

Georgia Department of Natural Resources

Environmental Protection Division

2 Martin Luther King Jr. Drive, Suite 1456, Atlanta, Georgia 30334
Richard E. Dunn, Director
(404) 656-4713

AUG 29 2016

Mr. Frank Bishop
Oconee 316 Associates, LLC
6445 Powers Ferry Road, Suite 120
Atlanta, GA 30339

RE: Request for Variance under Provisions O.C.G.A. 12-7-6(b)(15)
Epps Bridge Centre II / III – Commercial and Retail Development – REVISED
(Oconee Connector between Plaza Parkway and Epps Bridge Parkway)
Oconee County

Dear Mr. Bishop:

The Georgia Environmental Protection Division's Watershed Protection Branch has reviewed your stream buffer variance application for the subject project. The review was conducted to consider the potential impacts of the proposed project's encroachment on State waters within the context of the Georgia Erosion and Sedimentation Act. This review, and the variance granted herein, is limited to only the request(s) in the stream buffer variance application for permission to conduct land-disturbing activities within 25-foot areas located immediately adjacent to the banks of State waters where vegetation has been wrested by normal stream flow or wave action. To the extent there is a request in the buffer variance application to conduct land-disturbing activities within 25-foot areas located immediately adjacent to State waters where there is no vegetation that has been wrested by normal stream flow or wave action, such request has not been considered, and is not included as a part of the variance granted herein.

Pursuant to DNR Rule 391-3-7.05(2), criterion (h), authorization is hereby granted to encroach within the 25-foot buffer adjacent to State waters as delineated in your revised application dated June 10, 2016 and revised *Erosion, Sedimentation and Pollution Control Plan* dated May 31, 2016. ***This approval supersedes the previous authorization for this project granted May 16, 2016.*** Buffer impacts authorized by this variance must be completed within five years of the date of this approval letter. If the approved buffer impacts cannot be completed prior to the expiration date, a time extension must be requested in writing at least 90 calendar days prior to the expiration date with justifiable cause demonstrated.

Authorization for the above referenced project is subject to the following conditions:

- 1) All graded slopes 3:1 or greater must be hydroseeded and covered with Georgia DOT approved wood fiber matting or coconut fiber matting. If not hydroseeded, Georgia DOT approved matting that has been incorporated with seed and fertilizer must be used. All slopes must be properly protected until a permanent vegetative stand is established;
- 2) The amount of land cleared during construction must be kept to a minimum;

Mr. Frank Bishop
Oconee 316 Associates, LLC

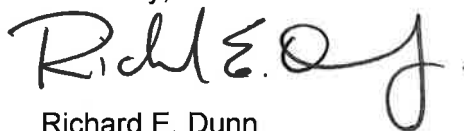
Page 2

- 3) All disturbed areas must be seeded, fertilized and mulched as soon as the final grade is achieved. Also, these disturbed areas must be protected until permanent vegetation is established;
- 4) A double row of Georgia DOT type "C" silt fence or an approved high performance silt fence must be installed between the land disturbing activities and State waters where appropriate;
- 5) Buffer variance conditions must be incorporated into any Land Disturbing Activity Permit issued by Oconee County for this project;
- 6) This project must be conducted in strict adherence to the approved erosion and sedimentation control plan and any Land Disturbing Activity Permit issued by Oconee County; and
- 7) Post-construction stormwater management system (i.e., wet extended detention ponds) must be maintained to ensure pollutant removal efficiencies for water quality protection.

The granting of this approval does not relieve you of any obligation or responsibility for complying with the provisions of any other law or regulations of any federal, local or additional State authority, nor does it obligate any of the aforementioned to permit this project if they do not concur with its concept of development/control. As a delegated "Issuing Authority," Oconee County is expected to ensure that the stream buffer variance requirements are met for this project and is empowered to be more restrictive in this regard.

If you have questions concerning this letter, please contact Frank M. Carubba, Erosion and Sedimentation Control Unit, NonPoint Source Program, at (404) 651-8550.

Sincerely,



Richard E. Dunn
Director

RED:fmc

cc: Robert Amos, Georgia Soil and Water Conservation Commission, Region II
Justin Crighton, Northeast Georgia Regional Commission
Barney Crooks, Corblu Ecology Group, LLC
Melvin Davis, Chairman, Oconee County Board of Commissioners
Steve Schleiger, Wildlife Resources Division, Region 2 Fisheries Management
B. R. White, Director, Oconee County, Planning and Code Enforcement
Derrick Williams, EPD Northeast District – Athens

File: BV-108-15-02 (REVISED)