



Jeffrey W. Cown, Director

EPD Director's Office

2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

Dec 30, 2025

Thomas Cobb
Oakmont Industrial Group
3520 Piedmont Road, Suite 100
Atlanta, GA 30305

RE: Request for Variance under the Provisions of O.C.G.A. § 12-7-6(b)(15)
Buford Sudderth Development
Buford, Gwinnett County
File: BV-067-25-09

Dear Thomas Cobb:

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 the Georgia Erosion and Sedimentation Act and the potential impact 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)(h) 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 October 24, 2025. ***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 must be requested in writing at least 90 calendar days prior to the expiration date with justifiable cause demonstrated.***

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

- 1) All graded slopes 3:1 or greater 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) A double row of Georgia DOT type "C" silt fence or an approved high performance silt fence must be installed between the land disturbing activities and State waters where appropriate;
- 5) Buffer variance conditions must be incorporated into any Land Disturbing Activity Permit issued by the City of Buford for this project;
- 6) This project must be conducted in strict adherence to the approved erosion and sedimentation control plan and any Land Disturbing Activity Permit issued by the City of Buford;
- 7) Post-construction stormwater management systems must be maintained to ensure pollutant removal efficiencies for water quality protection; and
- 8) Before you may conduct any land-disturbing activity in the buffer areas, you must: a) receive authorization from the United States Army Corps of Engineers (USACE) to act under an individual, regional, or nationwide permit issued pursuant to Section 404 of the Clean Water Act; and b) at least 14 days prior to any land disturbance on site, submit to EPD a copy of that authorization by return receipt certified mail (or similar service) or delivery receipt email. 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. As a delegated "Issuing Authority," the City of Buford is expected to ensure that the stream buffer variance requirements are met for this project and is empowered to be more restrictive in this regard.

If you have questions concerning this letter, please contact Madison McCrary, Erosion and Sedimentation Control Unit, Nonpoint Source Program, at (470) 524-0622.

Sincerely,



Jeffrey W. Cown
Director

Thomas Cobb
Buford Sudderth Development
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cc: David P. Huetter, Director of Ecological Services, United Consulting
Michael G. Abernathy, Senior Wetland Specialist, United Consulting
Jenni Olivo, P.E., Stormwater Group Leader, Keck and Wood, Inc.
Greg Sistrunk, P.E., Vice President, Keck and Wood, Inc.
Phillip Beard, Commission Chairman, City of Buford
John Lee Thomson, Wildlife Resources Division, Region II Fisheries Management
Mitch Attaway, Georgia Soil and Water Conservation Commission, Region I
Brian Boutelle, EPD Mountain District Office, Atlanta

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