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WV Department of Environmental Protection
Division of Water and Waste Management
601 57th Street SE
Charleston, WV 25304

DATE

26 June 2026

SUBJECT

REVISED

Monarch Compute Campus - Data Center #3
Federally Non-Jurisdictional Waters Permit Application

REFERENCE

0809366

To Whom It May Concern:

On behalf of Monarch Cloud Campus, LLC, Environmental Resources Management, Inc. (ERM) is pleased to submit the enclosed revised Application for West Virginia State Waters Permit for Federally Non-Jurisdictional Waters for the proposed Monarch Compute Campus – Data Center #3 Project (Project) in Mason County, West Virginia (Section 1). The Project involves the construction of one data center and associated vital infrastructure necessary for the operation of the facility.

The Project has a proposed limits of disturbance (LOD) of approximately 166 acres and includes construction of one data center building, four power nodes, and associated infrastructure.

The Project is necessary to support the objectives of President Donald Trump's Winning the AI Race: America's AI Action Plan, Executive Order 14318 (Accelerating Federal Permitting of Data Center Infrastructure), and West Virginia House Bill 2014 (Power Generation and Consumption Act).

The Project is located in Mason County, West Virginia, east of Ohio River Road, near coordinates 38.909875, -82.100642, as depicted on the United States Geological Survey (USGS) Site Location Map (Cheshire Quadrangle) included as Section 2.

A stream and wetland delineation was completed for an approximately 1,200-acre study area encompassing the proposed Project. The Wetland Delineation Report is included as Section 3.

The Project design was developed to avoid and minimize impacts to streams and wetlands by reducing disturbance in sensitive areas and designing around aquatic features where practicable. However, construction activities would result in permanent impacts to approximately 5,018 linear feet (LF) of streams and 23.36 acres of wetlands determined to be WOTUS. In addition, approximately 920 LF of intermittent streams and 2.98 acres of wetlands, determined to be non-WOTUS, are proposed to be permanently impacted. The Preliminary and Approved Jurisdictional Determinations is included as Section 4.

The final Project design avoids impacts to approximately 2.04 acres of palustrine emergent (PEM) wetlands, 12.77 acres of palustrine scrub-shrub (PSS) wetlands, 23.66 acres of PFO wetlands,

512 LF of ephemeral stream, and 7,596 LF of intermittent stream through reduction of the construction footprint and design modifications. Aquatic resource and impact upload tables are included as Section 5, and impact figures and details are included as Section 6.

ERM is also coordinating to reserve and purchase compensatory mitigation credits through the West Virginia In-Lieu Fee (ILF) Program to offset permanent impacts. Documentation of credit reservation will be provided once obtained.

The enclosed permit application describes the proposed regulated activities and demonstrates compliance with Section 401 Water Quality Certification requirements. Should you have any questions regarding this PCN or the enclosed materials, please do not hesitate to contact me at (612) 337-3369 or Michael.Tincher@erm.com.

Sincerely,



Michael Tincher, PWS

Partner, Scientist

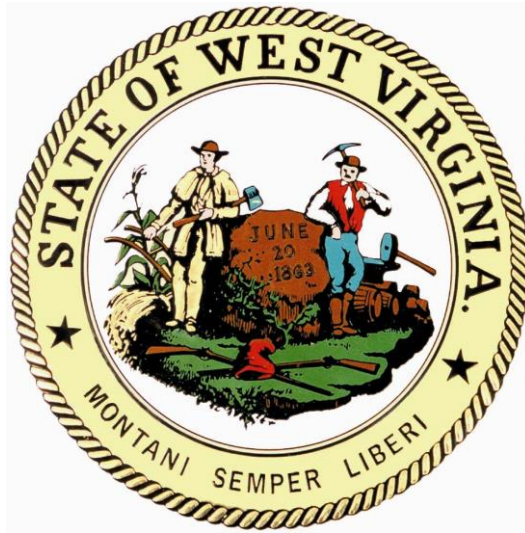


SECTION 1 FEDERALLY NON-JURISDICTIONAL WATERS APPLICATION FORM

Application for

West Virginia State Waters Permit

For Federally Non-Jurisdictional Waters



WEST VIRGINIA STATE WATERS PERMIT FOR FEDERALLY NON-JURISDICTIONAL WATERS

This application must be completed for any activity involving a discharge into federally non-jurisdictional waters of the State which require a West Virginia State Waters Permit from the West Virginia Department of Environmental Protection (WVDEP). In accordance with the West Virginia Water Pollution Control Act (WPCA), the WVDEP has the responsibility to protect all waters of the State. The WPCA requires a permit for activities that may cause an alteration to the physical or biological integrity of the waters of the State. To determine whether you need to submit this application to the WVDEP, contact the WVDEP - Division of Water and Waste Management 401 Certification Program at (304) 926-0499.

The WVDEP West Virginia State Waters Permit is authorized by W. Va. Code §22-11-8(b)(3). The statute does not differentiate between those waters of the State which are under the federal jurisdiction of the Corps of Engineers and those waters of the State which are outside said jurisdiction, nor is there any provision contained in the WPCA which provides for an exemption from obtaining a permit for impacts to federally non-jurisdictional waters. Therefore, WVDEP follows the existing West Virginia Legislative Rule §47CSR5A which pertains to jurisdictional waters for the purpose of outlining this application process and compensatory mitigation guidelines.

In order for the WVDEP to issue a West Virginia State Waters Permit, the project must comply with the State Water Quality Standards (§47CSR2) and not potentially result in an adverse long- term or short-term impact on water quality. Included with the Water Quality Standards is the Antidegradation Implementation Rule (§60CSR5) effective July 2, 2001. The Rule includes additional application requirements and public participation procedures. Because there is a potential for lowering of water quality, or impacts to designated uses, associated with every project being reviewed for a West Virginia State Waters Permit, every applicant must provide the information required of this application.

Information provided with the application will be used to evaluate the project for a State permit and is a matter of public record. If the Secretary determines that the application lacks information necessary to determine whether the applicant has demonstrated the criteria set forth in Legislative Rule 47CSR5A, the WVDEP will inform the applicant in writing of the additional information that must be submitted. The application will not be accepted until it is considered complete by the Department. You will be informed in writing when your application is determined to be complete.

Please submit one (1) paper copy of this form and one (1) electronic copy with the \$350 application fee (if applicable, see instructions) to: Division of Water and Waste Management, 401 Certification Program, 601 57th Street SE, Charleston, West Virginia 25304

If any information is missing in this package it will be considered incomplete. A full permit review will not be made until all information is provided. The WVDEP will notify you of any missing and/or further information necessary for a proper and thorough review for a permit.

For Agency Use Only	
Date Received by Agency:	WVDEP application No.:
Filing Fee of \$350 received:	Check No.:
Reviewer's Name:	Date Application Deemed Complete:

APPLICANT INFORMATION

Applicant Name:	Agent Name:
Company:	Company:
Address:	Address:
City: State: Zip Code:	City: State: Zip Code:
Telephone Number:	Telephone Number:
Email Address:	Email Address:

PROJECT DESCRIPTION

Type of operation:
Activity or activities proposed in federally non-jurisdictional stream or wetland:
Project purpose:
Briefly describe the proposed project:

PROJECT INFORMATION

County:

Nearest Town:

Coordinates (decimal degrees):

Directions to site: include a USGS topographical map section showing location of proposed project.

Watershed Name (12 digit HUC):

Watershed Size (acres):

Name of federally non-jurisdictional stream(s) where impact(s) will occur and receiving streams to which they drain:

Federally non-jurisdictional wetlands on project site (acres):

Federally non-jurisdictional wetlands impacted by proposed project (acres):

Briefly describe wetland type and function:

Describe the type, composition, and quantity of fill material:

NO PRACTICAL ALTERNATIVE DEMONSTRATION (See Instructions)

DELINEATION OF FEDERALLY NON-JURISDICTIONAL STREAMS AND WETLANDS (See Instructions)

MITIGATION / COMPENSATION AGREEMENT

Include West Virginia Stream and Wetland Valuation Metric (See Instructions)

SIGNATURE – STATEMENT OF AFFIRMATION

Please read carefully before signing

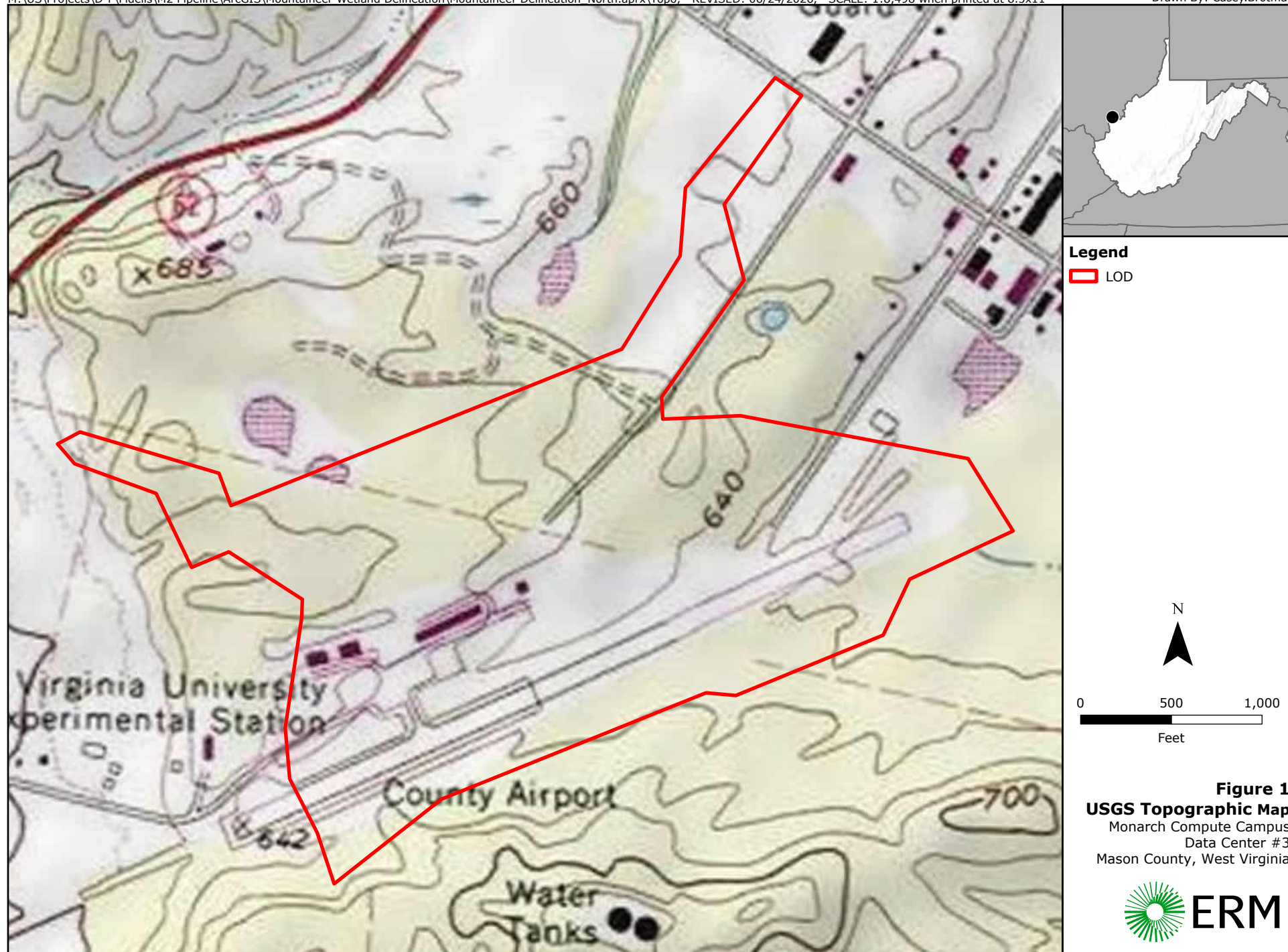
Application is hereby made for a West Virginia State Waters Permit to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true and accurate. I certify that I have the authority to undertake the activities proposed in the application. I understand and agree to allow representatives of the Department of Environmental Protection to enter upon said property in order to inspect the proposed project. I understand that the granting of other permits by local, state or federal agencies does not release me from the requirements of obtaining the permit requested herein before commencing the project.

Applicants Printed Name: _____

Applicant's Signature: _____  _____ Date: _____



SECTION 2 USGS MAPS





SECTION 3 WETLAND DELINEATION REPORT

PROVIDED SEPARATELY DUE TO FILE SIZE



SECTION 4 APPROVED JURISDICTIONAL DETERMINATION



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
502 8TH STREET
HUNTINGTON, WV 25701-2018

April 15, 2026

Regulatory Division
South/Transportation Branch
LRH-2026-116-OHR (Monarch Compute Campus)

**MONARCH COMPUTE CAMPUS:
PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS**

Mr. William Calhoun, Monarch Cloud Campus, LLC (Monarch)
By email at jack.calhoun@fidelisinfra.com

Dear Mr. Calhoun:

Introduction & Project History:

I refer to the Department of the Army (DA) pre-construction notifications (PCNs) and permit application submitted on your behalf by your agent, Environmental Resources Management, Inc. (ERM), and received between January 26, 2026 and January 30, 2026, with additional information received January 2026 to February 2026, for the Monarch Compute Campus Phase 1 & 2 Project, the Power Generation North Project, and the Power Generation South Project. I also refer to the requests provided by ERM for a combined preliminary and approved jurisdictional determinations for the three (3) proposals, received in January 2026, with additional information received on February 20, 2026 for the additional Monarch – South Updated Boundary. At the time of the original submission, there were a total of four (4) jurisdictional determination review areas of interest (AOIs) for the proposals. Additionally, I refer to the updated, preliminary design plan provided to the United States Army Corps of Engineers (Corps) on February 25, 2025 and February 26, 2026.

These proposals were located near Point Pleasant, in Mason County, West Virginia at approximately latitude 38.920396°, longitude -82.106644°. These three (3) requests were assigned the following file numbers, respectively: LRH-2026-116-OHR (Monarch Compute Campus Phase 1 & 2); LRH-2026-100-OHR (Power Generation North); and LRH-2026-46-OHR (Power Generation South). On March 25, 2026, the requests for DA authorization were withdrawn from processing by the Corps under the following file numbers, respectively: LRH-2026-116-OHR (Monarch Compute Campus Phase 1 & 2); LRH-2026-100-OHR (Power Generation North); and LRH-2026-46-OHR (Power Generation South).

On March 11, 2026, ERM provided a revised, consolidated request titled *Wetland and Waterbody Delineation Report Monarch Compute Campus* and dated March 10, 2026 (March 2026). The revised report consolidates all four (4) boundaries defined above (i.e., the Monarch JD Report, the Power North JD Report, the Power South JD Report, and the Monarch-South Updated Boundary) under LRH-2026-116-OHR. In the March 2026 report provided, you requested a preliminary jurisdictional determination (PJD) for potentially jurisdictional features

and an approved jurisdictional determination (AJD) for non-jurisdictional features on the overall property.

I also refer to an updated report developed by ERM titled *Wetland and Waterbody Delineation Report Monarch Compute Campus* and dated March 31, 2026, received by this office on April 2, 2026. The report was revised again on April 12, 2026, received the same day, and titled *Wetland and Waterbody Delineation Report Monarch Compute Campus*. The submissions, with revisions, will be collectively referred to as the revised Monarch JD Report.

As indicated above, in the revised Monarch JD Report provided, you requested a PJD for potentially jurisdictional features and an AJD for non-jurisdictional features on the overall property. The Monarch JD Report review AOI includes a 1,200-acre parcel near Point Pleasant, in western Mason County, West Virginia at approximately latitude 38.920396°, longitude - 82.106644°. The AOI is bisected by State Route 62 (Ohio River Road). Additionally, the Mason County Airport is located in the central portion of the AOI. The Ohio River borders the northwestern border of the revised Monarch JD Report AOI; however, the Ohio River is situated outside of the overall JD review AOI and request. As indicated previously, the file number for the Monarch Compute Campus is LRH-2026-116-OHR. Please reference this file number on all future coordination regarding this proposed project.

The Corps' authority to regulate waters of the United States is based on the definitions and limits of jurisdiction contained in 33 CFR Part 328 and 33 CFR Part 329. Section 404 of the Clean Water Act (Section 404) requires a DA permit be obtained prior to discharging dredged and/or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 (Section 10) requires a DA permit be obtained for any work in, on, over or under a navigable water.

The left descending bank of the Ohio River is situated immediately northwest of the subject site, along the left descending bank of the Kanawha River between river mile points 259 and 260. The Huntington District advertised the designation of the Ohio River as a Section 10 (TNW) from the mile 127.2 to mile 438.0 (New Martinsville, West Virginia to Foster, Kentucky) via Public Notice No. 94-40 dated 27 July 1994. Waters on-site are either isolated features or flow towards the Ohio River, towards Oldtown Creek to the Ohio River, or Mill Run to the Ohio River.

Jurisdictional Determination (JD):

Based upon a review of the submitted revised Monarch JD Report, this office has determined that 11,481 feet of five (5) perennial streams, 24,933 feet of 34 intermittent streams, 10,775 feet of 27 ephemeral streams, 1.857 acres of one (1) open water feature (PUB), 6.945 acres of 12 palustrine emergent (PEM) wetlands, 15.952 acres of four (4) palustrine scrub-shrub (PSS) wetlands, and 27.33 acres of 18 palustrine forested (PFO) wetlands are located within the review area. Reference the attached Table 1 for each resource name and location. The aquatic resources identified above, in the attached Table 1, and listed on the enclosed PJD form (ENG 6249) **may** be waters of the United States in accordance with the Regulatory Guidance Letter for JDs issued by the Corps on October 31, 2016 (Regulatory Guidance Letter No. 16-01). As indicated in the guidance, this PJD is non-binding, cannot be appealed (33 CFR § 331.2), and only provides a written indication that waters of the United States, including wetlands, may be present on-site.

You have declined to exercise the option to obtain an AJD in this instance and at this time for the aquatic resources identified on the enclosed PJD form. However, for the purposes of the determination of impacts, compensatory mitigation, and other resource protection measures for activities that require authorization from this office, the aquatic resources identified on the enclosed PJD form will be evaluated as if they are waters of the United States.

Enclosed with this document please find one (1) copy of the PJD form (ENG 6249). If you agree with the findings of this preliminary JD and understand your options regarding the same, please sign and date one (1) copy of the preliminary JD form and return it to this office within 30 days of receipt of this letter. You should submit the signed copy via email to lauren.a.pritt@usace.army.mil or by mail to the following address:

United States Army Corps of Engineers
Huntington District
Attn: South/Transportation Branch-LRH-2026-116-OHR
502 8th Street
Huntington, West Virginia 25701

The feature addressed in this AJD was evaluated consistent with the definition of “waters of the United States” found in the pre-2015 regulatory regime and consistent with the Supreme Court's decision in *Sackett v. EPA*. Additionally, to the extent applicable, our December 2, 2008 headquarters guidance entitled *Clean Water Act Jurisdiction Following the U.S. Supreme Court's Decision in Rapanos v. United States & Carabell v. United States* was followed in the final verification of Section 404 jurisdiction.

Based on a review of the information provided and other information available to the Corps, 105 erosional features (Erosional Rill #458 – Erosional Rill #460, Erosional Rill #462 – Erosional Rill #473, Erosional Rill #475, Erosional Rill #477 – Erosional Rill #535, Erosional Rill #537 – Erosional Rill #550, Erosional Rill #553, Erosional Rill #587 – Erosional Rill #589, Erosional Rill #591 – Erosional Rill #595, Erosional Rill #604, Erosional Rill #605, Erosional Rill #607, Erosional Rill #608, Erosional Rill #609, Erosional Rill #610, and Erosional Rill #616), totaling 6,788 linear feet, are located within the overall revised Monarch AJD review AOI. Based on the information provided, these features have no defined bed and bank nor do these features have wetland characteristics for their entirety within the AJD review area. These features function only to collect runoff during significant precipitation events in forested uplands. Erosional Feature #616 is a non-relatively permanent feature that flows indirectly to Mill Run, an (a)(1) water downstream and direct tributary to the Ohio River. Erosional Rill #458, Erosional Rill #459, Erosional Rill #460, Erosional Rill #462, Erosional Rill #463, Erosional Rill #464, Erosional Rill #465, Erosional Rill #466, Erosional Rill #467, Erosional Rill #468, Erosional Rill #469, Erosional Rill #470, Erosional Rill #471, Erosional Rill #479, Erosional Rill #480, Erosional Rill #481, Erosional Rill #482, Erosional Rill #483, Erosional Rill #484, Erosional Rill #486, Erosional Rill #485, Erosional Rill #487, Erosional Rill #488, Erosional Rill #489, Erosional Rill #490, Erosional Rill #491, Erosional Rill #492, Erosional Rill #493, Erosional Rill #494, Erosional Rill #495, Erosional Rill #496, Erosional Rill #497, Erosional Rill #498, Erosional Rill #499, Erosional Rill #500, Erosional Rill #501, Erosional Rill #502, Erosional Rill #503, Erosional Rill #504, Erosional Rill #505, Erosional Rill #506, Erosional Rill #507, Erosional Rill #508, Erosional Rill #509, Erosional Rill #510, Erosional Rill #511,

Erosional Rill #512, Erosional Rill #513, Erosional Rill #514, Erosional Rill #515, Erosional Rill #516, Erosional Rill #517, Erosional Rill #518, Erosional Rill #519, Erosional Rill #520, Erosional Rill #521, Erosional Rill #522, Erosional Rill #523, Erosional Rill #524, Erosional Rill #525, Erosional Rill #526, Erosional Rill #527, Erosional Rill #528, Erosional Rill #529, Erosional Rill #530, Erosional Rill #531, Erosional Rill #532, Erosional Rill #533, Erosional Rill #535, Erosional Rill #537, Erosional Rill #539, Erosional Rill #540, Erosional Rill #541, Erosional Rill #542, Erosional Rill #543, Erosional Rill #545, Erosional Rill #546, Erosional Rill #549, Erosional Rill #553, Erosional Rill #534, Erosional Rill #544, Erosional Rill #547, Erosional Rill #548, and Erosional Rill #550 are a non-relatively permanent features that flows indirectly to Oldtown Creek, an (a)(1) water downstream and direct tributary to the Ohio River. Erosional Rill #587, Erosional Rill #588, Erosional Rill #589, Erosional Rill #591, Erosional Rill #592, Erosional Rill #593, Erosional Rill #594, Erosional Rill #595, Erosional Rill #604, Erosional Rill #605 are non-relatively permanent features that flow indirectly to the Ohio River, a TNW and (a)(1) water. Erosional Rill #473, Erosional Rill #478, Erosional Rill #538, Erosional Rill #475, Erosional Rill #472, Erosional Rill #477, Erosional Rill #607, Erosional Rill #608, Erosional Rill #609, and Erosional Rill #610 are non-relatively permanent waters and are isolated features that do not connect to the watershed downstream. Erosional Rill #458 – Erosional Rill #460, Erosional Rill #462 – Erosional Rill #473, Erosional Rill #475, Erosional Rill #477 – Erosional Rill #535, Erosional Rill #537 – Erosional Rill #550, Erosional Rill #553, Erosional Rill #587 – Erosional Rill #589, Erosional Rill #591 – Erosional Rill #595, Erosional Rill #604, Erosional Rill #605, Erosional Rill #607, Erosional Rill #608, Erosional Rill #609, Erosional Rill #610, and Erosional Rill #616 are not considered waters of the United States. As such, Erosional Rill #458 – Erosional Rill #460, Erosional Rill #462 – Erosional Rill #473, Erosional Rill #475, Erosional Rill #477 – Erosional Rill #535, Erosional Rill #537 – Erosional Rill #550, Erosional Rill #553, Erosional Rill #587 – Erosional Rill #589, Erosional Rill #591 – Erosional Rill #595, Erosional Rill #604, Erosional Rill #605, Erosional Rill #607, Erosional Rill #608, Erosional Rill #609, Erosional Rill #610, and Erosional Rill #616 are not subject to Section 404 regulation.

Based on the information provided, 16 ditches (MJ-Ditch 12, MJ-Ditch 13, MJ-Ditch 14, WHL-Ditch 01, WHL-Ditch 02, SB-Ditch 01, and SB-Ditch 03 – SB-Ditch 13), totaling 7,744 feet, are located within the overall Monarch AJD review AOI. MJ-Ditch 12, MJ-Ditch 13, MJ-Ditch 14, WHL-Ditch 01, and WHL-Ditch 02 do not exhibit relatively permanent flow and appear to convey water only after a rain event, were constructed in uplands, and only drain uplands. MJ-Ditch 12, MJ-Ditch 13, MJ-Ditch 14, WHL-Ditch 01, and WHL-Ditch 02 are non-relatively permanent features that are indirect tributaries to the Ohio River, a TNW and (a)(1) water. SB-Ditch 01 and SB-Ditch 03 – SB-Ditch 13 are isolated features. SB-Ditch 01 and SB-Ditch 03 – SB-Ditch 13 do not exhibit relatively permanent flow and appear to convey water only after a rain event, were constructed in uplands, and only drain uplands. MJ-Ditch 12, MJ-Ditch 13, MJ-Ditch 14, WHL-Ditch 01, WHL-Ditch 02, SB-Ditch 01, and SB-Ditch 03 – SB-Ditch 13 are not considered waters of the United States. MJ-Ditch 12, MJ-Ditch 13, MJ-Ditch 14, WHL-Ditch 01, WHL-Ditch 02, SB-Ditch 01, and SB-Ditch 03 – SB-Ditch 13 are not relatively permanent and are non-jurisdictional features. Therefore, MJ-Ditch 12, MJ-Ditch 13, MJ-Ditch 14, WHL-Ditch 01, WHL-Ditch 02, SB-Ditch 01, and SB-Ditch 03 – SB-Ditch 13 are not subject to Section 404 of the CWA.

Based on the information provided, 14,137 feet of 53 ephemeral streams (EJ-Stream 203, EJ-Stream 204, EJ-Stream 205, EJ-Stream 206, EJ-Stream 207, MJ-Stream 103, MJ-Stream 105,

MJ-Stream 106, MJ-Stream 107, MJ-Stream 109, MJ-Stream 111, MJ-Stream 112, MJ-Stream 113, MJ-Stream 114, SB-Stream 107, SB-Stream 109, SB-Stream 110, SB-Stream 111, SB-Stream 116, SB-Stream 117, SB-Stream 120, SB-Stream 122, SB-Stream 124, SB-Stream 126, SB-Stream 127, SB-Stream 129, SB-Stream 131, SB-Stream 132, SB-Stream 137, SB-Stream 138, SB-Stream 144, SB-Stream 146, SB-Stream 148, SB-Stream 149, SB-Stream 150, SB-Stream 68, SB-Stream 69, SB-Stream 73, SB-Stream 74, EJ-Stream 201, EJ-Stream 202, SB-Stream 112, SB-Stream 113, SB-Stream 114, SB-Stream 115, SB-Stream 130, SB-Stream 146, SB-Stream 64, SB-Stream 65, SB-Stream 66, SB-Stream 113, and EJ-Stream 1006) are located within the overall revised Monarch AJD review AOI. EJ-Stream 203, EJ-Stream 204, EJ-Stream 205, EJ-Stream 206, EJ-Stream 207, MJ-Stream 103, MJ-Stream 105, MJ-Stream 106, MJ-Stream 107, MJ-Stream 109, MJ-Stream 111, MJ-Stream 112, MJ-Stream 113, MJ-Stream 114, SB-Stream 107, SB-Stream 109, SB-Stream 110, SB-Stream 111, SB-Stream 116, SB-Stream 117, SB-Stream 120, SB-Stream 122, SB-Stream 124, SB-Stream 126, SB-Stream 127, SB-Stream 129, SB-Stream 131, SB-Stream 132, SB-Stream 137, SB-Stream 138, SB-Stream 144, SB-Stream 146, SB-Stream 148, SB-Stream 149, SB-Stream 150, SB-Stream 68, SB-Stream 69, SB-Stream 73, and SB-Stream 74 are non-relatively permanent waters that flow indirectly to the Kanawha River, a TNW and (a)(1) water. EJ-Stream 203, EJ-Stream 204, EJ-Stream 205, EJ-Stream 206, EJ-Stream 207, MJ-Stream 103, MJ-Stream 105, MJ-Stream 106, MJ-Stream 107, MJ-Stream 109, MJ-Stream 111, MJ-Stream 112, MJ-Stream 113, MJ-Stream 114, SB-Stream 107, SB-Stream 109, SB-Stream 110, SB-Stream 111, SB-Stream 116, SB-Stream 117, SB-Stream 120, SB-Stream 122, SB-Stream 124, SB-Stream 126, SB-Stream 127, SB-Stream 129, SB-Stream 131, SB-Stream 132, SB-Stream 137, SB-Stream 138, SB-Stream 144, SB-Stream 146, SB-Stream 148, SB-Stream 149, SB-Stream 150, SB-Stream 68, SB-Stream 69, SB-Stream 73, and SB-Stream 74 are not considered waters of the United States and, as such, are not subject to regulation under Section 404 of the Clean Water Act. EJ-Stream 201, EJ-Stream 202, SB-Stream 112, SB-Stream 113, SB-Stream 114, SB-Stream 115, SB-Stream 130, SB-Stream 146, SB-Stream 64, SB-Stream 65, SB-Stream 66, SB-Stream 113, and EJ-Stream 1006 are isolated, non-relatively permanent waters that ultimately do not have a continuous surface connection into any relatively permanent water or tributary downstream. EJ-Stream 201, EJ-Stream 202, SB-Stream 112, SB-Stream 114, SB-Stream 115, SB-Stream 130, SB-Stream 146, SB-Stream 64, SB-Stream 65, SB-Stream 66, SB-Stream 113, and EJ-Stream 1006 are not considered waters of the United States and, as such, are not subject to regulation under Section 404.

Based on the information provided, a total of 1,156 feet of one (1) isolated intermittent stream (WHL-Stream 34) is located within the overall revised Monarch AJD review AOI. WHL-Stream 34 is an isolated relatively permanent water that ultimately does not have a continuous surface connection to any tributary downstream. WHL-Stream 34 is not considered a water of the United States and, as such, is not subject to regulation under Section 404.

Based on the information provided, a total of 1.745 acres of seven (7) isolated PEM wetlands (MJ-Wetland 17, MT-Wetland 1002, WHL-Wetland 09, WHL-Wetland 10, WHL-Wetland 12, WHL-Wetland 13, and SB-Wetland 16), 2.748 acres of two (2) isolated PSS wetlands (WHL-Wetland 13 PSS and WHL-Wetland 16 PSS), and 15.639 acres of nine (9) isolated PFO wetlands (JB-Wetland 03, JB-Wetland 12, MJ-Wetland 18, MJ-Wetland 19, SB-Wetland 12, WHL-Wetland 07, WHL-Wetland 13 PFO, WHL-Wetland 15, and WHL-Wetland 16 PFO) are located within the overall Monarch AJD review AOI. MJ-Wetland 17, MT-Wetland 1002, WHL-Wetland 09, WHL-Wetland 10, WHL-Wetland 12, WHL-Wetland 13, SB-Wetland 16, WHL-Wetland 13 PSS, WHL-Wetland 16 PSS, JB-Wetland 03, JB-Wetland 12, MJ-Wetland 18, MJ-

Wetland 19, SB-Wetland 12, WHL-Wetland 07, WHL-Wetland 13 PFO, WHL-Wetland 15, and WHL-Wetland 16 PFO do not physically abut or touch a relatively permanent water, and there is no evidence of a natural berm, bank, dune, or similar natural landform between the wetlands and a relatively permanent water. MJ-Wetland 17, MT-Wetland 1002, WHL-Wetland 09, WHL-Wetland 10, WHL-Wetland 12, WHL-Wetland 13, SB-Wetland 16, WHL-Wetland 13 PSS, WHL-Wetland 16 PSS, JB-Wetland 03, JB-Wetland 12, MJ-Wetland 18, MJ-Wetland 19, SB-Wetland 12, WHL-Wetland 07, WHL-Wetland 13 PFO, WHL-Wetland 15, and WHL-Wetland 16 PFO do not exhibit a continuous surface connection to a relatively permanent water and do not exhibit an unbroken surface connection or a continuous surface connection to a water identified in paragraph (a)(1) through (a)(6) of the pre-2015 regulations. Therefore, MJ-Wetland 17, MT-Wetland 1002, WHL-Wetland 09, WHL-Wetland 10, WHL-Wetland 12, WHL-Wetland 13, SB-Wetland 16, WHL-Wetland 13 PSS, WHL-Wetland 16 PSS, JB-Wetland 03, JB-Wetland 12, MJ-Wetland 18, MJ-Wetland 19, SB-Wetland 12, WHL-Wetland 07, WHL-Wetland 13 PFO, WHL-Wetland 15, and WHL-Wetland 16 PFO are not “adjacent” under the pre-2015 regime as implemented consistent with Sackett, and as such, are not subject to regulation under Section 404.

You should contact the West Virginia Department of Environmental Protection (WVDEP) at (304) 926-0440 to determine state permit requirements for the following: Erosional Rill #458 – Erosional Rill #460, Erosional Rill #462 – Erosional Rill #473, Erosional Rill #475, Erosional Rill #477 – Erosional Rill #535, Erosional Rill #537 – Erosional Rill #550, Erosional Rill #553, Erosional Rill #587 – Erosional Rill #589, Erosional Rill #591 – Erosional Rill #595, Erosional Rill #604, Erosional Rill #605, Erosional Rill #607, Erosional Rill #608, Erosional Rill #609, Erosional Rill #610, and Erosional Rill #616 are not considered waters of the United States. As such, Erosional Rill #458 – Erosional Rill #460, Erosional Rill #462 – Erosional Rill #473, Erosional Rill #475, Erosional Rill #477 – Erosional Rill #535, Erosional Rill #537 – Erosional Rill #550, Erosional Rill #553, Erosional Rill #587 – Erosional Rill #589, Erosional Rill #591 – Erosional Rill #595, Erosional Rill #604, Erosional Rill #605, Erosional Rill #607, Erosional Rill #608, Erosional Rill #609, Erosional Rill #610, and Erosional Rill #616; MJ-Ditch 12, MJ-Ditch 13, MJ-Ditch 14, WHL-Ditch 01, WHL-Ditch 02, SB-Ditch 01, and SB-Ditch 03 – SB-Ditch 13; WHL-Stream 43; EJ-Stream 203, EJ-Stream 204, EJ-Stream 205, EJ-Stream 206, EJ-Stream 207, MJ-Stream 103, MJ-Stream 105, MJ-Stream 106, MJ-Stream 107, MJ-Stream 109, MJ-Stream 111, MJ-Stream 112, MJ-Stream 113, MJ-Stream 114, SB-Stream 107, SB-Stream 109, SB-Stream 110, SB-Stream 111, SB-Stream 116, SB-Stream 117, SB-Stream 120, SB-Stream 122, SB-Stream 124, SB-Stream 126, SB-Stream 127, SB-Stream 129, SB-Stream 131, SB-Stream 132, SB-Stream 137, SB-Stream 138, SB-Stream 144, SB-Stream 146, SB-Stream 148, SB-Stream 149, SB-Stream 150, SB-Stream 68, SB-Stream 69, SB-Stream 73, SB-Stream 74, EJ-Stream 201, EJ-Stream 202, SB-Stream 112, SB-Stream 113, SB-Stream 114, SB-Stream 115, SB-Stream 130, SB-Stream 146, SB-Stream 64, SB-Stream 65, SB-Stream 66, SB-Stream 113, and EJ-Stream 1006; MJ-Wetland 17, MT-Wetland 1002, WHL-Wetland 09, WHL-Wetland 10, WHL-Wetland 12, WHL-Wetland 13, SB-Wetland 16, WHL-Wetland 13 PSS, WHL-Wetland 16 PSS, JB-Wetland 03, JB-Wetland 12, MJ-Wetland 18, MJ-Wetland 19, SB-Wetland 12, WHL-Wetland 07, WHL-Wetland 13 PFO, WHL-Wetland 15, and WHL-Wetland 16 PFO.

This jurisdictional verification is valid for a period of five (5) years from the date of this letter unless new information warrants revision of the delineation prior to the expiration date. This letter contains an AJD for the subject site within the AJD boundary. If you object to this

determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the Great Lakes and Ohio River Division Office at the following address:

Attn: Suzanne Chubb
United States Army Corps of Engineers
Great Lakes and Ohio River Division
550 Main Street, Room 10-780
CELRD-PD-O
Cincinnati, Ohio 45202-3222
Phone: (513) 218-1243
Email: suzanne.l.chubb@usace.army.mil

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR § 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by **June 13, 2026**. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

This determination has been conducted to identify the limits of the Corps' Section 404 jurisdiction for the site identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are United States Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

A copy of this letter will be provided to the WVDEP and your agent, EHM&T. We are available for additional pre-application consultations. If you have any questions concerning the above, please contact Lauren Pritt of the South Branch at 304-399-5275, by mail at the above address, or by email at lauren.a.pritt@usace.army.mil.

Sincerely,



Wes Barnett
Chief, South/Transportation Branch

Enclosures

cc:

Mr. Michael Tincher, ERM, by email at Michael.tincher@erm.com

Ms. Jackie Thornton, WVDEP, by email at jackie.n.thornton@wv.gov

Table 1: Aquatic Resources for the Revised Monarch PJD Review (April 2026)						
Aquatic Resource	Cowardin Classification	Total Length (foot) and Area (acre) On-Site	Unit Type	Latitude (°N)	Longitude (°W)	JD Type
JB-Wetland 02	PSS	10.303	ACRE	38.92079500	-82.09863100	PJD
MJ-Wetland 11	PFO	0.084	ACRE	38.92070000	-82.11624700	PJD
MJ-Wetland 12	PEM	0.034	ACRE	38.92914700	-82.10140100	PJD
MJ-Wetland 14	PEM	0.298	ACRE	38.92715000	-82.10353600	PJD
MJ-Wetland 16	PEM	0.157	ACRE	38.92499000	-82.10170800	PJD
MJ-Wetland 20	PFO	0.458	ACRE	38.91787200	-82.09850400	PJD
MT-Wetland 1001	PEM	0.431	ACRE	38.91648800	-82.09693500	PJD
SB-Wetland 10 PFO	PFO	16.708	ACRE	38.91580600	-82.09278200	PJD
SB-Wetland 10 PSS	PSS	4.957	ACRE	38.91613400	-82.09511300	PJD
SB-Wetland 10 PUB	PUB	1.857	ACRE	38.91717400	-82.09395800	PJD
SB-Wetland 10 PEM	PEM	4.484	ACRE	38.91386400	-82.09869400	PJD
SB-Wetland 100	PFO	0.066	ACRE	38.91154300	-82.08729400	PJD
SB-Wetland 101	PEM	0.026	ACRE	38.90283000	-82.09609700	PJD
SB-Wetland 102	PFO	0.642	ACRE	38.90338100	-82.09400000	PJD
SB-Wetland 103	PFO	0.639	ACRE	38.90388500	-82.09072300	PJD
SB-Wetland 104	PFO	0.063	ACRE	38.90875600	-82.09191700	PJD
SB-Wetland 105	PFO	0.093	ACRE	38.91047200	-82.09264500	PJD
SB-Wetland 106	PFO	0.047	ACRE	38.90892600	-82.09426600	PJD
SB-Wetland 108	PFO	1.729	ACRE	38.91426300	-82.08397400	PJD
SB-Wetland 109	PFO	1.179	ACRE	38.90646800	-82.09578000	PJD
SB-Wetland 11	PFO	0.769	ACRE	38.90638200	-82.10012900	PJD
SB-Wetland 110	PFO	0.927	ACRE	38.90315100	-82.09644200	PJD
SB-Wetland 13	PEM	0.089	ACRE	38.91162800	-82.10638000	PJD
SB-Wetland 14	PEM	0.321	ACRE	38.91252200	-82.10354400	PJD
SB-Wetland 15 PSS	PSS	0.33	ACRE	38.91567800	-82.09838800	PJD
SB-Wetland 15 PEM	PEM	0.094	ACRE	38.91537000	-82.09911200	PJD
SB-Wetland 18	PSS	0.362	ACRE	38.91608100	-82.09972800	PJD
SB-Wetland 19	PEM	0.233	ACRE	38.91570400	-82.10093700	PJD
WHL-Wetland 06	PFO	0.241	ACRE	38.92582300	-82.09966600	PJD
WHL-Wetland 08	PEM	0.755	ACRE	38.92442700	-82.10014200	PJD
WHL-Wetland 11 PEM	PEM	0.023	ACRE	38.92294100	-82.10305200	PJD
WHL-Wetland 11 PFO	PFO	0.308	ACRE	38.92297800	-82.10219700	PJD
WHL-Wetland 14	PFO	0.392	ACRE	38.92175800	-82.10720900	PJD
WHL-Wetland 17	PFO	0.49	ACRE	38.91747800	-82.09816500	PJD
WHL-Wetland 18	PFO	2.498	ACRE	38.91941700	-82.10575800	PJD
EJ-Stream 1000	Ephemeral	491	FOOT	38.92840397	-82.10432537	PJD
EJ-Stream 1001	Ephemeral	420	FOOT	38.92612627	-82.10861408	PJD
JB-Stream 02	Intermittent	765	FOOT	38.92375210	-82.09761186	PJD
JB-Stream 03	Intermittent	1222	FOOT	38.92501413	-82.09872125	PJD
MJ-Stream 100	Intermittent	2076	FOOT	38.92378539	-82.11210906	PJD
MJ-Stream 101	Intermittent	860	FOOT	38.92270750	-82.11463637	PJD
MJ-Stream 102	Ephemeral	189	FOOT	38.92083959	-82.11679924	PJD
MJ-Stream 104 PER	Perennial	6443	FOOT	38.92196174	-82.10741092	PJD
MJ-Stream 104c INT	Intermittent	425	FOOT	38.92789678	-82.10468059	PJD
MJ-Stream 104c PER	Perennial	478	FOOT	38.92714115	-82.10351033	PJD
MJ-Stream 104e	Intermittent	892	FOOT	38.92749399	-82.10599771	PJD
MJ-Stream 110	Ephemeral	1011	FOOT	38.92878693	-82.10119962	PJD
MJ-Stream 115	Ephemeral	95	FOOT	38.92649369	-82.11229443	PJD
MJ-Stream 116	Intermittent	232	FOOT	38.92492968	-82.11332264	PJD
MJ-Stream 125	Intermittent	94	FOOT	38.92512456	-82.10143578	PJD
MT-Stream 1001	Ephemeral	371	FOOT	38.91710152	-82.09750213	PJD
SB-Ditch 02	Intermittent	413	FOOT	38.91217574	-82.10452732	PJD

Table 1: Aquatic Resources for the Revised Monarch PJD Review (April 2026)						
Aquatic Resource	Cowardian Classification	Total Length (foot) and Area (acre) On-Site	Unit Type	Latitude (°N)	Longitude (°W)	JD Type
SB-Stream 100	Intermittent	310	FOOT	38.90298800	-82.09766180	PJD
SB-Stream 101 EPH	Ephemeral	177	FOOT	38.91006977	-82.09211071	PJD
SB-Stream 101 INT	Intermittent	653	FOOT	38.90955194	-82.09331362	PJD
SB-Stream 101 PER	Perennial	3720	FOOT	38.90513778	-82.09644757	PJD
SB-Stream 102	Ephemeral	697	FOOT	38.90317733	-82.09548421	PJD
SB-Stream 104	Ephemeral	554	FOOT	38.91068854	-82.09264451	PJD
SB-Stream 105	Ephemeral	50	FOOT	38.91075068	-82.09276140	PJD
SB-Stream 106 EPH	Ephemeral	343	FOOT	38.90897859	-82.09131843	PJD
SB-Stream 106 INT	Intermittent	639	FOOT	38.90835121	-82.09273933	PJD
SB-Stream 108 EPH	Ephemeral	203	FOOT	38.90751306	-82.09151616	PJD
SB-Stream 108 INT	Intermittent	624	FOOT	38.90794330	-82.09271601	PJD
SB-Stream 118 EPH	Ephemeral	29	FOOT	38.90917697	-82.08875391	PJD
SB-Stream 118 INT	Intermittent	400	FOOT	38.90880456	-82.08814368	PJD
SB-Stream 119 EPH	Ephemeral	848	FOOT	38.91125807	-82.09038064	PJD
SB-Stream 119 INT	Intermittent	873	FOOT	38.91048901	-82.08783794	PJD
SB-Stream 121 EPH	Ephemeral	415	FOOT	38.91179825	-82.08752459	PJD
SB-Stream 121 INT	Intermittent	406	FOOT	38.91097676	-82.08661774	PJD
SB-Stream 123 EPH	Ephemeral	543	FOOT	38.90651670	-82.09263447	PJD
SB-Stream 123 INT	Intermittent	1275	FOOT	38.90557769	-82.09520028	PJD
SB-Stream 125	Intermittent	314	FOOT	38.90646106	-82.09589883	PJD
SB-Stream 128	Ephemeral	138	FOOT	38.90330225	-82.09393941	PJD
SB-Stream 133	Ephemeral	857	FOOT	38.90785362	-82.09846521	PJD
SB-Stream 135 EPH	Ephemeral	235	FOOT	38.90988629	-82.09582797	PJD
SB-Stream 135 INT	Intermittent	993	FOOT	38.90902583	-82.09439878	PJD
SB-Stream 139	Intermittent	182	FOOT	38.91412987	-82.09578787	PJD
SB-Stream 140 EPH	Ephemeral	128	FOOT	38.91360578	-82.09385051	PJD
SB-Stream 140 INT	Intermittent	1382	FOOT	38.91448277	-82.09295880	PJD
SB-Stream 141	Intermittent	229	FOOT	38.91469936	-82.09191415	PJD
SB-Stream 142	Ephemeral	221	FOOT	38.91365938	-82.09266987	PJD
SB-Stream 143	Ephemeral	362	FOOT	38.91250784	-82.09272547	PJD
SB-Stream 147	Ephemeral	193	FOOT	38.91348992	-82.08499857	PJD
SB-Stream 151	Ephemeral	105	FOOT	38.90404987	-82.09321966	PJD
SB-Stream 67	Intermittent	2161	FOOT	38.90820896	-82.10018443	PJD
SB-Stream 70	Ephemeral	880	FOOT	38.90877380	-82.09990359	PJD
SB-Stream 71	Ephemeral	708	FOOT	38.90706413	-82.10120217	PJD
SB-Stream 75	Intermittent	130	FOOT	38.91572678	-82.09399859	PJD
SB-Stream 76	Intermittent	765	FOOT	38.91619177	-82.09279995	PJD
SB-Stream 77 INT	Intermittent	1945	FOOT	38.91553854	-82.09848667	PJD
SB-Stream 77 PER	Perennial	516	FOOT	38.91663268	-82.09528390	PJD
SB-Stream 78	Perennial	324	FOOT	38.91716697	-82.09486309	PJD
WHL-Stream 29 EPH	Ephemeral	512	FOOT	38.92354488	-82.10139869	PJD
WHL-Stream 29 INT	Intermittent	590	FOOT	38.92294401	-82.10296987	PJD
WHL-Stream 30	Intermittent	42	FOOT	38.92315002	-82.10207540	PJD
WHL-Stream 32	Intermittent	2248	FOOT	38.91875919	-82.10856047	PJD
WHL-Stream 33	Intermittent	342	FOOT	38.92162761	-82.10753394	PJD
EJ-Stream 1007	Intermittent	108	FOOT	38.92136246	-82.09520604	PJD
SB-Stream 134	Intermittent	249	FOOT	38.90968440	-82.09599385	PJD
SB-Stream 136	Intermittent	279	FOOT	38.90992790	-82.09477410	PJD
SB-Stream 145	Intermittent	815	FOOT	38.91442158	-82.08867951	PJD

Table 2: Aquatic Resources for the Revised Monarch AJD Review (April 2026)

Aquatic Resource	Cowardian Classification	Total Length (foot) or Area (acre) On-site	Unit Type	Latitude (°N)	Longitude (°W)	JD Type
JB-Wetland 03	PFO	0.172	ACRE	38.91650900	-82.10123900	AJD
JB-Wetland 12	PFO	4.856	ACRE	38.92191700	-82.10046100	AJD
MJ-Wetland 17	PEM	0.15	ACRE	38.91527400	-82.10796400	AJD
MJ-Wetland 18	PFO	0.06	ACRE	38.91971300	-82.10239700	AJD
MJ-Wetland 19	PFO	0.082	ACRE	38.91870200	-82.10015100	AJD
MT-Wetland 1002	PEM	0.411	ACRE	38.91293900	-82.10427200	AJD
SB-Wetland 12	PFO	1.789	ACRE	38.90806000	-82.10519300	AJD
SB-Wetland 16	PEM	0.195	ACRE	38.91387700	-82.10216800	AJD
WHL-Wetland 07	PFO	2.281	ACRE	38.92155100	-82.10313400	AJD
WHL-Wetland 09	PEM	0.032	ACRE	38.92510100	-82.09988100	AJD
WHL-Wetland 10	PEM	0.016	ACRE	38.92453300	-82.10117600	AJD
WHL-Wetland 12	PEM	0.248	ACRE	38.92363000	-82.09926500	AJD
WHL-Wetland 13 PEM	PEM	0.693	ACRE	38.92009900	-82.10364600	AJD
WHL-Wetland 13 PFO	PFO	0.779	ACRE	38.92001000	-82.10263700	AJD
WHL-Wetland 13 PSS	PSS	0.196	ACRE	38.92036900	-82.10223500	AJD
WHL-Wetland 15	PFO	0.842	ACRE	38.91651700	-82.10413700	AJD
WHL-Wetland 16 PFO	PFO	4.778	ACRE	38.91825700	-82.10333500	AJD
WHL-Wetland 16 PSS	PSS	2.552	ACRE	38.91809000	-82.10423800	AJD
EJ-Stream 1002	Ephemeral	95	FOOT	38.92596606	-82.10915528	AJD
EJ-Stream 1004	Ephemeral	39	FOOT	38.92342016	-82.10783588	AJD
EJ-Stream 1006	Ephemeral	406	FOOT	38.92527690	-82.10513329	AJD
EJ-Stream 201	Ephemeral	227	FOOT	38.91219031	-82.09504705	AJD
EJ-Stream 202	Ephemeral	204	FOOT	38.91466908	-82.08983787	AJD
EJ-Stream 203	Ephemeral	119	FOOT	38.90634469	-82.09197728	AJD
EJ-Stream 204	Ephemeral	25	FOOT	38.90593482	-82.09444984	AJD
EJ-Stream 205	Ephemeral	57	FOOT	38.90589602	-82.09455640	AJD
EJ-Stream 206	Ephemeral	70	FOOT	38.90549770	-82.09497075	AJD
EJ-Stream 207	Ephemeral	76	FOOT	38.91069690	-82.08887971	AJD
MJ-Ditch 12	Ephemeral – Ditch	440	FOOT	38.92824739	-82.10183856	AJD
MJ-Ditch 13	Ephemeral – Ditch	98	FOOT	38.92862820	-82.10140655	AJD
MJ-Ditch 14	Ephemeral – Ditch	66	FOOT	38.92819003	-82.10198641	AJD
MJ-Stream 103	Ephemeral	52	FOOT	38.92210596	-82.11381882	AJD
MJ-Stream 105	Ephemeral	132	FOOT	38.92035001	-82.11324241	AJD
MJ-Stream 106	Ephemeral	1176	FOOT	38.92196059	-82.10896327	AJD
MJ-Stream 107	Ephemeral	861	FOOT	38.92296516	-82.10553935	AJD
MJ-Stream 109	Ephemeral	250	FOOT	38.92940470	-82.10171934	AJD
MJ-Stream 111	Ephemeral	122	FOOT	38.92980170	-82.10234208	AJD
MJ-Stream 112	Ephemeral	163	FOOT	38.92970568	-82.10209663	AJD
MJ-Stream 113	Ephemeral	353	FOOT	38.93043147	-82.10377860	AJD
MJ-Stream 114	Ephemeral	332	FOOT	38.92936424	-82.10633905	AJD
SB-Ditch 01	Ephemeral - Ditch	173	FOOT	38.91517782	-82.09945851	AJD

Table 2: Aquatic Resources for the Revised Monarch AJD Review (April 2026)

Aquatic Resource	Cowardian Classification	Total Length (foot) or Area (acre) On-site	Unit Type	Latitude (°N)	Longitude (°W)	JD Type
SB-Ditch 03	Ephemeral - Ditch	601	FOOT	38.91368351	-82.10337515	AJD
SB-Ditch 04	Ephemeral - Ditch	752	FOOT	38.91266264	-82.10553120	AJD
SB-Ditch 05	Ephemeral - Ditch	1436	FOOT	38.91304170	-82.10379416	AJD
SB-Ditch 06	Ephemeral - Ditch	63	FOOT	38.91342352	-82.10304159	AJD
SB-Ditch 07	Ephemeral - Ditch	54	FOOT	38.91366263	-82.10319778	AJD
SB-Ditch 08	Ephemeral - Ditch	680	FOOT	38.91390214	-82.10336810	AJD
SB-Ditch 09	Ephemeral - Ditch	428	FOOT	38.91303643	-82.10515039	AJD
SB-Ditch 10	Ephemeral - Ditch	208	FOOT	38.91253491	-82.10613774	AJD
SB-Ditch 12	Ephemeral - Ditch	1039	FOOT	38.91468866	-82.10074680	AJD
SB-Ditch 13	Ephemeral - Ditch	1437	FOOT	38.91500954	-82.09836477	AJD
SB-Stream 103	Ephemeral	93	FOOT	38.90648747	-82.09550134	AJD
SB-Stream 107	Ephemeral	136	FOOT	38.90842583	-82.09298658	AJD
SB-Stream 109	Ephemeral	71	FOOT	38.90460979	-82.09194460	AJD
SB-Stream 110	Ephemeral	381	FOOT	38.90421551	-82.09180088	AJD
SB-Stream 111	Ephemeral	765	FOOT	38.90473484	-82.09076390	AJD
SB-Stream 112	Ephemeral	334	FOOT	38.90533112	-82.09007449	AJD
SB-Stream 113	Ephemeral	123	FOOT	38.90526712	-82.08934302	AJD
SB-Stream 114	Ephemeral	347	FOOT	38.90581875	-82.08931859	AJD
SB-Stream 115	Ephemeral	190	FOOT	38.90770494	-82.08920023	AJD
SB-Stream 116	Ephemeral	74	FOOT	38.90814307	-82.08877413	AJD
SB-Stream 117	Ephemeral	411	FOOT	38.90820931	-82.08848094	AJD
SB-Stream 120	Ephemeral	139	FOOT	38.91132634	-82.08979251	AJD
SB-Stream 122	Ephemeral	737	FOOT	38.90427137	-82.09501527	AJD
SB-Stream 124	Ephemeral	364	FOOT	38.90674854	-82.09248189	AJD
SB-Stream 126	Ephemeral	570	FOOT	38.90772646	-82.09528231	AJD
SB-Stream 127	Ephemeral	125	FOOT	38.90733393	-82.09498363	AJD
SB-Stream 129	Ephemeral	157	FOOT	38.90784037	-82.09265278	AJD
SB-Stream 130	Ephemeral	274	FOOT	38.91049591	-82.09678263	AJD
SB-Stream 131	Ephemeral	102	FOOT	38.90981601	-82.09807440	AJD
SB-Stream 132	Ephemeral	77	FOOT	38.90999526	-82.09831090	AJD
SB-Stream 137	Ephemeral	222	FOOT	38.90628231	-82.09957836	AJD
SB-Stream 138	Ephemeral	133	FOOT	38.90654461	-82.09962760	AJD
SB-Stream 144	Ephemeral	63	FOOT	38.91219765	-82.09251014	AJD
SB-Stream 146	Ephemeral	152	FOOT	38.91423770	-82.08765031	AJD
SB-Stream 148	Ephemeral	528	FOOT	38.91171802	-82.08636553	AJD
SB-Stream 149	Ephemeral	214	FOOT	38.90654442	-82.09651816	AJD
SB-Stream 150	Ephemeral	93	FOOT	38.90661726	-82.10141954	AJD
SB-Stream 64	Ephemeral	483	FOOT	38.91207659	-82.09848034	AJD
SB-Stream 65	Ephemeral	189	FOOT	38.91204776	-82.09856507	AJD
SB-Stream 66	Ephemeral	298	FOOT	38.91182199	-82.09821862	AJD
SB-Stream 68	Ephemeral	98	FOOT	38.90943998	-82.10087581	AJD

Table 2: Aquatic Resources for the Revised Monarch AJD Review (April 2026)

Aquatic Resource	Cowardin Classification	Total Length (foot) or Area (acre) On-site	Unit Type	Latitude (°N)	Longitude (°W)	JD Type
SB-Stream 69	Ephemeral	94	FOOT	38.90915769	-82.10008998	AJD
SB-Stream 73	Ephemeral	502	FOOT	38.90760359	-82.10685677	AJD
SB-Stream 74	Ephemeral	839	FOOT	38.90800904	-82.10525019	AJD
WHL-Ditch 01	Ephemeral - Ditch	89	FOOT	38.92006863	-82.10992552	AJD
WHL-Ditch 02	Ephemeral - Ditch	180	FOOT	38.92213089	-82.10654772	AJD
WHL-Stream 34	Intermittent (Isolated)	1516	FOOT	38.91669477	-82.10596927	AJD
Erosional Rill #458	Uplands - Erosional Feature	42	FOOT	38.90778192	-82.09903787	AJD
Erosional Rill #459	Uplands - Erosional Feature	128	FOOT	38.90791747	-82.09877986	AJD
Erosional Rill #460	Uplands - Erosional Feature	54	FOOT	38.90791239	-82.09979100	AJD
Erosional Rill #462	Uplands - Erosional Feature	66	FOOT	38.90891424	-82.09958673	AJD
Erosional Rill #463	Uplands - Erosional Feature	62	FOOT	38.90925265	-82.09872206	AJD
Erosional Rill #464	Uplands - Erosional Feature	30	FOOT	38.90927401	-82.09846390	AJD
Erosional Rill #465	Uplands - Erosional Feature	33	FOOT	38.90954100	-82.09822166	AJD
Erosional Rill #466	Uplands - Erosional Feature	86	FOOT	38.90995579	-82.09792553	AJD
Erosional Rill #467	Uplands - Erosional Feature	18	FOOT	38.91017586	-82.09812762	AJD
Erosional Rill #468	Uplands - Erosional Feature	55	FOOT	38.91015756	-82.09818849	AJD
Erosional Rill #469	Uplands - Erosional Feature	63	FOOT	38.91016255	-82.09837774	AJD
Erosional Rill #470	Uplands - Erosional Feature	27	FOOT	38.91014941	-82.09841281	AJD
Erosional Rill #471	Uplands - Erosional Feature	22	FOOT	38.91000085	-82.09834970	AJD
Erosional Rill #472	Uplands - Erosional Feature	173	FOOT	38.91208229	-82.09638718	AJD
Erosional Rill #473	Uplands - Erosional Feature	141	FOOT	38.91202552	-82.09576993	AJD
Erosional Rill #475	Uplands - Erosional Feature	213	FOOT	38.91237300	-82.09316231	AJD
Erosional Rill #477	Uplands - Erosional Feature	85	FOOT	38.91414325	-82.08686968	AJD
Erosional Rill #478	Uplands - Erosional Feature	90	FOOT	38.91401217	-82.08631753	AJD
Erosional Rill #479	Uplands - Erosional Feature	70	FOOT	38.91224872	-82.08624123	AJD
Erosional Rill #480	Uplands - Erosional Feature	36	FOOT	38.91232712	-82.08629533	AJD
Erosional Rill #481	Uplands - Erosional Feature	12	FOOT	38.91215811	-82.08635944	AJD
Erosional Rill #482	Uplands - Erosional Feature	49	FOOT	38.91206136	-82.08629526	AJD
Erosional Rill #483	Uplands - Erosional Feature	50	FOOT	38.91202417	-82.08774481	AJD
Erosional Rill #484	Uplands - Erosional Feature	74	FOOT	38.91183165	-82.08766412	AJD
Erosional Rill #485	Uplands - Erosional Feature	43	FOOT	38.91174722	-82.08759675	AJD
Erosional Rill #486	Uplands - Erosional Feature	39	FOOT	38.91175124	-82.08745153	AJD
Erosional Rill #487	Uplands - Erosional Feature	37	FOOT	38.91155739	-82.08742253	AJD
Erosional Rill #488	Uplands - Erosional Feature	30	FOOT	38.91156531	-82.08723814	AJD
Erosional Rill #489	Uplands - Erosional Feature	62	FOOT	38.91144409	-82.08722968	AJD
Erosional Rill #490	Uplands - Erosional Feature	26	FOOT	38.91147241	-82.08708004	AJD
Erosional Rill #491	Uplands - Erosional Feature	69	FOOT	38.91126301	-82.08694011	AJD
Erosional Rill #492	Uplands - Erosional Feature	29	FOOT	38.91137574	-82.08688944	AJD
Erosional Rill #493	Uplands - Erosional Feature	25	FOOT	38.91116332	-82.08685828	AJD
Erosional Rill #494	Uplands - Erosional Feature	23	FOOT	38.91112311	-82.08670859	AJD
Erosional Rill #495	Uplands - Erosional Feature	79	FOOT	38.91002260	-82.08709417	AJD

Table 2: Aquatic Resources for the Revised Monarch AJD Review (April 2026)

Aquatic Resource	Cowardin Classification	Total Length (foot) or Area (acre) On-site	Unit Type	Latitude (°N)	Longitude (°W)	JD Type
Erosional Rill #496	Uplands - Erosional Feature	112	FOOT	38.91013569	-82.08734560	AJD
Erosional Rill #497	Uplands - Erosional Feature	111	FOOT	38.91024959	-82.08753388	AJD
Erosional Rill #498	Uplands - Erosional Feature	67	FOOT	38.91029480	-82.08770153	AJD
Erosional Rill #499	Uplands - Erosional Feature	65	FOOT	38.91047574	-82.08815399	AJD
Erosional Rill #500	Uplands - Erosional Feature	42	FOOT	38.91076360	-82.08856789	AJD
Erosional Rill #501	Uplands - Erosional Feature	45	FOOT	38.91061231	-82.08899579	AJD
Erosional Rill #502	Uplands - Erosional Feature	45	FOOT	38.91087336	-82.08888586	AJD
Erosional Rill #503	Uplands - Erosional Feature	46	FOOT	38.91099246	-82.08924062	AJD
Erosional Rill #504	Uplands - Erosional Feature	55	FOOT	38.91114228	-82.08958984	AJD
Erosional Rill #505	Uplands - Erosional Feature	46	FOOT	38.91127898	-82.09006602	AJD
Erosional Rill #506	Uplands - Erosional Feature	45	FOOT	38.91129452	-82.09018002	AJD
Erosional Rill #507	Uplands - Erosional Feature	48	FOOT	38.91136377	-82.09046245	AJD
Erosional Rill #508	Uplands - Erosional Feature	24	FOOT	38.91142741	-82.09062816	AJD
Erosional Rill #509	Uplands - Erosional Feature	22	FOOT	38.91142350	-82.09080626	AJD
Erosional Rill #510	Uplands - Erosional Feature	38	FOOT	38.91121609	-82.09036928	AJD
Erosional Rill #511	Uplands - Erosional Feature	60	FOOT	38.91116754	-82.09012499	AJD
Erosional Rill #512	Uplands - Erosional Feature	71	FOOT	38.91012666	-82.09171611	AJD
Erosional Rill #513	Uplands - Erosional Feature	17	FOOT	38.91005892	-82.09231832	AJD
Erosional Rill #514	Uplands - Erosional Feature	70	FOOT	38.90944944	-82.09447968	AJD
Erosional Rill #515	Uplands - Erosional Feature	30	FOOT	38.90960319	-82.09547822	AJD
Erosional Rill #516	Uplands - Erosional Feature	50	FOOT	38.90932652	-82.09439747	AJD
Erosional Rill #517	Uplands - Erosional Feature	29	FOOT	38.90917558	-82.09446324	AJD
Erosional Rill #518	Uplands - Erosional Feature	16	FOOT	38.90903749	-82.09442369	AJD
Erosional Rill #519	Uplands - Erosional Feature	128	FOOT	38.90854071	-82.09436193	AJD
Erosional Rill #520	Uplands - Erosional Feature	88	FOOT	38.90836209	-82.09442108	AJD
Erosional Rill #521	Uplands - Erosional Feature	27	FOOT	38.90837624	-82.09251737	AJD
Erosional Rill #522	Uplands - Erosional Feature	46	FOOT	38.90847606	-82.09229089	AJD
Erosional Rill #523	Uplands - Erosional Feature	33	FOOT	38.90873793	-82.09180708	AJD
Erosional Rill #524	Uplands - Erosional Feature	48	FOOT	38.90878659	-82.09167443	AJD
Erosional Rill #525	Uplands - Erosional Feature	30	FOOT	38.90890516	-82.09140093	AJD
Erosional Rill #526	Uplands - Erosional Feature	37	FOOT	38.90897853	-82.09121779	AJD
Erosional Rill #527	Uplands - Erosional Feature	83	FOOT	38.90903423	-82.09101684	AJD
Erosional Rill #528	Uplands - Erosional Feature	71	FOOT	38.90906942	-82.09113483	AJD
Erosional Rill #529	Uplands - Erosional Feature	34	FOOT	38.90901788	-82.09133389	AJD
Erosional Rill #530	Uplands - Erosional Feature	47	FOOT	38.90893157	-82.09163690	AJD
Erosional Rill #531	Uplands - Erosional Feature	107	FOOT	38.90760129	-82.09153009	AJD
Erosional Rill #532	Uplands - Erosional Feature	74	FOOT	38.90741486	-82.09124203	AJD
Erosional Rill #533	Uplands - Erosional Feature	99	FOOT	38.90780309	-82.09223854	AJD
Erosional Rill #534	Uplands - Erosional Feature	122	FOOT	38.90678471	-82.09281400	AJD
Erosional Rill #535	Uplands - Erosional Feature	219	FOOT	38.90665140	-82.09233376	AJD
Erosional Rill #537	Uplands - Erosional Feature	35	FOOT	38.90609802	-82.09184338	AJD

Table 2: Aquatic Resources for the Revised Monarch AJD Review (April 2026)

Aquatic Resource	Cowardian Classification	Total Length (foot) or Area (acre) On-site	Unit Type	Latitude (°N)	Longitude (°W)	JD Type
Erosional Rill #538	Uplands - Erosional Feature	43	FOOT	38.90577575	-82.09029576	AJD
Erosional Rill #539	Uplands - Erosional Feature	40	FOOT	38.90546430	-82.09130467	AJD
Erosional Rill #540	Uplands - Erosional Feature	37	FOOT	38.90427952	-82.09178526	AJD
Erosional Rill #541	Uplands - Erosional Feature	37	FOOT	38.90610785	-82.09205860	AJD
Erosional Rill #542	Uplands - Erosional Feature	55	FOOT	38.90628971	-82.09220139	AJD
Erosional Rill #543	Uplands - Erosional Feature	45	FOOT	38.90638325	-82.09237258	AJD
Erosional Rill #544	Uplands - Erosional Feature	57	FOOT	38.90653287	-82.09303008	AJD
Erosional Rill #545	Uplands - Erosional Feature	19	FOOT	38.90661844	-82.09323322	AJD
Erosional Rill #546	Uplands - Erosional Feature	29	FOOT	38.90656186	-82.09342271	AJD
Erosional Rill #547	Uplands - Erosional Feature	40	FOOT	38.90649982	-82.09359436	AJD
Erosional Rill #548	Uplands - Erosional Feature	37	FOOT	38.90639313	-82.09360280	AJD
Erosional Rill #549	Uplands - Erosional Feature	39	FOOT	38.90623496	-82.09397644	AJD
Erosional Rill #550	Uplands - Erosional Feature	30	FOOT	38.90615207	-82.09411270	AJD
Erosional Rill #553	Uplands - Erosional Feature	136	FOOT	38.90567961	-82.09496322	AJD
Erosional Rill #587	Uplands - Erosional Feature	63	FOOT	38.92629252	-82.10779814	AJD
Erosional Rill #588	Uplands - Erosional Feature	60	FOOT	38.92623998	-82.1078533	AJD
Erosional Rill #589	Uplands - Erosional Feature	66	FOOT	38.92622429	-82.10833511	AJD
Erosional Rill #591	Uplands - Erosional Feature	65	FOOT	38.92629025	-82.10888939	AJD
Erosional Rill #592	Uplands - Erosional Feature	130	FOOT	38.92626536	-82.10897974	AJD
Erosional Rill #593	Uplands - Erosional Feature	27	FOOT	38.92680085	-82.10884349	AJD
Erosional Rill #594	Uplands - Erosional Feature	129	FOOT	38.92674114	-82.108976	AJD
Erosional Rill #595	Uplands - Erosional Feature	219	FOOT	38.92638413	-82.10914202	AJD
Erosional Rill #604	Uplands - Erosional Feature	163	FOOT	38.92286102	-82.10649156	AJD
Erosional Rill #605	Uplands - Erosional Feature	239	FOOT	38.92339521	-82.1053493	AJD
Erosional Rill #607	Uplands - Erosional Feature	42	FOOT	38.92586085	-82.10522681	AJD
Erosional Rill #608	Uplands - Erosional Feature	53	FOOT	38.92583033	-82.10527291	AJD
Erosional Rill #609	Uplands - Erosional Feature	31	FOOT	38.92609542	-82.1054893	AJD
Erosional Rill #610	Uplands - Erosional Feature	162	FOOT	38.92593705	-82.10544318	AJD
Erosional Rill #616	Uplands - Erosional Feature	72	FOOT	38.92144650	-82.09551812	AJD



SECTION 5 IMPACT FIGURES

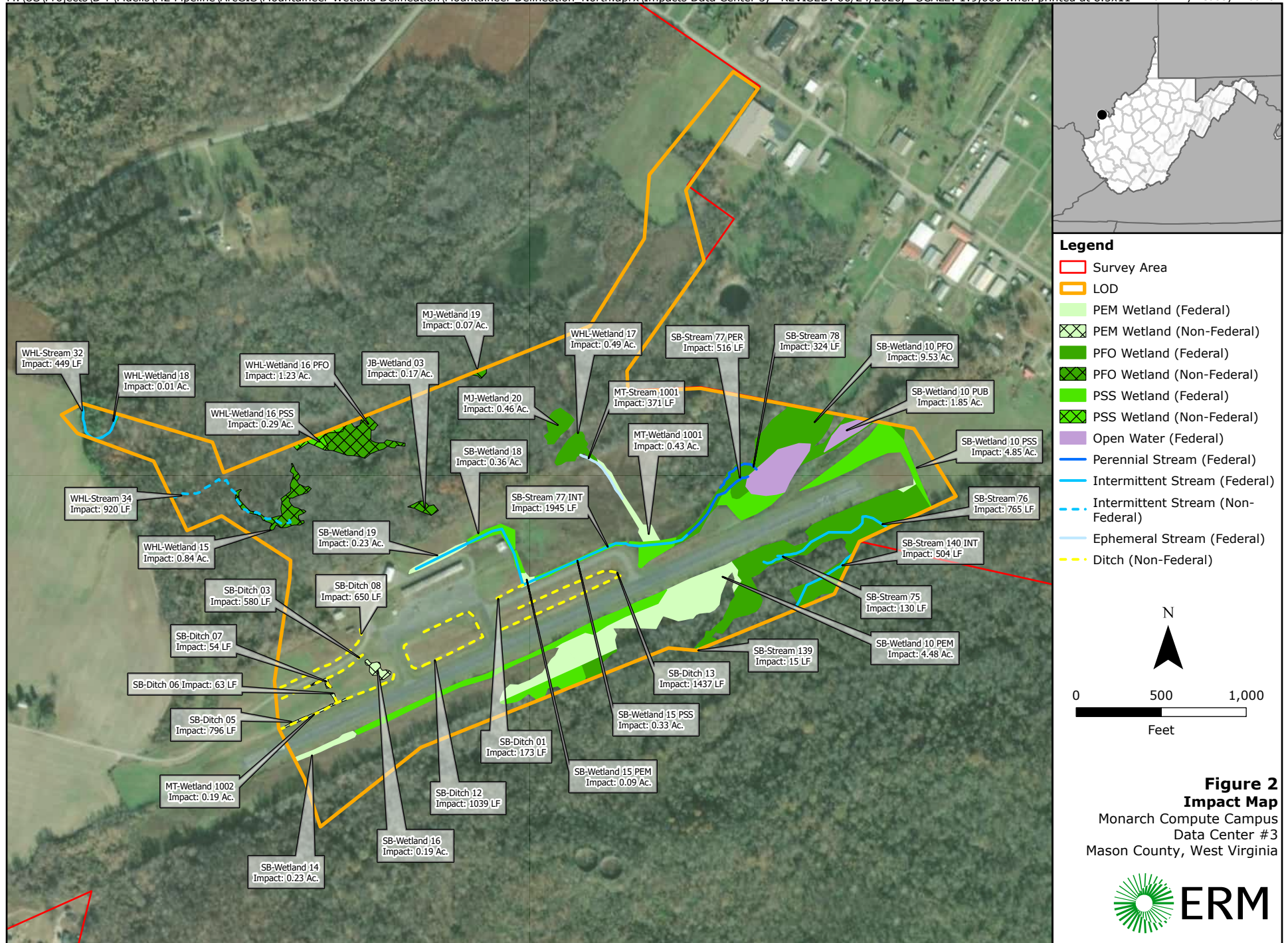


TABLE 1: PROPOSED FEDERALLY NON-JURISDICTIONAL WATERBODY IMPACTS FOR THE MONARCH COMPUTE CAMPUS – DATA CENTER #3 PROJECT, MASON COUNTY, WEST VIRGINIA

Feature	Flow Regime	Latitude	Longitude	Impact Length (LF)	Impact Area (Acres)
SB-Ditch 01	Ditch	38.915178	-82.099458	173	0.004
SB-Ditch 03	Ditch	38.913684	-82.103343	580	0.013
SB-Ditch 05	Ditch	38.913042	-82.102925	796	0.018
SB-Ditch 06	Ditch	38.913424	-82.10304	63	0.009
SB-Ditch 07	Ditch	38.913663	-82.103194	54	0.001
SB-Ditch 08	Ditch	38.913902	-82.103291	650	0.030
SB-Ditch 12	Ditch	38.914689	-82.100728	1039	0.024
SB-Ditch 13	Ditch	38.91501	-82.098325	1437	0.033
WHL-Stream 34	Intermittent	38.916695	-82.105198	920	0.074
Ditch Impacts				4,792	0.132
Intermittent Stream Impacts				920	0.074
TOTAL WATERBODY IMPACTS				5,712	0.206

TABLE 2: PROPOSED FEDERALLY NON-JURISDICTIONAL WETLAND IMPACTS FOR THE MONARCH COMPUTE CAMPUS – DATA CENTER #3 PROJECT, MASON COUNTY, WEST VIRGINIA

Feature	Cowardin Code	Latitude	Longitude	Impact Area (Acres)
JB-Wetland 03	PFO	38.916509	-82.101239	0.17
MJ-Wetland 19	PFO	38.918695	-82.100118	0.07
MT-Wetland 1002	PEM	38.913351	-82.103361	0.19
SB-Wetland 16	PEM	38.913877	-82.102168	0.19
WHL-Wetland 15	PFO	38.916517	-82.104137	0.84
WHL-Wetland 16	PFO	38.917592	-82.102645	1.23
WHL-Wetland 16	PSS	38.917596	-82.103435	0.29
PEM Wetland Impacts				0.38
PFO Wetland Impacts				2.31
PSS Wetland Impacts				0.29
TOTAL WETLAND IMPACTS				2.98



SECTION 6 ALTERNATIVES ANALYSIS



Alternatives Analysis

Monarch Compute Campus
Data Center #3

PREPARED FOR
Monarch Cloud Campus, LLC

DATE
3 May 2026



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1. INTRODUCTION

On behalf of Monarch Compute Campus, LLC (Monarch), Environmental Resources Management, Inc. (ERM) has prepared this Alternatives Analysis to evaluate practicable alternatives for the proposed Monarch Compute Campus Data Center #3, a large-scale, artificial intelligence (AI)-native data center development in Mason County, West Virginia. The project is proposed on the site of the decommissioned Mason County Airport, a previously developed property characterized by existing disturbance and industrial land use.

The Proposed Action is designed to support high-density computational infrastructure needed for artificial intelligence training and inference workloads. The project would require authorization from the U.S. Army Corps of Engineers (USACE) under Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States.

This Alternatives Analysis has been prepared in accordance with the Section 404(b)(1) Guidelines (40 CFR Part 230) and applicable National Environmental Policy Act (NEPA) requirements. Under these regulations, no discharge of dredged or fill material may be authorized where a practicable alternative exists that would result in less adverse impact to the aquatic ecosystem, provided the alternative does not have other significant adverse environmental consequences. The analysis therefore focuses on identifying, evaluating, and comparing alternatives to determine the Least Environmentally Damaging Practicable Alternative (LEDPA).

Consistent with USACE guidance, this analysis evaluates alternatives at a level of detail commensurate with the scope of the proposed project and the magnitude of potential impacts. A range of alternatives was considered, including the No-Action Alternative, on-site design alternatives, and off-site regional alternatives identified within the geographic area defined by the project's overall purpose. Alternatives were screened for practicability based on availability, logistics, existing technology, and cost, considering the overall project purpose. Alternatives that failed one or more practicability criteria were eliminated from further consideration, with the remaining practicable alternatives carried forward for detailed comparison of aquatic resource impacts.

2. DETAILED PROJECT NEED

The need for the Data Center #2 arises from increasing demand for high-density computational infrastructure capable of supporting AI training and inference workloads that cannot be accommodated by traditional data center facilities. These workloads require substantially greater power density, cooling capacity, and infrastructure integration than conventional data storage or processing uses.

This need is driven by a combination of national policy objectives, state economic initiatives, and regional infrastructure constraints, which collectively define both the scale and locational requirements of the proposed project.

2.1 THE NATIONAL STRATEGIC MANDATE FOR AI INFRASTRUCTURE

The United States is currently engaged in a global technological transition centered on Artificial Intelligence. This shift has necessitated a new class of digital infrastructure often referred to as



"AI Factories." Unlike traditional data centers, which prioritize data storage and sequential processing, AI-native facilities are designed for massive parallel processing and high-density GPU (Graphics Processing Unit) clusters.

The national "Need" for this infrastructure is codified in federal policy. Presidential Executive Order 14318 (Accelerating Federal Permitting of Data Center Infrastructure) and the Winning the AI Race: America's AI Action Plan identify the rapid scaling of domestic data center capacity as a matter of both national security and global economic competitiveness. Currently, the U.S. faces a critical shortage of facilities capable of supporting the thermal and power densities (40kW to 100kW+ per rack) required for these technologies.

2.2 WEST VIRGINIA STATE AND REGIONAL ECONOMIC NEED

West Virginia is uniquely positioned to address this national infrastructure gap. Through House Bill 2014, the Power Generation and Consumption Act, the state has incentivized the development of high-impact data centers to modernize its economy. This project fulfills the state's objective of diversifying its industrial base beyond traditional resource extraction.

The regional need is specifically localized to the central Appalachian corridor. The Monarch Compute Campus is strategically located to serve high-need markets including federal agencies and commercial hubs in Washington D.C., Columbus and Athens (OH), as well as Charleston, Huntington, and Parkersburg (WV). The selection of the decommissioned Mason County Airport site represents a strategic effort to repurpose previously disturbed industrial land, providing a "power-ready" location with minimal impact on undisturbed rural landscapes compared to "greenfield" alternatives.

3. PROJECT PURPOSE

3.1 BASIC PROJECT PURPOSE

The basic purpose of the project is to provide high-density electronic information processing and computational infrastructure. In the context of Section 404, this project is "non-water dependent," as it does not require access or proximity to, or sitting within, a special aquatic site to fulfill its basic purpose.

3.2 OVERALL PROJECT PURPOSE

The overall project purpose is to develop a large-scale, AI-native data center campus in the central Appalachian corridor that provides high-density computational capacity with reliable access to high-capacity electrical transmission infrastructure, low-latency network connectivity, and a contiguous land area sufficient to support phased construction of multiple data center facilities and associated support infrastructure, within a regulatory and economic environment conducive to such development.

To be practicable, the project must be located within a geographic area that supports connectivity to regional demand centers, access to existing or expandable power infrastructure, and land use characteristics compatible with large-scale industrial development.

4. IDENTIFICATION AND SCREENING OF ALTERNATIVES

In accordance with the 404(b)(1) Guidelines, the Applicant evaluated a range of alternatives. Practicability was determined based on three primary criteria:

1. Logistics: The ability to accommodate 19 buildings and microgrid infrastructure on a contiguous parcel.
2. Cost: The avoidance of "unreasonably expensive" capital expenditures that would render the project financially unviable.
3. Technology: The ability to implement high-density cooling and power systems required for AI workloads.

4.1 OPTION 1: NO-ACTION ALTERNATIVE

The No-Action Alternative assumes that the Data Center #3 would not be constructed and that no discharge of dredged or fill material into waters of the United States would occur. Under this alternative, existing wetlands and streams within the project area would remain in their current condition.

Environmental Consequences

While the No-Action Alternative would avoid direct aquatic impacts at the project site, the decommissioned airport property would likely remain in a disturbed, unmanaged condition and would not be restored to a higher-quality ecological state in the foreseeable future. In addition, the demand for large-scale data center infrastructure would likely be displaced to other locations within the region, potentially resulting in impacts to higher-quality or less disturbed aquatic resources elsewhere.

Determination:

Although the No-Action Alternative avoids direct impacts to waters of the United States at this site, it does not meet the overall project purpose and is therefore not a practicable alternative under the Section 404(b)(1) Guidelines.

4.2 OPTION 2: ALTERNATIVE DESIGN #1 (GREATER IMPACT DESIGN)

This on-site alternative proposed an expanded Limits of Disturbance (LOD) of approximately 295 acres. This design allowed for increased spacing between data center clusters and additional pad space for administrative offices and parking. While logistically feasible, field delineations revealed that this design would have encroached significantly into high-value aquatic resources to the northeast and south of the airport.

Specifically, Alternative Design #1 would have resulted in 62.63 acres of wetland impacts and 12,956 linear feet of jurisdictional stream impacts, including:

- 1.86 acres of Palustrine Unconsolidated Bottom (PUB) ponds
- 7.90 acres of Palustrine Emergent (PEM) wetlands
- 17.93 acres of Palustrine Scrub-Shrub (PSS) wetlands
- 34.94 acres of Palustrine Forested (PFO) wetlands

- 882 linear feet of ephemeral streams
- 11,233 linear feet of intermittent streams
- 840 linear feet of perennial streams

Determination: This alternative was eliminated. Although it was logistically practicable, it was not the LEDPA because a more compact design (the Preferred Option) could meet the project purpose with significantly fewer impacts.

4.3 OPTION 3: REGIONAL OFF-SITE ALTERNATES CONSIDERED

In addition to the on-site design alternatives, the Applicant conducted an initial screening of regional off-site alternatives (Table 1) within the broader geographic area. These alternatives were identified through a review of GIS data, aerial imagery, publicly available industrial land listings, and known previously disturbed or industrial properties.

TABLE 1: INITIAL OFF-SITE ALTERNATIVES SCREENED

Alternative	General Location	Approximate Parcel Size (acres)	Key Constraints	Screening Outcome
Off-Site A	Eastern Mason County	260	Insufficient contiguous acreage; multiple ownerships	Eliminated
Off-Site B	Cabell County Industrial Area	310	Extensive wetlands; limited transmission access	Eliminated
Off-Site C	Jackson County Brownfield Site	180	Below minimum land area; floodplain presence	Eliminated
Off-Site D	Wood County Upland Tract	500	Requires extensive new transmission and utility extensions	Eliminated

The purpose of this screening was to identify potential alternative locations that could reasonably accommodate a large-scale data center campus and to evaluate whether any of these locations represented a practicable alternative with fewer impacts to waters of the United States.

Each of the off-site alternatives identified above was eliminated during an early screening stage due to the failure to meet one or more practicability criteria, including insufficient parcel size, excessive impacts to aquatic resources, floodplain location, or the requirement for unreasonably extensive infrastructure improvements. Consistent with USACE guidance, alternatives eliminated at an early screening stage were evaluated at a correspondingly coarse level of detail, while only those alternatives determined to be practicable were carried forward for more detailed analysis.

Because the proposed project involves potential impacts to wetlands, which are classified as special aquatic sites, the Section 404(b)(1) Guidelines establish rebuttable presumptions that practicable alternatives not involving special aquatic sites are available and would result in less adverse impact to the aquatic ecosystem. These presumptions were evaluated as part of this alternatives analysis.

The geographic region defined by the overall project purpose is characterized by mountainous topography, dissected watersheds, and narrow valley bottoms, where streams, wetlands, and associated floodplains are pervasive landscape features. Within this regional context, large contiguous land parcels capable of supporting a campus-scale industrial development typically coincide with valley settings that contain waters of the United States or lie within mapped floodplains. Conversely, upland ridge-top areas are generally steeply sloped, fragmented, or otherwise unsuitable for large-scale industrial development due to grading limitations, access constraints, and infrastructure feasibility.

As documented in this analysis, alternatives that avoided special aquatic sites were evaluated at a coarse screening level were determined to be not practicable due to insufficient parcel size, logistical infeasibility, floodplain constraints, or the requirement for prohibitively extensive infrastructure development. Accordingly, the Applicant has demonstrated that practicable alternatives avoiding all special aquatic sites do not exist within the defined geographic area, and the presumptions set forth in the Section 404(b)(1) Guidelines have been rebutted.

5. PREFERRED ALTERNATIVE (OPTION 4)

The Preferred Alternative consists of an approximately 143-acre limits of disturbance (LOD).

5.1 AVOIDANCE AND MINIMIZATION MEASURES

The Applicant has strictly followed the mitigation sequencing of "Avoidance, Minimization, and Mitigation."

- **Avoidance:** By refining the site plan from Design #1 to Option 4, the project avoided permanent impacts to 2.04 acres of PEM wetlands, 12.77 acres of PSS wetlands, 23.66 acres of PFO wetlands, 512 LF of ephemeral stream, and 7,596 LF of intermittent stream.
- **Minimization:** The project is situated on a decommissioned airport, focusing construction on previously disturbed and compacted soils rather than pristine habitats.
- **Technological Minimization:** The data centers will utilize "Dry Cooling" systems. This design choice minimizes the indirect impacts on the local watershed by significantly reducing water withdrawal and thermal discharge compared to traditional evaporative cooling systems.

5.2 SUMMARY OF UNAVOIDABLE IMPACTS

Despite rigorous minimization, the following impacts are unavoidable to achieve the required scale of the AI campus:

- **Federally Jurisdictional Impacts:** 5.47 acres of PEM wetland, 5.10 acres of PSS wetland, 9.23 acres of PFO wetland, 1.86 acres of PUB pond, 371 LF of ephemeral stream, 3,045 LF of intermittent stream, and 840 LF of perennial stream
- **State Jurisdictional Impacts:** 0.39 acres of PEM wetland, 0.06 acres of PSS wetland, 2.05 acres of PFO wetland, and 593 LF of intermittent stream

These impacts are necessary to accommodate the linear infrastructure and power-delivery systems essential for AI processing clusters.

TABLE 2: COMPARISON OF PROPOSED WETLAND IMPACTS (OPTION 2 VS. OPTION 4)

Wetland Type (Cowardin Classification) ¹	Preliminary Jurisdictional Opinion ²	OPTION 2 IMPACTS (Acres) ³	OPTION 4 IMPACTS (Acres) ³
PEM	Federal	6.32	5.47
PEM	State	1.58	0.39
PFO	Federal	21.09	9.23
PFO	State	13.85	2.05
PSS	Federal	15.18	5.10
PSS	State	2.75	0.06
PUB	Federal	1.86	1.86
COMBINED TOTAL IMPACTS (FEDERAL and STATE)			
Total PEM		7.90	5.86
Total PFO		34.94	11.28
Total PSS		17.93	5.16
Total PUB		1.86	1.86
TOTAL WETLAND IMPACTS		62.63	24.16

¹ Classifications are based on ERM's professional judgment of actual field conditions.

² Jurisdictional determinations and boundaries when presented are preliminary and subject to final verification by the U.S. Army Corps of Engineers (USACE) and West Virginia Department of Environmental Protection (WVDEP). Jurisdictional features are regulated by USACE and WVDEP.

³ Feature sizes within Project are rounded for representative purposes.

PEM – palustrine emergent wetland

PFO – palustrine forested wetland

PSS – palustrine scrub/shrub wetland

PUB – palustrine unconsolidated bottom wetland

TABLE 3: COMPARISON OF PROPOSED STREAM IMPACTS (OPTION 2 VS. OPTION 4)

Flow Regime Type (Cowardin Classification) ¹	Preliminary Jurisdictional Opinion ²	OPTION 2 IMPACTS (Linear Feet) ³	OPTION 4 IMPACTS (Linear Feet) ³
Ephemeral (R6)	Federal	883	371
Intermittent (R4)	Federal	9,771	3,045
Intermittent (R4)	State	1,463	593
Perennial (R3)	Federal	840	840
COMBINED TOTAL IMPACTS (FEDERAL and Non-FEDERAL)			
Ephemeral (R6)		883	371
Intermittent (R4)		11,234	3,638
Perennial (R3)		840	840
TOTAL STREAM IMPACTS		12,957	4,849

1 Classifications are based on ERM's professional judgment of actual field conditions.

2 Feature sizes within Project are rounded for representative purposes.

3 Jurisdictional determinations and boundaries when presented are preliminary and subject to final verification by the U.S. Army Corps of Engineers (USACE) and West Virginia Department of Environmental Protection (WVDEP). Jurisdictional features are regulated by USACE and WVDEP.

6. OTHER ENVIRONMENTAL CONSIDERATIONS

6.1 HISTORICAL LAND USE AND PRIOR DISTURBANCE

The project site lies within land historically associated with the West Virginia Ordnance Works (WVOW), a WWII-era ordnance manufacturing complex that included industrial facilities and extensive support infrastructure such as worker housing, roads, and graded pads. Portions of this land were later redeveloped as the Mason County Airport, resulting in substantial grading, paving, and soil disturbance.

In contrast, adjacent WVOW lands remain constrained by Superfund controls or are managed as the McClintic Wildlife Management Area. This history supports selection of the project site as a previously disturbed area appropriate for redevelopment.

6.2 THREATENED AND ENDANGERED SPECIES

A preliminary review of the USFWS Information for Planning and Consultation (IPaC) system was conducted. Due to the site's history as a municipal airport, much of the habitat is currently managed or disturbed. However, formal Section 7 consultation will be initiated to ensure no adverse effects on protected species.

6.3 CULTURAL RESOURCES

Given the previous disturbance of the site for airport operations, the likelihood of intact cultural or archaeological resources is low. However, Phase I archaeological surveys are planned throughout the LOD.

6.4 FLOODPLAIN CONSIDERATION

Extensive portions of the Ohio River Valley are within FEMA-mapped floodplains. Surrounding parcels would require floodplain encroachment and floodproofing measures incompatible with mission-critical data center infrastructure. The Preferred Alternative allows development to be concentrated outside mapped Special Flood Hazard Areas to the maximum extent practicable.

7. PRACTICABILITY ANALYSIS

Alternatives were evaluated for practicability based on availability, logistics, existing technology, and cost, in accordance with 40 CFR §230.3(q). Practicability determinations were made considering the overall project purpose, including the need to support campus-scale development of high-density computational facilities, accommodate integrated infrastructure systems, and maintain operational feasibility for phased construction consistent with AI-native data center requirements. Each practicability factor was evaluated with respect to whether an alternative could reasonably satisfy these purpose-driven requirements.



Availability determinations considered whether an alternative parcel could reasonably be obtained, developed, and permitted within the timeframe during which the U.S. Army Corps of Engineers' alternatives analysis and permit review would occur. An alternative was eliminated from further consideration if it failed any single practicability factor. Cost considerations were evaluated using objective, industry-neutral factors such as infrastructure extension requirements, site preparation needs, and access to existing utilities and transmission infrastructure, and did not include broader economic or fiscal impacts.

TABLE 4: PRACTICABILITY SCREENING MATRIX

Alternative	Availability	Logistics	Existing Technology	Cost	Practicable
No-Action	Yes	No	Yes	Yes	No
Expanded LOD Design (Option 2)	Yes	Yes	Yes	Yes	Yes
Ohio River Adjacent Site (Option 3)	No	No	No	No	No
Off-Site A (Regional)	Potential	No	Yes	Yes	No
Off-Site B (Regional)	Potential	No	Yes	Yes	No
Off-Site C (Regional)	Potential	No	Yes	Yes	No
Off-Site D (Regional)	Potential	No	No	No	No
Preferred Alternative (Option 4)	Yes	Yes	Yes	Yes	Yes

Cost practicability was evaluated based on whether an alternative would require prohibitively excessive infrastructure investment relative to comparable large-scale industrial development in the region. Cost analyses considered factors such as the length of new utility and transmission extensions, site preparation requirements, and access constraints. Economic considerations such as potential job creation, tax revenue, or overall project profitability were not included in the determination of practicability.

While the proposed project includes substantial linear infrastructure components, those facilities are planned and engineered as an integrated system optimized for the selected site. Several off-site alternatives would require separate, duplicative, or non-integrated infrastructure systems, including parallel extensions of utilities, transmission, or pipelines that could not feasibly leverage the same routing, capacity, or phasing efficiencies.

In these cases, infrastructure investments would be disproportionate relative to the developable area and operational capacity of the alternative sites, would lack economies of scale achievable at the preferred site, or would require extensive upgrades to third-party systems beyond normal

regional development expectations. Accordingly, such alternatives were determined to be prohibitively expensive in relation to both the project purpose and comparable large-scale industrial development in the region.

8. LEDPA DETERMINATION AND CONCLUSION

All alternatives remaining after the practicability screening were evaluated to determine the LEDPA. Off-site and regional alternatives were eliminated prior to this step due to failure to meet one or more practicability criteria and therefore were not carried forward for detailed aquatic impact comparison. In addition to reduced aquatic impacts, the Preferred Alternative avoids development in mapped floodplains and maximizes reuse of previously disturbed land, reducing the likelihood of other significant adverse environmental consequences.

Among the remaining practicable alternatives, the Preferred Alternative (Option 4) results in the least impact to waters of the United States, including fewer impacts to forested and scrub-shrub wetlands, while still meeting the overall project purpose. Compared to Option 2, the Preferred Alternative avoids over 38.47 acres of permanent wetland impacts through a more compact site layout and refined LOD.

Cumulative impacts to the aquatic ecosystem were also considered; however, given the limited number of remaining practicable alternatives and the avoidance of higher-quality resources through site refinement, the Preferred Alternative does not contribute disproportionately to cumulative watershed-scale impacts compared to other practicable options.

Based on this analysis, Option 4 represents the Least Environmentally Damaging Practicable Alternative in accordance with the Section 404(b)(1) Guidelines.

9. COMPENSATORY MITIGATION (FUTURE PERMITTING CONSIDERATION)

The Applicant acknowledges that compensatory mitigation will be required for unavoidable impacts to jurisdictional waters of the United States. Compensatory mitigation will be developed in coordination with the U.S. Army Corps of Engineers during the Section 404 permitting process. Compensatory mitigation was not considered in the determination and will be addressed separately as part of the Section 404 permitting process.

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