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

October 20, 2026

Regulatory Division
North Branch
LRH-2026-00851-SCR

APPROVED JURISDICTIONAL DETERMINATIONS

Jennifer Walker
AEP Ohio Transmission Company, Inc.
8600 Smith's Mill Road
New Albany, Ohio 43054

Dear Jennifer Walker:

I refer to the *Environmental Survey Report, Baku Station Project* (report) dated August 2026, and submitted on your behalf by WSP. You have requested an approved jurisdictional determination (JD) for the resources on the approximate 167-acre JD review area encompassed by the larger stream and wetland delineation area. The JD review area is located east of Wakefield Mound Road and north of Big Run Road in Scioto Township, Pike County, Ohio with an approximate center point located at 38.9858966 latitude, -83.0148915 longitude. The proposed project area occurs within the Big Run-Scioto River, 12-digit Hydrologic Unit Code: 050600021602, and can be found on the United States Geological Survey, Wakefield, Ohio 1:24K topographic map. Waters on-site include an unnamed tributaries of the Scioto River, a traditional navigable water (TNW) of the United States. Your request has been assigned the following file number: LRH-2026-00851-SCR. Please reference this file number on all future correspondence related to this JD request.

The United States Army Corps of Engineers' (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 Department of the Army (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.

Approved Jurisdictional Determination

The features addressed in this approved JD were 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 use, our office has determined that 5,335 linear feet of five (5) streams located within the approved JD review area (S-BS-5-2 – 2,226 linear feet, S-BS-1-8 – 509 linear feet, S-BS-7a / S-BS-7b – 1,410 linear feet, S-BS-5-9 – 868 linear feet, and S-BS-5-11 – 322 linear feet) are relatively permanent waters with a continuous surface water connection to a downstream TNW of the United States, and are subject to Section 404 regulation. Furthermore, our office has determined that 0.125 acre of three (3) wetlands (W-BS-1-3 – 0.004 acre, W-BS-5-3 – 0.03 acre, and W-BS-5-4 – 0.091 acre) exhibit an unbroken surface connection or a continuous surface water connection to a water identified in paragraph (a)(1) through (a)(6) of the pre-2015 regulations and are jurisdictional waters of the United States subject to Section 404 regulation. Additionally, our office has determined that 0.02 acre of one (1) pond (P-BS-1-3) is an impoundment of a relatively permanent water of a TNW and maintains a continuous surface water connection to a downstream TNW, and is thus is subject to Section 404 regulation.

Based on a review of the information provided and other information available to us, our office has determined that 1,909 linear feet of nine (9) drainage features (Drainage Features 1-9) are considered “generally not jurisdictional” under the Rapanos guidance and are therefore not considered jurisdictional waters of the United States subject to regulation under Section 404. Additionally, 3,366 linear feet of eight (8) streams (S-BS-5-1 – 1,111 linear feet, S-BS-5-3 – 366 linear feet, S-BS-5-4 – 101 linear feet, S-BS-5-5 – 86 linear feet, S-BS-5-6 – 153 linear feet, S-BS-5-8 – 348 linear feet, S-BS-5-10 – 446 linear feet, and S-BS-1-6 – 755 linear feet) are not considered relatively permanent waters and are therefore are not considered jurisdictional waters of the United States. Lastly, 0.079 acre of two (2) wetlands (W-BS-5-1 – 0.025 acre and W-BS-5-2 – 0.054 acre) do not physically abut or touch a relatively permanent water. Therefore, W-BS-5-1 and W-BS-5-2 do not exhibit an unbroken surface connection or a continuous surface water connection to a water identified in paragraph (a)(1) through (a)(6) of the pre-2015 regulations and are not jurisdictional waters of the United States subject to Section 404 regulation. You should contact the Ohio Environmental Protection Agency, Division of Surface Water, at (614) 664-2001 to determine state permit requirements.

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. 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 Administrative Appeal Options (NAO) and Request for Appeal Form (RAF). If you request to appeal this determination you must submit a completed RAF to the Great Lakes and Ohio River Division Office at the following address:

Attn: Katherine McCafferty, Appeals Officer
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) 310-4196
Email: katherine.a.mccafferty@usace.army.mil

In order for a RAF 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 Notification of Administrative Appeal. Should you decide to submit an RAF form, it must be received at the above address by December 18, 2026. **It is not necessary to submit an RAF 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 Corps' Section 404 jurisdiction for the particular 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.

We are available for pre-application consultation. A copy of this letter will be provided to the Ohio Environmental Protection Agency and your agent, Philip Renner, with WSP. If you have any questions concerning the above information, please contact Lee Arco of the North Branch at 304-765-1485, by mail at the above address or by email at lee.j.arco@usace.army.mil.

Sincerely,

Teresa D. Spagna
Chief, North Branch

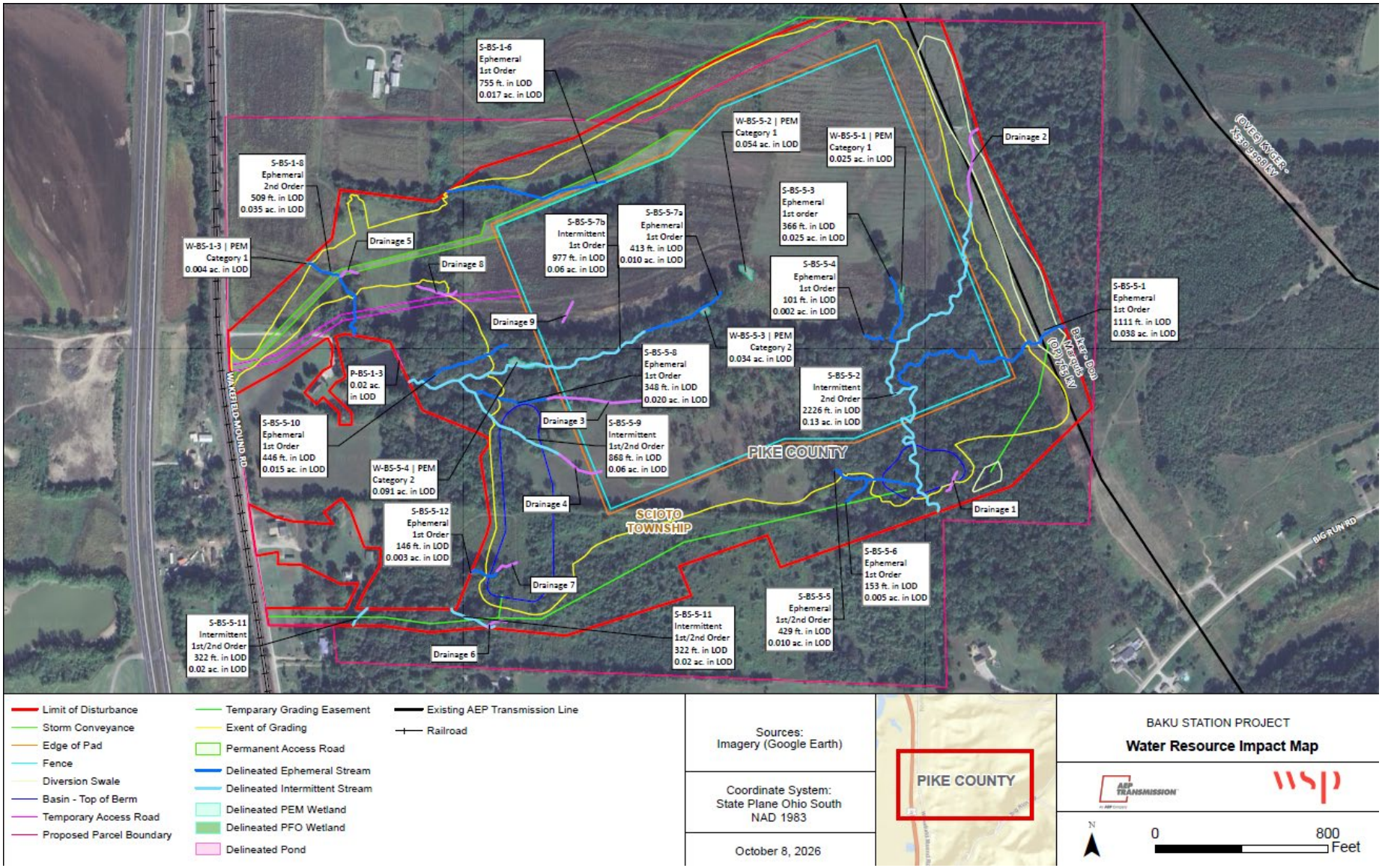
Enclosures

cc (via email):

Rachel Secrest, Ohio Environmental Protection Agency,

Philip Renner, WSP

Enclosure 1


S-BS-1-6
Ephemeral
1st Order
755 ft. in LOD
0.017 ac. in LOD
W-BS-5-2 | PEM
Category 1
0.054 ac. in LOD
W-BS-5-1 | PEM
Category 1
0.025 ac. in LOD
Drainage 2
S-BS-1-8
Ephemeral
2nd Order
509 ft. in LOD
0.035 ac. in LOD
S-BS-5-3
Ephemeral
1st order
366 ft. in LOD
0.025 ac. in LOD
S-BS-5-7b
Intermittent
1st Order
977 ft. in LOD
0.06 ac. in LOD
S-BS-5-7a
Ephemeral
1st Order
413 ft. in LOD
0.010 ac. in LOD
W-BS-1-3 | PEM
Category 1
0.004 ac. in LOD
Drainage 5
Drainage 8
S-BS-5-4
Ephemeral
1st Order
101 ft. in LOD
0.002 ac. in LOD
S-BS-5-1
Ephemeral
1st Order
1111 ft. in LOD
0.038 ac. in LOD
Drainage 9
W-BS-5-3 | PEM
Category 2
0.034 ac. in LOD
S-BS-5-8
Ephemeral
1st Order
348 ft. in LOD
0.020 ac. in LOD
P-BS-1-3
0.02 ac.
in LOD
S-BS-5-2
Intermittent
2nd Order
2226 ft. in LOD
0.13 ac. in LOD
WAKEFIELD MOUND RD
S-BS-5-10
Ephemeral
1st Order
446 ft. in LOD
0.015 ac. in LOD
Drainage 3
S-BS-5-9
Intermittent
1st/2nd Order
868 ft. in LOD
0.06 ac. in LOD
PIKE COUNTY
W-BS-5-4 | PEM
Category 2
0.091 ac. in LOD
Drainage 4
Drainage 1
SCIOTO
TOWNSHIP
S-BS-5-12
Ephemeral
1st Order
146 ft. in LOD
0.003 ac. in LOD
S-BS-5-6
Ephemeral
1st Order
153 ft. in LOD
0.005 ac. in LOD
Drainage 7
S-BS-5-5
Ephemeral
1st/2nd Order
429 ft. in LOD
0.010 ac. in LOD
S-BS-5-11
Intermittent
1st/2nd Order
322 ft. in LOD
0.02 ac. in LOD
S-BS-5-11
Intermittent
1st/2nd Order
322 ft. in LOD
0.02 ac. in LOD
Drainage 6
BIG RUN RD
Limit of Disturbance
Storm Conveyance
Edge of Pad
Fence
Diversion Swale
Basin - Top of Berm
Temporary Access Road
Proposed Parcel Boundary
Temparary Grading Easement
Exent of Grading
Permanent Access Road
Delineated Ephemeral Stream
Delineated Intermittent Stream
Delineated PEM Wetland
Delineated PFO Wetland
Delineated Pond
Existing AEP Transmission Line
Railroad
Sources:
Imagery (Google Earth)
Coordinate System:
State Plane Ohio South
NAD 1983
October 8, 2026
PIKE COUNTY
BAKU STATION PROJECT
Water Resource Impact Map
N
0
800
Feet