

February 9, 2021

Shawn Arden, PE, CFM  
Principal, Senior Water Resources Engineer  
EMH&T, Inc.  
5500 New Albany Road  
Columbus, OH 43054

RE: Stormwater Drainage Manual (SWDM) Type II Variance Request – Ohio State University Wexner Medical Center, Contractor Staging Area (CSA)

Mr. Arden:

This letter is in response to the subject variance request to the SWDM Section 3.1 – Stormwater Controls General Criteria. More specifically, SWDM Section 3.1 prohibits placement of stormwater control facilities within designated Federal Emergency Management Agency (FEMA) floodplain boundaries, referring to the FEMA 100-year floodplain. A Type II variance is requested for approval of placement of stormwater management BMPs within the FEMA floodplain boundary.

The request was submitted to the City on October 16, 2020. The Variance Review Committee met and reviewed the subject Variance Request on November 19, 2020. As part of the Variance review process, the subject Variance request was posted on the City website on November 2, 2020 to solicit public comments. By the due date of November 16, 2020 no public comments were received.

The submitted Variance Request was found by the Variance Review Committee to be in compliance with the SWDM Non-Stream Protection Type II Variance application requirements. Three alternatives were considered within the application for the requested Section 3.1 variance - Full Compliance, Minimal Impact and the Preferred Alternative.

**Minimal Impact Alternative:** stormwater quality control requirements are addressed using existing Water Quality Credits from the Cannon Drive Phase 1 basin. The Construction Staging Area project proposes to use 1.52 acres of the 21.27 acres of available Water Quality Credits. The credits will be returned when the staging area is deconstructed and the site restored to current conditions. Stormwater quantity control requirements are addressed by a dry detention stormwater management facility to be constructed with the project. The detention facility will be removed when the staging area is deconstructed and the site restored to existing conditions. Floodplain Compensatory Storage requirement is proposed to be complied with by use of Compensatory Storage Credits remaining for this reach of the Olentangy River. Of the 9,305 cubic yards of credits currently available the applicant proposes to temporarily use 116 cubic yards of credits. These credits will be returned when the staging area is removed in 2025. The only requirement of the Manual that is not satisfied by this Alternative is that the proposed stormwater management facility is located in an area that is currently mapped by FEMA as within the 100-year floodplain.

**No Impact Alternative:** after reviewing potential use of the Cannon Dr. Water Quality Basin as well as other recently constructed or planned projects in the vicinity of the proposed CSA for temporarily providing water quantity credit sufficient for the proposed CSA project, OSU has determined that these projects/facilities do not have sufficient credit available to cover the CSA project. Furthermore, construction of an off-site BMP was found to be unfeasible due to significant economic hardship for a temporary facility. Therefore, full-compliance (No Impact) alternative was found to be unfeasible.



**Preferred Alternative:** a modified Minimal Impact Alternative with reduced detention volume due to use of available Cannon Dr. Detention Basin quantity credits. Only 100-year event would require detention in excess of what is available via Cannon Dr. Basin quantity credits.

The applicant requested that the Minimal Impact Alternative be approved, as it is viewed as feasible.

Upon reviewing and discussing the application submitted by the applicant, the Variance Review Committee agreed with the applicant that the Minimal Impact Alternative represents the OSU team's good faith effort to comply with the SWDM Stormwater Control requirements to the maximum practical extent. The Committee further agreed with the applicant's argumentation that the Full Compliance Alternative is unfeasible due to a lack of suitable sites outside of the FEMA 100-year floodplain available for providing post-construction BMPs for this project, and also due to absence of available detention credits at the existing BMP facilities in the area.

The proposed CSA, as well as the associated stormwater controls, is expected to stay in place until 2025, when it will be removed and the site restored to current conditions (grade and vegetation). Furthermore, most of the proposed CSA site will be removed from the current FEMA 100-year floodplain with the LOMR-F application expected to be filed in 2025. The applicant has also secured an ODNR Dam Safety approval for the proposed work.

In light of the above, the subject Variance Request (Type II SWDM Section 3.1), Minimal Impact Alternative is conditionally approved contingent upon the following stipulations:

- Storm CC-Plans and Stormwater Management Report to be submitted and approved by the City of Columbus.
- It is expected that the proposed CSA will be removed and the site restored to the current condition in 2025. An approval from the DOSD will be required if the CSA remains in place and/or used by other OSU projects beyond 2025.
- The use of temporary floodplain compensatory storage credit (116 cy) is approved, to be returned to the credit bank with completion of the project and removal of the proposed CSA in 2025.

The request for additional floodplain compensatory storage credits for Cannon Drive Phase 2 is still under consideration and DOSD will follow up on that request separately.

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

Sincerely,



John G. Newsome, P.E., Administrator  
Division of Sewerage and Drainage

pc: Variance Review Committee  
File