

Responses to Comments Received During the Public Comment Period from  
August 31, 2010 through October 6, 2010 regarding proposed amendments to  
Rules for Erosion and Sedimentation Control, Chapter 391-3-7

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As part of the rulemaking process, EPD held a public hearing regarding the proposed revisions to the Rules for Erosion and Sedimentation Control on September 29, 2010. The public hearing was held at the Environmental Protection Division Training Center, Atlanta Tradeport, 4244 International Parkway, Suite 114, Atlanta, Georgia 30354.

There were two attendees at the public hearing. No questions or comments were provided. There were five written comments received during the public comment period (August 31, 2010 through October 6, 2010). One comment received was not related to the rules change, but instead dealt with the statutory exemptions in the Georgia Erosion and Sedimentation Act. Two of the comments received were generally in support of the rule, but requested that the proposed stream buffer variance criteria (k) be expanded from only infrastructure projects to all types of developments within the protected stream buffer. Such developments can generally be re-configured to stay outside of the buffer. Therefore, EPD does not support this requested change. The fourth comment requested that the proposed criteria (k) be expanded to include pond repair and maintenance. EPD currently has procedures in place to expedite approval of emergency repairs to ponds, dams and spillways. The fifth comment incorrectly interpreted the existing rules pertaining to the general variance for small trout streams.

No changes to the proposed rules are recommended.

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