

ENVIRONMENTAL PROTECTION DIVISION
PUBLIC NOTICE
WATERSHED PROTECTION BRANCH

October 19, 2023
Notice Issue Date

Brookhaven / DeKalb County
City / County

November 20, 2023
Notice Close Date

BV-044-23-14
Control Number

Nancy Creek Stabilization
(GPS Coordinates: 33.9007, -84.3386)

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 File Room, 2 MLK Jr. Drive, SW, West Tower, Balcony, Suite 418, Atlanta, GA 30334. Please contact GORArequest.Water@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. Comments may be submitted via e-mail to: EPDcomments@dnr.ga.gov. Comments may also be provided in writing to: Program Manager, Nonpoint Source Program, Erosion and Sedimentation Control, 2 Martin Luther King Jr. Drive SW, Suite 1452 East, Atlanta, GA 30334. The words “Buffer Variance Comment”, including the Control Number shown above, should be placed in the e-mail subject line (if sent via e-mail) or on the top of the first page of written comments to ensure that your comments will be forwarded to the appropriate staff.

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:

The project and proposed activities aim to stabilize the eroding streambank along Nancy Creek in the city of Brookhaven, DeKalb County. Land disturbing activities include bio-engineered wall installation and fill and rock placement within the buffer of Nancy Creek. Buffer impacts total 5,289 square feet along 295 linear feet. The project is located within the Marist School property and is part of the Upper Chattahoochee Watershed (03130001). Completion of this project will enhance the riparian buffer to a functioning system and increase stormwater resiliency.

Name and Address of Permit Applicant: Mr. Jim Byrne
Marist School
3790 Ashford Dunwoody Rd NE
Brookhaven, GA 30319

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:

Madison McCrary
Environmental Compliance Specialist
EPD Watershed Protection Branch
Nonpoint Source Program
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