

ENVIRONMENTAL PROTECTION DIVISION  
PUBLIC NOTICE  
WATERSHED PROTECTION BRANCH

February 22, 2023  
Notice Issue Date

Gilmer County/City of Ellijay  
City / County

March 23, 2023  
Notice Close Date

TSV-061-22-01  
Control Number

State Route 515/United States 76 at Big Turniptown Creek in Ellijay  
(GPS Coordinates: 34.723927, -84.435452)

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 50-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)

Description and Location of Proposed Activity:

The proposed project will impact the buffer of Intermittent Stream (IS) 6 (flows into Little Turniptown Creek). The project will replace the northbound portion of the SR 515 bridge over Big Turniptown Creek in Gilmer County, Georgia. The project will impact the state mandated 50-ft buffer within the Coosawattee watershed (HUC 03150102). The disturbance will cover 10,365 square feet and include clearing and grubbing for roadway maintenance, construction of fill slopes, mill and overlay construction, permanent construction for full depth pavement, and the installation of Best Management Practices (BMPs).

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:

Josh Hanselman, Environmental Compliance Specialist  
EPD, Watershed Protection Branch  
Non-Point Source Program  
2 MLK Jr. Dr. SW, Suite 1462 East  
Atlanta, Georgia 30334  
Telephone: (470) 524-0599