

APPENDIX B. CONSULTATIONS

This appendix contains consultation correspondence between DOE and the Natural Resources Conservation Service, U.S. Fish and Wildlife Service, Michigan Department of Natural Resources, State Historic Preservation Office, and seven separate federally recognized tribes chosen according to the U.S. Department of Housing and Urban Development – Office of Community Planning and Development – Environmental Planning Division (Citizen Potawatomi Nation, Forest County Potawatomi Community, Hannahville Indian Community, Match-e-be-nash-she-wish Band of Potawatomi, Ottawa Tribe of Oklahoma, Pokagon Band of Potawatomi Indians, and the Prairie Band of Potawatomi Nation).



November 19, 2009

Craig Czarnecki, Field Supervisor
U.S. Fish and Wildlife Service
East Lansing Ecological Services Office
2651 Coolidge Road
East Lansing, MI 48823

Dear Mr. Czarnecki:

SUBJECT: U.S. Department of Energy Conclusion of No Effects for Construction and Operation of a New Battery Manufacturing Facility in Holland, Michigan to Supply Lithium Ion Batteries for Automotive

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market.

The site selected for the manufacturing facility is in the town of Holland, Allegan County, Michigan. The 80-acre site is located at the intersection of East 48th Street (also known as East 146th Street) and the CSX rail line (Attachment 1). The site is currently agricultural land zoned for industrial use. The surrounding area is comprised of a sizable industrial part, including neighboring firms such as Haworth, Tiara Yachts, Sherwin Williams, USF Holland, Global Sourcing Solutions and various industrial warehouse buildings. The immediate vicinity consists of agriculture land that is zoned for industrial use. The 80-acre site is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

A portion of the 80 acres would be used to construct and operate a single-story, 800,000 square-foot manufacturing building. The project includes construction of a building for manufacturing and office spaces, a detached storage, paved surface parking lots and detention pond. One or two private access road(s) to the project site are planned, and the existing public road on frontage of the site is planned to be improved with a turning lane.



To comply with Section 7(a)(2) of the Endangered Species Act, the DOE has obtained from the United States Fish and Wildlife Service's *Midwest Region Endangered Species Program – Technical Assistance Website* a list of federally-listed threatened, endangered, proposed and candidate species that occur within Allegan County. The list includes four species:

Indiana bat (*Myotis sodalists*) - endangered
Eastern massasauga (*Sistrurus catenatus catenatus*)- candidate
Karner blue butterfly (*Lycaeides melissa samuelis*)- endangered
Pitcher thistle (*Cirsium pitcher*) – threatened

The DOE has concluded that the construction and operation of the lithium-ion polymer battery cells manufacturing facility in Holland, Michigan would have no effect on Federally-listed species or habitats for the following reasons: (1) while these species may occur in Allegan County, DOE does not believe that habitat to support the species is available, and therefore the species are unlikely present at the site; (2) the project will be constructed within an area that is already disturbed as it is being used for row crops.

Additionally, based on a 2009 Wetlands delineation report of the site, three wetland systems are located on the property and one wetland system borders the northeastern edge of the property. Three of the wetlands, including the one on the border of the property, appear to meet the requirements of Part 303, Wetlands Protection of the Natural Resources and Environmental Protection Act, 1994 PA 451(NREPA) and would be considered regulated by the Michigan Department of Environmental Quality (MDEQ). These linear wetlands are ≤ 5 acres; however, they are interconnected with the Macatawa River (North Branch).

An environmental assessment currently is being prepared for this project by the Department's National Energy Technology Laboratory to meet the requirements of the National Environmental Policy Act. A copy of that Environmental Assessment will be sent to your office later this year.

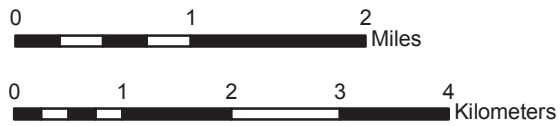
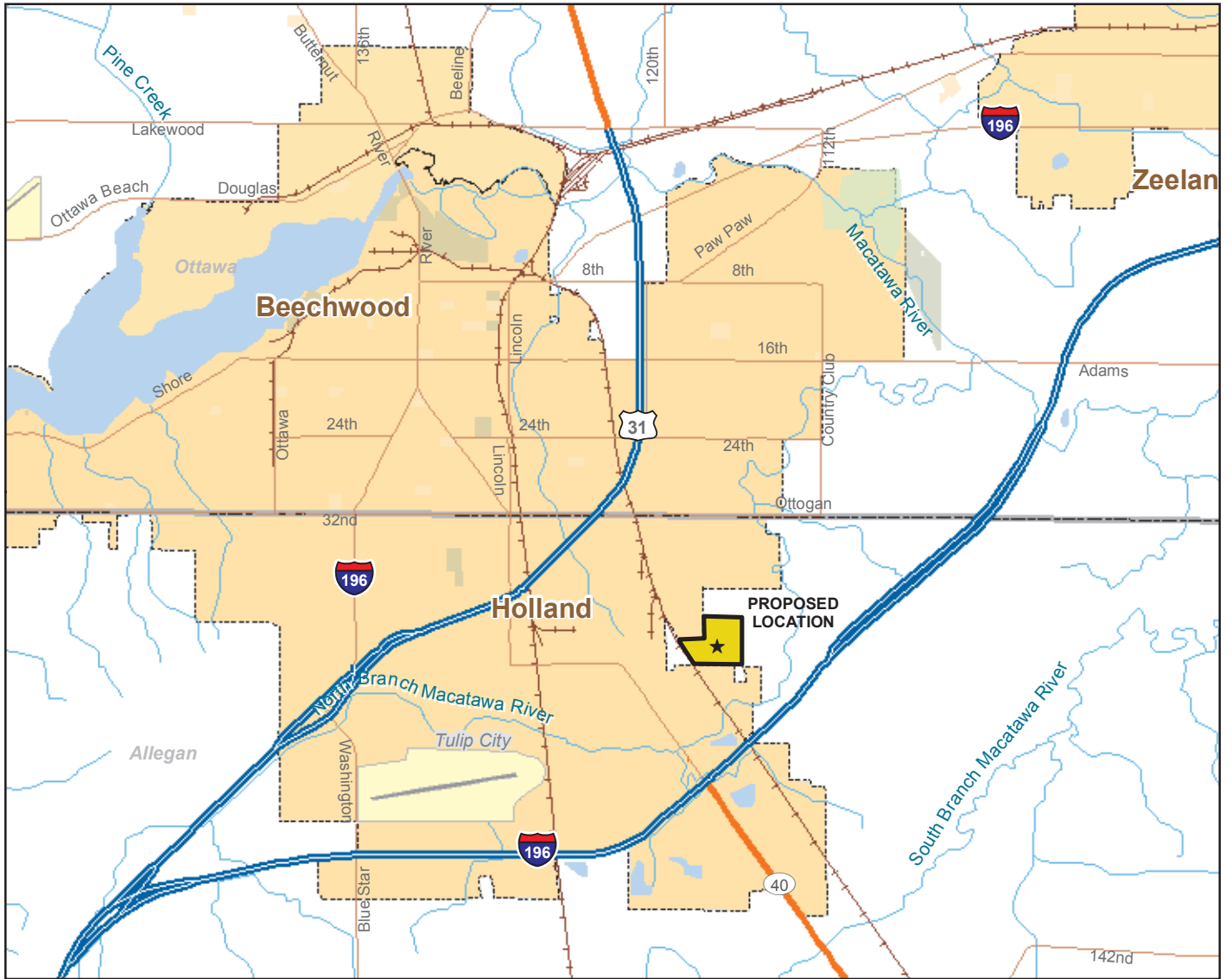
If you have any comments or questions about the Compact Power facility or our conclusion that the project will have no effect on federally-listed species, please contact me at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
P.O. Box 880
3610 Collins Ferry Road
Morgantown, WV 26507-0880
Telephone: 304-285-4145
Email: mark.lusk@netl.doe.gov

Thank you for taking the time to review this letter and attachment. Please respond with any comments or concurrence of this assessment to enable us to complete this phase of the project within the scheduled timeframe. DOE anticipates releasing the draft EA for public comment on December 18, 2009 for a 30-day public comment period. DOE appreciates your agency's input and looks forward to working with you on this and future projects.

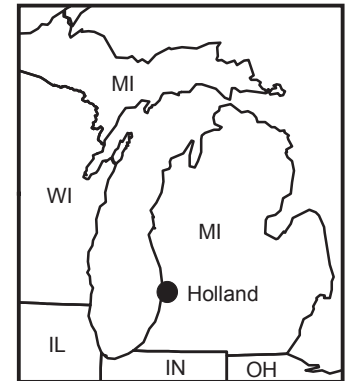
Sincerely,





Legend

- City boundary
- County boundary
- Rivers and reservoirs
- Interstate highway
- Railroad



Attachment 1. Project location -- Holland, Michigan



November 19, 2009

Rebecca Humphries, Director
Michigan Department of Natural Resources
P.O. Box 30028
Lansing, MI 48909

Dear Ms. Humphries

SUBJECT: U.S. Department of Energy Conclusion of No Effects for Construction and Operation of a New Battery Manufacturing Facility in Holland, Michigan to Supply Lithium Ion Batteries for Automotive

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market.

The site selected for the manufacturing facility is in the town of Holland, Allegan County, Michigan. The 80-acre site is located at the intersection of East 48th Street (also known as East 146th Street) and the CSX rail line (Attachment 1). The site is currently agricultural land zoned for industrial use. The surrounding area is comprised of a sizable industrial part, including neighboring firms such as Haworth, Tiara Yachts, Sherwin Williams, USF Holland, Global Sourcing Solutions and various industrial warehouse buildings. The immediate vicinity consists of agriculture land that is zoned for industrial use. The 80-acre site is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

A portion of the 80 acres would be used to construct and operate a single-story, 800,000 square-foot manufacturing building. The project includes construction of a building for manufacturing and office spaces, a detached storage, paved surface parking lots and detention pond. One or two private access road(s) to the project site are planned, and the existing public road on frontage of the site is planned to be improved with a turning lane.



The DOE has obtained from the Michigan Department of Natural Resources' *Endangered and Non-game Wildlife Website* a list of state-listed endangered and threatened species that occur within Allegan County. The list includes 48 state threatened and 13 state endangered species as well as the four federally listed species:

Indiana bat (*Myotis sodalists*) - endangered
Eastern massasauga (*Sistrurus catenatus catenatus*)- candidate
Karner blue butterfly (*Lycaeides melissa samuelis*)- endangered
Pitcher thistle (*Cirsium pitcher*) – threatened

Lack of flowing water and large water bodies on the site reduces the chance that the state listed amphibian, reptile, fish and mussel species exist on the proposed site. Additionally, native vegetation and extensive canopy layered habitat is not available at the site due to the row crop use of the area, and reduces the potential use of the area by the 8 avian and 1 listed mammal species. The DOE has concluded that the construction and operation of the lithium-ion polymer battery cells manufacturing facility in Holland, Michigan would have no effect on state or federally-listed species for the following reasons: (1) while the federally-listed species may occur in Allegan County, DOE does not believe that habitat to support the species is available, and therefore the species are unlikely present at the site; (2) the project will be constructed within an area that is already disturbed as it is being used for row crops.

Additionally, based on a 2009 Wetlands delineation report of the site, three wetland systems are located on the property and one wetland system borders the northeastern edge of the property. Three of the wetlands, including the one on the border of the property, appear to meet the requirements of Part 303, Wetlands Protection of the Natural Resources and Environmental Protection Act, 1994 PA 451(NREPA) and would be considered regulated by the Michigan Department of Environmental Quality (MDEQ). These linear wetlands are ≤ 5 acres; however, they are interconnected with the Macatawa River (North Branch). None of the state-listed wetland plant species were documented during the wetlands delineations and species-specific wetland habitat characteristics do not appear to be supported at these documented wetlands.

An environmental assessment currently is being prepared for this project by the Department's National Energy Technology Laboratory to meet the requirements of the National Environmental Policy Act. A copy of that Environmental Assessment will be sent to your office later this year.

If you have any comments or questions about the Compact Power facility or our conclusion that the project will have no effect on federally-listed species, please contact me at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
P.O. Box 880
3610 Collins Ferry Road
Morgantown, WV 26507-0880
Telephone: 304-285-4145
Email: mark.lusk@netl.doe.gov

Thank you for taking the time to review this letter and attachment. Please respond with any comments or concurrence of this assessment to enable us to complete this phase of the project within the scheduled timeframe. DOE anticipates releasing the draft EA for public comment on

December 18, 2009 for a 30-day public comment period. DOE appreciates your agency's input and looks forward to working with you on this and future projects.

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk". The signature is written in a cursive, flowing style.

Mark Lusk
NEPA Document Manager

Enclosure/Attachment 1: Map of the project location



November 12, 2009

Brian D. Conway, State Historic Preservation Officer
Michigan State Historic Preservation Office
Michigan Historical Center
P.O. Box 30740
702 W. Kalamazoo St.
Lansing, MI 48909-8240

Dear Mr. Conway:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, Michigan.

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

Construction of the CPI facility would require disturbing some portion of an 80-acre site and would include a building for manufacturing and office spaces, a detached storage, paved surface parking lots, and detention pond. The facility would be constructed on land located at the intersection of East 48th Street (also known as East 146th Street) and the CSX rail line (see attached map). The site is currently agricultural land zoned for industrial use. The 80-acre site is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

DOE does not have any reason to believe the project would cause any effects to historic or archeological resources at the project site in Holland, Michigan for the following reasons: (1) the site is vacant land and there are no structures or foundations on the site; and (2) the site is currently used for agricultural purposes and has been since at least 1940.

An Environmental Assessment currently is being prepared for this project by the DOE's National Energy Technology Laboratory to meet the requirements of the National Environmental Policy Act. A copy of that Environmental Assessment will be sent to your office later this year.

To aid in the preparation of that Environmental Assessment, and to meet our obligations under Section 106 of the National Historic Preservation Act to take into account the effects of undertakings by federal agencies on historic properties, DOE is requesting any additional information your office has on historic properties that may occur within one mile of the proposed project site. Please respond to Mr. Mark Lusk of the National Energy Technology Laboratory at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880, MS B07
Morgantown, WV 26507-0880
Telephone: (304) 285-4145
Email: Mark.Lusk@netl.doe.gov

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk". The signature is written in a cursive style with a large, sweeping "M" and "L".

Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



November 12, 2009

John Barrett, Chairman
Citizen Potawatomi Nation
1601 South Gordon Cooper Drive
Shawnee, Oklahoma 74801

Dear Mr. Barrett:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, MI

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

Construction of the CPI facility would require disturbing some portion of an 80-acre site and would include a building for manufacturing and office spaces, a detached storage, paved surface parking lots, and detention pond. The facility would be constructed on land located at the intersection of East 48th Street (also known as East 146th Street) and the CSX rail line (see attached map). The site is currently agricultural land zoned for industrial use. The 80-acre site is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

DOE does not have any reason to believe the project would cause any effects to tribal resources or artifacts for the following reasons: (1) the site is vacant land and there are no structures or foundations on the site; and (2) the site is currently being used for agricultural purposes and has since at least 1940.

An Environmental Assessment currently is being prepared for this project by the DOE's National Energy Technology Laboratory to meet the requirements of the National Environmental Policy Act. A copy of that Environmental Assessment will be sent to you for your review and comments.

DOE is initiating consultation and requesting information your tribe may have on properties of traditional religious and cultural significance within the vicinity of the proposed CPI facility and any comments or concerns you have on the potential for this Project to affect those properties.

This information is being requested to aid in the preparation of that Environmental Assessment and to meet our obligations under Section 106 of the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act of 1990. If you have any such information, require additional information, or have any questions or comments about that project, please contact Mark Lusk of the National Energy Technology Laboratory as soon as possible at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880, MS B07
Morgantown, WV 26507-0880
Telephone: (304) 285-4145
Email: Mark.Lusk@netl.doe.gov

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Lusk". The signature is written in a cursive, flowing style.

Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



November 12, 2009

Harold Frank, Chairman
Forest County Potawatomi Community
P.O. Box 340
Crandon, Wisconsin 54520

Dear Mr. Frank:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, MI.

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

Construction of the CPI facility would require disturbing some portion of an 80-acre site and would include a building for manufacturing and office spaces, a detached storage, paved surface parking lots, and detention pond. The facility would be constructed on land located at the intersection of East 48th Street (also known as East 146th Street) and the CSX rail line (see attached map). The site is currently agricultural land zoned for industrial use. The 80-acre site is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

DOE does not have any reason to believe the project would cause any effects to tribal resources or artifacts for the following reasons: (1) the site is vacant land and there are no structures or foundations on the site; and (2) the site is currently being used for agricultural purposes and has since at least 1940.

An Environmental Assessment currently is being prepared for this project by the DOE's National Energy Technology Laboratory to meet the requirements of the National Environmental Policy Act. A copy of that Environmental Assessment will be sent to you for your review and comments.

DOE is initiating consultation and requesting information your tribe may have on properties of traditional religious and cultural significance within the vicinity of the proposed CPI facility and any comments or concerns you have on the potential for this Project to affect those properties.

This information is being requested to aid in the preparation of that Environmental Assessment and to meet our obligations under Section 106 of the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act of 1990. If you have any such information, require additional information, or have any questions or comments about that project, please contact Mr. Mark Lusk of the National Energy Technology Laboratory as soon as possible at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880, MS B07
Morgantown, WV 26507-0880
Telephone: (304) 285-4145
Email: Mark_Lusk@netl.doe.gov

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk". The signature is written in a cursive style with a large, looping "M" and "L".

Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



November 12, 2009

Kenneth Meshigaud, Chairman
Hannahville Indian Community
N14911 Hannahville B1 Road
Wilson, Michigan 49896-9728

Dear Mr. Meshigaud:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, MI.

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

Construction of the CPI facility would require disturbing some portion of an 80-acre site and would include a building for manufacturing and office spaces, a detached storage, paved surface parking lots, and detention pond. The facility would be constructed on land located at the intersection of East 48th Street (also known as East 146th Street) and the CSX rail line (see attached map). The site is currently agricultural land zoned for industrial use. The 80-acre site is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

DOE does not have any reason to believe the project would cause any effects to tribal resources or artifacts for the following reasons: (1) the site is vacant land and there are no structures or foundations on the site; and (2) the site is currently being used for agricultural purposes and has since at least 1940.

An Environmental Assessment currently is being prepared for this project by the DOE's National Energy Technology Laboratory to meet the requirements of the National Environmental Policy Act. A copy of that Environmental Assessment will be sent to you for your review and comments.

DOE is initiating consultation and requesting information your tribe may have on properties of traditional religious and cultural significance within the vicinity of the proposed CPI facility and any comments or concerns you have on the potential for this Project to affect those properties.

This information is being requested to aid in the preparation of that Environmental Assessment and to meet our obligations under Section 106 of the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act of 1990. If you have any such information, require additional information, or have any questions or comments about that project, please contact Mr. Mark Lusk of the National Energy Technology Laboratory as soon as possible at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880, MS B07
Morgantown, WV 26507-0880
Telephone: (304) 285-4145
Email: Mark.Lusk@netl.doe.gov

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk". The signature is written in a cursive, flowing style.

Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



November 12, 2009

David Sprague, Chairman
Match-e-be-nash-she-wish Band of Potawatomi
P.O. Box 218
Dorr, Michigan 49823

Dear Mr. Sprague:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, MI.

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

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DOE does not have any reason to believe the project would cause any effects to tribal resources or artifacts for the following reasons: (1) the site is vacant land and there are no structures or foundations on the site; and (2) the site is currently being used for agricultural purposes and has since at least 1940.

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National Energy Technology Laboratory
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Telephone: (304) 285-4145
Email: Mark_Lusk@netl.doe.gov

Sincerely,



Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



November 12, 2009

Charles Todd, Chief
Ottawa Tribe of Oklahoma
P.O. Box 110
Miami, Oklahoma 74355

Dear Mr. Todd:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, MI.

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

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National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880, MS B07
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Telephone: (304) 285-4145
Email: Mark.Lusk@netl.doe.gov

Sincerely,



Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



November 12, 2009

John Miller, Chairperson
Pokagon Band of Potawatomi Indians
P.O. Box 180
Dowagiac, Michigan 49047

Dear Mr. Miller:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, MI

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

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DOE does not have any reason to believe the project would cause any effects to tribal resources or artifacts for the following reasons: (1) the site is vacant land and there are no structures or foundations on the site; and (2) the site is currently being used for agricultural purposes and has since at least 1940.

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U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880, MS B07
Morgantown, WV 26507-0880
Telephone: (304) 285-4145
Email: Mark.Lusk@netl.doe.gov

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk". The signature is written in a cursive, flowing style.

Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



November 12, 2009

Steve Ortiz, Chairperson
Prairie Band of Potawatomi Nation
16281 Q Road
Mayetta, Kansas 66509

Dear Mr. Ortiz:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing Initiative Application, Holland, Allegan County, MI.

The U.S. Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market. The facility would be located in the Town of Holland, Allegan County, Michigan.

Construction of the CPI facility would require disturbing some portion of an 80-acre site and would include a building for manufacturing and office spaces, a detached storage, paved surface parking lots, and detention pond. The facility would be constructed on land located at the intersection of East 48th Street (also known as East 146th Street) and the CSX rail line (see attached map). The site is currently agricultural land zoned for industrial use. The 80-acre site is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

DOE does not have any reason to believe the project would cause any effects to tribal resources or artifacts for the following reasons: (1) the site is vacant land and there are no structures or foundations on the site; and (2) the site is currently being used for agricultural purposes and has since at least 1940.

An Environmental Assessment currently is being prepared for this project by the DOE's National Energy Technology Laboratory to meet the requirements of the National Environmental Policy Act. A copy of that Environmental Assessment will be sent to you for your review and comments.

DOE is initiating consultation and requesting information your tribe may have on properties of traditional religious and cultural significance within the vicinity of the proposed CPI facility and any comments or concerns you have on the potential for this Project to affect those properties.

This information is being requested to aid in the preparation of that Environmental Assessment and to meet our obligations under Section 106 of the National Historic Preservation Act and the Native American Graves Protection and Repatriation Act of 1990. If you have any such information, require additional information, or have any questions or comments about that project, please contact Mr. Mark Lusk of the National Energy Technology Laboratory as soon as possible at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P. O. Box 880, MS B07
Morgantown, WV 26507-0880
Telephone: (304) 285-4145
Email: Mark.Lusk@netl.doe.gov

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk". The signature is written in a cursive, flowing style.

Mark Lusk
NEPA Document Manager

Attachment: Site Location Map



December 2, 2009

Ms. Tina Clemmons
Allegan Conservation District
USDA Natural Resources Conservation Service
1668 Lincoln Road (M-40)
Allegan, MI 49010

Dear Ms. Clemmons:

SUBJECT: Compact Power, Inc., Electric Drive Vehicle Battery and Component Manufacturing, Holland, Allegan County, Michigan; Compliance with the Farmland Protection Policy Act.

The United States Department of Energy (DOE) is proposing to provide funding to Compact Power, Inc. (CPI) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells. The battery cells would be manufactured and delivered to meet General Motor's performance and production specifications for the Volt, General Motor's first high volume production Extended Range Electric Vehicle (EREV) or Plug-In Hybrid Electric Vehicle (PHEV) in the U.S. The project would provide a foundation for the emergence, growth, and success of EREV in the U.S. automobile market.

The site selected for the manufacturing facility is in the town of Holland, Allegan County, Michigan. The 80-acre site is located at the intersection of East 48th Street (also known as East 146th Avenue) and the CSX rail line (Attachment 1). A portion of the 80 acres would be used to construct and operate a two-story, 800,000 square-foot manufacturing building. The project includes construction of a building for manufacturing and office spaces, a detached storage, paved surface parking lots and detention pond. The site is currently agricultural land zoned for industrial use and is surrounded by the CSX rail to the west, agricultural land to the north and east, and 48th Street to the south.

The site being evaluated for construction of the manufacturing facility is comprised of "prime farmland if drained" (76 percent) and "farmland of local importance" (24 percent). All 80 acres of the site would be removed from farm use due to construction of the facility even though only about half the site would be covered by buildings, roads, or parking lots. Attachment 2 shows the results of the custom farmland classification report, derived from the NRCS Web Soil Survey database, for the site.

The Farmland Protection Policy Act (7 CFR Part 658) requires Federal agencies to identify and take into account the adverse effects of their programs on the preservation of farmland. The majority of the site being evaluated is located within the City of Holland and is zoned for industrial use, but the eastern portion of the site is outside the city limits, within Fillmore Township. Although the majority of the site is zoned industrial, and the Farmland Protection Policy Act exempts urban lands from the provisions of the Act, we are including a Farmland Conversion Impact Rating Form (Attachment 3), with Parts I, III, and VI completed, for your consideration.

We feel the conversion of about 80 acres of "prime farmland if drained" and "farmland of local importance" at this location is warranted due to the national importance of this proposal and, given the zoning, is consistent with the Farmland Protection Policy Act. The purpose of this letter and attached evaluation form is to request input and/or concurrence from the NRCS on the proposed federal action. If you have questions or require further information, please contact Mark Lusk of the National Energy Technology Laboratory at the following:

Mr. Mark Lusk
U.S. Department of Energy
National Energy Technology Laboratory
3610 Collins Ferry Road
P.O. Box 880, MS B07
Morgantown, WV 26507-0880
Telephone: (304) 285-4145
Email: Mark.Lusk@netl.doe.gov

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk". The signature is written in a cursive, flowing style.

Mark Lusk
NEPA Document Manager

Attachments: Attachment 1 – Site Location Map
Attachment 2 – Custom Farmland Classification Report for Site
Attachment 3 – Farmland Conversion Impact Rating Form



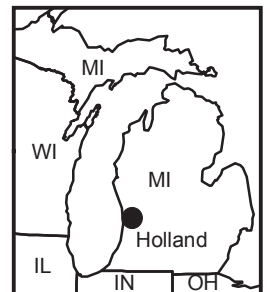
Legend

- City boundary
- County boundary
- Rivers and reservoirs
- Interstate highway
- Railroad



0 1 2 3 4
Kilometers

0 1 2
Miles

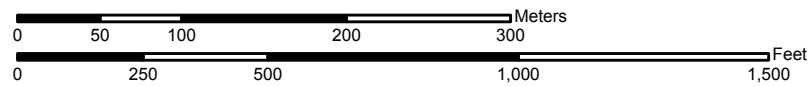


Attachment 1. Project location -- Holland, Michigan

Farmland Classification—Allegan County, Michigan




Map Scale: 1:4,760 if printed on A size (8.5" x 11") sheet.



MAP LEGEND









Area of Interest (AOI)








 Area of Interest (AOI)

Soils

 Soil Map Units

Soil Ratings



-  Not prime farmland
-  All areas are prime farmland
-  Prime farmland if drained
-  Prime farmland if protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated
-  Prime farmland if drained and either protected from flooding or not frequently flooded during the growing season
-  Prime farmland if irrigated and drained
-  Prime farmland if irrigated and either protected from flooding or not frequently flooded during the growing season

-  Prime farmland if subsoiled, completely removing the root inhibiting soil layer
-  Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60
-  Prime farmland if irrigated and reclaimed of excess salts and sodium
-  Farmland of statewide importance
-  Farmland of local importance
-  Farmland of unique importance
-  Not rated or not available



Political Features




 Cities

Water Features

-  Oceans
-  Streams and Canals

Transportation

-  Rails
-  Interstate Highways

-  US Routes
-  Major Roads
-  Local Roads

MAP INFORMATION

Map Scale: 1:4,760 if printed on A size (8.5" x 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:15,840.

Please rely on the bar scale on each map sheet for accurate map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 16N NAD83

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Allegan County, Michigan
 Survey Area Data: Version 8, Jun 17, 2009

Date(s) aerial images were photographed: 6/6/2005

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Farmland Classification

Farmland Classification— Summary by Map Unit — Allegan County, Michigan				
Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
21B	Capac-Wixom complex, 1 to 4 percent slopes	Prime farmland if drained	0.1	0.2%
28A	Rimer loamy sand, 0 to 4 percent slopes	Farmland of local importance	18.8	24.0%
36	Corunna sandy loam	Prime farmland if drained	21.7	27.7%
39	Granby loamy sand	Farmland of local importance	0.1	0.1%
41B	Blount silt loam, 1 to 4 percent slopes	Prime farmland if drained	37.5	48.0%
Totals for Area of Interest			78.2	100.0%

Description

Farmland classification identifies map units as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland. It identifies the location and extent of the soils that are best suited to food, feed, fiber, forage, and oilseed crops. NRCS policy and procedures on prime and unique farmlands are published in the "Federal Register," Vol. 43, No. 21, January 31, 1978.

Rating Options

Aggregation Method: No Aggregation Necessary

Tie-break Rule: Lower

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)	Date Of Land Evaluation Request 12/1/09
Name Of Project Compact Power, Inc Electric Battery Manufacturing	Federal Agency Involved U.S. Department of Energy
Proposed Land Use Vehicle Electric Battery Manufacturing Facility	County And State Allegan, MI (City of Holland & Fillmore Twnshp)

PART II (To be completed by NRCS)		Date Request Received By NRCS	
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply -- do not complete additional parts of this form).		Yes <input type="checkbox"/>	No <input type="checkbox"/>
Major Crop(s)		Farmable Land In Govt. Jurisdiction Acres: %	Acres Irrigated
Name Of Land Evaluation System Used		Name Of Local Site Assessment System	Average Farm Size
		Amount Of Farmland As Defined in FPPA Acres: %	Date Land Evaluation Returned By NRCS

PART III (To be completed by Federal Agency)	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	80.0			
B. Total Acres To Be Converted Indirectly	0.0			
C. Total Acres In Site	80.0	0.0	0.0	0.0

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland				
B. Total Acres Statewide And Local Important Farmland				
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted				
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value				

PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	0	0	0	0
--	---	---	---	---

PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points				
1. Area In Nonurban Use	15	7			
2. Perimeter In Nonurban Use	10	7			
3. Percent Of Site Being Farmed	20	19			
4. Protection Provided By State And Local Government	20	0			
5. Distance From Urban Builtup Area	15	0			
6. Distance To Urban Support Services	15	0			
7. Size Of Present Farm Unit Compared To Average	10	0			
8. Creation Of Nonfarmable Farmland	10	0			
9. Availability Of Farm Support Services	5	5			
10. On-Farm Investments	20	2			
11. Effects Of Conversion On Farm Support Services	10	0			
12. Compatibility With Existing Agricultural Use	10	0			
TOTAL SITE ASSESSMENT POINTS	160	40	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	0	0	0	0
Total Site Assessment (From Part VI above or a local site assessment)	160	40	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	40	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Reason For Selection:

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

Step 1 – Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form.

Step 2 – Originator will send copies A, B and C together with maps indicating locations of site(s), to the Natural Resources Conservation Service (NRCS) local field office and retain copy D for their files. (Note: NRCS has a field office in most counties in the U.S. The field office is usually located in the county seat. A list of field office locations are available from the NRCS State Conservationist in each state).

Step 3 – NRCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.

Step 4 – In cases where farmland covered by the FPPA will be converted by the proposed project, NRCS field offices will complete Parts II, IV and V of the form.

Step 5 – NRCS will return copy A and B of the form to the Federal agency involved in the project. (Copy C will be retained for NRCS records).

Step 6 – The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 – The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

Part I: In completing the "County And State" questions list all the local governments that are responsible for local land controls where site(s) are to be evaluated.

Part III: In completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5 (b) of CFR. In cases of corridor-type projects such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will be weighed zero, however, criterion #8 will be weighed a maximum of 25 points, and criterion #11 a maximum of 25 points.

Individual Federal agencies at the national level, may assign relative weights among the 12 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned relative adjustments must be made to maintain the maximum total weight points at 160.

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site "A."}$$

Site Assessment Scoring for the Twelve Factors Used in FPPA

The Site Assessment criteria used in the Farmland Protection Policy Act (FPPA) rule are designed to assess important factors other than the agricultural value of the land when determining which alternative sites should receive the highest level of protection from conversion to non agricultural uses.

Twelve factors are used for Site Assessment and ten factors for corridor-type sites. Each factor is listed in an outline form, without detailed definitions or guidelines to follow in the rating process. The purpose of this document is to expand the definitions of use of each of the twelve Site Assessment factors so that all persons can have a clear understanding as to what each factor is intended to evaluate and how points are assigned for given conditions.

In each of the 12 factors a number rating system is used to determine which sites deserve the most protection from conversion to non-farm uses. The higher the number value given to a proposed site, the more protection it will receive. The maximum scores are 10, 15 and 20 points, depending upon the relative importance of each particular question. If a question significantly relates to why a parcel of land should not be converted, the question has a maximum possible protection value of 20, whereas a question which does not have such a significant impact upon whether a site would be converted, would have fewer maximum points possible, for example 10.

The following guidelines should be used in rating the twelve Site Assessment criteria:

1. How much land is in non-urban use within a radius of 1.0 mile from where the project is intended?

More than 90 percent:	15 points
90-20 percent:	14 to 1 points
Less than 20 percent:	0 points

This factor is designed to evaluate the extent to which the area within one mile of the proposed site is non-urban area. For purposes of this rule, "non-urban" should include:

- Agricultural land (crop-fruit trees, nuts, oilseed)
- Range land
- Forest land
- Golf Courses
- Non paved parks and recreational areas
- Mining sites
- Farm Storage
- Lakes, ponds and other water bodies
- Rural roads, and through roads without houses or buildings
- Open space
- Wetlands
- Fish production
- Pasture or hayland

Urban uses include:

- Houses (other than farm houses)
- Apartment buildings
- Commercial buildings
- Industrial buildings
- Paved recreational areas (i.e. tennis courts)
- Streets in areas with 30 structures per 40 acres
- Gas stations

- Equipment, supply stores
- Off-farm storage
- Processing plants
- Shopping malls
- Utilities/Services
- Medical buildings

In rating this factor, an area one-mile from the outer edge of the proposed site should be outlined on a current photo; the areas that are urban should be outlined. For rural houses and other buildings with unknown sizes, use 1 and 1/3 acres per structure. For roads with houses on only one side, use one half of road for urban and one half for non-urban.

The purpose of this rating process is to insure that the most valuable and viable farmlands are protected from development projects sponsored by the Federal Government. With this goal in mind, factor S1 suggests that the more agricultural lands surrounding the parcel boundary in question, the more protection from development this site should receive. Accordingly, a site with a large quantity of non-urban land surrounding it will receive a greater number of points for protection from development. Thus, where more than 90 percent of the area around the proposed site (do not include the proposed site in this assessment) is non-urban, assign 15 points. Where 20 percent or less is non-urban, assign 0 points. Where the area lies between 20 and 90 percent non-urban, assign appropriate points from 14 to 1, as noted below.

Percent Non-Urban Land within 1 mile	Points
90 percent or greater	15
85 to 89 percent	14
80 to 84 percent	13
75 to 79 percent	12
70 to 74 percent	11
65 to 69 percent	10
60 to 64 percent	9
55 to 59 percent	8
50 to 54 percent	7
45 to 49 percent	6
40 to 44 percent	5
35 to 39 percent	4
30 to 24 percent	3
25 to 29 percent	2
21 to 24 percent	1
20 percent or less	0

2. How much of the perimeter of the site borders on land in non-urban use?

More than 90 percent:	10 points
90 to 20 percent:	9 to 1 point(s)
Less than 20 percent:	0 points

This factor is designed to evaluate the extent to which the land adjacent to the proposed site is non-urban use. Where factor #1 evaluates the general location of the proposed site, this factor evaluates the immediate perimeter of the site. The definition of urban and non-urban uses in factor #1 should be used for this factor.

In rating the second factor, measure the perimeter of the site that is in non-urban and urban use. Where more than 90 percent of the perimeter is in non-urban use, score this factor 10 points. Where less than 20 percent, assign 0 points. If a road is next to the perimeter, class the area according to the

use on the other side of the road for that area. Use 1 and 1/3 acre per structure if not otherwise known. Where 20 to 90 percent of the perimeter is non-urban, assign points as noted below:

Percentage of Perimeter Bordering Land	Points
90 percent or greater	10
82 to 89 percent	9
74 to 81 percent	8
65 to 73 percent	7
58 to 65 percent	6
50 to 57 percent	5
42 to 49 percent	4
34 to 41 percent	3
27 to 33 percent	2
21 to 26 percent	1
20 percent or Less	0

3. How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last ten years?

More than 90 percent:	20 points
90 to 20 percent:	19 to 1 point(s)
Less than 20 percent:	0 points

This factor is designed to evaluate the extent to which the proposed conversion site has been used or managed for agricultural purposes in the past 10 years.

Land is being farmed when it is used or managed for food or fiber, to include timber products, fruit, nuts, grapes, grain, forage, oil seed, fish and meat, poultry and dairy products.

Land that has been left to grow up to native vegetation without management or harvest will be considered as abandoned and therefore not farmed. The proposed conversion site should be evaluated and rated according to the percent, of the site farmed.

If more than 90 percent of the site has been farmed 5 of the last 10 years score the site as follows:

Percentage of Site Farmed	Points
90 percent or greater	20
86 to 89 percent	19
82 to 85 percent	18
78 to 81 percent	17
74 to 77 percent	16
70 to 73 percent	15
66 to 69 percent	14
62 to 65 percent	13
58 to 61 percent	12
54 to 57 percent	11
50 to 53 percent	10
46 to 49 percent	9
42 to 45 percent	8
38 to 41 percent	7
35 to 37 percent	6
32 to 34 percent	5
29 to 31 percent	4
26 to 28 percent	3

23 to 25 percent	2
20 to 22 percent percent or Less	1
Less than 20 percent	0

4. Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

Site is protected:	20 points
Site is not protected:	0 points

This factor is designed to evaluate the extent to which state and local government and private programs have made efforts to protect this site from conversion.

State and local policies and programs to protect farmland include:

State Policies and Programs to Protect Farmland

1. Tax Relief:

A. Differential Assessment: Agricultural lands are taxed on their agricultural use value, rather than at market value. As a result, farmers pay fewer taxes on their land, which helps keep them in business, and therefore helps to insure that the farmland will not be converted to nonagricultural uses.

1. Preferential Assessment for Property Tax: Landowners with parcels of land used for agriculture are given the privilege of differential assessment.
2. Deferred Taxation for Property Tax: Landowners are deterred from converting their land to nonfarm uses, because if they do so, they must pay back taxes at market value.
3. Restrictive Agreement for Property Tax: Landowners who want to receive Differential Assessment must agree to keep their land in - eligible use.

B. Income Tax Credits

Circuit Breaker Tax Credits: Authorize an eligible owner of farmland to apply some or all of the property taxes on his or her farmland and farm structures as a tax credit against the owner's state income tax.

C. Estate and Inheritance Tax Benefits

Farm Use Valuation for Death Tax: Exemption of state tax liability to eligible farm estates.

2. "Right to farm" laws:

Prohibits local governments from enacting laws which will place restrictions upon normally accepted farming practices, for example, the generation of noise, odor or dust.

3. Agricultural Districting:

Wherein farmers voluntarily organize districts of agricultural land to be legally recognized geographic areas. These farmers receive benefits, such as protection from annexation, in exchange for keeping land within the district for a given number of years.

4. Land Use Controls: Agricultural Zoning.

Types of Agricultural Zoning Ordinances include:

- A. Exclusive: In which the agricultural zone is restricted to only farm-related dwellings, with, for example, a minimum of 40 acres per dwelling unit.
- B. Non-Exclusive: In which non-farm dwellings are allowed, but the density remains low, such as 20 acres per dwelling unit.

Additional Zoning techniques include:

- A. Sliding Scale: This method looks at zoning according to the total size of the parcel owned. For example, the number of dwelling units per a given number of acres may change from county to county according to the existing land acreage to dwelling unit ratio of surrounding parcels of land within the specific area.
- B. Point System or Numerical Approach: Approaches land use permits on a case by case basis.

LESA: The LESA system (Land Evaluation-Site Assessment) is used as a tool to help assess options for land use on an evaluation of productivity weighed against commitment to urban development.
- C. Conditional Use: Based upon the evaluation on a case by case basis by the Board of Zoning Adjustment. Also may include the method of using special land use permits.

5. Development Rights:

- A. Purchase of Development Rights (PDR): Where development rights are purchased by Government action.

Buffer Zoning Districts: Buffer Zoning Districts are an example of land purchased by Government action. This land is included in zoning ordinances in order to preserve and protect agricultural lands from non-farm land uses encroaching upon them.

- B. Transfer of Development Rights (TDR): Development rights are transferable for use in other locations designated as receiving areas. TDR is considered a locally based action (not state), because it requires a voluntary decision on the part of the individual landowners.

6. Governor's Executive Order: Policy made by the Governor, stating the importance of agriculture, and the preservation of agricultural lands. The Governor orders the state agencies to avoid the unnecessary conversion of important farmland to nonagricultural uses.

7. Voluntary State Programs:

- A. California's Program of Restrictive Agreements and Differential Assessments: The California Land Conservation Act of 1965, commonly known as the Williamson Act, allows cities, counties and individual landowners to form agricultural preserves and enter into contracts for 10 or more years to insure that these parcels of land remain strictly for agricultural use. Since 1972 the Act has extended eligibility to recreational and open space lands such as scenic highway corridors, salt ponds and wildlife preserves. These contractually restricted lands may be taxed differentially for their real value. One hundred-acre districts constitute the minimum land size eligible.

Suggestion: An improved version of the Act would state that if the land is converted after the contract expires, the landowner must pay the difference in the taxes between market value for the land and the agricultural tax value which he or she had been

paying under the Act. This measure would help to insure that farmland would not be converted after the 10 year period ends.

- B. Maryland Agricultural Land Preservation Program: Agricultural landowners within agricultural districts have the opportunity to sell their development rights to the Maryland Land Preservation Foundation under the agreement that these landowners will not subdivide or develop their land for an initial period of five years. After five years the landowner may terminate the agreement with one year notice.

As is stated above under the California Williamson Act, the landowner should pay the back taxes on the property if he or she decides to convert the land after the contract expires, in order to discourage such conversions.

- C. Wisconsin Income Tax Incentive Program: The Wisconsin Farmland Preservation Program of December 1977 encourages local jurisdictions in Wisconsin to adopt agricultural preservation plans or exclusive agricultural district zoning ordinances in exchange for credit against state income tax and exemption from special utility assessment. Eligible candidates include local governments and landowners with at least 35 acres of land per dwelling unit in agricultural use and gross farm profits of at least \$6,000 per year, or \$18,000 over three years.

8. Mandatory State Programs:

- A. The Environmental Control Act in the state of Vermont was adopted in 1970 by the Vermont State Legislature. The Act established an environmental board with 9 members (appointed by the Governor) to implement a planning process and a permit system to screen most subdivisions and development proposals according to specific criteria stated in the law. The planning process consists of an interim and a final Land Capability and Development Plan, the latter of which acts as a policy plan to control development. The policies are written in order to:
- prevent air and water pollution;
 - protect scenic or natural beauty, historic sites and rare and irreplaceable natural areas; and
 - consider the impacts of growth and reduction of development on areas of primary agricultural soils.
- B. The California State Coastal Commission: In 1976 the Coastal Act was passed to establish a permanent Coastal Commission with permit and planning authority. The purpose of the Coastal Commission was and is to protect the sensitive coastal zone environment and its resources, while accommodating the social and economic needs of the state. The Commission has the power to regulate development in the coastal zones by issuing permits on a case by case basis until local agencies can develop their own coastal plans, which must be certified by the Coastal Commission.
- C. Hawaii's Program of State Zoning: In 1961, the Hawaii State Legislature established Act 187, the Land Use Law, to protect the farmland and the welfare of the local people of Hawaii by planning to avoid "unnecessary urbanization". The Law made all state lands into four districts: agricultural, conservation, rural and urban. The Governor appointed members to a State Land Use Commission, whose duties were to uphold the Law and form the boundaries of the four districts. In addition to state zoning, the Land Use Law introduced a program of Differential Assessment, wherein agricultural landowners paid taxes on their land for its agricultural use value, rather than its market value.
- D. The Oregon Land Use Act of 1973: This act established the Land Conservation and Development Commission (LCDC) to provide statewide planning goals and guidelines.

Under this Act, Oregon cities and counties are each required to draw up a comprehensive plan, consistent with statewide planning goals. Agricultural land preservation is high on the list of state goals to be followed locally.

If the proposed site is subject to or has used one or more of the above farmland protection programs or policies, score the site 20 points. If none of the above policies or programs apply to this site, score 0 points.

5. How close is the site to an urban built-up area?

The site is 2 miles or more from an urban built-up area	15 points
The site is more than 1 mile but less than 2 miles from an urban built-up area	10 points
The site is less than 1 mile from, but is not adjacent to an urban built-up area	5 points
The site is adjacent to an urban built-up area	0 points

This factor is designed to evaluate the extent to which the proposed site is located next to an existing urban area. The urban built-up area must be 2500 population. The measurement from the built-up area should be made from the point at which the density is 30 structures per 40 acres and with no open or non-urban land existing between the major built-up areas and this point. Suburbs adjacent to cities or urban built-up areas should be considered as part of that urban area.

For greater accuracy, use the following chart to determine how much protection the site should receive according to its distance from an urban area. See chart below:

Distance From Perimeter of Site to Urban Area	Points
More than 10,560 feet	15
9,860 to 10,559 feet	14
9,160 to 9,859 feet	13
8,460 to 9,159 feet	12
7,760 to 8,459 feet	11
7,060 to 7,759 feet	10
6,360 to 7,059 feet	9
5,660 to 6,359 feet	8
4,960 to 5,659 feet	7
4,260 to 4,959 feet	6
3,560 to 4,259 feet	5
2,860 to 3,559 feet	4
2,160 to 2,859 feet	3
1,460 to 2,159 feet	2
760 to 1,459 feet	1
Less than 760 feet (adjacent)	0

6. How close is the site to water lines, sewer lines and/or other local facilities and services whose capacities and design would promote nonagricultural use?

None of the services exist nearer than 3 miles from the site	15 points
Some of the services exist more than one but less than 3 miles from the site	10 points
All of the services exist within 1/2 mile of the site	0 points

This question determines how much infrastructure (water, sewer, etc.) is in place which could facilitate nonagricultural development. The fewer facilities in place, the more difficult it is to develop an area. Thus, if a proposed site is further away from these services (more than 3 miles distance away), the site should be awarded the highest number of points (15). As the distance of the parcel of land to services decreases, the number of points awarded declines as well. So, when the site is equal to or further than 1 mile but less than 3 miles away from services, it should be given 10 points. Accordingly, if this distance is 1/2 mile to less than 1 mile, award 5 points; and if the distance from land to services is less than 1/2 mile, award 0 points.

Distance to public facilities should be measured from the perimeter of the parcel in question to the nearest site(s) where necessary facilities are located. If there is more than one distance (i.e. from site to water and from site to sewer), use the average distance (add all distances and then divide by the number of different distances to get the average).

Facilities which could promote nonagricultural use include:

- Water lines
- Sewer lines
- Power lines
- Gas lines
- Circulation (roads)
- Fire and police protection
- Schools

7. Is the farm unit(s) containing the site (before the project) as large as the average-size farming unit in the county? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)

As large or larger:	10 points
Below average: Deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more is below average	9 to 0 points

This factor is designed to determine how much protection the site should receive, according to its size in relation to the average size of farming units within the county. The larger the parcel of land, the more agricultural use value the land possesses, and vice versa. Thus, if the farm unit is as large or larger than the county average, it receives the maximum number of points (10). The smaller the parcel of land compared to the county average, the fewer number of points given. Please see below:

Parcel Size in Relation to Average County Size	Points
Same size or larger than average (100 percent)	10
95 percent of average	9
90 percent of average	8
85 percent of average	7
80 percent of average	6
75 percent of average	5
70 percent of average	4
65 percent of average	3
60 percent of average	2
55 percent of average	1
50 percent or below county average	0

State and local Natural Resources Conservation Service offices will have the average farm size information, provided by the latest available Census of Agriculture data

8. If this site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

Acreage equal to more than 25 percent of acres directly converted by the project	10 points
Acreage equal to between 25 and 5 percent of the acres directly converted by the project	9 to 1 point(s)
Acreage equal to less than 5 percent of the acres directly converted by the project	0 points

This factor tackles the question of how the proposed development will affect the rest of the land on the farm. The site which deserves the most protection from conversion will receive the greatest number of points, and vice versa. For example, if the project is small, such as an extension on a house, the rest of the agricultural land would remain farmable, and thus a lower number of points is given to the site. Whereas if a large-scale highway is planned, a greater portion of the land (not including the site) will become non-farmable, since access to the farmland will be blocked; and thus, the site should receive the highest number of points (10) as protection from conversion.

Conversion uses of the Site Which Would Make the Rest of the Land Non-Farmable by Interfering with Land Patterns

Conversions which make the rest of the property nonfarmable include any development which blocks accessibility to the rest of the site. Examples are highways, railroads, dams or development along the front of a site restricting access to the rest of the property.

The point scoring is as follows:

Amount of Land Not Including the Site Which Will Become Non-Farmable	Points
25 percent or greater	10
23 - 24 percent	9
21 - 22 percent	8
19 - 20 percent	7
17 - 18 percent	6
15 - 16 percent	5
13 - 14 percent	4
11 - 12 percent	3
9 - 11 percent	2
6 - 8 percent	1
5 percent or less	0

9. Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available	5 points
Some required services are available	4 to 1 point(s)
No required services are available	0 points

This factor is used to assess whether there are adequate support facilities, activities and industry to keep the farming business in business. The more support facilities available to the agricultural

landowner, the more feasible it is for him or her to stay in production. In addition, agricultural support facilities are compatible with farmland. This fact is important, because some land uses are not compatible; for example, development next to farmland can be dangerous to the welfare of the agricultural land, as a result of pressure from the neighbors who often do not appreciate the noise, smells and dust intrinsic to farmland. Thus, when all required agricultural support services are available, the maximum number of points (5) are awarded. When some services are available, 4 to 1 point(s) are awarded; and consequently, when no services are available, no points are given. See below:

Percent of Services Available	Points
100 percent	5
75 to 99 percent	4
50 to 74 percent	3
25 to 49 percent	2
1 to 24 percent	1
No services	0

10. Does the site have substantial and well-maintained on farm investments such as barns, other storage buildings, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment	20 points
Moderate amount of non-farm investment	19 to 1 point(s)
No on-farm investments	0 points

This factor assesses the quantity of agricultural facilities in place on the proposed site. If a significant agricultural infrastructure exists, the site should continue to be used for farming, and thus the parcel will receive the highest amount of points towards protection from conversion or development. If there is little on farm investment, the site will receive comparatively less protection. See-below:

Amount of On-farm Investment	Points
As much or more than necessary to maintain production (100 percent)	20
95 to 99 percent	19
90 to 94 percent	18
85 to 89 percent	17
80 to 84 percent	16
75 to 79 percent	15
70 to 74 percent	14
65 to 69 percent	13
60 to 64 percent	12
55 to 59 percent	11
50 to 54 percent	10
45 to 49 percent	9
40 to 44 percent	8
35 to 39 percent	7
30 to 34 percent	6
25 to 29 percent	5
20 to 24 percent	4
15 to 19 percent	3
10 to 14 percent	2
5 to 9 percent	1
0 to 4 percent	0

11. Would the project at this site, by converting farmland to nonagricultural use, reduce the support for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted	10 points
Some reduction in demand for support services if the site is converted	9 to 1 point(s)
No significant reduction in demand for support services if the site is converted	0 points

This factor determines whether there are other agriculturally related activities, businesses or jobs dependent upon the working of the pre-converted site in order for the others to remain in production. The more people and farming activities relying upon this land, the more protection it should receive from conversion. Thus, if a substantial reduction in demand for support services were to occur as a result of conversions, the proposed site would receive a high score of 10; some reduction in demand would receive 9 to 1 point(s), and no significant reduction in demand would receive no points.

Specific points are outlined as follows:

Amount of Reduction in Support Services if Site is Converted to Nonagricultural Use	Points
Substantial reduction (100 percent)	10
90 to 99 percent	9
80 to 89 percent	8
70 to 79 percent	7
60 to 69 percent	6
50 to 59 percent	5
40 to 49 percent	4
30 to 39 percent	3
20 to 29 percent	2
10 to 19 percent	1
No significant reduction (0 to 9 percent)	0

12. Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of the surrounding farmland to nonagricultural use?

Proposed project is incompatible with existing agricultural use of surrounding farmland	10 points
Proposed project is tolerable of existing agricultural use of surrounding farmland	9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland	0 points

Factor 12 determines whether conversion of the proposed agricultural site will eventually cause the conversion of neighboring farmland as a result of incompatibility of use of the first with the latter. The more incompatible the proposed conversion is with agriculture, the more protection this site receives from conversion. Therefore, if the proposed conversion is incompatible with agriculture, the site receives 10 points. If the project is tolerable with agriculture, it receives 9 to 1 points; and if the proposed conversion is compatible with agriculture, it receives 0 points.

CORRIDOR - TYPE SITE ASSESSMENT CRITERIA

The following criteria are to be used for projects that have a linear or corridor - type site configuration connecting two distant points, and crossing several different tracts of land. These include utility lines, highways, railroads, stream improvements, and flood control systems. Federal agencies are to assess the suitability of each corridor-type site or design alternative for protection as farmland along with the land evaluation information.

For Water and Waste Programs, corridor analyses are not applicable for distribution or collection networks. Analyses are applicable for transmission or trunk lines where placement of the lines are flexible.

(1) How much land is in nonurban use within a radius of 1.0 mile form where the project is intended?

- | | |
|--------------------------|-----------------------|
| (2) More than 90 percent | (3) 15 points |
| (4) 90 to 20 percent | (5) 14 to 1 point(s). |
| (6) Less than 20 percent | (7) 0 points |

(2) How much of the perimeter of the site borders on land in nonurban use?

- | | |
|--------------------------|-------------------|
| (3) More than 90 percent | (4) 10 point(s) |
| (5) 90 to 20 percent | (6) 9 to 1 points |
| (7) less than 20 percent | (8) 0 points |

(3) How much of the site has been farmed (managed for a scheduled harvest or timber activity) more than five of the last 10 years?

- | | |
|--------------------------|----------------------|
| (4) More than 90 percent | (5) 20 points |
| (6) 90 to 20 percent | (7) 19 to 1 point(s) |
| (8) Less than 20 percent | (9) 0 points |

(4) Is the site subject to state or unit of local government policies or programs to protect farmland or covered by private programs to protect farmland?

- | | |
|-----------------------|-----------|
| Site is protected | 20 points |
| Site is not protected | 0 points |

(5) Is the farm unit(s) containing the site (before the project) as large as the average - size farming unit in the County? (Average farm sizes in each county are available from the NRCS field offices in each state. Data are from the latest available Census of Agriculture, Acreage of Farm Units in Operation with \$1,000 or more in sales.)

- | | |
|---|---------------|
| As large or larger | 10 points |
| Below average deduct 1 point for each 5 percent below the average, down to 0 points if 50 percent or more below average | 9 to 0 points |

(6) If the site is chosen for the project, how much of the remaining land on the farm will become non-farmable because of interference with land patterns?

- | | |
|--|------------------|
| Acreage equal to more than 25 percent of acres directly converted by the project | 25 points |
| Acreage equal to between 25 and 5 percent of the acres directly converted by the project | 1 to 24 point(s) |
| Acreage equal to less than 5 percent of the acres directly converted by the project | 0 points |

(7) Does the site have available adequate supply of farm support services and markets, i.e., farm suppliers, equipment dealers, processing and storage facilities and farmer's markets?

All required services are available	5 points
Some required services are available	4 to 1 point(s)
No required services are available	0 points

(8) Does the site have substantial and well-maintained on-farm investments such as barns, other storage building, fruit trees and vines, field terraces, drainage, irrigation, waterways, or other soil and water conservation measures?

High amount of on-farm investment	20 points
Moderate amount of on-farm investment	19 to 1 point(s)
No on-farm investment	0 points

(9) Would the project at this site, by converting farmland to nonagricultural use, reduce the demand for farm support services so as to jeopardize the continued existence of these support services and thus, the viability of the farms remaining in the area?

Substantial reduction in demand for support services if the site is converted	25 points
Some reduction in demand for support services if the site is converted	1 to 24 point(s)
No significant reduction in demand for support services if the site is converted	0 points

(10) Is the kind and intensity of the proposed use of the site sufficiently incompatible with agriculture that it is likely to contribute to the eventual conversion of surrounding farmland to nonagricultural use?

Proposed project is incompatible to existing agricultural use of surrounding farmland	10 points
Proposed project is tolerable to existing agricultural use of surrounding farmland	9 to 1 point(s)
Proposed project is fully compatible with existing agricultural use of surrounding farmland	0 points

>>> "Vandenbosch, Bruce - Allegan, MI" <bruce.vandenbosch@mi.usda.gov> 1/5/2010 11:52 AM >>>

Mark;

I have completed and attached the Farmland Conversion Impact Rating form AD-1006 for the proposed Compact Power, Inc. (CPI) construction site in Holland, Allegan County, Michigan; for compliance with the Farmland Protection Policy Act.

If you require further information please contact Bruce Van Den Bosch, NRCS District Conservationist Allegan, at the information below.

Sincerely,

Bruce Van Den Bosch

USDA/NRCS
Bruce Van Den Bosch
District Conservationist
1668 Lincoln Rd.
Allegan, MI 49010
PH: 269-673-6940 ext.3
FAX: 269-673-9671
email: bruce.vandenbosch@mi.usda.gov

Helping People Help the Land

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)	Date Of Land Evaluation Request 12/1/09
Name Of Project Compact Power, Inc Electric Battery Manufacturing	Federal Agency Involved U.S. Department of Energy
Proposed Land Use Vehicle Electric Battery Manufacturing Facility	County And State Allegan, MI (City of Holland & Fillmore Twnshp)

PART II (To be completed by NRCS)		Date Request Received By NRCS	
Does the site contain prime, unique, statewide or local important farmland? (If no, the FPPA does not apply -- do not complete additional parts of this form).		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Major Crop(s) corn, specialty		Acres Irrigated 9240	Average Farm Size 155
Farmable Land In Govt. Jurisdiction Acres: 401300 % 74		Amount Of Farmland As Defined in FPPA Acres: 155200 % 29	
Name Of Land Evaluation System Used LESA	Name Of Local Site Assessment System None	Date Land Evaluation Returned By NRCS 1/5/10	

PART III (To be completed by Federal Agency)	Alternative Site Rating			
	Site A	Site B	Site C	Site D
A. Total Acres To Be Converted Directly	80.0			
B. Total Acres To Be Converted Indirectly	0.0			
C. Total Acres In Site	80.0	0.0	0.0	0.0

PART IV (To be completed by NRCS) Land Evaluation Information				
A. Total Acres Prime And Unique Farmland	56.0			
B. Total Acres Statewide And Local Important Farmland	24.0			
C. Percentage Of Farmland In County Or Local Govt. Unit To Be Converted	0.0			
D. Percentage Of Farmland In Govt. Jurisdiction With Same Or Higher Relative Value	34.0			

PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value Of Farmland To Be Converted (Scale of 0 to 100 Points)	84	0	0	0
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PART VI (To be completed by Federal Agency) Site Assessment Criteria (These criteria are explained in 7 CFR 658.5(b))	Maximum Points				
1. Area In Nonurban Use	15	7			
2. Perimeter In Nonurban Use	10	7			
3. Percent Of Site Being Farmed	20	19			
4. Protection Provided By State And Local Government	20	0			
5. Distance From Urban Builtup Area	15	0			
6. Distance To Urban Support Services	15	0			
7. Size Of Present Farm Unit Compared To Average	10	0			
8. Creation Of Nonfarmable Farmland	10	0			
9. Availability Of Farm Support Services	5	5			
10. On-Farm Investments	20	2			
11. Effects Of Conversion On Farm Support Services	10	0			
12. Compatibility With Existing Agricultural Use	10	0			
TOTAL SITE ASSESSMENT POINTS	160	40	0	0	0

PART VII (To be completed by Federal Agency)					
Relative Value Of Farmland (From Part V)	100	84	0	0	0
Total Site Assessment (From Part VI above or a local site assessment)	160	40	0	0	0
TOTAL POINTS (Total of above 2 lines)	260	124	0	0	0

Site Selected:	Date Of Selection	Was A Local Site Assessment Used? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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Reason For Selection:

STEPS IN THE PROCESSING THE FARMLAND AND CONVERSION IMPACT RATING FORM

Step 1 – Federal agencies involved in proposed projects that may convert farmland, as defined in the Farmland Protection Policy Act (FPPA) to nonagricultural uses, will initially complete Parts I and III of the form.

Step 2 – Originator will send copies A, B and C together with maps indicating locations of site(s), to the Natural Resources Conservation Service (NRCS) local field office and retain copy D for their files. (Note: NRCS has a field office in most counties in the U.S. The field office is usually located in the county seat. A list of field office locations are available from the NRCS State Conservationist in each state).

Step 3 – NRCS will, within 45 calendar days after receipt of form, make a determination as to whether the site(s) of the proposed project contains prime, unique, statewide or local important farmland.

Step 4 – In cases where farmland covered by the FPPA will be converted by the proposed project, NRCS field offices will complete Parts II, IV and V of the form.

Step 5 – NRCS will return copy A and B of the form to the Federal agency involved in the project. (Copy C will be retained for NRCS records).

Step 6 – The Federal agency involved in the proposed project will complete Parts VI and VII of the form.

Step 7 – The Federal agency involved in the proposed project will make a determination as to whether the proposed conversion is consistent with the FPPA and the agency's internal policies.

INSTRUCTIONS FOR COMPLETING THE FARMLAND CONVERSION IMPACT RATING FORM

Part I: In completing the "County And State" questions list all the local governments that are responsible for local land controls where site(s) are to be evaluated.

Part III: In completing item B (Total Acres To Be Converted Indirectly), include the following:

1. Acres not being directly converted but that would no longer be capable of being farmed after the conversion, because the conversion would restrict access to them.
2. Acres planned to receive services from an infrastructure project as indicated in the project justification (e.g. highways, utilities) that will cause a direct conversion.

Part VI: Do not complete Part VI if a local site assessment is used.

Assign the maximum points for each site assessment criterion as shown in § 658.5 (b) of CFR. In cases of corridor-type projects such as transportation, powerline and flood control, criteria #5 and #6 will not apply and will be weighed zero, however, criterion #8 will be weighed a maximum of 25 points, and criterion #11 a maximum of 25 points.

Individual Federal agencies at the national level, may assign relative weights among the 12 site assessment criteria other than those shown in the FPPA rule. In all cases where other weights are assigned relative adjustments must be made to maintain the maximum total weight points at 160.

In rating alternative sites, Federal agencies shall consider each of the criteria and assign points within the limits established in the FPPA rule. Sites most suitable for protection under these criteria will receive the highest total scores, and sites least suitable, the lowest scores.

Part VII: In computing the "Total Site Assessment Points" where a State or local site assessment is used and the total maximum number of points is other than 160, adjust the site assessment points to a base of 160. Example: if the Site Assessment maximum is 200 points, and alternative Site "A" is rated 180 points:

$$\frac{\text{Total points assigned Site A}}{\text{Maximum points possible}} = \frac{180}{200} \times 160 = 144 \text{ points for Site "A."}$$



January 29, 2010

Environmental Review Coordinator
State Historic Preservation Office
Michigan Historical Center
P.O. Box 30740
702 W. Kalamazoo St.
Lansing, MI 48909-8240

SUBJECT: Compact Power, Inc. Battery Manufacturing Facility in Allegan County,
Michigan

The U.S. Department of Energy (DOE) is submitting the attached *Application for Section 106 Review* for your review of the Compact Power, Inc. Battery Manufacturing Project as required by the National Historic Preservation Act.

The Department is proposing to provide financial assistance to Compact Power, Inc. through the Electric Drive Vehicle Battery and Component Manufacturing Initiative of the American Reinvestment and Recovery Act. Funding to that company would be used to construct the Midland Battery Park, a facility for the manufacturing of advanced superior lithium polymer batteries for hybrid and electric vehicles. As further described in the application, the facility would be located in the City of Holland, Allegan County, Michigan.

Please forward the results of your review and any requests for additional information to Mark Lusk of the Department's National Energy Technology Laboratory using the contact information included in the application.

Sincerely,

A handwritten signature in black ink that reads "Mark Lusk".

Mark Lusk
NEPA Document Manager

Attachments: Application for Section 106 Review (20 pages)

**STATE HISTORIC PRESERVATION OFFICE
Application for Section 106 Review**

SHPO Use Only					
<input type="checkbox"/>	IN	Received Date	___ / ___ / ___	Log In Date	___ / ___ / ___
<input type="checkbox"/>	OUT	Response Date	___ / ___ / ___	Log Out Date	___ / ___ / ___
		Sent Date	___ / ___ / ___		

Submit one copy for each project for which review is requested. This application is required. Please type. Applications must be complete for review to begin. Incomplete applications will be sent back to the applicant without comment. Send only the information and attachments requested on this application. Materials submitted for review cannot be returned. Due to limited resources we are unable to accept this application electronically.

I. GENERAL INFORMATION

THIS IS A NEW SUBMITTAL THIS IS MORE INFORMATION RELATING TO ER#

- a. Project Name: Compact Power Inc. Battery Manufacturing Facility
- b. Project Address (if available): approximately 80 acres of undeveloped land at 859 E. 48th Street, Holland, MI
- c. Municipal Unit: City of Holland and Fillmore Township County: Allegan
- d. Federal Agency, Contact Name and Mailing Address (If you do not know the federal agency involved in your project please contact the party requiring you to apply for Section 106 review, not the SHPO, for this information.): Mark W. Lusk, Office of Project Facilitation & Compliance, U.S. Department of Energy
- e. National Energy Technology Laboratory, 3610 Collins Ferry Road, P.O. Box 880, MS B07, Morgantown, WV 26507-0880 Telephone: 304-285-4145 Email: mark.lusk@netl.doe.gov
- f. State Agency (if applicable), Contact Name and Mailing Address: None
- g. Consultant or Applicant Contact Information (if applicable) including mailing address: None - please contact Mark Lusk of the Department of Energy

II. GROUND DISTURBING ACTIVITY (INCLUDING EXCAVATION, GRADING, TREE REMOVALS, UTILITY INSTALLATION, ETC.)

DOES THIS PROJECT INVOLVE GROUND-DISTURBING ACTIVITY? YES NO (If no, proceed to section III.)
Exact project location must be submitted on a USGS Quad map (portions, photocopies of portions, and electronic USGS maps are acceptable as long as the location is clearly marked).

- a. USGS Quad Map Name: Holland East and Fillmore Township, MI
- b. Township: 5N Range: 15W Section: 3
- c. Description of width, length and depth of proposed ground disturbing activity: The dimensions of the ground-disturbing activity for the primary site grading is approximately 1,900 feet by 1,200 feet, with cuts ranging from 0 to 19 feet and fills ranging from 0 to 13 feet.
- d. Previous land use and disturbances: See attached
- e. Current land use and conditions: Farmland - row crops; no existing structures
- f. Does the landowner know of any archaeological resources found on the property? YES NO

Please describe:

III. PROJECT WORK DESCRIPTION AND AREA OF POTENTIAL EFFECTS (APE)

Note: Every project has an APE.

- a. Provide a detailed written description of the project (plans, specifications, Environmental Impact Statements (EIS), Environmental Assessments (EA), etc. **cannot** be substituted for the written description): See attached
- b. Provide a localized map indicating the location of the project; road names must be included and legible.
- c. On the above-mentioned map, identify the APE.
- d. Provide a written description of the APE (physical, visual, auditory, and sociocultural), the steps taken to identify the APE, and the justification for the boundaries chosen. See attached

IV. IDENTIFICATION OF HISTORIC PROPERTIES

- a. List and date **all** properties 50 years of age or older located in the APE. If the property is located within a National Register eligible, listed or local district it is only necessary to identify the district: None
 - b. Describe the steps taken to identify whether or not any **historic** properties exist in the APE and include the level of effort made to carry out such steps: site visits; review of historic aerial photographs; use of Michigan Historical Center Historic Sites Online
 - c. Based on the information contained in "b", please choose one:
 Historic Properties Present in the APE
 No Historic Properties Present in the APE
 - d. Describe the condition, previous disturbance to, and history of any historic properties located in the APE: N/A
-

V. PHOTOGRAPHS

Note: All photographs must be keyed to a localized map.

- a. Provide photographs of the site itself.
 - b. Provide photographs of all properties 50 years of age or older located in the APE (faxed or photocopied photographs are not acceptable).
-

VI. DETERMINATION OF EFFECT

- No historic properties affected based on [36 CFR § 800.4(d)(1)], please provide the basis for this determination.
- No Adverse Effect [36 CFR § 800.5(b)] on historic properties, explain why the criteria of adverse effect, 36 CFR Part 800.5(a)(1), were found not applicable.
- Adverse Effect [36 CFR § 800.5(d)(2)] on historic properties, explain why the criteria of adverse effect, [36 CFR Part 800.5(a)(1)], were found applicable.

***Please print and mail completed form and required information to:
State Historic Preservation Office, Environmental Review Office, Michigan Historical Center, 702
W. Kalamazoo Street, P.O. Box 30740, Lansing, MI 48909-8240***

**Attachments to U.S. Department of Energy (DOE) Application for
Section 106 Review of the Proposed Compact Power, Inc. Battery Manufacturing Facility,
Holland, MI**

Section II. Ground Disturbing Activities

d. Previous Land Use and Disturbances— Aerial photographs for the years 1950, 1955, 1960, 1967, 1974, 1981, 1992, 1997, 2002, 2005 and 2008 on file with EDR Aerial Photography Database and TerraServer.com have been reviewed. In the 1950 through 2008 aerial photographs, the majority of the subject site appears as it does today, undeveloped land occupied by agricultural fields (i.e., row crops) with the exception of one former homestead. In the 1950 through 1974 aerial photographs, the southern portion of the subject site appears to be developed with a residential dwelling and several outbuildings. In the 1981 through 1997 aerial photographs, fewer structures appear to be present and in the 2002 through 2008 aerial photographs, no structures are present.

During the site reconnaissance, minor amounts of construction debris (i.e., concrete, shingles, wood, bricks, etc.) were observed in the area of the former homestead (815 E 48th Street).

A review of the EDR Physical Setting Source Summary indicates that an oil/gas production well may have been located on the subject site or adjacent to the subject site. According to the EDR report, the oil/gas well was a "dry well", which indicates that no petroleum was identified at that location.

Section III: Project Work Description And Area Of Potential Effects

a. Detailed Description of the Project— The U.S. Department of Energy (DOE) is proposing to provide a \$151 million grant to CPI (also known as LG Chem, Ltd.) to construct and operate an approximately 800,000-square-foot facility capable of manufacturing and delivery of high quantities of lithium-ion polymer battery cells.

The site selected by CPI for the manufacturing facility is mostly located in the City of Holland, Allegan County, Michigan, with a small portion of the proposed project site located in the adjacent Fillmore Township. The 80-acre site is located northeast of the intersection of South Waverly Road and East 48th Street (see Figure 1). The site is currently agricultural land with no existing structures. It is surrounded by the CSX rail line to the west, agricultural land to the north and east, and 48th Street (146th Avenue) to the south. The surrounding area includes a sizable industrial park, including neighboring firms such as Haworth, Tiara Yachts, Sherwin Williams, USF Holland, Global Sourcing Solutions, and various industrial warehouse buildings. Figures 2 and 3 are aerial photographs of the site.

Approximately half of the 80 acres would be used to construct and operate a two-story, 800,000 square-foot manufacturing facility, with the remaining acreage remaining in its natural state. The proposed project includes construction of a building for manufacturing and office spaces, a

detached storage building, a safety validation building, paved surface parking lots, above ground storage tank(s), a storm water detention pond, and one or two private access road(s). The City of Holland plans to widen the existing public road on frontage of the site (East 48th Street) from the existing two lanes to three lanes with curbs and gutters and possibly a turning lane. No demolition of existing structures is required. Figure 4 shows a proposed site layout.

d. Written Description of the Area of Potential Effects—The area of potential effects includes the 80-acre project site and a 200-foot buffer around that site. The DOE evaluated the characteristics of the proposed facility and land use and traffic patterns in the surrounding area, and selected this area of potential effects for the following reasons:

- This area includes all sites that may be disturbed to construct the Compact Power, Inc. Battery Manufacturing Facility.
- The project would be located in an area surrounded by two residences and an increasing number of manufacturing and warehouse uses. The City of Holland Master Plan Update South End Area identifies the project site's planned land use as Industrial Park and the area to the south of 48th Street as General Industrial.
- The addition of the Compact Power, Inc. Battery Manufacturing Facility would cause little or no change in the visual setting of the area outside of the area of potential effects.
- Although there would be temporary increases in noise levels in surrounding areas on some days during construction, the Department does not anticipate changes in noise levels outside of the area of potential effects in this setting where rural and urban meet during operations of the facility.
- The facility would be located in an area whose land use is zoned as Industrial Park and General Industrial. The site and surrounding area has sufficient infrastructure to support the facility and its employees. Thus, DOE does not anticipate any changes in land use outside of the area of potential effects as a result of this project.
- After the City of Holland completes their plans to improve the existing public road on frontage of the site (East 48th Street) from the existing two lanes to three lanes with curbs and gutters and possibly a turning lane, there would be no impact on traffic patterns or congestion.
- DOE has identified no other secondary or indirect impacts from construction and operation of the Compact Power, Inc. Battery Manufacturing Facility that could occur to historic properties if such properties were to occur outside of the area of potential effects.

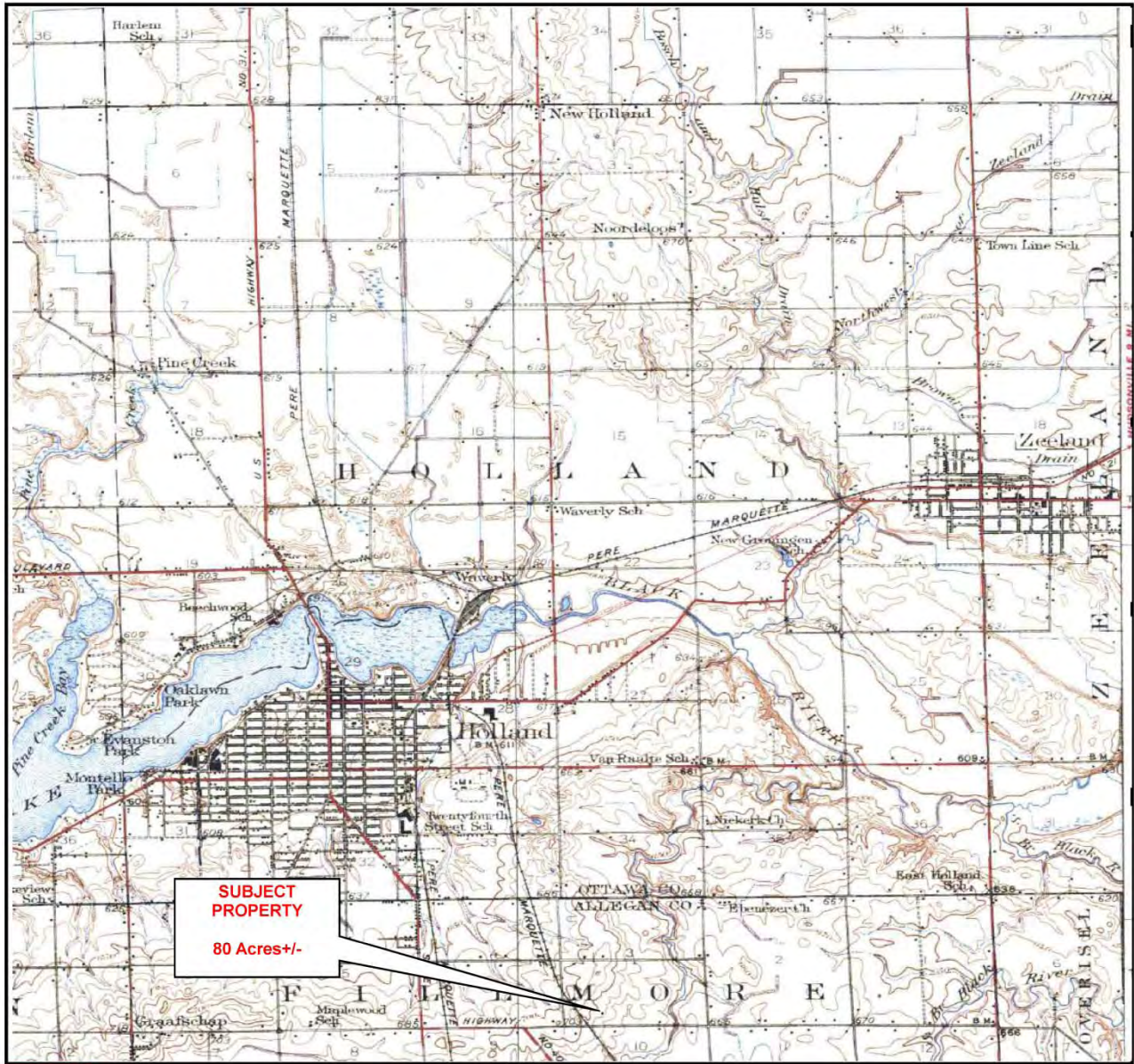
Section VI. Determination Of Effects

The DOE has determined that no historic properties would be affected for the following reasons.

- There are no historic or other structures within the 80-acre site.
- No Native American concerns regarding the proposed project have been identified. On November 12, 2009, DOE sent a request to seven separate federally-recognized tribes

chosen according to the U.S. Department of Housing and Urban Development – Office of Community Planning and Development – Environmental Planning Division (Citizen Potawatomi Nation, Forest County Potawatomi Community, Hannahville Indian Community, Match-e-be-nash-she-wish Band of Potawatomi, Ottawa Tribe of Oklahoma, Pokagon Band of Potawatomi Indians, and the Prairie Band of Potawatomi Nation) for information those tribes have, and are interested in sharing, on properties of traditional religious and cultural significance within the vicinity of the project site, and any comments or concerns they have on the potential for this project to affect those properties. No responses have been received as of January 27, 2010.

- It is very unlikely that there are archeological sites within the project site that would be eligible for inclusion in the National Register of Historic Places because of the characteristics of the non-stratified surface soils in the area and because the site has been disturbed in the past for farming and oil well drilling.



**SUBJECT
PROPERTY**
80 Acres +/-



ATWELL-HICKS

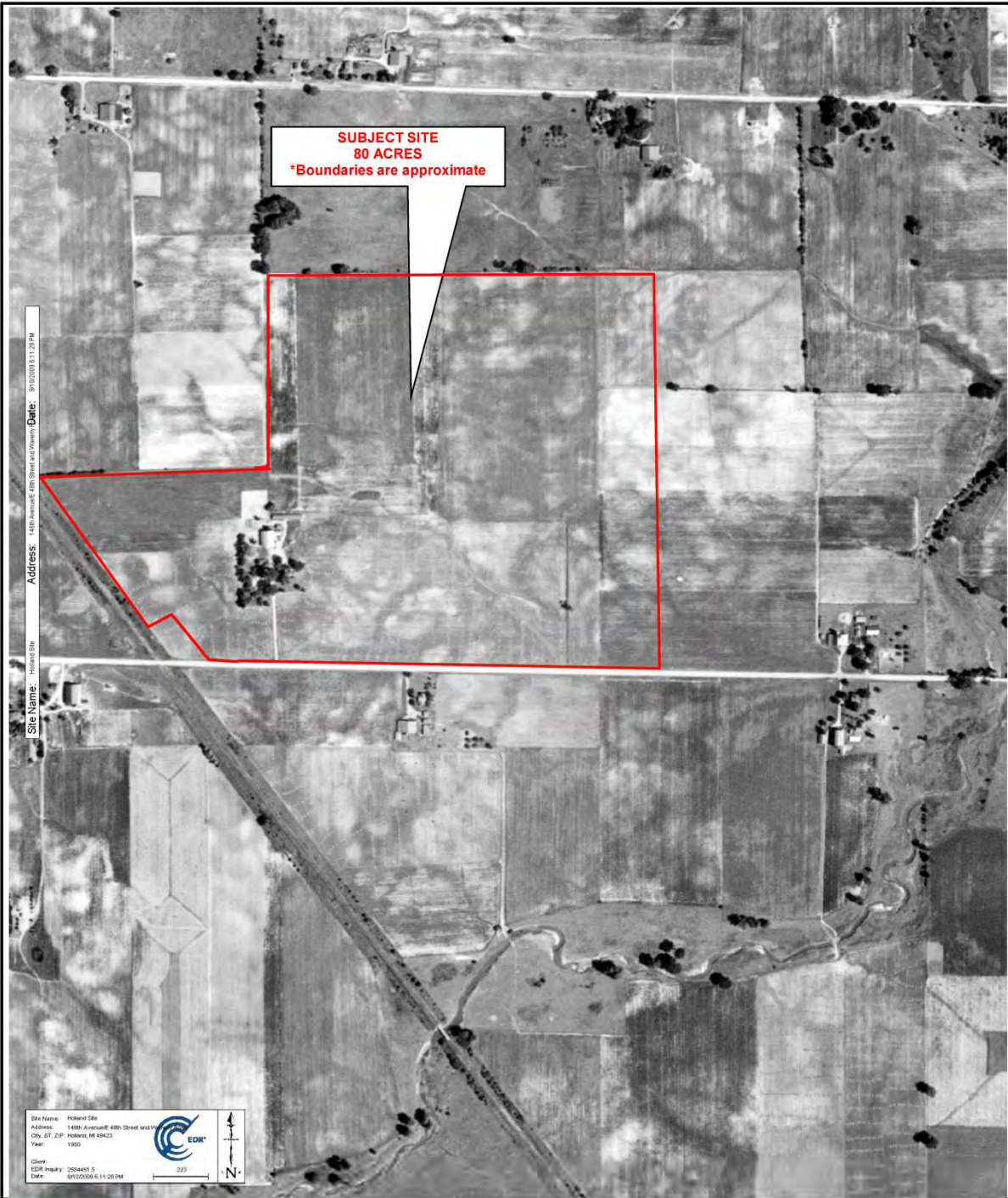
www.atwell-hicks.com

ARIZONA FLORIDA ILLINOIS MICHIGAN OHIO PENNSYLVANIA TENNESSEE 866 850 4200	Engineering Environmental Surveying Ecological Planning Water Resources
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1932 TOPOGRAPHIC MAP
HOLLAND, MI QUAD
ROSSETTI
80-ACRES 48TH STREET, HOLLAND, MI
9001770
November 13, 2009

Figure 1.



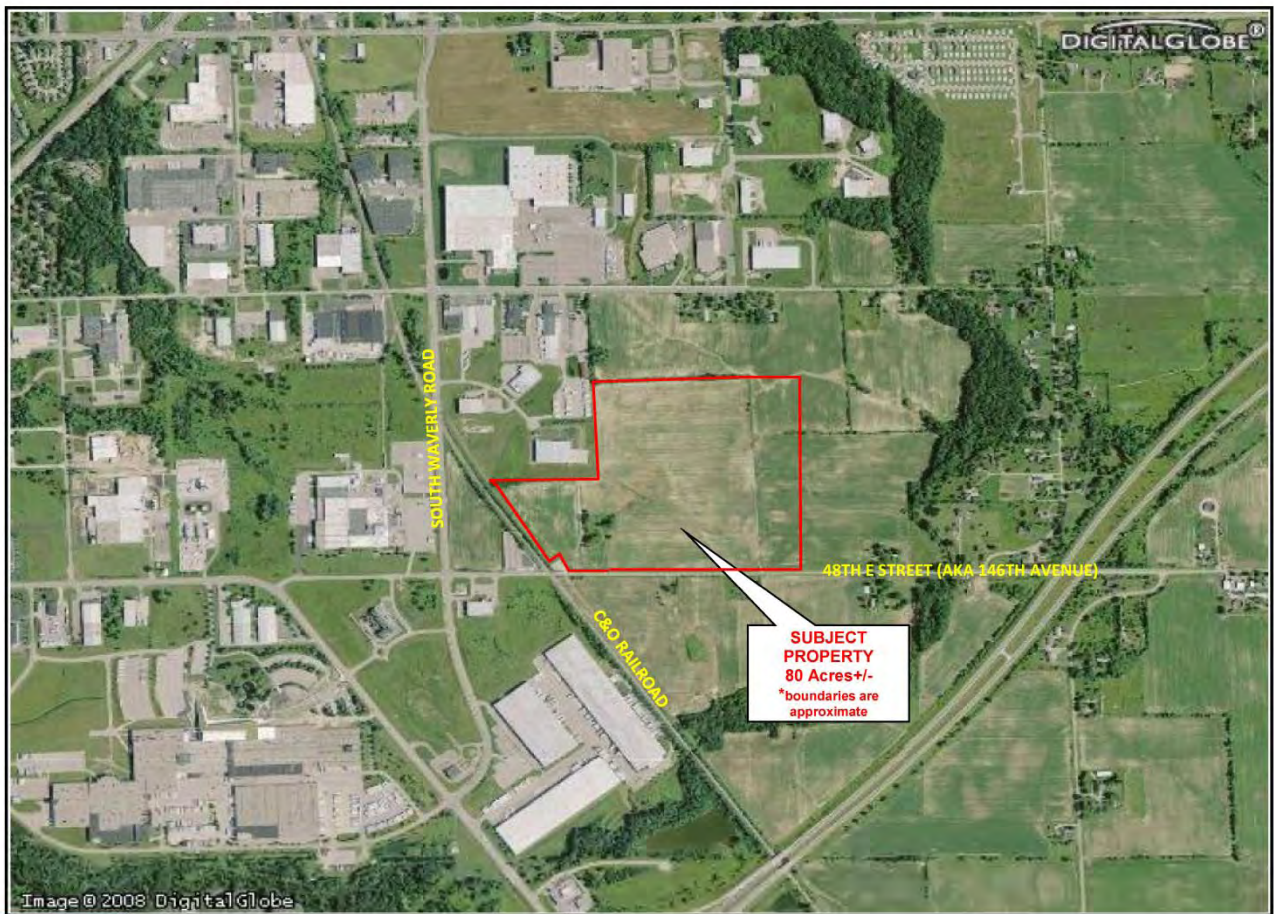
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Engineering Environmental Surveying Ecological Planning Water Resources



1950 AERIAL PHOTOGRAPH
 EDR AERIAL PHOTOGRAPHY SERVICE
 80-ACRES, 48TH STREET, HOLLAND, MI
 9001770
 November 13, 2009

Figure 2.



	ATWELL-HICKS www.atwell-hicks.com
	ARIZONA FLORIDA ILLINOIS MICHIGAN OHIO PENNSYLVANIA TENNESSEE 866 850 4200



2008 AERIAL PHOTOGRAPH
 TERRASERVER.COM
 ROSSETTI
 80-ACRES, 48TH STREET, HOLLAND, MI
 9001770
 November 13, 2009

Figure 3.



VIEW OF THE SUBJECT SITE FACING NORTH



VIEW OF THE SUBJECT SITE, FACING NORTH



VIEW OF THE FORMER HOMESTEAD AREA, FACING NORTH



VIEW OF THE CENTRAL PORTION OF THE SUBJECT SITE,
FACING NORTHEAST



VIEW OF THE EASTERN SITE BOUNDARY, FACING SOUTH



VIEW OF THE SOUTHERN SITE BOUNDARY, FACING WEST



VIEW OF THE SOUTHWESTERN PORTION OF THE SUBJECT
SITE, FACING NORTH



VIEW OF DRAINAGE AREA LOCATED ON THE NORTHERN
PORTION OF THE SUBJECT SITE, FACING NORTHWEST



VIEW OF DRAINAGE AREA LOCATED ON THE CENTRAL
PORTION OF THE SUBJECT SITE, FACING EAST



VIEW OF DRAINAGE DITCH/SWALE LOCATED ALONG
SOUTHERN PROPERTY BOUNDARY, FACING EAST



VIEW OF BRICK DEBRIS LOCATED NEAR THE
SOUTHEASTERN PORTION OF THE SITE



VIEW OF THE NORTHERN ADJACENT PROPERTY, FACING
NORTH



VIEW OF THE EASTERN/NORTHEASTERN ADJACENT
PROPERTY, FACING NORTHEAST



VIEW OF THE EASTERN ADJACENT PROPERTY, FACING
NORTHEAST



VIEW OF THE EASTERN ADJACENT RESIDENTIAL PROPERTY,
ACROSS 48TH STREET, FACING SOUTHEAST



VIEW OF THE EASTERN AND SOUTHERN ADJACENT
PROPERTIES ALONG 48TH STREET, FACING EAST



**VIEW OF SEMCO GAS PIPELINE, POWERLINES, AND
RAILROAD LOCATED ADJACENT TO THE SOUTHWEST AND
WEST OF THE SUBJECT SITE, FACING NORTHWEST**



**VIEW OF THE WESTERN AND SOUTHERN ADJACENT
PROPERTIES ALONG 48TH STREET, FACING WEST**



VIEW OF THE SOUTHWESTERN ADJACENT PROPERTIES,
ACROSS 48TH STREET, FACING SOUTHWEST



VIEW OF THE NORTHWESTERN ADJACENT PROPERTY,
FACING NORTHWEST



**VIEW OF THE NORTHWESTERN ADJOINING PROPERTY,
FACING NORTHWEST**



STATE OF MICHIGAN

MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY
LANSING

JENNIFER GRANHOLM
GOVERNOR

KEITH MOLIN
EXECUTIVE DIRECTOR

February 25, 2010

MARK LUSK
U S DEPARTMENT OF ENERGY
NATIONAL ENERGY TECHNOLOGY LABORATORY
3610 COLLINS FERRY ROAD
P O BOX 880 MS B07
MORGANTOWN WV 26507-0880

RE: ER10-226 Compact Power, Inc., Battery Manufacturing Facility, Holland, Section 3, T5N, R15W,
City of Holland and Fillmore Township, Allegan County (DOE)

Dear Mr. Lusk:

Under the authority of Section 106 of the National Historic Preservation Act of 1966, as amended, we have reviewed the above-cited undertaking at the location noted above. Based on the information provided for our review, it is the opinion of the State Historic Preservation Officer (SHPO) that **no historic properties are affected** within the area of potential effects of this undertaking.

The views of the public are essential to informed decision making in the Section 106 process. Federal Agency Officials or their delegated authorities must plan to involve the public in a manner that reflects the nature and complexity of the undertaking, its effects on historic properties and other provisions per 36 CFR § 800.2(d). We remind you that Federal Agency Officials or their delegated authorities are required to consult with the appropriate Indian tribe and/or Tribal Historic Preservation Officer (THPO) when the undertaking may occur on or affect any historic properties on tribal lands. **In all cases**, whether the project occurs on tribal lands or not, Federal Agency Officials or their delegated authorities are also required to make a reasonable and good faith effort to identify any Indian tribes or Native Hawaiian organizations that might attach religious and cultural significance to historic properties in the area of potential effects and invite them to be consulting parties per 36 CFR § 800.2(c-f).

This letter evidences the DOE's compliance with 36 CFR § 800.4 "Identification of historic properties", and the fulfillment of the DOE's responsibility to notify the SHPO, as a consulting party in the Section 106 process, under 36 CFR § 800.4(d)(1) "No historic properties affected".

The State Historic Preservation Office is not the office of record for this undertaking. You are therefore asked to maintain a copy of this letter with your environmental review record for this undertaking. If the scope of work changes in any way, or if artifacts or bones are discovered, please notify this office immediately.

If you have any questions, please contact Brian Grennell, Cultural Resource Protection Specialist, at (517) 335-2721 or by email at ER@michigan.gov. **Please reference our project number in all communication with this office regarding this undertaking.** Thank you for this opportunity to review and comment, and for your cooperation.

Sincerely,

Martha MacFarlane Faes
Cultural Resources Protection Manager

for Brian D. Conway
State Historic Preservation Officer

MMF:JRH:BGG

