

ENVIRONMENTAL PROTECTION DIVISION
PUBLIC NOTICE
WATERSHED PROTECTION BRANCH

May 11, 2020
Notice Issue Date

Brookhaven / DeKalb County
City / County

June 10, 2020
Notice Close Date

BV-044-20-06
Control Number

City of Brookhaven – Murphey Candler Park – South Trail
1551 West Nancy Creek Drive NE, Brookhaven, GA 30319
(GPS Coordinates: 33.904172, -84.323615)

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 SW, Suite 418 West, Atlanta, GA 30334. Please contact Ms. Arnettia Murphy at (404) 656-4147 or email 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 Martin Luther King Jr. Drive SW, Suite 1462 East, Atlanta, GA 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)}: (f)

Description and Location of Proposed Activity:

The proposed project will consist of constructing a 10-ft wide, concrete recreational multi-use trail for approximately 0.23 miles along Nancy Creek in Murphey Candler Park in Brookhaven – including 1,124 square feet of the trail located within the 25-ft buffer constructed with *pervious* concrete. Mitigation for the buffer impacts will consist of planting native groundcover along the trail (including *Blazing Star* and *Lady Fern*). In addition, the City of Brookhaven will purchase of 268 stream mitigation credits from an approved mitigation bank in the *Upper Chattahoochee Watershed* to offset all permanent buffer encroachments. This project will result in approximately 140 linear feet total (2,325 square feet total) of buffer impacts along Nancy Creek in Brookhaven.

Name and Address of Permit Applicant: Mack Cain
Clark Patterson Lee (CPL)
3011 Sutton Gate Drive, Suite 130
Suwannee, GA 30024

Summary of Rules Requirements for Variance Application:

The application for a variance must include an approved 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:

Frank M. Carubba, Environmental Engineer
EPD Watershed Protection Branch
NonPoint Source Program
2 Martin Luther King Jr. Drive SW, Suite 1462 East
Atlanta, GA 30334
Telephone: (404) 651-8550