



DEPARTMENT OF THE ARMY  
US ARMY CORPS OF ENGINEERS  
NORFOLK DISTRICT  
FORT NORFOLK  
803 FRONT STREET  
NORFOLK VA 23510-1011

October 29, 2018

Northern Virginia Regulatory Section  
NAO-2012-01694 (Ballston Pond)

Arlington County  
2100 Clarendon Boulevard, Suite 300  
Arlington, Virginia 22201

To Whom It May Concern:

This is in regard to your Department of the Army permit application number NAO-2012-01694 (VMRC #18-V0800) to impact waters and wetlands associated with the repair and retrofit of an existing wet detention pond for the purpose of improving the pond. The work will occur along Lubber Run in Arlington County, Virginia. These impacts are detailed on the enclosed drawings entitled "Ballston Pond Retrofit Project Between I-66 & Fairfax Dr", prepared by and submitted on behalf of the applicant by RK&K and dated May 2018 (attached).

Your proposed work as outlined above satisfies the criteria contained in the Corps Nationwide Permit (43), attached. The Corps Nationwide Permits were published in the January 6, 2017 Federal Register notice (82 FR 1860) and the regulations governing their use can be found in 33 CFR 330 published in Volume 56, Number 226 of the Federal Register dated November 22, 1991.

Provided the Nationwide Permit General Conditions (enclosed) are met, an individual Department of the Army Permit will not be required. In addition, the Virginia Department of Environmental Quality has provided a **conditional** §401 Water Quality Certification for Nationwide Permit Number 43. A permit may be required from the Virginia Marine Resources Commission and/or your local wetlands board, and this verification is not valid until you obtain their approval, if necessary. This authorization does not relieve your responsibility to comply with local requirements pursuant to the Chesapeake Bay Preservation Act (CBPA), nor does it supersede local government authority and responsibilities pursuant to the Act. You should contact your local government before you begin work to find out how the CBPA applies to your project.

Enclosed is a "compliance certification" form, which must be signed and returned within 30 days of completion of the project, including any required mitigation. Your signature on this form certifies that you have completed the work in accordance with the nationwide permit terms and conditions.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to be modified, reissued, or revoked prior to March 18,

2022. It is incumbent upon you to remain informed of changes to the NWP. We will issue a public notice when the NWPs are reissued. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant nationwide permit is modified or revoked, you will have twelve (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 nationwide permit unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 330.4(e) and 33 CFR 330.5 (c) or (d). Project specific conditions listed in this letter continue to remain in effect after the NWP verification expires, unless the district engineer removes those conditions. Activities completed under the authorization of an NWP which was in effect at the time the activity was completed continue to be authorized by that NWP.

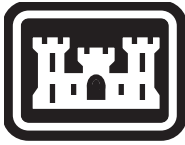
In granting an authorization pursuant to this permit, the Norfolk District has relied on the information and data provided by the permittee. If, subsequent to notification by the Corps that a project qualifies for this permit, such information and data prove to be materially false or materially incomplete, the authorization may be suspended or revoked, in whole or in part, and/or the Government may institute appropriate legal proceedings.

If you have any questions and/or concerns about this permit authorization, please contact Ms. Theresita Crockett-Augustine via telephone at (703) 221-9736 or via email at [theresita.m.crockett-augustine@usace.army.mil](mailto:theresita.m.crockett-augustine@usace.army.mil).

Sincerely,



Theresita Crockett-Augustine  
Environmental Scientist  
Northern Virginia Regulatory Section



U.S. Army Corps  
Of Engineers  
Norfolk District

**CERTIFICATE OF COMPLIANCE  
WITH  
ARMY CORPS OF ENGINEERS PERMIT**

Permit Number: NAO-2012-01694  
VMRC Number: 18-V0800  
Corps Contact: Ms. Theresita Crockett-Augustine  
Name of Permittee: Arlington County  
Date of Issuance: October 29, 2018  
Permit Type: NWP # 43

**Within 30 days of completion of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the following address:**

US Army Corps of Engineers - Norfolk District  
Northern Virginia Field Office  
Attn: Ms. Theresita Crockett-Augustine  
18139 Triangle Plaza, Suite 213  
Dumfries, Virginia 22026

Or scan and send via email to [theresita.m.crockett-augustine@usace.army.mil](mailto:theresita.m.crockett-augustine@usace.army.mil)


Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of the said permit, and required mitigation has been completed in accordance with the permit conditions.

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

\_\_\_\_\_  
Date

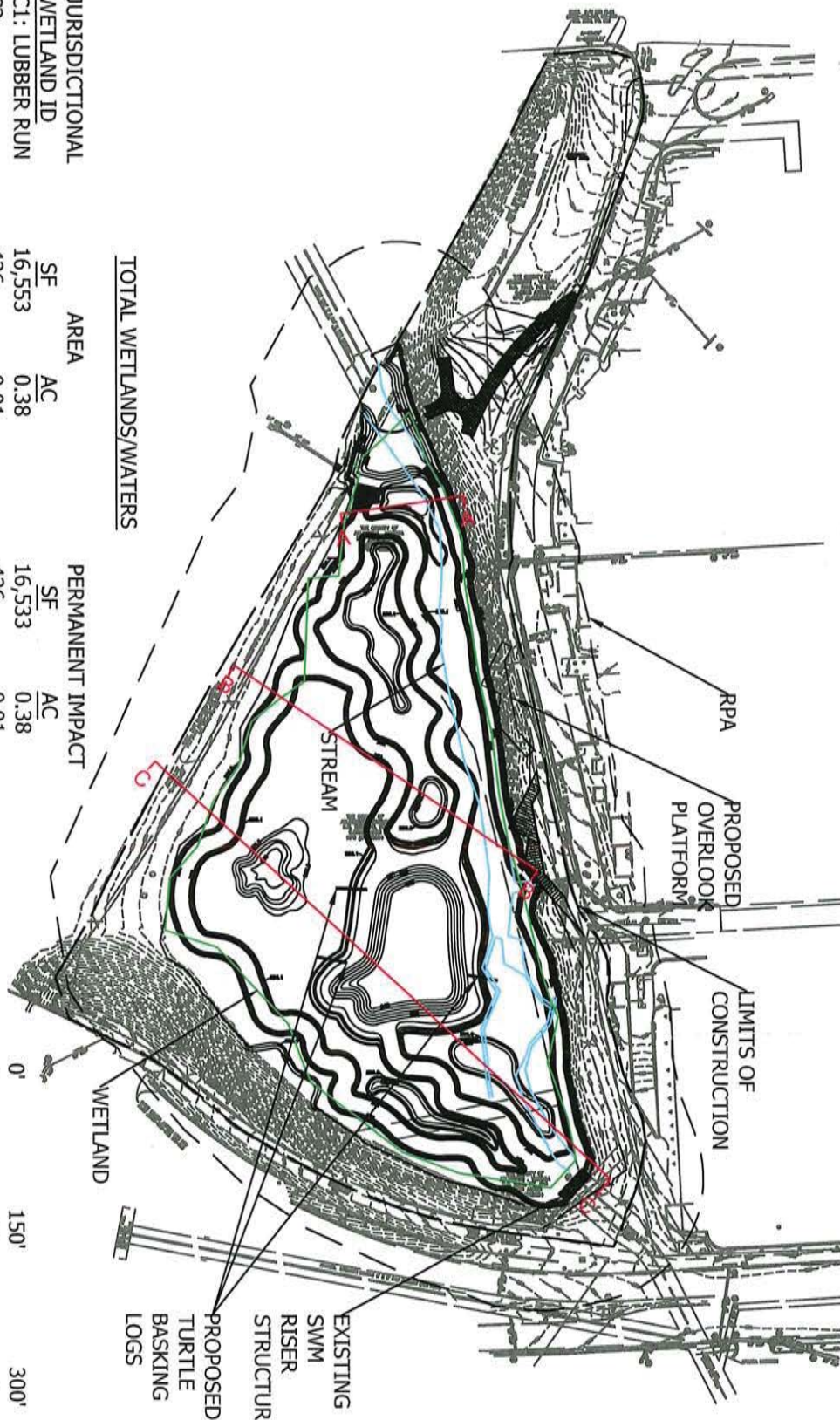


|   |  |   |
|---|--|---|
| <p><b>Legend</b></p> <p><span style="border: 2px dashed red; display: inline-block; width: 20px; height: 10px;"></span> LOD</p> | <p><b>Ballston Pond Retrofit</b></p> <p><b>Figure 1: Vicinity/Location Map</b></p> <p>Drawn By: NGK 12/20/2017</p> |  |
|---|--|---|





RECEIVED  
MAY 21 2018  
MARINE RESOURCES  
COMMISSION



JURISDICTIONAL  
WETLAND ID  
C1: LUBBER RUN  
C2  
C3  
C4  
W1

AREA  
SF  
16,553  
436  
2,178  
436  
148,104

AC  
0.38  
0.01  
0.05  
0.01  
3.4

PERMANENT IMPACT  
SF  
16,533  
436  
2,178  
436  
148,104

AC  
0.38  
0.01  
0.05  
0.01  
3.4



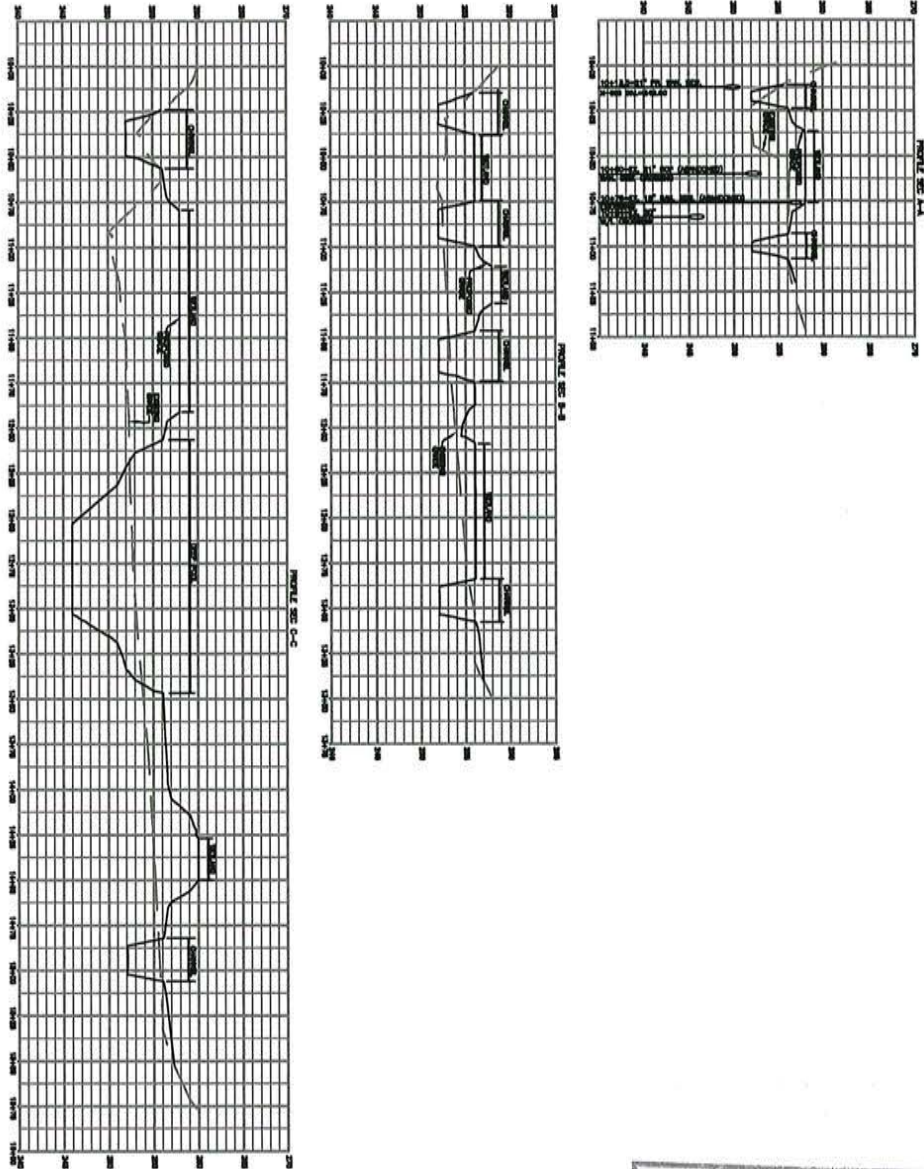
# IMPACT PLATES PLAN VIEW

## BALLSTON POND RETROFIT PROJECT BETWEEN I-66 & FAIRFAX DR



2100 EAST CARY STREET  
SUITE 309  
RICHMOND, VA 23223

DESIGNED: TJS  
DRAWN: TJS  
CHECKED: May 15, 2018  
APPROVED: May 15, 2018  
SCALE: HORIZ.: 1"=150'  
VERT.: N/A



2100 EAST CARY STREET  
SUITE 309  
RICHMOND, VA 23223

## IMPACT PLATES CROSS-SECTIONS

### BALLSTON POND RETROFIT PROJECT BETWEEN I-66 & FAIRFAX DR

DESIGNED BY  
BRUNN, TIS  
CHECKED  
APPROVED: May 21, 2018  
APPROVED BY: [Signature]  
SCALE: Hor.: 1"=100'  
Vert.: 1"=20'

SHEET

02 of 02