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## **ADDENDUM A**

### **SECTION 404 ADDENDUM**



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2015-0785

**HARRISON ROAD EAST PROJECT**

**Individual Section 404 Authorization Addendum**

**MBJ Holdings, LLC**

**November 17, 2015**

Engineers

Surveyors

Planners

Scientists



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## 1.0 INTRODUCTION

EMH&T has prepared this addendum document at the request of MBJ Holdings, LLC in order to obtain Section 404 authorization for impacts to Waters of the United States associated with a proposed development known as the Harrison Road East Project.

As more fully described in the *Proposal for Section 404 & 401 Authorization*, the proposed Harrison Road East Project will provide for the construction of a 2.4 million square foot office/warehouse complex on a 288-acre site located east of Harrison Road, south of Jug Street, west of Mink Street and north of State Route 161 Jersey Township, Licking County, Ohio. The project area will be annexed into the City of New Albany.

To issue an Individual Section 404 Permit, the U.S. Army Corps of Engineers (USACE) must (1) assess the probable effects of the proposed action; (2) consider the extent of the public and private need for the proposed structures and work; (3) consider all public comments; (4) prepare documentation pursuant to the National Environmental Policy Act (NEPA); and (5) conclude that the project is in compliance with applicable laws and is not contrary to the public interest.

This addendum is intended to support this USACE decision-making process. The information provided herein is intended to supplement the *Proposal for Section 404 & 401 Authorization*.

## 2.0 GENERAL DESCRIPTION OF PROPOSED WORK

Three alternatives, Alternative #1, Alternative #2, and Alternative #3, have been prepared for the proposed office/warehouse complex development, as described in the *Proposal for Section 404 & 401 Authorization*. MBJ Holdings is requesting authorization to construct Alternative #1. This alternative would include 20 buildings with approximately 2.4 million square feet of available office and warehouse space as well as associated parking areas, loading docks, trailer storage, internal roadways and stormwater facilities. The construction of the proposed complex will add much needed development space that combines office and warehouse facilities specifically designed for highly specialized tenants.

The proposed jurisdictional impacts for Alternative #1 include 1,989 linear feet of ephemeral stream (Streams 3, 4, 6 and 7), 853 linear feet of intermittent stream (Streams 1 and 5), 0.04 acre of emergent wetlands and 2.62 acres of forested wetlands. The stream and wetland impacts include grading and fill associated with construction of the proposed buildings and parking lots, as well as culverts on Stream 1 and Stream 5 in order to construct a roadway between Harrison Road and Mink Street. The surface water impacts for the Alternative #1 are summarized below in Table 1.

For Alternative #1, the proposed mitigation will include the preservation of approximately 4,937 linear feet of stream onsite and 1,987 linear feet of stream offsite. The proposed mitigation will also include purchase of 6.7 acres of wetland mitigation credits from the Stream + Wetlands Foundation Huntington District In-Lieu Fee Program.



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**TABLE 1  
Proposed Discharges of Dredged and/or Fill Material in Waters of the U.S.**

<b>Feature ID</b>	<b>Latitude</b>	<b>Longitude</b>	<b>Classification</b>	<b>ORAM Category/ALU</b>	<b>Onsite Extent (acres/lf)</b>	<b>Proposed Impacts (acres/lf)</b>	<b>Proposed Preservation (acres/lf)</b>	<b>Activity</b>
Wetland A	40.0875	-82.7286	Forested/PFO	Cat 3	2.73	0	2.73	None
Wetland B	40.0882	-82.7299	Forested/PFO	Cat 2	0.54	0.54	0	Fill and grading for primary entrance road and Building 13 parking lot
Wetland C	40.0889	-82.7311	Forested/PFO	Cat 2	2.55	2.05*	0	Fill and grading for primary entrance road and parking lots and stormwater basins for Buildings 4, 9 and 12
Wetland G	40.0899	-82.7273	Forested/PFO	Cat 2	0.03	0.03	0	Fill and grading for roadway and Building 10 stormwater basin
Wetland I	40.0900	-82.7287	Forested/PFO	Cat 3	6.77	0	6.77	None
Wetland M	40.0855	-82.7200	Herbaceous/PEM	Cat 1	0.05	0.04	0.01	Fill and grading for Building 20 parking lot and stormwater basin
<b>Wetland Total</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>12.67</b>	<b>2.66</b>	<b>9.51</b>	<b>---</b>

\* 0.5 acre of impact previously requested under a Nationwide Permit



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**TABLE 1, continued**  
**Proposed Discharges of Dredged and/or Fill Material in Waters of the U.S.**

Feature ID	Latitude	Longitude	Classification	ORAM Category/ALU	Onsite Extent (acres/lf)	Proposed Impacts (acres/lf)	Proposed Preservation (acres/lf)	Activity
Stream 1	40.0885	-82.7287	Intermittent	LRW	1,551	631	920	Fill and grading for parking lots and stormwater basins for Buildings 10, 11 and 13; installation of box culvert for primary entrance road
Stream 2	40.0879	-80.7277	Ephemeral	LRW	665	0	665	None
Stream 3	40.0891	-82.7307	Ephemeral	LRW	766	635	0	Fill and grading for primary entrance road and parking lots and stormwater basins for Buildings 9
Stream 4	40.0897	-82.7272	Ephemeral	LRW	385	385	0	Fill and grading for parking lots and stormwater basins for Buildings 10 and 11
Stream 5	40.0852	-82.7234	Intermittent	WWH	3,429	222	3,207	Installation of a box culvert for the primary entrance road
Stream 6	40.0845	-82.7257	Ephemeral	LRW	607	556	0	Fill and grading for parking lot and stormwater basin for Building 16
Stream 7	40.0858	-82.7237	Ephemeral	LRW	432	383	0	Fill and grading for Building 16 and its parking lot
Stream 8	40.0857	-82.7212	Ephemeral	LRW	145	0	145	None
<b>Stream Total</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>---</b>	<b>7,980</b>	<b>2,812</b>	<b>4,937</b>	<b>---</b>



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### **3.0 PROJECT PURPOSE AND NEED**

The purpose of the proposed project is to construct a commercial office/warehouse complex, including office and warehouse buildings, parking areas, trailer storage and loading dock areas. The construction of the proposed commercial office/warehouse facility will add much needed development space that combines office and warehouse facilities specifically designed for highly specialized tenants.

Construction of the project in accordance with the proposed development plan will require grading and tree clearing across portions of the site. The development will impact 2,812 linear feet of jurisdictional stream impacts and 2.66 acres of jurisdictional wetland impacts; an additional 0.5 acre of jurisdictional wetland impacts were previously permitted via a Nationwide Permit and an Ohio Isolated Wetland Permit has been submitted for impacts to 5.44 acres of isolated wetlands.

### **4.0 DESCRIPTION OF THE PROPOSED DISCHARGE**

#### **4.1 Location of the Discharge**

Fill material is proposed to be placed in 2.66 acres of wetland and 2,812 linear feet of ephemeral and intermittent stream on the 288-acre Harrison Road East site located in Jersey Township, Licking County, Ohio. The site is located within the 12-digit HUC 05040006-0402, Headwaters South Fork Licking River.

#### **4.2 Material to be Discharged**

The material to be discharged includes approximately 4,596 cubic yards of clean earthen fill material and 260 linear feet (280 cubic yards) of culvert. These materials will be chemically non-contaminating and physically stable.

#### **4.3 Controlling the Material after Discharge**

Best Management Practices (BMPs) for sediment and erosion control will be implemented at all times during the construction of the proposed development. These BMPs include silt fences, sediment traps, temporary and permanent seeding and mulching, construction road stabilization, temporary inlet protection, and sediment basins installed for construction use.

Stormwater permits and Stormwater Pollution Prevention Plans for construction activities will be prepared as needed for site development, following the requirements of the National Pollutant Discharge Elimination Systems program (USEPA, 9/92) and Notices of Intent (NOIs). Appropriate, site-specific Best Management Practices (BMPs) will be included in construction plans to decrease erosion and sedimentation during and after construction of the project site, including the placement of sediment fence inside impact areas.

All sediment controls that are utilized will be kept in place during construction activities and will remain until the site has been stabilized. All areas disturbed during construction will be seeded to encourage the establishment of a vegetative cover and decrease erosion potential. No area for which grading has been completed shall be left unseeded or un-mulched for longer than 14 days.



#### 4.4 Placement Method, Timing and Technology

Placement of fill would be accomplished via standard earthmoving practices. As described above, BMPs would be employed at all times during the construction. Construction would not all occur simultaneously over the project site. Construction is expected to begin with construction of the primary roadway between Harrison Road and Mink Street in 2016 with the remainder of the development to be constructed over a 5-year period between 2016 and 2021.

#### 5.0 ALTERNATIVES CONSIDERED

Section 5.0 of the *Proposal for Section 404 & 401 Authorization* discusses in detail the off-site and on-site alternatives that were considered as part of the development of the Harrison Road East Project. The alternatives considered included:

##### Off-Site Alternatives:

MBJ Holdings initially explored several sites in the City of New Albany area for the proposed project. There are very few viable options for the proposed office/warehouse complex, because the New Albany area has been developed extensively with both residential housing, light manufacturing facilities, and corporate office buildings. For the evaluation of off-site alternative sites, EMH&T worked with MBJ Holdings to evaluate properties that met certain minimum criteria. These criteria were (1) sites that were within the City of New Albany or could be annexed to New Albany; (2) sites that were at least 200 acres in size; (3) sites with sufficient access to the interstate; (4) sites with available utilities or potential to develop sufficient utilities; and (5) sites that were owned or controlled by a single entity.

Using these criteria, only there are only two sites eligible for consideration, the Harrison Road East site and the Winding Hollow Golf Course site. Winding Hollow is currently slated for development of a corporate office business park and an application has been submitted Clean Water Act Section 404 Authorization and Section 401 Water Quality Certification for that project. Accordingly, there are no other properties available that meet the project criteria within the greater New Albany area. The Harrison Road East site meets all the criteria, providing approximately 288 acres of property with excellent interstate access and developable utilities, which is able to be annexed to New Albany.

##### On-Site Alternatives:

- **Alternative #1:** The Preferred Alternative provides for the development of a commercial office and warehouse complex consisting of 20 buildings totaling approximately 2.4 million square feet. The proposed commercial office and warehouse development would include installation of necessary infrastructure, including parking lots, stormwater basins, utility infrastructure and internal roadway construction, within the proposed development footprint. Impacts associated with this alternative include 2,812 linear feet of ephemeral and intermittent stream impacts and 2.66 acres of jurisdictional wetland impacts.
- **Alternative #2:** The Minimal Degradation Alternative provides for the construction of a slightly revised complex consisting of 19 buildings, totaling approximately 2.26 million square feet, and associated parking, stormwater facilities, utilities and roadways. By



eliminating one building, and reducing the size of two other buildings, stream and wetland impacts have been reduced. Impacts associated with this alternative include 1,966 linear feet of ephemeral and intermittent stream impacts and 1.50 acres of jurisdictional wetlands.

- **Alternative #3:** The Non-Degradation Alternative is based upon the preservation of all onsite surface water features. This would require that the project be scaled down and would allow for construction of 17 buildings, totaling 1.76 million square feet, and reduced parking areas. This alternative significantly decreases the size and capacity of the proposed development. This reduced facility would not meet the purpose and need of the project.

The proposed Alternative (Alternative #1) will allow MBJ Holdings to develop a 2.4 million square foot office/warehouse complex including 20 buildings. The evaluation of technical factors, cumulative effects, and public interest factors described herein is based upon the evaluation of the proposed Preferred Alternative, Alternative #1.

## 6.0 TECHNICAL FACTORS EVALUATION

### 6.1 Physical and Chemical Characteristics

#### 6.1.1 Substrate Impacts

The placement of fill within the streams and wetlands will be a permanent impact, removing those features from the site. In Streams 1 and 5, in which culverts will be placed, there will be limited impacts to the existing stream substrates in the vicinity of the culverts. However, culverts will be installed at the streambed slope to allow for the natural movement of aquatic organisms and bedload to form a stable bed inside the culvert. Additionally, the culvert bases shall be installed below the sediment to allow a natural channel bottom to develop.

#### 6.1.2 Suspended Sediment / Turbidity Impacts

There will be increased, localized turbidity impacts associated with construction of the proposed project. Utilization of appropriate sediment and erosion controls and installation of culverts during low flow conditions will help to reduce turbidity impacts.

#### 6.1.3 Water Column Impacts

The placement of fill within the streams and wetlands will permanently impact the chemical and physical properties of the water column within the existing stream channels and wetlands. Within the unimpacted streams and wetlands existing light penetration, dissolved oxygen, and water chemistry is expected to be maintained.

#### 6.1.4 Alteration of Current Patterns and Water Circulation

Current patterns, flow and water circulation would not be significantly affected by the proposed project. Water will continue to flow through the northern portion of the site in a southwesterly direction from the preserved Wetlands A and I, into Streams 1 and 2, and offsite via Stream 1. In the southern portion of the site, the culvert over the South Fork Licking River (Stream 5) will be



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appropriately sizes such that flow is unimpeded and continues to flow in its current southwesterly direction across the site.

#### 6.1.5 Alteration of Normal Water Fluctuations / Hydroperiod

Construction of the proposed project will not retain or detain stream flow and will not impact normal seasonal stream stages.

### 6.2 **Biological Characteristics**

#### 6.2.1 Effect on Threatened/Endangered Species

The proposed project is located within the range of the endangered Indiana bat (*Myotis sodalis*), threatened northern long-eared bat (*Myotis septentrionalis*), and the candidate species Eastern massasauga (*Sistrurus catenatus*). Coordination with the U.S. Fish and Wildlife Services was initiated by EMH&T concerning possible impacts to federally-listed species on a portion of the site and a summer survey was conducted for bat species. No Indiana bats or northern long-eared bats were detected.

The USFWS response to this coordination indicated that following “seasonal tree clearing restrictions [clearing between October 1 and March 31] should ensure that any effects to northern long-eared bats are insignificant or discountable.” Further, the USFWS stated that “due to project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, proposed, or candidate species.”

In November 2015, additional coordination with the USFWS was initiated concerning possible impacts to federally-listed species in regard to an additional 72-acre parcel that was incorporated into the project area in October 2015, following the previously described coordination. A coordination letter was submitted to the USFWS regarding the additional area on November 13, 2015. The response from the USFWS is still pending and will be provided upon receipt. Additional information regarding threatened/endangered species is provided in Section 4.3 of the *Proposal for Section 404 & 401 Authorization*.

#### 6.2.2 Effect on the Aquatic Food Web

Adverse effects to biota, including primary producers (algae and plankton), benthic macroinvertebrates and small pioneering species of fish, are expected to be short-term. Fish and amphibian species may relocate to unimpacted wetlands and stream reaches. The fill material to be placed will not introduce, relocate or increase any contaminants on the site.

#### 6.2.3 Effect on Other Wildlife

Construction and grading activities would impact vegetation through removal of existing trees, shrubs and herbaceous ground cover within portions of the project site. Accordingly, some terrestrial biota, including birds, amphibians, reptiles, small mammals, etc. are expected to be disturbed or displaced during construction. However, these wildlife species could re-colonize to adjacent, unimpacted forested habitat. In addition, the high quality wetlands and stream corridors that are proposed to be preserved as part of Alternative #1 would provide habitat for these species.



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### **6.3 Special Aquatic Sites**

The proposed project will not impact any of the following special aquatic sites, as defined in 40 CFR 230 Subpart E: Sanctuaries and refuges, mud flats, vegetated shallows or coral reefs. The proposed project does include impacts to wetlands and riffle/pool complexes.

The wetland impacts are limited in scope (2.66 acre) and will impact low to moderate quality resources, i.e., Category 1 and Category 2 per the Ohio Rapid Assessment Method (ORAM) assessment. The wetland resources are further discussed in Section 3.2 of the *Proposal for Section 404 & 401 Authorization*.

The stream impacts will include 2,590 linear feet of ephemeral and intermittent Limited Resource Waters (LRW) and 222 linear feet of intermittent Warmwater Habitat, as defined in Ohio Administrative Code 3745-1-07. The streams to be impacted are further discussed in Section 3.3 of the *Proposal for Section 404 & 401 Authorization*. To offset these impacts, a total of 4,937 linear feet of stream will be preserved on the site and an additional 1,987 linear feet of stream will be preserved offsite. This is further discussed in Section 7 of the *Proposal for Section 404 & 401 Authorization*.

### **6.4 Human Use Characteristics**

#### **6.4.1 Effects on Municipal and Private Water Supplies**

The surface waters on the site are not used as a source of drinking water, nor are any waters located within the HUC 05040006-0402. Accordingly, no impacts are expected to occur to municipal and/or private water supplies.

#### **6.4.2 Recreational and Commercial Fisheries Impacts**

Due to their size and quality, the surface waters on the site do not support recreational or commercial fisheries. Thus, no impacts are expected to fisheries as a result of this project.

#### **6.4.3 Effects on Water-Related Recreation**

The size and quality of the surface waters on the site make water-related recreational opportunities such as fishing, swimming or boating, effectively non-existent. The area could potentially support passive recreation and wildlife observation. However, the site is privately owned and is not currently used for any recreational activities.

#### **6.4.4 Aesthetic Impacts**

The proposed project would remove existing houses, driveways, lawns, agricultural fields and forest present on the property. Aesthetic elements of the proposed development will include preservation of existing trees within property setbacks and an extensive planting plan, including large trees and shrubs. In addition, the proposed project includes significant stream and wetland preservation areas that would help to maintain the aesthetic quality of the project site.

#### **6.4.5 Effects on Parks, Monuments, Wilderness Areas and Preserves**



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Per the coordination conducted with the Ohio Department of Natural Resources (ODNR) and the USFWS, there are no state or federal parks, wilderness areas, forests, monuments, wildlife refuges, nature preserves or other such designated, protected areas in the vicinity of the project.

## **7.0 CUMULATIVE EFFECTS EVALUATION**

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

The project is located within the 12-digit HUC 05040006-0402, Headwaters South Fork Licking River. This 15.4 square mile watershed includes the principal part of the City of Pataskala and extends north to the State Route 161 corridor. According to the *Biological and Water Quality Study of the Licking River and Selected Tributaries, 2008* (Ohio EPA, 2012), the watershed is comprised of approximately 12% residential and commercial development, 19% pasture and 42% row crop agriculture. The balance includes forest and open water. Agricultural land uses within the watershed are expected to decline with the growth of the Columbus metro area along the State Route 161 corridor.

### **7.2 Water Resources in 12-Digit HUC**

The primary water resource in HUC 05040006-0402 is the South Fork Licking River. The South Fork Licking River is designated as warmwater habitat (WWH) per Ohio Administrative Code (OAC) 3745-1-24 and is in full attainment of that use designation per the Ohio EPA's 2014 *Integrated Water Quality Monitoring and Assessment Report*. There are approximately 28.5 miles of stream located within the watershed according to the U.S. EPA EnviroAtlas. According to the EnviroAtlas, approximately 0.02% of the watershed is comprised of wetlands.

### **7.3 Known Past, Present and Future Activities**

As mentioned, within the 12-digit HUC, agriculture is expected to significantly decline as commercial and residential development expands along State Route 161, which was increased to a four lane highway through Licking County in 2009. In particular, the New Albany Business Park, in which the proposed development is located, continues to expand along State Route 161 and provides thousands of jobs to the area economy. The business park is estimated to have created over 13,000 jobs and represents over \$1.3 billion in total investment.

In association with the business campus development, approximately 500-600 acres of ground have been developed, primarily in the Blacklick Creek watershed (HUC 05060001-15-03). However, stream and wetland impacts within these recently developed areas were minimized by avoiding and preserving the highest quality stream and wetland features. These projects also removed approximately 500 acres from active agricultural use, eliminating nonpoint source pollution from nutrient runoff. Additionally, hundreds of acres of forest, wetland and other natural habitat have been donated to the City of New Albany for mitigation, conservation and recreational purposes. Finally, for those surface water impacts that were unavoidable, the mitigation completed has resulted in a new increase of wetland acreage.

Outside of the business campus and the State Route 161 corridor, the majority of the surrounding land has been historically farmed and is comprised of active agricultural fields and residential parcels. The ongoing agricultural activities have significantly altered the stream, riparian and



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wetland areas within the watershed, and contribute to the nonpoint source pollutant loads in the watershed.

Due to the high rates of forecasted population growth within the next several years and associated land use impacts, the South Fork Licking River watershed has been identified by Ohio EPA as a “Rapidly Developing Watershed.” Rapidly developing watersheds are subject to increased permit requirements and an accelerated implementation schedule under the Ohio EPA National Pollutant Discharge Elimination System (NPDES) Phase II General Permits. This provides protection for water quality, habitat and aquatic life within the watershed.

Despite significant population growth, Ohio EPA has determined that fish and aquatic species are thriving within the Licking River watershed. The Ohio EPA recently completed the *Biological and Water Quality Study of the Licking River and Selected Tributaries, 2008* (Ohio EPA, 2012), which included the South Fork Licking River watershed, in preparation for completion of the Licking River Total Maximum Daily Load (TMDL) report. The biological and water quality study determined that 88 percent of the watershed fully met aquatic life use goals. In particular, in the Headwaters South Fork Licking River Assessment Unit (HUC 05040006-0402), biological performance was found to be good, stream habitat was found to be in the very good range, and water column chemical parameters were consistent with good quality.

#### **7.4 Known Restoration Projects**

Several restoration and other implementation projects have been completed within the South Fork Licking River watershed (HUC 05040006-04). Much of this work has centered on Buckeye Lake, located downstream of the project area. These include:

- Development of a comprehensive lake management and nutrient reduction plan for Buckeye Lake
- Tributary mapping and watershed characterization for the Buckeye Lake Watershed by the Fairfield Soil & Water Conservation District
- Installation of 200 rain barrels and planting of 200 acres of cover crops in Fairfield, Licking and Perry County
- Installation of 1,701 square feet of permeable pavement, installation of four rainwater reuse systems, installation of a 440-square foot rain garden and retrofit of two catch basins with sediment skimmers in the Village of Buckeye Lake
- Installation of 7,500 square feet of permeable pavement and installation of two rain gardens by ODNR at Buckeye Lake State Park
- Removal of a low head dam and restoration of the Salt Run stream channel in Granville Township, Licking County

In addition, a large, multi-million dollar restoration project was completed by Ohio EPA and the U.S. Army Corps of Engineers at the former Newark Processing Facility on the Licking River mainstem. Based on available information from the Ohio EPA, it does not appear that any restoration projects have been completed in the Headwaters South Fork Licking River subwatershed (HUC 05040006-0402).



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## **8.0 PUBLIC INTEREST FACTOR EVALUATION**

### **8.1 Conservation**

MBJ Holdings has made an effort to minimize impacts to jurisdictional waters of the U.S. to the extent practical, as a significant area is needed in order to construct the proposed project. The project proposes the use of sediment and erosion control measures during and after construction to minimize downstream impacts. Further, significant stream and wetland preservation areas have been incorporated into Alternative #1, which will provide for the perpetual protection of the highest quality resources on the site. In total, 9.5 acres of Category 3 forested wetlands and 4,937 linear feet of unimpacted ephemeral and intermittent stream will be preserved on site within approximately 20 acres of associated forested buffer. In addition, 1,987 linear feet of stream will be preserved offsite within approximately 4 acres of riparian buffer. These areas will be protected in perpetuity via conservation easement. These preservation areas are discussed in Section 7 of the *Proposal for Section 404 & 401 Authorization*.

### **8.2 Economics**

Alternative #1, estimated over the 15 year build out of the office/warehouse complex, would create an estimated 4,816 new permanent (office/warehouse) jobs and potentially create an estimated 963 new temporary (construction/maintenance) jobs. The new permanent positions could potentially result in an estimated annual payroll of \$144,477,000 while the new temporary jobs could potentially result in another \$28,895,000 of annual payroll.

Using these assumptions, the total estimated annual payroll taxes for the new permanent positions would be approximately \$11,992,000, while the estimated annual payroll taxes for the temporary jobs would be approximately \$2,398,000. The state and local annual income and property taxes generated from the proposed complex would be based on the taxable real estate and income taxes for the development and would exceed \$11.9 million annually. The social and economic benefits of the project are further discussed in Section 5.6 of the *Proposal for Section 404 & 401 Authorization*.

### **8.3 Aesthetics**

As mentioned previously, the proposed project would remove existing houses and appurtenant facilities present on the property. Aesthetic elements associated with the proposed development will include preservation of existing trees within property setbacks and an extensive planting plan, including large trees and shrubs. In addition, the project includes significant stream and wetland preservation areas that would help to maintain the aesthetic quality of the project site.

### **8.4 Wetlands & Other High Value Aquatic Sites**

Impacts would occur to approximately 2,812 linear feet of ephemeral and intermittent stream and 2.66 acres of wetlands under the proposed alternative. Information concerning the location and quality of these streams and wetlands is provided in Section 3 of the *Proposal for Section 404 & 401 Authorization*. The stream and wetland impacts include grading and fill associated with construction of the proposed buildings and parking lots, as well as culverts on Stream 1 and Stream 5 in order to construct a roadway between Harrison Road and Mink Street.



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## **8.5 Historic Properties**

The cultural resources literature review completed by EMH&T that there is a low potential to encounter significant prehistoric archaeological sites within the project area. Further, it was determined to be highly unlikely for the project to contain historic sites. A copy of the literature review is attached to *Proposal for Section 404 & 401 Authorization*.

## **8.6 Flood Hazards**

Not applicable. Per the FEMA Flood Insurance Rate Map, the entirety of the site is located within Zone X (unshaded), which includes areas outside the 500-year floodplain.

## **8.7 Floodplain Values**

Not applicable. Per the FEMA Flood Insurance Rate Map, the entirety of the site is located within Zone X (unshaded), which includes areas outside the 500-year floodplain. Accordingly, there will be no adverse impacts associated with occupancy and modification of floodplains.

## **8.8 Land Use**

The proposed development meets all applicable local zoning requirements. It is located on land identified by Licking County with the land use of “Vacant land.” The property is intended to be annexed by the City of New Albany.

## **8.9 Navigation**

Not applicable. The size of the surface waters to be impacted on the site precludes navigation. The streams have ephemeral to intermittent flow regimes and are (on average) less than 5 feet wide and less than a foot deep, preventing navigation by even small watercraft such as canoes or kayak.

## **8.10 Recreation**

As noted previously, the size and quality of the surface waters on the site make water-related recreational opportunities such as fishing, swimming or boating, effectively non-existent. The area could potentially support passive recreation and wildlife observation. However, the site is privately owned and is not currently used for any recreational activities.

## **8.11 Energy & Mineral Needs**

Not applicable. The proposed project will have no effect on energy or mineral resources.

## **8.12 Safety**

Not applicable. The proposed project will not adversely affect public health and safety.



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### **8.13 Water Quality**

The project shall be completed utilizing best management practices that will avoid and minimize any temporary impacts to water quality during project construction. It is anticipated that adverse impacts to water quality, if any, would be minor in magnitude and short-term in duration.

### **8.14 Fish & Wildlife Values**

Coordination with the U.S. Fish and Wildlife Services was initiated by EMH&T concerning possible impacts to federally-listed species. The USFWS response indicated that following “seasonal tree clearing restrictions [clearing between October 1 and March 31] should ensure that any effects to northern long-eared bats are insignificant or discountable.” Further, the USFWS stated that “due to project type, size, and location, we do not anticipate adverse effects to any other federally endangered, threatened, proposed, or candidate species.” This coordination is further discussed in Section 4.3 of the *Proposal for Section 404 & 401 Authorization*.

Adverse effects to non-federally-listed species are expected to be short-term. Fish species and terrestrial biota (birds, amphibians, small mammals, etc.) may be disturbed or displaced during construction but these species could likely relocate to adjacent, unimpacted habitat.

### **8.15 Shore Erosion & Accretion**

Not applicable. There are no lake or sea shores located within the project area.

### **8.16 Water Supply & Conservation**

Not applicable. The proposed project will not affect the local water supply.

### **8.17 Food & Fiber Production**

Not applicable. The proposed project will have no effect on food and/or fiber production.

### **8.18 Consideration of Property Ownership**

The project is proposed to be developed on private property owned by MBJ Holdings, LLC. Development of the project will not cause damage to the property of others.