



**Jeffrey W. Cown, Director**

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**EPD Director's Office**  
2 Martin Luther King, Jr. Drive  
Suite 1456, East Tower  
Atlanta, Georgia 30334  
404-656-4713

Mr. Eric Duff, State Environmental Administrator  
Georgia Department of Transportation  
Office of Environmental Services  
600 W. Peachtree Street, NW, 16<sup>th</sup> Floor  
Atlanta, Georgia 30308  
**Attention: Carolyn Bryan**

Apr 26, 2024

Re: Request for Variance under the Provisions of O.C.G.A. § 12-7-6(b)(15)  
GDOT Project - PI # 0013893  
State Route 316 from Wimberly Way to Progress Center Avenue  
Gwinnett County

Dear Mr. Duff:

The Georgia Environmental Protection Division (EPD) has reviewed your stream buffer variance application for the above-referenced project. The review was conducted to consider the potential impacts of the proposed project's encroachment on buffers to State waters within the context of Georgia's National Pollutant Discharge Elimination System (NPDES) General Permits for Stormwater Discharges Associated with Construction Activities. This review, and the variance granted herein, is limited to only the request(s) in the application that you submitted for permission to conduct land-disturbing activities within 25-foot areas located immediately adjacent to the banks of State waters where vegetation has been wrested by normal stream flow or wave action. To the extent that your buffer variance application includes a request to conduct land-disturbing activities within 25-feet of State waters where there is no vegetation that has been wrested by normal stream flow or wave action, such request has not been considered by EPD, and the related activity is not addressed in the variance granted herein.

Pursuant to Ga. Comp. R. and Regs. 391-3-7-.05(2)(a) & (k)1. and subject to the conditions and contingencies described further below, authorization is hereby granted to encroach within the 25-foot buffer adjacent to State waters as delineated in your application, dated February 2, 2024. ***Buffer impacts authorized by this variance must be completed within five years of the date of this approval letter. If the approved buffer impacts cannot be completed prior to the expiration date, a time extension request must be submitted to EPD in writing at least 90 calendar days prior to the expiration date and must demonstrate justifiable cause for the extension.***

Authorization for the above-referenced project is subject to the following conditions and contingencies:

- 1) All graded slopes 3:1 or greater within the buffer encroachment areas must be hydroseeded and covered with Georgia DOT approved wood fiber matting or coconut fiber matting. If not hydroseeded, Georgia DOT approved matting that has been incorporated with seed and

fertilizer must be used. All slopes must be properly protected until a permanent vegetative stand is established;

- 2) The amount of land cleared during construction must be kept to a minimum;
- 3) All disturbed areas must be seeded, fertilized and mulched as soon as the final grade is achieved. Also, these disturbed areas must be protected until permanent vegetation is established;
- 4) Georgia DOT type "C" silt fence or an approved high performance silt fence must be installed on the site perimeter wherever the stormwater may be discharged, and a double row must be installed between the land disturbing activities and State waters where appropriate; and
- 5) The applicant must purchase 540 stream mitigation credits from within the same 8-digit HUC as the buffer impacts and the sales receipt verifying the credit purchase shall be forwarded to the EPD by return receipt certified mail (or similar service) or delivery receipt email by the applicant to document buffer mitigation compliance at least 14 days prior to any land disturbance on site. Proof of delivery and receipt is the applicant's responsibility.

The granting of this approval does not relieve you of any obligation or responsibility for complying with the provisions of any other law or regulations of any federal, local or additional State authority, nor does it obligate any of the aforementioned to permit this project if they do not concur with its concept of development/control. If you have questions concerning this letter, please contact Josh Hanselman, Erosion and Sedimentation Control Unit, Nonpoint Source Program, at (470) 524-0599.

Sincerely,



Jeffrey W. Cown  
Director

JWC:jh

BV-067-24-01

cc: Bridget Thomas, GDOT Project Manager  
Susan Hobgood, GDOT Consultant Environmental Analyst  
Daryl Williams, GDOT ECB  
Lisa Westberry, GDOT Mitigation  
EPD-GDOT Inbox

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GDOT IOEQ  
GDOT Environmental Inbox  
Robert (Bobby) Dollar, GDOT Environmental Program Manager  
Rebecca Ricks, AtkinsRealis  
Stephen Holland, AtkinsRealis  
Brian Boutelle, EPD Mountain District (Atlanta)  
Robert Amos, GSWCC  
Anthony Rabern, Region 2 Fisheries  
Nicole Hendrickson, Gwinnett County Commission Chairwoman