



DEPARTMENT OF THE ARMY  
MEMPHIS DISTRICT CORPS OF ENGINEERS  
167 NORTH MAIN STREET B-202  
MEMPHIS, TENNESSEE 38103-1894

Subject: Section 408 Permit MVM #MSRVR736\_DNS\_190128

Mrs. Jennifer Peregoy  
Kimley-Horn  
6750 Poplar Avenue, Suite 600  
Memphis, TN 38138

Dear Mrs. Peregoy:

The Memphis District of the U.S. Army Corps of Engineers (USACE) performed an evaluation of Kimley-Horn's request to perform test pit explorations and soil borings near the Memphis Front Dike within Tom Lee Park. USACE Memphis District evaluated this request in accordance with Engineer Circular (EC) 1165-2-216. The authority to grant permission for alterations is pursuant to Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408).

Based on this evaluation and City of Memphis approval, the Memphis District is granting Kimley-Horn permission to perform test pit explorations near the Memphis Front Dike in Tom Lee Park as specified in your submission on January 17, 2019 seeking permission and subject to the following.

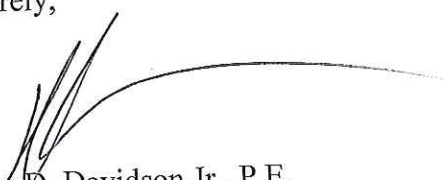
**Special Conditions:**

- a. **No excavation into the dike riprap and filter material will be allowed.**
- b. **Notify USACE at least three (3) business days prior to performing this work.**
- c. **Provide USACE with "As-Built" drawings upon completion.**

As the requester, you are solely responsible for any remedial action needed to correct any deficiency in the design or construction of the requested alteration and/or any other activities regarding this alteration in accordance with applicable state and federal laws.

For any questions regarding this evaluation, please contact Tanya Wells, Inspection of Completed Works Manager/408 Coordinator, at 901-544-0897 or [Tanya.L.Wells@usace.army.mil](mailto:Tanya.L.Wells@usace.army.mil).

Sincerely,

  
Donny D. Davidson Jr., P.E.  
Chief, Engineering and Construction Division