



8 August 2022

US Army Corps of Engineers
Savannah District / Regulatory Division
Attention: Mr. Adam White
4751 Best Road, Suite 140
College Park, Georgia 30337-5600

**Subject: Response to Public Notice Comments
Stanton Spring North
Morgan and Walton Counties, Georgia
SAS-2020-00182**

RLC# 20-035.1

Dear Mr. White:

On 18 May 2022, the U.S. Army Corps of Engineers (USACE) issued a Joint Public Notice (JPN) for Stanton Springs North and the proposed construction of an electric vehicle original equipment manufacturing facility. In a letter dated 7 July 2022, the USACE provided a copy of comments received and provided the opportunity to furnish additional information. For your review and use please find attached a narrative response to comments and additional attachments for your use.

We appreciate your assistance with this project. If you have any questions or require additional information, please do not hesitate to contact us at (912) 443-5896.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Alton Brown, Jr.', written over a light blue circular stamp.

Alton Brown, Jr.
Principal
Resource & Land Consultants

Enclosures

cc: Mr. Pat Wilson – Georgia Department of Economic Development
Mr. Jerry Silvio - Joint Development Authority of Jasper County, Morgan County, Newton County & Walton County
Mr. Ralph Forbes – Thomas & Hutton Engineering
Ms. Anna Wildeman – Troutman Pepper
Mr. Byron Kirkpatrick – Troutman Pepper
Mr. Steve Wiedl – GADNR-EPD
Mr. Bradley Smith – GADNR-EPD

SAS-2020-00182 Stanton Springs North
Georgia Department of Economic Development and Joint Development Authority of
Jasper County, Morgan County, Newton County and Walton County
Response to Comments

This document provides the joint response of the Georgia Department of Economic Development (GDED) and the Joint Development Authority of Jasper County, Morgan County, Newton County and Walton County (JDA) to the U.S. Army Corps of Engineers' (Army Corps') July 7, 2022 letter requesting substantive replies to the public comments received on the Joint Public Notice (JPN) for the electric vehicle manufacturing facility at Stanton Springs North. Some of the public comments received on the JPN are not directly relevant to the Clean Water Act section 404 permitting process; however, responses have been provided to the extent information is available for public informational purposes. Other public comments requested information or details that are not available to GDED or the JDA and that are better directed to Rivian, the end-user electric vehicle manufacturer, in the context of its significant outreach to the public and local stakeholders.

As noted in the Army Corps' letter, 36 individual letters of support were received on the JPN. Supportive comments included recognition of the enormous economic benefit the proposed project will bring locally and statewide; the addition of 7,500 quality jobs, the thousands of indirect jobs and income that will result statewide, and the availability of job training; infrastructure, education, and public safety improvements that will result from the increased tax revenue and \$300 million that will be paid in lieu of taxes (PILOT payments); new and improved partnerships with higher education across the state, including the Georgia Institute of Technology, the University of Georgia, Georgia State University, and the Technical College System of Georgia; the air quality and other environmental improvements that will flow from the product manufactured in the state; and the real opportunity for the region and the state to become leaders in the technology economy, biosciences, and advanced manufacturing. We are pleased with the overwhelming public support the project has received, and the level of public engagement the project's proponents have accomplished.

The sections below provide a summary of responses to comments submitted by three participating agencies, four organizations, and 94 individual commenters.

I.
Response to Participating Agency Comments

Environmental Protection Agency: A detailed response to the EPA's comment letter is provided in item a. below. In brief summary, the application, site selection criteria, and alternatives analysis were developed in compliance with applicable federal regulations and Army Corps Savannah District guidance.

Georgia Department of Community Affairs, Historic Preservation Division: A cultural resources and archaeological survey has been conducted within the project area. A complete copy of the report has been submitted to the Army Corps for coordination with Georgia's Historic Preservation Division (HPD). The applicants will coordinate with the Army Corps and HPD to

ensure full compliance with the provisions of Section 106 of the National Historic Preservation Act of 1966.

National Marine Fisheries Service: We have reviewed the comments from NOAA's National Marine Fisheries Service (NMFS) dated Friday, May 20, 2022 and agree that no further coordination with NMFS is warranted. NMFS confirms that the project is not within the vicinity of essential fish habitat designated by the South Atlantic Fishery Management Council, Mid-Atlantic Fishery Management Council or NMFS. The project is located more than 300 river miles inland of the Georgia coast.

II. Response to Organization Comments

Altamaha Riverkeeper: Altamaha Riverkeeper noted that the Clean Water Act (CWA) 404 application was not publicly available on the Army Corps public notice website until three days before the 30-day comment period expired. The detailed JPN, of course, was available for the full comment period. The JPN is the mechanism for the Army Corps to “solicit[] comments and information necessary to evaluate [a project’s] probable impact on the public interest.”¹ The JPN provides more than sufficient information and detail about the project for the public to provide comments to guide the Army Corps public interest review. The pertinent regulation details 15 items of information to be included in a JPN to “give a clear understanding of the nature and magnitude of the activity to generate meaningful comment.” The JPN posted on May 18, 2022 complied with regulatory requirements and is consistent with Army Corps policy and procedures.

It is uncommon for the Army Corps to provide a public link to an applicant’s permit application. Based on a review of the last 100 public notices on the Army Corps Savannah District’s website this is the only incident where the application was ultimately posted at all.

Altamaha Riverkeeper also asserted that there is a lack of detail in the 404 application on various environmental and social issues it deems relevant to the Army Corps’ review. The purpose of the JPN is not to provide the public with extensive details or to solicit comments on the application itself. Instead, it is to inform the public about the nature and magnitude of the activity, allowing interested citizens to share their perspectives with Army Corps about the project in an effort to influence the Army Corps’ independent public interest review. We firmly disagree with this commenter that there is a lack of detail in the application and associated materials. But ultimately the question is whether the Army Corps believes additional detail is needed for its independent analysis, and the applicants are committed to providing any additional detail the Army Corps finds critical to its analysis. Importantly, the application included all information required by the Army Corps’ regulations.

The Army Corps’ regulations require section 404 applications to include: a complete description of the proposed activity (**application sections 1-3**), including necessary drawings, sketches, or plans sufficient for public notice (detailed engineering plans and specifications are not required) (**application Appendix B**); the location, purpose and need for the proposed activity (**application**

¹ 33 C.F.R. § 325.3(a).

sections 1-3); schedule of the activity (**application Appendix A, page 2**); the names and addresses of adjoining property owners (**application Appendix I**); the location and dimension of adjacent structures;² and a list of authorizations required by other federal, interstate, state, or local agencies for the work, including all approvals received or denials already made (**application Appendix A, page 2**). 33 CFR 325.1(d)(1). Additionally, for activities involving discharges of dredged or fill material into waters of the U.S., the application must include a statement describing how impacts to waters of the U.S. are to be avoided or minimized (**application section 6**); and either a statement describing how impacts to waters of the U.S. are to be compensated for or a statement explaining why compensatory mitigation should not be required (**application section 10**). 33 CFR 325.1(d)(7). Finally, the application must be signed by the applicant or by a duly authorized agent (**application Appendix A, page 4**). 33 CFR § 325.1(d)(8).

In addition, as is common practice for development projects, detailed reports are prepared to assess wetland and water resources, threatened and endangered species, cultural and historic resources, stormwater management (including erosion and sediment control), and compensatory mitigation. The results of each of these reports are incorporated into the 404 application and help inform the Army Corps in its decision-making process or in some instances are incorporated into a permit condition, particularly where detailed information (like you might see in a final erosion, sediment, and pollution control plan or final construction ready engineering plans) may not be finalized until after permit issuance.³ The applicants have provided additional details requested by the Army Corps following its review of the public comments, and we trust that the agency will request additional information if needed.

Stack & Associates, PC (S&A): S&A noted that the CWA 404 application was not publicly available until three days before the 30-day comment period expired and asserted that there was a lack of detail in the 404 application. See responses above.

Responses to many of S&A's additional comments are provided in items a., g., h., i., j., k., l. (L), m., n., o., p., q., and s., below.

S&A provided a brief comment about the CWA and asserted that various aspects of the application do not meet the legal requirements of the CWA and federal regulations. The commenter is incorrect and, with regard to completeness and consistency with legal requirements, the applicants submitted a complete and compliant application and the documents speak for themselves. The applicants are responsible for complying with all applicable legal requirements during the permitting process and throughout construction and operation activities.

We note that these comments were submitted on behalf of unnamed concerned citizens in Morgan and Walton Counties and the City of Social Circle. While we cannot confirm whether S&A represents No2Rivian.org, the No2Rivian website suggests that is the case. At the outset, No2Rivian asserts that its goal "is to encourage a common sense approach to growth that is

² This item is not included in the Army Corps Savannah District Section 404 CESAS Application Form 19 and so was not included in the application.

³ It is common for developers to wait until a permit is issued by the Army Corps and other applicable regulatory agencies for a project before investing significant resources in advanced designs.

economically prosperous, socially equitable, and environmentally sustainable.” (<https://no2rivian.org/about-us/>). The applicants and Rivian share that goal. Part of the reason that Rivian chose Georgia for the project over other states is because of Georgia’s abundant and renewable resources. As a result of these resources, Rivian is able to minimize its impact on the environment. For example, unlike other states in the south and southwest that Rivian was considering as prospective locations, Georgia has ample and reliable rainfall and groundwater sources. Georgia also has a reliable power system, which is partially comprised of renewable energy (which will soon be bolstered by nuclear reactors at Plant Vogtle). Georgia also has a more temperate climate than other locations resulting in lower costs and utilization of power resources.

Rivian has committed to keeping 50% of the site permeable, and the company’s overall goals keep sustainability at the forefront of their entire corporate ethos. Additional information related to the site’s long-term sustainability will be addressed throughout this document. Further, Rivian and the State of Georgia seek to foster a diverse workforce that includes local community students as well as an even wider net to meet the company’s goals and commitments. The site’s proximity to local technical schools, colleges and universities is key to these goals, as noted in other areas of this document. Rivian is already reaching out to local school systems to develop relationships that will help students and communities while students are in school, as well as provide long-term opportunities as they begin careers.

Georgia Conservancy: The Georgia Conservancy asserts that it is not aware of a similar single-use project the same size as the proposed project. We note that the Kia facility located in West Point is on a larger tract of land (2,200 acres) than the proposed project. Responses to many of Georgia Conservancy’s comments are provided in items h., i., j., k., and l. (L), below. Other comments request information or details that are not available to GDED and that are better directed to Rivian outside of the 404 permitting process.

Georgia River Network: A detailed response to Georgia River Network’s email is provided in items i. and j. below. In brief summary, neither the watershed nor the groundwater will be affected by the proposed project.

III. Response to Individual Comments

The Army Corps’ July 7, 2022 letter requested written responses to 19 categories of comments received on the JPN. The Army Corps’ comment categories are provided below, **in bold**, in the order they are presented in the July 7 letter (items a. – s.). Responses are provided below.

a. Application of site screening criteria for exclusion of alternatives appears to be arbitrary; lack of demonstrated need for a site of proposed minimum size (*Consistent with many of the comments, questions, and concerns stated above, the application is replete with unsubstantiated, vague, and conclusory statements regarding practicability criteria. Such statements must be amended and augmented to provide more detail and substantiation in order for ACOE to engage in appropriate analysis of and action on the application and for the public to have adequate information to make good comments on it.* - Thomas Followill, Sr.);

RESPONSE: We firmly disagree with commenters who asserted that the screening criteria are arbitrary. To the contrary, the application and selected screening criteria were modeled after and are consistent with applicable regulations and agency guidance and demonstrate that the selected site avoids and minimizes impacts to the greatest extent practicable and is the least environmentally damaging practicable alternative. The Army Corps Savannah District has issued guidance for the public and for regulated entities titled, “Guidelines for Preparation of Analysis of Section 404 Permit Applications Pursuant to the Section 404(B)(1) Guidelines of the Clean Water Act (40 CFR, Section 230).”⁴ Part 1, Section G of the Guidelines provides:

The applicant must determine appropriate project specific site selection screening criteria based on the need and purpose of the project. The applicant must provide a list of the project specific site selection criteria that were used to screen potential sites within this identified geographic area, and an explanation of why the criteria were selected. The applicant must provide a list of all potential alternative project locations that were investigated, and an explanation of how the project specific criteria were used to screen these sites. Any alternative site that was considered, but eliminated from further consideration, should be documented as not being a practicable project site, and why. Sites that do not meet all site selection criteria would not be considered in the off-site alternatives analysis in Part II, below. . . . The USACE will review the applicant’s analysis of potential off-site alternatives for consistency with the USACE-determined overall project purpose.

The Guidelines provide examples of site selection criteria, including project size, proximity to target market; proximity to river, stream or other waterway; proximity to an airport, rail or major highway; proximity to electric transmission line, potable water or sewer main; zoning; and overall cost of project construction. The Guidelines go on to state, “A potential project site that meets all identified criteria would be considered a practicable alternative site. A site that fails one or more criteria would not be considered practicable.”

Consistent with the Guidelines, the site selection criteria in the application includes overall cost of project construction, geographic location, size, availability of utilities, proximity to infrastructure, existing site access, existing property ownership/availability, ability to accommodate future expansion, consideration of operation limitations, among others. The first criterion (capable of supporting the project considering cost: site development costs must be reasonable considering scope, scale, and type of project, total costs, funding sources, etc.) is critical to analyze for any project. If a site is cost prohibitive for any reason, the project will not be constructed.

The second criterion (capable of being done considering logistics: geographic location, size, entitlements, utilities, proximate infrastructure, site access, and other factors) informs whether the proposed project will succeed or fail at a particular site. For example, proximity to an airport with direct flights to certain major cities is critical to ensure that Rivian’s Georgia facility is integrated with and accessible from other major company hubs in Illinois and California. Similarly, proximity to a skilled labor force and an internationally recognized engineering and technology university will help ensure there is a pipeline of high-quality talent within the state

⁴ Available at https://www.sas.usace.army.mil/Portals/61/docs/regulatory/IP_SAS_404_b_1_Guidelines.pdf

that can fill the many important and high-paying jobs that will be created at the Georgia facility. Proximity to rail infrastructure is also critical for the manufactured product to be delivered to its ultimate point of sale or use. From a practical standpoint, where rail infrastructure is not currently available, it may take years to acquire additional parcels and get approvals to build rail, and such activities would be very disruptive to the community. By the same token, if a site does not have access to basic utilities, the developer must evaluate the cost and resource investment required to bring utilities to the property. Depending on the circumstances, bringing necessary infrastructure or utilities to a site could be cost prohibitive or cause delays that affect project financing and milestones.

For this particular project, the speed of Rivian's go-to-market strategy is crucial to site selection. Development at the selected site will be expedited by the location and the support of the regional human and natural resources. From a wider perspective, the electric vehicle (EV) industry must shift to meet the ever-growing need for decarbonizing global transportation. Not only are more governments seeing the need to rapidly shift to electrification, Rivian believes there is a more responsible pathway to sustainable transportation. Georgia's abundant resources – including water and a growing renewable energy sector – along with the skilled workforce, advanced training focus, and access to superior transportation hubs will allow Rivian to move to full production more quickly and viably than anywhere else reviewed.

Other screening criteria address the availability of a property for the planned development, the ability to expand in the future, and the ability to acquire and use the land as needed for the project. The selected site is capable of utility and logistic infrastructure buildout within the parameters of meeting national EV demand for the next generation of Rivian products. These are all critical to ensuring that a significant financial and resource-intensive investment can be sustainable and productive long into the future.

Some commenters suggested that the proposed project should be located on alternate sites that did not meet the siting criteria. We disagree with these comments, because, as the Army Corps Savannah District Guidelines provide, "A site that fails one or more criteria would not be considered practicable." For example, Off-Site Alternative 2 (Peach County) would not meet the airport proximity criterion, there were concerns about the availability of a diverse and skilled labor force, and critically important, this site has an approximately 280-acre federal conservation easement located in the middle of the property that would preclude development and use for the project purpose. Similarly, Off-Site Alternative 4 (Bartow County) has no access to rail infrastructure and, depending on the route, would require between 2.25-3.5 miles of new rail construction. This could impact anywhere from 12 to 50 or more parcels, affect the overpass over Joe Frank Harris Parkway, and would cause significant cost and scheduling problems.

The foregoing rationale demonstrates that each of the screening criteria presented in the application are important to the proposed project development and feasibility and were developed to fully evaluate potential sites. The applicants' analysis of the screening criteria is neither unsubstantiated nor vague, but rather provides appropriate detail on each of the alternate sites and why the screening criteria are not met.

As explained in the application materials, six sites were evaluated against the site selection criteria. Only one property met all of the site selection criteria. This property was fully evaluated for water resources and a number of site configurations were evaluated based on potential impacts to streams, wetlands, other waters, federally listed threatened or endangered species, and cultural resources. Because none of the off-site alternatives met the initial screening criteria, they were not further evaluated for water resource conditions or other resource impacts.

Other comments were raised about the reasonableness of certain criteria thresholds. For example, a commenter asked why is a 60-minute commute to the nearest airport reasonable but a 75- or 90-minute commute is not; and why is a 2-hour commute to a major university reasonable but 2.5 hours is not? Longer commutes, whether by car or public transportation, require greater investment of resources and also cause greater environmental impact. The difference between 60 minutes and 75 or 90 minutes and 2 or 2.5 hours would quickly add up to hundreds of additional vehicle miles and many additional hours traveled per day by contractors, vendors, and delivery services, and also by potential employees. Not only does this additional travel result in significant additional cost from a fuel demand and cost of delivery standpoint, but also adds to cost (time and fuel) for potential employees to commute to and from work. All additional miles and hours traveled result in additional vehicle emissions.

The same commenter asked what criteria was used to determine the availability of a “diverse and skilled labor force” from one community to another. The applicants considered population density, average levels of educational attainment, median age, projected population growth, and median household income levels.

b. JDA (and in turn the GDED) did not own or control all of the property at the time of the application *(As of the date of signing of this application (4/27/22) neither the JDA or state held ownership of most of the property. So how could they ‘have the authority to perform the activity requested’? I believe that by answering that statement in the affirmative, by signing the application, that they have made a statement that is at best extremely presumptuous, and at worst completely false. - Matthew Bray);*

RESPONSE: The commenter is mistaken on both the facts and the legal requirements. At the time the application was submitted, the JDA owned or had an exclusive option to purchase each of the parcels involved in the project. As of the date of this submittal, the JDA has closed on and owns all but a single parcel comprising about 40 acres of the project site. The proposed project will not have any water resource impacts on this remaining 40-acre parcel. The JDA is scheduled to close on the remaining ~40 acres in August. In any event, the Army Corps’ regulations do not require ownership. These regulations make clear that in order to submit the application, an applicant or its agent must affirm that the applicant “possesses or will possess the requisite property interest to undertake the activity proposed in the application.” 33 C.F.R. 325.1(d)(8). The applicants possess or will possess the requisite property interest to undertake the proposed activity.

c. The GDED’s assumption of the role as permit applicant has precluded the opportunity for local comments regarding the proposal *(The State of Georgia has asserted legally questionable tactics, including the complete subversion of Morgan County planning*

and zoning departments, which has prevented public participation in zoning decisions. This alone makes public meetings for comment vital in this permit application process. - Edwin Snell; Morgan County zoning regulations do not allow heavy industrial to abut directly against agriculture zoning without buffers because of obvious adverse effects so why should the state be able to override this ordinance, which is based upon safety and well-being? Just because the state says it can happen does not mean the adverse effects won't happen! And we are not convinced that the state can declare rezoning to be unnecessary just because the state owns the land. Legal experts say a site must be zoned properly, even if owned by the state, as long as a private company is using it. - JoEllen Artz, with supporting documents; Since the announcement of this project in December, there have been few meetings to allow citizens to express concerns in a limited manner, no question/answer sessions, and local control was taken away early on when the JDA handed the project over to the state. This effectively eliminated the need for re-zoning and any requirements set forth by the planning commission in Morgan. The state GDEcD formed 4 committees to oversee this development and address concerns. In the areas of the environment, workforce, quality of life, etc. After 2 public meetings with the Environmental committee and no activity by the other committees, they were dissolved. - Diane Hoopaugh-Morris; The JDA and Rivian's rezoning application is incomplete and incompatible with Morgan County's Comprehensive Plan. Note that the largest amount of land affected is in Morgan County and thus any proposed rezoning should comply with Morgan County Comprehensive plan. It should be noted that the state took an unconstitutional and authoritarian move earlier this year to bypass all local zoning hearings with complete disregard for community concerns. - Andrea Wilson);

RESPONSE: The applicants and Rivian are committed to meaningful local engagement. And they share many of the goals, and desire many of the substantive objectives, at the heart of these comments. The applicants and Rivian are committed to promoting public health and welfare, public safety, environmental protection, workforce development, and quality of life.

First and foremost, the level and scope of public engagement by all of these project proponents is unprecedented and continues to provide a valuable and impactful process for citizens and stakeholders to engage.

GDED's involvement provides additional resources for the engagement process and improves the exchange of information. GDED has from the early stages committed to work with city and county governments to ensure that every concern is heard and every question is answered.⁵ For this project, local zoning and land use public interest factors would otherwise be handled inefficiently. It would involve three different jurisdictions, three different sets of rules, three different schedules and processes, and various, likely inconsistent approaches on how best to apply zoning and land-use public interest factors for the same single comprehensive development.

⁵ GDED's February 18, 2022 letter setting out these commitments is available here: https://www.georgia.org/sites/default/files/2022-02/jda_response_letter_2-18-22.pdf and GDED Commissioner Wilson's statement, available here: https://www.georgia.org/sites/default/files/2022-02/jda_response_statement_02.21.2022.pdf

The State of Georgia has also provided resources and forums for stakeholder engagement. The state established four committees to facilitate strong stakeholder engagement on the priority issues.⁶ The Workforce Development Committee, led by the Assistant Commissioner of External Affairs and Facilities at the Technical College System of Georgia, is focused on engagement around workforce needs for the new facility. This Committee has planned four meetings, the first occurred on August 4 and included opportunities for public comment. The Site Design and Environmental Committee, led by the Deputy Director of the Environmental Protection Division of the Georgia Department of Natural Resources, is focused on site design and environmental controls for the project. This Committee will provide technical comments and input on site designs and has already held two public meetings (April 18 and May 2) and has two more meetings planned (August 17 and August 31). The Quality of Life Committee, led by the Deputy Commissioner of Community Development and Finance for the Georgia Department of Community Affairs, has two full committee meetings planned, the first is August 9; and four subcommittee meetings (Public Benefits (August 23), Land Conservation (August 30), Civic Engagement (to be scheduled) and a second Land Conservation subcommittee meeting (to be scheduled))⁷ Rivian has committed to participate in these committees and will attend either in-person or virtually the following meetings that are planned through December 2022, most of which provide an opportunity for public comment:

⁶ The establishment of the Planning Committees announcement is available here: https://www.georgia.org/sites/default/files/2022-03/rivian_planning_committees_release_03.14.2022_0.pdf

⁷ Scheduling information, including mission and staffing information, is available here: https://www.georgia.org/sites/default/files/2022-07/meeting_information_for_rivian_planning_committees_07.20.2022.pdf

| Date | Day/Week | Time | Location |
|--------|-----------|-------------|----------------------|
| 4-Aug | Thursday | 17:00-19:00 | GTC-Newton |
| 9-Aug | Tuesday | | Social Circle CC |
| 9-Aug | Tuesday | 17:30-19:30 | Athens Tech - Monroe |
| 17-Aug | Wed | 17:30-19:30 | Athens Tech - Monroe |
| 23-Aug | Tuesday | 17:30-19:30 | Athens Tech - Monroe |
| 30-Aug | Tuesday | 17:30-19:30 | Athens Tech - Monroe |
| 22-Aug | Monday | 17:30-19:30 | Athens Tech - Monroe |
| 31-Aug | Wed | 17:30-19:30 | Athens Tech - Monroe |
| 7-Sep | Wednesday | 17:30-19:00 | GTC-Newton |
| 8-Sep | Thursday | 17:30-19:30 | Athens Tech - Monroe |
| 14-Sep | Wednesday | 17:30-19:30 | GTC-Newton |
| 19-Sep | Monday | 17:30-19:30 | Athens Tech - Monroe |
| 22-Sep | Thursday | 17:30-19:30 | Athens Tech - Monroe |
| 29-Sep | Thursday | 17:30-19:30 | Athens Tech - Monroe |
| 6-Oct | Thursday | 17:30-19:30 | GTC-Newton |
| 26-Oct | Wednesday | 17:30-19:30 | GTC-Newton |
| 3-Nov | Thursday | 17:30-19:30 | GTC-Newton |
| 16-Nov | Wednesday | 17:30-19:30 | GTC-Newton |
| 14-Dec | Wednesday | 17:30-19:30 | GTC-Newton |

Additionally, the Georgia Department of Transportation has also hosted Public Information Open House events in addition to posting project information on an online platform during a 30-day public comment period. Public meetings have been promoted locally and through media, social media, and project website resources.

The JDA has also held eight (8) public meetings (as further detailed in response to (e) below) at which public comments were allowed and continues to update its website with key project information and responses to questions posed during public comment.

Generally speaking, many of the public comments received in response to the JPN are identical to public comments received across these multiple venues.

Finally, those limited comments suggesting that the State’s role in the project is illegal, are misguided. The relationship between local governments and the State are well established by the Georgia Constitution and recognized by the Georgia Supreme Court. Local governments authority to regulate persons and land use within their political boundaries, simply does not extend to the State. O.C.G.A. § 1-3-8; 1958-59 Op. Att’y Gen. p. 5. The Georgia Supreme Court reaffirmed this proposition stating, “[i]n delegating the power and authority to lay out streets, etc., for the benefit of the city, the State could not be presumed to have granted [to the city] the power and authority to do so against her own sovereign rights over her own property without first having obtained her consent.” *City of Atlanta v. Cent. R.R. & Banking Co.*, 53 Ga. 120, 125

(1874). Indeed this project is perhaps the perfect endorsement for this Constitutional principle. The state's pursuit of economic and employment opportunities for the good of all of its citizens, should not be controlled or limited by a subdivision of the State.

d. Questionable basis for proposed need for increased employment given the locally low unemployment rate; lack of documented need for the proposed facility staffing level *(In initial public announcements, it has claimed that it will (or may) employ approximately 7500 persons at some uncertain time in the future. But the application now claims that it will (or may) employ approximately 10,000 persons. We question the reliability of such changeable claims, particularly in comparison to the much smaller 2500 person workforce that exists at the huge Kia automotive manufacturing facility in West Point, Georgia. It has never to our knowledge been explained or substantiated how Rivian has arrived at these workforce claims and estimates. - Karen Black Jenkins; Tonya Bechtler, June 17, 2022);*

RESPONSE: The proposed project is committed to creating 7,500 net-new full-time jobs by December 31, 2028. This commitment is memorialized in the Economic Development Agreement entered into by Rivian Horizon, LLC, the State of Georgia and the GDED, and the Joint Development Authority of Jasper County, Morgan County, Newton County and Walton County. This commitment is affirmed in the Performance & Accountability Agreement (Appendix D of the Economic Development Agreement), which provides economic penalties if the company fails to meet its commitments.

Although the commitment to the state is for the proposed project to create 7,500 jobs locally, it is expected that 10,000 jobs would be created at the time the project is completely built out and operating at maximum production capacity, and this number was included in the permit application.

If, during the months leading up to the start of operations, the community enjoys such low unemployment that there is not enough local talent to fill the positions needed, the state and the company are likely to initiate a recruitment effort statewide or potentially beyond. Bringing new talent and additional income into the area will increase the local tax base and lead to a stronger and more prosperous community.

The estimate of 7,500 to 10,000 jobs is consistent with the level of employment at the Normal, IL facility. There are currently 6,000 employees that work a single shift at the Normal, IL facility. The Normal, IL facility is expected to add a second shift to operations in later this year and continue hiring throughout 2022. The Georgia facility is expected to have sufficient employees to work three shifts.

Kia committed to create 2,500 jobs in its manufacturing facility in West Point, Georgia. Kia currently employs approximately 3,000 employees at that facility and produces approximately 300,000 vehicles per year at the highly automated facility. While only 3,000 directly work at the Kia facility, there are an estimated 10,000-12,000 individuals working at supplier operations both on and off the Kia site for companies that provide parts to Kia. This is the result of Kia producing vehicles that use internal combustion engines which contain significantly more parts than a comparable vehicle powered by an electric engine.

By comparison, Rivian will employ 7,500 on its site at a vehicle manufacturing operation and a battery facility. Rivian provides high-end vehicles and uses human labor for many of its processes resulting in more handmade elements in its vehicles. Rivian will also have suppliers providing parts to its manufacturing operations, some of which may locate on the site or nearby, but as a result of solely using electric powerplants to power its vehicles, the demand for suppliers is less than a comparable internal combustion engine vehicle manufacturer.

e. Request for public hearing: A total of 42 requests for public hearing were included among the comments received. The purpose of a public hearing in conjunction with the Corps permit review is to acquire information or evidence which will be considered in evaluating a proposed permit action and affords the public an opportunity to present their views, opinions, and information on such a permit action. The commentors requesting a public hearing did not explicitly indicate that there was additional information available, which would be relevant to our evaluation of the subject application and that could not be gathered by other means. Given the number of requests for a public hearing, it may be prudent for the applicant or its partners to host a public hearing or meeting to educate the public about the proposed project and to allow the interested public a forum for expressing their concerns;

RESPONSE: A public hearing for a CWA 404 permit is “conducted for the purpose of acquiring information or evidence” to be considered in evaluating the proposed permit and “affords the public an opportunity to present their views, opinions, and information on such permit actions or Federal projects.” 33 C.F.R § 327.3. A public hearing may be granted when “needed for making a decision” on a permit application and when a hearing request is received that states “with particularity the reasons for holding a public hearing.” 33 C.F.R § 327.4. The Army Corps has concluded that none of the 42 public hearing requests received on the proposed permit identify a need to gather, develop or present any specific information or evidence that has not already been presented or considered by the Army Corps. As such, a public hearing on the proposed permit is not needed or supported by applicable federal regulations.

In any case, and as explained in detail in response to item C., the applicants and their state partners have and will continue to provide robust opportunities for the public to learn about the project, ask questions, and submit comments and concerns for consideration. The formation of committees and subcommittees to evaluate, address, and engage with the community on specific issues will ensure that the public has ample opportunities for meaningful engagement in the development and permitting process.

Additionally, the JDA has held monthly public meetings since its creation in 1999 for which meeting notices are provided to the local newspapers and published on the JDA’s websites. The public is welcome to attend these meetings and each regular meeting includes the opportunity for public comment. The proposed project has been discussed at the JDA’s public meetings since the project was announced in December 2021 which meetings occurred on: December 28, 2021, January 25, 2022, February 22, 2022, March 22, 2022, April 26, 2022, May 24, 2022, June 28, 2022, and July 26, 2022. Many of those requesting a public hearing have attended JDA meetings and provided comments which are repetitive to those addressed in this document. The JDA keeps detailed minutes of the public participation at its meetings which are posted on its website

(www.i20jda.com). The JDA responds to the questions and comments posed at its public meetings by posting additional information on its website including a comprehensive “Answers to Frequently Asked Questions” document and site studies which are responsive to environmental concerns.

Like the JDA, the Newton County Water & Sewer Authority, the water & sewer provider for the proposed project, also holds monthly public meetings at which public comment is offered and water system improvements are discussed.

Local input has also been received through public comments allowed at the Walton County Board of Tax Assessors meeting on April 26, 2022 and the Morgan County Board of Tax Assessors meeting on April 27, 2022.

A local community meeting hosted by Shane Short was held at the Social Circle Middle School on January 11, 2022 at which the proposed project was presented and the public was encouraged to, and did, ask questions. Approximately 100 members of the public attended.

Finally, the Georgia Department of Transportation (GDOT) held two public meetings (June 14 and 15, 2022) which were widely publicized to provide information regarding the projects it will complete in connection with the proposed project which included extensive community engagement. Many of the commentors identified in this document also participated in those meetings. GDOT also maintains a website with extensive information about the projects: <https://us278andoldmillroad-gdot.hub.arcgis.com>.

Representatives of Rivian have also engaged directly with local community members, neighbors, and community partners in the area. Rivian has spoken at several Rotary, Kiwanis and Chamber functions, toured several local schools (charter schools and high schools) in the area, and begun outreach with Athens Technical College and the University of Georgia.

In May, Rivian partnered with several local businesses to host an event at the Georgia State University Campus in Newton County for neighbors. Rivian also worked with the Newton County Future Farmers of America (FFA) to put together a planting workshop. The FFA kids also constructed a Rivian sign that will be used at future events.

This summer Rivian has been involved in a number of community events including parades, neighborhood celebrations, and Back to School Supply Drives. On August 9th Rivian will host a Vendor Business Fair for members of the real estate, facilities and culinary teams to meet with potential local business partners. Rivian plans to continue this local engagement at several festivals this Fall, as well as host a Sustainability Forum in the Fall and a hiring fair in early 2023.

f. Concerns for substantially unanticipated project costs which would be borne by taxpayers (<https://www.goodjobsfirst.org/news/releases/unproven-ev-builder-rivian-receives-largest-auto-subsidy-package-us-history>, cited by multiple commenters; *Concurrent with increased population growth is increased demand for drinking water, and when coupled with a loss in forest area, can result in higher costs of drinking water treatment (Postel & Thompson, 2005). In a recent literature review, Warziniack et al. (2016) found a negative*

relationship between water treatment cost and source water quality. This finding follows previous research that found a negative correlation between water treatment costs and watershed forest cover (Ernst, Hopper, & Summers, 2004). Freeman et al. (2008) surveyed drinking water suppliers in the USFS Northeastern Area and found that reduced forest cover leads to increased turbidity and total organic carbon in source water, thereby increasing treatment costs. Based on a national survey of 37 water treatment utilities with watersheds averaging 60% forest cover, Warziniack et al (2016) estimate that a 1% reduction in forest area would increase turbidity by 3.9-6.3%, depending on the ultimate land cover type. ...converting 10% of the watershed area from forest to developed would increase chemical treatment costs from \$2.52 to \$20.48 annually per million gallons treated... - Andy Cooper;

RESPONSE: The concerns regarding unanticipated costs relating to water supply are theoretical and reflect a misunderstanding of the circumstances applicable to the proposed project. From a direct impact standpoint, all of the water required to service the proposed project will be provided by the Newton County Water & Sewer Authority and sourced from the Cornish Creek Reservoir in Newton County, in part, and a water re-use facility to be constructed in Stanton Springs in part. The facility will be responsible for its share of water-related expenses through a tap fee and water usage charges. As to indirect impacts from loss of forest cover, the proposed project will result in minimal impacts to forest cover and the overall site development will be limited to 50% impervious surfaces. The approximately 2,000-acre site includes approximately 1,108 acres of forest. The site plan includes the preservation of a significant portion of the site such that only approximately 500 acres or less of forest will be directly impacted by grading. Assuming 500 acres of forest will be impacted as a result of the proposed project, this represents approximately 0.23% of the hundreds of thousands of acres of forest land in Walton and Morgan Counties which is significantly less than the 1% referenced in the article cited by commenters.

The proposed project is not located adjacent to the surface water supply source and thus grading or tree removal should have no direct impact on treatability of its water source from Newton County. The project will also not have wide-reaching impacts on the water supply source in the immediate area, as explained in detail in the report by Nutter & Associates. The Nutter report concludes that the immediate groundwater resources are not likely to be impacted and to the extent they are, the area of impact is primarily within the site.⁸

These commenters assume substantial population growth in the immediate area as a result of the proposed project. The actual amount of population growth will be driven by how each government entity surrounding the project manages growth through zoning and development regulations. Moreover, each homeowner will be responsible for paying their tap fees and water charges in proportion to their usage. Tax funds are not used to fund water and sewer services.

Rivian will pay over \$300 million in PILOT payments over the first 25-years of the project. In year one, the company will pay \$1.5 million, which is 18 times the current property taxes generated on the site of \$80,000. These funds will help offset local expenses associated with the project. In addition to the direct benefits from the PILOT payments, the 7,500 jobs it is

⁸ The Nutter report is available here: https://www.stantonsprings.com/uploads/7/5/0/2/75024267/tech_memo_-_north_stanton_springs_groundwater_assessment_-_10feb22.pdf

contractually obligated to create will not only generate a minimum of \$420 million per year in salaries, but it will also generate payroll taxes and sales tax revenue. Local businesses will see a boost in demand for services and new business will be established to serve the demand. Suppliers for the proposed project are also expected to locate in the area. The estimated indirect and induced jobs created as a result of the project is estimated at 7,978 according to an Implan Study (enclosed). The local school systems will also benefit from receipt of approximately 50% of the PILOT payments in addition to the property taxes paid by new residents moving to the area which will support the potential influx of students. Overall, the \$1.5 billion in incentives invested to locate the proposed project in Stanton Springs North with result in \$7.3 billion in returns to the state and local communities from direct and indirect benefits realized from the jobs created. The return on investment for the communities is substantial.

The local communities supporting this project have planned for its impacts and carefully evaluated the costs and benefits of the project which ultimately resulted in their decision to enter into agreements to locate Rivian in Stanton Springs North.

g. Lack of clarity regarding the proposed project schedule: The first project phase may be completed in a manner that would not result in adverse impacts to aquatic resources. We also understand that the applicant has indicated that the overall project schedule is being expedited, and that start of facility operation is currently planned for 2024. *(We note that the application includes a statement that development activity is not expected to be completed for another twenty (20) years. With this long timeframe for development contemplated, the ACOE need not and should not rush its evaluation and action on the application.* - Alan Davis Jenkins);

RESPONSE: Like many large manufacturing facilities, construction and operation is planned in phases. As stated when the project was announced in December 2021, the initial phases of construction will begin in 2022, with initial operation commencing in 2024. Additional phases will be constructed in the future, and specific timing is likely to depend on market conditions, financing, and other similar contingencies.

h. Incompatibility of proposed heavy industrial land use given the surrounding land use types *(The Brownfield Act of 1996 outlined the reuse of abandoned industrial sites. Rivian could choose to take a brownfield and make it green! Alternatives exist that would be a better fit and not destroy thousands of acres of premium farmland with millions of sq feet of concrete.* - Janet Shepard);

RESPONSE: The site location meets all of the site selection criteria described above and is the best location for the proposed project. Consistent with the company's mission, the project is designed to retain many of the existing natural elements on the property, including retaining open space, forested habitat, wetlands, ponds and streams. A traditional industrial or brownfield site would not allow for these important design elements.

In any case, the applicants identified only two brownfield sites in the state that would meet the size and acreage needs of the project. One is Robins Air Force Base—an active military installation. The other is the University of Georgia Botanical Gardens. Neither property meets

the proximity-to-airport site selection criterion, nor could they appropriately accommodate the proposed project.

The proposed use of the site is consistent with surrounding land uses. It is directly adjacent to Stanton Springs which is a 1,600-acre industrial park that hosts Takeda and two Meta data centers. It is located on a major U.S. Interstate and a State Highway with access to rail. Approximately 500 acres of the 2,000-acre site was rezoned for industrial use in the spring of 2021. The comprehensive plans for both Walton County and the City of Social Circle, where the majority of land for the project lies, designated this property for industrial development in 2018.

A cultural resources and archaeological survey has been conducted within the project area. A complete copy of the report has been submitted to the Army Corps for coordination with HPD. The applicants will coordinate with the Army Corps and HPD to ensure full compliance with the provisions of Section 106 of the National Historic Preservation Act of 1966.

i. Concerns regarding increases and/or decreases in stream flows downstream from the project site *(The impacts to Rawlings Branch that would result from the proposed development plan would include decreases in the base flow of Rawlings Branch during dry conditions and increases in flows resulting from storm events, not to mention the likelihood that the water quality of Rawlings Branch will be adversely impacted during both the construction phase and post-development phase of the massive industrial development that is contemplated. - Alan Jenkins);*

RESPONSE: Based on the data collection and technical analysis conducted at the site, along with state requirements for stormwater management, this commenter's concerns are unfounded. The proposed project will not materially decrease or increase downstream flows.

The proposed project site encompasses approximately 180 acres of the Rawlings Branch watershed. By comparison, the contributing drainage area to the Rawlings Branch at its convergence with Rice Creek is $\pm 3,050$ acres. Rivian has committed that impervious surfaces will not exceed 50% of the site and will comply with requirements around peak runoff post-development, stream channel protection, water quality treatment, and sediment capture.

The proposed project will have a stormwater management plan that complies with the Georgia Stormwater Management Manual, Volume 2, 2016 (GSMMv2). Stormwater plans will include best management practices (BMPs) that will minimize impacts to stream baseflows, including bioretention areas, dry and wet swales, permeable paver systems, and vegetated filter strips that encourage infiltration processes and that support baseflow. If base flow sources are discovered during design, provisions for rerouting base flows will be provided. Given the scale of the overall watershed drainage area, the small addition of impervious surface on the project site relative to the Rawlings Branch Watershed, and the proactive stormwater management practices planned for the site, the effect on base flow in Rawlings Branch as a result of the proposed project is expected to be negligible

The proposed project will also not cause or contribute to increased flood flows downstream. Rivian has committed to attenuating post-development stormwater runoff to pre-development flows,

including the 100-year, 24-hour design storm. Final design of the stormwater system will meet or exceed the requirements of the GSMMv2.

In addition to controlling and mitigating stormwater flows, the stormwater infrastructure will remove pollutants with pre-treatment BMPs, including green infrastructure and low impact development BMPs. The project site will include BMPs selected from Table 1 below, and placed in series (treatment train), that will result a minimum of 80% pollutant removal efficiency from of total suspended solids and 60% pollutant removal efficiency for hydrocarbons and metals from post-construction stormwater runoff.

The treatment train of stormwater BMPs required to achieve these standards will be designed in accordance with the GSMMv2. The GSMMv2 Water Quality Tool spreadsheet demonstrating the achievement of post-construction pollutant load reduction is required. See Table 1 below for documented pollutant removal efficiencies.

Table 1

| BMPs | Target Pollutants Percent Removal | | |
|----------------------------------|-----------------------------------|------------------|-------------------|
| | Total Suspended Solid Removal | Metals | Hydrocarbons |
| Wet Stormwater Pond | 80% ¹ | 50% ¹ | 81% ³ |
| Dry Detention Basins | 60% ¹ | 50% ¹ | NA |
| Bioretention Basins | 85% ¹ | 95% ¹ | 80% ² |
| Downspout Disconnects | 80% ¹ | 40% ¹ | NA |
| Enhanced Dry Swale | 80% ¹ | 40% ¹ | 80% ² |
| Enhanced Wet Swale | 80% ¹ | 20% ¹ | NA |
| Grass Channels | 50% ¹ | 30% ¹ | NA |
| Contech Stormceptor (or similar) | >80% ⁴ | * | >90% ⁴ |
| Permeable Paver Systems | 80% ¹ | 60% ¹ | NA |
| Vegetative Filter Strips | 60% ¹ | 40% ¹ | NA |

*Pollutant removal rates vary – BMPs will only be used if required to achieve standards.

Sources:

¹Georgia Stormwater Management Manual, Volume 2, 2nd Edition, 2016, Table 4.1.3-1.

²https://stormwater.pca.state.mn.us/index.php?title=Median_pollutant_removal_percentages_for_BMPs (Minnesota Pollution Control Agency).

³National Pollutant Removal Performance Database for Stormwater Treatment Practices, 2nd Edition, September 2000

⁴<https://www.conteches.com/stormwater-management/treatment/stormceptor-systems>

j. Potential adverse effects on groundwater quality and quantity beyond the project limits (...hazardous waste such as paints, solvents, adhesives, batteries...that are typical of such manufacturing facilities. - refer to Northeast Georgia Regional Commission Development of Regional Impacts Report assessment of potential effects to groundwater recharge, cited by multiple commenters);

RESPONSE: Changes in landcover as a result of the proposed project are not expected to impact groundwater availability beyond the boundaries of the site due to the highly localized slope-aquifer hydrogeology of the piedmont physiographic region. The Nutter report was specifically developed to address concerns about potential impacts to groundwater recharge. The report concluded that “the proposed impervious surface construction associated with the Stanton Springs North development does not pose a threat to nearby and downstream groundwater resources.” The full report is linked in footnote 7.

As described in greater detail in response to items i. and l. (L.), the use of stormwater BMPs that encourage infiltration will also mitigate potential decreases in recharge of the localized, onsite aquifers as a result of the conversion of portions of the site to impervious surfaces.

Additionally, under the Economic Development Agreement, the proposed project is held to standards beyond those imposed at the local, state or federal level for the purpose of minimalizing any impacts to groundwater recharged in the immediate area. Specifically, site design must limit impervious surfaces to 50% or less of the site, and the site must control flows generated from a 100-year, 24-hour design storm.

The use and disposal of paints, solvents, and other similar materials is a highly regulated activity at both the state and federal level. All use, management, and disposal will be conducted in accordance with state and federal statute, regulation, and permits issued for those activities. The EPD has provided publicly available information and materials that explains these and other environmental regulatory requirements.⁹ Additionally, the Local Emergency Management Agency, Local Fire, and local public safety offices will also receive a report at least annually called the “Community Right to Know.” This report is mandated by federal law and details the locations and amounts of all hazardous materials on-site to ensure safe handling and emergency preparedness. This report will also include the facility’s Emergency Response Plan.

k. Insufficient consideration of the high demand for process water, beyond both the capacity of available local supplies and of existing public facilities for treatment of

⁹ EPD presentation on hazardous waste management at manufacturing facilities is available here: https://www.georgia.org/sites/default/files/2022-05/epd_hazardous_waste_manu_facilities_overview_-_public_meeting_05.02.2022.pdf

wastewater: The proposed development would also elevate this demand through facility staffing and facilitation of surrounding development (Tonya Bechtler, June 17, 2022; *A full and thorough study to determine the impact on not only the area surrounding the site, but water resources well beyond is Imperative. The massive amounts of water required for the plant (supposedly provided by Newton County) involves taking water from the Hard Labor Creek Reservoir and the Apalachee River and discharging wastewater into the Little River flowing eventually into Lake Sinclair and Lake Oconee. Also, no studies have been done to anticipate the effect of the massive population increase this plant will bring on the on existing well water supply, especially if it is diminished due to the plant. - Diane Hoopaugh-Morris; This is a county that doesn't have public water, everyone I know depends on a well to get their drinking water. No long term impacts to that supply is defined. The greater Oconee River basin and impacts to any larger water ecosystems are not discussed. All of these will have impacts. - Kenny Carden; Per published information, Rivian will use 4.7 million gallons of water PER DAY and send 1.5 million gallons of wastewater to the Newton County wastewater treatment plant (which is again notably insufficient to handle this volume) to be disbursed down the Little River, upstream of the Eatonton drinking water intake. Tens of thousands (the vast majority) of us rely on wells as our only source of drinking water. Other counties are beginning to panic about this now. How can they have not done their homework prior to accepting this proposal?? - Wendy Brockman);*

RESPONSE: The JDA and its community partners have responsibly planned for water and wastewater resources and the infrastructure necessary to support industrial growth. Before offering any site in Stanton Springs or Stanton Springs North to any prospective company tenant, the JDA secures a commitment from the local utility providers that they can meet the demands of the prospective tenant. The same process was followed here.

Contrary to the assertions in the comments, extensive local and regional water planning has and continues to occur which incorporates an increase in industrial demand. Regional water planning has and continues to take place under the guidance of the EPD through 10 water planning regional councils, including the Upper Oconee Regional Water Planning Council, which includes thirteen counties including Walton and Morgan Counties, and the Middle Ocmulgee Water Planning Council, which includes Newton County along with 12 other counties. These Councils were formed as a requirement under the State Water Plan to develop regional water plans to address water management practices to meet each region's future water resource needs. Both the Upper Oconee and Middle Ocmulgee Councils published a regional water plan in 2017¹⁰ and both are in the process of updating the plan this year with a goal of completion by December 2022. The updated plans will incorporate consideration for current and future industrial use. All regional plans assess the water supply demands of each county based on projected population and industrial development growth. Likewise, it will assess the currently available and planned water sources. The county-level information is compiled for the regional council. Ongoing activities in Stanton Springs and Stanton Springs North should be included in both regional water plan updates.

Moreover, the Newton County Water & Sewer Authority (NCWSA) will provide the water and sewer service to the proposed project and it has undertaken its own internal planning to ensure

¹⁰ The 2017 Plans are available here: <https://waterplanning.georgia.gov/regional-water-plans>

that it can provide the level of service required by the project using existing and planned infrastructure. NCWSA currently supplies the existing tenants in Stanton Springs (Takeda, and two Meta data centers). It has carefully planned and prepared for a development of this size and invested over \$40 million in infrastructure to serve not just the proposed project, but the current and potential future uses in the I-20/Hwy 278 corridor. Attached is a letter from NCWSA addressing its capability to serve the proposed project, the considerations it has made to ensure industrial pretreatment is appropriate and followed, and the groundwater report by Nutter & Associates. In June 2022, EPD approved NCWSA's updated Industrial Pretreatment Program which incorporates considerations for management of waste from facilities like the proposed project. Treatment programs are continually evolving as are manufacturing processes and technologies, which render experience from 30+ years ago largely irrelevant. Rivian is committed to minimizing its impact on the environment just as NCWSA is committed to imposing regulations that promote the same.

Walton County's Hard Labor Creek Reservoir was permitted by the Army Corps and constructed to meet the 50-year water needs of Walton County. The NCWSA has ample capacity and infrastructure plans to service the proposed project without using water from Walton County's Hard Labor Creek Reservoir, the Apalachee River, Lake Oconee or Lake Sinclair. Contrary to the commenter's suggestion that the Cornish Creek Reservoir is being operated to capacity, Walton County's use of water from the Cornish Creek Reservoir is limited by its contract with Newton County, not by the actual capacity of the reservoir. Additionally, the NCWSA recently completed the construction of the Scott Emmons Water Reclamation Facility which is located in Stanton Springs and it is planning for construction of a water re-use facility also within Stanton Springs. The improvements NCWSA is implementing to serve the proposed project and future demands from other industries or residents will be funded by its ratepayers, including its largest customers, and not through taxation.

Well water supply in the vicinity of the plant will not be impacted from a quality or quantity standpoint. As explained above, NCWSA will provide water to the proposed project from the Cornish Creek Reservoir and a water re-use facility in Stanton Springs. It will not use groundwater. As described in response to item i. above impacts due to an increase in impervious surfaces will be mitigated through the requirement that the site be designed to withstand a 100-year flood and that impervious surface is limited to 50% or less of the site. Rivian is contractually bound to meet these requirements per the Economic Development Agreement. According to the Nutter report, linked in footnote 7, any impacts to water quantity would be limited to the immediate watershed which is small. Further study of impacts to groundwater quantity is not warranted.

Population increases in the vicinity of the plant are likely, but the amount will be a function of the land use regulations of each of the Counties and Cities. For example, Morgan County recently implemented 5-acre minimums for properties on private wells. This will prevent high-density development and limit demands on existing wells or on the expansion of municipal water supply. The Counties and Cities that choose to welcome growth will plan for the resources and expenses that come with that growth. Newcomers to each County will be required to pay taxes which go to support local schools and government services. Additionally, the \$300 million in PILOT payments paid by Rivian will help offset added expenses.

Many of the questions and concerns raised by commenters and addressed in this document have already been addressed in the voluminous information that is publicly available. Other commenters assume that the facility will fail to comply with state and federal law or issued permits. Like any highly regulated facility, the owner or operator is obligated to comply with all applicable laws and permits and there is no evidence to suggest that it will not do so consistently through the construction and operation of the proposed project. As described above, there has been more than adequate planning and provision for water and wastewater needs of the proposed project. Additionally, Rivian is working with NCWSA to bring reclaimed water to the site with the intent of offsetting potable water consumption substantially. The planning and efforts described above go beyond what is required by state and federal law and have been adopted for the specific purpose of limiting impacts to groundwater in the immediate area which, according to the Nutter report, would be minimal under any circumstances.

i. Various concerns regarding construction-phase stormwater controls and future industrial process water quality compliance (NPDES) *(I worked at GM in Doraville for 33 years. The last 15 years, I ran the Wastewater Treatment plant before I retired. I held a Class A license for those 15 years. While I know there have been improvements in the process, there are some things that haven't changed. There are still heavy metals and poisons that need to be removed. There are still humans involved, so there will be problems and human errors. The applicants have not been shown to have the kinks worked out yet. They are struggling with the plant in Normal, Illinois and have not been able to run at a competitive level. Struggling infrastructure will cause more problems and put our water systems at a greater risk for dangerous hazards not only for the local communities, but those on the lakes and waterways that are fed by the Rutledge site. -James L Dyle);*

RESPONSE: Wastewater from the proposed project is expected to be mostly gray water from restrooms and cleaning, cooling water and condensate from cooling water, and rinse water from the paint shop. All wastewater will be treated to meet or exceed federal regulatory requirements and local municipal water district pretreatment standards. The proposed project will have personnel and a laboratory on-site to ensure compliance. The proposed project is expected to send an average of 100,000 gallons per day of treated wastewater to the municipal water treatment plant for additional treatment and management in the normal course.

Prior to commencing construction or operation activities, the applicants are required to obtain coverage under the EPD Permit No. GAR100003 Authorization to Discharge under the National Pollutant Discharge Elimination System (NPDES) Storm Water Discharges Associated With Construction Activity for Common Development; and Permit No. GAR 050000, Authorization Discharge Under NPDES Stormwater Discharges Associated with Industrial Activity (Industrial Permit). These permits require practices to be in place to manage stormwater, prevent erosion and related discharges during construction, and prevent stormwater-related discharges during operation. See response to item i. for more information on stormwater and water quality management.

The proposed project will manufacture batteries and automobiles. These activities are Sector G & Sector H in the Industrial Permit. The Industrial Permit reduces/eliminates pollutant loads by requiring the following:

- Minimize exposure to manufacturing areas from rainfall and runoff;
- Clean exposed areas that are potential sources of pollutants;
- Implement a Spill Prevention, Control and Countermeasure Plan;
- Diversion of pollutant laden runoff to infiltration, reuse or containment BMPs to the maximum extent practical;
- Meet or exceed water quality-based standards of the Permit;
- Performing routine inspections;
- Visual assessment of stormwater discharges pursuant to the Permit;
- Perform annual comprehensive site inspections;
- The creation and implementation of a stormwater pollution prevention plan (SWPPP);
- Provide employee SWPPP training ;
- Analytical monitoring and outfall stormwater discharge sampling pursuant to the Industrial Permit and industrial sector;
- Benchmark parameter modeling and reporting; and
- Other requirements of the Industrial Permit.

The project will be required to conform to requirements in all NPDES permits issued by the EPD. The EPD has provided publicly available information and materials that explains these and other environmental regulatory requirements.¹¹

m. Potential adverse effects on air quality and other environmental contamination from operation of the facility to include production and disposal of batteries *(The toxic fumes from the paint and lithium and other chemicals used in making the electric car batteries. As a recent survivor of cancer, this concerns me greatly. I lived in Covington for a time and now in Rutledge. As we know from the past, the Bard company in Covington did not comply with the requirements given to them, in regards to how much of the chemical emissions were released into the air. There is also a Bard company located in Madison, just a few miles from where I live now in Rutledge. You can't say it was a coincidence that I contracted a rare cancer while living and working between these two plants. The Bard plant's size is immensely smaller than what the Rivian plant will be on the proposed site in Rutledge. - Joanie Fitzgerald);*

RESPONSE: Air pollutants emitted from manufacturing facilities in Georgia are regulated by the EPD. Rivian has engaged with EPD and the proposed project will have all permits required based on the emissions profile. The EPD has provided publicly available information and materials that explains these and other environmental regulatory requirements.¹²

¹¹ EPD materials on construction stormwater permits is available here:

https://www.georgia.org/sites/default/files/2022-05/about_the_construction_stormwater_permit_-_public_meeting_05.02.2022.pdf, and information on other water permitting processes is available here: https://www.georgia.org/sites/default/files/2022-05/water_regulation_summary_-_public_meeting_05.02.2022.pdf

¹² EPD materials on air permits is available here: https://www.georgia.org/sites/default/files/2022-05/georgia_epd_air_permitting_process_-_public_meeting_05.02.02022.pdf

Rivian has also signed the Climate Pledge and has made a “net-zero” commitment to avoid, mitigate, and offset all carbon emissions to align with the Paris Climate Accord. Rivian applies this commitment to the full value chain, including facilities it operates.

n. Insufficient details regarding proposed solid waste plan for the facility (Mary P. Patrick, June 16, 2022, including City of Social Circle letter, dated January 21, 2022);

RESPONSE: Solid waste generated at manufacturing facilities in Georgia is regulated by the EPD. All solid waste will be managed and disposed in accordance with state law and permits issued for these activities.

o. Inadequate local public safety resources (*Also we have no fire dept (only a volunteer one) An EV fire is very dangerous and needs a highly trained fire dept to handle this if it happens. Is Rivian providing their own fire dept as we are underfunded to provide one. What will happen to the whole area from a fire of this nature? - Dana Loats*);

RESPONSE: Stanton Springs represents a 20+ year partnership between four counties which pool their resources, including public safety resources, to serve the companies in the industrial park. The same level of response is expected in Stanton Springs North with the added partnership of the City of Social Circle. In Stanton Springs North, Walton County, Social Circle, and Newton County will coordinate regarding fire and EMS responses and they already operate under mutual aid agreements. Morgan County has a volunteer fire department which would not be a primary responder. Newton County, Walton County and the City of Social Circle are currently evaluating resource needs and options for meeting those needs which may include a new fire station near the project site. Newton County currently has the closest fire station which is approximately 3.5 miles from the site. The next closest station is in Social Circle approximately 5.2 miles from the site.

The local government resources will be supplemented by a robust internal Environment, Health, and Safety team to be housed and employed by Rivian. As with Takeda and the Newton Data Centers, Rivian’s operations and safety needs are specialized, and they each have trained staff and departments to manage safety issues. Rivian’s in-house team will be provided an opportunity to train with the local fire departments such that any major emergency would be met with a coordinated response. Takeda’s fire team regularly participates in joint training with the local departments. Like fire services, police responses will be a coordinated effort with Walton County’s Sheriff’s Office taking the lead. Any added safety resources required could be funded directly from tax revenues generated from the proposed project which are estimated to be in excess of \$300 million over a 25-year period.

p. Concern for light pollution (“The observatory at Hard Labor Creek could be impacted with the bright lights.” - Neal Fitzgerald), noise pollution (multiple commenters), and increased traffic congestion (*Increased auto traffic to an area with minimal infrastructure. Increased truck traffic to an area with minimal infrastructure —Terry Breedlove*) from operation of the facility;

RESPONSE: The Georgia facility is expected to have lighting design that is consistent with lighting at the Normal, IL facility. Design standards at the Normal, IL facility include:

- Lighting levels meet a uniformity ratio of 20:1
- Average initial light levels not to exceed 2 footcandles
- Areas dedicated to display of merchandise may have an average light level up to 10 fc
- Site security lighting does not exceed 33% of the luminaries.
- Outdoor lighting may not create a glare that may be hazardous to motorists, bicyclists, or pedestrians.

In addition, Rivian has included the following language on its drawings that are in development:

- Proposed on-site lighting for parking fields will follow dark sky principles to reduce light pollution
- Downlighting will be prioritized
- Additional lighting will be provided throughout the campus on roads, paths, and around buildings for security and safety and will follow Dark Sky principles

Rivian has also agreed to meet with Hard Labor Creek Observatory to discuss ways to reasonably avoid impacts to operations.

q. **Submitted sites plans do not clearly depict the extent of paving, in addition to other components such as rail spur areas or completion yard** (Emily Followill, June 17, 2022);

RESPONSE: Enclosed is a figure depicting areas of the property that will be developed and areas that will be left undisturbed.

r. **Request for Environmental Impact Statement** (*Further, as a Morgan County citizen I request that the Corps perform a Full Environmental Impact Analysis and that the project adhere to NEPA standards and analysis. There are certain unresolved issues that the applicant has not addressed adequately.* - J. Wood Burriss); and

RESPONSE: The request that an Environmental Impact Statement (EIS) be completed for the proposed project was included in a number of form comment letters submitted to the Army Corps. Applicable regulations do not require an EIS to be conducted for the proposed Army Corps permit and sufficient information has been developed and submitted to the Army Corps to inform its environmental review.

The Army Corps has promulgated regulations to guide the agency's administration of and compliance with the National Environmental Policy Act (NEPA). See 33 CFR Parts 230 and 325, Appendix B. Part 325 directly applies to the Army Corps' Regulatory Program (including CWA section 404 permits), and Appendix B provides procedures for developing NEPA documents, including environmental assessments (EAs) and EISs. Appendix B specifically references Part 230 ("the Corps NEPA regulation") for additional guidance. 33 CFR Part 325, Appendix B, §1. See also, White House Council on Environmental Quality document, "Federal Agency NEPA Implementing Procedures" (June 4, 2020), available here: <https://ceq.doe.gov/docs/laws-regulations/federal-agency-nepa-implementing-procedures-2020-06-04.pdf>.

The Army Corps' NEPA regulation provides a list of "Actions normally requiring an Environmental Assessment (EA) but not necessarily an EIS," which includes: "(a) Regulatory actions. Most permits will normally require only an EA." 33 CFR § 230.7. The proposed project will receive a regulatory permit from the Army Corps Savannah District, pursuant to CWA section 404, and therefore falls within 33 CFR § 230.7, an action normally requiring an EA, not an EIS.

Additionally, although the proposed project site is impressive in geographic size, the scope and scale of activity that would be authorized by the Army Corps' 404 permit is limited. The property and proposed project have undergone detailed environmental review, including phase 1 and phase 2 environmental assessments, a preliminary geotechnical report, a technical assessment of potential impacts to groundwater, development of a groundwater recharge plan, robust water resource and habitat delineations including a Delineation Review of Aquatic Resources by the Army Corps, a cultural and archaeological resource review, and a threatened and endangered species review. Given the applicable regulatory framework and robust environmental review already conducted at and around the proposed project site, an EIS is not necessary or appropriate for the proposed 404 permit.

s. Preference for "on-site" compensatory mitigation *(The mitigations proposed are inadequate. Best management practices to be used, if any, are not specified & unclear. Buying existing wetland and stream mitigation credits in other parts of the State does not benefit the affected communities and the public in the immediate area of the project. -Terry Followill; The proposed mitigation is inadequate. Both water quality and water quantity will be harmed for all persons downstream. There is no actual off-site mitigation proposed. Buying mitigation credits does nothing to help harmed local citizens. - Tara Preston)*

RESPONSE: Compensatory mitigation will be provided in the form of wetland and stream mitigation credit purchase from the Army Corps' approved mitigation banks. If all the required mitigation credits are not available within the primary and/or secondary service area of the project, the remaining credits will be obtained through the Army Corps Savannah District in lieu fee program. This is consistent with EPA and Army Corps federal rule, Compensatory Mitigation for Losses of Aquatic Resources, promulgated at 33 CFR Part 332. See 73 FR 19594 (April 10, 2008), and the Army Corps Savannah District Regulatory Guidelines to Evaluate Proposed Mitigation Bank Credit Purchases in the State of Georgia.

The Army Corps Savannah District's practice is to allow permittee-responsible mitigation only in cases where bank credits or in lieu fee credits are not available within the service area.

Additional requests.

In addition to the specific responses to comment, the Army Corps' July 7, 2022 letter also requested full documentation for the delineation of aquatic resources on the project site, and a compensatory mitigation plan for the proposed impacts using straight-line distance through the existing impoundment as a surrogate for the length of the stream to be lost. The aquatic resources documentation was provided to the Army Corps' via email on 6 August 2022 and the compensatory mitigation SOP worksheets which were revised to include Ponds 5, 7, and 8 are included in this document. The following table provides a summary of the revised mitigation credit requirement for the project.

| Aquatic Resource | Credit Requirement (Legacy) |
|-------------------------|------------------------------------|
| Non-Perennial | 36,469.8 |
| Perennial | 100,779.0 |
| Wetland | 29.2 |

Commander
U.S. Army Corps of Engineers, Savannah District
Attention: Mr. Adam White
4751 Best Road, Suite 140
College Park, Georgia 30337
Re: SAS -2020-00182, Georgia Department of Economic Development

Mr. White,

This letter represents that the Newton County Water & Sewerage Authority (NCWSA) supports the Rivian Project. At the request of the Joint Development Authority of Jasper, Morgan, Newton, and Walton Counties (JDA), NCWSA has been selected to provide the critical water resources for the project within the Stanton Springs Technology Park. NCWSA has a twenty-year relationship with the JDA serving industries such as Tekada Pharmaceuticals and Meta Datacenters.

NCWSA will provide water resources, including potable water, wastewater, and reclaimed water. In addition, we have completed a hydraulic model and business case evaluations to confirm our ability to meet the project's needs as defined by its proposed scope. The centerpiece of the infrastructure will be the reclaimed water plant that will treat, clean, and return to the Rivian Project water resources to be reused for several cycles, thus reducing the need for potable water. This process will relieve the demand on our water supply in Newton County and allow for continued growth and prosperity within the region.

NCWSA has revised its local discharge limits considering the types of industry located within the Stanton Springs Research & Development Park that will discharge into the Emmons Water Reclamation Facility. The local limits have completed the required public comment period (May 2022) and were approved by the Georgia EPD (June 2022). In addition, the approved Industrial Pretreatment Program has been provided to Rivian to be incorporated into its development plans. By discharging into the NCWSA's wastewater system, Rivian will be required to meet these Industrial Pretreatment Requirements and will be monitored by NCWSA Staff per program schedules.

While NCWSA does not monitor groundwater wells and solid waste, we would reference the (Tech Memorandum # 20.101.01 Assessment of Groundwater, pages 4,5) recently completed by Nutter & Associates for the Stanton Springs North Location. The Nutter & Associates team is renowned in the water industry for its expertise in groundwater. We offer the following from this memorandum "This report does not consider or address the implementation of green infrastructure or other stormwater management practices that may be incorporated into the project design, which can reduce the amount of impervious surface (i.e., pervious pavement) and/or facilitate infiltration (e.g., infiltration basins). However, we understand that the proposed site tenant is currently evaluating green infrastructure practices for managing stormwater and

intends to employ such practices to the maximum extent practicable, where applicable. We also understand that the source of domestic water and process water servicing the site will be from a local utility and that domestic and industrial wastewater will be routed to a Publicly Operated Treatment Works for treatment and discharge and/or a reuse facility, resulting in a net zero effect of day-to-day operations of the facility on local groundwater resources." Through conversations with the Rivian team, we agree with the statements included within the report. We have confidence that both parties will be able to manage the water resources through sound environmental and sustainable practices.

NCWSA has invested over \$40 million in water and wastewater infrastructure to serve the Stanton Springs site, nearby mega-sites, and its large industries. We are committed to working with Rivian and the State of Georgia to ensure that we successfully provide the critical water resources necessary for the project's success while protecting the local environment.

Respectfully,

Michael A. Hopkins

Michael A. Hopkins
Executive Director
Newton County Water & Sewerage Authority



Economic Impact Analysis



Source: IMPLAN, 2021

Results are calculated using IMPLAN, an economic modeling software that estimates the total impact from a specific event or project, including the direct, indirect and induced effects by sector. Results represent the impact year. The stated impact, however, may continue to occur in subsequent years if the sector is expected to meet the same level of output. The model uses 2019 data to estimate impact. This information is provided "as is" without warranty of any kind either expressed or implied.

| Operations Impact: Auto and Battery Manufacturing, R&D | |
|--|--|
| Model Area | Newton, Walton and Morgan Counties |
| Industry Sector | Automotive, Battery and R&D |
| Total Jobs at Facility | 7,500 total (3,750 auto; 3,000 battery; 750 R&D) |

| Impact Type | Employment | Labor Income | Value Added | Output |
|------------------------|---------------|------------------------|------------------------|------------------------|
| Direct Effect | 7,500 | \$702,534,341 | \$1,405,977,186 | \$5,922,113,065 |
| Indirect Effect | 5,423 | \$230,768,855 | \$445,538,092 | \$1,054,669,481 |
| Induced Effect | 2,555 | \$73,672,458 | \$167,878,370 | \$317,628,307 |
| Total Effect | 15,478 | \$1,006,975,654 | \$2,019,393,649 | \$7,294,410,854 |

Key Terms

Direct Effects: Investments that contribute to a new activity in the economy, i.e.: new firm, construction costs and raw materials.

Indirect Effects: Inter-industry business transaction costs resulting from local industries buying goods and services from other local industries.

Induced Effects: Household consumption expenditures resulting from changes in personal income.

Labor Income: All forms of employment income, including Employee Compensation (wages/benefits) and Proprietor Income (payments received by the self-employed/unincorporated business owners).

Value Added: Difference between an industry's or an establishment's total output (sales/receipts, operating income, inventory change) and the cost of its intermediate inputs (consumption of goods and services imported or purchased from other industries).

Output: Value of industry production as defined by industry, i.e.: Manufacturing Industry = Sales +/- Change in Inventory.

Economic Impact Analysis



Source: IMPLAN, 2021

Results are calculated using IMPLAN, an economic modeling software that estimates the total impact from a specific event or project, including the direct, indirect and induced effects by sector. Results represent the impact year. The stated impact, however, may continue to occur in subsequent years if the sector is expected to meet the same level of output. The model uses 2019 data to estimate impact. This information is provided "as is" without warranty of any kind either expressed or implied.

| Capital Investment Impact: New Manufacturing Building | |
|---|--|
| Model Area | Newton, Walton and Morgan Counties |
| Industry Sector | Construction of New Manufacturing Facility |
| Total Jobs at Facility | \$2.5 billion (building only) |

| Impact Type | Employment | Labor Income | Value Added | Output |
|------------------------|---------------|------------------------|------------------------|------------------------|
| Direct Effect | 23,650 | \$1,095,340,897 | \$1,149,082,120 | \$2,500,000,000 |
| Indirect Effect | 3,354 | \$146,744,438 | \$261,357,269 | \$536,358,538 |
| Induced Effect | 3,686 | \$106,173,165 | \$242,055,101 | \$457,951,170 |
| Total Effect | 30,690 | \$1,348,258,499 | \$1,652,494,490 | \$3,494,309,708 |

Key Terms

Direct Effects: Investments that contribute to a new activity in the economy, i.e.: new firm, construction costs and raw materials.

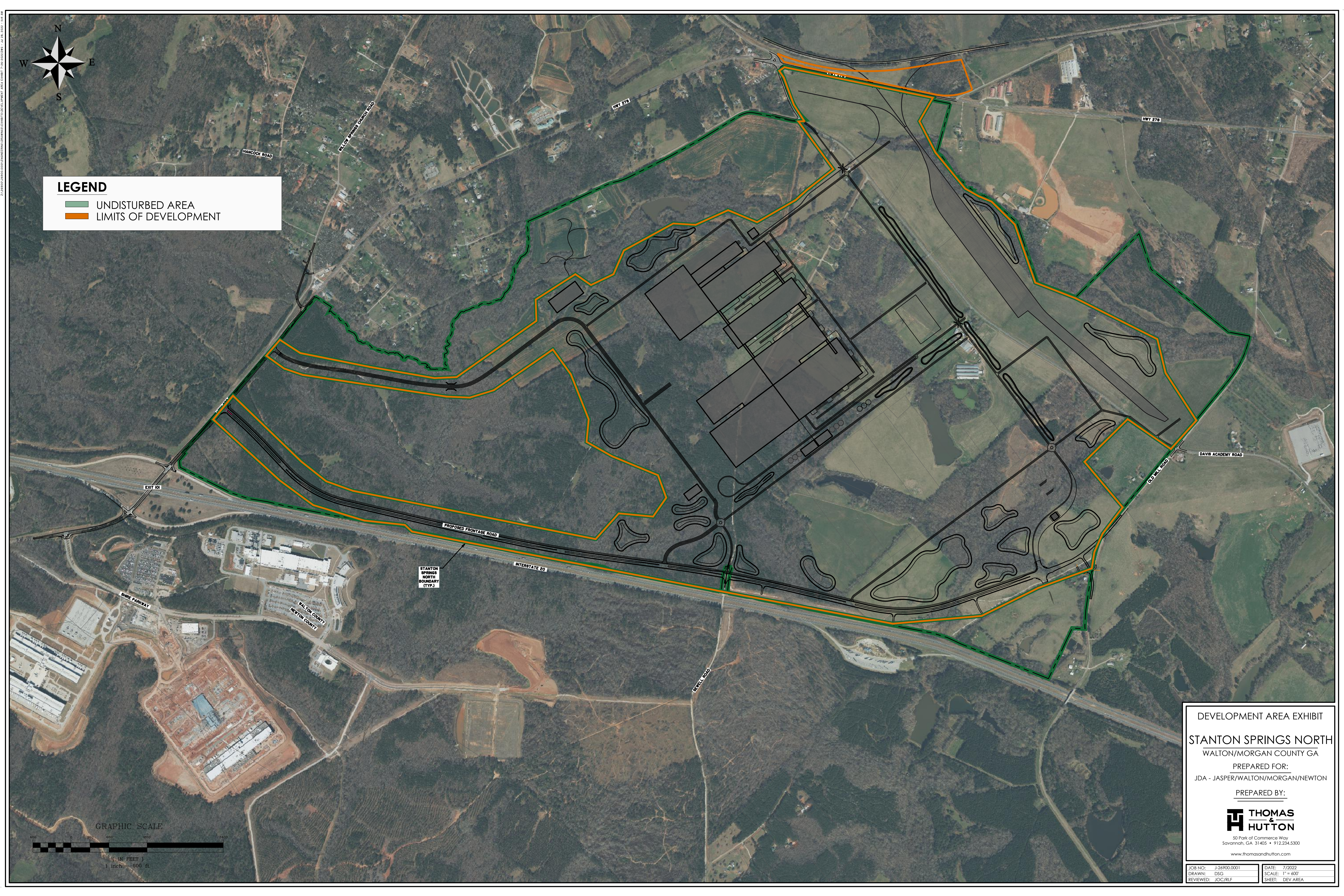
Indirect Effects: Inter-industry business transaction costs resulting from local industries buying goods and services from other local industries.

Induced Effects: Household consumption expenditures resulting from changes in personal income.

Labor Income: All forms of employment income, including Employee Compensation (wages/benefits) and Proprietor Income (payments received by the self-employed/unincorporated business owners).

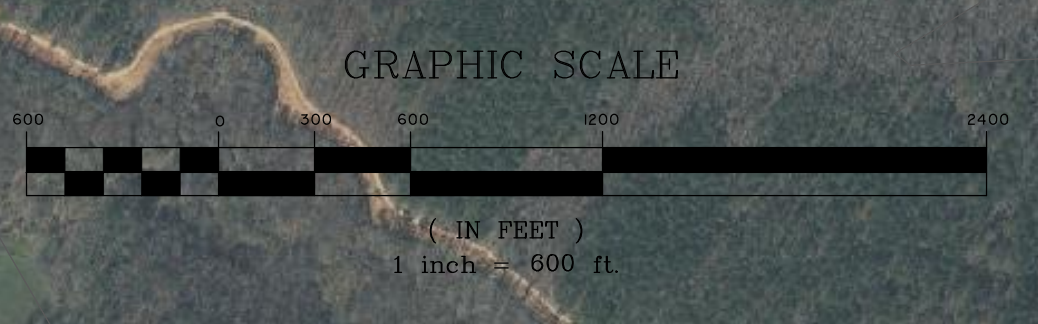
Value Added: Difference between an industry's or an establishment's total output (sales/receipts, operating income, inventory change) and the cost of its intermediate inputs (consumption of goods and services imported or purchased from other industries).

Output: Value of industry production as defined by industry, i.e.: Manufacturing Industry = Sales +/- Change in Inventory.



LEGEND

- UNDISTURBED AREA
- LIMITS OF DEVELOPMENT



DEVELOPMENT AREA EXHIBIT

STANTON SPRINGS NORTH
WALTON/MORGAN COUNTY GA

PREPARED FOR:
JDA - JASPER/WALTON/MORGAN/NEWTON

PREPARED BY:
THOMAS & HUTTON
50 Park of Commerce Way
Savannah, GA 31405 • 912.234.5300
www.thomasandhutton.com

| | |
|----------------------|------------------|
| JOB NO: J-26900.0001 | DATE: 7/2022 |
| DRAWN: DSG | SCALE: 1" = 600' |
| REVIEWED: JOC/RLF | SHEET: DEV AREA |

Qualitative Worksheet Summary For Wetland Adverse Impacts

| Worksheet Number | Name of Wetland | Wetland Type | Acres of Impact (ac.) | Impact Duration | 2018 Credits | Legacy Credits |
|------------------|---|----------------|-----------------------|-----------------------|--------------|----------------|
| 1 | 1,2,4,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,32 | Slope Wetlands | 4.86 | Permanent/Reoccurring | 3.65 | 29.20 |
| 2 | | | 0.00 | | #N/A | #N/A |
| 3 | | | 0.00 | | #N/A | #N/A |
| 4 | | | 0.00 | | #N/A | #N/A |
| 5 | | | 0.00 | | #N/A | #N/A |
| 6 | | | 0.00 | | #N/A | #N/A |
| 7 | | | 0.00 | | #N/A | #N/A |
| 8 | | | 0.00 | | #N/A | #N/A |
| 9 | | | 0.00 | | #N/A | #N/A |
| 10 | | | 0.00 | | #N/A | #N/A |

Summary of Credits Owed

| Wetland Type | Acres of Impact (ac.) | 2018 Credits | Legacy Credits |
|-------------------------------------|-----------------------|--------------|----------------|
| Freshwater Tidal Wetlands | 0.00 | 0.00 | 0.00 |
| Saltwater Tidal Wetlands | 0.00 | 0.00 | 0.00 |
| Riverine/Lacustrine Fringe Wetlands | 0.00 | 0.00 | 0.00 |
| Slope Wetlands | 4.86 | 3.65 | 29.20 |
| Depressional/Flat Wetlands | 0.00 | 0.00 | 0.00 |
| Open Water/Ditch/Canal | 0.00 | 0.00 | 0.00 |

| Qualitative Worksheet Summary For Stream Adverse Impacts | | | | | | |
|---|--------------------------------|--|--------------------------------|------------------------|---------------------|-----------------------|
| Worksheet Number | Name of Stream | Stream Type | Length of Impact (L.F.) | Impact Duration | 2018 Credits | Legacy Credits |
| 1 | Frontage Ephemeral 1 | Non-Perennial Streams | 259 | Permanent/Reoccurring | 64.75 | 466.20 |
| 2 | Frontage Intermittent 1-4 | Non-Perennial Streams | 1825 | Permanent/Reoccurring | 1368.75 | 9855.00 |
| 3 | Frontage Perennial 1 & 2 | Perennial Streams (less than 3 square miles) | 1358 | Permanent/Reoccurring | 1018.50 | 12222.00 |
| 4 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 5 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 6 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 7 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 8 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 9 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 10 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| Summary of Credits Owed | | | | | | |
| Stream Type | Length of Impact (L.F.) | 2018 Credits | Legacy Credits | | | |
| Non-Perennial Streams | 2084 | 1433.50 | 10321.20 | | | |
| Perennial Streams (less than 3 square miles) | 1358 | 1018.50 | 12222.00 | | | |
| Perennial Streams (greater than 3 square miles) | | 0.00 | 0.00 | | | |
| Open Water/Ditch/Canal | | 0.00 | 0.00 | | | |

| Qualitative Worksheet Summary For Stream Adverse Impacts | | | | | | |
|---|--------------------------------|--|--------------------------------|------------------------|---------------------|-----------------------|
| Worksheet Number | Name of Stream | Stream Type | Length of Impact (L.F.) | Impact Duration | 2018 Credits | Legacy Credits |
| 1 | Old Mill Perennial 1 | Perennial Streams (less than 3 square miles) | 101 | Permanent/Reoccurring | 75.75 | 909.00 |
| 2 | | | | Permanent/Reoccurring | Pick Stream Type | Pick Stream Type |
| 3 | | | | Permanent/Reoccurring | Pick Stream Type | Pick Stream Type |
| 4 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 5 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 6 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 7 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 8 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 9 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 10 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| Summary of Credits Owed | | | | | | |
| Stream Type | Length of Impact (L.F.) | 2018 Credits | Legacy Credits | | | |
| Non-Perennial Streams | | 0.00 | 0.00 | | | |
| Perennial Streams (less than 3 square miles) | 101 | 75.75 | 909.00 | | | |
| Perennial Streams (greater than 3 square miles) | | 0.00 | 0.00 | | | |
| Open Water/Ditch/Canal | | 0.00 | 0.00 | | | |

| Qualitative Worksheet Summary For Stream Adverse Impacts | | | | | | |
|---|--------------------------------|--|--------------------------------|------------------------|---------------------|-----------------------|
| Worksheet Number | Name of Stream | Stream Type | Length of Impact (L.F.) | Impact Duration | 2018 Credits | Legacy Credits |
| 1 | 3,4,5,6,7,8,9 | Non-Perennial Streams | 1524 | Permanent/Reoccurring | 571.50 | 4114.80 |
| 2 | 2,3,4,5,6,7 | Non-Perennial Streams | 3813 | Permanent/Reoccurring | 2859.75 | 20590.20 |
| 3 | 1,2,3,4 | Perennial Streams (less than 3 square miles) | 8136 | Permanent/Reoccurring | 6102.00 | 73224.00 |
| 4 | 10 | Non-Perennial Streams | 166 | Permanent/Reoccurring | 41.50 | 298.80 |
| 5 | 1,8 | Non-Perennial Streams | 318 | Permanent/Reoccurring | 159.00 | 1144.80 |
| 6 | Ponds 5, 7, 8 | Perennial Streams (less than 3 square miles) | 2404 | Permanent/Reoccurring | 1202.00 | 14424.00 |
| 7 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 8 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 9 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| 10 | | | | Choose Duration | Credits Owed | Legacy Credits Owed |
| Summary of Credits Owed | | | | | | |
| Stream Type | Length of Impact (L.F.) | 2018 Credits | Legacy Credits | | | |
| Non-Perennial Streams | 5821 | 3631.75 | 26148.60 | | | |
| Perennial Streams (less than 3 square miles) | 10540 | 7304.00 | 87648.00 | | | |
| Perennial Streams (greater than 3 square miles) | | 0.00 | 0.00 | | | |
| Open Water/Ditch/Canal | | 0.00 | 0.00 | | | |