

ENVIRONMENTAL PROTECTION DIVISION  
PUBLIC NOTICE  
WATERSHED PROTECTION BRANCH

October 28, 2021  
Notice Issue Date

Wilkes County  
City/County

November 29, 2021  
Notice Close Date

BV-157-21-01  
Control Number

Beaverdam Creek Mitigation Bank  
Streambank Restoration  
GPS Coordinates: 33.797, -82.947  
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 200 Piedmont Avenue, S.W. Suite 418 West Atlanta, Georgia 30334. Please contact Ms. Arnettia Murphy at 470-607-2940 or e-mail [arnettia.murphy@dnr.ga.gov](mailto:arnettia.murphy@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. Written comments should be submitted to: Program Manager, NonPoint Source Program, Erosion and Sedimentation Control, 2 MLK Jr., Dr., SW Suite 1462 East, Atlanta, Georgia 30334

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)}: B

Description and Location of Proposed Activity:

Applicant proposes to impact 365 linear feet (6,229 ft<sup>2</sup>) of stream buffer along Beaverdam Creek and one unnamed tributary to Beaverdam Creek to perform stream restoration measures. The project is a mitigation bank that sells credits to projects in need of mitigation credits to meet the U.S. Army Corps requirements. The project will impact five separate areas of the stream buffer for: fill removal from an elevated berm that will be placed in the two outlet areas that drain to the adjacent wetland. The fill will be placed in the outlets as plugs to retain water and stabilize the wetland. The existing berm will be graded for floodplain reconnection. The project is located off Lexington Highway (Hwy 78) 2.75 miles west of the town of Rayle.

Name and Address of Permit Applicant: Mr. Greg Smith  
Beaverdam Creek, LLC  
1305 Lakes Parkway  
Suite 110  
Lawrenceville, Georgia 30043

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:

Peggy Chambers, Environmental Specialist  
EPD, Watershed Protection Branch  
NonPoint Source Program  
2 MLK Jr., Dr., SW  
Suite 1462 East  
Atlanta, Georgia 30334  
Telephone: 470-938-3380 FAX: 404/651-8455