

ENVIRONMENTAL PROTECTION DIVISION  
PUBLIC NOTICE  
WATERSHED PROTECTION BRANCH

December 5, 2024  
Advisory Issue Date

Hall County  
City/County

January 3, 2025  
Advisory Close Date

BV-069-24-04  
Control Number

SR 365 @ Howard Road New Interchange  
(GPS Coordinates: 34.330911, -83.782607

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](mailto: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](mailto: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) & (h)

Description and Location of Proposed Activity:

The project will construct a new alignment located at U.S. Route (US) 23/State Route (SR) 365 at Howard Road in Hall County, starting 700 feet southeast of the existing intersection of White Sulphur Road and YMCA Road and ends at the intersection of Lanier Tech Drive. Two 12-foot lanes with 8-foot shoulders will be over the existing SR 365/US 23 alignments. The proposed project length is approximately .83 miles and will impact 218 linear feet (10,626 square feet) of buffer along Intermittent Stream (IS) 1, Perennial Stream (PS) 2, and IS 6 located in the Upper Ocmulgee River (HUC 03070101) and Upper Chattahoochee River (HUC 0313001) watersheds.

Name and Address of Permit Applicant: Mr. Eric Duff  
Georgia Department of Transportation  
Office of Environmental Services  
600 W. Peachtree Street, NW, 16<sup>th</sup> Floor  
Atlanta, Georgia 30308

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: Jonathan Calabria-Russell,  
Environmental Compliance Specialist  
EPD, Watershed Protection Branch  
Non-Point Source Program  
2 MLK Jr. Dr. SW, Suite 1462 East  
Atlanta, Georgia 30334  
Telephone (work): (470)-512-9182