



**Jeffrey W. Cown, Director**

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

Sep 28, 2023

Mr. Eric Duff  
Georgia Department of Transportation  
Office of Environmental Services  
600 W. Peachtree Street, NW, 16th Floor  
Atlanta, Georgia 30308

Re: Buffer Variance Revision  
I-85 Widening, Phase III  
Jackson and Banks Counties  
File: BV-078-23-05

Dear Mr. Duff:

Your request and revised proposal relative to the referenced project have been reviewed. The revision requested in your letter is for a change in mitigation only. The proposed revision would allow for a change in mitigation credits from in-basin stream credit to out of basin stream credits.

This revision to a previously approved buffer variance will not affect the project's original concept, does not change the amount of buffer encroachments and is only a revision of the proposed mitigation.

Condition #5 is hereby revised as follows:

5) The applicant purchased 32 stream mitigation credits from the Primary Service Area (PSA) serving the same 8-digit HUC and from within a Secondary Service Area (SSA) serving the same 8-digit HUC. EPD received the sales receipt verifying the credit purchase 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 proposed revisions will not require further application to GAEPD. Conditions 1 – 4 and 6 specified in the attached July 14, 2023 approval remain in effect.

You remain obligated and responsible for complying with the provisions of any other law or regulations of any federal, local or additional State authority; **however, the aforementioned are not obligated to permit this project if they do not concur with its concept of development/control.**

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If you have questions concerning this letter, please contact Jacob Kelley, Erosion and Sedimentation Control Unit, Nonpoint Source Program, at (470) 531-2938.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey W. Cown". The signature is written in a cursive style with a large, prominent "J" and "W".

Jeffrey W. Cown  
Director

JWC:jk

cc: Butch Welch, GDOT Project Manager  
Erin McGehee, GDOT PS 3 Environmental Analyst  
Daryl Williams, GDOT ECB  
Lisa Westberry, GDOT Mitigation  
EPD-GDOT Inbox  
GDOT IOEQ  
GDOT Environmental Inbox  
Robert (Bobby) Dollar, GDOT Environmental Program Manager  
Caleb Sullivan, WSP USA  
Jonathan Cox, WSP USA  
Derrick Williams, EPD Northeastern District (Athens)  
Robert Amos, GSWCC  
Anthony Rabern, Region 2 Fisheries  
Tom Crow, Jackson County Commission Chairman  
Charles Turk, Banks County Commission Chairman