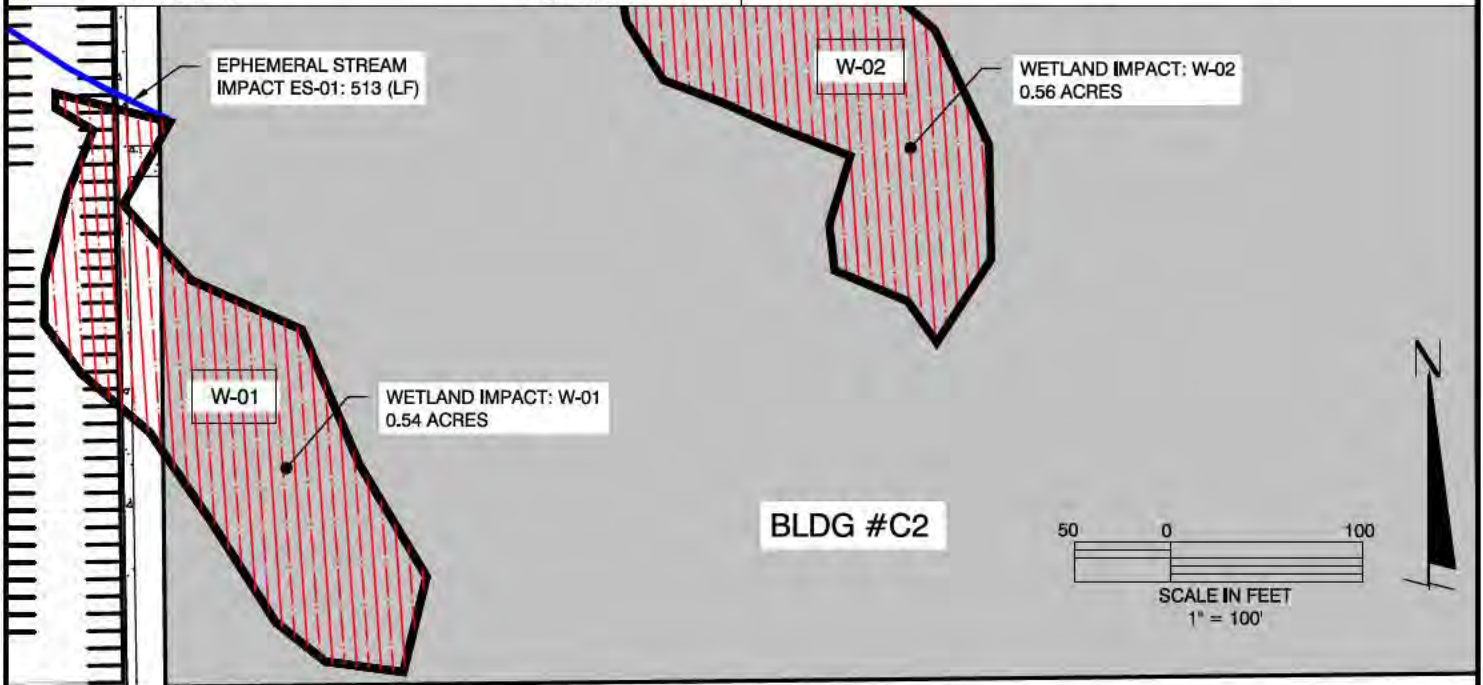
WETLAND IMPACT EXHIBIT
REDEEMER #2
PREPARED FOR: QCELLS



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WETLAND DISTURBANCE AREA		
FILL AREA (SF)		FILL VOLUME (CY)
W-01	23,651	305
W-02	24,498	41
W-03	711	0.21



PROJECT
LIMITS

PROJECT
BOUNDARY

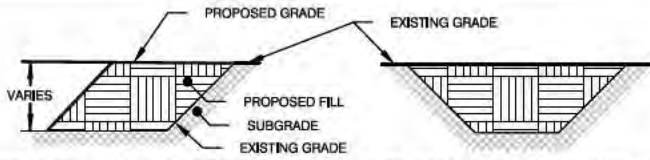
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WETLAND IMPACT EXHIBIT
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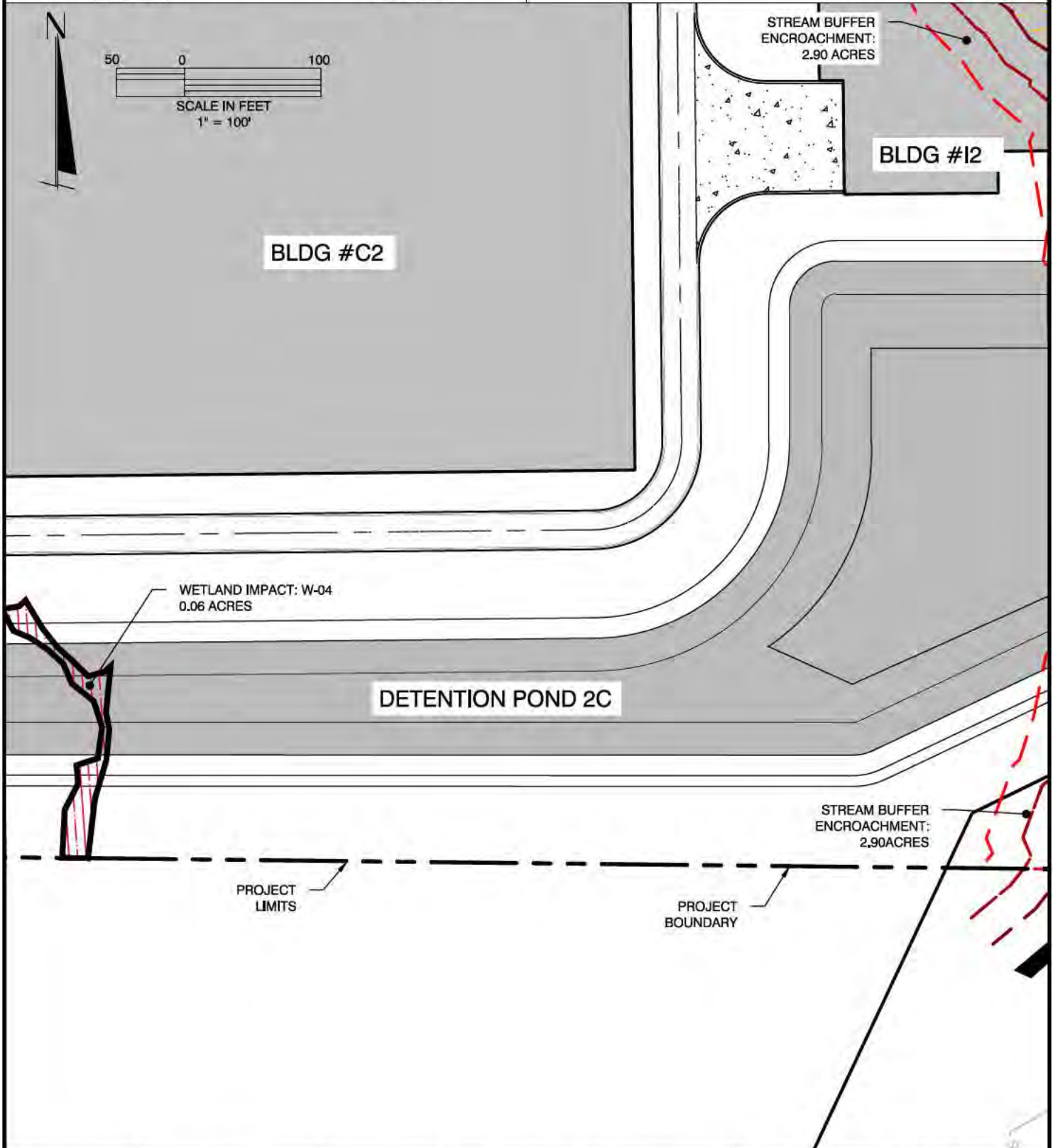
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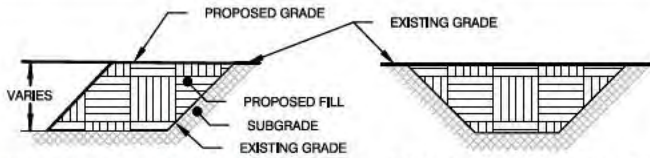


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NOT TO SCALE

TYPICAL WETLAND #2 SECTION
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WETLAND DISTURBANCE AREA		
FILL AREA (SF)	FILL VOLUME (CY)	
W-04	2,521	1.20

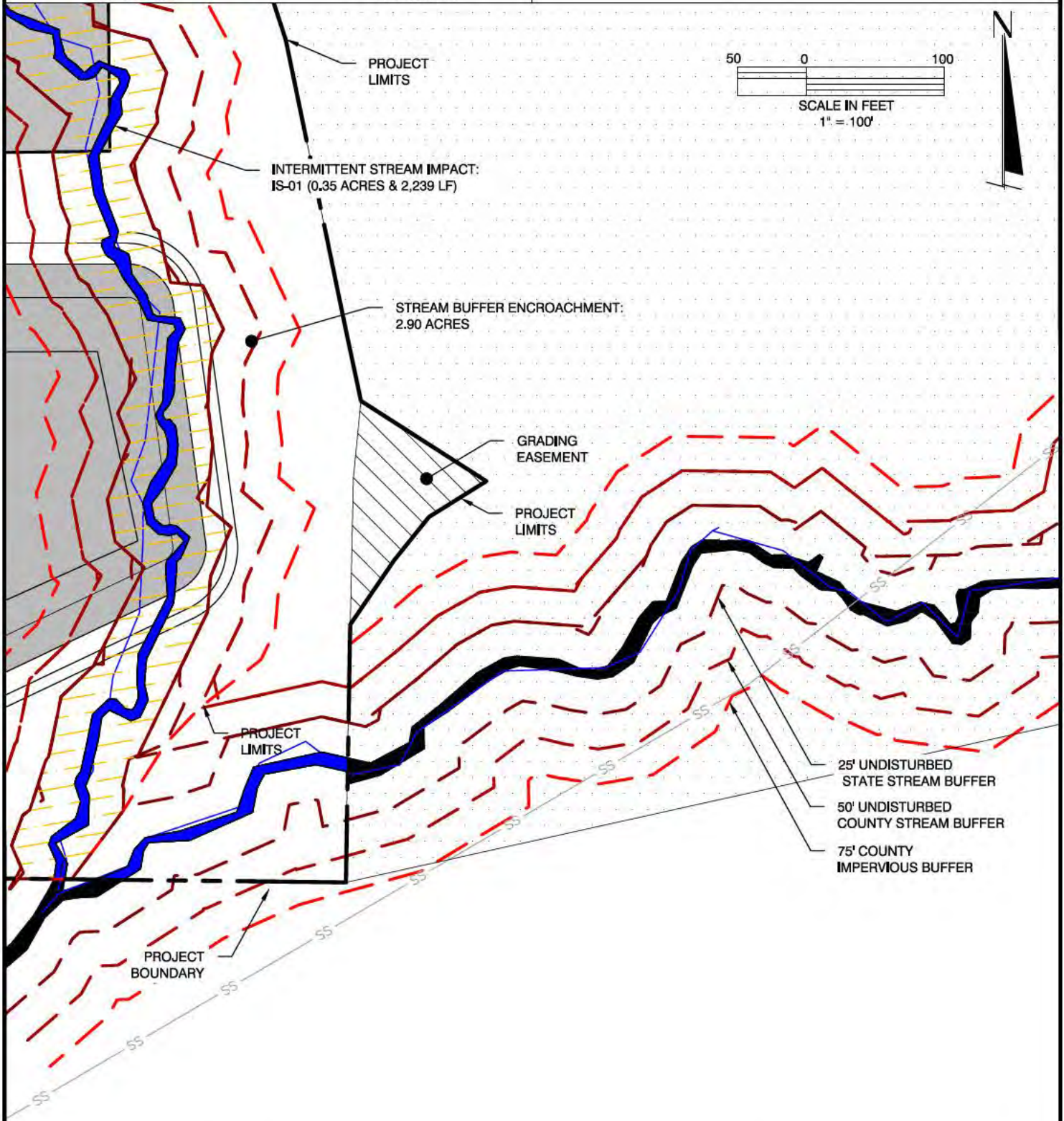




TYPICAL WETLAND #1 SECTION
NOT TO SCALE

TYPICAL WETLAND #2 SECTION
NOT TO SCALE

STREAM DISTURBANCE AREA		BUFFER ENCROACHMENT AREA	
FILL AREA (SF)	FILL VOLUME (CY)	FILL AREA (SF)	
IS-01	15,2467	9	126,382



09

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