



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

February 29, 2024

Regulatory Division
SAS-2016-00018

Mr. Carl Thomas
The City of Dunwoody
4800 Ashford Dunwoody Road
Dunwoody, Georgia 30338

Dear Mr. Thomas:

I refer to the Pre-Construction Notification received on January 18, 2024, submitted on your behalf by Freese and Nichols, Incorporated, requesting verification for use of Nationwide Permit (NWP) 13 and 33 in conjunction with proposed permanent impacts to 274 linear feet (0.007-acre) of perennial stream channel for streambank stabilization to prevent erosion and repair a previous stream improvement project. The 1.6-acre project site is located approximately 1 mile north of the intersection of Mount Vernon Road and Chamblee Dunwoody Road in Dunwoody, Dekalb County, Georgia (centered at approximately: latitude: 33.956231, longitude: -84.3326439). This project has retained the previously assigned number SAS-2016-00018, and it is important to reference this number in all communication concerning this matter.

A stream restoration project was previously completed at the project site and verified by this office under Nationwide Permit 27 (SAS-2016-00018) on January 14, 2016. Despite past restoration efforts, there are areas of bank erosion and heavy sedimentation along the stream, extending from the edge of the Dunwoody Nature Center property to the stone headwall at the downstream extent of the project. The current project involves streambank stabilization along Wildcat Creek within the Dunwoody Nature Center property. Bank stabilization will require installation of rock toe, reconfiguration of previously installed in-stream structures, installation of a log vane to redirect flow, and bank grading along 274 linear feet (0.007-acre) of stream bank. Average fill per running foot is 0.04 cu yd/ foot and totals 6.87 cubic yards. Temporary aquatic area impacts associated with the temporary site access road total 0.003-acre of forested wetland and 323 linear feet (0.031-acre) of perennial stream. Other proposed activities that would not involve the discharge of fill material into waters of the U.S. are the removal of invasive species from the edges of wetlands, and planting of native woody and herbaceous vegetation to support stream bioengineering methods and restore native forested wetland habitat as well as the redesign and extension of an existing boardwalk. The details of the proposed project are depicted on the four (4) enclosed exhibits collectively entitled, "Impact Sheet 2 Dunwoody Nature Center

Improvements Erosion and Sediment Control Plan Phase 1 and 2”, as prepared by Freese and Nichols, Incorporated, dated September 1, 2023.

The enclosed exhibit entitled, “Exhibit 1 WOTUS Mapping-Dunwoody Nature Center Improvements Project-DeKalb County, GA”, as prepared by Freese and Nichols, Incorporated, dated July 25, 2023, identifies the delineation limits of all aquatic resources within the project area. The wetlands 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) and/or the December 27, 2021, Federal Register, Vol. 86, No. 245, Pages 73522-73583 (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 would have no effect on any threatened or endangered species nor any critical habitat for such 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 (C) 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 NWPs. 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: Mr. Jason Steele of Freese and Nichols, Incorporated, via email at: Jason.Steele@Freese.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

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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) 422-6571 or amy.k.egoroff@usace.army.mil.

Sincerely,

A handwritten signature in black ink that reads "Amy K. Egoroff". The signature is written in a cursive style with a large, stylized 'A' and 'E'.

Amy K. Egoroff
Lead Biologist, Piedmont Branch

Enclosures

Regulatory Division

CERTIFICATION OF COMPLIANCE
WITH DEPARTMENT OF THE ARMY
NATIONWIDE PERMIT (13 & 33)

PERMIT FILE NUMBER: SAS-2016-00018

PERMITTEE/ADDRESS: Mr. Carl Thomas, the City of Dunwoody, 4800 Ashford Dunwoody Rd,
Dunwoody, Georgia 30338

LOCATION OF WORK: The 1.6-acre project site is located approximately 1 mile north of the
intersection of Mount Vernon Road and Chamblee Dunwoody Road in Dunwoody, DeKalb
County, Georgia (centered at approximately: latitude: 33.956231, longitude: -84.3326439).

PROJECT DESCRIPTION: The project involves streambank stabilization along Wildcat Creek
within the Dunwoody Nature Center property. Bank stabilization will require installation of rock
toe, reconfiguration of previously installed in-stream structures, installation of a log vane to
redirect flow, and bank grading along 274 linear feet (0.007-acre) of stream bank. Average fill
per running foot is 0.04 cu yd/ foot and totals 6.87 cubic yards. Other proposed activities that
would not involve the discharge of fill material into waters of the U.S. are the removal of invasive
species from the edges of wetlands, and planting of native woody and herbaceous vegetation to
support stream bioengineering methods and restore native forested wetland habitat as well as
the redesign and extension of an existing boardwalk.

WATERS OF THE UNITED STATES IMPACTED: Permanent impacts to 274 linear feet (0.007-
acre) of perennial stream channel and temporary impacts to 0.003-acre of forested wetland and
323 linear feet (0.031-acre) of perennial stream.

DATE WORK IN WATERS OF UNITED STATES COMPLETED: _____

COMPENSATORY MITIGATION REQUIRED: N/A

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) and/or the December 27, 2021, Federal Register, Vol. 86, No. 245, Pages
73522-73583 (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

N/F
PATRICK JOHN CRAWFORD
DB. 7133 PG. 559
TPID # 18 376 01 086

N/F
CITY OF DUNWOODY
DUNWOODY NATURE CENTER
DB. 23821 PG. 223
TPID # 18 376 01 005

WETLAND IMPACTS

- Permanent Cover Conversion (NWP 14 Activity)
- Temporary Wetland Impact

STREAM IMPACTS

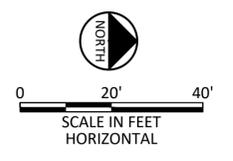
- Permanent Fill Below OHW
- Excavation Below OHW
- Grading/Reshaping Below OHW
- Temporary Stream Impact

NOTES

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL TREES ON THE SITE NOT MARKED AS REMOVED ON THE TREE PLAN SHALL BE PROTECTED USING TREE PROTECTION FENCING AND THE DESIGNATED TREE PRESCRIPTION, PER TR-1. REFER TO SUPPLEMENTAL TREE PLAN FOR FURTHER CLARIFICATION ON TREES TO BE REMOVED AND TREES TO BE PROTECTED.
3. INSTALL EROSION CONTROL MATS ON ALL SLOPES STEEPER THAN 2.5:1 OR GREATER THAN 10 FEET IN HEIGHT IN AREAS OF CONCENTRATED FLOW.
4. A TURBIDITY CURTAIN (Tc-S) SHALL BE USED DOWNSTREAM OF ACTIVE CHANNEL DISTURBING ACTIVITY, PER GDOT DETAIL D-51, IN CONJUNCTION WITH A PUMPED DIVERSION (Dv-P). BOTH CAN BE MOVED AS CONSTRUCTION SEQUENCING WARRANTS.
5. WETLANDS TO BE RESTORED WITH NATIVE PLANTINGS AND ANY TEMPORARY FILLS REMOVED TO RE-ESTABLISH WETLAND ELEVATIONS TO PRE-CONSTRUCTION CONTOURS, SEE PLANTING PLAN ON SHEETS PL-1 & DT-7 FOR MORE DETAILS. NO MACHINE TRENCHING THROUGH CRITICAL ROOT ZONE (CRZ). HAND-DIG WHERE SILT FENCE CROSSES THE CRZ OF ANY TREE. ROOT PRUNE AS NEEDED ACCORDING TO ISA/ANSI PROFESSIONAL STANDARDS.
7. HAUL RD (Cr) SHALL BE CONSTRUCTED PER THE GSWCC REQUIREMENTS FOR CONSTRUCTION ROAD STABILIZATION.
8. ALL MATERIALS STORED IN FLOODPLAIN WILL BE ANCHORED TO PREVENT FLOTATION.

LEGEND

- PROPERTY LINE BOUNDARY
- EXISTING MINOR CONTOURS
- EXISTING MAJOR CONTOURS
- EXISTING GROUND (PROFILE VIEW)
- PROPOSED MINOR CONTOURS
- PROPOSED MAJOR CONTOURS
- LOD LIMITS OF DISTURBANCE
- EXISTING STREAM ALIGNMENT
- FPL FUTURE 100-YR FLOODPLAIN
- SOIL TYPE BOUNDARY
- SILT FENCE, SENSITIVE (Sd1-S)
- WETLAND
- STORM DRAIN OUTLET PROTECTION (St)
- HAUL ROAD (Cr)
- CONSTRUCTION EXIT (Co)
- CHANNEL STABILIZATION, TYPE 2 (Ch-2)
- TURBIDITY CURTAIN, STAKED
- HAY BALE CHECK DAM
- STONE CHECK DAM
- TEMPORARY BRIDGE STREAM CROSSING
- CHANNEL STABILIZATION, TYPE 2
- PUMPED STREAM DIVERSION
- DISTURBED AREA STABILIZATION (MULCH)
- DISTURBED AREA STABILIZATION (TEMP. SEEDING)
- DUST CONTROL



NOT FOR CONSTRUCTION
THIS DOCUMENT IS RELEASED FOR THE PROJECT ONLY. IT IS NOT TO BE USED FOR CONSTRUCTION, BIDDING OR PERMIT PURPOSES.
AUTHORITY OF: JOHN PHILIP SCHNEIDER
GEORGIA NO. RE099562 ON DATE: 11/10/23

FREES & NICHOLS
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Atlanta, GA 30339
Phone: (404) 334-4310
Web: www.freesandnichols.com

CITY OF DUNWOODY, GA
DUNWOODY NATURE CENTER IMPROVEMENTS
CIVIL
EROSION AND SEDIMENT CONTROL PLAN
PHASE 1 AND 2

NO.	ISSUE	DATE	BY	DATE	DESIGNED	DRAWN	REVISION	FILE NAME
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1								

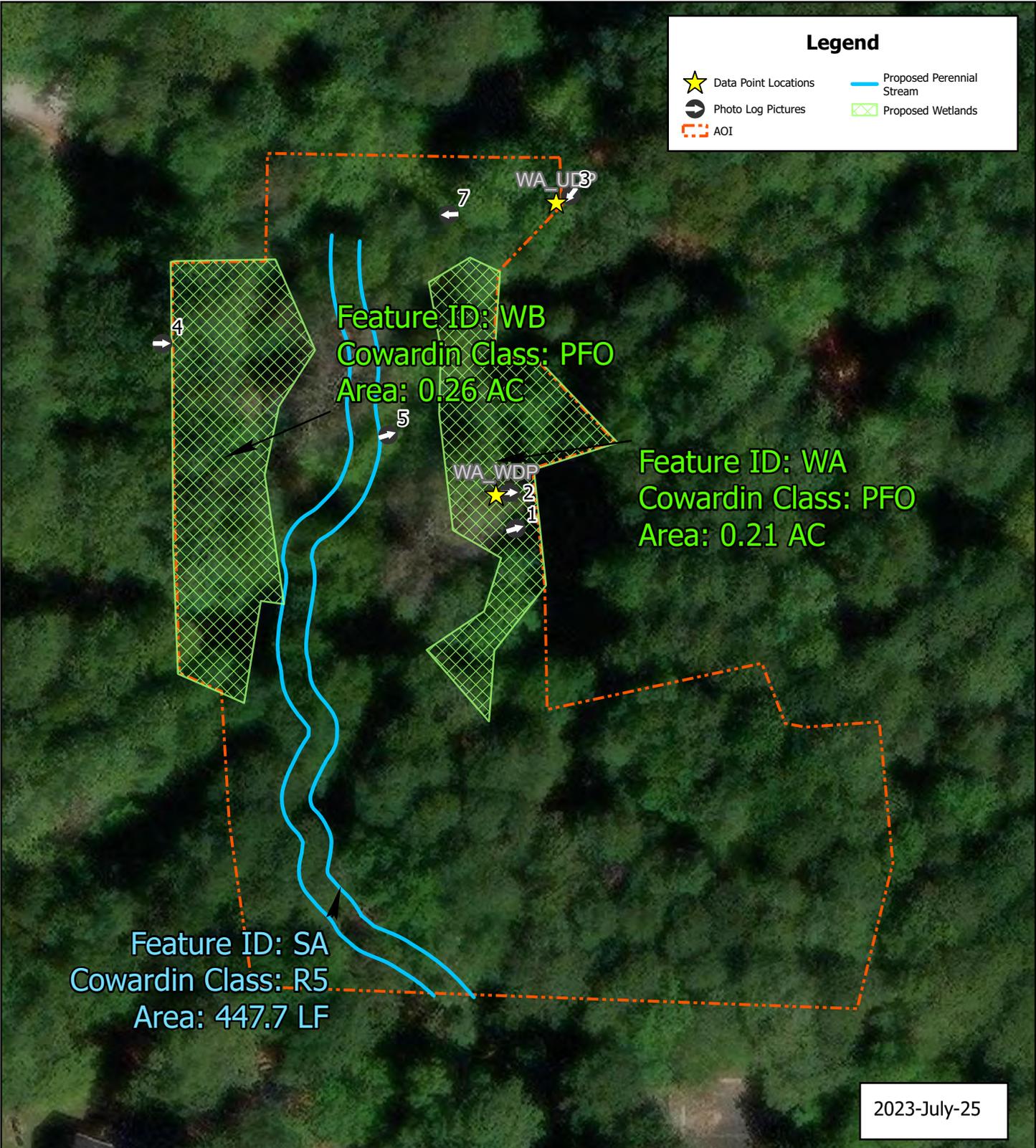
IMPACT SHEET

PERMITTING

Path: H:\ENVIRONMENTAL\Working\PMI_Working\Map_062023\Map_062023.aprx

Legend

- ★ Data Point Locations
- ➡ Photo Log Pictures
- ⊞ Proposed Perennial Stream
- ⊞ Proposed Wetlands
- ⊞ AOI



2023-July-25



Exhibit 1 WOTUS Mapping
 Dunwoody Nature Center Improvements Project
 DeKalb County, GA



Coordinate System: NAD 1983 StatePlane Georgia West FIPS 1002 Feet

N

0 25 50
Feet