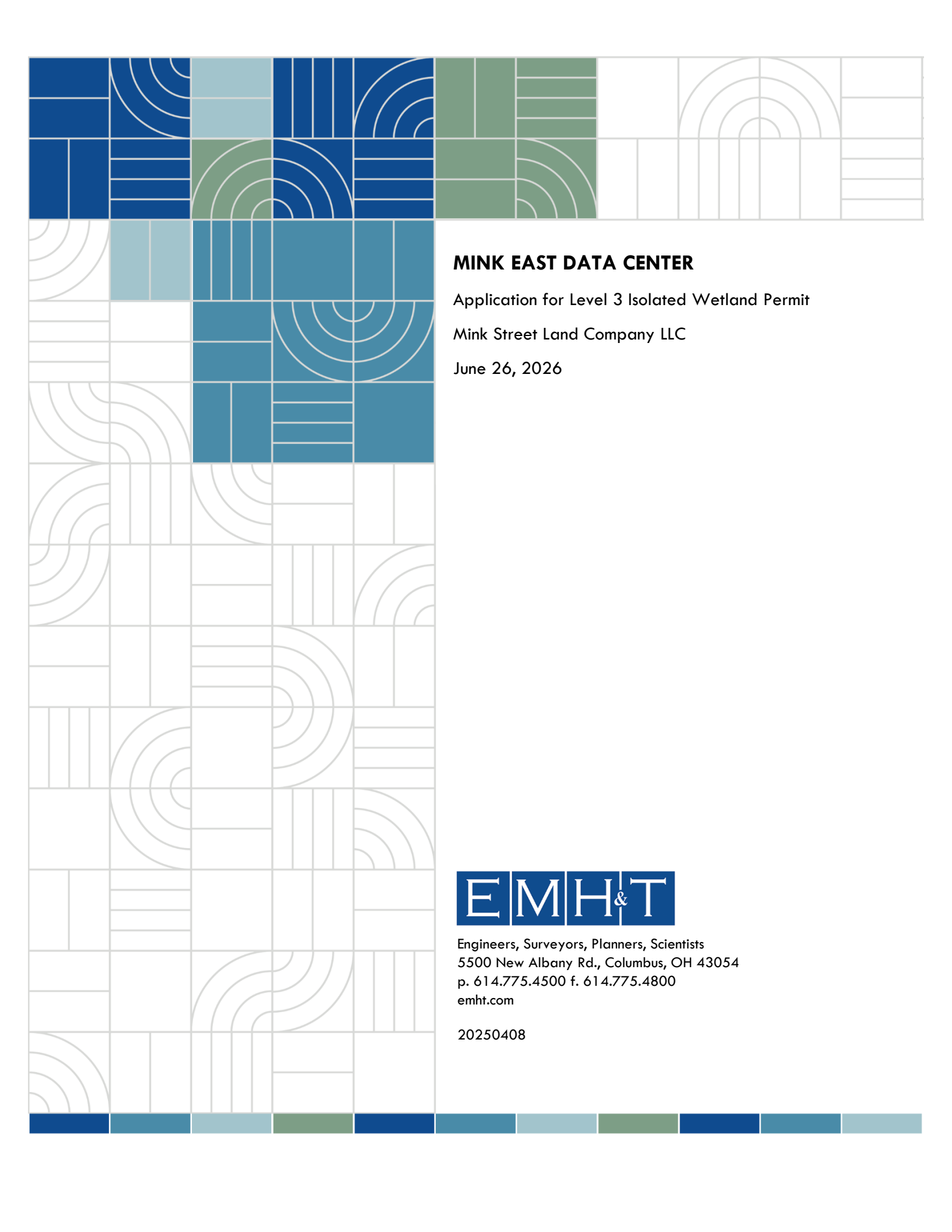




## **MINK EAST DATA CENTER**

Application for Level 3 Isolated Wetland Permit

Mink Street Land Company LLC

June 26, 2026



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| Exhibit 4:  | Flood Insurance Rate Map                   |
| Exhibit 5:  | National Wetlands Inventory Map            |
| Exhibit 6:  | Delineation Map                            |
| Exhibit 7:  | Alternative A (Preferred Plan)             |
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## **1.0 INTRODUCTION**

An application for an Individual Level 3 Isolated Wetland Permit from the Ohio Environmental Protection Agency (Ohio EPA) has been prepared by EMH&T on behalf of Mink Street Land Company LLC for impacts to isolated wetlands associated with proposed development known as the “Mink East Data Center.” The approximately 323-acre project site is located east of Mink Street, north of Beaver Road, and south of Jug Street in Jersey Township, Licking County, Ohio.

The proposed project includes the construction of a data center campus and associated support facilities. The proposed development includes six data center buildings (1,660,000 square feet), an administration building (160,000 square feet), power generation and substation facilities, secure entrances, dedicated parking areas, and a system of stormwater basins to manage site runoff. The project will require grading and tree clearing across the majority of the site.

Under the requested Isolated Wetland Permit, Mink Street Land Company LLC is seeking authorization to impact a total of 7.26 acres of isolated wetlands, including 2.05 acres of Category 1 wetlands and 5.21 acres of Category 2 wetlands. In order to provide a complete Individual Level 3 Isolated Wetland Permit application, this report provides the following:

- a description of the site;
- a description of the size and location of the isolated wetlands;
- a wetland categorization;
- an evaluation of the potential to affect endangered species;
- a description of avoidance measures;
- an antidegradation analysis;
- a description of the post-development stormwater plan, including water quality improvement measures; and
- a compensatory wetland mitigation plan.

To compensate for the proposed isolated wetland impacts, Mink Street Land Company LLC proposes to establish and utilize mitigation credit from the “Putnam Road Pooled Mitigation Site,” to be located approximately one (1) mile south of the Mink East project area in the Headwaters South Fork Licking River subwatershed (HUC 05040006-04-02). The proposed mitigation is further discussed in Section 8.

## 2.0 SITE DESCRIPTION

As shown on Exhibit 1, the site is located east of Mink Street, north of Beaver Road, and south of Jug Street in Jersey Township, Licking County, Ohio. The site generally consists of active agricultural fields, forested woodlots, treed fencerows, and several rural, residential parcels. The Intel semiconductor chip manufacturing plant and the New Albany Business Park are located to the north and west. The areas to the east and south include agricultural fields, forest, and rural residential properties.

As shown on Exhibit 2, the majority of the study area lies between approximately 1,200 feet and 1,220 feet in elevation (National Geodetic Vertical Datum) according to the United States Geological Survey (USGS) 7.5' Series *Jersey, Ohio* quadrangle (USGS, 1975). The USGS map shows several marsh symbols located within the study area, corresponding to identified wetlands.

According to the Web Soil Survey for Licking County, Ohio (USDA-NRCS, 2024) as shown on Exhibit 3A, the site contains six (6) soil types. These soils are listed below in Table 1 along with their hydric status. Carlisle muck and Pewamo silty clay loam are listed as hydric soils (USDA-NCRS, 2024). The remaining soils on the site are non-hydric with hydric inclusions. The historical *Soil Survey of Licking County, Ohio* (USDA, 1992), depicts approximately 9 drainageways and one marsh symbol within the project area (Exhibit 3B).

**TABLE 1**  
**Mapped Onsite Soils**

| Mapped Soil Unit                                              | Hydric Status    | Hydric Inclusions %         | Location of Hydric Inclusions |
|---------------------------------------------------------------|------------------|-----------------------------|-------------------------------|
| Bennington silt loam, 0 to 2 percent slopes (BeA)             | Partially hydric | Condit (5%)<br>Pewamo (3%)  | Drainageways,<br>Depressions  |
| Bennington silt loam, 2 to 6 percent slopes (BeB)             | Partially hydric | Condit (3%)<br>Pewamo (3%)  | Drainageways,<br>Depressions  |
| Carlisle muck (Ca)                                            | Hydric           | --                          | --                            |
| Centerburg silt loam, 2 to 6 percent slopes (Cen1B1)          | Partially hydric | Condit (4%)<br>Marengo (3%) | Drainageways,<br>Depressions  |
| Centerburg silt loam, 6 to 12 percent slopes, eroded (Cen1C2) | Partially hydric | Condit (4%)                 | Drainageways                  |
| Pewamo silty clay loam (Pe)                                   | Hydric           | --                          | --                            |

As shown on Exhibit 4, the Federal Emergency Management Agency (FEMA, 2015) Flood Insurance Rate Map (FIRM) was reviewed for the study area. The entirety of the project area lies within Zone X (unshaded), which are areas of minimal flood hazard mapped outside the 500-year floodplain.

The United States Fish and Wildlife Service's (USFWS) National Wetland Inventory (NWI) map was reviewed for the site (USFWS, 2024). As shown on Exhibit 5, 14 NWI features were mapped either partially or entirely within the permit area, including:

- Two palustrine, unconsolidated bottom, intermittently exposed, excavated (PUBGx) features, corresponding to Ponds 3 and 4.
- One palustrine, emergent, persistent, semi permanently Flooded (PEM1F) feature, corresponding to Pond 2.
- Two palustrine, emergent, persistent, temporarily flooded (PEM1A) features, corresponding to Wetland K and Wetland W.
- Three palustrine, forested, broad-leaved deciduous, seasonally flooded (PFO1C) features, corresponding to Wetland L, Wetland U, and Wetland V.
- Two palustrine, scrub-shrub, broad-leaved deciduous, seasonally flooded wetland (PSS1C) features, corresponding to Wetland F and Wetland L.
- Three palustrine, emergent, persistent, seasonally flooded (PEM1C) features. Two of these features correspond to Wetlands G and R.
- One riverine, intermittent, streambed, seasonally flooded (R4SBC) feature, corresponding to Stream 1.

### 3.0 DELINEATION INVESTIGATION RESULTS

The location and extent of potential surface waters on the Mink East Data Center project site were delineated by EMH&T as part of two delineation efforts: the 399-acre “Carr Romano Property” delineation and the 145.8-acre “Additional Mink Street Parcels” delineation. The USACE issued Preliminary and Approved Jurisdictional Determinations (PJD/AJD) for the Carr Romano delineation on July 22, 2024 (LRH-2021-871-MUS). PJD/AJD for the Additional Mink Street Parcels was issued on May 20, 2026. The PJD/AJDs are attached in Appendix A, and the delineation reports are provided in Appendix B.

Within the 323-acre permit area, EMH&T identified 16 non-jurisdictional, isolated wetlands (12.74 acres), two jurisdictional wetlands (1.16 acres), three non-jurisdictional ponds (3.23 acres), one non-jurisdictional (ephemeral) stream, and one (1) jurisdictional (perennial) stream (2,336 linear feet). The location and extent of the surface waters identified onsite are shown on Exhibit 6 and summarized below in Table 2.

**TABLE 2**  
**Extent and Classification of Onsite Surface Water Features**

| Name         | Classification | Non-Jurisdictional |             |             | Jurisdictional |              |
|--------------|----------------|--------------------|-------------|-------------|----------------|--------------|
|              |                | Wetland (ac)       | Pond (ac)   | Stream (lf) | Wetland (ac)   | Stream (lf)  |
| Wetland F    | Forested       | 2.01               | --          | --          | --             | --           |
| Wetland G    | Emergent       | 0.14               | --          | --          | --             | --           |
| Wetland H    | Emergent       | 0.16               |             |             |                |              |
|              | Forested       | 0.52               | --          | --          | --             | --           |
| Wetland I    | Forested       | 0.03               | --          | --          | --             | --           |
| Wetland K    | Mixed          | --                 | --          | --          | 0.42           | --           |
| Wetland L    | Emergent       | 0.45               | --          | --          | --             | --           |
|              | Forested       | 3.04               | --          | --          | --             | --           |
| Wetland M    | Emergent       | 1.54               | --          | --          | --             | --           |
| Wetland O    | Emergent       | 0.08               | --          | --          | --             | --           |
| Wetland P    | Emergent       | 0.08               | --          | --          | --             | --           |
| Wetland Q    | Emergent       | 0.41               | --          | --          | --             | --           |
| Wetland R    | Emergent       | 0.16               | --          | --          | --             | --           |
|              | Forested       | 0.25               | --          | --          | --             | --           |
| Wetland S    | Emergent       | 0.06               | --          | --          | --             | --           |
| Wetland T    | Emergent       | 0.17               | --          | --          | --             | --           |
|              | Forested       | 0.06               | --          | --          | --             | --           |
| Wetland U    | Emergent       | --                 | --          | --          | 0.74           | --           |
| Wetland V    | Forested       | 3.24               | --          | --          | --             | --           |
| Wetland W    | Emergent       | 0.30               | --          | --          | --             | --           |
| Wetland X    | Emergent       | 0.04               | --          | --          | --             | --           |
| Pond 2       | Open Water     | --                 | 2.84        | --          | --             | --           |
| Pond 3       | Open Water     | --                 | 0.24        | --          | --             | --           |
| Pond 4       | Open Water     | --                 | 0.15        | --          | --             | --           |
| Stream 1     | Perennial      | --                 | --          | --          | --             | 2,336        |
| Stream 3     | Ephemeral      | --                 | --          | 870         | --             | --           |
| <b>TOTAL</b> | <b>--</b>      | <b>12.74</b>       | <b>3.23</b> | <b>870</b>  | <b>1.16</b>    | <b>2,336</b> |

#### 4.0 WETLAND HABITAT ASSESSMENT

The Ohio Wetland Rapid Assessment Method (ORAM) version 5.0 was developed by the Ohio EPA for use in determining wetland quality (Mack, 2001). The ORAM seeks to determine whether wetlands are rated as Category 1, 2, or 3 based on the State of Ohio Wetland Water Quality Standards adopted in 1998. Category 1 represents the lowest quality wetland, Category 2 is a moderate quality wetland, and Category 3 is the highest quality wetland. The ORAM asks a series of questions regarding wetland functions and characteristics and scores each wetland based on the answers provided.

Table 3 provides a summary of the ORAM scores and categories for each isolated wetland in the permit area. The ORAM dataforms for these wetlands are provided in Appendix C. Most of the onsite isolated wetlands are low to moderate quality Category 1 to Category 2 wetlands. They are generally small in size, have narrow buffers, and exhibit alteration/ disturbance stemming from the surrounding agricultural land use. These low- to moderate-quality wetlands are common to Ohio and are not unique or rare resources. Wetlands F and U were determined to be high quality, Category 3 wetlands.

The ORAM scores for Wetlands F, G, H, I, L, M, and O were verified by Mr. Andrew Graves of Ohio EPA on November 17, 2023, following a site visit conducted on November 16, 2023 (Appendix C). The remaining wetlands have not yet been verified.

**TABLE 3**  
**ORAM Wetland Habitat Assessment**

| <b>Wetland ID</b> | <b>Jurisdictional Status</b> | <b>ORAM Score</b> | <b>ORAM Category</b> |
|-------------------|------------------------------|-------------------|----------------------|
| Wetland F         | Isolated                     | 67                | 3                    |
| Wetland G         | Isolated                     | 36.5              | Modified 2           |
| Wetland H         | Isolated                     | 40                | 2                    |
| Wetland I         | Isolated                     | 25                | 1                    |
| Wetland K         | Jurisdictional               | 34.5              | 1 or 2 gray zone     |
| Wetland L         | Isolated                     | 39.5              | Modified 2           |
| Wetland M         | Isolated                     | 26.5              | 1                    |
| Wetland O         | Isolated                     | 8                 | 1                    |
| Wetland P         | Isolated                     | 30                | 1 or 2 gray zone     |
| Wetland Q         | Isolated                     | 33                | 1 or 2 gray zone     |
| Wetland R         | Isolated                     | 32                | 1 or 2 gray zone     |
| Wetland S         | Isolated                     | 9                 | 1                    |
| Wetland T         | Isolated                     | 32.5              | 1 or 2 gray zone     |
| Wetland U         | Jurisdictional               | 66.5              | 3                    |
| Wetland V         | Isolated                     | 56.5              | 2                    |
| Wetland W         | Isolated                     | 14                | 1                    |
| Wetland X         | Isolated                     | 20.5              | 1                    |

## 5.0 POTENTIAL IMPACTS TO RARE, THREATENED OR ENDANGERED SPECIES

### 5.1 Federally-Listed Threatened and Endangered Species

EMH&T reviewed the USFWS Information for Planning and Consultation (IPaC) website for listed species and critical habitat that “may be present” within the permit area. There are three (3) listed species that may occur within the permit area:

- Indiana bat (*Myotis sodalis*) – Endangered
- Northern long-eared bat (*Myotis septentrionalis*) – Endangered
- Round Hickorynut (*Obovaria subrotunda*) – Threatened

Several woodlots and wooded fencerows are present with the permit area. However, the majority of the permit area is non-forested, consisting of active agricultural fields, pasture, scrub-shrub vegetation, and maintained residential lots. Regarding the mussel species, there is one stream bordering the project area, which is the headwaters of the South Fork Licking River. This stream will not be impacted by the proposed project.

In regard to the federally listed bat species, approximately 45 acres of trees will be cleared in order to accommodate the proposed development. A mist-net presence/probable absence (P/A) survey for a larger area encompassing the Mink East project site was conducted and submitted to the USFWS for review on July 26, 2023.

The USFWS provided comments and recommendations based on their review of the bat survey for the larger site on July 27, 2023 (Project Code: 2023-0085594). The USFWS indicated that, “Tree clearing on the project site at any time of the year is unlikely to result in adverse impacts to Indiana bats and northern long-eared bats.” Year-round tree clearing was approved through March 31, 2028. Additionally, USFWS stated that, “Due to the project type, size, and location, the USFWS did not anticipate adverse effects to any other federally endangered, threatened, or proposed species, or proposed or designated critical habitat.”

Additional coordination with the USFWS for the Mink East Data Center project was initiated by EMH&T through a coordination letter submitted on April 15, 2026 to confirm that the previous 2023 findings and recommendations were still valid. The USFWS responded in a letter dated May 13, 2026, agreeing that the 2023 summer bat survey remains applicable to this project. A copy of the USFWS coordination is provided in Appendix D.

### 5.2 State-Listed Threatened and Endangered Species

The ODNR was contacted for information available concerning the presence of state listed endangered, threatened, and proposed species or their habitat. A request was made to provide information through a formal Environmental Review (ER) through the Office of Real Estate and Land Management on April 15, 2026. The ODNR response was received on May 14, 2026, and is provided in Appendix D.

In regard to the northern long-eared bat (*Myotis septentrionalis*), a state and federally endangered species, the ODNR noted that the project is within the vicinity of records for this species. The ODNR

stated, “Although no listed bats were found during this survey, the project is in an existing buffer for state endangered Northern long-eared bat, and therefore the Ohio Division of Wildlife recommends tree cutting should not take place between April 1 and Oct 1. Limited tree clearing during this period may be allowed after further consultation.”

In light of the ODNR recommendations, winter tree clearing (clearing between October 1<sup>st</sup> and March 31<sup>st</sup>) will be implemented in order to minimize the impact to listed bats. All tree clearing will be conducted between October 31, 2026 and March 31, 2027 (prior to the expiration of the bat survey approval) following permit authorization.

## **6.0 PROPOSED POTENTIAL DEVELOPMENT**

The proposed project includes the construction of a data center campus and associated support facilities. The proposed development includes six data center buildings (1,660,000 square feet), an administration building (160,000 square feet), power generation and substation facilities, secure entrances, dedicated parking areas, and a system of stormwater basins to manage site runoff, as shown on Exhibit 7. The proposed development is anticipated to be occupied by major technology and energy companies.

The applicant anticipates that construction of the project will commence soon after permit issuance in late 2026. All requested isolated wetland impacts are expected to be made by 2031, within five years of permit issuance. The proposed mitigation will be provided prior to the requested isolated wetland impacts.

As described in the following Antidegradation Analysis, several development alternatives, both onsite and offsite, were considered. As a result of this analysis, **authorization of the proposed “Preferred Alternative” (Alternative A) is requested.** Construction of the data center development in accordance with Alternative A would require grading across the majority of the site and would impact 12 of the onsite isolated wetlands (Wetlands G, H, I, L, M, O, P, Q, R, S, W, and X), totaling 7.26 acres. The proposed impacts are related to the construction of the proposed development and associated parking, stormwater management, and utility infrastructure.

The isolated wetlands to be impacted include 0.03 acre of Category 1 forested wetland, 2.02 acre of Category 1 non-forested wetland, 3.81 acres of Category 2 forested wetland and 1.40 acre of Category 2 non-forested wetland. The project would also impact three non-jurisdictional ponds (Ponds 2, 3, and 4) totaling 3.23 acre of open water, as indicated on Exhibit 7. The applicant is requesting authorization of the impacts to these Waters of the State in conjunction with the Level 3 Isolated Wetland Permit.

Isolated Wetlands F, T and V will be avoided, as well as jurisdictional Wetland U. The proposed project will also require impacts to jurisdictional Wetland K, for which authorization under Nationwide Permit will be requested at a future date.

## **7.0 ALTERNATIVES ANALYSIS**

An antidegradation analysis is required to be performed as part of the Level 3 Isolated Wetland Permit review, pursuant to Ohio Revised Code 6111.12 and Ohio Administrative Code 3745-1-05. This analysis includes a discussion of three (3) alternative proposals referred to as the Preferred Alternative, Minimal Degradation Alternative and Non-Degradation Alternative, as provided below.

Each alternative includes a discussion of the expected magnitude of the lowering of water quality associated with each scenario. As required by the antidegradation rule, the anticipated impact of the proposed lowering of water quality on aquatic life and wildlife and the overall aquatic community structure and function is included. In addition, mitigative techniques are also discussed.

### **7.1 Proposed Project Description**

Mink Street Land Company LLC is seeking permit authorization for the Mink East Data Center project, a development in Jersey Township, Licking County, Ohio. The proposed development is planned to be built on approximately 323 acres of land located east of Mink Street, south of Jug Street, and north of Beaver Road. Full build out of the development will provide six data center buildings (1,660,000 square feet), an administration building (160,000 square feet), power generation and substation facilities, secure entrances, dedicated parking areas, and a system of stormwater basins to manage site runoff, as shown on Exhibit 7.

#### **7.1.1 Preferred Plan (Alternative A)**

The Preferred Plan (Alternative A), as shown on Exhibit 7, provides for the construction of six data center buildings, an administration building, power generation and electrical substation, and secure entrances within the proposed development footprint. Site development will also include paved parking areas, internal roadways and stormwater facilities including four retention basins. Alternative A provides approximately 1.66 million sf of data center building space.

Impacts to 7.26 acres of isolated, Category 1 and 2 wetlands are associated with Alternative A. As listed in Table 4, the proposed isolated wetland impacts generally include:

- Placement of fill in Wetlands H, I, L, M, O, Q, R, S, W and X for grading and construction of data center buildings and surrounding paved areas; and
- Placement of fill in Wetlands G and P for grading and construction of stormwater facilities.

Alternative A avoids isolated Wetlands F, T and V in their entirety, as well as jurisdictional Wetland U. Wetlands F and U are Category 3 and Wetland V is Category 2; these wetlands and are the highest quality wetland resources on the site. A 100-foot buffer has been provided around the avoided Category 3 wetlands (Wetland F and U) and a 75-foot buffer has been provided around the avoided Category 2 wetlands (Wetlands T and V). Stream 1 will also be avoided in its entirety.

**TABLE 4**  
**Proposed Isolated Wetland Impacts for the Preferred Plan**

| Name                | Classification | Total Wetland (acres) | Proposed Impact (acres) |             | Wetland Avoided (acres) |
|---------------------|----------------|-----------------------|-------------------------|-------------|-------------------------|
|                     |                |                       | Cat 1                   | Cat 2       |                         |
| Wetland F           | Forested       | 2.01                  | --                      | --          | 2.01                    |
| Wetland G           | Emergent       | 0.14                  | --                      | 0.14        | 0                       |
| Wetland H           | Emergent       | 0.16                  | --                      | 0.16        | 0                       |
|                     | Forested       | 0.52                  | --                      | 0.52        | 0                       |
| Wetland I           | Forested       | 0.03                  | 0.03                    | --          | 0                       |
| Wetland L           | Emergent       | 0.45                  | --                      | 0.45        | 0                       |
|                     | Forested       | 3.04                  | --                      | 3.04        | 0                       |
| Wetland M           | Emergent       | 1.54                  | 1.54                    | --          | 0                       |
| Wetland O           | Emergent       | 0.08                  | 0.08                    | --          | 0                       |
| Wetland P           | Emergent       | 0.08                  | --                      | 0.08        | 0                       |
| Wetland Q           | Emergent       | 0.41                  | --                      | 0.41        | 0                       |
| Wetland R           | Emergent       | 0.16                  | --                      | 0.16        | 0                       |
|                     | Forested       | 0.25                  | --                      | 0.25        | 0                       |
| Wetland S           | Emergent       | 0.06                  | 0.06                    | --          | 0                       |
| Wetland T           | Emergent       | 0.17                  | --                      | --          | 0.17                    |
|                     | Forested       | 0.06                  | --                      | --          | 0.06                    |
| Wetland V           | Forested       | 3.24                  | --                      | --          | 3.24                    |
| Wetland W           | Emergent       | 0.30                  | 0.30                    | --          | 0                       |
| Wetland X           | Emergent       | 0.04                  | 0.04                    | --          | 0                       |
| <b>TOTAL</b>        | <b>--</b>      | <b>12.74</b>          | <b>2.05</b>             | <b>5.21</b> | <b>5.48</b>             |
| <b>Forested</b>     | <b>--</b>      | <b>9.15</b>           | <b>0.03</b>             | <b>3.81</b> | <b>5.31</b>             |
| <b>Non-Forested</b> | <b>--</b>      | <b>3.59</b>           | <b>2.02</b>             | <b>1.40</b> | <b>0.17</b>             |

### 7.1.2 Minimal Impact Alternative (Alternative B)

The Minimal Impact Alternative (Alternative B), shown on Exhibit 8, is based upon Alternative A but shrinks the development footprint to avoid Wetlands R and X and Pond 3. Implementation of Alternative B would result in the loss of 79,000 square feet of data center space. As a result of these changes, the impacts to isolated wetlands would be reduced from those proposed under Alternative A; a total of 6.81 acres of isolated wetland would be impacted and 5.93 acres would be avoided. Isolated wetland impacts cannot be further minimized without significantly compromising the proposed development plan.

### 7.1.3 Non-Degradation Alternative

Given the size and scope of the planned development, the specific requirements of end users, and the location of the onsite resources, it is not possible to implement the proposed development on the site without impacting isolated wetlands. Accordingly, a non-degradation alternative plan has not been developed. The “non-degradation alternative” would result in abandonment of the development by the end user.

## **7.2 Offsite Alternative**

Significant investment has been made to date in planning for this site. However, for the purpose of the required antidegradation analysis, Mink Street Land Company LLC evaluated offsite alternatives in or near the City of New Albany. For the evaluation of off-site alternatives, available properties were evaluated based on certain minimum criteria, including:

- 1) Sites that were located within or near the City of New Albany;
- 2) Sites that were approximately 300 acres in size or larger to accommodate the proposed development;
- 3) Sites located within reasonable proximity of the New Albany International Business Park and the Intel site;
- 4) Sites with sufficient access to the interstate (State Route 161); and
- 5) Sites with available utilities or potential to develop sufficient utilities.

Using these criteria, two additional sites were identified and considered. Offsite Alternative 1 (Exhibit 9) and Offsite Alternative 2 (Exhibit 10) are further described below.

### Offsite Alternative 1

The first offsite alternative (Exhibit 9) is approximately 280 acres in size, located west of Tippet Road, south of Fancher Road, and east of Peter Hoover Road in Plain Township, Franklin County, Ohio. The site is located three miles north of the State Route 161 and US 62 interchange. The site is primarily comprised of agricultural fields with small areas of forest and scrub/shrub cover. The site is located just outside the corporate limits of the City of New Albany and would require annexation and rezoning. The site would also require significant expansion of utilities north along Johnstown Road to support the proposed use. The primary practical issues associated with Offsite Alternative 1 are as follows:

- 1) Annexation to the City of New Albany would require the modification of certain agreements with the Cities of New Albany and Columbus. Consequently, annexation and rezoning would likely not be achievable by the end of 2026.
- 2) The configuration of the site is not ideal for the proposed use, and allows for only one primary entrance, from Johnstown Road, creating potential traffic conflicts.
- 3) The required utility expansion would increase project costs by approximately \$25 million and significantly delay the project timeline.
- 4) US 62 is currently a busy 2-lane road, and the resulting congestion would pose operational constraints. US 62 would likely need to be widened to five lanes from Alternative Site 1 to SR 161, a distance of  $\pm 3$  miles, at substantial local and state expense.

Offsite Alternative 1 would provide similar levels of investment and job creation as Alternative A, with comparable construction costs and employment estimates; however, it offers no additional economic or operational benefit. Locating the project offsite in Franklin County would merely shift, not increase, regional economic benefits while resulting in substantially greater impacts to aquatic resources, including impacts to 12.22 acres of jurisdictional wetlands, 4.52 acres of non-jurisdictional wetlands, and 1,320 linear feet of jurisdictional stream. In addition to the added cost for utility expansion, required stream mitigation would further increase project costs (by  $\pm \$1$  million).

## Offsite Alternative 2

The second offsite alternative (Exhibit 10) is approximately 386 acres in size, located directly south of Worthington Road and west of Patterson Road SW in Jersey Township, Licking County, Ohio. The site is located approximately 0.5 miles southeast of the State Route 161 and Mink Street interchange. The site is comprised of agricultural fields ( $\pm 220$  acres), large, forested woodlots ( $\pm 115$  acres), rural residential lots and commercial properties. The site is located outside the corporate limits, requiring annexation and rezoning. The site would also require expansion of utilities in order to support the proposed use. The primary practical issues associated with Offsite Alternative 2 are as follows:

- 1) One of the parcels (144 acres) is for sale (\$23.1 million), but the remaining parcels required for the balance of the site are not for sale. In addition, the sale price for this parcel is not a viable price and is significantly higher than the current land value.
- 2) While the site is located near the New Albany International Business Park, it is separated from most of the Business Park industries by State Route 161.
- 3) The required utility expansion would increase project costs by approximately \$25 million and significantly delay the project timeline.
- 4) Significant roadway improvements would need to take place along Worthington Road, Putnam Road, and/or Patterson Road, which would also require significant investment and delay the schedule of development.

Additionally, Offsite Alternative 2 would result in far greater impacts to jurisdictional wetlands (39.23 acres) and jurisdictional streams (8,197 acres) as compared to the proposed, preferred alternative. Required stream mitigation would result in approximately \$6.5 million in added project cost. Table 5 provides a comparison of the impacts associated with Offsite Alternative 1 and Offsite Alternative 2 and the Preferred Alternative A.

**TABLE 5**  
**Alternatives Impact Comparison Matrix**

| <b>Resource Type</b>     | <b>Offsite Alternative 1<br/>Impacts</b> | <b>Offsite Alternative 2<br/>Impacts</b> | <b>Alternative A<br/>Impacts</b> |
|--------------------------|------------------------------------------|------------------------------------------|----------------------------------|
| Isolated Wetlands        | $\pm 4.52$ ac                            | $\pm 3.55$ ac                            | 7.26 ac                          |
| Non-Jurisdictional Ponds | --                                       | --                                       | 3.23 ac                          |
| Jurisdictional Wetlands  | $\pm 12.22$ ac                           | $\pm 39.23$ ac                           | 0.42 ac                          |
| Jurisdictional Ponds     | --                                       | --                                       | --                               |
| Jurisdictional Streams   | $\pm 1,320$ lf                           | $\pm 8,197$ lf                           | --                               |

As such, the offsite alternatives were determined to be both impracticable for the proposed potential development and more environmentally damaging. Development of either of the offsite alternatives would pose significant logistical and technical challenges and would be more damaging to stream and wetland features.

### **7.3 Onsite Avoidance/Minimization**

It is not practical to avoid all onsite wetlands, as they are scattered across the site and the development plan requires mass grading across the majority of the permit area. The Preferred Alternative (Alternative A) seeks to minimize the overall impacts to aquatic habitat by avoiding the highest quality wetlands onsite. Alternative B demonstrates how the project could be made smaller to avoid slightly more isolated wetland and partially meet the project goals. This alternative reduces impacts by reducing the size of one data center building to avoid 0.45 acre of isolated Wetlands R and X, as well as Pond 3. This layout does not conform to the development requirements and would reduce the overall tax benefit to the region. **As such, Mink Street Land Company LLC is seeking authorization from the Ohio EPA to approve the proposed Preferred Alternative, Alternative A.**

### **7.4 Magnitude of the Proposed Lowering of Water Quality**

#### **7.4.1 Preferred Plan**

**Isolated Wetland Habitat Impacts:** Under Alternative A, water quality and wetland habitat would be impacted through the loss of 7.26 acres of Category 1 and 2 isolated wetlands on the approximately 323-acre permit area. Wetlands F and U (Category 3), and Wetlands T and V (Category 2) will be avoided. Since the resources to be impacted onsite are not unique or rare natural systems, the functions and values of the impacted isolated wetlands can be replaced through the proposed mitigation (see Section 8).

**Impacts to Wetland Biota:** EMH&T did not conduct a biological assessment of the wetlands on this site. Low to mid-range ORAM scores applied to all wetlands that are to be impacted. These low to moderate quality, isolated wetlands are common to Ohio and not regionally scarce. All of the wetlands proposed to be impacted on the site have been influenced by agriculture activities, including tilling, runoff and tiles from nearby farm fields. The wetlands containing the most abundant and highest quality amphibian breeding habitat (vernal pools) are being avoided (Wetlands F, U, and V).

**Quality of Aquatic Community:** The overall quality of the aquatic communities in the isolated wetlands will vary based on the local hydrologic and habitat conditions but is expected to be of poor to moderate quality. This expectation is based on the current surrounding land uses, historic disturbances to the resources, and the fact that the resources to be impacted are not unique or rare within the locality or the state.

**Impacts to Terrestrial Biota:** Construction and grading activities would impact vegetation through removal of existing trees and shrubs within portions of the permit area. Herbaceous ground cover would also be impacted by site grading. As described in Section 5, no impacts are anticipated to occur to state or federal threatened/endangered terrestrial species (i.e., listed bat species). Few terrestrial biota, including birds, amphibians, reptiles, small mammals, etc. that are common to Central Ohio, are expected to be disturbed or displaced during construction. These wildlife species could potentially re-colonize to habitat located on adjacent parcels.

**Recreational Impacts:** The size and quality of the existing surface waters on the site make recreational opportunities such as fishing and swimming effectively non-existent. The area could potentially support wildlife observation and passive recreation; however, the site is privately owned and actively farmed. As such, it is not currently used for any recreational activities.

**Human Health Impacts:** Since the surface waters at the site are not used for direct contact recreation or as a direct source of drinking water, no impacts are expected to occur to human health.

**Social and Economic Impacts:** No direct loss of jobs is anticipated due to the potential additional development of the subject property as it does not support any commercial or industrial economic activity. The development may have an indirect impact on agricultural activities since portions of the site are currently being actively farmed.

#### 7.4.2 Minimal Impact Alternative

Construction of the Minimal Degradation Alternative would impact a total of 6.81 acres of Category 1 and 2 isolated wetlands. In general, the same impacts to biota, recreation, human health, and social/economic activity discussed for the Preferred Design applies to the Minimal Degradation Alternative. The impacts to wetland habitat would be slightly less under the Minimal Degradation Alternative; 0.45 acre of non-jurisdictional Category 1 and 2 wetlands (Wetlands R and X) would be avoided.

### 7.5 **Technical Feasibility and Cost Effectiveness**

#### 7.5.1 Preferred Plan

Alternative A includes six data center buildings (1,660,000 square feet), an administration building (160,000 square feet), power generation and substation facilities, secure entrances, dedicated parking areas, and a system of stormwater basins to manage site runoff. Alternative A maximizes the square footage of the development over the entire project site, while avoiding the highest quality wetland resources, and therefore is the most cost-effective alternative as it pertains to the developable use of the site.

Alternative A is also the most technically feasible design. The Preferred Plan was developed based on potential occupiable business space needs for the site. The proposed layout and dimensions of the buildings are based on the size requirements dictated by the end users. The building sizes in turn have determined the amount of parking and stormwater detention required for the developed area.

#### 7.5.2 Minimal Impact Alternative

Alternative B is less cost-effective than Alternative A due to a 26% reduction in the square footage of one of the data center buildings, which corresponds to a 5% reduction in overall facility space. This reduction in building space under Alternative B only slightly reduces impacts to isolated wetlands, avoiding 0.45 acre of low to moderate quality wetlands. The economic benefits associated with Alternative B are expected to be reduced compared to Alternative A (discussed further in Section 7.6).

## **7.6 Economic Considerations**

### **7.6.1 Preferred Plan**

The proposed potential development under Alternative A includes six data center buildings (1,660,000 square feet), an administration building (160,000 square feet), power generation and substation facilities, secure entrances, dedicated parking areas, and a system of stormwater basins to manage site runoff. At full build out, the project could potentially support an estimated 118 permanent jobs and potentially create an estimated 1,000 new temporary (construction) jobs.

The permanent positions could potentially result in an estimated annual payroll of approximately \$10 million, while the new temporary jobs could potentially result in another \$70 million of annual payroll. Using these assumptions, the total estimated annual payroll taxes for the new permanent positions would be approximately \$2 million, while the estimated annual payroll taxes for the temporary jobs would be approximately \$13.1 million. The property taxes generated from the proposed complex would exceed \$16.5 million annually, based on the taxable real estate. The potential projected social and economic benefits described for Alternative A are shown in the Social & Economic Justification (SEJ) Table in Appendix E.

Licking County has an unemployment rate of 4.2% as of February 2026, according to the Bureau of Labor Statistics. The county has a poverty rate of 9%, according to the 2024 estimate provided by the U.S. Census Bureau. Moreover, a study completed by the United Way in 2024 showed that 30 percent of households in Licking County are “asset limited, income constrained, employed” (ALICE), meaning they earn less than the amount needed to provide for housing, childcare, food, transportation and health care. Accordingly, these jobs and the associated tax revenues would have significant, positive social and economic impacts for the surrounding area.

### **7.6.2 Minimal Impact Alternative**

Alternative B would require a reduction in size of one (1) data center building, reducing the total data center space by 79,000 sf. Consequently, the total project investment and construction cost would be slightly reduced, as depicted on the Social and Economic Justification Table (Appendix E). Alternative B would result in a slight reduction (-3) in new permanent jobs and associated tax revenue. The estimated annual local property taxes would be reduced by over \$400,000 due to the reduction in building space. The number of temporary jobs and the associated tax revenue would remain the same as under Alternative A.

## **7.7 Cumulative Impact**

### **7.7.1 Land Uses in 12-Digit HUC**

The permit area is located within three (3) subwatersheds. The majority of the permit area ( $\pm 231$  acres) is located in the Headwaters South Fork Licking River subwatershed (05040006-04-02). The northeast portion of the site, comprising approximately 27% of the permit area ( $\pm 88$  acres), is located in the Headwaters Raccoon Creek subwatershed (05040006-03-01). The remaining 1% of the site ( $\pm 4$  acres) along the northwest edge of the permit area, is located in the Headwaters

Blacklick Creek subwatershed (05060001-15-03). All of the proposed impacts are located within the Headwaters South Fork Licking River and Headwaters Raccoon Creek subwatersheds in the Licking River Subbasin. These subwatersheds are further described below.

The Headwaters South Fork Licking River subwatershed is 15.4 square miles and includes the principal part of the City of Pataskala and extends approximately one mile north of the State Route 161 corridor. According to the *Ohio 2020 Integrated Water Quality Report for 2020* (Ohio EPA, 2020), the subwatershed is comprised of approximately 12% residential and commercial development, 19% pasture and 42% row crop agriculture. The balance includes forest and open water. Agricultural land uses within the subwatershed are expected to continue to decline with the growth of the Columbus metro area along the State Route 161 corridor.

The Headwaters Raccoon Creek subwatershed encompasses 27.01 square miles of land extending north and south of the Village of Johnstown extending from State Route 161 to just south of Interstate 36. According to the *Headwaters of Raccoon Creek Watershed Report* (U.S. EPA EnviroAtlas), the watershed is comprised of approximately 2% impervious cover (e.g., residential and commercial development), 71% agricultural cover (e.g., pasture and row crop), and 18% forest. Agricultural land uses within the watershed are expected to decline with development growth anticipated along the State Route 161 corridor.

#### 7.7.2 Water Resources in 12-Digit HUC

The primary water resources in HUC 05040006-03-01 are Raccoon Creek and Kiber Run. These streams are located approximately 3 miles north of the project site. Both flow in a southeasterly direction from Johnstown toward Alexandria. Kiber Run and Raccoon Creek are designated as warmwater habitat (WWH). There are approximately 53 miles of stream located within the subwatershed and approximately 0.15% of the subwatershed is comprised of wetlands according to the U.S. EPA EnviroAtlas.

The primary water resource in HUC 05040006-0402 is the South Fork Licking River. The South Fork Licking River originates onsite, flowing southwest toward State Route 161, then southeast toward Buckeye Lake, then north towards its confluence with the North Fork Licking River in Newark. The South Fork Licking River is designated as WWH and is in full attainment of that use designation. There are approximately 40 miles of streams located within the subwatershed and approximately 0.4% of the subwatershed is comprised of wetlands according to the U.S. EPA EnviroAtlas.

#### 7.7.3 Known Past, Present and Future Activities

The Headwaters South Fork Licking River and Raccoon Creek subwatersheds have been historically dominated by agricultural land uses; however, agriculture is expected to decline as commercial and residential development expands along State Route 161 east of New Albany. The New Albany International Business Campus, located off Beech Road north of State Route 161, has continued to expand over the past several years and provided thousands of jobs to the area economy. To date, the business campus is estimated to have created over 21,000 jobs and represents over \$9 billion in total investment. Ongoing developments around the Business Campus, including the Intel Semiconductor Manufacturing Facility, Pharmavite Biopharmaceutical Manufacturing Facility, Amgen Biomanufacturing Plant, multiple Meta Data Centers, Google New Albany Data Center, and

multiple AWS data center campuses, collectively represent \$22.1 billion in additional investment and are anticipated to employ more than 4,200 permanent workers when complete.

Nearly 6,000 acres of ground have been developed in association with the business campus and other commercial/industrial projects, mostly in the Headwaters Blacklick Creek subwatershed, but surrounding subwatersheds as well. Stream and wetland impacts within these developed areas were minimized by avoiding and preserving the highest quality stream and wetland features. For those surface water impacts that were unavoidable, the mitigation completed has resulted in an increase of wetland acreage.

Beyond the recent commercial and industrial development efforts, agricultural fields and cattle pasture continue to comprise the majority of the subwatershed areas. The historical and ongoing agricultural activities have significantly altered local stream, riparian and wetland habitats and have contributed to nonpoint source pollutant loading. Drainage across the majority of the subwatersheds is influenced by drain tiles and most of the local waterways have been ditched and channelized, contributing to sedimentation and nonpoint source pollutant loading. Home Sewage Treatment Systems (HSTS) on rural estates also contribute to nutrient pollution.

The proposed development will remove approximately 163 acres of land from active agricultural production, precluding future impacts related to agricultural land uses. The development will significantly increase impervious cover across the permit area, but as discussed in Section 5.8, onsite stormwater facilities will be employed to effectively address potential adverse water quality and quantity impacts.

## **7.8 Indirect Impacts**

Construction of Alternative A would result in the loss of 7.26 acres of emergent and forested, Category 1 and 2 isolated wetlands. These isolated wetland resources would be filled to allow for the construction of the proposed data center development. Under Alternative B, isolated wetland impacts would be reduced to 6.81 acres with the avoidance of Wetlands R and X. The ecological and hydrological functions of the onsite wetlands would be reduced by the proposed development under both alternatives.

In regard to offsite impacts, the majority of the surrounding area has been previously impacted by agricultural practices and recent commercial/industrial development. The project is located in close proximity to the New Albany International Business Park and the Intel Ohio One campus, which includes significant industrial manufacturing developments.

Downstream surface water resources could be indirectly impacted by changes to the onsite surface contours and drainage, reduction of riparian buffers and elimination of wetlands on the project site. However, sediment and erosion controls during project construction would protect downstream populations from project-related impacts stemming from in-water activities. Further, the proposed stream and wetland mitigation would serve to provide in-kind habitat within the Licking River 8-digit watershed.

## **7.9 Stormwater Management Plans**

### **7.9.1 Construction Stormwater Management Plans**

Best Management Practices (BMPs) for sediment and erosion control would be implemented at all times during the construction of any portion of the proposed development. These BMPs may include silt fence, compost filter sock, temporary and permanent seeding and mulching, construction road stabilization, temporary inlet protection, and wet basins with skimmers installed for construction and post-construction use. The proposed basins will function as temporary sediment basins during construction and may be converted to permanent wet basins following construction.

A stormwater permit and Stormwater Pollution Prevention Plan (SWPPP) for construction activities would be prepared for the site development, following the requirements of the National Pollutant Discharge Elimination Systems program and the Ohio EPA Stormwater Program. Appropriate, site-specific BMPs will be included in construction plans to decrease erosion and sedimentation during and after construction of the proposed development including the placement of sediment fence and/or compost filter sock inside impact areas. All sediment controls would be kept in place during construction activities and would remain until the site has been stabilized. All areas disturbed during construction would be seeded to encourage the establishment of a vegetative cover and decrease erosion potential. No area shall be left unstabilized if no additional disturbance is anticipated in the next 14 days, in which case erosion controls shall be applied within seven days of the most recent disturbance.

### **7.9.2 Post-Construction Stormwater Management Plans**

Post-construction stormwater control on the site would rely upon structural controls that include multiple wet retention basins constructed across the approximately 323-acre permit area. The basins would serve to remove pollutants from stormwater runoff, reduce downstream erosion, and provide flood control. Runoff from the site would be routed to these storage facilities, which will provide quantity and quality control as required by state and local requirements, before discharging to the headwaters of the South Fork Licking River and Headwaters of Raccoon Creek.

The stormwater retention basins would detain the post-development stormwater runoff and discharge the runoff at or below the pre-developed peak discharge rates. The basins would provide extended detention time for the purposes of meeting post-construction water quality design criteria. The basin outlet structures would be designed to provide a minimum 24 hour drain time per the Ohio EPA's General Permit requirements for post-construction water quality. The proposed permanent wet basins may be used as temporary sediment basins during construction to manage sediment runoff resulting from land disturbing activities. Skimmers would be attached to the permanent wet basin outlet structures to provide the proper 48-hour drawdown.

## 8.0 PROPOSED MITIGATION PLAN

In order to proceed with the proposed Alternative A, authorization for the fill of 7.26 acres of isolated, Category 1 and 2 wetlands is requested. To compensate for these proposed impacts, off-site, permittee-responsible mitigation is proposed, as described below.

### 8.1 Mitigation Ratios & Hierarchy

The mitigation ratios described in Ohio Revised Code (ORC) 6111.027 and Ohio Administrative Code 3745-1-54 are applicable to the proposed development. The ratios used to calculate the required mitigation are shown below in Table 6.

**TABLE 6**  
**Mitigation Ratio Table**

| Wetland Category | Mitigation Ratio |          |
|------------------|------------------|----------|
|                  | Non-Forested     | Forested |
| Category 1       | 1.5:1            | 1.5:1    |
| Category 2       | 2.0:1            | 2.5:1    |

Per ORC 6111.024, mitigation for the filling of a Category 2 wetland that is subject to level three review shall be conducted in the following preferred order:

- 1) Reasonably identifiable, available, and practicable mitigation within the same watershed;
- 2) Mitigation at a wetland mitigation bank with a service area that includes the location of the proposed filling of the isolated wetland;
- 3) Mitigation at a wetland mitigation bank with a service area that is adjacent to the watershed in which the proposed filling of the isolated wetland is located, provided that the watershed is located within the same U.S. Army Corps of Engineers district. If mitigation occurs in accordance with this provision, the applicable mitigation ratio shall be multiplied by one and one-half;
- 4) In-lieu fee mitigation;
- 5) If there is a significant ecological reason that the mitigation location should not be limited to the watershed in which the isolated wetland is located and if the proposed mitigation will result in a substantially greater ecological benefit, in a watershed that is adjacent to the watershed in which the isolated wetland is located.

### 8.2 Required Mitigation

Based on the proposed isolated wetland impacts under Alternative A, the quantity of wetland mitigation needed is presented below in Table 7. Table 7 lists the mitigation required for the development based on the mitigation ratios described above.

**TABLE 7**  
**Wetland Impacts and Required Mitigation Acreage**

| Wetland         | Classification | Proposed Impact (ac) |             | Ratio     | Mitigation (ac) |
|-----------------|----------------|----------------------|-------------|-----------|-----------------|
|                 |                | Cat 1                | Cat 2       |           |                 |
| Wetland G       | Emergent       | --                   | 0.14        | 2.0:1     | 0.280           |
| Wetland H       | Emergent       | --                   | 0.16        | 2.0:1     | 0.320           |
|                 | Forested       | --                   | 0.52        | 2.5:1     | 1.300           |
| Wetland I       | Forested       | 0.03                 | --          | 1.5:1     | 0.045           |
| Wetland L       | Emergent       | --                   | 0.45        | 2.0:1     | 0.900           |
|                 | Forested       | --                   | 3.04        | 2.5:1     | 7.600           |
| Wetland M       | Emergent       | 1.54                 | --          | 1.5:1     | 2.310           |
| Wetland O       | Emergent       | 0.08                 | --          | 1.5:1     | 0.120           |
| Wetland P       | Emergent       | --                   | 0.08        | 2.0:1     | 0.160           |
| Wetland Q       | Emergent       | --                   | 0.41        | 2.0:1     | 0.820           |
| Wetland R       | Emergent       | --                   | 0.16        | 2.0:1     | 0.320           |
|                 | Forested       | --                   | 0.25        | 2.5:1     | 0.625           |
| Wetland S       | Emergent       | 0.06                 | --          | 1.5:1     | 0.090           |
| Wetland W       | Emergent       | 0.30                 | --          | 1.5:1     | 0.450           |
| Wetland X       | Emergent       | 0.04                 | --          | 1.5:1     | 0.060           |
| <b>TOTAL</b>    | <b>--</b>      | <b>2.05</b>          | <b>5.21</b> | <b>--</b> | <b>15.40</b>    |
| <b>Forested</b> | <b>--</b>      | <b>0.03</b>          | <b>3.81</b> | <b>--</b> | <b>9.57</b>     |
| <b>Emergent</b> | <b>--</b>      | <b>2.02</b>          | <b>1.40</b> | <b>--</b> | <b>5.83</b>     |

### 8.3 Proposed Mitigation

The applicant is proposing to provide permittee-responsible mitigation for the proposed project via establishment and use of credit at the Putnam Road Pooled Mitigation Site. The proposed mitigation site is located northeast of Putnam Road and Reussner Road SW in Jersey Township, Licking County, Ohio. This site is approximately one (1) mile south of the permit area in the Headwaters South Fork Licking River subwatershed (HUC 05040006-04-02). The mitigation site is located on land owned by MJB Holdings, LLC, an affiliate of Mink Street Land Company LLC.

The Putnam Road Pooled Mitigation site is intended to provide a total of 25.52 acres of mitigation credit, including forested wetland reestablishment and enhancement, as well as upland buffer and perimeter wetland buffer reestablishment. Of this, 15.4 acres would be used as mitigation for the Mink East Data Center. The remainder of the mitigation credits generated would be pooled and retained for future use. Additional details regarding the proposed mitigation are provided in the Mitigation Plan for the Putnam Road Pooled Mitigation Site (Appendix F).

## **9.0 CONCLUSIONS**

This permit application requests authorization to impact 7.26 acres of isolated wetland on an approximately 323-acre permit area located in Jersey Township, Licking County, Ohio. This document provides information to address permit application requirements for a Level 3 Isolated Wetland Permit. The wetlands to be filled will allow for the construction of a data center campus providing approximately 1.66 million square feet of data center building space and associated support facilities. **Mink Street Land Company LLC is requesting authorization for the proposed Preferred Alternative, Alternative A.** To mitigate for impacts to the isolated wetlands under Alternative A, Mink Street Land Company LLC is proposing to utilize 15.4 acres of wetland credit at the Putnam Road Pooled Wetland Mitigation Site.

## **10.0 REFERENCES**

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