

March 28, 2024

Drew Corso, PMP  
AEP Manager – Projects, Central and Northwest Ohio  
8500 Smiths Mill Road  
New Albany, Ohio 43054

RE: Stormwater Drainage Manual (SWDM) Type III Variance Request – AEP Marion Road Substation Expansion and Rebuild

Mr. Corso:

This letter is in response to the subject variance request to the SWDM Section 1.3 *Stream Corridor Protection Zone*. More specifically, SWDM Section 1.3.3 lists prohibited uses in the Stream Corridor Protection Zone (SCPZ). However, in order to enlarge and update the existing Marion Road substation to help meet existing local energy needs and support future growth in the Columbus area the project will be required to expand into the currently existing SCPZ of the concrete-lined streams crossing the site. To provide the needed expansion footprint and also to comply with the electric transmission lines' safety requirements, AEP proposes to remove the stream protection required under the SWDM Section 1 on this site in its entirety, including the streams themselves and their SCPZ, and mitigate the required direct stream and SCPZ impacts on their property in Groveport at 3810 Bixby Rd., which is crossed by a degraded stream called Holton Ditch. The concrete-lined channels crossing the Marion Rd. site will remain to convey stormwater, but will no longer be protected by the SWDM stream protection requirements per SWDM Section 1.

The variance application was submitted to the City on December 21, 2023. As part of the Variance review process, the subject Variance request was posted on the City website on December 21, 2023 to solicit public comments. No public comments were received in response to the posting.

The Variance Review Committee met and reviewed the subject final Variance application on January 10, 2024, and provided its comments back to the applicant shortly after. In response to the comments, the applicant submitted the proposed Stream/SCPZ conceptual mitigation plan, which was posted on the City website on March 13, 2024. No public comments were received in response to the posting.

Three alternatives were considered within the application for the requested Section 3.2 variance – Full Compliance (No Impact), Minimal Impact and the Preferred Alternative.

- Preferred Alternative. This Alternative fulfills the overall project purpose and objectives – on-site station upgrade and expansion, which would also allow sufficient floodwater storage to avoid flood impacts downstream. The required site regrading will impact the entire on-site SCPZ, but will leave the concrete channels unimpacted. The existing vegetation within the current SCPZ area will need to



be removed and also controlled in the future due to electric safety concerns. The overall site use will be increased to 92%. The proposed SCPZ impacts include 1,200 lf. Of direct stream impact, and 3.02 acres of SCPZ impact.

- Minimal Impact Alternative. This Alternative will maintain the current substation functions, but will require vegetation removal and subsequent control within the current and proposed transmission line crossing corridors. However, future major maintenance work will require additional SCPZ areas to be impacted by removing vegetation. Likewise, any future expansion needs will likely result in further SCPZ impact. While this alternative results in the smaller overall SCPZ impact than the Preferred Alternative, it was thought to be more restrictive for the applicant for the currently needed and future maintenance and expansion work. Due to these considerations, this Alternative was found by the applicant to be unfeasible.
- Full Compliance (no Impact) Alternative. This Alternative does not propose any non-permitted impact to the SCPZ, thus making the required upgrade and expansion work impossible. The substation would need to be moved to another site, where the required upgrades would be possible. This will require a major delay to the current project of critical importance, increasing the risk of future power outages in the Columbus area. Additionally, major additional expenses associated with the substation and transmission line relocation would have to be borne by AEP and passed over to its customers. For these reasons, it was determined to be unfeasible.

The proposed conceptual stream/SCPZ mitigation plan involves work within the Holton Ditch SCPZ/floodplain on an AEP-owned site in Groveport at 3810 Bixby Rd. The proposed mitigation site is located outside of the same HUC-12 as the Marion Rd. site, but within the same HUC-8. 1,300 lf of the stream and 9.06 acres of its SCPZ/floodplain are proposed to be mitigated through a variety of in-stream and SCPZ/floodplain improvements as described in the Stantec's March 6, 2024 Conceptual Mitigation Plan. This yields 1:1 mitigation ratio for the direct stream impact, and 3:1 ratio for the SCPZ impact, significantly exceeding the SWDM requirements for mitigation in the same HUC-12. The proposed mitigation area will be permanently protected by a conservation easement granted to the City of Columbus.

Upon reviewing and discussing the application and the Conceptual Mitigation Plan submitted by the applicant, the Variance Review Committee concluded that the submitted variance application complies with the SWDM requirements for the Type III Stream Protection variance. The Committee further agreed with the applicant's arguments that both the Full Compliance and the Minimal Impact Alternatives have major negative consequences for the applicant and its many customers in the Columbus area, making them unfeasible.

In light of the above, the subject Type III Variance Request, Preferred Alternative is conditionally approved contingent upon the following stipulations:

- The proposed development stormwater CC Plan and associated Stormwater Management Report for the on-site work, based on the Preferred Alternative as described in the subject variance application, must be submitted and approved by the City of Columbus.

- The existing concrete lined open channels which will remain on the Marion Rd. site to be protected by a storm sewer easement granted to the City of Columbus based on the Columbus SWDM requirements
- A stormwater management bond in the amount of the proposed mitigation work cost estimate as presented in the Conceptual Mitigation Plan must be provided to Columbus before on-site construction would be allowed to begin
- A stormwater CC-plan and Stormwater Management Report for the off-site work based on the March 6, 2024 Conceptual Mitigation Plan must be submitted to and approved by the City, properly permitted (including, but not limited to the OEPA/ACOE Section 401/404 Permit), constructed and inspected with as-built record plan provided, before the bond could be released by the City
- A conservation easement for the off-site mitigation work based on the City of Columbus template must be executed and provided to the City for recording

No approval contained herein relieves or absolves the applicant of any provisions of applicable state or federal laws. Please contact PR/SRM Section Manager Greg Fedner, P.E. at 614-645-8072 with any questions.

Sincerely,



Robert S. Priestas, P.E., Administrator  
Division of Sewerage and Drainage

pc: Variance Review Committee  
File

