

ENVIRONMENTAL PROTECTION DIVISION  
PUBLIC NOTICE  
WATERSHED PROTECTION BRANCH

February 2, 2022  
Notice Issue Date

Cobb County  
City/County

March 7, 2022  
Notice Close Date

BV-033-21-08  
Control Number

Christian Kennedy Dam Repair  
GPS Coordinates: 34.019, -84.420  
Activity

This notice is issued to inform the public of a receipt of an Application for a variance submitted pursuant to a state environmental Law. The public is invited to comment during the 30-day period on the proposed activity. Site Plans are available for review and are located in the following EPD office: Watershed Protection Branch 200 Piedmont Avenue, S.W. Suite 418 West Atlanta, Georgia 30334. Please contact Ms. Arnettia Murphy at 470-607-2940 or e-mail [arnettia.murphy@dnr.ga.gov](mailto:arnettia.murphy@dnr.ga.gov) to schedule an appointment to review the plans. Since the EPD has no authority to zone property or determine land use, only those comments addressing environmental issues related to air, water, and land protection will be considered in the application review process. Written comments should be submitted to: Program Manager, NonPoint Source Program, Erosion and Sedimentation Control, 2 MLK Jr., Dr., SW Suite 1462 East, Atlanta, Georgia 30334

Type of Permit Application: Variance to encroach within the 25-foot State waters buffer.

Applicable Law: Georgia Erosion and Sedimentation Act O.C.G.A. 12-7-1 et seq.

Applicable Rules: Erosion and Sedimentation Control Chapter 391-3-7

Basis under which variance shall be considered {391-3-7.05 (2)(A-K)}: A

Description and Location of Proposed Activity:

Applicant proposes to impact 360 linear feet (26,950ft<sup>2</sup>) of stream buffer along an impoundment to Willeo Creek. The dam improvements include modifying the crest and flattening the slopes. Also included are impacts to repair the existing spillway, which has begun to headcut with a risk of breaching the dam. Installation of a new principal spillway siphon system and a vegetated spillway with an armored pilot channel will bring the dam into compliance. A small retaining wall, 2' high, will impact the buffer for 25 ft<sup>2</sup> in order to divert any stormwater from the adjacent homeowner. Project is located on Wenden Lane off Freeman Rd. in Cobb County.

Name and Address of Permit Applicant: Mr. Michael Delahunty  
243 Osmanthus Way  
Canton, Georgia 30114

Summary of Rules Requirements for Variance Application:

The application for a variance must include an Erosion and Sediment Control Plan with control measures based on sound conservation and engineering practices which meet or exceed the standards in the "Manual for Erosion and Sediment Control in Georgia" and which will minimize erosion and deposition of sediments on adjacent lands or into State waters.

For Additional Information Contact:

Peggy Chambers, Environmental Specialist  
EPD, Watershed Protection Branch  
NonPoint Source Program  
2 MLK Jr., Dr., SW  
Suite 1462 East  
Atlanta, Georgia 30334  
Telephone: 404/651-8549    FAX: 404/651-8455