

ENVIRONMENTAL PROTECTION DIVISION
PUBLIC NOTICE
WATERSHED PROTECTION BRANCH

September 25, 2020
Notice Issue Date

City of Brookhaven
City / County

October 27, 2020
Notice Close Date

BV-044-20-18
Control Number

1158 West Nancy Creek Drive Site Stabilization
Brookhaven, GA
(GPS Coordinates: 33.902691, -84.340893)

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 SW, Suite 418 West, Atlanta, GA 30334. Please contact Ms. Arnettia Murphy at (404) 656-4147 or email 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 Martin Luther King Jr. Drive SW, Suite 1462 East, Atlanta, GA 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)}: (h)

Description and Location of Proposed Activity:

This project will consist of replacing a corroded metal culvert with 52 linear feet of 36-inch reinforced concrete in order to stabilize the land, patio, driveway, and foundation of the applicant's home. The structural integrity of the applicant's home is in jeopardy due to the current location of the stream and the failing culvert. Grass will be planted over the areas of extended culvert to maintain pervious areas; the driveway will not be widened. The banks of the creek will be cleared of debris and invasive vegetation, regraded, and planted with live stakes and multitrophic native riparian vegetation. A rain garden and bioretention area are being added to remove pollutants from the first 1.2 inches of rainfall. 93 linear feet along the streambank will be preserved with permanent native vegetation. Best management practices such as double rowed silt fencing and disturbed area stabilization will prevent erosion and sedimentation during the project. The project has been authorized by USACE under Nationwide Permit 29. The proposed project will result in approximately 52 linear feet (3,038 square feet) of buffer disturbance lasting approximately 1 month located at an intermittent tributary to Nancy Creek, off of Nancy Creek Drive in the City of Brookhaven, in the Upper Chattahoochee Watershed.

Name and Address of Permit Applicant: Mr. Norberto Herbener
1158 West Nancy Creek Drive
Brookhaven, GA 30319

Summary of Rules Requirements for Variance Application:

The application for a variance must include an approved 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: Victoria A. Adams, Environmental Specialist
EPD Watershed Protection Branch
NonPoint Source Program
2 Martin Luther King Jr. Drive SW, Suite 1462 East
Atlanta, GA 30334
Telephone: (404) 463-0003