

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

South River Watershed Alliance, Inc.,	*	
Plaintiff,	*	
v.	*	Case 1:23-cv-03416-JPB
City of Atlanta and	*	
Atlanta Police Foundation, Inc.,	*	
Defendants.	*	
	*	

South River Watershed Alliance’s Motion for Preliminary Injunction

South River Watershed Alliance requests a preliminary injunction to prohibit land disturbing and construction activities causing sediment discharges into Intrenchment Creek from the Atlanta Training Center construction site (DeKalb County Parcel 15 081 08 001). These discharges violate the Clean Water Act and irreparably harm aquatic life.

If land disturbing and construction activities causing sediment discharges from the Atlanta Training Facility construction site are not enjoined, hundreds of tons of sediment will be discharged into Intrenchment Creek from the Atlanta Training Facility (*Evan Hansen Declaration, Exh. H, p. 3*), causing “serious and irreversible harm to fish and macroinvertebrates already stressed by existing sediment loads that are much higher than the annual limits set by EPD.” (*Elizabeth Sudduth Declaration, Exh. I, p. 4*).

South River Watershed Alliance requests this Court to expedite consideration of this motion under Local Rules 7.2(B) and 65.2. Site plans

identified January 2, 2023, as the expected start date for site work, with “building construction” expected to start on week 61 (February 26, 2024) and “road construction” expected to start on week 85 (August 12, 2024). (*Site Plan Sheet EC-100, Exh. U*). An updated construction schedule states “construction” is expected to start August 29, 2023. (*Updated Construction Schedule, Exh. T*).

If this Court issues a preliminary injunction to prohibit land disturbing and construction activities causing sediment discharges, South River Watershed Alliance further requests that defendants be ordered to stabilize the Atlanta Training Center construction site with vegetation to reduce erosion. The vegetation should uniformly cover 100 percent of the soil surface in vegetation consisting of planted trees, shrubs, and perennial vines with a density of at least 70 percent.

Filed August 23, 2023.

/s/ Jon Schwartz

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Certificate of Service

I certify that I served this motion and exhibits on defendants' counsel through the Court's electronic case filing (ECF) system this August 23, 2023.

/s/ Jon Schwartz

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