

Guidance Part	Comment/Requested Change	<i>EPD Response</i>
General	Can the “50+ Acre Clearing Decision Rationale” assessment criteria be made available to applicants to better understand the framework by which applications will be reviewed and to submit applications most in alignment with GA EPD objectives?	Yes. This will be made available on EPD's website at https://epd.georgia.gov/forms-permits/watershed-protection-branch-forms-permits/storm-water-forms/npdes-construction .
General	Will Proposed Grading, Drainage, Site Layout, or Detail Plans be required for submission, review or decision making of the ‘Request to Disturb 50 Acres or More’?	EPD will review a site map as described in the guidance document under Part 1.B.vi. However, if the technical justification is cut and fill to balance earthwork, an additional grading map or heat map may be requested to document the justification.
General	What is the process if any information presented on the Site Maps showing limits of disturbance, project ‘segments’ for phasing, and natural resources change from the ‘Request to Disturb 50 Acres or More’ to the NPDES Construction Stormwater Permit Application?	If the scope of the referenced project changes or if the disturbed acreage increases by more than 10% you must receive additional written approval from EPD before these changes may be implemented. This information is documented in the original approval letter sent.
General	Will GA EPD or the Local Issuing Authority (LIA) attend pre-application meetings or phone calls to discuss proposed project and planned BMPs prior to submission of the ‘Request to Disturb 50 Acres or More’?	EPD staff are available for Technical Assistance. Please contact your local District Office to determine availability.
Introduction	Add two sentences to the end of the first introductory paragraph to the original guidance to state: “EPD approval will be based on site-specific design criteria. Applicants may incorporate alternative design criteria from those specifically outlined below, with the understanding that the plan must be deemed equally protective and the applicant must demonstrate that the alternate design criteria when considered with the totality of site specific criteria is equally protective.”	Changes have been made to the guidance based on your comment.
3.A.	Does Section 3.A. apply to sites that disturb greater than 150 acres total throughout the project life cycle, or simultaneously?	Section 3.A. applies to sites that disturb a total of 150 acres or more. Changes were made to the Guidance Document for clarification.
3.A.i.	If project constraints exist such that any of the three (3) BMPs presented in Section 3.A.i. are not feasible or not appropriate for the project site, will alternative BMPs or approaches be considered?	Yes.
3.B.ii.	Does the calculation described in Section 3.B.ii. apply to the pre-construction to post-construction stormwater peak flow rate assessment?	The calculation in Section 3.B.ii. applies to the post-construction stormwater peak flow rate assessment.
3.B.ii.	Does the calculation described in Section 3.B.ii. does apply to the Water Quality Volume (WQv) as outlined in the Georgia Stormwater Management Manual?	Yes. See answer above.

3.B.ii.	Is the 70% impervious calculation described in Section 3.B.ii. in addition to other proposed impervious surfaces, or the total imperviousness that should be used in the calculation?	The impervious calculations should be combined where the total does not exceed 100%. For example, if the solar panels are located in a grassed area and there is a separate paved parking lot or building, the impervious calculations should be combined. However, if the solar panels are on a roof or in a parking lot, the impervious calculations should be 100% for these areas.
	Can state waters within 200 feet of the border of the site be identified via remote sensing or online resources?	Yes, but state waters on site must be delineated in person.
1.B.iv.2.	In section 1.B.iv.2., the commenter recommended using decimal degrees for the latitude and longitude of the property, matching the format required in submittal of a Notice of Intent.	Changes have been made to the guidance based on your comment.
3.A.i.3.	Section 3.A.i.3.: The requirement to install Post Construction BMPs that remove 80% TSS on projects involving disturbance of 150 acres or greater seems odd to us. Here are some questions/comments to help us understand what is to be required: Are you intending the requirement to apply primarily to projects that have some kind of exemption from post-construction stormwater management (such as agriculture)? Because all projects that disturb over one acre are required to do post construction management anyway (unless they are in an exempt category).	Not all local governments have ordinances that require post construction stormwater management. This recommended BMP applies to all permitted sites disturbing a total of 150 acres or more.
3.A.i.3.	Since your review/approval is part of the coverage under the construction stormwater permits, which means that it is for erosion control during construction, not stormwater management after construction, are these BMPs intended to be temporary, to be removed after the site has been stabilized? If they are to be temporary, it should be noted that most of the TSS removal BMPs found in the GSMM are not designed to handle the kind of sediment loading that typically occurs on a large construction site. Does that mean that you envision these BMPs being installed downstream of the sediment storage BMPs?	They are expected to be permanent, post construction BMPs.
3.A.i.3.	The commenter recommended explaining what design storm is to be used in determining the volume that is to be treated to remove 80% TSS. The sentence could be revised to say "...80% TSS from the runoff from the 1.2-inch rainfall event, as outlined..." (if it is your intent that the design be based on the same rainfall event that is required in the GSMM). It is worth noting, however, that a properly designed and constructed sediment storage BMP should be able to handle the 1.2- inch storm without much difficulty, meaning that a downstream TSS removal BMP will serve little purpose in that instance.	The permit points to the Georgia Stormwater Management Manual (GSMM). These numbers and specs are already there. Chapter 4 volume 2 page 153.

3.A.i.3.	The commenter recommended removing or revising the explanatory parenthetical remark because it is inaccurate. Runoff reduction is not the removal of 80% of TSS. Perhaps you can replace these words with “water quality treatment” to closer match the wording used in the GSMM.	Changes have been made to the guidance based on your comment.
3.B.ii.	Trade groups were not able to provide initial input into the 70% impervious calculation footnote in the new 2023 stand alone general construction stormwater permit, and would appreciate the opportunity to work with EPD around the technical justifications for that requirement. The commenter suggested adding the sentence below in the guidance at the end of page four to allow for consideration of a “correction factor” for EPD to account for on-site stormwater runoff mitigation strategies: “EPD will include corrective factors in its consideration of panel impermeability for applicants who implement site-specific runoff mitigation strategies to disconnect runoff flow between and under panels.”	<p>This language is taken from Part IV.D.2 of the version of the Permits issued in 2023. Each permit covers the period from August 1, 2023 – July 31, 2028.</p> <p>Stakeholder and public meetings were advertised via email notification and posted on EPD’s webpage. Stakeholder meetings to discuss the permits were held on February 1, 2023, February 8, 2023, and February 9, 2023. Revisions were made to the draft permits in response to the stakeholder comments. Additionally, on April 20, 2023, EPD held a public meeting and public hearing via Zoom. No comments were made during the public hearing.</p> <p>EPD will conduct a formal stakeholder process including soliciting public comments on all parts of the permits in consideration of formulation of the next reissuance of the permits. To ensure that you are notified of public announcements, such as this one in the future, you can register here https://epd.georgia.gov/watershed-protection-branch-public-announcements/subscribe-watershed-protection-branch-updates.</p>
3.A.	EPD proposes that upon receiving approval to disturb 50 acres or greater at any one time, land disturbance should be segmented or staged into smaller sections of the overall planned disturbance. This is to be done by using naturally existing land characteristics or drainage basins wherever possible. The commenter requestedc EPD provide clarity on how much of the total disturbance should be segmented. For example, if the total disturbance of a project will be 125 acres, what criteria should the developer use to determine how much disturbance should be segmented, and when is it appropriate to disturb another segment of the project?	This is up to the design professional. Example: If the site is 900 acres, the design professional could break the site into 200 acre segments. Once the first segment has been graded, you can move to the next 200 acre segment, while simultaneously stabilizing the previously disturbed 200 acres. Once you have stabilized the first 200 acre segment and graded the next 200 acre segment, you can repeat this process until you have graded the whole 900 acres.
3.A.	Additional Considerations for Certain Types of Sites EPD proposes for all sites disturbing greater than 150 acres at any one time, and for any site where EPD determines the topography or other considerations warrant, that three (3) specific Best Management Practices (BMPs), from the list of 22 BMPs found in Part III.C.2 of the CGPs, should be incorporated in the Erosion, Sedimentation & Pollution Control Plan (ES&PCP). Refer to Guidance Para. 3.A.i.1-3). Additionally, EPD specifies that at least one (1) additional BMPs should be chose from a list of six (6) of the Part III.C.2 BMPs (refer to Guidance Para. 3.A.ii.1-6).	EPD has determined that these BMPs are generally the best for these types of large-scale construction sites. However, we acknowledge that no two sites are the same. If a design professional proposes alternatives to the recommended BMPs in the guidance based on specific site conditions, EPD will consider them in the 50 acre review process. Changes have been made to the introduction of the guidance document for clarification.

3.A.	While these nine (9) BMPs may provide better protection from erosion and sedimentation than the other 13 BMPs in Part III.C.2, it is not clear why EPD chose to allow permittees flexibility in choosing only one of the required four (4) BMPs (as specified by Part IV.D.3 of the CGPs) when all 22 BMPs have been approved for use on 50+ acre sites. To provide permittees with the flexibility intended by the CGPs but recognizing that larger sites may require the use of enhanced BMPs which are more protective, the commenter recommended EPD allow permittees to choose from a combined list of the nine (9) BMPs found in Guidance Para. 3.A.i and 3.A.ii.	See answer above.
3.A.	For those instances where a developer is unable to use these specific BMPs, what guidance can EPD provide that allows the developer to use other BMPs from the Part III.C in the Permits? Additionally, the commenter requested EPD provide the rationale behind the selection of the subsets of BMPs that should be included in the ES&PCP for sites disturbing greater than 150 acres at any one time.	See answer above.
3.A.	The commenter proposed that EPD consider providing the developer with the option to select any (4) of the (9) BMPs provided in (Part 3.A.i.1-3) and (Part 3.A.ii.1-6) as the Construction General Permits do not mention the proposed additional requirements. The developer should have the option to choose which 4 additional BMPs to incorporate, as Part III.C.2(a-v) provides adequate measures to ensure erosion and sedimentation impacts do not extend beyond a project's permitted boundary.	See answer above.