



ENVIRONMENTAL PROTECTION DIVISION

OCT 21 2022

Richard E. Dunn, Director

Watershed Protection Branch

2 Martin Luther King, Jr. Drive
Suite 1470, East Tower
Atlanta, Georgia 30334
404-463-1511

Kris Howard, Science and Policy Manager
Ogeechee Riverkeeper
P.O. Box 16206
Savannah, Georgia 31416

RE: Stream Buffer Variance under the Provisions of O.C.G.A. § 12-7-6(b)(15)
Bryan County Mega Site
Bryan County
File: BV-015-22-01

Dear Ms. Howard:

The Georgia Environmental Protection Division (EPD) received your comments regarding the proposed Bryan County Mega Site. EPD requires that applicants respond to all comments. Therefore, your comments dated September 26, 2022 were forwarded to the applicants' consultant, Mr. Alton Brown with Resource and Land Consultants. The applicants have provided the attached response to your concerns. EPD has reviewed the applicants' response and is satisfied that your concerns have been adequately addressed.

Since the applicants have met all the applicable requirements, EPD has granted the requested stream buffer variance and a copy is enclosed. If additional information is required, please do not hesitate to contact Mr. Michael Berry with the Nonpoint Source Program at (470) 524-4621.

Sincerely,

A handwritten signature in black ink, appearing to read "Veronica Crow", with a long, sweeping horizontal stroke extending to the right.

Veronica Crow
Program Manager
Nonpoint Source Program

VC:mb

Attachments

cc: Alton Brown, Resource and Land Consultants

Craw, Veronica

From: Alton Brown Jr. <abrown@rlandc.com>
Sent: Tuesday, October 4, 2022 4:21 AM
To: Berry, Michael
Cc: Russell Parr
Subject: RE: Bryan County OEM
Attachments: Bryan County Mega Site (1).pdf

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Michael: In response to the attached comment from the Ogeechee River Keeper, the proposed project will not negatively impact the receiving waters and adjacent stream. The site plans include BMP's during all phases of the project. These BMP's will be implemented throughout all construction phases and into the final stages of use to ensure no excess sedimentation or an increased pollution load occurs.

BMP's Implemented During Development: The plan includes appropriate controls and measures that will be implanted at the construction site including initial sediment storage requirements and perimeter control BMP's, intermediate grading and drainage BMP's and final BMP's. According to Section IV.D.3. Controls of the General NPDES Permit No. 100001, " Plans submitted after the effective date of this permit shall limit the amount of disturbed area to no greater than 50 acres at any one time without prior written authorization from the appropriate EPD District Office according to the schedule in Appendix A of this permit. EPD will approve or disapprove such requests within 35 days of receipt. Failure of EPD to act within 35 days shall be considered an approval of such requests. If the EPD District Office approves a request to disturb 50 acres or more at any one time, the Plan must include at least four (4) of the best management practices listed in Part III.C.2. of this permit." Because the proposed project is over 50 acres and will discharge into or within 1 linear mile upstream and within the same watershed as an impaired stream segment, the Erosion, Sedimentation and Pollution Control Plan includes four (4) of the best management practices (BMP's) listed in Part III.C.2. of the General Permit. The 4 BMP's for this project include:

- Increase all temporary sediment basin and retrofitted stormwater management basing to provide sediment storage of 3600 cubic feet per acre drained.
- Use baffles in all temporary sediment basins to at least double the conventional flow path to the outlet structure.
- A large sign
- Post Construction BMPS which remove 80% TSS per GSMM

The project must also comply with all other Federal, State, and local statutes, ordinances, and regulations, and the permit requires monitoring during all phases of construction for permit compliance.

In addition to the construction phase BMP's above, the project will include:

Post Development Total Suspended Solids and/or Stormwater Run-off Reduction: The applicant will use on-site minimum stormwater management standards that conform to the guidance established in the Coastal Stormwater Supplement to the Georgia Stormwater Management Manual to reduce the stormwater runoff volume generated by the first 1.2" of rainfall. However, if the full 1.2" of stormwater runoff volume cannot be reduced due to site characteristics or constraints, it should be intercepted and treated to provide for at least an 80% reduction in TSS loads and a reduction in nitrogen and bacteria loads to the maximum extent possible.

The Bryan County Mega Site project is located in a Coastal Nonpoint Source Management Area. The Bryan County Mega Site will be governed by the Bryan County Unified Development Ordinance and Subdivision Regulation. These regulations require project stormwater design to be in accordance with methods and procedures outlined in the Coastal Stormwater Supplement to the Georgia Stormwater Management Manual, Volume 2, latest edition(CSS). To satisfy buffer GA EPD Buffer Mitigation Guidance, the first 1.2" runoff volume should be treated by runoff reduction volume of rainfall on the project site (Water Quality Volume) will be intercepted

and captured by runoff reduction BMPs, prior to discharging into a stormwater wet pond. The stormwater design will consist of a wet stormwater pond as a final BMP prior to stormwater discharge to receiving waterways. A wet stormwater pond will provide 80% TSS removal (GSMM Table 4.1.3-1 BMP Selection Guide). Since final design has not been completed, runoff reduction volume best management practices have not yet been designed. As design progresses, runoff reduction volume BMPs will be designed to achieve 80% TSS as required by Bryan County Unified Development ordinance and the Coastal Stormwater Supplement to the Georgia Stormwater Management Manual, latest edition. Runoff reduction BMPs to be considered during design will include bio-retention areas, downspout disconnects, enhanced dry and wet swales, mechanical TSS separator units (proprietary systems), permeable paver systems and vegetated filter strips.

The CSS Water Quality Tool spreadsheet demonstrating the achievement of 80% TSS pollutant load reduction is required and will be submitted, pursuant to Bryan County ordinances, at the time of final design development permit submittal. Design of BMPs will be in conformance with the CSS/GSMM and Bryan County regulations.

Water Quality Protection: The applicant must implement on-site best management practices (BMPs) that address common post-construction pollutants other than TSS. Practices used to address these other pollutants can be selected from the BMP Selection Guide, Table 4.1.3-1 of the Georgia Stormwater Management Manual. The applicant must choose an appropriate BMP or "treatment train," that is, a combination of BMPs, to fully address all pollutants of concern generated on site. The BMP or "treatment train" shall be designed to retain the first 1.0" of rainfall on site or at designated off site treatment area to the maximum extent practicable. If the entire 1.0-inch runoff reduction standard cannot be achieved, the remaining runoff from the 1.2-inch rainfall event must be treated by BMPs to remove at least 80% of the calculated average annual post-development TSS loading from the site. Please refer to Section 4.1.6.1 of the Blue Book for calculating removal rates of "treatment trains." Should the applicant choose practices not listed in Table 4.1.3-1, documented and proven pollutant removal efficiency rates must be submitted with the proposed practice and be accepted by EPD during the application review process. Developments with significant parking spaces and/or high-volume traffic areas must implement BMPs addressing oil and grease as pollutants. Pollutant removal efficiencies for these oil and grease BMPs must be included in the buffer variance application.

For this type of project, total suspended solids, hydrocarbons and metals have been identified as potential target pollutants. Prior to discharging into the stormwater wet pond, post-developed stormwater runoff will flow into green infrastructure or low impact development stormwater BMPs. The design will include BMPs selected from Table 4.1.3-1, and placed in series (treatment train), to cumulatively result a minimum of 60% pollutant removal efficiency from of TSS, hydrocarbons and metals from post-construction stormwater runoff.

The treatment train of stormwater BMPs required to achieve these standards will be designed in accordance with the CSS/GSMM. The CSS/GSMM Water Quality Tool spreadsheet demonstrating the achievement of post-construction pollutant load reduction is required, and will be submitted, at the time of final design development permit submittal pursuant to Bryan County ordinances. Design of BMPs will be in conformance with the CSS/ GSMM and Bryan County regulations.

Through the implementation of construction phase BMP's, post development TSS and/or Stormwater Run-off Reduction and water quality protection, the applicant will ensure no excess sedimentation, or an increased pollution load occurs.

We appreciate the opportunity to respond to the comment letter and please let us know if you have any additional questions.

Alton Brown, Jr. PRINCIPAL

41 Park of Commerce Way, Suite 101

Savannah GA, 31405

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<http://www.rlandc.com>

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From: Berry, Michael <Michael.Berry@dnr.ga.gov>

Sent: Tuesday, September 27, 2022 9:44 AM

To: Alton Brown Jr. <abrown@rlandc.com>

Cc: Russell Parr <rparr@rlandc.com>; Craw, Veronica <veronica.craw@dnr.ga.gov>; Welte, Jennifer



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

Oct 21, 2022

Mr. Pat Wilson
Georgia Department of Economic Development
Technology Square, 75 Fifth Street, NW
Suite 1200
Atlanta, GA 30308

Mr. Hugh Tollison
Savannah Harbor-Interstate 16 Corridor
Joint Development Authority
906 Drayton Street
Savannah, GA 31401

RE: Request for Variance under the Provisions of O.C.G.A. § 12-7-6(b)(15)
Bryan County Mega Site
Bryan County
File: BV-015-22-01

Dear Mr. Wilson and Mr. Tollison:

The Georgia Environmental Protection Division (EPD) has reviewed your stream buffer variance application for the above-referenced project. The review was conducted to consider the potential impacts of the proposed project's encroachment on buffers to State waters within the context of the Georgia Erosion and Sedimentation Act and the potential impact to State waters within the context of Georgia's National Pollutant Discharge Elimination System (NPDES) 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 application that you submitted 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 that your buffer variance application includes a request to conduct land-disturbing activities within 25 feet of State waters where there is no vegetation that has been wrested by normal stream flow or wave action, such request has not been considered by EPD, and the related activity is not addressed in the variance granted herein.

Pursuant to Ga. Comp. R. and Regs. 391-3-7-.05(2)(h) and subject to the conditions and contingencies described further below, authorization is hereby granted to encroach within the 25-foot buffer adjacent to State waters as delineated in your application dated August 8, 2022. ***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 and contingencies:

- 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;
- 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 Bryan 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 Bryan County; and
- 7) The applicants must cause the post-construction stormwater management systems to be installed and maintained to ensure pollutant removal efficiencies for water quality protection. The applicants must cause to be submitted to EPD in writing a copy of any proposed changes to the post-construction stormwater management systems previously submitted to EPD, and by way of this letter made a condition of this variance, and must receive written approval by EPD of those revised systems.

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," Bryan 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 Michael Berry, Erosion and Sedimentation Control Unit, Nonpoint Source Program, at (470) 524-4621.

Sincerely,



Richard E. Dunn
Director

Mr. Pat Wilson, Georgia Department of Economic Development
Mr. Hugh Tollison, Savannah Harbor-Interstate 16 Corridor Joint Development Authority
Page 3

cc: Carter Infinger, Chairman, Bryan County Board of Commissioners
Kirk Croasmun, Bryan County Engineer
Andrew Capezzuto, Georgia Department of Economic Development
Alton Brown, Resource and Land Consultants
Russell Parr, Resource and Land Consultants
Beth Stevenson, GA EPD
Mitch Attaway, Georgia Soil and Water Conservation Commission
Ben Ruzowicz, Georgia Soil and Water Conservation Commission
Tim Barrett, Wildlife Resources Division, Region 6 Fisheries Management

File: BV-015-22-01