

April 13, 2023

James Hemme, PE  
Technical Director, Engineer  
Environmental Resources Management, Inc.  
50 Public Square, 36<sup>th</sup> Floor  
Cleveland, Ohio 44113

RE: Stormwater Drainage Manual (SWDM) Type II Variance Request – Jackson Pike Solar Project

Mr. Hemme:

This letter is in response to the subject variance request Type II (Non-Stream) to the 2021 SWDM Section 3 *Stormwater Control Practices*. More specifically, exemption is being sought from the SWDM Sections 3.2 and 3.3 requirements to provide stormwater quantity and quality controls required for this project.

The SWDM variance application was submitted to the City on February 17, 2023. As part of the Variance review process, the subject Variance request was posted on the City website on February 21, 2023 to solicit public comments. No public comments were received by the posted due date. The Variance Review Committee has met and reviewed the subject variance application on March 8, 2023 and then on April 12, 2023.

The Applicant is seeking a waiver from the OEPA for Construction General Permit post-construction water quality requirements to allow impervious surface disconnection to be the sole water quality practice due to the project location on the previously capped landfill to avoid breaching the cap by installing post-construction SCP's, per OEPA requirements. For the same reason, stormwater quantity SCP's are also undesirable on the site.

The submitted Variance Request was found by the Variance Review Committee to be in compliance with the SWDM Type II Non-Stream Protection Variance application requirements.

Three alternatives were considered within the application - Full Compliance, Minimal Impact and the Preferred Alternative.

- Full Compliance Alternative – several large detention SCP's would need to be installed within the limits of the site to manage stormwater runoff from several drainage subareas. Large amount of contaminated soil and/or landfill waste would have to be hauled off site and replaced with imported clean soil. Large volume of leachate and methane gas would also be likely to be encountered, creating unsafe working conditions. Such work requiring breaching the cap would be unlikely to meet OEPA approval. Due to these issues and likely very high costs, this Alternative was found to be not feasible.



- Minimal Impact Alternative – shallow stormwater management SCP's would be proposed above the landfill waste. Such SCP's would be constructed over uncompacted landfill waste areas and would require synthetic or clay liner application to avoid infiltration into the underlying landfill waste. Differential settlement issues would be likely, resulting in liner failure and increased infiltration and production of leachate escaping the site through the SCP outfalls. This Alternative would also be unlikely to be approved by the OEPA. Similar to the Full Compliance Alternative, this Alternative was also viewed as not feasible for the above reasons, as well as increased costs and reduced available space.
- Preferred Alternative – filling existing on-site depressions, repairing the cap, establishment of a vegetative meadow condition to replace the current fair to poor woody vegetation condition will result in improved site drainage and reduced leachate production. The resulting site would be for installation of ballast mounted solar panels, which is the goal of the project.

The Applicant has also reviewed off-site detention possibilities, but found no suitable sites in the vicinity of the project.

Upon reviewing and discussing the application, the Variance Review Committee agreed with the applicant that the Preferred Alternative is reasonable given the site limitations. The Committee further agreed with the applicant's argument that the Full Compliance and Minimal Impact Alternatives would result in significant hardship for the project owner, as well as increased environmental hazards.

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

- Storm CC-Plan and Stormwater Management Report must be submitted and approved by the City of Columbus.
- The Applicant is requested to evaluate a possibility of providing detention credits at their Parsons Ave. Solar Project site, located within an adjacent HUC-12.

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

ec: Variance Review Committee  
File