Indiana Department of Environmental Management
Office of Water Quality
Waterways Section

Publication Date:
January 28, 2026

IDEM Permit Number:
WQC001428

EXTENSION OF PUBLIC NOTICE

Closing Date:
March 19, 2026

Corps of Engineers ID Number:
LRL-2025-00352-jde

To all interested parties:
This letter shall serve as a formal notice the extension of the public comment period.. On January 28, 2026, IDEM public noticed the receipt of an application for Section 401 Water Quality Certification by the Indiana Department of Environmental Management (IDEM). The original notice is posted to IDEM's Website at https://www.in.gov/idem/public-notices/ and it specified February 25 as the closing date for the official public notice comment period. IDEM is extending this date until March 19, 2026.

1. Applicant:
Michael Montfort
Woodland Caribou LLC
1700 K St Nw
Washington, DC, 20006-3817

2. Agent:
Heather Dardinger
EMH&T
5500 New Albany Rd
New Albany, OH, 43054-8703

3. Project location: 1598 W S R 42, Mooresville, IN, 46158

4. Affected waterbodies: One emergent wetland and two perennial unnamed tributaries to Clear Brook.

5. Project Description: The proposed project seeks to construct the Project Louie data center campus, providing six data center buildings and associated infrastructure improvements. Permanent impacts to waterways are anticipated due to the placement of clean earthen fill and construction of small structure culverts. Approximately 627 linear feet (lft) of stream impacts are proposed due to the expansion of an existing culvert (30 lft), construction of a new culvert (174 lft), and the partial relocation of a stream (403 lft). Approximately 0.05 acre of wetland impacts are proposed for the placement of clean earthen fill for grading. Impacts will be mitigated through the creation of 415 lft of stream to be restored on-site, as well as the purchase of 276 lft of stream credits and wetland 0.1 acre of wetland credits from Indiana DNR's In-Lieu-Fee program. See attached permit application report for additional details.

Comment period: Any person or entity who wishes to submit comments or information relevant to the aforementioned project may do so by the closing date noted above. Only comments or information related to water quality or potential impacts of the project on water quality can be considered by IDEM in the water quality certification review process.

Questions? Additional information may be obtained by contacting WaterwaysComments@idem.IN.gov. In the subject line of the email, please include the IDEM ID Number listed in the top right corner of the first page of this public notice. Indicate if you wish to receive a copy of IDEM's final decision. Written comments and inquiries may be forwarded to -

Indiana Department of Environmental Management
100 North Senate Avenue
MC65-42 WQS IGCN 1255
Indianapolis, Indiana 46204-2251 FAX: 317/232-8406

PROJECT LOUIE

Section 404 Nationwide Permit 39 & Section 401 Individual Water Quality Certification

Woodland Caribou LLC

October 1, 2025

Engineers, Surveyors, Planners, Scientists
5500 New Albany Rd., Columbus, OH 43054
p. 614.775.4500 f. 614.775.4800
emht.com

20240972

EMH&T

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1.0 INTRODUCTION

This application was prepared by EMH&T on behalf of Woodland Caribou LLC for impacts to federally jurisdictional streams associated with the construction of a data center campus known as Project Louie. Authorization is requested for the proposed project under Nationwide Permit (NWP) 39 from the U.S. Army Corps of Engineers (USACE) and Section 401 Individual Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM).

1.1 Applicant Information

Applicant
Donald E. Williams
Woodland Caribou LLC
11 South Meridian Street
Indianapolis, IN 46204
(317) 231-7759
donald.williams@btlaw.com

Agent
Heather Dardinger
EMH&T
5500 New Albany Road
Columbus, OH 43054
(614) 775-4523
hdardinger@emht.com

1.2 Project Summary

The proposed project involves the phased construction of up to six data center buildings over approximately 469 acres of land located south of Keller Hill Road, west of N. Antioch Road, north of State Route 42, and east of N. Union Church Road in the Town of Monrovia and Monroe Township, Morgan County, Indiana.

The applicant requests authorization to impact approximately 691 linear feet of two (2) jurisdictional, perennial stream channels and 0.05 acre of one (1) jurisdictional, emergent wetland. These impacts are necessary in order to provide access to the proposed data center facilities.

In order to provide a complete Pre-Construction Notification for NWP 39 and Application for Section 401 Individual WQC, this report provides discussion of the following:

- applicant information;
- project location and tract history;
- project purpose and overview of proposed activities;
- size and location of the jurisdictional resources to be impacted;
- means and methods;
- avoidance, minimization and mitigation measures; and
- other permitting requirements.

2.0 SITE DESCRIPTION

As shown on Exhibit 1, the approximately 469-acre permit area is located south of Keller Hill Road, west of N. Antioch Road, north of State Route 42, and east of N. Union Church Road in the Town of Monrovia and Monroe Township, Morgan County, Indiana. The approximate center coordinates of the site are 39.592896°, -86.460713°. Most of the permit area is located in the Sycamore Creek subwatershed of the Upper White River subbasin (HUC: 05120201-15-01). A small portion of the permit area to the north and west is located in the McCracken Creek subwatershed (HUC: 05120201-13-07).

As shown on Exhibit 2, the permit area lies between approximately 760 feet and 860 feet in elevation (National Geodetic Vertical Datum) according to the United States Geological Survey (USGS) *7.5'* Series *Mooresville West, Indiana* quadrangle (USGS, 1981). An open water pond is mapped in the northeastern portion of the study area and an intermittent stream is mapped flowing southwest. The pond was not observed during the field investigation. The stream was observed during the field evaluation and was determined to be jurisdictional. The results of the field evaluation of the site are discussed in Section 3.0 of this report.

The permit area consists primarily of active agricultural fields, as well as small woodlots, wooded fencerows and rural residential properties. The surrounding area is comprised of similar land uses, including forest and agricultural fields to the north, west and south and a residential development to the east. An aerial photograph of the project area is provided on Exhibit 3.

2.1 Tract History

The permit area has been agricultural in use dating back to the early 1900s. Historical aerial photographs of the site from 1954 to 2022 indicate that the land use has been fairly consistent, consisting primarily of agricultural fields, rural residences, and forested woodlots. The onsite streams have generally existed in their current alignments since that time.

3.0 DELINEATION

A delineation to determine the location and extent of potential surface waters within the permit area was conducted by EMH&T on November 18, 2024 and February 11, 2025, and a delineation report was submitted to the U.S. Army Corps of Engineers (USACE) on April 24, 2025 for review and verification (Appendix A). An addendum to this delineation was submitted on July 1, 2025. An Approved Jurisdictional Determination (AJD) was issued by the USACE on July 2, 2025 (Appendix B).

Within the permit area, EMH&T identified four jurisdictional streams (5,132 linear feet) and five jurisdictional wetlands (1.28 acres). A non-jurisdictional wetland and several non-jurisdictional streams and drainageways were also identified. The location and extent of jurisdictional waters identified during the delineation are shown on Exhibit 3. The jurisdictional resources identified are summarized in Table 1.

TABLE 1: Extent and Classification of Onsite Jurisdictional Waters

Name	Classification	Jurisdictional Stream		Jurisdictional Wetland (AC)
		Length (LF)	Area (AC)	
Stream 1 (open)	Perennial	1,794	0.16	--
Stream 1 (culvert)		195	0.02	--
Stream 2 (open)	Perennial (R4SBC)	2,240	0.15	--
Stream 2 (culvert)		37	0.002	--
Stream 3	Intermittent	58	0.01	--
Stream 4	Perennial	1,040	0.14	--
Stream Total (Open)	**--**	**5,132**	**0.46**	**--**
Wetland B	PEM	--	--	0.03
Wetland C	PEM	--	--	1.03
Wetland D	PEM	--	--	0.04
Wetland E	PEM	--	--	0.03
Wetland F	PEM	--	--	0.15
Wetland Total	**--**	**--**	**--**	**1.28**

3.1 Jurisdictional Streams

Stream 1 is an unnamed, perennial stream that originates offsite, flowing onsite via a culvert under N. Antioch Road. Stream 1 flows onsite southwest through Wetland C for 1,794 linear feet in the southeastern portion of the permit area. The stream then flows offsite via a culvert under State Route 42, and then flows into Clear Brook offsite. Stream 1 has a watershed area of approximately 0.22 square mile upstream of the State Route 42 culvert. Stream 1 appears to have been historically excavated in order to receive drain tile outfalls and convey drainage offsite from the adjacent agricultural fields. Stream 1 was observed to have a reliable ordinary high water mark (OHWM) approximately four feet wide with a channel defined by bed and banks, and silt dominated substrate.

Stream 2, also known as Clear Brook, flows for 2,240 linear feet south through the southern portion of the permit area before flowing offsite via a culvert under State Route 42. Stream 2 is a perennial headwater tributary of Sycamore Creek, which flows to the West Fork White River. It has a watershed area of approximately 0.66 square mile upstream of the point where the stream flows offsite. It was observed to have a reliable OHWM approximately three feet wide, with a channel defined by bed and banks, and silt/gravel dominated substrate.

Stream 3 is an unnamed, intermittent stream that originates onsite at Wetland D and flows southeast for 58 linear feet to Wetland E and Stream 2. This stream has a small, localized drainage area; drainage from the surrounding agricultural fields contributes flow to this stream via drain tiles. Stream 3 was observed to have a reliable OHWM approximately three feet wide with a channel defined by bed and banks, and silt/sand dominated substrate.

Stream 4 is an unnamed, perennial stream that originates at a tile outlet onsite and flows through the southwestern portion of the study area for 1,040 linear feet. Stream 4 generally flows southeast through the permit area before reaching its confluence with Stream 2 north of State Route 42. Stream 4 has a watershed area of approximately 0.21 square mile upstream of this point. It was observed to have a reliable OHWM approximately six feet wide with a channel defined by bed and banks, and cobble/gravel dominated substrate.

3.2 Jurisdictional Wetlands

Wetland B (0.03 acre) is an emergent wetland located adjacent to Stream 4 in the southwestern portion of the permit area. This wetland is dominated by rice cutgrass (*Leersia oryzoides*). It is located immediately adjacent to active agricultural land and exhibits recent disturbance related to clearcutting and farming.

Wetland C (1.03 acres) is an emergent wetland, that is located along an excavated stream channel (Stream 1) in the southeast portion of the permit area. The wetland is dominated by narrowleaf cattail (*Typha angustifolia*) and rice cutgrass, and exhibits significant, recent disturbance related to ditching, filling, mowing, and farming.

Wetland D (0.04 acre) is an emergent wetland located in the south-central portion of the permit area adjacent to Stream 3. Wetland D is dominated by reed canary grass (*Phalaris arundinacea*). It is located immediately adjacent to active agricultural land and exhibits significant, recent disturbance related to tiling, grazing, and farming.

Wetland E (0.03 acre) is an emergent wetland located in the south-central portion of the permit area at the confluence of Streams 2 and 3. Wetland E is dominated by reed canary grass. It is located immediately adjacent to active agricultural land and exhibits significant, recent disturbance related to tiling, grazing, and farming.

Wetland F (0.15 acres) is an emergent wetland located in the south-central portion of the permit area along Stream 2. Wetland F is dominated by rice cutgrass and black willow (*Salix nigra*). It is located immediately adjacent to active agricultural land and exhibits significant, recent disturbance related to tiling, filling, mowing, grazing, shrub/sapling removal, and farming.

4.4 Proposed Impacts to Jurisdictional Waters

The proposed development plan (Alternative A) is depicted on Exhibit 4. This design provides for the establishment of a six-building data center campus, as well as associated utility infrastructure, parking, site entrances, internal drives, and stormwater facilities within the proposed facility footprint. Stream impacts under Alternative A include 691 linear feet (±0.06 acre) of perennial stream (Streams 1 and 2) and 0.05 acre of emergent wetland (Wetland C).

Impacts to Stream 1 and a portion of Wetland C are associated with the relocation of Stream 1 northward in order to accommodate the widening of State Route 42, which will allow for implementation of a turn lane at the facility entrance. The roadway widening will result in fill impacts to 403 linear feet of the Stream 1 channel. Approximately 415 linear feet of new channel, which will have a 2-foot wide channel bottom with 3:1 side slopes (±5-foot wide OHWM), will be established as shown on Exhibit 4. A small portion of Wetland C (0.01 acre) is anticipated to be impacted in order to accomplish the tie in of the new channel to the existing Stream 1 channel, which flows through Wetland C. In addition, the 83-foot culvert carrying Stream 1 beneath State Route 42 will be replaced and extended. The culvert extension will include 20 linear feet of new culvert and 10 linear feet of rock channel protection (RCP).

Additional impacts to Stream 1 and a portion of Wetland C are associated with the widening of N. Antioch Road, which will allow for implementation of a turn lane at the intersection with State Route 42. Widening of N. Antioch Road will result in fill impacts to 50 linear feet of the Stream 1 channel and 0.04 acre of Wetland C in order to extend/replace the culvert under N. Antioch Road. The culvert extension is anticipated to include 30 linear feet of new culvert and 20 linear feet of RCP.

A 238-linear foot segment of Stream 2 will be impacted to establish driveway access to the substation. This fill impact will include installation of a 174-foot long, 36-inch concrete pipe and 50 linear feet of INDOT Type II riprap.

Fill to be placed in Stream 1, Stream 2, and Wetland C during construction of Alternative A is estimated to total approximately 267 cubic yards, as summarized in Table 2. The remainder of jurisdictional surface waters within the permit area will be avoided.

TABLE 2: Proposed Impacts to Jurisdictional Surface Waters for Alternative A

a. Streams

Stream ID	Type	Length Onsite (LF)	Proposed Impact		Volume of Impact (cy)	Impact Type	Avoided
			LF	AC			
Stream 1 (open)	Perennial	1,794	453	0.042	134	Fill/Relocate /Culvert	74.7%
Stream 1 (culvert)		195	162	0.015	48	Culvert	16.9%
Stream 2 (open)	Perennial	2,240	238	0.016	52	Culvert/RCP	89.4%
Stream 2 (culvert)		37	--	--	--	--	100%
Stream 3	Intermittent	58	--	--	--	--	100%
Stream 4	Perennial	1,040	--	--	--	--	100%
Total (Open)	**--**	**5,132**	**691**	**0.058**	**186**	**--**	**86.5%**

b. Wetlands

Wetland ID	Type	Area Onsite (AC)	Proposed Impact (AC)	Volume of Impact (cy)	Impact Type	% Avoided
Wetland B	PEM	0.03	0	0	--	100%
Wetland C	PEM	1.03	0.05	81	Fill/Grade	95.1%
Wetland D	PEM	0.04	0	0	--	100%
Wetland E	PEM	0.03	0	0	--	100%
Wetland F	PEM	0.15	0	0	--	100%
Total	**--**	**1.28**	**0.05**	**81**	**--**	**96.1%**

4.5 Means and Methods

Erosion and Sediment Control

Prior to the start of construction, a Notice of Intent (NOI) will be filed with IDEM to obtain permit coverage under the Construction Stormwater General Permit (CSGP). A Construction/Stormwater Pollution Prevention Plan (SWP3) will be prepared for the project, following the requirements of the CSGP. Appropriate, site-specific Best Management Practices (BMPs) will be included in the construction plans to decrease erosion and sedimentation during and after construction of the proposed project.

BMPs for erosion and sediment control will be implemented at all times during the construction of any portion of the proposed project. These BMPs may include: silt fence; compost filter sock; rock check dams; temporary and permanent seeding and mulching; construction road stabilization; and temporary inlet protection. These measures would be placed and maintained to reduce the potential for sediment-laden runoff from discharging directly to an existing watercourse. The designated BMPs will be kept in place during construction activities and will remain until the site has been stabilized.

Control of Water

Stream flow will be maintained through all phases of the project. The new (relocated) channel will be constructed off-line from the existing channel, and then be connected to the existing channel. The installation of the proposed culverts and connection of the new channel will require the control of water through the use of temporary rock check dams and/or pump around at both the upstream

and downstream connection points. These features will be detailed on the construction plans along with the other construction-phase BMPs.

4.6 Compliance with NWP 39 Conditions and 401 WQC

The proposed project, as described above, complies with all general, regional and specific conditions of NWP 39. It does not comply with the conditions of the associated 401 WQC, specifically General Conditions 14 and 21 and Specific Conditions 2 and 7. Compliance with the relevant permit conditions is detailed in Table 3. As such, authorization under a Section 401 Individual WQC is requested.

In accordance with 40 CFR Part 121.4, a pre-filing meeting request was submitted to IDEM on October 1, 2025. A dated copy of the Section 401 WQC Pre-Filing Meeting Request is provided in Appendix C, as required by 40 CFR Part 121.5.

TABLE 3: Compliance with Applicable NWP 39 Section 401 Conditions

Specific Conditions	**Condition Met**
(1) The permittee must notify IDEM in accordance with General Condition 1.	MET (See Attached)
(2) This WQC does not authorize stream relocations associated with commercial or institutional developments or their attendant features.	**NOT MET**
(6) The activity must not permanently affect more than 0.25 acre of waters of the United States.	MET (Impacts <0.11 AC)
(7) The activity must not permanently affect more than 500 linear feet of streambank or lake shoreline.	**NOT MET**
(8) The placement of riprap or other bank stabilization material must be installed flush with the upstream and downstream bank and stream channel/lake bed elevations and grades.	MET
(9) The activity must not result in a permanent secondary effect to waters of the United States (e.g. dredging, excavation, damming, creation of in-channel ponds) that, when combined with the primary effect, exceeds the area and length thresholds specified above.	MET
General Conditions	**Condition Met**
(1) The permittee must submit a complete Notification Form for any NWP that requires notification by this WQC.	MET (See Attached)
(13) WQC does not authorize activities that have a cumulative permanent impact of more than 0.25 acre of waters of the U.S.	MET (Impacts <0.1 AC)
(14) WQC does not authorize activities that will have a cumulative permanent impact of more than 500 linear feet of waters of the U.S.	**NOT MET**
(17) Demonstrate no state endangered, threatened, or rare species are documented on a permanent or seasonal basis within 0.5-mile radius.	MET (Section 7)
(21) (c) Permanent stream encapsulations must not exceed 150 linear feet of cumulative encapsulation.	**NOT MET**

5.0 AVOIDANCE & MINIMIZATION

The development plan for Project Louie went through an iterative process to reduce impacts to surface water resources to the extent practicable. However, it was determined that both meeting the project purpose and completely avoiding water resources was not feasible. Entrance to the site must be provided from State Route 42, which is the closest major roadway providing access to the interstate. Due to their location relative to State Route 42, and the required layout and dimensions of the data center campus, it is not practicable to achieve the proposed development without impacts to Stream 1, Stream 2 and Wetland C.

In regard to Stream 1 and Wetland C, complete avoidance of these features would prohibit the widening of State Route 42 and N. Antioch Road, which would be in conflict with the requirements set forth by the Authorities Having Jurisdiction (AHJs) to ensure safe passage of traffic through this area. The roadway widening improvements are intended to provide turn lanes to serve Project Louie; as such the roadways must be widened on the property owned by Woodland Caribou LLC. Moreover, the entrance location was established in consideration of line of sight and distance from the N. Antioch Road intersection.

Regarding Stream 2, separate, dedicated access must be provided to the substation from the main entrance drive. It is not practicable to provide this access without crossing Stream 2. In order to avoid Stream 2, it would be necessary to comingle substation traffic with data center traffic, which would create safety and security concerns for both the substation and the data center facilities.

As it was determined impracticable to implement the project without impacting water resources, the applicant focused on maximizing open stream channel within the project area. Permanent impacts to Stream 1 were offset by relocating the stream as an open channel (Exhibit 4).

In contrast, piping Stream 1 along the northern side of State Route 42 would result in the permanent stream encapsulation of approximately 300 linear feet. A comparison of the impacts required under this hypothetical alternative (Option B) versus the preferred plan (Option A) is presented in Table 4.

TABLE 4: Comparison of Project Alternatives

Factor	Existing Condition	Option A	Option B
Open Stream Channel (LF)	5,132	4,906	4,614
Culvert/Pipe (LF)	195	419 (+224)	699 (+504)
Jurisdictional Stream Impacts (LF)	--	691	588
Jurisdictional Wetland Impacts (AC)	--	0.05	0.04

The proposed plan will result in more open channel and less piped stream. The proposed relocation will maintain the quality of open channel habitat currently provided by Stream 1, which functions as an agricultural/roadside ditch. As such, it was determined that the proposed plan is the least environmentally damaging practicable alternative (LEDPA) for the project.

6.0 MITIGATION

In order to proceed with the proposed project, authorization for the placement of fill in 691 linear feet (±0.06 acre) of jurisdictional, perennial stream and 0.05 acre of jurisdictional, emergent wetland is requested. In accordance with Nationwide Permit General Condition D.23, compensatory mitigation at a minimum 1:1 ratio is required for losses of wetland that exceed 0.10 acre and losses of stream bed in excess of 0.03 acre that require pre-construction notification. Further, General Conditions 15 and 16 of the associated State of Indiana 401 WQC require that mitigation be provided for all impacts.

6.1 Stream Mitigation

Approximately 415 linear feet of Stream 1 will be relocated as open channel. The new channel will have an OHWM width of approximately five feet, providing 0.048 acre of new stream channel. The side slopes will be graded at an approximate 3:1 slope. A buffer of approximately 15-20 feet along each stream bank will be revegetated with a mixture of 50% Virginia wild rye (*Elymus virginicus*) and 50% Canada wild rye (*Elymus canadensis*). The establishment of the new channel is sufficient to offset 415 linear feet (0.038 acre) of impact to Stream 1.

To compensate for the remainder of the Stream 1 impact (38 linear feet), and the proposed impact to Stream 2 (238 linear feet), the purchase of either mitigation bank or in-lieu fee credit is proposed. Based on the compensatory mitigation requirements described by IDEM, mitigation for perennial stream impacts shall be provided at 1:1 ratio. Accordingly, 276 linear feet of stream mitigation is to be provided.

Per a search of the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS), there are no stream mitigation banks with sufficient credits located within the Upper White subbasin (HUC: 05120201). Accordingly, the applicant proposes to purchase stream mitigation credit for the proposed project from the Indiana Department of Natural Resources In-Lieu Fee Mitigation Program, Upper White Service Area.

6.2 Wetland Mitigation

To comply with the requirements of the 401 WQC, the applicant will additionally purchase 0.1 acre of wetland mitigation credit. This will provide mitigation at a 2:1 ratio for the proposed impact to 0.05 acre of emergent Wetland C. The applicant proposes to purchase the 0.1 acre of wetland mitigation credit from the Foggy Bottom Mitigation Bank, which will serve the Upper White subbasin (HUC: 05120201) within its primary service area. This mitigation bank is expected to receive approval in the fourth quarter of 2025.

7.0 THREATENED & ENDANGERED SPECIES

7.1 Federally-Listed Threatened or Endangered Species

EMH&T reviewed the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) website for listed species and critical habitat that "may be present" within the project area. The IPaC Species List is provided in Appendix D (IPaC Project Code # 2025-0112424). No critical habitats were identified. There are two (2) listed species and one (1) proposed listed species that may occur within the project area:

- Gray bat (*Myotis grisescens*) – Endangered
- Indiana bat (*Myotis sodalis*) – Endangered
- Monarch butterfly (*Danaus plexippus*) – Proposed Threatened

The permit area consists of cultivated agricultural fields, forested woodlots and fencerows, and rural residential properties. Suitable habitat for the Monarch butterfly (milkweed) can be found in agricultural fields and pastures. However, the farm fields within the permit area have been under continuous tillage and cultivation dating back to at least the early 1900s. Based on casual, qualitative observations, numerous milkweed plants were not observed onsite. These fields are not expected to support extensive areas of suitable habitat for the Monarch butterfly. As such, the project may affect, but is not likely to adversely affect, the monarch butterfly.

The project will not affect any potential caves, mines, or man-made structures that could be used as roosts or hibernacula for federally listed bats. Approximately 15 acres of forested habitat are present within the project area limits, including a ±8-acre woodlot, ±4 acres of narrow riparian corridor along Stream 4, and ±3 acres of wooded residential areas and fencerows. Approximately 13 acres of onsite trees will be cleared to accommodate the proposed development. All tree clearing will occur during the winter, i.e., between October 1 and March 31, in order to minimize any potential impacts to bat species. Based on the quantity of clearing and implementation of seasonal tree cutting restrictions, the project may affect, but is not likely to adversely affect, federally listed bat species.

Upfront coordination with the USFWS concerning possible impacts to threatened and endangered species was initiated by a coordination letter submitted on June 23, 2025. In email correspondence dated June 30, 2025, the USFWS stated, "Based on a review of the information you provided and the project proponent's commitment to remove the trees from October 1- March 31, the U.S. Fish and Wildlife Service would concur that the proposed project is not likely to adversely affect the federally endangered Indiana bat and gray bat." The USFWS response is provided in Appendix D. Based on the foregoing, the project will have no impact on any federal listed species.

7.2 State-Listed Threatened or Endangered Species

The Indiana Department of Natural Resources (IDNR) was contacted for information available concerning the presence of state-listed threatened or endangered species, high quality natural communities, and natural areas. A search of the Indiana Natural Heritage Data Center indicated there are no threatened or endangered species or significant areas documented within 0.5 mile of the project area. The July 2, 2025 IDNR letter response is provided in Appendix D.

8.0 CULTURAL RESOURCES

Phase Ia Archaeological Investigations were conducted by EMH&T for the project area in May and June of 2025 (Appendix E). The Phase Ia Investigations identified one previously recorded archaeological site and seven newly identified archaeological sites. These sites included two historic scatters and six prehistoric period isolated finds. The sites and materials were all identified from the surface or general topsoil deposits. There were no stratified deposits identified. None of these resources were considered for additional work; they are not considered eligible for listing on the National Register of Historic Places (NRHP).

In addition, History/Architecture Investigations were conducted for the project area and surrounding area by Weller & Associates in July and August of 2025 (Appendix F). The historic review identified 197 previously recorded architectural resources, one historic property, and two cemeteries located within one-mile of the project area. No NRHP-listed properties were identified.

The architectural survey identified 37 architectural resources, one historic property and one cemetery in the Area of Potential Effects (APE). The historic property (109-MOR-00008), located at 1654 W. Keller Hill Road, was determined to be potentially eligible for listing on the NRHP under "Criterion C." Weller conducted an assessment of effects for this historic property and concluded a finding of potential "adverse effect" to the historic property. None of the other architectural resources in the APE were found to be significant in a manner necessary for inclusion in the NRHP.

As the undertaking has the potential to cause adverse effects to historic properties, it is requested that the USACE and Indiana State Historic Preservation Office (SHPO) continue the Section 106 process to determine the avoidance, protection, and/or mitigation measures required for this potential effect.

9.0 CONCLUSIONS

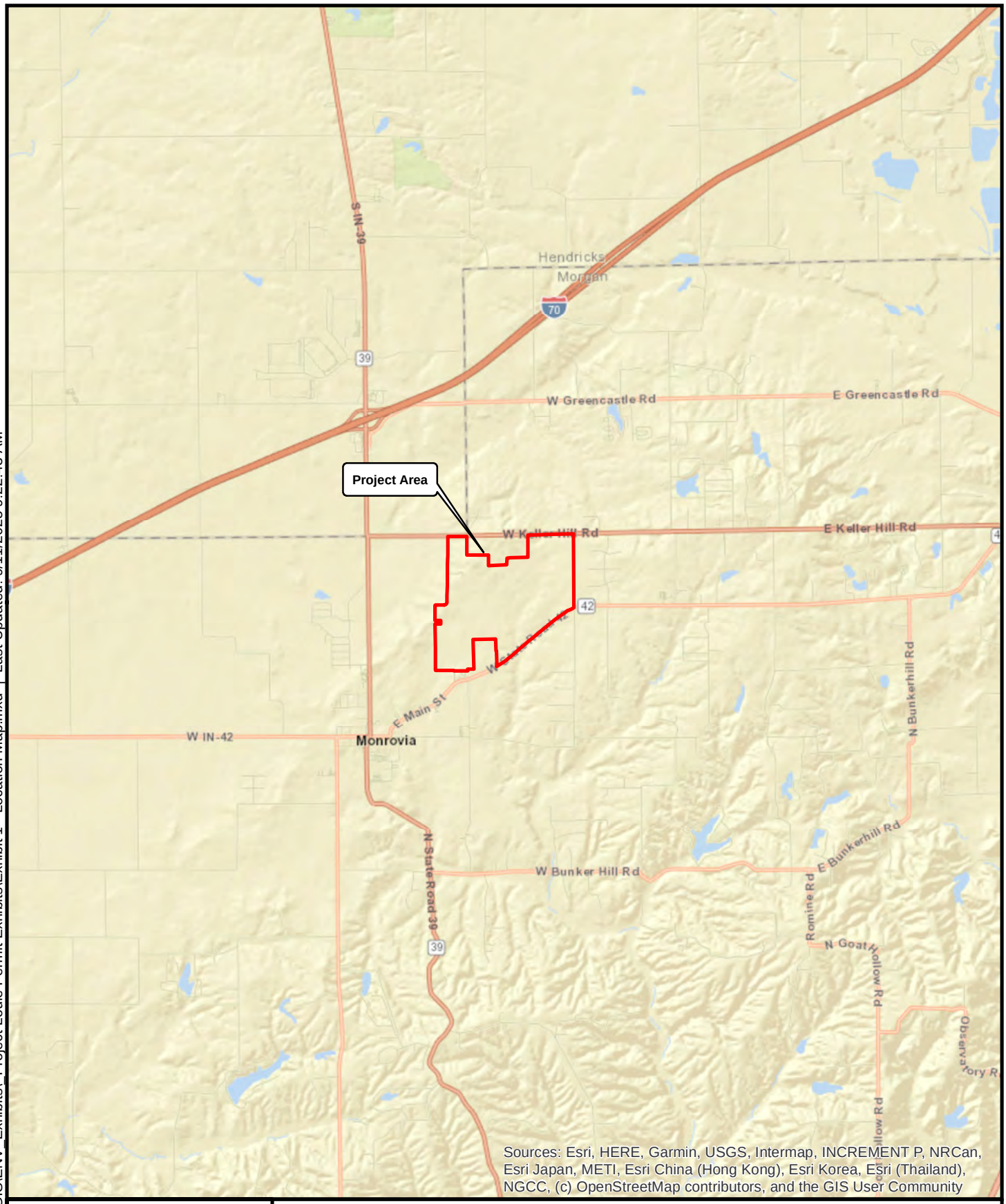
Woodland Caribou LLC requests authorization to impact 691 linear feet (±0.06 acre) of perennial stream and 0.05 acre of emergent wetland in association with Project Louie, which is located in the Town of Monrovia and Monroe Township, Morgan County, Indiana. This document was prepared by EMH&T to provide information to address permit application requirements for an NWP 39 from the USACE and Section 401 Individual WQC from IDEM. The requested impacts will allow for the construction of a six-building data center campus for storing, processing and distributing digital data.

Due to the location of the water resources on the site, it is not possible to implement the proposed project without jurisdictional stream and wetland impacts. Under the proposed development plan, the project will require impacts to 691 linear feet (±0.06 acre) of jurisdictional, perennial stream and 0.05 acre of jurisdictional, emergent wetland. To mitigate these impacts, the applicant is proposing to relocate 415 linear feet (0.048 acre) of stream channel onsite, purchase 276 linear feet of stream in-lieu fee credit, and purchase 0.1 acre of wetland mitigation bank or in-lieu fee credit.

Woodland Caribou LLC hereby certifies that all information contained herein is true, accurate, and complete to the best of its knowledge and belief. Woodland Caribou LLC hereby requests that the USACE and IDEM review and act on the NWP and 401 WQC requests, respectively, within the applicable reasonable period of time.

EMH&T

EXHIBITS



EMH&T
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

Project Louie
Location Map
Exhibit 1

SCALE: 1" = 1 Mile

0 0.5 1 2 Miles

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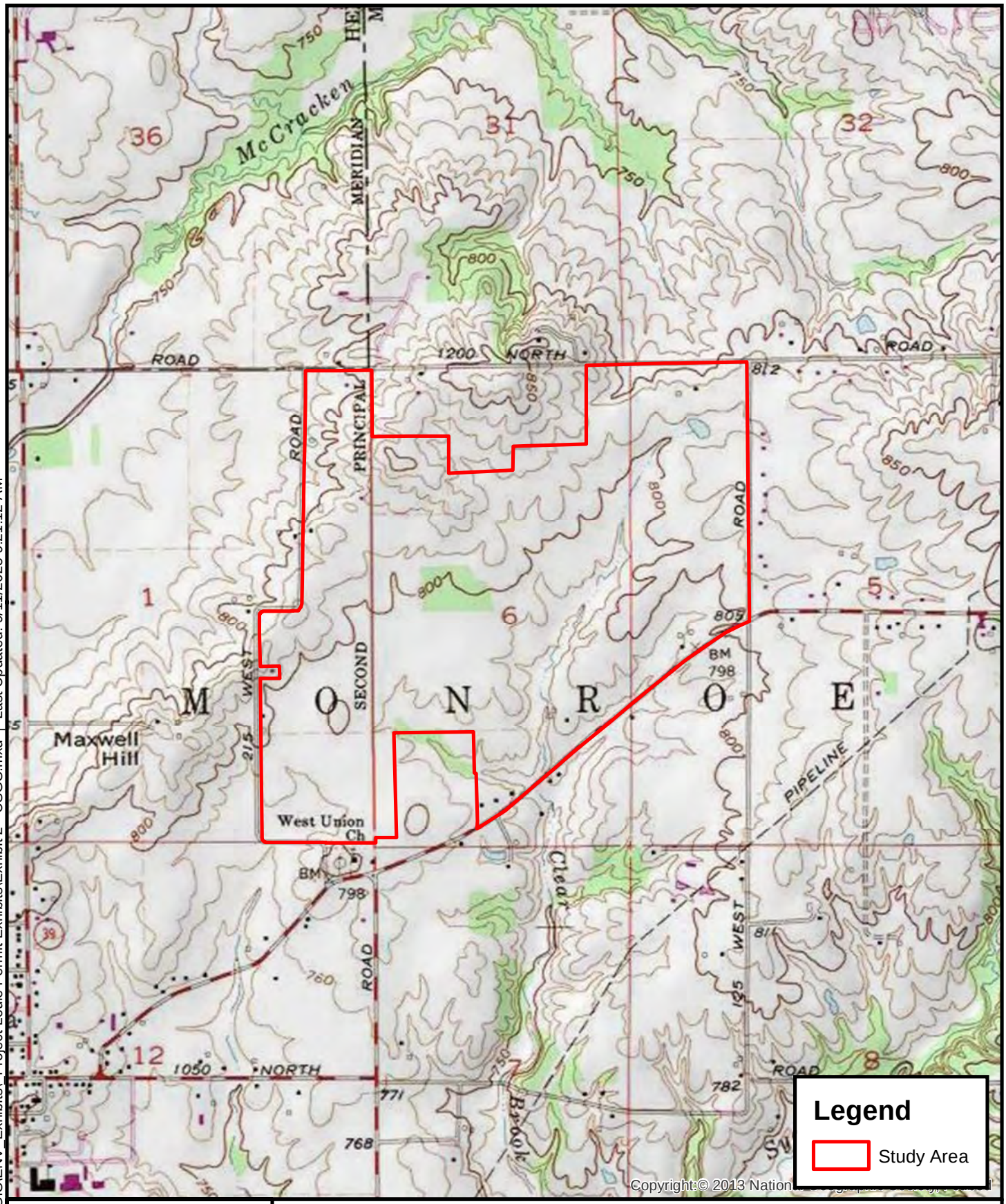

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5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
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MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

Project Louie
USGS Topographic Map
Exhibit 2

SCALE: 1" = 1500'

0 750 1,500 3,000 Feet

Source: Topo - USGS Mooresville West, IN Quad (1981)

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W KELLER HILL RD

N WEST UNION CHURCH RD

N ANTIOCH RD

WEST UNION RD

SR 42

Drainage Feature 1
1165 LF

Drainage Feature 2
552 LF

UP-1

UP-2

UP-3

UP-4

UP-5

UP-6

UP-7

UP-8

UP-9

UP-A

UP-B

UP-C

UP-D

UP-E

UP-F

WA-1

WB-1

WC-1

WD-1

WE-1

WF-1

Wetland A
0.17 AC

Wetland B
0.03 AC

Wetland C
1.03 AC

Wetland D
0.04 AC

Wetland E
0.03 AC

Wetland F
0.15 AC

Stream 1
1,794 LF

Stream 2
2,240 LF

Stream 3
58 LF

Stream 4
1,040 LF

Stream 4
1,040 LF

Stream 5
309 LF

Stream 6
111 LF

Swale 1
1,154 LF

Erosional Feature 1
54 LF

Drainage Feature 3
746 LF

Drainage Feature 4
1,313 LF

Drainage Feature 5
1,098 LF

Legend

- Jurisdictional Wetland
- Non-Jurisdictional Wetland
- Jurisdictional RPW Streams
- Non-Jurisdictional Non-RPW Stream
- Non-Jurisdictional Erosional Feature
- Non-Jurisdictional Drainage Feature
- Non-Jurisdictional Swale
- Culvert
- Culvert Point
- Wetland Data Point
- Upland Data Point

MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

Project Louie
Delineation Map
Exhibit 3

0 150 300 600 Feet

N

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W KELLER HILL RD

NANTIOCH RD

N WEST UNION CHURCH RD

CONSTRUCTION TRAILER COMPOUND

DATA CENTER

DATA CENTER

HUB

DATA CENTER

DATA CENTER

HUB

SUBSTATION

SITE ENTRY

BASIN

Isolated Exempt Wetland A 0.17 AC

Stream 2 2,240 LF

Wetland E 0.03 AC

Wetland D 0.04 AC

Stream 3 58 LF

Stream 2 Impacts 238 LF

Stream 2 2,240 LF

Stream 4 1,040 LF

Wetland F 0.15 AC

Wetland B 0.03 AC

Stream 4 1,040 LF

WSR#2

Wetland C Impacts 0.04 AC

Stream 1 Impacts 50 LF

Existing Culvert 79 LF To Be Replaced

Culvert/RCP 50 LF To Be Installed

Wetland C 1.03 AC

Stream 1 1,794 LF 453 LF Impacted

Wetland C Impacts 0.01 AC

Stream 1 Impacts 403 LF

Stream 1 Relocation 415 LF

Existing Culvert 83 LF To Be Replaced

Culvert/RCP 30 LF To Be Installed

SR 42

N WEST UNION CHURCH RD

WEST UNION RD

Legend

- Jurisdictional Wetland
- Non-Jurisdictional Wetland
- Jurisdictional RPW Streams
- Existing Culvert
- Impacted Jurisdictional RPW Streams
- Stream Relocation
- New Culvert/RCP
- Impacted Jurisdictional Wetland
- Isolated Exempt Wetland

MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

Project Louie
Impact Map
Exhibit 4

0 150 300 600 Feet

N

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PHOTOGRAPHS

Photograph 1
View of Stream 1, facing upstream and east
(EMH&T 11/18/2024)

Photograph 2
View of Stream 1, facing downstream and west
(EMH&T 11/18/2024)

Photograph 3
View of Stream 1 substrate
(EMH&T 11/18/2024)

Photograph 4
View of Stream 2 (Clear Brook), facing upstream and northeast
(EMH&T 11/18/2024)

Photograph 5
View of Stream 2 (Clear Brook), facing downstream and southwest
(EMH&T 11/18/2024)

Photograph 6
View of Stream 2 (Clear Brook) substrate
(EMH&T 11/18/2024)

Photograph 7
View of Stream 3, facing upstream and northwest
(EMH&T 11/18/2024)

Photograph 8
View of Stream 3, facing downstream and southeast
(EMH&T 11/18/2024)

Photograph 9
View of Stream 3 substrate
(EMH&T 11/18/2024)

Photograph 10
View of Stream 4, facing upstream and northwest
(EMH&T 11/18/2024)

Photograph 11
View of Stream 4, facing downstream and southeast
(EMH&T 11/18/2024)

Photograph 12
View of Stream 4 substrate
(EMH&T 11/18/2024)

Photograph 13
View of Wetland B, facing north
(EMH&T 11/18/2024)

Photograph 14
View of Wetland B, facing east
(EMH&T 11/18/2024)

Photograph 15
View of Wetland B, facing south
(EMH&T 11/18/2024)

Photograph 16
View of Wetland B, facing west
(EMH&T 11/18/2024)

Photograph 17
View of Wetland C, facing north
(EMH&T 11/18/2024)

Photograph 18
View of Wetland C, facing east
(EMH&T 11/18/2024)

Photograph 19
View of Wetland C, facing south
(EMH&T 11/18/2024)

Photograph 20
View of Wetland C, facing west
(EMH&T 11/18/2024)

Photograph 21
View of Wetland D, facing north
(EMH&T 11/18/2024)

Photograph 22
View of Wetland D, facing east
(EMH&T 11/18/2024)

Photograph 23
View of Wetland D, facing south
(EMH&T 11/18/2024)

Photograph 24
View of Wetland D, facing west
(EMH&T 11/18/2024)

Photograph 25
View of Wetland E, facing north
(EMH&T 11/18/2024)

Photograph 26
View of Wetland E, facing east
(EMH&T 11/18/2024)

Photograph 27
View of Wetland E, facing south
(EMH&T 11/18/2024)

Photograph 28
View of Wetland E, facing west
(EMH&T 11/18/2024)

Photograph 29
View of Wetland F, facing north
(EMH&T 11/18/2024)

Photograph 30
View of Wetland F, facing east
(EMH&T 11/18/2024)

Photograph 31
View of Wetland F, facing south
(EMH&T 11/18/2024)

Photograph 32
View of Wetland F, facing west
(EMH&T 11/18/2024)

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APPENDIX A:

Delineation Report

Project Louie

Investigation of Waters of the United States

Woodland Caribou LLC

April 14, 2025

Engineers, Surveyors, Planners, Scientists
5500 New Albany Rd., Columbus, OH 43054
p. 614.775.4500 f. 614.775.4800
emht.com

2024-0972

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TABLE OF CONTENTS

1.0 INTRODUCTION

A routine delineation of Waters of the United States, including wetlands, has been conducted by EMH&T for an approximately 475-acre study area located north of W. State Route 42 (W SR-42), east of North Union Church Road, south of Keller Hill Road, and west of North Antioch Road in Monroe Township, Morgan County, Indiana (Exhibit 1). The approximate center coordinates of the site are 39.592896°, -86.460713°. The majority of the study area is located in the Sycamore Creek subbasin (HUC: 05120201-15-01). The northern portion of the site is located in the McCracken Creek subbasin (HUC: 05120201-13-07). The study area is regulated by the U.S. Army Corps of Engineers (USACE) Louisville District. This study was performed at the request of and for the exclusive use of Woodland Caribou LLC and its affiliates.

The study area consists primarily of agricultural fields, three (3) farmsteads, and six (6) residential lots. Two (2) woodlots and scrub/shrub habitat are also located within the study area.

Field investigations of the study area were conducted on November 18, 2024 and February 11, 2025 by EMH&T environmental scientists. The location and extent of the identified surface water features are summarized in the following sections. Woodland Caribou LLC is requesting an Approved Jurisdictional Determination for the potentially non-jurisdictional features described below. A Preliminary Jurisdictional Determination is requested for those resources determined to be jurisdictional.

2.0 LITERATURE REVIEW

A review was made of available topographic maps, soils maps, and wetland inventory maps. This information helped determine topography and soil types present in the study area. It also identified any previously mapped wetlands and whether any portions of the study area were located within mapped floodways.

2.1 Topographic Features

As shown on Exhibit 2, the study area lies between approximately 760 feet and 860 feet in elevation (National Geodetic Vertical Datum) according to the United States Geological Survey (USGS) 7.5' Series *Mooresville West, Indiana* quadrangle (USGS, 1981). An open water pond is mapped in the northeastern portion of the study area. This pond was not observed during the field investigation. An intermittent stream is also mapped flowing southwest through the study area. This stream was observed during the field investigation to be Stream 2 and was determined to be a potentially jurisdictional stream. No other streams, drainageways, marsh symbols, or open water ponds are mapped for the study area. The results of the field investigation are discussed further in Section 3.0 of this report.

2.2 Mapped Soils

According to the online *Soil Survey Geographic Database* for Morgan County, Indiana (United States Department of Agriculture [USDA] - Natural Resources Conservation Service [NRCS], 2003) (Exhibit 3A), eleven (11) soils are mapped for the study area. The mapped soils are listed in Table 1 along with their hydric status. According to the historical *Soil Survey of Morgan County, Indiana* (USDA, 1974), five (5) drainageways are mapped within the study area. Four (4) of the mapped

drainageways corresponded to the observed locations of Streams 1-4 during the field investigations. No other drainageways, marsh symbols or open water ponds are located within the study area (Exhibit 3B).

TABLE 1
Onsite Mapped Soils

Mapped Soil Unit	Map Unit Symbol	Hydric Status	Hydric Inclusions (%)	Location of Hydric Inclusions
Crosby silt loam, fine-loamy subsoil, 0 to 2 percent slopes	CrA	Non-hydric with hydric inclusions	Treaty, drained (2%)	Depressions, water-lain moraines, swales
Crosby-Miami silt loams, 2 to 4 percent slopes, eroded	CsB2	Non-hydric with hydric inclusions	Treaty, drained (3%)	Depressions, water-lain moraines, swales
Genesee silt loam, 0 to 2 percent slopes, frequently flooded, brief duration	Ge	Non-hydric	--	--
Martinsville loam, 2 to 6 percent slopes	MeB	Non-hydric	--	--
Miami silt loam, 2 to 6 percent slopes, eroded	MnB2	Non-hydric with hydric inclusions	Brookston (4%) Treaty, frequently ponded, drained (2%)	Till plains, depressions, water-lain moraines, swales
Miami silt loam, 6 to 12 percent slopes, eroded	MnC2	Non-hydric with hydric inclusions	Treaty (5%)	Till plains
Miami silt loam, 12 to 18 percent slopes, eroded	MnD2	Non-hydric	--	--
Miami clay loam, 6 to 12 percent slopes, severely eroded	MoC3	Non-hydric	--	--
Shoals silt loam, 0 to 2 percent slopes, frequently flooded, brief duration	Sh	Non-hydric with hydric inclusions	Sloan (4%)	Meander scars, backswamps, floodplains
Treaty silty clay loam, 0 to 1 percent slopes	ThrA	Hydric	--	--
Whitaker loam	Wr	Non-hydric with hydric inclusions	Poorly drained aqualfs (7%) Rensselaer (3%)	Depressions

A hydric soil is *a soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part* (USDA-NRCS, 2018). As shown on the *Web Soil Survey* for Morgan County, Indiana (Exhibit 3A), Treaty silty clay loam, 0 to 1 percent slopes is a hydric soil. Six (6) mapped soils are non-hydric soils with inclusions of hydric Treaty, Brookston, Sloan, and Rensselaer soils in depressions, water-lain moraines, swales, till plains, meander scars, backswamps, and floodplains. The remaining four (4) soils are non-hydric soils.

2.3 Hydrologic Conditions

As shown on Exhibit 4, the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) was reviewed for the study area (FEMA, 2024). The entirety of the study area lies within Zone X (unshaded), which are areas mapped outside the 500-year floodplain.

The United States Fish and Wildlife Service's (USFWS) National Wetlands Inventory Map (NWI) was also reviewed for the study area (USFWS, 2022). As shown on Exhibit 5, one (1) riverine, unknown perennial, unconsolidated bottom, permanently flooded (R5UBH) stream; one (1) riverine, intermittent, streambed, seasonally flooded (R4SBC) stream; and one (1) palustrine, unconsolidated bottom, intermittently exposed, diked/impounded (PUBGh) freshwater pond are mapped for the study area. The mapped riverine habitats corresponded to the observed location of Stream 2 during the field investigation. The mapped freshwater pond was not observed during the field investigation, indicating that it has been filled.

3.0 DELINEATION INVESTIGATION RESULTS

EMH&T conducted field investigations of the study area on November 18, 2024 and February 11, 2025 to determine the location, extent, and quality of potential Waters of the United States, including streams and wetlands. The investigative methodology employed is summarized in Appendix A.

As shown on Exhibit 6, six (6) streams, six (6) wetlands, one (1) swale, one (1) erosional feature, and five (5) drainage features are located in the study area. Table 2 lists the extent of the surface water features identified. Photographs of the surface water features are included in the Photographs section.

3.1 Streams

Six (6) streams were observed within the study area:

- Stream 1 (1,794 linear feet [lf]) is a perennial stream that originates offsite and flows through Wetland C through the southeastern portion of the study area. Stream 1 generally flows southwest through the study area before flowing offsite north of W SR-42. Stream 1 has a watershed area of approximately 0.22 square mile upstream of this point. Stream 1 was observed to have a reliable ordinary high water mark (OHWM) approximately 4 feet wide with a channel defined by bed and banks, and silt dominated substrate. Stream 1 was flowing at the time of the field investigation. This perennial stream is relatively permanent and, as such, is potentially jurisdictional.
- Stream 2 (2,240 lf) is a perennial stream that originates onsite at a tile outlet and flows through the south-central portion of the study area. Stream 2 represents the headwaters of Clear Brook, a direct tributary to Sycamore Creek, which flows to the West Fork White River. Stream 2 generally flows south through the study area before flowing offsite via a culvert under W SR-42. Stream 2 has a watershed area of approximately 0.66 square mile upstream of this point. Stream 2 was observed to have a reliable OHWM approximately 3 feet wide with a channel defined by bed and banks, and silt/gravel dominated substrate. Stream 2 was flowing at the time of the field investigation. This perennial stream is relatively permanent and, as such, is potentially jurisdictional.

- Stream 3 (58 lf) is a seasonal, intermittent stream that originates onsite at Wetland D and flows southeast to Wetland E. Stream 3 was observed to have a reliable OHWM approximately 3 feet wide with a channel defined by bed and banks, and silt/sand dominated substrate. This intermittent stream was flowing at the time of the field investigation. Drainage from the surrounding agricultural fields contributes flow to this stream via drain tiles. This intermittent stream is assumed to be relatively permanent, exhibiting continuous flow at least seasonally, and is therefore potentially jurisdictional.
- Stream 4 (1,040 lf) is a perennial stream that originates at a tile outlet onsite and flows through the southwestern portion of the study area. Stream 4 generally flows southeast through the study area before reaching its confluence with Stream 2 north of W SR-42. Stream 4 has a watershed area of approximately 0.21 square mile upstream of this point. Stream 4 was observed to have a reliable OHWM approximately 6 feet wide with a channel defined by bed and banks, and cobble/gravel dominated substrate. Stream 4 was flowing at the time of the field investigation. This perennial stream is relatively permanent and, as such, is potentially jurisdictional.
- Stream 5 (309 lf) is an ephemeral feature with a small, localized drainage area, which carries surface flow only following precipitation events. Stream 5 originates onsite and flows south to its confluence with Stream 4. Stream 5 was observed to have a reliable OHWM approximately 2 feet wide, and silt/sand dominated substrate. Stream 4 was dry at the time of the field investigation, and leaf litter was observed throughout out the length of the stream. These characteristics were observed for the entire reach of the stream, down to the confluence with Stream 4. This ephemeral stream is not relatively permanent and, as such, is a potentially non-jurisdictional feature.
- Stream 6 (111 lf) is a temporary tributary to Stream 4 that originates onsite and flows south to its confluence with Stream 4. It has a watershed area of less than 0.1 square mile. Drainage from the surrounding agricultural fields contributes flow to this stream via drain tiles. Stream 6 was observed to have a reliable OHWM approximately 4 feet wide, with a channel defined by bed and banks, and cobble/silt dominated substrate. At the time of the investigation, Stream 6 exhibited interstitial flow and isolated areas of water. These characteristics were observed for the entire reach of the stream, down to the confluence with Stream 4. Stream 6 exhibits intermittent flow for a few weeks at a time following significant rain events due to inputs from the tile system. This very low, intermittent flow is not relatively permanent and, as such, Stream 6 is potentially non-jurisdictional.

3.2 Wetlands

Six (6) wetlands were observed within the study area:

- Wetland A (0.17 acre) is an emergent wetland located in a depression in the central portion of the study area. Wetland A is located approximately 320 feet northeast of Stream 2, a perennial stream. The intervening land includes agricultural fields; no wetland characteristics were noted. No evidence of a continuous surface water connection between Wetland A and Stream 2 (or any other surface water feature) was observed. As such, Wetland A is potentially non-jurisdictional.
- Wetland B (0.03 acres) is an emergent wetland located in the southwestern portion of the study area. Wetland B abuts/adjoins Stream 4, a perennial stream. As such, Wetland B is potentially jurisdictional.

- Wetland C (1.03 acres) is an emergent wetland located along an excavated stream feature in the eastern portion of the study area. Wetland C directly abuts/adjoins Stream 1, a perennial stream. As such, Wetland C is potentially jurisdictional.
- Wetland D (0.04 acres) is an emergent wetland located in the central portion of the study area. Wetland D was observed to have a continuous surface water connection with Stream 2, a perennial stream, through connections with Stream 3 and Wetland E. As such, Wetland D is potentially jurisdictional.
- Wetland E (0.03 acres) is an emergent wetland located in the central portion of the study area. Wetland E directly abuts/adjoins Stream 2, a perennial stream. As such, Wetland E is potentially jurisdictional.
- Wetland F (0.15 acres) is an emergent wetland located in the southern portion of the study area. Wetland F directly abuts/adjoins Stream 2, a perennial stream. As such, Wetland F is potentially jurisdictional.

3.3 Other Surface Water Features

One (1) swale (Swale 1) is located within the study area (1,154 lf). Swale 1 is a maintained feature located in the agricultural field in the southwestern portion of the study area. Swale 1 is fully vegetated and has no defined bed or bank. Swale 1 functions only to collect runoff during significant precipitation events and allow precipitation to better drain through the tile system. An upland data point (UP-5) was taken in Swale 1 and determined that the area does not exhibit wetland characteristics. It is not relatively permanent and, as such, is a potentially non-jurisdictional feature.

One (1) erosional feature (Erosional Feature 1) is located within the study area (54 lf). Erosional Feature 1 is located in the southwestern portion of the study area. Erosional Feature 1 is the direct result of a tile outlet which has caused surface flow following significant rainfall events. It lacks a defined bed and bank or other stream characteristics and is located in upland soils. It also did not exhibit wetland characteristics. Erosional Feature 1 was dry at the time of the field investigation and does not exhibit relatively permanent flow. A review of StreamStats for the subject property indicated that no streams were ever present within this location. As Erosional Feature 1 holds no stream or wetland characteristics and only exhibits flow following significant precipitation events, this erosional feature is potentially non-jurisdictional.

Five (5) drainage features (Drainage Features 1-5) are located within the study area (4,874 lf total). Drainage Features 1-5 appear to be manmade, excavated features that serve to drain the roadways and uplands following storm events. The drainage features lack a defined bed and bank or other stream characteristics and are located in upland soils. Drainage Features 1-5 are fully vegetated with upland vegetation and do not exhibit wetland characteristics. Drainage Features 1-53 were dry at the time of the field investigation and do not exhibit relatively permanent flow. A review of historical aerial photographs indicated that no streams were ever present within the locations of Drainage Features 1-5. As they are excavated wholly in and drain only uplands and have ephemeral flow, Drainage Features 1-5 are potentially non-jurisdictional.

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TABLE 2
Extent of Onsite Surface Water Features

Feature ID	Location		Classification	Stream		Wetland (AC)	Open Water (AC)	Drainage Feature (LF)
	Latitude	Longitude		Length (LF)	Area (AC)			
Stream 1	39.593084°	-86.452325°	Perennial	1,794	0.16	--	--	--
Stream 2	39.592506°	-86.457862°	Perennial	2,240	0.15	--	--	--
Stream 3	39.592043°	-86.458492°	Intermittent	58	0.01	--	--	--
Stream 4	39.588147°	39.588147°	Perennial	1,040	0.14	--	--	--
Stream 5	39.588501°	-86.461321°	Ephemeral	309	0.01	--	--	--
Stream 6	39.589926°	-86.464606°	Intermittent	111	0.01	--	--	--
Wetland A	39.594055°	-86.456792°	PEM	--	--	0.17	--	--
Wetland B	39.588309°	-86.461333°	PEM	--	--	0.03	--	--
Wetland C	39.591586°	-86.454232°	PEM	--	--	1.03	--	--
Wetland D	39.592137°	-86.458733°	PEM	--	--	0.04	--	--
Wetland E	39.591932°	-86.458411°	PEM	--	--	0.03	--	--
Wetland F	39.589475°	-86.458833°	PEM	--	--	0.15	--	--
Swale 1	39.590326°	-86.464013°	Swale	--	--	--	--	1,154
Erosional Feature 1	39.589753°	-86.464044°	Erosional Feature	--	--	--	--	54
Drainage Feature 1	39.599636°	-86.468209°	Drainage Feature	--	--	--	--	1,165
Drainage Feature 2	39.598414°	-86.466686°	Drainage Feature	--	--	--	--	552
Drainage Feature 3	39.587135°	-86.460357°	Drainage Feature	--	--	--	--	746
Drainage Feature 4	39.590641°	-86.454887°	Drainage Feature	--	--	--	--	1,313
Drainage Feature 5	39.588713°	-86.457895°	Drainage Feature	--	--	--	--	1,098
			Total	**5,552**	**0.48**	**1.45**	**--**	**6,082**
			Potentially Jurisdictional	**5,132**	**0.46**	**1.28**	**--**	**--**
			Potentially Non-Jurisdictional	**420**	**0.02**	**0.17**	**--**	**6,082**

*Wetland communities are classified according to the classification scheme of Cowardin et al. (1979):
PEM: Palustrine, Emergent
PFO: Palustrine, Forested
**Feature continues off-site.

4.0 WETLAND HABITAT ASSESSMENT

As shown in Table 3, the potentially non-jurisdictional (isolated) onsite wetlands were classified in accordance with IC-13-11-2-25.8. The IDEM State Regulated Wetland Class Determination Worksheets (July 2024) are located in Appendix C. In addition, all of the wetlands were scored using the Ohio Rapid Assessment Method (ORAM) for Wetlands. Classifications and scores are potential until confirmed by IDEM. ORAM dataforms are located in Appendix D.

TABLE 3
Wetland Habitat Assessment Summary

Feature ID	Classification	Area (ac)	ORAM Score	ORAM Category	State Regulated Wetland Class
Wetland A	PEM	0.17	21	1	Class I
Wetland B	PEM	0.03	29	1	N/A
Wetland C*	PEM	1.03	22.5	1	N/A
Wetland D	PEM	0.04	8.5	1	N/A
Wetland E	PEM	0.03	22	1	N/A
Wetland F	PEM	0.15	23.5	1	N/A

*Wetland extends off-site; represents portion of the feature located within the study area boundary

Wetland A was determined to be a Class I Wetland as it is an isolated wetland that supports only minimal wildlife and does not provide critical habitat for rare, threatened, or endangered species. It is located in significantly disturbed setting (agricultural field) and it does not support moderate hydrological function.

5.0 REGULATORY JURISDICTION

Federal jurisdiction over various classes of water resources under the Clean Water Act has been redefined following the United States Supreme Court decision in *Sackett v. Environmental Protection Agency*. The Sackett decision defines Waters of the United States as: traditional navigable waters (TNWs); relatively permanent, standing or continuously flowing bodies of water that are connected to a TNW; and wetlands with a continuous surface connection to a relatively permanent water (RPW) or TNW. Additionally, under the 2008 *Rapanos* Guidance (United States Environmental Protection Agency [USEPA] & USACE, 2008), relatively permanent waters include tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically three months). Based upon the foregoing, perennial and intermittent tributaries and wetlands that abut/adjoin perennial and intermittent tributaries are potentially jurisdictional.

The *Revised Definition of "Waters of the United States"; Conforming* was published in the Federal Register (33 CFR Part 328 & 33 CFR Part 120, 2023) and became effective on September 8, 2023. This final rule conforms the definition of "waters of the United States" to the Sackett decision. However, this rule is currently enjoined in 27 states, including Indiana. In those states, the USACE is interpreting "waters of the United States" consistent with the pre-2015 regulatory regime and the Sackett decision.

Based on this understanding, the potential jurisdictional status of the waters identified within the study area is summarized in Table 4. This understanding of federal jurisdiction is subject to change,

pending the issuance of guidance by the USACE, additional rule making and/or litigation. An Approved Jurisdictional Determination is requested for the potentially non-jurisdictional features.

TABLE 4
Jurisdictional Classification of Onsite Surface Water Features

Feature ID	Streams			Wetlands			Ponds			Ditch/ Swale
	TNW	RPW	Non-RPW	(A)	(B)	(C)	(A)	(B)	(C)	
Stream 1	--	X	--	--	--	--	--	--	--	--
Stream 2	--	X	--	--	--	--	--	--	--	--
Stream 3	--	X	--	--	--	--	--	--	--	--
Stream 4	--	X	--	--	--	--	--	--	--	--
Stream 5	--	--	X	--	--	--	--	--	--	--
Stream 6	--	--	X	--	--	--	--	--	--	--
Wetland A	--	--	--	--	--	X	--	--	--	--
Wetland B	--	--	--	--	X	--	--	--	--	--
Wetland C	--	--	--	--	X	--	--	--	--	--
Wetland D	--	--	--	--	X	--	--	--	--	--
Wetland E	--	--	--	--	X	--	--	--	--	--
Wetland F	--	--	--	--	X	--	--	--	--	--
Swale 1	--	--	--	--	--	--	--	--	--	X
Erosional Feature 1	--	--	--	--	--	--	--	--	--	X
Drainage Feature 1	--	--	--	--	--	--	--	--	--	X
Drainage Feature 2	--	--	--	--	--	--	--	--	--	X
Drainage Feature 3	--	--	--	--	--	--	--	--	--	X
Drainage Feature 4	--	--	--	--	--	--	--	--	--	X
Drainage Feature 5	--	--	--	--	--	--	--	--	--	X

TNW: Traditional Navigable Water
RPW: Relatively Permanent Waters (non-navigable tributaries that flow continuously year-round or at least seasonally)
Non-RPW: Non-Relatively Permanent Waters (non-jurisdictional)
Wetlands: (A) Abutting/adjacent to a TNW; (B) Abutting/adjacent to an RPW; (C) Non-Jurisdictional
Ponds: (A) Impoundment or abutting/adjoining a TNW; (B) Impoundment or abutting/adjoining an RPW; (C) Non-jurisdictional

Impacts to Waters of the United States, including jurisdictional streams and wetlands, are regulated by the USACE and the USEPA through Section 404 of the Clean Water Act (33 U.S.C. 1344). Prior to federal authorization for impacts to streams or wetlands, certification must also be obtained from the IDEM as defined in Section 401 of the Clean Water Act (33 U.S.C. 1341). Accordingly, no filling may occur in the potentially jurisdictional streams and wetlands described in this document without appropriate permits and authorization from the USACE and IDEM.

IDEM regulates discharges of fill to non-jurisdictional (isolated) wetlands in the State of Indiana as provided under Indiana's State Regulated Wetland Law (Indiana Code 13-18-22 and 327 Indiana

Administrative Code 17). Accordingly, no filling may occur in non-jurisdictional wetlands without an appropriate Isolated Wetland Permit from the state, except in those circumstances that are specifically exempted from permitting (327 IAC 17-1-7). Confirmation of non-jurisdictional status must first be obtained through an Approved Jurisdictional Determination by the USACE.

6.0 CONCLUSIONS

A routine delineation of Waters of the United States, including streams and wetlands, was conducted and a report was prepared by EMH&T for the Project Louie study area. The approximately 475-acre study area located north of W SR-42, east of North Union Church Road, south of Keller Hill Road, and west of North Antioch Road in Monroe Township, Morgan County, Indiana. This study was prepared solely for the exclusive use of Woodland Caribou LLC and its parent companies, and is not transferable.

The results of the delineation identified three (3) potentially jurisdictional, perennial streams (5,074 lf), one (1) potentially jurisdictional, intermittent stream (58 lf), and five (5) potentially jurisdictional wetlands (1.28 acres). One (1) potentially non-jurisdictional temporary, intermittent stream (111 lf), one (1) potentially non-jurisdictional ephemeral stream (309 lf), one (1) potentially non-jurisdictional (isolated) wetland (0.17 acre), one (1) potentially non-jurisdictional swale (1,154 lf), one potentially non-jurisdictional erosional feature (54 lf), and five (5) potentially non-jurisdictional drainage features (4,874 lf) were also identified within the study area boundaries. The boundaries and jurisdictional status of the surface water features are potential until verified by the USACE.

7.0 REFERENCES

Cowardin, L. M., V. Carter, F. C. Golet, E. T. LaRoe. 1979. Classification of wetlands and deepwater habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. Jamestown, ND: Northern Prairie Wildlife Research Center Online (Version 04DEC1998). Available online: https://www.fws.gov/wetlands/documents/classwet/index.html.

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https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcseprd1316619.html#reportref.

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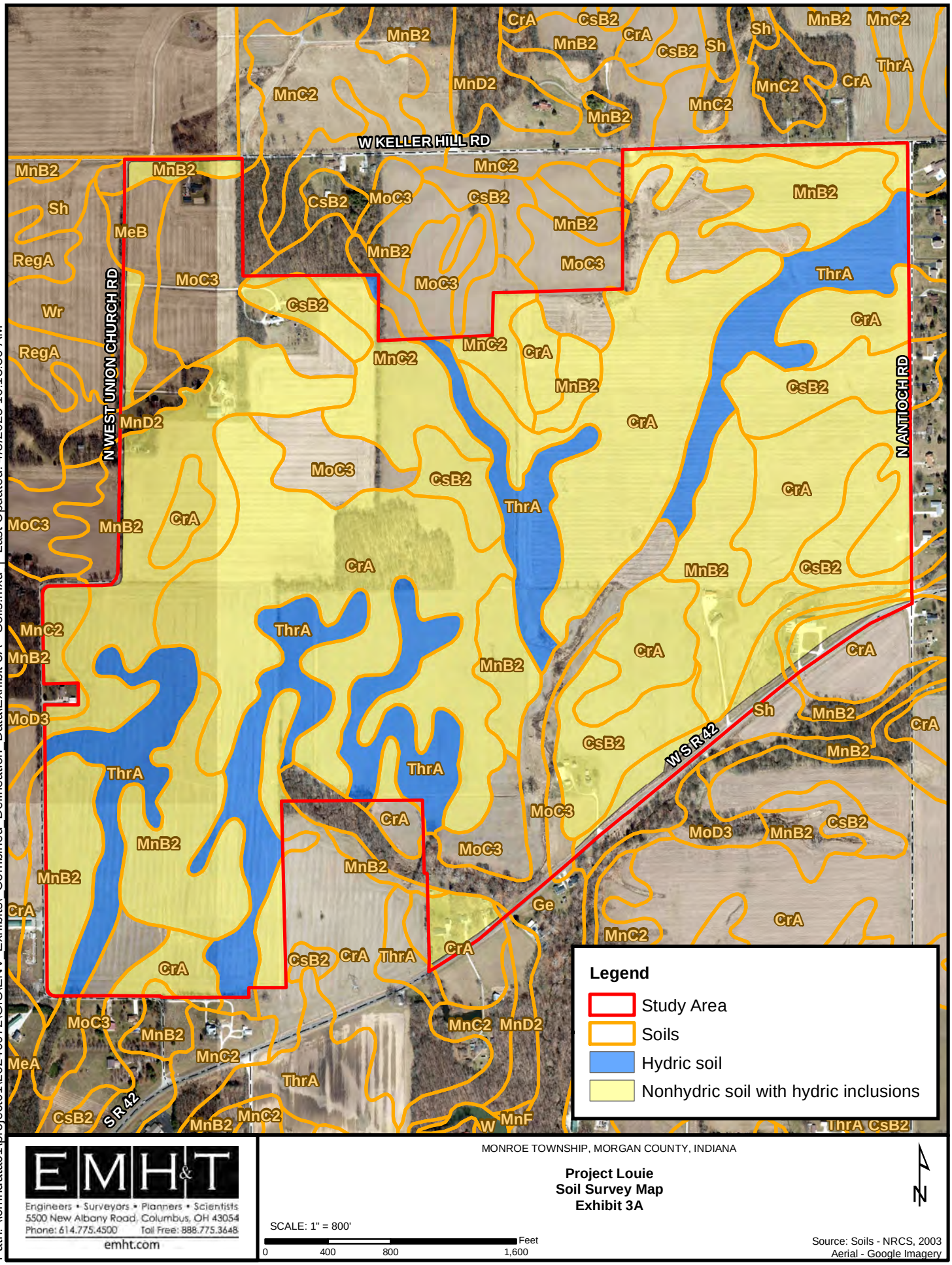
Sackett v. Environmental Protection Agency, 598 U.S. May 25, 2023. Available online: https://www.supremecourt.gov/opinions/22pdf/21-454_4g15.pdf

United States Geological Service. USGS. 1981. *Mooresville West, Indiana* Quadrangle, 7.5 minute Series (Topographic). Maps prepared by the U.S. Geological Survey and revised in cooperation with State of Indiana Agencies. For sale from the U.S. Geological Survey, Reston, Virginia 22092.

EMH·T

EXHIBITS



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EMH&T
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

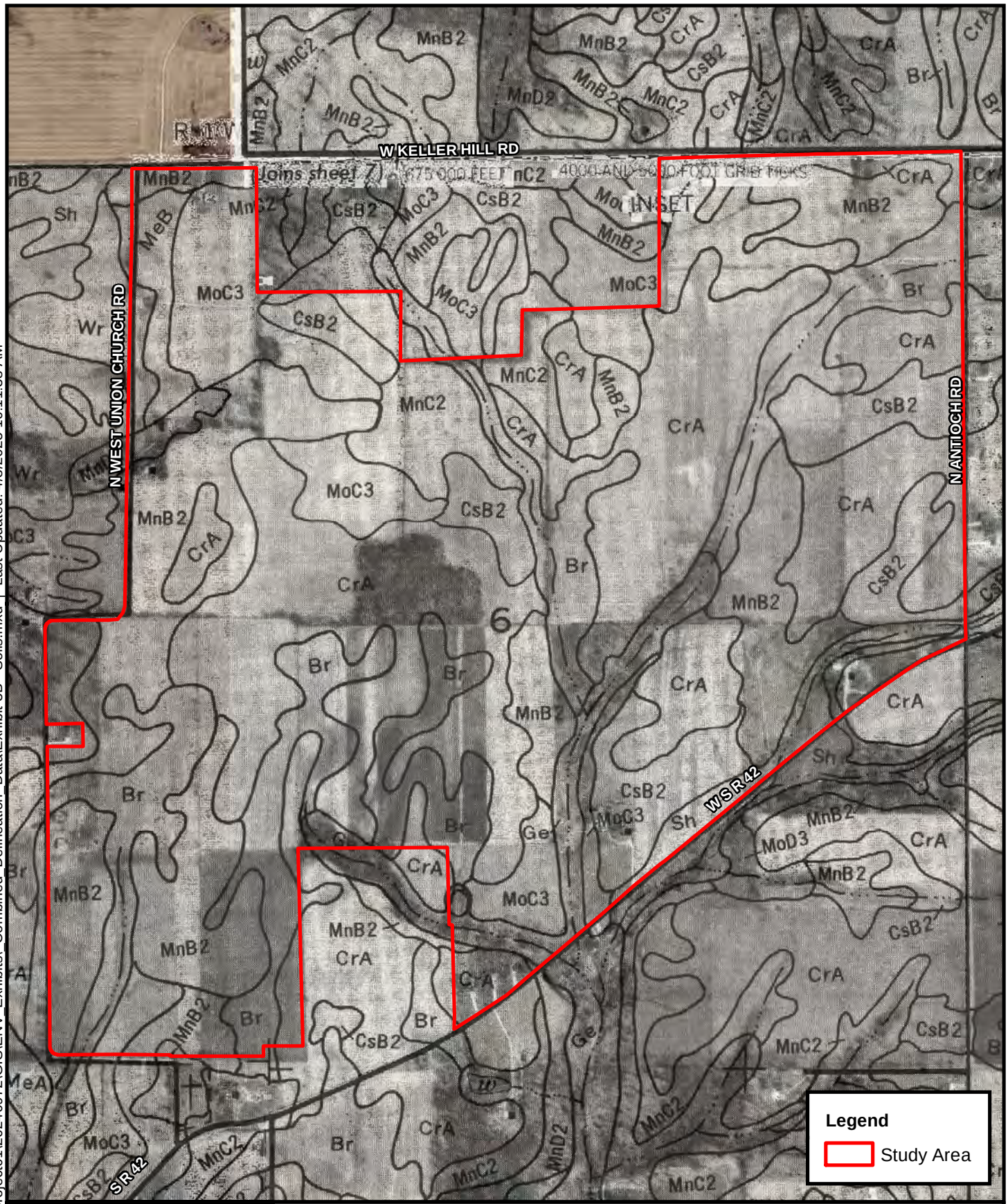
MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

Project Louie
Soil Survey Map
Exhibit 3A

SCALE: 1" = 800'

0 400 800 1,600 Feet

Source: Soils - NRCS, 2003
Aerial - Google Imagery



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MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

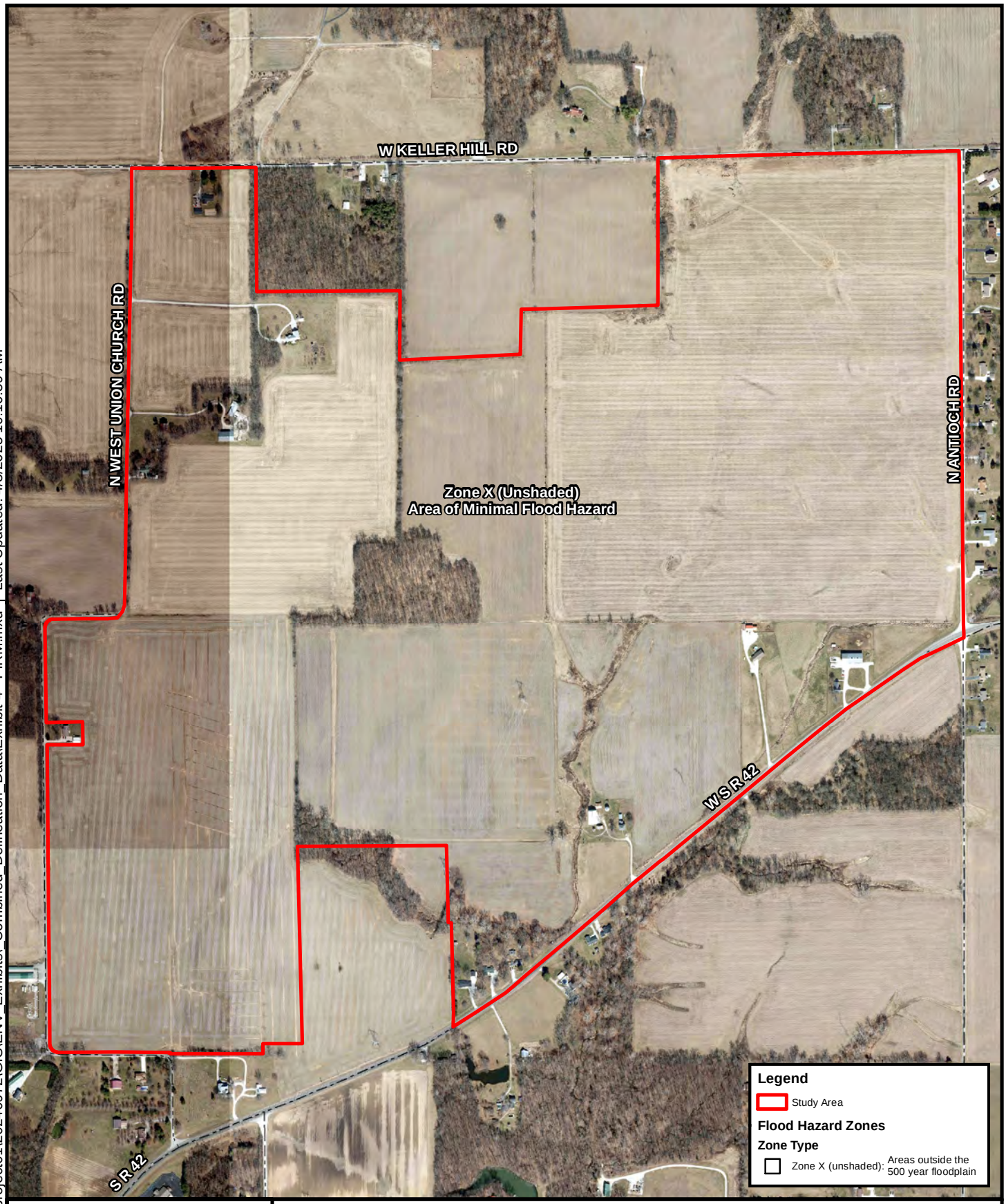
Project Louie
Historic Soils Map
Exhibit 3B

N

SCALE: 1" = 800'

0 400 800 1,600 Feet

Source: Soils - USDA, 1974



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MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

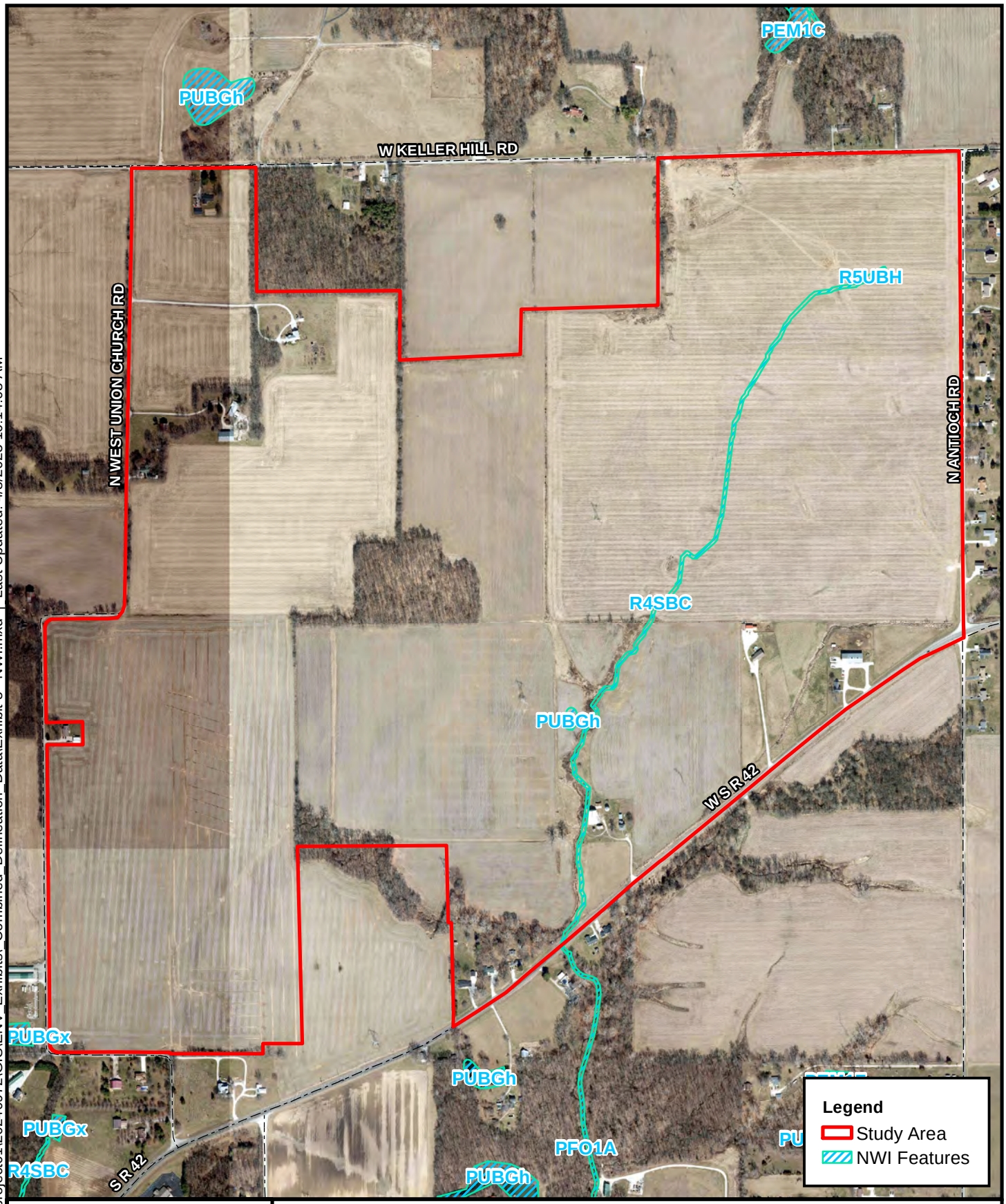
Project Louie
Flood Insurance Rate Map
Exhibit 4

SCALE: 1" = 800'

0 400 800 1,600 Feet

N

Source: Cross Sections & Flood Hazard Zones - FEMA, 2024
Aerial - Google Imagery



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emht.com

MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

Project Louie
National Wetland Inventory Map
Exhibit 5

N

SCALE: 1" = 800'

0 400 800 1,600 Feet

Source: NWI Features - FWS, 2022
Aerial - Google Imagery

W KELLER HILL RD

N WEST UNION CHURCH RD

N ANTIOCH RD

WEST UNION RD

SR 42

Drainage Feature 1
1165 LF

Drainage Feature 2
552 LF

UP-1

UP-2

UP-3

UP-4

UP-5

UP-6

UP-7

UP-8

UP-9

UP-A

UP-B

UP-C

UP-D

UP-E

UP-F

WA-1

WB-1

WC-1

WD-1

WE-1

WF-1

Wetland A
0.17 AC

Wetland B
0.03 AC

Wetland C
1.03 AC

Wetland D
0.04 AC

Wetland E
0.03 AC

Wetland F
0.15 AC

Stream 1
1,794 LF

Stream 2
2,240 LF

Stream 3
58 LF

Stream 4
1,040 LF

Stream 4
1,040 LF

Stream 5
309 LF

Stream 6
111 LF

Swale 1
1,154 LF

Erosional Feature 1
54 LF

Drainage Feature 3
746 LF

Drainage Feature 4
1,313 LF

Drainage Feature 5
1,098 LF

Legend

- Study Area
- Jurisdictional Wetland
- Non-Jurisdictional Wetland
- Jurisdictional RPW Streams
- Non-Jurisdictional Non-RPW Stream
- Non-Jurisdictional Erosional Feature
- Non-Jurisdictional Drainage Feature
- Non-Jurisdictional Swale
- Culvert
- Culvert Point
- Wetland Data Point
- Upland Data Point

MONROE TOWNSHIP, MORGAN COUNTY, INDIANA

Project Louie
Delineation Map
Exhibit 6

0 150 300 600 Feet

N

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Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

Date:	4/14/2025
Scale:	1 " = 300 '
Job No:	2024-0972
Sheet:	1 of 1

Path: J:\2024\0972\GIS\ENV_Exhibits_Combined_Delineation_Data\Exhibit 6 - Delineation Map.mxd

INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

100 N. Senate Avenue • Indianapolis, IN 46204
(800) 451-6027 • (317) 232-8603 • Fax (317) 233-6647 • www.idem.IN.gov

Mike Braun
Governor

Clint Woods
Commissioner

WATER OF THE STATE DETERMINATION

VIA ELECTRONIC MAIL

PROJECT NO.:	2025-593-55-LDC-WOSD
PROJECT NAME:	Project Louie
USACE ID:	LRL-2025-00352-jde
AUTHORITY:	327 IAC 17-1-3(13), 327 IAC 17-1-3(17)
DATE OF ISSUANCE:	September 17, 2025
DATE OF EXPIRATION:	July 2, 2030

APPROVED: _____

Amari Farren, Branch Chief
Surface Water and Operations
Office of Water Quality

RESPONSIBLE PARTIES:
Donald Williams
Woodland Caribou LLC
11 South Meridian Street
Indianapolis, IN 46204

DELINEATOR(S):
Bryan Lombard
Woodland Caribou LLC
11 South Meridian Street
Indianapolis, IN 46204

AGENT(S):
Heather Dardinger
EMH&T
5500 New Albany Road
Columbus, OH 43054

DELINEATION DATE: November 18, 2024

DATE REPORT RECEIVED: July 15, 2025

TRACT LOCATION: South of Keller Hill Rd, west of N Antioch Rd, north of State Route 42, and east of N Union Church Rd

Latitude 39.5929, Longitude -86.4607
Morgan County

The project tract is approximately 511 acres in size and is located in Morgan Township

PROPOSED ACTIVITY: Data center campus

CONCLUSIONS:

The Indiana Department of Environmental Management (IDEM) has reached the following conclusions about whether any Waters, as defined in 327 IAC 17-1-3(13), exist on the property. In accordance with 327 IAC 17-1-3(17) the department makes all isolated wetland determinations consistent with the Wetland Delineation Manual, Technical Report Y-87-1 of the United States Army Corps of Engineers.

SITE ID		ACRES	CLASS	FORESTED	EXEMPT	PERMIT NEEDED FOR PROPOSED ACTIVITY	AUTHORITY*
Wetland	A	0.17	I	No	Yes	No	IC 13-18-22-1(b)(5) per IC 13-11-2-74.5(a)(5)

COMMENTS:

Wetland A is an emergent, Class I isolated wetland located on cropland. Class I wetlands are considered exempt isolated wetlands per IC 13-11-2-74.5(a)(5); therefore, pursuant to IC 13-18-22-1(b)(5), Wetland A is exempt from regulation under IC-13-18-22.

The Indiana Code regulates some activities differently within isolated wetlands. This determination was made based on the activity as proposed in the materials submitted to IDEM. If the proposed activity changes, the determination above may no longer be accurate.

DISCLAIMER:

This determination is based upon the information provided in the above referenced delineation report and/or the above referenced field evaluation. This determination does not relieve the recipient from the responsibility of obtaining any permits or authorizations that may be required for this project or related activities from IDEM or any other agency or person. The project site and the associated construction may be subject to the Construction Stormwater General Permit (CSGP). The CSGP specifically addresses stormwater run-off and the pollutants associated with all land-disturbing activities of one acre or more. If applicable, permit coverage must be obtained prior to the initiation of land-disturbing activities. Please contact the IDEM Stormwater Program at Stormwat@idem.IN.gov or 317-233-1864 concerning obtaining permit coverage under the CSGP. You may also wish to contact the Indiana Department of Natural Resources at 317-232-4160, or toll free at 877-928-3755, concerning the possible requirement of a Natural Freshwater Lake or Construction in a Floodway Permit.

This determination does not:

(1) authorize impacts or activities;
(2) authorize any injury to persons or private property or invasion of other private rights, or any infringement of federal, state or local laws or regulations;
(3) convey any property rights of any sort, or any exclusive privileges;
(4) preempt any duty to obtain federal, state or local permits or authorizations required by law for the execution of the project or related activities; or
(5) authorize changes in the plan design detailed in the application.

APPEALS PROCEDURES:

This decision may be appealed in accordance with IC 4-21.5, the Administrative Orders and Procedures Act. The steps that must be followed to qualify for review are:

1. You must petition for review in writing that states facts demonstrating that you are either the person to whom this decision is directed, a person who is aggrieved or adversely affected by the decision, or a person entitled to review under any law.

2. You must file the petition for review with the Indiana Office of Administrative Law Proceedings (OALP) at the following address:

   Office of Administrative Law Proceedings
   100 North Senate Avenue
   IGCN Room N802
   Indianapolis, IN 46204

3. You must file the petition within eighteen (18) days of the mailing date of this decision. If the eighteenth day falls on a Saturday, Sunday, legal holiday, or other day that the OALP offices are closed during regular business hours, you

may file the petition the next day that the OALP offices are open during regular business hours. The petition is deemed filed on the earliest of the following dates: the date it is personally delivered to OALP; the date that the envelope containing the petition is postmarked if it is mailed by United States mail; or, the date it is shown to have been deposited with a private carrier on the private carrier's receipt, if sent by private carrier.

Identifying the permit, decision, or other order for which you seek review by number, name of the responsible, location, or date of this notice will expedite review of the petition.

Note that if a petition for review is granted pursuant to IC 4-21.5-3-7, the petitioner will, and any other person may, obtain notice of any prehearing conferences, preliminary hearings, hearings, stays, and any orders disposing of the proceedings by requesting copies of such notices from OALP.

For additional information on filing a petition with OALP, visit their website at https://www.in.gov/oalp/

If you have any questions about this determination, please contact L. David Cohen by phone at 317-450-5380 or by e-mail at LCohen@idem.IN.gov.

cc: Heather Dardinger, EMH&T
U.S. Army Corps of Engineers – Louisville District

Engineers, Surveyors, Planners, Scientists

July 1, 2025

Justin Eshelman
Project Manager, North Branch
USACE, Louisville District, Regulatory Division
Indianapolis Regulatory Office
8902 Otis Avenue, Suite 105B
Indianapolis, IN 46216

Subject: Project Louie (Corps ID No. LRL-2025-00352-jde): Delineation Addendum

Dear Justin,

I refer to the previously submitted Investigation of Waters of the United States for Project Louie located in Monroe Township, Morgan County, Indiana. The site was delineated by EMH&T at the request of Woodland Caribou LLC in November 2024 and February 2025, and the delineation report was submitted April 24, 2025. At that time, the study area for the project totaled approximately 475 acres.

Since the delineation report was submitted, Woodland Caribou LLC has entered into contract to acquire an additional ±37-acre parcel of land located south of Keller Hill Road, adjacent to the original study area (Parcel No. 55-05-06-200-003.000-016). EMH&T completed a field investigation of this parcel on June 9, 2025. The parcel consists of a cultivated agricultural field with limited forested areas located along the western and eastern boundaries. No surface water resources were identified.

Woodland Caribou LLC wishes to addend the previously submitted delineation to include this additional parcel. With this additional parcel, the Project Louie study area now totals approximately 511 acres. The following items are attached to support this request:

- Revised delineation map reflecting the revised study area boundaries
- Photographs of the additional parcel

If you have any questions or need any additional information related to this addendum, please contact me at hdardinger@emht.com or 614-775-4523.

Sincerely,

Heather L. Dardinger
Senior Environmental Scientist
Associate

Enclosures

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LOUISVILLE DISTRICT
INDIANAPOLIS REGULATORY OFFICE
8902 OTIS AVENUE, SUITE 105B
INDIANAPOLIS, IN 46216

July 2, 2025

Regulatory Division
North Branch
ID No. LRL-2025-00352-jde

Mr. Donald Williams
Woodland Caribou LLC
11 South Meridian Street
Indianapolis, IN 46204

Dear Mr. Williams:

This letter is in regard to the electronic correspondence received April 24, 2025, requesting an Approved Jurisdictional Determination (AJD) on your behalf from EMH&T for a 511-acre review area located at 39.5929, -86.4607 near Monroe Township, Morgan County, Indiana. A location map of the review area is enclosed.

The site was reviewed pursuant to Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act of 1899. Section 404 of the CWA requires that a Department of the Army (DA) permit be obtained for the placement or discharge of dredged and/or fill material into "waters of the United States (U.S.)," including wetlands, prior to conducting the work (33 U.S.C. 1344). Section 10 of the Rivers and Harbors Act of 1899 requires that a DA Permit be obtained for structures or work in or affecting navigable "waters of the U.S.," prior to conducting the work (33 U.S.C. 403).

Based on the information provided to this office, the site contains Wetland A, Streams 5 and 6, Swale 1, Erosional Feature 1, and Drainage Features 1 – 5 which are not considered to be a "water of the U.S." and are not regulated under Section 404 of the Clean Water Act. However, this determination does not relieve you of the responsibility to comply with applicable state law. We urge you to contact the Indiana Department of Environmental Management, Office of Water Quality at WetlandsProgram@idem.in.gov to determine the applicability of state law to your project.

This letter contains an AJD for the aforementioned site. If you object to the AJD, you may request an administrative appeal under Corps regulations at 33 C.F.R. Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal (ENG Form 6287). If you request to appeal the AJD, you must submit the completed form to the Lakes and Rivers Division Office at the address listed on the form.

In order for an ENG Form 6287 to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within **60 days** of the date of the ENG Form 6287. Should you decide to submit the form, it must be received at the above address by **August 31, 2025.** It is not necessary to submit the form to the Division office if you do not object to the determination in this letter.

This jurisdictional determination is valid for a period of five years from the date of this letter unless new information warrants revision of the determination before the expiration date.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center prior to starting work.

If we can be of any further assistance, please contact me by calling 317-543-9424 or emailing Justin.D.Eshelman@usace.army.mil. Any correspondence on this matter should refer to our ID Number LRL-2025-00352-jde.

Sincerely,

Date: 2025.07.02 10:03:10 -04'00'

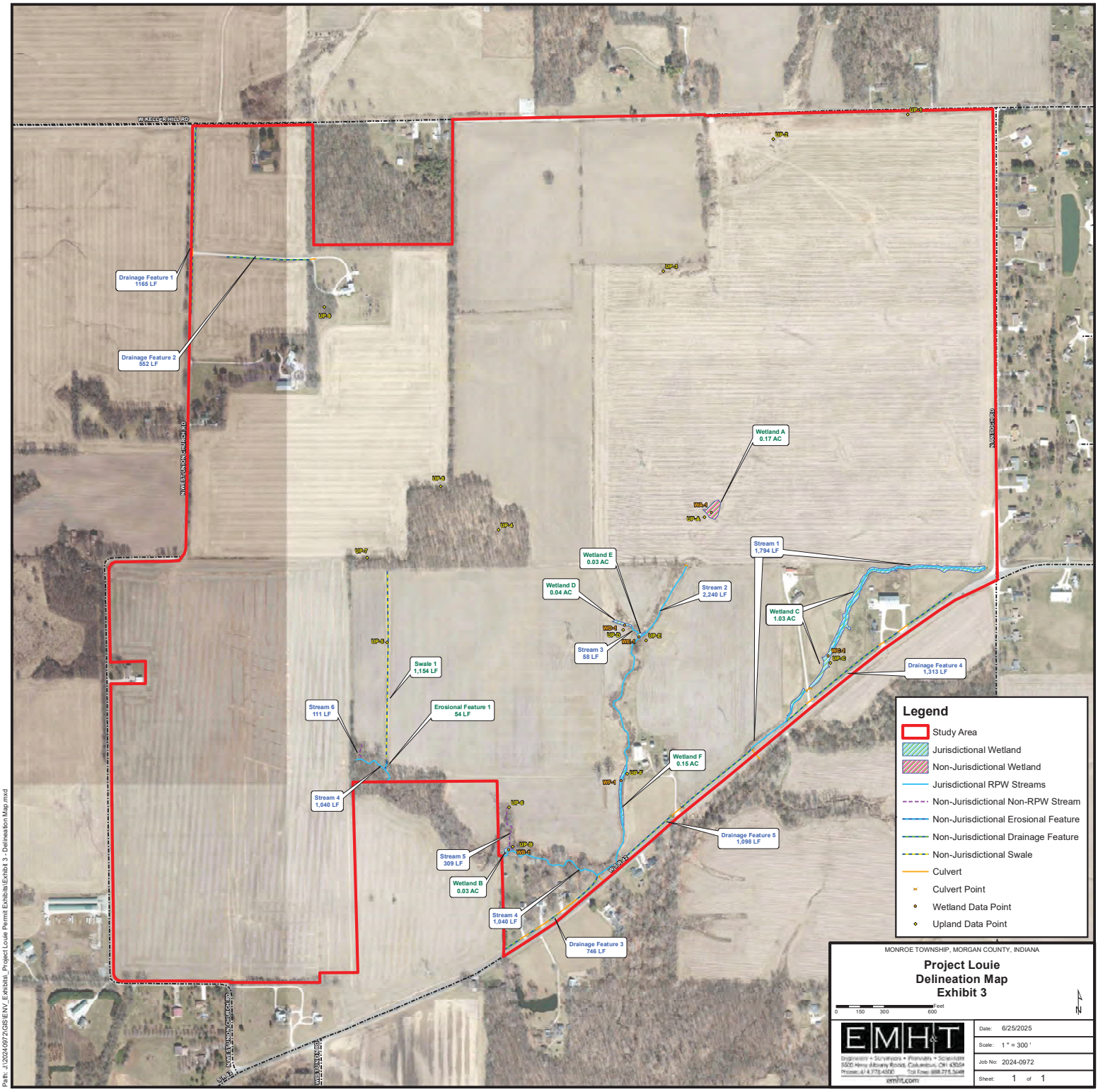
Justin Eshelman
Project Manager
Regulatory Division, North Branch

Enclosures

Copy Furnished: IDEM (Yoder)
EMH&T (Franczek)

Approved Jurisdictional Determination
LRL-2025-00352-jde
Project Louie - Woodland Caribou LLC
July 2, 2025

PLEASE NOTE: Streams 1 - 4 and Wetlands B - F are not included in this Approved Jurisdictional Determination.



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EMH&T

APPENDIX C:

Section 401 WQC Pre-Filing Meeting Request

SECTION 401 WQC
WETLANDS, LAKES, AND STREAMS
PRE-FILING MEETING REQUEST

State Form 57030 (10-20)
Indiana Department of Environmental Management
Office of Water Quality

Type of Submittal *(Check Appropriate Box):*
☑ Pre-Filing ☐ Early Coordination

For Agency Use Only:
IDEM Identification Number:

Note: Submission of this Pre-Filing Meeting Request a minimum of thirty (30) days prior to submission of a Section 401 Water Quality Certification Request meets the requirement under 40 CFR Part 121.4. A copy of this request must accompany any Section 401 Water Quality Certification Request for the aforementioned project per 40 CFR Part 121.5.

NAME AND LOCATION OF PROJECT

Name of Project	County
Project Louie	Morgan

Project Address *(number and street, city, state, and ZIP code) (if available)* or Brief Narrative Description of Project Location *(cross streets or landmark)*
1598 W SR 42, Mooresville, IN 46158. Located south of Keller Hill Road, west of N. Antioch Road, north of State Route 42, and east of N. Union Church Road.

Latitude (*decimal degrees*)	Longitude (*decimal degrees*)
39.592896°	-86.460713°

SITE OWNER OF PROJECT

Name of Company *(If Applicable)*
Woodland Caribou LLC

Name of Project Site Owner *(An Individual)*	Title / Position
Michael Montfort	

Address *(number and street)*
WSGR, 1700 K Street NW

City	State	ZIP Code
Washington	DC	20006-3817

Telephone	FAX	E-Mail Address *(If Available)*
		mmontfort@wsgr.com

CONTACT INFORMATION FOR PROJECT

Contact Person	Name of Company *(If Applicable)*
Heather Dardinger	EMH&T

Affiliation to Project Site Owner
Agent/Consultant

Address *(number and street) (if different from above)*
5500 New Albany Rd.

City	State	ZIP Code
Columbus	OH	43054

Telephone	FAX	E-Mail Address *(If Available)*
614-775-4523		hdardinger@emht.com

PROJECT INFORMATION

Project Description (*Describe the proposed project and methods to be used.*)
The proposed project involves the construction of the Project Louie data center campus, providing six data center buildings and associated improvements.

Type of aquatic resource(s) present
Jurisdictional resources include one intermittent stream (58 LF), three perennial streams (5,074 LF), and five emergent wetlands (1.28 AC). The applicant proposes to impact 691 LF of perennial stream and 0.05 AC of wetland onsite.

Wetlands:
Total Acreage: 1.28 Proposed impacts to wetlands *(in acres)*: 0.05 Proposed mitigation *(if applicable)*: 0.1 ac

Streams:
Total Linear Feet: 5,132 Proposed impacts to streams *(acres and feet)*: 0.058 acres and 691 feet
Proposed mitigation *(acres and feet)*: _____ acres and 691 feet

Project Duration
Approximately 12-15 months to completion of impacts.

(Continued on Reverse Side)

SUPPLEMENTAL INFORMATION

In addition to this form, the following **REQUIRED** information has been included:

- ☑ A map of the location
- ☑ Wetland delineation
- ☑ Verification of the delineation or an Approved Jurisdictional Determination by the U.S. Army Corps of Engineers
- ☑ Conceptual drawings

SITE OWNER OF PROJECT RESPONSIBILITY STATEMENT

I swear or affirm, under penalty of perjury as specified by IC 35-44.1-2-1 and other penalties specified by IC 13-30-10, that the statements and representations in this notification are true, accurate, and complete.

The project proponent herby certifies that all information contained herein is true, accurate, and complete to the best of my knowledge and belief. I, the project proponent, certify that I have the authority to undertake and will undertake the activities as described in this application. I am aware that there are penalties for submitting false information. I understand that any changes in project design subsequent to IDEM's granting of authorization to discharge to a water of the state are not authorized and I may be subject to civil and criminal penalties for proceeding without proper authorization. I agree to allow representatives of the IDEM to enter and inspect the project site. I understand that the granting of other permits by local, state, or federal agencies does not release me from the requirement of obtaining the authorization requested herein before commencing the project.

Signature of Project Owner	Date *(month, day, year)*
Michael Montfort	Sept. 30, 2025

Printed Name of Project Owner

Michael Montfort

Note:

Once your pre-certification request has been received, the responsible IDEM project manager will review the information and will be in contact if there are any questions, concerns or the need for an on-site or formal early coordination meeting.

The pre-certification request does not constitute a formal review for a Section 401 Water Quality Certification. However, a dated copy of this request must also be included with your certification request along with the other required elements. Information contained in this request will be used to determine potential project concerns and the requirement for additional information. Should a formal on-site or early coordination meeting be necessary, any formal submission of a 401 WQC application should be delayed until completion of a meeting.

Form Submittal: ***(Electronic submission is preferred.)***

- **Electronic submission:** WetlandsProgram@idem.IN.gov
- **Mail this form to:**

  Indiana Department of Environmental Management
  Office of Water Quality, Section 401 WQC
  IGCN, Room 1255
  100 North Senate Avenue
  Indianapolis., IN 46204-2251

Questions regarding the pre-filing meeting request requirement under Section 401 of the Clean Water Act may be directed to the IDEM Wetlands Project Manager assigned to your county. Project manager information can be found on IDEM's Section 401 WQC Website (https://www.in.gov/idem/wetlands) If you are unable to reach the specific project manager for your county you may call (317) 233-8488 or (800) 451-6027 ext.3-8488.

For information and forms visit: https://www.in.gov/idem/forms.htm.

Information regarding the changes to Section 401 of the Clean Water Act may be found on the U.S. Environmental Protection Agency (EPA) website (https://www.epa.gov/cwa-401)

EMH&T

APPENDIX D:

Threatened and Endangered Species Coordination

Dardinger, Heather

From: Bourne, Abigail R <abigail_bourne@fws.gov>
Sent: Monday, June 30, 2025 11:25 AM
To: Dardinger, Heather
Subject: Re: [EXTERNAL] Informal Consultation Request: Project Louie, Morgan County, IN (IPaC Project Code 2025-0112424)

Hi Heather,

Thanks for the information! I will respond separately for the two projects.

This responds to your email requesting our concurrence on the proposed Project Louie in Morgan County, Indiana. The project proponent proposes to develop a 475-acre site consisting of mainly agricultural fields, small woodlots, wooded fencerows, and rural residential properties into a business, technology, and industrial campus with multiple buildings, stormwater infrastructure, parking, and utilities.

These comments have been prepared under the authority of the Fish and Wildlife Coordination Act (16 U.S.C. 661 et. seq.) and are consistent with the intent of the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and the U. S. Fish and Wildlife Service's Mitigation Policy.

There may be suitable summer habitat and foraging habitat for the federally endangered Indiana bat and gray bat present throughout the project site. The project would require the removal of approximately 13 acres of trees, including some of the trees in the riparian corridor (although a portion of the corridor will be avoided). Based on a review of the information you provided and the project proponent's commitment to remove the trees from **October 1- March 31**, the U.S. Fish and Wildlife Service would concur that the proposed project is not likely to adversely affect the federally endangered Indiana bat and gray bat.

This precludes the need for further consultation on this project as required under Section 7 of the Endangered Species Act of 1973, as amended. However, should new information arise pertaining to project plans or a revised species list be published, it will be necessary for the Federal agency to reinitiate consultation.

We appreciate the opportunity to comment at this early stage of project planning. If project plans change such that fish and wildlife habitat may be affected, please re-coordinate with our office as soon as possible.

Best,

Abby Bourne
Fish & Wildlife Biologist
U.S. Fish & Wildlife Service
Indiana Ecological Services Field Office
abigail_bourne@fws.gov
812-902-1786

Division of Fish, Wildlife, & Nature Preserves
402 W. Washington St., Rm W267
Indianapolis, IN 46204-2739

July 2, 2025

Christian Franczek
EMH&T, Inc
5500 New Albany Road
New Albany, OH 43054

Dear Christian Franczek:

I am responding to your request for information on the threatened or endangered (T&E) species, high quality natural communities, and natural areas for the Project Louie Site at West State Route 42 within Morgan County, Indiana. The Indiana Natural Heritage Data Center has been checked and there are no T&E species or significant areas documented within a 0.5 mile of the project site.

If you need a general environmental review of the project from DNR, you can submit the project information (description, location map, and copy of this letter) to the DNR Division of Fish, Wildlife, & Nature Preserves Environmental Coordinator, at environmentalreview@dnr.in.gov (preferred), or send to the street address below.

Department of Natural Resources
Environmental Review
Division of Fish, Wildlife, & Nature Preserves
402 W. Washington Street, Room W273
Indianapolis, IN 46204

The information I am providing does not preclude the requirement for further consultation with the U.S. Fish and Wildlife Service as required under Section 7 of the Endangered Species Act of 1973. If you have concerns about potential Endangered Species Act issues you should contact the Service at their Bloomington, Indiana office.

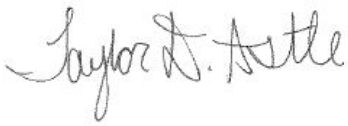
U.S. Fish and Wildlife Service
620 South Walker Street
Bloomington, Indiana 47403-2121
(812)334-4261

Please note that the Indiana Natural Heritage Data Center relies on the observations of many individuals for our data. In most cases, the information is not the result of comprehensive field surveys conducted at particular sites. Therefore, our statement that there are no documented significant natural features at a site should not be interpreted to mean that the site does not support special plants or animals.

Due to the dynamic nature and sensitivity of the data, this information should not be used for any project other than that for which it was originally intended. It may be necessary for you to request updated material from us in order to base your planning decisions on the most current information.

Thank you for contacting the Indiana Natural Heritage Data Center. You may reach me at (317)233-2558 if you have any questions or need additional information.

Sincerely,



Taylor Davis Astle
Indiana Natural Heritage Data Center

Enclosure: Invoice

6.0 MITIGATION

In order to proceed with the proposed project, authorization for the placement of fill in 691 linear feet (±0.06 acre) of jurisdictional, perennial stream and 0.05 acre of jurisdictional, emergent wetland is requested. In accordance with Nationwide Permit General Condition D.23, compensatory mitigation at a minimum 1:1 ratio is required for losses of wetland that exceed 0.10 acre and losses of stream bed in excess of 0.03 acre that require pre-construction notification. Further, General Conditions 15 and 16 of the associated State of Indiana 401 WQC require that mitigation be provided for all impacts.

6.1 Stream Mitigation

Approximately 415 linear feet of Stream 1 will be relocated as open channel. The new channel will have an OHWM width of approximately five feet, providing 0.048 acre of new stream channel. The side slopes will be graded at an approximate 3:1 slope. A buffer of approximately 15-20 feet along each stream bank will be revegetated with a mixture of 50% Virginia wild rye (*Elymus virginicus*) and 50% Canada wild rye (*Elymus canadensis*). The establishment of the new channel is sufficient to offset 415 linear feet (0.038 acre) of impact to Stream 1.

To compensate for the remainder of the Stream 1 impact (38 linear feet), and the proposed impact to Stream 2 (238 linear feet), the purchase of either mitigation bank or in-lieu fee credit is proposed. Based on the compensatory mitigation requirements described by IDEM, mitigation for perennial stream impacts shall be provided at 1:1 ratio. Accordingly, 276 linear feet of stream mitigation is to be provided.

Per a search of the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS), there are no stream mitigation banks with sufficient credits located within the Upper White subbasin (HUC: 05120201). Accordingly, the applicant proposes to purchase stream mitigation credit for the proposed project from the Indiana Department of Natural Resources In-Lieu Fee Mitigation Program, Upper White Service Area.

6.2 Wetland Mitigation

To comply with the requirements of the 401 WQC, the applicant will additionally purchase 0.1 acre of wetland mitigation credit. This will provide mitigation at a 2:1 ratio for the proposed impact to 0.05 acre of emergent Wetland C. The applicant proposes to purchase the 0.1 acre of wetland mitigation credit from the Foggy Bottom Mitigation Bank, which will serve the Upper White subbasin (HUC: 05120201) within its primary service area. This mitigation bank is expected to receive approval in the fourth quarter of 2025.