



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT  
4751 BEST ROAD, SUITE 140  
COLLEGE PARK, GEORGIA 30337

October 3, 2023

Regulatory Division  
SAS-2023-00641

Mr. Aaron Weiner  
City of Atlanta  
160 Trinity Avenue SW, Suite 2200  
Atlanta, Georgia 30303

Dear Mr. Weiner:

I refer to the Pre-Construction Notification received on August 15, 2023, submitted on your behalf by Pond & Company, Inc., requesting verification for use of Nationwide Permits (NWP) 3 and 16, for proposed permanent impacts to 0.01-acre of open water and temporary impacts to 0.37-acre of open water in conjunction with the maintenance dredging of an existing pond feature within the Spingvale Park. The approximately 4.5-acre tract is located west-southwest of Elizabeth Street NE, north of Edgewood Avenue NE, and south of Lakewood Avenue NE within the city of Atlanta, Georgia (centered at latitude: 33.7585 longitude: -84.3581). This project has been assigned project number SAS-2023-00641, and it is important to reference this number in all communication concerning this matter.

The project consists of removal and/or replacement of wooden and stone structures surrounding the pond, creating a litoral shelf, dredging the pond under dry conditions to return it to historical levels, and installation of a forebay to assist with future maintenance activities. We understand that 0.01-acre of permanent open water impact is proposed using NWP 3 for the creation of the litoral shelf and installation of the forebay, along with use of NWP 16 for the 0.37-acre of temporary open water impacts for detwatering, dredging, and collected water return. The details of the proposed project are depicted on the enclosed exhibit entitled "Springvale Park Pond & Forebay Improvements – Site plan, Sheet CS-101", as prepared by Pond & Company, Inc., dated May 31, 2023.

The attached exhibit, "Figure 2 State and Federal Waters Map (Aerial)" dated April, 2020, as prepared by Pond & Company, Inc., identifies the delineation limits of all aquatic resources within the project area. The aquatic resources were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual. Please note, should this delineation require reverification, it is subject to change based on site conditions at the time of reevaluation.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

We have completed coordination with other federal and state agencies as described in Part C (32)(d) of our NWP Program, published in the January 13, 2021, Federal Register, Vol. 86, No. 8, Pages 2744-2877 (86 FR). The NWPs and Savannah District's Regional Conditions for NWPs can be found on our website at <http://www.sas.usace.army.mil/Missions/Regulatory/Permitting/GeneralPermits/NationwidePermits.aspx>. During our coordination procedure, no adverse comments regarding the proposed work were received.

As a result of our evaluation of your project, we have determined that the proposed activity is authorized as described in Part B of the NWP Program. Your use of this NWP is valid only if:

- a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Savannah District's Regional Conditions for NWPs.
- b. You shall notify the Corps, in writing, at least 10 days in advance of commencement of work authorized by this permit.
- c. You fill out and sign the enclosed certification and return it to our office within 30 days of completion of the activity authorized by this permit.

This proposal was reviewed in accordance with Section 7 of the Endangered Species Act. Based on the information we have available, we have determined that the project will have no effect on any listed species or any critical habitat for listed species. Authorization of an activity by a NWP does not authorize the "take" of threatened or endangered species. In the absence of separate authorization, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. See Part I of 86 FR for more information.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to expire on March 14, 2026. It is incumbent upon you to

remain informed of changes to the NWP. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

This authorization should not be construed to mean that any future projects requiring Department of the Army authorization would necessarily be authorized. Any new proposal, whether associated with this project or not, would be evaluated on a case-by-case basis. Any prior approvals would not be a determining factor in deciding on any future request.

Revisions to your proposal may invalidate this authorization. In the event changes to this project are contemplated, I recommend that you coordinate with us prior to proceeding with the work.

This communication does not relieve you of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state, or local authorities. It does not affect your liability for any damages or claims that may arise as a result of the work. It does not convey any property rights, either in real estate or material, or any exclusive privileges. It also does not affect your liability for any interference with existing or proposed federal projects. If the information you have submitted and on which the Corps bases its determination/decision of authorization under the NWP is later found to be in error, this determination may be subject to modification, suspension, or revocation.

An electronic copy of this letter is being provided to the following party: Ms. Kayla Theilig of Pond & Company, Inc., via email at [TheiligK@pondco.com](mailto:TheiligK@pondco.com).

Thank you in advance for completing our on-line Customer Survey Form located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. We value your comments and appreciate you taking the time to complete a survey each time you interact with our office.

If you have any questions, please contact me at (678) 422-2727 or [Nathan.C.Driggers@usace.army.mil](mailto:Nathan.C.Driggers@usace.army.mil).

Sincerely,

**Nathan C.  
Driggers**

Digitally signed by  
Nathan C. Driggers  
Date: 2023.10.04  
12:28:28 -04'00'

Nathan C Driggers  
Regulatory Specialist, Piedmont Branch

Enclosures

Regulatory Division

CERTIFICATION OF COMPLIANCE  
WITH DEPARTMENT OF THE ARMY  
NATIONWIDE PERMIT (3 & 16)

PERMIT FILE NUMBER: SAS-2023-00641

PERMITTEE/ADDRESS: Mr. Aaron Weiner, City of Atlanta, 106 Trinity Avenue SW,  
Atlanta, Georgia 30303.

LOCATION OF WORK: The approximately 4.5-acre tract is located west-southwest of  
Elizabeth St NE, north of Edgewood Ave NE, and south of Lakewood Ave NE within the  
city of Atlanta, Georgia (centered at latitude: 33.7585 longitude: -84.3581).

PROJECT DESCRIPTION: The proposed project consists of removal and/or  
replacement of wooden and stone structures surrounding the pond, creating a littoral  
shelf, dredging the pond under dry conditions to return it to historical levels, and  
installation of a forebay to assist with future maintenance activities.

WATERS OF THE UNITED STATES IMPACTED: Permanent impacts to 0.01-acre of  
open water and temporary impacts to 0.37-acre of open water.

DATE WORK IN WATERS OF UNITED STATES COMPLETED: \_\_\_\_\_

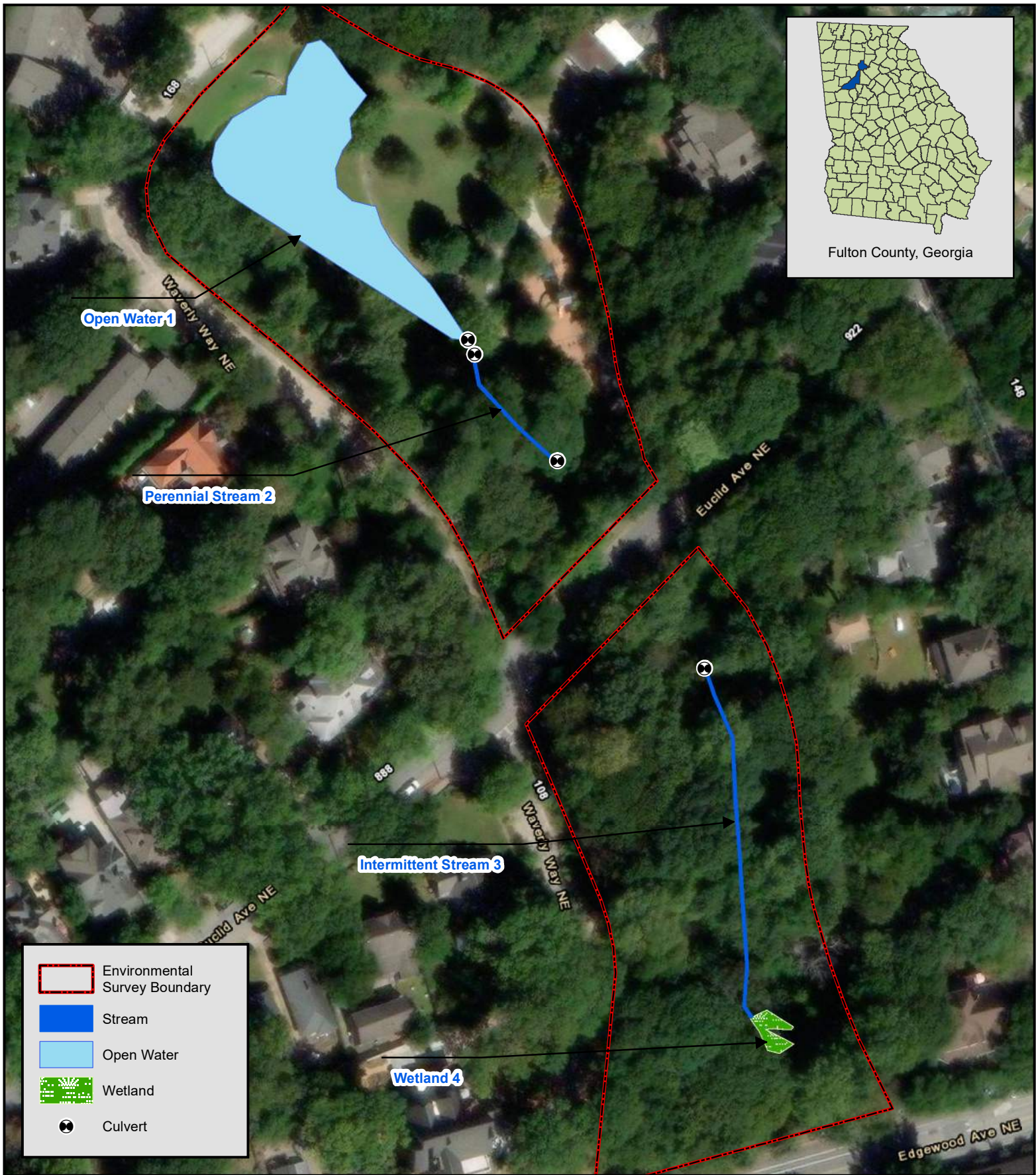
I understand that the permitted activity is subject to a U.S. Army Corps of Engineers' Compliance Inspection. If I fail to comply with the permit conditions at Part C of the Nationwide Permit Program, published in the January 13, 2021, Federal Register, Vol. 86, No. 8, Pages 2744-2877 (86 FR), it may be subject to suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit as well as any required mitigation (if applicable) has been completed in accordance with the terms and conditions of the said permit.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

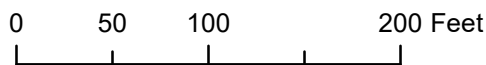




Service Layer Credits: Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and

**Figure 2**  
**State and Federal Waters Map (Aerial)**

Springvale Park  
 City of Atlanta  
 Fulton County, Georgia  
 April 2020

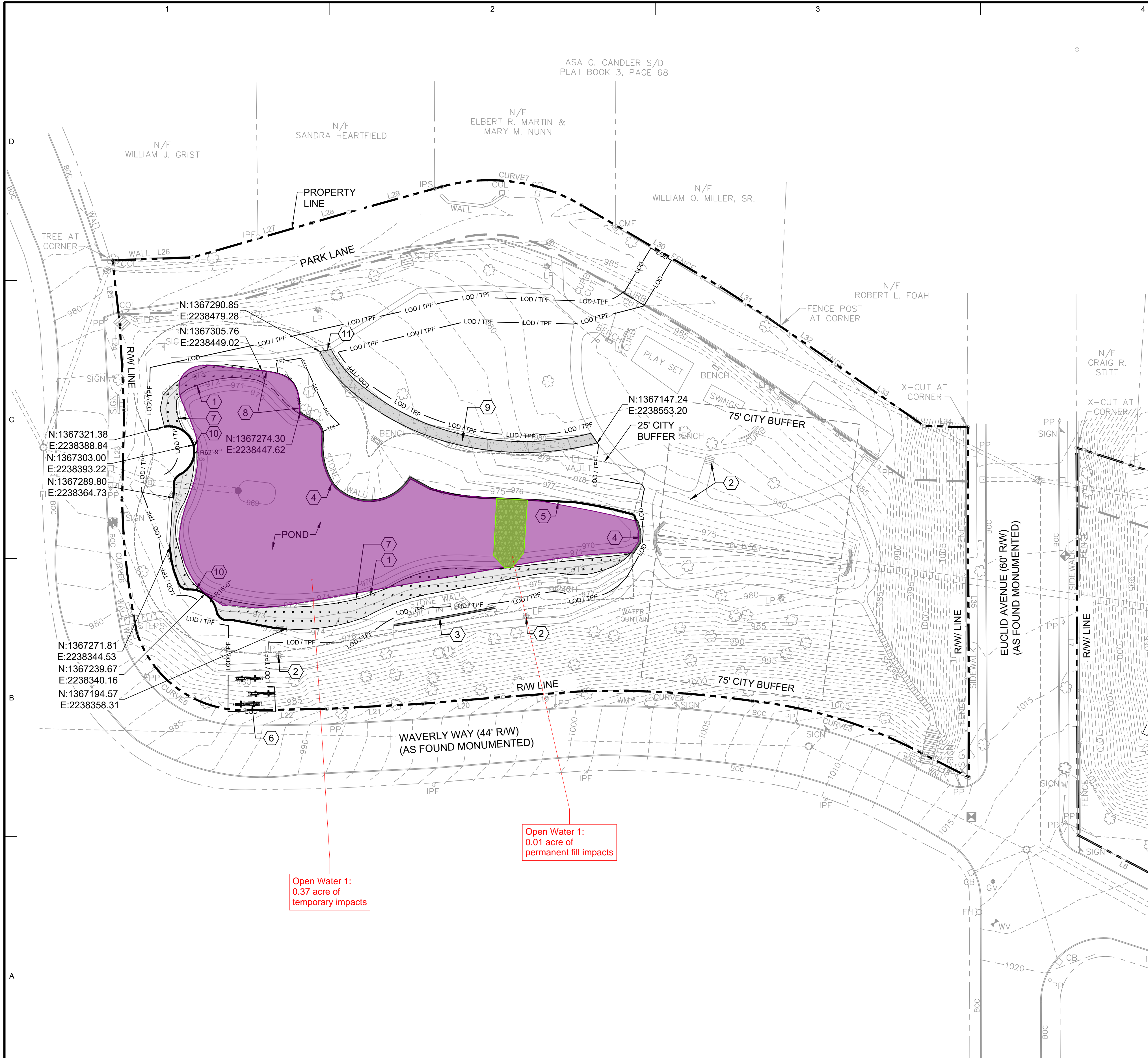


1 inch = 100 feet



FILE PATH: X:\FY20120399\104.CAD\_BIM\04.02.CAD\CS-101.DWG PLOTTED BY: THOMPSON, SYDNEY

ASA G. CANDLER S/D  
PLAT BOOK 3, PAGE 68



Open Water 1:  
0.37 acre of  
temporary impacts

Open Water 1:  
0.01 acre of  
permanent fill impacts

# A1 SITE PLAN

SCALE: 1" = 30'



## GENERAL SHEET NOTES

- REFER TO SHEETS C-001 FOR LEGEND, ABBREVIATIONS, AND CIVIL NOTES.
- THIS SHEET IS PART OF A MULTI-SHEET SET OF CONSTRUCTION PLANS AND SHALL BE READ WITH THE FULL SET TO BEST ENSURE PROPER INTERPRETATION. REFER TO L-SERIES FOR TREE PROTECTION AND LANDSCAPE INFORMATION.
- BEFORE STARTING ANY LAND-DISTURBING ACTIVITIES, THE CONTRACTOR IS REQUIRED TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH EROSION & SEDIMENT CONTROL DEPARTMENT. CALL 404-546-1305. FAILURE TO SCHEDULE MAY RESULT IN A STOP WORK ORDER OR PERMIT REVOCATION.
- LOCATION OF EXISTING SIDEWALKS AND OTHER EXISTING SITE FEATURES SHOWN ARE APPROXIMATE BASED ON SURVEY INCLUDED ON DRAWING V-001 AND VISUAL INSPECTION, ACTUAL LOCATIONS OF SITE FEATURES MAY VARY.

## SHEET KEYNOTES

- PROPOSED EDGE OF POND.
- PROTECT EXISTING STAIRS, WALKS, BENCHES, SIGNS, AND LIGHT POLES THROUGHOUT ALL STAGES OF CONSTRUCTION.
- EXISTING HISTORIC STONE WALL TO BE PROTECTED AND PRESERVED THROUGHOUT ALL STAGES OF CONSTRUCTION.
- EXISTING STONE WALL TO REMAIN AND BE PROTECTED THROUGHOUT CONSTRUCTION. REFER TO ADDITIONAL WALL NOTES ON THIS SHEET.
- EXISTING WOODEN WALL TO BE DEMOLISHED AND REPLACED WITH A NEW STONE WALL. REFER TO CD-101 AND ADDITIONAL WALL NOTES ON THIS SHEET.
- CONTRACTOR TO INSTALL LOG CHECK DAMS (SEE EROSION SHEETS) TO ADDRESS DRAINAGE ISSUES IN THE IS AREA. COORDINATE WITH THE DESIGN PROFESSIONAL.
- NEW UNDERWATER EDGE OF LITTORAL ZONE - SEE DETAIL D4/L-501 AND L-101 FOR MORE INFORMATION.
- EXISTING WOODEN WALL TO BE PROTECTED THROUGHOUT CONSTRUCTION. SEE CD-101 FOR MORE INFORMATION.
- PEDESTRIAN CONCRETE SIDEWALK - SEE DETAIL C1/C-501.
- PROPOSED STONE WALL. SEE WALL NOTES ON THIS SHEET.
- PROPOSED SIDEWALK TO CLEANLY TIE INTO EXISTING SIDEWALK AT GRADE.

## WALL NOTES:

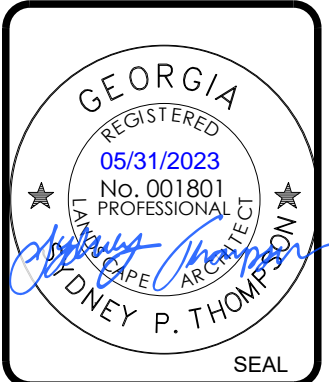
- NEW STONE WALL TO MATCH EXISTING STONE WALL AESTHETIC. CONTRACTOR WILL PROVIDE STONE SAMPLES TO DESIGN PROFESSIONAL/OWNER FOR APPROVAL.
- A GEOTECHNICAL INVESTIGATION WILL BE CONDUCTED BY A GEOTECHNICAL ENGINEER AFTER THE POND IS DRAINED TO PROVIDE SOILS INFORMATION FOR THE DESIGN OF THE NEW WALLS. CONTRACTOR IS RESPONSIBLE FOR HIRING THE GEOTECH ENGINEER AND WILL INCLUDE A LINE ITEM IN THEIR BID.
- NEW STONE WALLS WILL BE DESIGNED AND STAMPED BY A STRUCTURAL ENGINEER AND PERMITTED SEPARATELY OF THE LDP. CONTRACTOR IS RESPONSIBLE FOR THE DESIGN AND PERMITTING OF THE WALLS AND WILL INCLUDE A LINE ITEM IN THEIR BID.
- CONTRACTOR WILL HAVE THE EXISTING STONE WALL ASSESSED BY A STRUCTURAL ENGINEER AFTER POND IS DRAINED.
- ANY NECESSARY REPAIRS TO THE EXISTING STONE WALL AND CONSTRUCTION OF THE NEW STONE WALL WILL BE THE RESPONSIBILITY OF THE CONTRACTOR AND WILL BE COMPLETED AFTER POND IS DREDGED.

## LEGEND:

- LOD — LOD — LIMITS OF DISTURBANCE
- ■ ■ ■ ■ PROPOSED EDGE OF POND
- — — — — EXISTING WALLS TO BE PROTECTED
- — — — — LITTORAL ZONE - SEE DETAIL D4/L-501
- TPF — TPF — TREE PROTECTION FENCING, TYP.
- — — — — PEDESTRIAN CONCRETE - SEE DETAIL C1/C-501



Know what's below.  
Call before you dig.  
Dial 811  
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100% CONSTRUCTION DOCUMENTS



DATE	DESCRIPTION	MARK	DATE	APPR

DESIGNED BY: STIM	DATE: MAY 31, 2023	SOLICITATION NO.:	PLLOT DATE: 5/31/2023
DWN BY: ABR	CHK BY:	CONTRACT NO.:	
SUBMITTED BY: ST	FILE NUMBER:	FILE NUMBER:	
FILE NAME: CS-101.DWG	FILE NUMBER:	FILE NUMBER:	
SIZE: 22" x 34"	AS SHOWN	AS SHOWN	

**INMAN PARK**  
NEIGHBORHOOD ASSOCIATION  
245 North Highland Avenue NE  
ATLANTA, GA 30307

**POND**  
1800 Parkway Lane  
Peachtree Corners, GA  
30092, SUITE 600  
POND PROJECT No. 1200391 Fax: 878.338.7744

SPRINGVALE PARK  
POND & FOREBAY IMPROVEMENTS  
SITE PLAN

SHEET IDENTIFICATION NUMBER  
**CS-101**