

JUN 26 2012

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DIRECTOR'S OFFICE

June 21, 2012

Mr. Judson H. Turner, Director
Environmental Protection Division
Floyd Towers East, Suite 1152
Atlanta, Georgia 30334

Re: Walker County Durham Trail Project

Dear Mr. Turner,

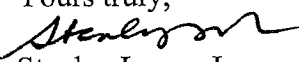
I am one of the people that in March reported to the Division the discharge of sediment into Rock Creek that is the subject of a notice of violation issued to Walker County. I have read the NOV and the County's written response to it. I have also examined the construction site before, during and after construction. I struggled with whether to write this letter, but decided to do so because I think it is important that the information included herein be considered in determining the appropriate resolution of the violations.

In addition to his full-time position as Walker County attorney, Mr. Donald Oliver has acted as hands-on project leader for all phases of this project, from grant application to on-site construction. Mr. Oliver has stated that he has for many years acted as the County's "greenspace and land conservation specialist". Given his training and experience, Mr. Oliver knew or certainly should have known that the work done directly in this trout stream was inappropriate and noncompliant with applicable regulations.

After the EPD became aware of the project, Mr. Oliver rushed to construct the in-stream dam, ostensibly because he knew that the plan for such a structure would not be approved. He then mischaracterized the nature of the construction activities to your Division, claiming that the work was merely routine maintenance, refusing to acknowledge that the County graded the banks of the stream, its dump trucks made approximately 100 trips directly through the stream, the open channel of the stream was filled, and the natural course of its flow changed.

Mr. Oliver has made a mockery of the regulatory process, misleading the Division with false statements. He has denigrated the character of those reporting the violations to the EPD. Given his training, experience and the authority entrusted to him, Mr. Oliver should be held to a higher standard than most.

This letter contains some serious allegations and I do not make them lightly, but the evidence supporting the factuality of the comments herein is overwhelming. A clear message needs to be sent that abuse of power and public trust, disregard of laws and regulations and dishonesty will not be tolerated.

Yours truly,

Stanley Lowe, Jr.