



**Jeffrey W. Cown, Director**

**Watershed Protection Branch**  
2 Martin Luther King, Jr. Drive  
Suite 1470A, East Tower  
Atlanta, Georgia 30334  
404-463-1511

June 3, 2024

The Honorable Richard Higgins, Chairman  
Hall County Board of Commissioners  
P.O. Drawer 1435  
Gainesville, Georgia 30503



**SUBJECT:** Upper Mulberry River W/S Str. #08  
Dam  
Hall County

Dear Chairman Higgins:

The Environmental Protection Division (Division) is charged with properly classifying dams based upon their hazard potential as outlined in the Georgia Safe Dams Act (Act). The Upper Mulberry River W/S Str. #8 Dam has been evaluated by the Division and based upon the information reviewed, a Category I classification is being proposed for this dam. A Category I classification means that a probable loss of life would occur in the event of a dam failure. This classification is based upon the results of a 2-D dambreak model developed by Dewberry. The results of the routing demonstrate that at least five homes are in the dam failure zone. It is important to note that the Category I classification is not based upon the condition of the dam.

The purpose of this letter is to inform you of this pending action and to determine if you have information supportive of keeping the dam classified as Category II (low hazard). Additionally, this gives you an opportunity to supply the Division with official documentation which demonstrates you are not an owner and/or operator of the dam. The requirements of the Act, including the requirement to obtain a permit, apply to owners and/or operators of Category I dams. Note that in most cases, the Division uses county tax records to determine ownership.

This prenotification letter serves to notify you of the pending reclassification. This letter is not an appealable action. The Category I classification is an action of the Director and therefore once issued can be appealed if there is information supportive of changing the classification. The classification letter outlines the process to follow should you consider an appeal.

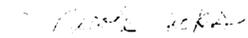
The Division believes it would be beneficial to you to understand your options prior to the reclassification to Category I and therefore requests that you contact us to discuss this matter. If we do not hear back from you within thirty (30) days of the date of this letter, the Division will

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Hall County  
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move forward with the Category I classification and the establishment of the 180-day deadline for submittal of the permit application.

You may contact the Safe Dams Program at (404) 463-2461.

Sincerely,



Nicole Hicks  
Environmental Engineer  
Safe Dams Program

cc: Diane Guthrie, P.E., State Conservation Engineer, NRCS  
Mitch Attaway, Executive Director, GSWCC

**Georgia Department of Natural Resources**

EPD Watershed Protection Branch  
2 Martin Luther King, Jr. Drive, SE Suite 1052 East  
Atlanta, Georgia 30334

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