



GWINNETT COUNTY
Department of Public Utilities
Storm Water Management
One Justice Square
446 West Crogan Street
Lawrenceville, Georgia 30045
Phone: 678.518.6150 Fax: 678.518.6152
www.gwinnettcounty.com

MEMORANDUM

To: Developers, Designers, and Contractors in Gwinnett County

From: David Chastant, PE

Subject: On-Stream SWM Facilities, EPA & EPD Permitting Requirements

Date: September 14, 2004

The intent of this memorandum is to provide guidance to developers and designers on Gwinnett County requirements when permitting storm water management facilities to be built in streams. This guidance is based on the letter to Gwinnett County Chairman Wayne Hill from the EPA dated June 30, 2004 regarding unpermitted discharges of fill material into streams and other waters and the memorandum from the EPD to Erosion and Sedimentation Control Local Issuing Authorities and Other Interested Parties dated June 14, 2004 regarding Georgia Erosion and Sedimentation Act State Water Issues. Copies are attached and available on the website, www.gwinnettstormwater.com.

Gwinnett County will continue to make the rebuttable presumption that state waters begin when the drainage area equals 20 acres. This is based on a study done in Gwinnett County in 1998. The County continues to reserve the right, however, to make a determination in the field to verify whether there is sufficient flow or wave action to wrest vegetation from the bank of the stream or water body, thereby forming a defined channel or edge of the water body which requires a protected buffer, as required by the Georgia Erosion and Sedimentation Act, as amended.

Gwinnett County will continue to require the designer to

- Clearly identify all wetlands and streams (jurisdictional waters), and to
- Certify that all environmental permits (including 404 permits) have been obtained. Please see the memo to the Development Advisory Committee from David Chastant dated June 16, 2004 regarding on-stream detention.

Effective immediately, a stream buffer variance will be required for storm water management facilities that are constructed in the state waters buffer that include excavated areas, earthen dams, or devices not composed of a virtually nonerodible material that conveys water from one place to another. The designer should be fully aware of, and comply with, EPA's "Final Region 4 Guidelines for Reconciling Storm Water Management and Water Quality and Resource Protection Issues" dated 6/23/04.

The Georgia Environmental Protection Division is in the process of revising the "buffer variance criteria" and this revision should be public noticed in September or October of 2004 for public comment.

C: Tommy Furlow, Director Public Utilities
David Evans, Director Storm Water Management