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State to restore Fulton wetlands

Stacy Shelton - Staff
 Tuesday, October 18, 2005

The state has agreed to restore a wetland muddied by a prison construction project in south Fulton County.

As part of a settlement agreement for a federal lawsuit brought by an environmental group, the Georgia Department of Corrections also agreed to pay the group \$50,000 and will attempt to place about 8.5 acres into a conservation easement to prevent future development.

"We got everything, to some extent, that we wanted," said Alice Champagne, technical programs director for the Upper Chattahoochee Riverkeeper group. "It was important for us to show that you have to pay the price when you don't abide by the law."

Riverkeeper sued Corrections Commissioner James Donald and other state officials in April for their roles in allegedly violating the federal Clean Water Act. According to Riverkeeper, the state stripped a forested hillside, piped a stream without a permit and failed to stop mud and silt from filling wetlands and lakes that eventually drain into the Chattahoochee River.

The state had planned to more than triple the size of the J.C. Larmore Probation Detention Center off Stonewall Tell Road near Union City by adding 500 beds. In June, after spending at least \$1.4 million, the state abruptly halted construction and reversed course, saying the facility was no longer needed.

But Riverkeeper decided to pursue its lawsuit, saying the damage had been done.

One result is that the Corrections Department will spend about four times more money to restore the site than it originally planned. The state's plan was to spend \$42,000 to plant pine saplings on the hillside and Leyland cypress trees next to the Valley Lakes subdivision. Corrections spokeswoman Yolanda Thompson said that the agency now will spend \$175,000 to fulfill the new restoration plan.

Under the agreement, the Corrections Department will remove mud from a 1.4-acre wetland and plant 100 trees and 150 shrubs that can survive the swampy environment, including water oaks and silky dogwoods. On the rest of the 25-acre property, the state will plant 225 hardwood trees, including northern red oak and bitternut hickory, and thousands of pine and hardwood seedlings.

In the agreement, signed earlier this month, the state did not admit any wrongdoing.

"They didn't admit anything, but they're going to be down there taking out mud in buckets," Champagne said.

Thompson said the state had already planned to restore the site.

"The restoration of that area would have happened [without the lawsuit] in terms of what's being done," she said. "The extent of what's being done may be different. Being good stewards of the environment was a part of the agenda."

The Larmore expansion was troubled from the start. Valley Lakes residents, whose homes sell for \$145,000 to \$190,000, fought bitterly when construction started last year. They were supported by U.S. Rep. David Scott (D-Atlanta) and state Sen. Kasim Reed (D-Atlanta).

"This project was stopped in 1995," Scott said. "It never should have even been pursued. . . . Corrections owes that responsibility to the people of Union City, to fix that community back."

Late last month, 170 probationers and about 60 staffers were moved to other facilities, leaving Larmore vacant, Thompson said. The state has not yet decided what to do with the facility.

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