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DEPARTMENT OF NATURAL RESOURCES

Richard E. Dunn, Director

Watershed Protection Branch
2 Martin Luther King, Jr. Drive
Suite 1152, East Tower
Atlanta, Georgia 30334
404-463-1511

ENVIRONMENTAL PROTECTION DIVISION

DEC 15 2016

Mr. William Cox
Chattahoochee River National Recreation Area
1978 Island Ford Parkway
Sandy Springs, Georgia 30350

Re: Request for Stream Buffer Variance under
Provisions of O.C.G.A. 12-7-6(b)(15)
Galleria Center Sewer Rehabilitation
Cobb County

Dear Mr. Cox:

Thank you for your letter of August 9, 2016 regarding the above referenced stream buffer variance request. We appreciate you making us aware of your concerns.

After receiving your comments we forwarded them to the variance applicant and requested that they consider them and provide a response. We have reviewed the applicant's response (enclosed) and are satisfied that your concerns have been adequately addressed. Because the applicant has met all applicable requirements, the requested variance has been granted. A copy of the Director's letter granting the variance is enclosed.

Again, thank you for taking the time to share your concerns with us; we appreciate your commitment to helping us protect our state's water resources. If you have any questions, please contact Peggy Chambers, Erosion and Sedimentation Control Unit, at (404) 651-8549.

Sincerely,

Glen Behrend, P.E.
Program Manager
NonPoint Source Program

GB:pc
Enclosure



GEORGIA

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

Richard E. Dunn, Director

EPD Director's Office

2 Martin Luther King, Jr. Drive
Suite 1456, East Tower
Atlanta, Georgia 30334
404-656-4713

DEC 15 2016

Ms. Chakira Johnson
Cobb County Water System
660 South Cobb Drive
Marietta, Georgia 30060

RE: Request for Variance under Provisions O.C.G.A. 12-7-6(b)(15)
Galleria Center Sewer Rehabilitation
Cobb County

Dear Ms. Johnson:

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 and General Permits for Stormwater Discharges Associated with Construction Activities. 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)(d), authorization is hereby granted to encroach within the 25-foot buffer adjacent to State waters as delineated in your application dated October 7, 2015 and revised 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;

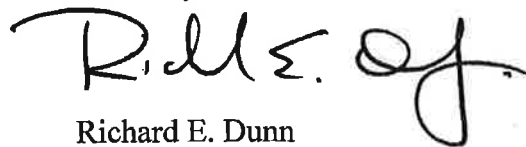
Ms. Chakira Johnson
Cobb County Water System
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- 3) All disturbed areas must be seeded, fertilized and mulched as soon as the final grade is achieved. Also, these disturbed areas must be protected until permanent vegetation is established;
- 4) A double 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 Cobb County for this project; and
- 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 Cobb County.

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," Cobb 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 Peggy Chambers, Erosion and Sedimentation Control Unit, NonPoint Source Program, at (404) 651-8549.

Sincerely,



Richard E. Dunn
Director

RED:pc

cc: Honorable Tim Lee-Chairman, Cobb County Board of Commissioners
Stacy Stewart- Jacobs Engineering Group, Inc.
Jeff Durniak-WRD-Fisheries
John Loughridge-GSWCC
Jim Cooley-EPD-Mtn. District Office

File: BV-033-16-10