



# I-285 Top End Express Lanes

## Scoping Report

July 2020

July 30, 2020

**Project: I-285  
Top End Express  
Lanes, GDOT PI  
No. 0001758**

**Cobb, Fulton,  
and DeKalb  
Counties**

**GDOT Major Mobility  
Investment Program  
(MMIP)**

# SCOPING REPORT

**Federal Highway Administration**  
and  
**Georgia Department of Transportation**

Document Classification Level: Draft Working Document. Not for Public Dissemination

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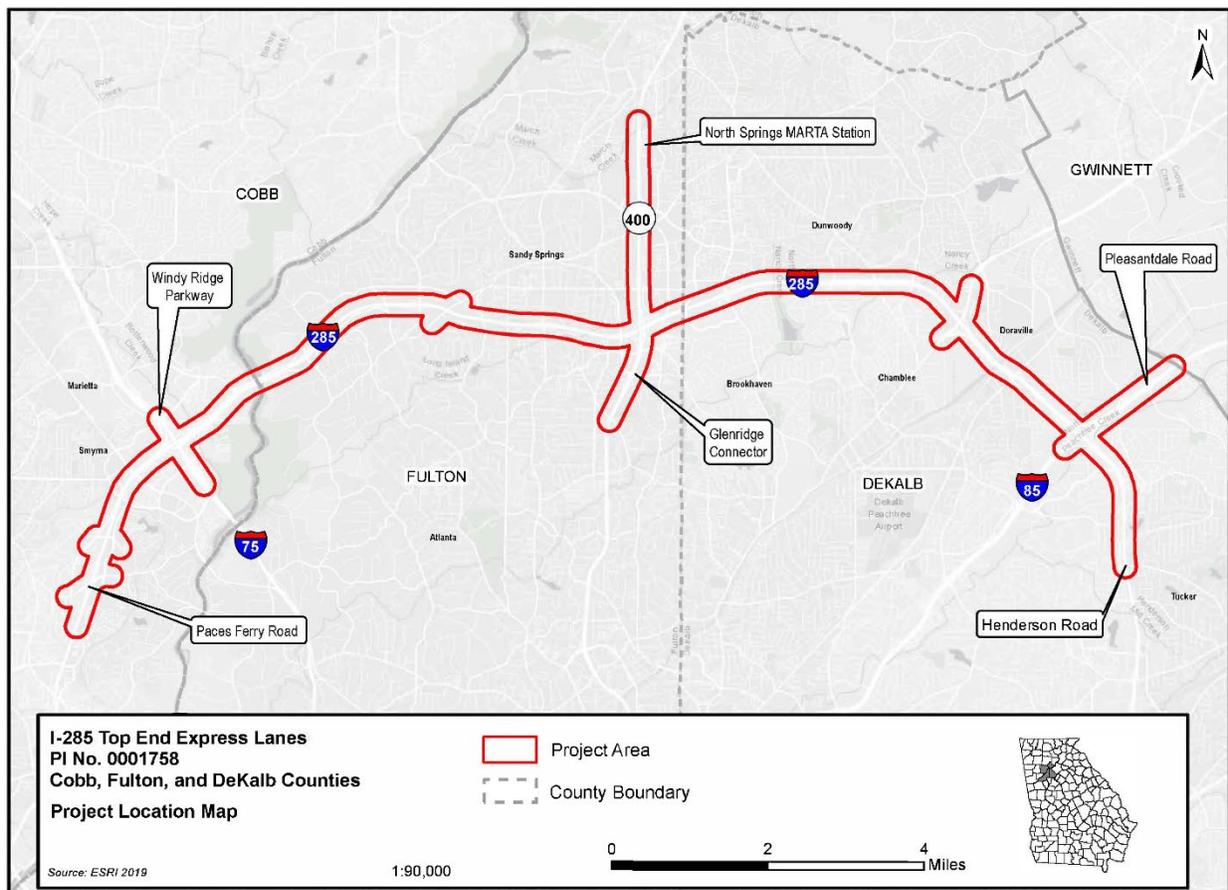
## Appendices

- Appendix A: Agency Scoping Meeting
- Appendix B: Agency Comments Received
- Appendix C: Public Comment Response Summary Letters

# 1. INTRODUCTION

The Federal Highway Administration (FHWA) and Georgia Department of Transportation (Georgia DOT) are preparing an Environmental Impact Statement (EIS) for a proposed highway express lanes (ELs) project along the “top end” portion of Interstate 285 (I-285)/State Route (SR) 407 in the north Atlanta Metropolitan (metro) area (see Exhibit 1-1). The proposed project is the construction of PI No. 0001758, Cobb/DeKalb/Fulton Counties, I-285 Top End Express Lanes, as part of Georgia DOT's Major Mobility Investment Program (MMIP). The proposed project would include ELs in each direction along 18.0 miles of I-285 from just south of Mile Marker 17 at Paces Ferry Road (Exit 18) to Henderson Road (between Mile Markers 35 and 36) and along 3.5 miles of SR 400 from south of the Glenridge Connector (between Mile Markers 5 and 6) to the vicinity of the North Springs Metro Atlanta Rapid Transit Authority (MARTA) Station (Mile Marker 9). The project would tie into the existing Northwest Corridor system and the existing high-occupancy toll (HOT) lanes along I-85 from I-285 north for approximately 1.0 mile to Pleasantdale Road (between Mile Markers 96 and 97). The project includes a total of 22.5 centerline miles of EL improvements.

EXHIBIT 1-1: I-285 TOP END EXPRESS LANES PROJECT LOCATION MAP



This Scoping Report highlights the process by which Georgia DOT, as lead state agency, and FHWA, as lead federal agency, have sought and will continue to seek input into scoping of the EIS for the proposed I-285 Top End Express Lanes project to address requirements of the National Environmental Policy Act (NEPA). The scoping process provided an opportunity to seek and consider input from the public and agencies on the scope of the environmental review, including the Need and Purpose for the project, the alternatives to be studied, and the methodologies to assess the alternatives' potential effects on the built natural environment. This Scoping Report is organized as follows:

- **Project Overview:** Outlines the history of the project planning, defines the study area, and presents the project schedule and contacts.
- **One Federal Decision:** Describes the process by which this project will be developed in accordance with Executive Order (EO) 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects.
- **Need and Purpose:** Describes the needs that the project is intended to address based on existing and future conditions.
- **Alternatives:** Describes the concept-level alternatives and selection of the Preferred Alternative, which is studied in detail in the EIS.
- **Environmental Analysis Framework:** Describes the methodologies for conducting the social, economic, and environmental analysis that will be documented in the EIS.
- **Agency and Public Involvement:** Summarizes the public and agency participation.
- **Agency and Public Scoping:** Summarizes the agency and public scoping process, and comments and input received during the scoping process.

## 2. PROJECT OVERVIEW

### 2.1 INITIAL PLANNING AND PROJECT BACKGROUND

During the late 1960s, I-285 was constructed as a four-lane highway to allow traffic passing through metropolitan Atlanta to bypass the city itself. The top end portion of I-285 (between I-75 and I-85) was widened twice in subsequent decades in response to increasing development and traffic congestion, reaching its current ten-lane configuration in 1996.

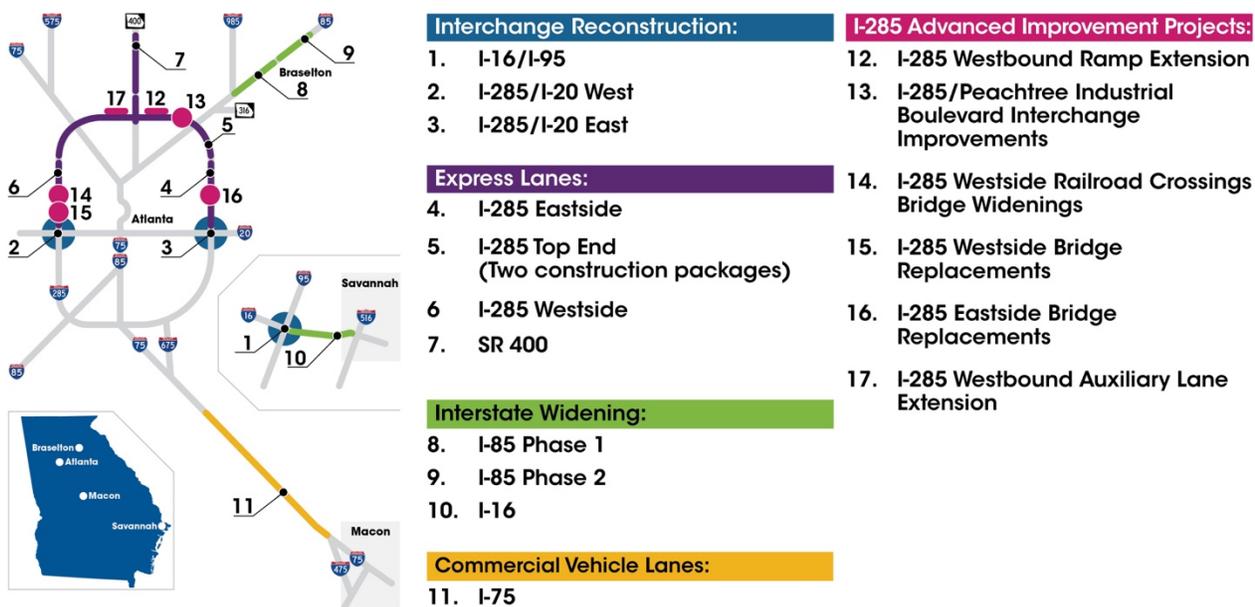
On July 5, 2006, the FHWA published in the Federal Register (Federal Register Volume 71, Number 128) a Notice of Intent (NOI) to prepare an EIS for a proposed combined highway and transit project on I-285 from I-75 in Cobb County to I-85 in DeKalb County, Georgia. The project was referred to as “*revive285 top end*” (Revive285).

Studies and planning began shortly thereafter to address requirements of NEPA. In accordance with 23 Code of Federal Regulations (CFR) §771.111, public and agency input was sought, reviewed, and used to develop the purpose, needs, and objectives of the proposed project. The lack of funding for full implementation of the proposed corridor improvements and the need to update the regional travel demand model led to the project not moving forward. In subsequent years up to the present, five smaller projects have been undertaken in the corridor with separate environmental processes as an outcome of the original Revive285 project, including the reconstruction of the SR 400 Interchange, known as Transform 285/400;

improvements at the I-285/Riverside Drive Interchange; the I-285/Ashford Dunwoody Road Diverging Diamond Interchange; the widening of Roswell Road Bridge over I-285, and the I-75/Windy Hill Road Diverging Diamond Interchange. A remaining key component of the original project scope is the addition of ELs within the I-285 corridor.

With the Transportation Funding Act (TFA) of 2015 and the subsequent creation of the MMIP, Georgia DOT began early planning for the proposed I-285 Top End Express Lanes project as one of 17 major transportation projects in Georgia (see Exhibit 2-1). The Top End Express Lanes project is being studied and designed as one project while being proposed as two future construction phases. Construction is proposed for the years 2023-2028 from Henderson Road to SR 400 including the SR 400 section (Top End East phase) and for the years 2026-2032 from SR 400 to south of Paces Ferry Road (Top End West phase).

### EXHIBIT 2-1: MMIP PROJECT LOCATIONS



The 2015 TFA allows funding flexibility between state and federal funding and allocating funding to develop projects more quickly. Innovations in design and flexibility during construction as well as the self-funding mechanism of ELs allow for accelerated project delivery. The planning basis for the action is outlined in several planning documents that are coordinated throughout the region. The TFA allows the MMIP to advance 17 major mobility projects that will yield a significant reduction in congestion along key freight and mobility corridors.

The MMIP will follow the Public Private Partnership (P3) model where the state (public) partners with a private party to construct a project. The need for this type of partnership is founded on the premise that there is limited government funding available for building roadway infrastructure. The P3 projects leverage these limited transportation funds by partnering with the private sector using innovative delivery methods, such as Design-Build-Finance-Maintain (DBFM). With the DBFM delivery method, right-of-way (ROW) acquisition, processing permits, and the entire design can occur concurrently with

construction. This differs from the traditional project delivery process of Design-Bid-Build, in which these activities occur prior to construction.

As part of the MMIP, the proposed ELs would tie into programmed ELs along the west side of I-285, the east side of I-285, and SR 400, as well as tie into the existing Northwest Corridor ELs recently opened on I-75 and the existing HOT lanes along I-85. The result would create a seamless regional EL network as a new approach to managing congestion.

On December 18, 2018, Georgia DOT notified FHWA through an initiation letter of its intent to move forward with the I-285 Top End Express Lanes project following the One Federal Decision (OFD) process, as established in EO 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects. These state and federal lead agencies began coordination and documentation steps to address OFD procedures that were required before issuing the new NOI.

As an introduction to the project, Georgia DOT and FHWA conducted informal meetings with agencies likely to have a role in the EIS with federal actions or state actions in support of federal permits. Meetings were held with the National Park Service (NPS), U.S. Army Corps of Engineers (USACE), U.S. Fish and Wildlife Service (USFWS), and Georgia Department of Natural Resources (GADNR) with its Historic Preservation Division (HPD) and Environmental Protection Division (EPD). The federal agencies met individually on April 25, 2019; state agency meetings followed on August 26, 2019.

## 2.2 ENVIRONMENTAL IMPACT STATEMENT

Georgia DOT will request certain approvals, which are subject to environmental review under NEPA. The procedural provisions in NEPA (set forth in 40 CFR §§ 1500-1508) require federal agencies to consider the environmental consequences of their actions, including direct, indirect, and cumulative effects. The primary documentation in the NEPA process is described below:

- **Draft EIS (DEIS).** Once the detailed investigation of alternatives and analysis of impacts and potential mitigation strategies is completed, Georgia DOT will prepare a DEIS. Throughout the DEIS development, Georgia DOT has conducted informal engagement with local stakeholders. The project team provides periodic updates on the project website or through other media described in Section 7.3.2. The informal engagement and official comments from the public meetings described in Section 7.3.4 have provided important input into the concept and environmental studies. As the DEIS documentation is drafted, Georgia DOT will provide some sections for informal preliminary review and technical input by FHWA. After assembling the complete DEIS through its project team, Georgia DOT will submit it to FHWA for review and comment. After any comments from FHWA are addressed, the DEIS will be sent to the agencies for review and comment. After reviewing and addressing comments from agencies, Georgia DOT will finalize the DEIS for resubmittal to FHWA.

After FHWA approves the DEIS for public and agency review, Georgia DOT will hold a series of Public Hearing Open Houses (PHOHs) in accordance with the Public Involvement Plan (PIP) to receive comments from the public on the findings presented in the DEIS. Input on the DEIS will include comments from the PHOH series and during a 45-day public and agency review period for the DEIS. Following the comment periods, summaries of the public and agency comments

will be provided to cooperating agencies and will be considered in development of the Final EIS (FEIS).

- **Mitigation Plan.** The assessments of impacts of the project will include potential mitigation measures for unavoidable impacts. During preparation of the DEIS, Georgia DOT and FHWA will coordinate with agencies having purview over potentially impacted resources to develop a draft Mitigation Plan. The plan will include applicable mitigation measures for unavoidable impacts as determined applicable by FHWA. The plan will be presented in the DEIS for agency and public comment. Based on the comments received and any refinements, a final Mitigation Plan will be developed for inclusion within the FEIS and any draft permit applications. Applicable pre-let permit authorizations will be completed within the required OFD timeline.
- **Combined FEIS / Record of Decision (ROD).** After the close of the DEIS review period, Georgia DOT will prepare the combined FEIS/ROD document for approval by FHWA consistent with OFD. All comments received during the review of the DEIS and responses to each comment will be included in the FEIS/ROD. The respective NEPA requirements of the cooperating agencies will be confirmed and addressed for all needed approvals to support the ROD as the primary decision document for the project. The issuance of the FEIS/ROD concludes the federal environmental review process, enabling the design and construction activities to proceed in Georgia DOT's design-build process. The Georgia DOT and FHWA will continue to evaluate the project and will provide Environmental Reevaluations if required prior to and during the proposed phased construction.

## 2.3 SCOPING PROCESS

The purpose of the scoping process is to provide an opportunity for the public and agencies to comment on and provide input to the EIS as it is initiated. FHWA rescinded the 2006 NOI for the previous Revive285 project with a notice submitted for publication in the Federal Register on September 5, 2019.<sup>1</sup> On October 29, 2019, FHWA signed a new NOI for publication in the Federal Register announcing that Georgia DOT and FHWA intend to prepare an EIS for the I-285 Top End Express Lanes project. The NOI appeared in the Federal Register on November 4, 2019.<sup>2</sup>

On September 13, 2019, FHWA sent invitation letters to potential cooperating and participating agencies for the EIS. Those agencies actively required in the Georgia DOT environmental review process and others responding affirmatively have been identified in their respective roles for project coordination. Concurrent with issuing the NOI, Georgia DOT and FHWA provided a project initiation package to a broader distribution for review and comments, including:

- Cooperating agencies;
- Participating agencies;
- Non-participating agencies and organizations;

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<sup>1</sup> <https://www.federalregister.gov/d/2019-18512>

<sup>2</sup> <https://www.federalregister.gov/documents/2019/11/04/2019-24032/notice-of-intent-environmental-impact-statement-i-285-top-end-express-lanes-in-cobb-fulton-and>

- Local agencies and organizations;
- Federally recognized tribes; and
- Section 106 consulting parties.

The project initiation package included the following documents:

- Draft Need and Purpose Statement;
- Draft PIP; and
- Draft Agency Coordination Plan (ACP), which included a draft project schedule.

Copies of the initiation package were provided to agencies and organizations via a link to download files from the project website.<sup>3</sup> Printed copies also were provided for public access in libraries within the project corridor. Any received comments have been taken into consideration throughout the scoping phase of the project.

### 2.3.1 COOPERATING AGENCIES

“Cooperating agency” is defined in NEPA under the Council for Environmental Quality (CEQ) regulation (40 CFR 1508.5) as, “any federal or state agency, other than a lead agency, that has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposed project or project alternative.” The cooperating agencies for this project are the USACE Savannah District and the NPS (see Exhibit 2-2).

### 2.3.2 PARTICIPATING AGENCIES

As defined by Section 6002 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), “participating agencies” are federal or non-federal governmental agencies that may have an interest in the project. These participating agencies are formally invited to participate in the environmental review process of the project. The confirmed participating agencies are listed in Exhibit 2-2. Based on technical expertise and data for school properties, Fulton County Schools (FCS) requested to join as a participating agency in a letter dated December 6, 2019. In response to this request, FHWA sent a letter confirming the addition of FCS as a participating agency (see Appendix B).

## EXHIBIT 2-2: LEAD, COOPERATING, AND PARTICIPATING AGENCIES

Agency Name	Category	Point of Contact
Federal Highway Administration	Lead Federal Agency	Katy Allen, Environmental Team Leader Chetna Dixon-Thomas, Environmental Coordinator
Georgia Department of Transportation	Lead State Agency	Tim Matthews, MMIP Program Manager

<sup>3</sup> <https://majormobilityga.com/projects/topend/>

Agency Name	Category	Point of Contact
USACE Regulatory Division	Cooperating Agency (Waters of the US under Section 404 of Clean Water Act)	Ed Johnson, Piedmont Branch Chief Shaun Blocker, Regulatory Division, Management Branch Chief Nicole Liette, Project Manager, Management Branch Joseph Rivera, Project Manager, Special Projects Branch
National Park Service	Cooperating Agency  (Chattahoochee River National Recreational Area)	Steven Wright, Environmental Protection Specialist, NPS Southeast Regional Office Planning & Compliance Division  Teresa Fish, Project Coordinator, Chattahoochee River National Recreation Area
US Fish and Wildlife Service	Participating Agency (Endangered Species Act, Fish and Wildlife Coordination Act)	Eric Prowell, Supervising Biologist
US Environmental Protection Agency, Region IV	Participating Agency (NEPA Administration and Review)	Kim Gates, NEPA Coordinator Ntale Kajumba, NEPA Section Chief
Georgia Department of Natural Resources	Participating Agency Cultural Resources, Wildlife Resources, Water Quality	Laci Pattavina, Wildlife Resources Division (WRD) Jennifer Dixon, HPD Anna Truszczynski, Ph.D., EPD
Fulton County Schools	Participating Agency	William Boyajan, Director of Land Management

### 2.3.3 FEDERALLY RECOGNIZED TRIBES

The National Historic Preservation Act (NHPA), including Section 106, requires Federal agencies to work with Indian Tribes that may have a cultural or religious association to historic properties affected by an agency's undertakings. Federal agencies shall ensure that tribal consultation in the Section 106 process provides the Indian tribe with a reasonable opportunity to identify its concerns about historic properties, advise on the identification and evaluation of historic properties, articulate its views on the undertaking's effects on such properties, and participate in the resolution of adverse effects. Consultation should be conducted in a manner recognizing the unique government-to-government relationship that exists between the federal government and tribes, should be respectful of tribal sovereignty, and should be sensitive to the concerns and needs of the tribes.

Twelve federally recognized tribes were invited to participate. They have been included in the initial scoping outreach for any resources of interest or concerns to address in the studies. Tribal representatives will have electronic access to the DEIS and will be able to comment on it along with the public. These tribes are listed in Exhibit 2-3.

## EXHIBIT 2-3: TRIBAL GOVERNMENTS

Tribal Government	Point of Contact
Alabama-Coushatta Tribe of Texas	Bryant Celestine
Alabama-Quassarte Tribal Town Tribal Historic Preservation Office	Janice Lowe
Cherokee Nation	Elizabeth Toombs
Coushatta Tribe of Louisiana	Dr. Linda Langley
Eastern Band of Cherokee Indians	Russell Townsend
Kialegee Tribal Town	Dr. David Cook
Muscogee (Creek) Nation Historic and Cultural Preservation Office	Corain Lowe-Zepeda
Muscogee (Creek) Nation National Council	Lucian Tiger, III
Poarch Band of Creek Indians	Larry Haikey
Seminole Nation of Oklahoma	Theodore Isham
Thlopthlocco Tribal Town	Galen Cloud
United Keetoowah Band	Eldine Stevens

### 2.3.4 SECTION 106 CONSULTATION

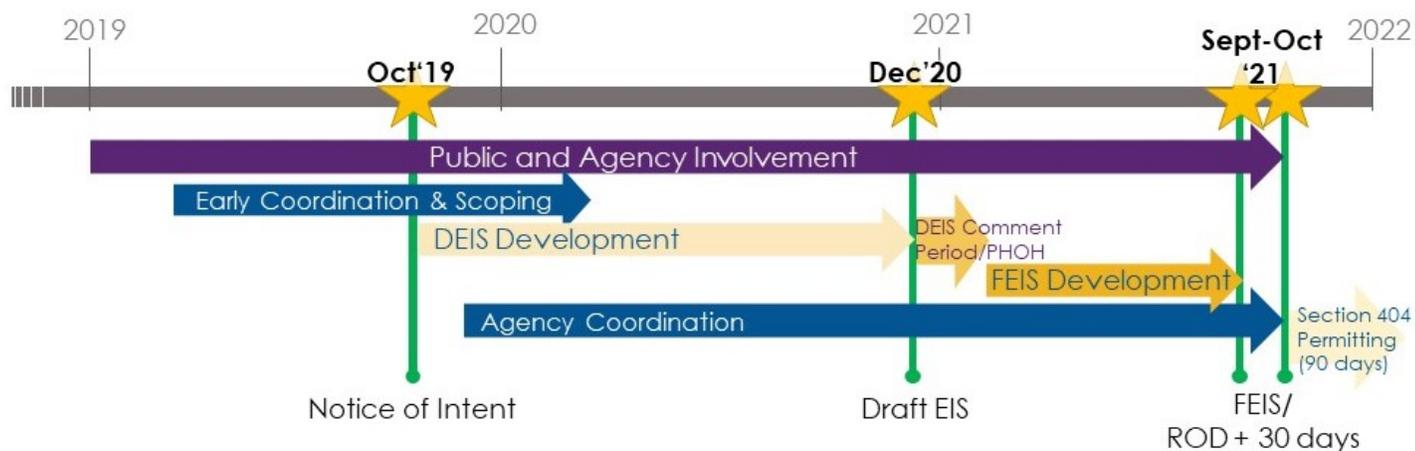
Under Section 106 of the NHPA, Georgia DOT will identify parties that need to be consulted (termed “consulting parties”) regarding resources that are listed in or eligible for listing in the National Register of Historic Places (NRHP). As a part of the consultation requirements for Section 106, Georgia DOT sent invitations to participate as consulting parties in the Section 106 process to parties with a known or potential interest in historic and archaeological resources, including the HPD’s State Historic Preservation Officer (SHPO), and others who expressed interest in the Section 106 activities for the project. Invitations to participate in government-to-government Section 106 consultation have been sent to the federally recognized tribes for Georgia following procedures established by FHWA. All Section 106 consulting parties will receive all relevant project documentation during development of the EIS.

## 2.4 SCHEDULE

A schedule for the project integrates the environmental coordination, analysis, and documentation with design, traffic, and other disciplines required to inform the decision-making process. The detailed project schedule will be updated periodically to reflect progress and any changes to the project schedule relative to the baseline schedule. Updates of ongoing activities and anticipated deliverables will be provided to each agency for its information and for use in anticipating reviews. A summary schedule will be available to the public throughout the course of the EIS development and permitting on FHWA’s Federal Infrastructure Permitting Dashboard website.<sup>4</sup>

<sup>4</sup> <https://www.permits.performance.gov/projects>

## EXHIBIT 2-4: I-285 TOP END EXPRESS LANES EIS SCHEDULE FOR AGENCY COORDINATION



As shown in Exhibit 2-4, the schedule for the project has been set with a goal of meeting Georgia DOT's schedule for delivery of this MMIP project by meeting OFD requirements for the 24-month timeline from NOI to ROD. As the project team completes the milestones with agency input, updates in the overall schedule will be shared with the agencies. The OFD timeline also calls for any pre-let federal permit actions to be authorized within 90 days following the ROD. A 180-day Statute of Limitations (SOL) notification will be published with its start date concurrent with signing of the ROD.

### 3. ONE FEDERAL DECISION

#### 3.1 PROCEDURES FOR ONE FEDERAL DECISION

This project will be developed in accordance with EO 13807: Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects, issued on August 15, 2017.<sup>5</sup> The EO requires federal agencies to process environmental reviews and authorization decisions for "major infrastructure projects" as OFD and sets a government-wide goal of reducing the average time for each agency to complete environmental reviews and authorization decisions for major infrastructure projects to two years. This two-year window is measured from the date of publication of the NOI to the ROD issue date. Following OFD requirements, all permit authorization decisions are to be issued within 90 days after the ROD is authorized. The primary federal authorization anticipated is permitting under Section 404 and Section 10 by USACE. In addition, EPD as a state agency is working under delegation by EPA for Section 401 Water Quality Certification concurrent with the Section 404 permit. Post-let, EPD will continue a permitting role delegated for the National Pollutant Discharge Elimination System (NPDES) permitting along with administering State Buffer Variance applications.

Under OFD, project development requires a series of coordination and analysis steps prior to the NOI and from NOI through the final environmental approval and permit authorizations. The steps are identified in the EO and the subsequent *Memorandum of Understanding: Implementing One Federal Decision Under*

<sup>5</sup> <https://www.federalregister.gov/documents/2017/08/24/2017-18134/establishing-discipline-and-accountability-in-the-environmental-review-and-permitting-process-for>

*Executive Order 13807* (MOU-OFD).<sup>6</sup> The cooperating and participating agencies have roles and responsibilities that include, but are not limited to:

- Participating in the NEPA process at the earliest practicable time, especially regarding the development of the Need and Purpose document, preliminary range of alternatives, and methodologies;
- Providing the lead agencies with their specific requirements for review times and coordination efforts;
- Identifying and communicating, as early as practicable, any issues of concern regarding the project's potential environmental or socioeconomic impacts;
- Providing meaningful and timely input on unresolved issues, as outlined by the issue resolution process detailed in Section XII of MOU-OFD; and;
- Reviewing and providing comment on DEIS sections and the Preferred Alternative prior to publication.

### 3.2 ENVIRONMENTAL REVIEW UNDER ONE FEDERAL DECISION

OFD requires that agencies carry out their obligations with respect to the environmental review and authorization decisions for a major infrastructure project concurrently, in conjunction with the review performed by FHWA under NEPA, to the extent consistent with applicable guidance. One environmental document will be approved by the lead agencies and the cooperating agencies. The cooperating agencies will participate in the review and concurrence process at the following three major milestones in the environmental review process for the I-285 Top End Express Lanes project, to be completed prior to the DEIS:

- Need and Purpose Statement (completed during fourth quarter of 2019 based on file provided immediately following the NOI);
- Range of Alternatives to be carried forward for detailed analysis; and
- Preferred Alternative.

The cooperating agencies will be involved in coordination and review activities for project deliverables prior to and during preparation of the DEIS as well as the formal DEIS review period.

## 4. NEED AND PURPOSE

The I-285 top end corridor experiences substantial roadway congestion, which results in unreliable trip times. This congestion is attributed to high travel demand within the corridor, weaving, interchange bottlenecks, reduction in travel lane usability due to vehicle crashes, and other unexpected events. The multiple movements, both planned and unexpected, add friction to the corridor that compounds the congestion caused by high demand. Currently, I-285 carries approximately 174,000 to 274,000 vehicles per day (vpd) (with the highest volumes located east of Ashford Dunwoody Road and east of Buford Highway) with around 16.5% truck volumes.

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<sup>6</sup> <https://www.whitehouse.gov/wp-content/uploads/2018/04/MOU-One-Federal-Decision-m-18-13-Part-2-1.pdf>

Based on the project’s updated Need and Purpose Statement, which will be available online with other DEIS documentation,<sup>7</sup> a summary of existing and future traffic volumes appears in Exhibit 4-1. Averaged across sections of the project limits, 238,000 vpd use I-285 within the top end. The continued growth in population and employment will lead to increasing volumes, projected to reach a corridor average of 263,000 vpd by the overall project’s open year of 2032 and 297,000 by the design year 2052.

**EXHIBIT 4-1: AVERAGE ANNUAL DAILY TRAFFIC SUMMARY (VEHICLES PER DAY)**

I-285 Lane Type/Section	Existing	No-Build Open Year 2032	Build Open Year 2032	No-Build Design Year 2052	Build Design Year 2052
General Purpose Lanes/Average from South of Paces Ferry Road to Henderson Road	238,000	263,000	241,000	297,000	269,000
Express Lanes/Range from South of Paces Ferry Road to Henderson Road	NA	NA	28,000 – 50,000	NA	30,000 – 66,000

Source: I-285 Top End Express Lanes traffic data and updated Need and Purpose Statement, April 2020.

Exhibit 4-2 summarizes the need for and purpose of the project.

**EXHIBIT 4-2: PROJECT NEED AND PURPOSE SUMMARY**

	Summary of Needs	Corresponding Project Purposes
	Trip times on the I-285 top end corridor are anticipated to become more unreliable in the future as traffic volumes and corresponding delays increase	Provide reliable trip times for commuters
	The existing EL network is missing a connection in this part of Atlanta, which creates interruptions in driver route options	Improve regional accessibility and connectivity through priced ELs that integrate with the greater metro Atlanta EL network
	Delayed solutions to the current and future traffic concerns will be inconsistent with TFA legislation	Accelerate project delivery following the TFA legislation in response to the urgency of traffic conditions

<sup>7</sup> Need and Purpose Statement and updates will be available in the online document library: <https://majormobilityga.com/projects/topend/document-library/>

## 5. ALTERNATIVES UNDER CONSIDERATION

### 5.1 DESCRIPTION OF ALTERNATIVES

#### 5.1.1 NO-BUILD ALTERNATIVE

As required by NEPA, the EIS will evaluate a No-Build Alternative. The No-Build Alternative serves as the baseline condition against which the potential benefits and impacts of the I-285 Top End Express Lanes “build” alternatives are evaluated. Under the No-Build Alternative, Georgia DOT would take no action to construct the I-285 Top End Express Lanes. It assumes the construction and benefits of all other projects in the approved Regional Transportation Plan (RTP), including adjacent EL projects in the MMIP. While this alternative would avoid the adverse effects associated with project implementation, it would not meet the project’s Need and Purpose, and it would result in increased volume and congestion that would require revision of the RTP. In most cases, the No-Build Alternative is not intensively analyzed since it is not anticipated to result in adverse effects. Nonetheless, the No-Build Alternative will remain under consideration throughout the NEPA process.

#### 5.1.2 BUILD ALTERNATIVES

To successfully address the project’s Need and Purpose, all alternatives for the I-285 Top End Express Lanes project must include certain factors and assumptions for implementation, as summarized in Exhibit 5-1.

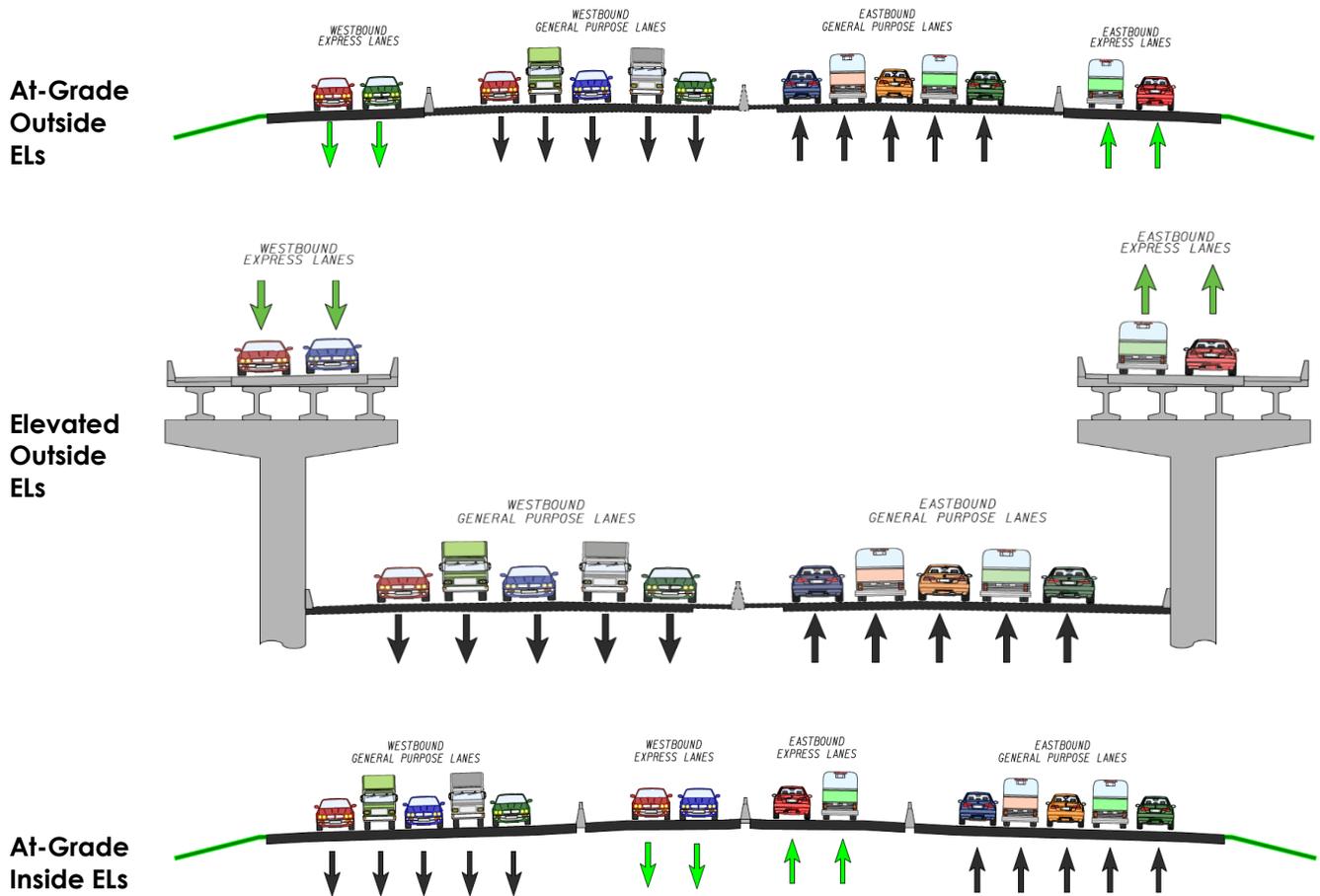
#### EXHIBIT 5-1: ASSUMPTIONS COMMON THROUGHOUT ALL ALTERNATIVES

Project Assumption	Description
Project Limits	<ul style="list-style-type: none"> <li>Along I-285 top end from south of Paces Ferry Road to Henderson Road and on SR 400 from south of Glenridge Connector to the North Springs MARTA Station</li> </ul>
Design	<ul style="list-style-type: none"> <li>Design speed is 65 mph</li> <li>Connection with newly constructed Transform 285/400 project</li> <li>Project requires the following priced ELs for traffic demand and connectivity: two lanes each direction between I-75 and I-85, one lane each direction from I-75 to Paces Ferry and from I-85 to Henderson Road where each end connects into ELs from adjacent projects; one lane each direction along SR 400 from Glenridge Connector to I-285/SR 400 interchange and two lanes each direction from I-285/SR 400 interchange to North Springs MARTA station</li> </ul>
Chattahoochee River National Recreational Area (CRNRA)	<ul style="list-style-type: none"> <li>Avoid physical impacts to any land within CRNRA</li> <li>Use of jetties for constructability at crossing of Chattahoochee River</li> <li>Duration of bridge construction affects CRNRA visitor experience</li> </ul>

<p>Additional Section 4(f) Resources: Public Recreational Facilities Historic Resources</p>	<p>In addition to avoidance of CRNRA, consideration for avoidance or minimization of effects on:</p> <ul style="list-style-type: none"> <li>Public-access parklands and recreational trails</li> <li>Listed or eligible historic resources</li> </ul>
<p>Access</p>	<ul style="list-style-type: none"> <li>Provide required access to other existing and proposed EL links</li> <li>Local access points included within project footprints</li> </ul>
<p>Constructability</p>	<ul style="list-style-type: none"> <li>Maintaining traffic on I-285 during construction is important.</li> </ul>
<p>Mitigation</p>	<ul style="list-style-type: none"> <li>Impacts account for permitted/constructed conditions within Transform 285/400 interchange area to avoid duplicate impacts or mitigation.</li> <li>Stream and wetland credits will be identified and purchased or committed as part of pre-let Individual Permit process.</li> <li>Stream buffer mitigation credits will be refined during final design and purchased later by Developer.</li> <li>CRNRA mitigation will be determined based on coordination with NPS to develop Statement of Findings for wetlands and Section 4(f) Commitment Letter for park visitor experience/loss of enjoyment.</li> </ul>
<p>State-Protected Species</p>	<ul style="list-style-type: none"> <li>Chattahoochee crayfish: 16 Perennial Streams</li> <li>Bluestripe shiner: 8 Perennial Streams</li> <li>Highscale shiner: 10 Perennial Streams</li> </ul>

Many potential alternatives and EL configurations have been considered early in the project development process. Some have been dismissed due to undesirable impacts and/or the inability to meet the project’s Need and Purpose. Twelve different typical sections were evaluated for a variety of factors, including costs, preliminary footprint and ROW impacts, and engineering and constructability factors. Of those twelve, nine were dismissed due to their increased impacts, costs, and traffic disruption or constructability issues. Three typical sections were carried forward for further review, as seen in Exhibit 5-2.

EXHIBIT 5-2: TYPICAL SECTIONS FOR BUILD ALTERNATIVES



No single typical section would provide an end-to-end project alignment that is practicable in terms of costs, engineering challenges, and impacts. Rather, a combination of the three is being considered in context with existing environmental resources to develop build alternatives. Access points for direct merging into general purpose (GP) lanes or other ELs will be included as well as local access interchanges.

**5.1.2.1 ALTERNATIVE 1**

The strategy for Alternative 1 is to construct ELs at-grade and outside existing I-285 GP lanes (see Exhibit 5-3) except where elevated lanes are required to connect with the existing Transform 285/400 interchange lanes and ramps (currently under construction) and proposed SR 400 ELs project (PI 0001757). Alternative 1 would include access to the adjacent managed lanes, consisting of existing I-75 Northwest Corridor ELs and I-85 HOT lanes as well as the proposed I-285 Westside ELs, SR 400 ELs, and I-285 Eastside ELs. Seven local access points would be included: along I-285 at Cumberland Boulevard, Perimeter Center Parkway, North Shallowford Road, Flowers Road, and New Peachtree Road; and along SR 400 at Johnson Ferry Road (an option under consideration for the Northside Hospital area)

and Mt. Vernon Highway. No direct merge would be included between SR 400 and I-85. The direct merge with I-285 GP lanes on the west side would occur at I-75. The EL crossing of the Chattahoochee River would transition to the inside, requiring partial or complete replacement of the existing GP bridges on I-285 and Powers Ferry Road to accommodate the wider typical section with four ELs and barriers. As part of the transition to at-grade inside ELs on the west end, Alternative 1 also would include reconstruction of I-285 GP lanes from Paces Ferry Road to Raider Drive; reconstruction and relocation of the active CSX Railroad crossing over I-285; reconstruction of Cumberland Boulevard; and demolition of two recently opened ramps to Northwest Corridor ELs (removing the existing access from Paces Ferry Road to Northwest Corridor). Temporary bridges over the Chattahoochee River and staging would be required to maintain traffic during reconstruction of GP lanes.

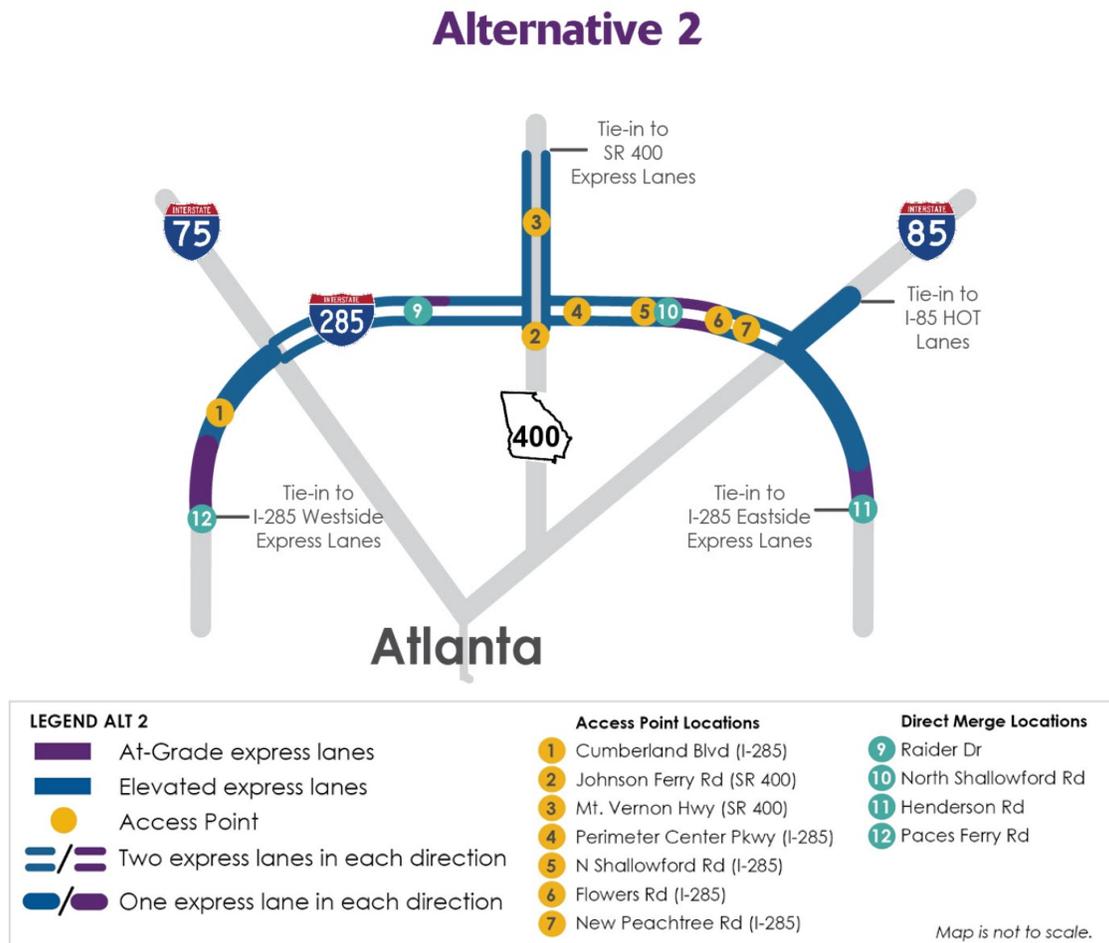
EXHIBIT 5-3: ALTERNATIVE 1 OVERVIEW



### 5.1.2.2 ALTERNATIVE 2

The strategy for Alternative 2 is to construct ELs mostly elevated and outside of existing I-285 GP lanes while connecting with the existing Transform 285/400 interchange lanes and ramps (currently under construction) and proposed SR 400 ELs (see Exhibit 5-4). This alternative would construct ELs in both directions along the I-285 top end from Paces Ferry Road to Henderson Road and on SR 400 from south of Glenridge Connector to the North Springs MARTA Station. Alternative 2 would include access to the adjacent managed lanes, consisting of existing I-75 Northwest Corridor ELs and I-85 HOT lanes as well as the proposed I-285 Westside ELs, SR 400 ELs, and I-285 Eastside ELs. Seven local access points would be included: along I-285 at Cumberland Boulevard, Perimeter Center Parkway, North Shallowford Road, Flowers Road, and New Peachtree Road; and along SR 400 at Johnson Ferry Road (an option under consideration for the Northside Hospital area) and Mt. Vernon Highway. Where the ELs cross the Chattahoochee River, they would be built on new bridges within the gaps between I-285 and frontage roads (Interstate North Parkway and Powers Ferry Road). Direct merge access would be added between SR 400 and I-85, as well as on the west side of the project at Paces Ferry Road. Access to Paces Ferry Road via GP lanes would remain as in existing conditions for drivers coming from the Northwest Corridor ELs. Reconstruction of I-285 GP lanes would be limited to the termini at connections with the Westside EL (south of Paces Ferry Road) and Eastside EL (Henderson Road) projects.

EXHIBIT 5-4: ALTERNATIVE 2 OVERVIEW

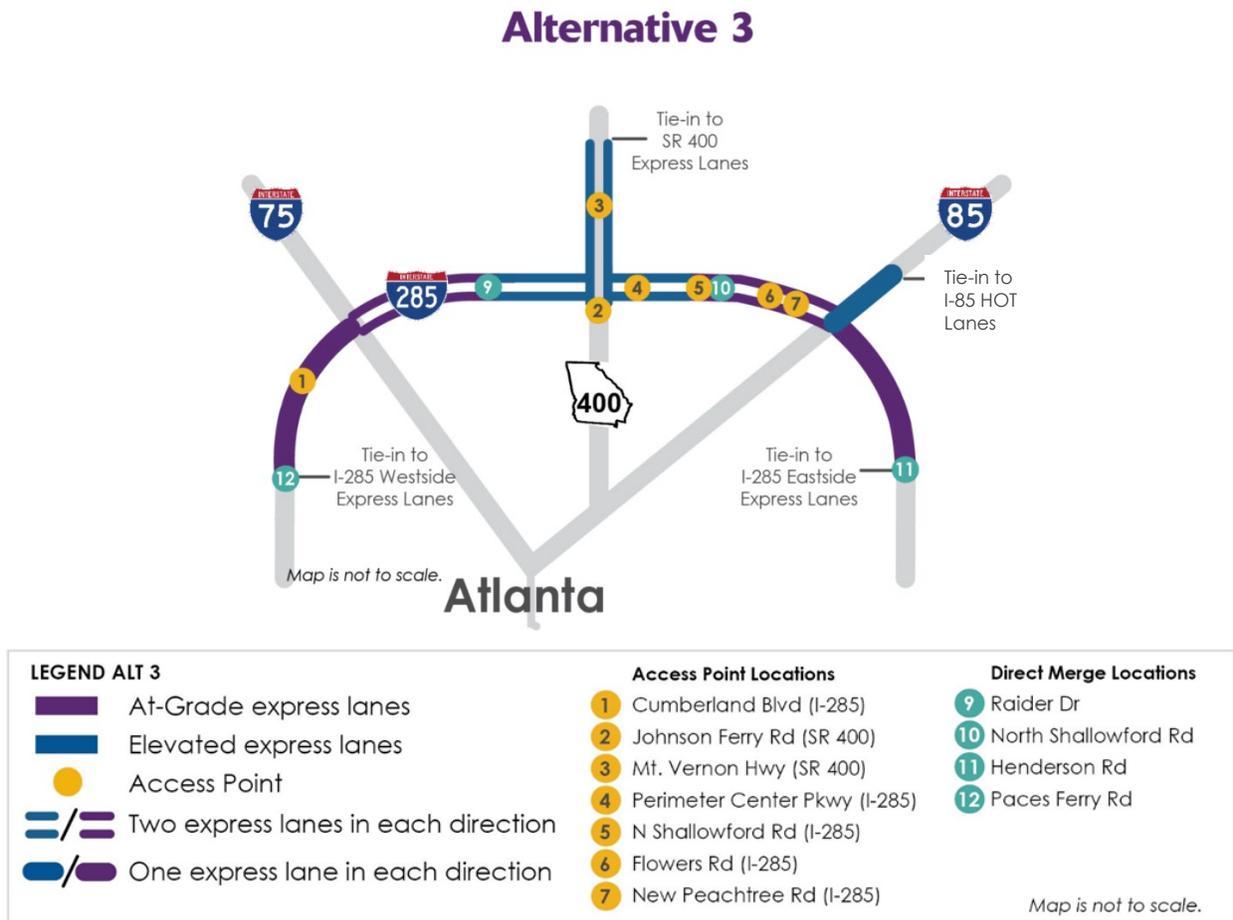


### 5.1.2.3 ALTERNATIVE 3

This alternative considers the potential for adding the ELs “down the middle” of existing I-285 except where elevation is necessary to connect with existing Transform 285/400 interchange lanes and ramps (currently under construction) and proposed SR 400 ELs (see Exhibit 5-5). Alternative 3 would include access to the adjacent managed lanes, consisting of existing I-75 Northwest Corridor ELs and I-85 HOT lanes as well as the proposed I-285 Westside ELs, SR 400 ELs, and I-285 Eastside ELs. Seven local access points would be included: along I-285 at Cumberland Boulevard, Perimeter Center Parkway, North Shallowford Road, Flowers Road, and New Peachtree Road; and along SR 400 at Johnson Ferry Road (an option under consideration for the Northside Hospital area) and Mt. Vernon Highway. No direct merge would be included between SR 400 and I-85.

The direct merge with I-285 GP lanes on the west side would occur at the transition with the adjacent Westside ELs project. The ELs crossing the Chattahoochee River would require partial or complete replacement of bridges on I-285 and Powers Ferry Road. Alternative 3 also would require reconstruction of up to 18 miles of I-285 GP lanes; replacement of most existing bridges over I-285 to accommodate the wider typical section; and replacement of CSX and Norfolk Southern bridges and MARTA crossings. Temporary bridges over the Chattahoochee River and extensive construction staging would be required to maintain traffic on the GP lanes.

### EXHIBIT 5-5: ALTERNATIVE 3 OVERVIEW



## 5.2 PRELIMINARY COMPARISON OF ALTERNATIVES

Based on the extensive coordination, environmental studies, and design efforts to date, Georgia DOT has evaluated combinations of three practicable typical sections within the limits of the proposed I-285 Top End Express Lanes: mostly at-grade outside, elevated outside, or mostly at-grade inside (along the median of I-285). Given the nature of the state's EL system within existing freeway corridors and the presence of natural and community resources along both sides of existing I-285, all three build alternatives would have unavoidable impacts. Avoiding impacts to these identified resources would be possible only through the No-Build Alternative, which would still enable adjacent EL projects to continue independently while limiting their regional benefits due to the gap that would remain in the I-285 top end corridor. The projected growth in population, employment, and traffic volumes will require implementation of EL to help manage the increasingly congested conditions. Therefore, the No-Build Alternative would not be feasible as adverse effects would remain in the absence of a Build Alternative to address the Need and Purpose. Findings of the alternatives screening will be coordinated with cooperating agencies and integrated into the Draft EIS.

## 6. ENVIRONMENTAL ANALYSIS FRAMEWORK

### 6.1 FEDERAL REGULATORY REQUIREMENTS

Georgia DOT will be requesting certain approvals from the FHWA for construction of the proposed I-285 Top End Express Lanes project. These federal approval actions are subject to environmental review under NEPA. The procedural provisions of NEPA (set forth in 40 CFR §§ 1500-1508) require federal agencies to consider the environmental consequences of their actions, including not only direct and indirect effects, but also cumulative effects.

Construction of the I-285 Top End Express Lanes is subject to permits and approvals in addition to complying with the requirements of NEPA and the Georgia Environmental Policy Act (GEPA) of 1991. The NEPA EIS also serves as the documentation to satisfy GEPA. Where feasible, the analyses required for permits and approvals are being coordinated with the analysis prepared for the EIS. However, there may be additional coordination or documentation prepared to support permits and approvals following the ROD for the project. The list below is a summary of the regulatory requirements that are expected to be applicable to this project.

- **NEPA.**<sup>8</sup> NEPA requires federal agencies to assess the environmental impacts through an Environmental Assessment or EIS of major federal actions that may affect the environment before taking such an action, unless the action is excluded or exempt from NEPA. FHWA is the lead federal agency for the NEPA review of the I-285 Top End Express Lanes.
- **National Historic Preservation Act (NHPA).**<sup>9</sup> Section 106 of the NHPA requires federal agencies to consider the effects of their undertakings on historic and/or archaeological properties and afford the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment. The historic preservation review process mandated by Section 106 is handled through the Georgia SHPO.

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<sup>8</sup> 42 USC §§4321 et seq.; 40 CFR Parts 1500-1508; 23 CFR Part 771; 49 CFR 622

<sup>9</sup> 16 USC §470A; 36 CFR Part 800

- **Section 4(f) of the United States Department of Transportation (USDOT) Act.**<sup>10</sup> Section 4(f) prohibits the Secretary of Transportation from approving any program or project that uses any publicly owned land from a public park, recreation area, wildlife and waterfowl refuge, or a publicly or privately owned historic site of national, state or local significance unless there is no feasible and prudent alternative to the use of such land, and unless the program includes all possible planning to minimize harm to the site or resource. If it is determined that a Section 4(f) evaluation is required for the I-285 Top End Express Lanes project, FHWA will make a Section 4(f) finding concurrent with its NEPA review.
- **Environmental Justice.**<sup>11</sup> These orders require that federal agencies take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of minority and low-income populations to the greatest extent practicable and permitted by the law.<sup>12</sup> For an in-depth discussion of the Environmental Justice (EJ) analysis, see Section 6.4.3.2.
- **Endangered Species Act.**<sup>13</sup> This act requires that federal agencies consult with the US Fish and Wildlife Service for projects that may jeopardize threatened or endangered species or destroy or adversely modify their critical habitats.
- **Floodplains.**<sup>14</sup> Federal and state agencies must regulate and limit the location of a project in a floodplain to avoid any adverse impacts associated with the occupancy and modification of floodplains.
- **Wetlands.**<sup>15</sup> Federal and state agencies must provide leadership and take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands in carrying out the agency's responsibilities for providing federally undertaken, financed, or assisted construction and improvements.
- **Clean Air Act.**<sup>16</sup> The conformity requirements of the Clean Air Act (CAA) limit the ability of federal agencies to assist, fund, permit, and approve projects in non-attainment or maintenance areas that do not conform to the applicable State Implementation Plan (SIP). Conformity determinations for federal actions related to transportation plans, programs, and projects approved under 23 CFR must be made by the project's lead federal transportation agency, FHWA in this case. As part of the I-285 Top End Express Lanes environmental review process, FHWA and Georgia DOT must consult with the interagency consultation group to determine if the project would be considered regionally significant and if additional analysis is required. A transportation conformity determination for the project will be made by FHWA prior to issuance of the ROD. Under Section 309 of the CAA, the Environmental Protection Agency (EPA) must review and comment in writing on the environmental impact of any matter relating to its responsibilities

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<sup>10</sup> 49 USC §303; 23 CFR 771.135

<sup>11</sup> EO 12898 of 1994, 59 CFR 7629 (Feb. 16, 1994); 1997 USDOT "Order to Address Environmental Justice in Minority Populations and Low-Income Populations," 62 CFR 18377 (April 15, 1997)

<sup>12</sup> FHWA Guidance on Environmental Justice and NEPA:

[https://www.environment.fhwa.dot.gov/env\\_topics/ej/guidance\\_ejustice-nepa.aspx](https://www.environment.fhwa.dot.gov/env_topics/ej/guidance_ejustice-nepa.aspx)

<sup>13</sup> 16 USC §§1531-1544; 50 CFR Part 402

<sup>14</sup> EO 11988 of 1977; USDOT Order 5650-2, "Floodplain Management and Protection," April 23, 1979

<sup>15</sup> EO 11990 of 1977; USDOT Order 5660.1A, "Preservation of the Nation's Wetlands," August 24, 1978

<sup>16</sup> 42 USC §7506(c); 40 CFR Part 93

under the CAA. In the event that the EPA determines that federal legislation, regulations, or actions are unsatisfactory from the standpoint of public health or welfare related to environmental quality, the determination is published, and the matter is referred to the CEQ.

- **Clean Water Act.**<sup>17</sup> The Clean Water Act (CWA) regulates point sources of water pollution (i.e., discharges of municipal sewage and stormwater); nonpoint source pollution (i.e., runoff from streets); and the discharge of dredged or fill material into navigable waters and other waters of the United States. If such actions would be required for a project, the project sponsors must comply with the permitting requirements of the CWA.
- **Resource Conservation and Recovery Act.**<sup>18</sup> This act regulates hazardous and solid waste activities and underground storage tanks, which may be required during project construction and operation. EPA delegates compliance to the Georgia Department of Natural Resources.

## 6.2 ORGANIZATION OF THE EIS

The EIS will focus on key findings of the technical studies for the I-285 Top End Express Lanes project. Sections of the EIS will include the following:

- Executive Summary
- Need and Purpose
- Alternatives Evaluation
- Affected Environment, Environmental Consequences, and Mitigation
- Section 4(f) and Section 6(f) Resources
- Consultation and Coordination
- Appendices, with List of Preparers and technical reports to support analyses in the EIS Sections.

The FEIS/ROD will include an additional chapter that lists the public comments received on the DEIS with responses to those comments. As appropriate, the FEIS will include additional information to address relevant comments on the DEIS. An annotated table of contents has been developed and coordinated for review and feedback from the cooperating agencies.

## 6.3 ENVIRONMENTAL RESOURCES AND IMPACTS

The EIS will examine a variety of factors in an effort to identify and evaluate potential impacts associated with the proposed action on the social, cultural, natural, and physical environments. Surveys will be conducted to identify resources and the project teams will work with the public and agencies with jurisdiction over the resources to identify impacts associated with the proposed action, and appropriate mitigation measures when unavoidable adverse impacts are identified. Exhibit 6-1 lists the primary resource areas to be studied in the EIS. Impact assessments and documentation will follow established procedures of Georgia DOT and FHWA, along with agency input during scoping.

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<sup>17</sup> 33 USC §§ 1251-1387

<sup>18</sup> 40 CFR Parts 260- 281

## EXHIBIT 6-1: ENVIRONMENTAL ISSUES AND RESOURCES ADDRESSED IN THE EIS

<b>Social Environment</b>	
Land Use	The project will be evaluated for its compatibility with existing and future state, county, and local land use plans.
Community Facilities, Neighborhoods, and Cities	Potential effects on community facilities, including parks, schools, libraries, colleges, community centers, emergency management facilities, and places of worship will be evaluated. Potential effects on neighborhoods and cities will be evaluated.
Socioeconomic and Environmental Justice	Project benefits and potential impacts on study area neighborhoods, with specific attention to minority and low-income neighborhoods, will be assessed. Adverse or disproportionately high and adverse effects to minority or low-income populations will be documented.
Economic Impacts	Impacts to the regional and/or local economy will be evaluated, including the economic vitality of existing highway-related businesses, impacts to established business districts, and impact minimization opportunities.
Transportation Impacts	The impacts on transit/freight will be evaluated.
<b>Cultural Environment</b>	
Historic and Archaeological Resources	Historic properties, archaeological sites, and other cultural resources will be identified. Potential effects to significant resources will be examined.
Visual Quality and Aesthetics	Potential effects on visually sensitive areas and resources, including tree and building removal and the introduction of new structures (roadway, walls, bridges, ramps) will be examined.
<b>Physical Environment</b>	
Hazardous Waste and Materials	Any known hazardous materials or contamination within the study area will be documented. Sites requiring further analysis will be identified.
Air Quality	The potential impact on air quality, as well as a discussion of compliance with the CAA Amendments of 1990 and an evaluation of conformity with the SIP, will be documented.
Noise	The study will include an analysis of potential impacts of noise and vibration associated with the build and no-alternatives.
<b>Natural Environment</b>	
Water Resources	Potential effects on wetlands, streams, floodplains, and other surface waters, including their ecology and quality, will be examined.
Ecosystems	Potential impacts to natural communities, threatened and endangered species, neotropical migratory birds, and invasive species will be evaluated.

## Natural Environment

Geology and Soils	Effects to geology and soil resources in the project area will be evaluated.
Construction Impacts	Potential adverse impacts associated with construction of each alternative and mitigation measures will be evaluated.
Relationship Between Local Short-Term Uses of Man's Environment and the Maintenance of Long-Term Productivity	The relationship of local short-term impacts of the project and use of resources, and the maintenance and enhancement of long-term productivity, including a comparison of the different use of resources between the Build and No-Build alternatives, will be evaluated.
Irreversible and Irrecoverable Commitment of Resources	The irreversible and irretrievable commitment of resources including natural, physical, human, and financial resources, will be evaluated.

## 6.4 METHODOLOGY

### 6.4.1 STUDY AREA

The I-285 Top End Express Lanes EIS will examine alternatives for constructing ELs that would, as part of the MMIP, tie into planned or programmed ELs along the west side of I-285, the east side of I-285, and SR 400, as well as tie into the existing Northwest Corridor ELs recently opened on I-75 and the existing HOT lanes along I-85. The result would create a seamless regional EL system as a new approach to managing congestion. A study area was defined that focuses on a 22.5 centerline mile section along the I-285 top end corridor from Paces Ferry Road (Exit 18) to Henderson Road and along SR 400 from south of Glenridge Connector north to the MARTA North Springs Station (see Exhibit 1-1).

### 6.4.2 ANALYSIS YEARS

The EIS will consider both the short-term (construction) and long-term (operational) impacts of the No-Build and build alternatives for the following analysis years:

- **Construction Years.** The short-term (construction) analysis will be undertaken for the period during which project construction would occur. The EIS will qualitatively discuss the potential effects of the I-285 Top End Express Lanes construction. Construction will be completed in phases, with the eastern half from Henderson Road to SR 400 including the SR 400 section being constructed during 2023 through 2028 and the western section from south of Paces Ferry Road to SR 400 being constructed during 2026 through 2032.
- **Opening Year (2032).** The operational and permanent effects of the project alternatives (i.e., build-year conditions) will be evaluated for the anticipated opening year of the I-285 Top End Express Lanes.
- **Design Year (2052).** The EIS will include an assessment of future conditions to determine the potential long-term impacts of the project alternatives on the study area's built and natural environment. This analysis will also examine conditions in 2052 where data is available, while matching horizon years for planning data in some resource discussions for consistency with

regional and local planning efforts (local land use and regional planning horizon years range from 2034 to 2050).

### 6.4.3 TECHNICAL STUDIES

The analyses documented in the EIS will follow the guidance of Georgia DOT's Environmental Procedures Manual (EPM). Agencies will consult on the best use of prior technical data from established sources, including information developed during the transportation planning process. Established procedures of Georgia DOT, FHWA, and other resources agencies involved in Georgia DOT project delivery and permitting will be followed while being adapted to the existing conditions and resource concerns within the I-285 top end corridor. The analysis areas and EIS methodologies are described below.

#### 6.4.3.1 SOCIAL ENVIRONMENT

The analysis of social conditions will consist of several studies that characterize the built and human environment, including land use, demographics, economic conditions, and community facilities and services. This assessment will quantitatively and qualitatively assess potential effects on these factors, as well as on community character, including accessibility, social impacts (population characteristics, including income, age, etc.), and economic impacts. This assessment will also identify the income and racial characteristics of the area's population and serve as the basis for identifying potential EJ (i.e., minority and low-income) communities. The analysis will consist of the following:

- Identify the social characteristics of the study area based on relevant data sources (2010 Census, American Community Survey, ARC, and the State of Georgia). The identification of social characteristics will include population, age distribution, race and ethnicity, travel characteristics, income characteristics, and housing characteristics.
- Describe the local neighborhoods in terms of their physical, social, and economic characteristics.
- Characterize the existing land use and development patterns in the study area using available data from the impacted cities and the ARC.
- Identify the economic characteristics of the study area based on relevant data sources (2010 Census, American Community Survey, ARC, and the State of Georgia). The identification of economic characteristics will include general employment information (number and types of local businesses, unemployment rate, types of employment, employment distribution, dominant businesses, local business trends, ownership of businesses); per capita income and income distribution; economic generators, activities, markets; property values; tax base and revenues; and a description of the local business environment (locations and concentrations of major employers, trends, policies and initiatives).
- Identify the community facilities and services in the study area based on field reconnaissance and data sources (surrounding cities, community groups and social service organizations, local hospitals, police precincts, and fire departments/fire stations). The community facilities and services analysis will identify public services within the study area (police precincts, fire departments, hospitals and medical facilities, public social service agencies, and government offices); churches and places of worship; educational facilities (public and private schools and universities); libraries; and private social services facilities.

- Identify any parkland, recreational facilities (indoor and outdoor), and wildlife or wildfowl refuges in and near the study area. Parklands and recreational facilities will be characterized in terms of type, location, size, amenities, ownership, and general use. Wildlife and waterfowl refuges, if identified, will be characterized in terms of location, ownership, and the intended protective purpose.
- Identify any potential benefits and impacts of the I-285 Top End Express Lanes on the built and human environment (e.g., direct displacement, transportation, air quality, noise, etc.) based on the other technical studies of the EIS and determine whether those potential effects would adversely impact land use, parklands, and community cohesion.
- Identify whether project development and impacts have the potential to indirectly displace or otherwise impact residents and businesses due to changes in the social and economic characteristics of the study area.
- Identify measures to mitigate impacts, as necessary.

#### 6.4.3.2 ENVIRONMENTAL JUSTICE

Pursuant to EO 12898<sup>19</sup> and FHWA Order 6640.23A<sup>20</sup>, an EJ analysis will be prepared to identify and address any disproportionately high and adverse impacts on minority and/or low-income populations that could result from the project. The analysis will build upon the technical analysis described above, will examine the potential impacts of the project alternatives for the full range of environmental impact categories, and will identify whether the project would result in disproportionately high and adverse direct or indirect impacts to minority and/or low-income populations. Potential mitigation measures to minimize or avoid such impacts to these populations will also be discussed.

The analysis will also identify whether EJ communities would share in any benefits accruing from the I-285 Top End Express Lanes project. The EJ analysis will include the following:

- A description of the local populations in terms of racial and economic characteristics and a comparison of these characteristics to city and county data to identify the presence or absence of EJ communities near the project site;
- An identification of whether the project has the potential to result in disproportionately high and adverse impact and/or provide benefits to EJ populations in the study area;
- A description of outreach efforts to EJ populations conducted during the NEPA process; and
- A description of measures to minimize harm to EJ populations, as necessary.

#### 6.4.3.3 DISPLACEMENT AND RELOCATION (CONCEPTUAL STAGE STUDY)

Construction of the I-285 Top End Express Lanes project will require acquisition of or permanent easements through private or public properties and/or displacement or relocation of uses of such properties. Analysis of these potential impacts will consider provisions of the federal Uniform Relocation and Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601).

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<sup>19</sup> <https://www.epa.gov/laws-regulations/summary-executive-order-12898-federal-actions-address-environmental-justice>

<sup>20</sup> <https://www.fhwa.dot.gov/legisregs/directives/orders/664023a.cfm>

The EIS will evaluate potential impacts related to permanent property acquisition, permanent easements, and displacements. The number and type of acquisitions will be identified, including both partial and complete property takings. Geographic Information System (GIS) data will be used to the extent possible, with confirmations obtained through field verifications and through correspondence with local assessors' offices, as necessary. The feasibility and potential impacts of displacements will be assessed. This section of the EIS will describe efforts to avoid or minimize property acquisitions and displacements as well as provide a discussion of any additional mitigation measures as appropriate.

#### **6.4.3.4 TRANSPORTATION**

Transportation modeling and traffic operational analysis will be conducted to estimate existing and future Build and No-Build conditions. The transportation impacts will be summarized in this section of the EIS, while a series of technical reports will provide detailed traffic volumes and other data. The analysis will consider induced traffic changes from the ELs and the local access points including future levels of service at intersections along the project corridor.

#### **6.4.3.5 HISTORIC AND ARCHAEOLOGICAL RESOURCES**

Projects potentially affecting historic and archaeological resources must comply with the requirements of Section 106 of the NHPA (16 USC §470A; 36 CFR Part 800). Section 106 of the NHPA requires that federal agencies consider the effects of their actions on properties listed in or determined eligible for listing in the NRHP. FHWA is responsible for carrying out the Section 106 review and consultation process for this project.

The Section 106 process consists of the following steps:

- Identify the Area of Potential Effects (APE);
- Identify and invite consulting parties, which include Tribal Government Organizations, SHPO, ACHP, the local municipalities, regional commissions, historical societies, and other stakeholders to participate in the consultation process;
- Identify known or potential historic and archaeological resources within the APE;
- Assess the effects of the project on historic and archaeological resources within the APE;
- Identify measures to avoid, minimize, or mitigate effects on historic and archaeological resources, as necessary; and
- Develop a formal mitigation agreement (memorandum of agreement or programmatic agreement), as necessary.

The Section 106 documentation will follow the guidelines set forth in the Georgia DOT EPM for Historic Resources.

The APE for historic resources will be established in consideration of direct and indirect impacts related to the implementation of the I-285 Top End Express Lanes as defined in the 2018 MMIP Memorandum of Understanding (MOU) between the Georgia DOT, FHWA, and SHPO. This EIS will document any historic resources identified as listed in or eligible for inclusion in the NRHP within the project's APE. Locally designated resources will also be identified through consultation with the Atlanta Urban Design Commission. The historic resources survey will be performed in accordance with the standards of Section

106, SHPO guidance and the Georgia DOT EPM, and as defined in the 2018 MMIP MOU. The EIS will describe and evaluate potential impacts to any historic resources, including direct, indirect, and cumulative effects. Through the Section 106 process, the project's effects and mitigation measures to minimize any potential adverse effects to historic resources will be identified through consultation with SHPO and other Section 106 consulting parties. The findings will be described in the EIS.

The APE for archaeological resources will encompass areas where ground disturbance may be required for the project's construction. Archaeological resources within the APE will be identified through archival research, geomorphology soil testing, and geophysical surveys. Potential effects will be assessed in consultation with SHPO and other Section 106 consulting parties. If any areas of archaeological sensitivity could be disturbed by the project's construction, measures to minimize or mitigate these potential adverse effects will be identified.

#### **6.4.3.6 VISUAL AND AESTHETIC CONSIDERATIONS**

The effect of each of the project alternatives on the surrounding visual environment, and whether it may affect or block views from existing visual resources, will be evaluated. An initial visual resource analysis will be conducted pursuant to the guidelines of USDOT for visual analysis under NEPA, including recommended procedures cited in *Visual Impact Assessment for Highway Projects* (Federal Highway Administration, 1988) and *Aesthetics and Visual Quality Guidance Material* (Federal Highway Administration, 1986).

The existing environment of each visible I-285 Top End Express Lanes project element and its surrounding study area will be described. Existing visual resources and important view corridors or viewsheds in the study area will be identified, and existing views toward any potentially visible project elements from surrounding neighborhoods will be discussed. The existing topography, vegetation, and existing buildings and structures will be taken into consideration, and viewer groups and duration of views will be identified. The existing visual character of the study area will be captured through photographs and other graphics, as needed.

The EIS will consider visual setting based on the quality of a resource, duration of views, and sensitivity of viewer groups. Photo-simulations and other graphics will be used, as needed, to demonstrate potential visual impacts. If potential negative impacts are identified, appropriate and feasible mitigation measures to reduce those impacts will be discussed.

#### **6.4.3.7 HAZARDOUS MATERIALS**

Standards for identifying potential hazards and contaminated materials concerns are defined in the American Society for Testing and Materials (ASTM) Standard E1527-05, titled *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process* (ASTM E1527). The hazardous and contaminated materials analysis will summarize the results of a database review and any previous studies or investigations in the area and document any identified hazardous or contaminated soils or substances within the proposed area of construction for each of the project alternatives. The EIS will identify protocols and measures to be undertaken during construction to avoid adverse effects on human health from project-related exposure to hazardous materials. Handling requirements for potentially hazardous or contaminated materials will be identified, and the procedure for removal of these substances during construction will be outlined.

### 6.4.3.8 AIR QUALITY

NEPA requires an assessment of potential impacts on air quality to demonstrate compliance with the CAA, including the applicable SIP. The CAA set forth guidelines to be followed by agencies responsible for attainment of the National Ambient Air Quality Standards (NAAQS). Georgia is currently in attainment for NO<sub>2</sub>, PM<sub>10</sub>, PM<sub>2.5</sub>, Pb and SO<sub>2</sub>, so no air quality analysis is required for these pollutants. It is also in attainment for CO. Finally, the project is in a non-attainment area for O<sub>3</sub> and is in an area where the SIP contains transportation control measures. The CAA requires Transportation Plans and Transportation Improvement Programs in areas not meeting the NAAQS to conform to the emissions budget of the SIP for air quality. The air quality analysis will follow guidance from FHWA, EPA, and Georgia DOT's EPM. The analysis will consider the potential impacts and benefits of the project's alternatives on air quality and examine whether the project could result in any new excess or exacerbation of any existing excesses of the NAAQS. The air quality analysis will:

- Review previous studies and environmental documentation for the project site and related highway, transit, or intermodal studies that may include data or assessments of local and regional air quality.
- Review ambient air quality data from Georgia Department of Natural Resources, Environmental Protection Division for locations within or near the study area and discuss the data in the context of CAA requirements.
- Perform Mobile Sources Air Toxics analysis of roadway emissions.
- Where necessary, describe measures to mitigate potential adverse impacts and determine the efficacy of such measures.

### 6.4.3.9 NOISE

The noise analysis will be conducted in accordance with FHWA's *Procedures for Abatement of Highway Traffic Noise and Construction Noise (23 CFR 772)*<sup>21</sup> and *Georgia DOT's Highway Noise Abatement Policy for Federal-Aid Projects*, which establish standards for assessing noise impact and evaluating abatement of highway traffic noise.

In accordance with 23 CFR 722, FHWA requires the following during the planning and design of a highway project:

- Identification of highway traffic noise impacts;
- Examination of potential abatement measures;
- Incorporation of reasonable and feasible highway traffic noise abatement measures into the highway project;
- Coordination with local officials to provide helpful information on compatible land use planning and control; and
- Identification and incorporation of necessary measures to abate construction noise.

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<sup>21</sup> 23 CFR 772

Noise predictions will be made using the FHWA's Traffic Noise Model version 2.5. The results of the modeling will be compared to the FHWA Noise Abatement Criteria to determine potential project-related impacts and areas for which noise abatement measures should be considered. The level of impact at any specific site will be established by comparing the predicted projected noise level at the site to the existing noise level at the site. Where either severe impact or moderate noise impact is identified, potential noise abatement measures will be evaluated.

#### 6.4.3.10 UTILITIES

The EIS will identify existing utility services and infrastructure within the project site and describe potential relocation of these utilities required.

#### 6.4.3.11 NATURAL RESOURCES

There are major water bodies, surface waters, wetlands, riverine systems, and floodplains located within the I-285 Top End Express Lanes project area. The EIS will identify and describe the water resources, the impacts of the Project, and mitigation measures to protect the water resources during and after construction.

Through consultation with USFWS and GADNR's WRD, the EIS will identify any endangered or threatened plant or animal species that have been known to occur within or near the I-285 Top End Express Lanes project area. If such species are identified, the EIS will describe measures to protect those species during and after construction.

#### 6.4.3.12 CONSTRUCTION IMPACTS

Construction impacts, though often temporary, can result in adverse impacts on-site and/or to surrounding areas. The primary adverse impacts related to construction activities are typically traffic, noise, air quality, and disturbance of contaminated materials.

The analysis will be based on assumptions appropriate to the concept-level definition of project alternatives for EIS evaluation, including the schedule and duration of different types of construction activities; the estimated number of workers on-site; the number of truck trips to and from the site by type of truck; the number and types of equipment being used on-site; and the location of construction activities. The analysis will account for the various types of equipment, the size and type of the engines, the time of use, and any unusual features of the equipment. Measures to avoid, minimize and/or mitigate potential impacts will be identified. The construction chapter will evaluate potential construction impacts of each alternative on the environmental impact categories discussed in the EIS, including the following:

- **Construction Activities and Traffic.** Based on the anticipated construction activities, this assessment will consider traffic generated by construction workers and deliveries, including the time of day that construction traffic would be greatest, as well as potential impacts related to any road closures or detours. Potential impacts during the peak construction period will be identified and evaluated. Mitigation measures for potential traffic impacts will be discussed, and the analysis will provide a description of the means and methods that will be used to maintain traffic flow through the area during construction.

- **Community Character.** This section will discuss potential temporary construction impacts to land use, neighborhood character, community facilities, and businesses. Mitigation measures to minimize or avoid any adverse impacts will be described.
- **Parklands and Recreational Resources.** A discussion of potential impacts to parklands and recreational resources during the construction period will be included in this section. Mitigation measures to avoid any adverse impacts will be described.
- **Visual Resources.** The potential for project construction to temporarily impact important views and visual resources in the study area will be evaluated in this section. Mitigation measures to minimize or avoid any adverse impacts will be described.
- **Historic and Archaeological Resources.** Potential construction impacts to environmental resources will be evaluated as the project design progresses. Disclosure of potential construction impacts and a mitigation strategy will be included in the DEIS. Based on archaeological investigations of the I-285 Top End Express Lanes site, the analysis will also identify whether construction activities have the potential to disturb archaeological resources. Mitigation measures to minimize or avoid any adverse impacts will be described.
- **Hazardous Materials.** In coordination with the work performed for the hazardous materials impact assessment described above, actions to be taken during project construction to limit exposure of construction workers and nearby areas to potential contaminants will be summarized. Mitigation measures to avoid or minimize any on- or off-site adverse impacts will be described.
- **Noise.** As there are no federal construction noise criteria,<sup>22</sup> contractors on all highway construction projects are required to adhere to standards and requirements developed by local governments and Georgia DOT Standard Specifications relating to construction noise. Locations of noise-sensitive land uses and typical noise levels from highway construction activities will be described for the contractor to incorporate in construction noise control strategies. Based on a review of construction plans, sensitive-receptor locations will be identified for impact assessment. At each location, reasonable worst-case noise from construction activities will be determined based on the construction staging and phasing plans developed for the overall impact assessment. Contractors will evaluate potential construction noise impacts and the need for construction noise control measures including on-site construction equipment and on-road vehicular sources. Mitigation measures to minimize or avoid any adverse impacts will be described.
- **Water Quality / Water Resources.** Potential water quality impacts will be considered, including adjacent water resources. Measures to avoid or minimize any water quality impacts will be described, including a concept-level Stormwater Pollution Prevention Plan in accordance with Georgia Department of Natural Resources requirements to limit runoff during construction.

#### 6.4.3.13 INDIRECT AND CUMULATIVE EFFECTS

CEQ regulations (40 CFR Part 1500-1508) define indirect impacts as those that are “caused by an action and are later in time or farther removed in distance, but are still reasonably foreseeable.” Generally, these impacts are induced by a project rather than directly caused by it. Indirect effects can occur within the full range of impact areas, such as changes in land use, economic conditions, traffic, air quality, noise, and

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<sup>22</sup> FHWA Construction Noise Handbook, 2006

water and natural resources. This section of the EIS will evaluate potential indirect effects, both adverse and beneficial, that may occur as a result of the project.

NEPA also requires consideration of cumulative effects of a project. Cumulative impacts may result from the incremental consequences of an action when added to other past or reasonably foreseeable future actions (40 CFR 1508.8). The analysis will follow new Georgia DOT guidance and evaluate potential cumulative impacts to both the built and natural environment from the I-285 Top End Express Lanes project in combination with other projects. The indirect and cumulative effects analysis will draw from the technical analyses prepared for the other environmental impact categories documented in the EIS. Where potential adverse indirect or cumulative effects are identified, the EIS will identify project commitments to avoid or minimize such effects.

#### 6.4.3.14 SECTION 4(F) EVALUATION

Section 4(f) of the USDOT Act of 1966 (49 USC § 303; 23 CFR § 774) prohibits the Secretary of Transportation from approving any program or project that requires the “use” of (1) any publicly owned parkland, recreation area, or wildlife and waterfowl refuge of national, state, or local significance; or (2) any land from a historic site of national, state, or local significance (collectively, “Section 4(f) properties”), unless there is no feasible and prudent alternative to the use of such land and such program or project includes all possible planning to minimize harm to the park, recreation area, wildlife refuge, or historic site. A historic site is considered to be a property that is listed in, or eligible for listing in, the NRHP.

A project uses a Section 4(f) property when:

- It permanently incorporates land from the property into a transportation facility;
- It temporarily but adversely occupies land that is part of the property; and/or
- It “constructively” uses the property, which occurs “when the transportation project does not incorporate land from a Section 4(f) property, but the proximity impacts are so severe that the protected activities, features, or attributes that qualify property for protection under Section 4(f) are substantially impaired.”

When a Section 4(f) property would be used for a transportation project, documentation must be prepared to demonstrate that 1) no feasible and prudent alternative exists to the use of the 4(f) property, and 2) the project includes all possible planning to minimize harm to the property. If there is no feasible and prudent avoidance alternative, FHWA may approve only the alternative that causes the least overall harm in light of Section 4(f)’s preservation purpose. As stated in 23 CFR § 774.3, the “least overall harm” is determined by balancing several factors.

The I-285 Top End Express Lanes project site includes the CRNRA, which consists of public-access recreational lands managed by NPS. The Section 4(f) evaluation for the I-285 Top End Express Lanes project will focus on the potential use of the CRNRA, other parklands including recreational trails, any recreational areas within public schools, and historic sites. If the I-285 Top End Express Lanes project would use such resources, the evaluation will document whether there are any prudent and feasible alternatives to avoiding their use. The Section 4(f) evaluation will also identify outreach and coordination efforts with resource agencies that have jurisdiction over any identified Section 4(f) resources.

## 7. AGENCY AND PUBLIC INVOLVEMENT

### 7.1 AGENCY COORDINATION PLAN

Section 6002 of SAFETEA-LU establishes the procedures by which Georgia DOT as lead state agency will facilitate public and agency participation as part of the environmental review process. Section 1304 of the Fixing America's Surface Transportation Act (FAST Act) amended these procedures effective December 4, 2015. This plan also establishes how input from agencies will be solicited and addressed. The I-285 Top End Express Lanes project will require extensive coordination among agencies and attentive oversight. A key to managing the NEPA process is ensuring that all the involved agencies understand each other's roles and responsibilities. The following summarizes the key components of the ACP for the I-285 Top End Express Lanes project.

#### 7.1.1 COOPERATING AGENCIES

The roles and responsibilities of cooperating and participating agencies are similar, but cooperating agencies have a higher degree of authority, responsibility, and involvement in the environmental review process. A distinguishing feature of a cooperating agency is that the CEQ regulations (*40 CFR 1508.5*) permit a cooperating agency to “assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the EIS concerning which the cooperating agency has special expertise.” An additional distinction is that, pursuant to *40 CFR 1506.3*, “a cooperating agency may adopt without recirculation of the EIS of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied.”

The cooperating agencies for this project are USACE Savannah District and NPS (including CRNRA). If new information becomes available that would require the designation of any additional cooperating agency, FHWA will issue that agency an invitation.

#### 7.1.2 PARTICIPATING AGENCIES

The confirmed participating agencies for this project are USFWS, US EPA Region IV, GADNR (HPD, EPD, and WRD), and FCS (added in December 2019). If, during the progression of the project, new information reveals that an agency not previously invited to be a participating agency has an interest relevant to the project, FHWA will issue an invitation to that agency. FHWA and Georgia DOT will determine whether this new information affects any decisions previously made.

#### 7.1.3 SECTION 106 CONSULTING PARTY EFFORTS

In accordance with Section 106 of the NHPA, FHWA and Georgia DOT, in consultation with the Georgia SHPO, identified potential consulting parties and invited them to participate in the Section 106 process. Also, on behalf of FHWA, in keeping with government-to-government relationships and in compliance with 36 CFR 800, tribal governments were invited to participate in the Section 106 process for this project.

## 7.2 PUBLIC INVOLVEMENT PLAN

Outreach during the planning and environmental review processes will be focused on project stakeholders, the general public, and targeted audiences. The PIP, which can be viewed online,<sup>23</sup> details the activities designed to convey project information to these parties, and the opportunities offered to collect input and comments on the environmental review process, analyses and documentation, and on decisions that may affect the stakeholders, the general public, and their communities. These activities seek to engage project stakeholders and the public so that their views are considered in environmental decision-making about the proposed project.

The PIP will be refined, as needed, based on project and public needs. The PIP details various communication techniques, which may be amended, to best facilitate public and stakeholder involvement in the EIS and planning processes.

## 7.3 OUTREACH TOOLS, TECHNIQUES, AND STRATEGIES

The following tools, techniques, and strategies are proposed to be used to actively engage stakeholders and the public. A Public Involvement Plan (PIP) guides the interaction of Georgia DOT, FHWA, and the project team with stakeholders and the general public. The PIP will evolve as the project progresses with refinement of the outreach efforts, as necessary, to meet the needs of the stakeholders and the public.

### 7.3.1 I-285 TOP END EXPRESS LANES WEBSITE

A webpage, linked from <https://majormobilityga.com/projects/topend/>, has been created to inform the public and provide access to current outreach materials. Content includes text, printable/viewable materials, Public Information Open House (PIOH) displays and handouts, meeting notifications, contact information for the project, and the PIOH comment response. Future materials will include announcements, handouts, and comments related to the Public Hearing Open House (PHOH) upon publication of the DEIS.

### 7.3.2 SOCIAL MEDIA

The project capitalizes on Georgia DOT's use of social media platforms including [Facebook](#), [Twitter](#), [Instagram](#), and [YouTube](#). As major event dates approach, the project team prepares a social media content bank consisting of draft notices and a schedule to publish project information. Example content includes notification of public meetings, fact sheets and newsletters, public meeting displays, videos, and visualizations. Comments on social media left by the public will not be considered a formal public comment. However, commenters will be encouraged to place a formal public comment via email or letter to Georgia DOT or submit comment cards during open comment period after publication of the DEIS (described in Section 7.3.4).

### 7.3.3 DATABASE

The I-285 Top End Express Lanes project team will maintain an up-to-date database of contacts including:

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<sup>23</sup> [https://majormobilityga.com/wp-content/uploads/2019/10/0001758\\_2019-08-27\\_NEPA\\_PUB\\_PIP\\_FHWA.pdf](https://majormobilityga.com/wp-content/uploads/2019/10/0001758_2019-08-27_NEPA_PUB_PIP_FHWA.pdf)

- Local and state elected officials;
- Pertinent local and state agency staff;
- Pertinent local and state government staff;
- Pertinent county agencies;
- Local transportation/transit agencies and other pertinent agencies or organizations responsible for activities related to the I-285 Top End Express Lanes project;
- Local broadcast and print media;
- Advocacy groups;
- Local community contacts;
- Appropriate library branches and other facilities with community information displays; and
- Individuals interested in the project, per their request.

The I-285 Top End Express Lanes project team will also work with stakeholders to leverage existing databases of their constituents who may have an interest in the project.

### 7.3.3.1 TARGETED OUTREACH

Ample opportunity must be provided for meaningful input from all interested parties and this extends to EJ communities and other populations with potential accessibility concerns both in the vicinity of the I-285 Top End Express Lanes project and those in the region who may utilize the lanes in the future. FHWA and Georgia DOT are committed to ensuring that concerns of all interested parties are heard and addressed. Targeted outreach methods that focused particularly on EJ populations and other underserved or vulnerable populations included the following:

- Providing pertinent translation and interpretation services, as needed, to ensure communication with non-English-speaking populations.
- Adhering to Americans with Disabilities Act requirements for access to public information.
- Visiting libraries, consulates, and community facilities near EJ communities to distribute material including promotions for public meetings.

### 7.3.4 PUBLIC MEETINGS

#### 7.3.4.1 COMMUNITY CONVERSATIONS

To address public engagement in support of the NEPA process ahead of the NOI, a series of Community Conversations was conducted in May 2019. The series consisted of seven meetings, covering the six municipalities within the project limits along I-285. The meetings were held in Brookhaven, Chamblee, Doraville, Dunwoody, Sandy Springs, and Smyrna and welcomed a total of 562 attendees. Among key features of the Community Conversations were the following:

- A 20-minute presentation on the project;
- Stations with project management representatives and Georgia DOT subject matter experts for environmental, ROW, adjacent projects, and project history; and

- An informal survey, available by digital tablet or paper.

Among the attendees, 132 completed surveys. The surveys yielded the following results:

- Responses were divided on whether the attendee gained a better understanding of the project history and purpose from the meeting;
- 35% of respondents use I-285 or SR 400 to get to work;
- 84% of respondents have a round trip daily commute of less than 1 hour;
- The topics respondents are most interested in hearing about are noise, transit/non-driver options/mobility, and ROW; and
- Most respondents want to be communicated with via email regarding the project.

The Community Conversations meeting series provided the project team with insights regarding the community concerns while helping in the planning and preparations for the PIOH series.

### 7.3.4.2 PUBLIC INFORMATION OPEN HOUSES

In January 2020, the project team hosted seven PIOHs to provide stakeholders with project information and to solicit public comments on the I-285 Top End Express Lanes project. Seven meetings were held across four locations, at the times and locations listed below:

Tuesday, Jan. 21	Chamblee First United Methodist Church 4147 Chamblee Dunwoody Rd, Atlanta, GA 30341	11:00 a.m. - 2:00 p.m.
Thursday, Jan. 23	City Springs 1 Galambos Way, Sandy Springs, GA 30328	12:00 p.m. – 2:00 p.m. 4:30 – 7:30 p.m.
Tuesday, Jan. 28	St. Luke’s Presbyterian Church 1978 Mt. Vernon Rd., Dunwoody, GA 30338	12:00 p.m. – 2:00 p.m. 4:30 – 7:30 p.m.
Thursday, Jan. 30	Cobb Galleria 1 Galleria Pkwy SE, Atlanta, GA 30339	12:00 p.m. – 2:00 p.m. 4:30 – 7:30 p.m.

The series welcomed a total of 722 attendees. Among key features of the PIOHs were the following:

- Accommodations for those with physical disabilities;
- Handouts about the PIOH and the project including fact sheets on air quality and noise;
- Displays including concept layouts (for Alternatives 1 and 2) and videos of a simulated flyover showing future build conditions (Alternative 2);
- Handouts, comment cards, and fact sheets translated into Spanish;
- Comment cards in paper format and access to enter comments via tablets on-site; and
- A court reporter to record any verbal comments along with a Spanish interpreter at each meeting.

At each of the open house meetings, project team members supported a comment station with options to leave physical comment cards or online comments via tablets, as well as a court reporter for those who chose to submit verbal comments. Comments were also able to be submitted in writing following the open house by mail or email. The comment period was open from the first meeting (January 21, 2020) through February 25, 2020, to offer increased time to consider project information and to cover the potential for inclement winter weather. The project team and Georgia DOT prepared a summary letter

which summarized the areas of interest generated by the public comments, followed by a detailed response letter that was posted online and mailed to those who requested hard copies. See Section 8.2.1 for a summary of comments received.

### 7.3.4.3 PUBLIC HEARING OPEN HOUSES

After FHWA's approval of the DEIS, the project team will conduct the required public hearing in a series of open house meetings to allow stakeholders and the public the opportunity to view the DEIS and provide comments. Anticipated to offer locations for physical meetings as well as options for virtual participation, the PHOHs will include additional features and legal steps for review of the DEIS:

- Upon publishing the DEIS, a Notice in the Federal Register and advertisement in a local newspaper will be required at least 30 days in advance of PHOHs;
- Additional wording or displays from cooperating agencies to address any public hearing requirements under their respective NEPA regulations;
- Copies of the DEIS for on-site review during the PHOH; and
- Electronic copies of the DEIS available for public access throughout a 45-day DEIS review period (which will be scheduled to include the PHOH comment period).

Through coordination with the cooperating agencies in advance of the PHOH, Georgia DOT will integrate any public involvement requirements into the notification of and planning for the series.

### 7.3.4.4 PUBLIC NOTIFICATIONS

Notifications for open houses will be comprehensive in scope and will include flyer/postcard distribution and on-site visitation to public offices, libraries, businesses, and residential areas; posting on websites and social media accounts managed by Georgia DOT, local governments, and community stakeholders; and email distribution lists. Legal notices will be published in the legal organ for each county as follows (three legal organs via online publication):

- *The Champion* (DeKalb County), *Times Journal* (Cobb County), and *Daily Report* (Fulton County).
- For PIOH series: two ads published at least three weeks and one week in advance.
- For PHOH series: two ads published 30-45 days and five to nine days in advance.

For the PHOH series, agency approval of the DEIS for distribution will lead to publication of a Notice of Availability filing through the EPA in the Federal Register, including details of the PHOH at least 30 days in advance.

### 7.3.5 CONTACTS

For further information regarding the I-285 Top End Express Lanes project, please contact one of the following project representatives with Georgia DOT or FHWA:

- Katy Allen, FHWA, at [Katy.Allen@dot.gov](mailto:Katy.Allen@dot.gov)
- Chetna Dixon-Thomas, FHWA, at [Chetna.Dixon-Thomas@dot.gov](mailto:Chetna.Dixon-Thomas@dot.gov)
- Kaelin Priger, Georgia DOT, at [KPriger@dot.ga.gov](mailto:KPriger@dot.ga.gov)
- Tim Matthews, Georgia DOT, at [TMatthews@dot.ga.gov](mailto:TMatthews@dot.ga.gov)

## 8. AGENCY AND PUBLIC SCOPING

NEPA requires an open process for determining the extent and significance of environmental issues as they relate to a proposed action.<sup>24</sup> This process, known as “scoping,” is intended to provide an opportunity for participating agencies and members of the public to provide the lead agencies with expert advice and input. The purpose is to further aid in the identification of goals and objectives, screening of alternatives, and evaluation of impacts.

### 8.1 AGENCY SCOPING PROCESS

#### 8.1.1 AGENCY SCOPING MEETING INVITATIONS

Cooperating and participating agencies aid in defining the Need and Purpose of the project, and in determining the range of alternatives to be considered. More specifically, cooperating agencies:

- Provide input on the impact assessment methodologies and level of detail in each agency’s area of expertise;
- Participate in coordination meetings, conference calls, and joint field reviews, as appropriate; and
- Review and comment on sections of the pre-draft or pre-final environmental documents to communicate any concerns on the adequacy of the document, the alternatives considered, and the anticipated impacts and mitigation.

Pursuant to SAFETEA-LU, invitation packets were sent to a number of federal, state, and local agencies inviting them to participate in the environmental review process. These included agencies identified in responses obtained from various agencies that received early coordination letters and conversations with key stakeholders. Included in the invitation packet was a copy of the *Federal Register* NOI, the Scoping Booklet, and the ACP.

#### 8.1.2 AGENCY SCOPING MEETING FORMAT AND CONTENT

An agency scoping meeting was held on November 21, 2019, from 9:30 a.m. to 11:30 a.m. in the Georgia DOT Georgia One Center, Room 310. Provisions were made for agency representatives wishing to participate in the meeting but unable to attend in person; they were able to attend via telephone and able to follow along with the presentation via a provided link. The purpose of the scoping meeting was to solicit input from the resource and regulatory agencies on the nature and extent of issues, concerns, and potential impacts to be addressed in the EIS. Agencies were provided content regarding the following:

- Project history;
- Project schedule;
- Need and Purpose;
- Evaluation criteria;
- Alternatives to be evaluated;

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<sup>24</sup> 40 CFR 1501.7

- Social, economic, and environmental issues and potential impacts; and
- Public and agency involvement.

### 8.1.3 SUMMARY OF AGENCY INVOLVEMENT

Exhibit 8-1 lists the federal, state, and local agencies invited and the agencies’ responses for their participation in the I-285 Top End Express Lanes DEIS scoping process. Thirteen agency representatives attended the agency scoping meeting. Materials from the meeting are included as Appendix A.

#### EXHIBIT 8-1: SUMMARY OF AGENCY SCOPING MEETING INVOLVEMENT

Agency	Type	Participation Level	Invited to Participate	Accepted Invitation	Attended Scoping Meeting
<b>FHWA</b>	<b>Federal</b>	<b>Lead Federal Agency</b>			
USACE Savannah District	Federal	Cooperating	√	√	√
NPS, Chattahoochee River National Recreation Area	Federal	Cooperating	√	√	√
USFWS	Federal	Participating	√	√	√
US EPA	Federal	Participating	√	√	√
<b>Georgia DOT</b>	<b>State</b>	<b>Lead State Agency</b>			
EPD, Georgia DNR	State	Participating	√	√	√
HPD, Georgia DNR	State	Participating	√	√	√
WRD, Georgia DNR	State	Participating	√	√	√

### 8.1.4 SUMMARY OF DISCUSSION

During the agency scoping meeting, each resource and regulatory agency was provided an opportunity to indicate specific areas of concern and identify issues that should be addressed in the EIS and the methods by which they should be evaluated. A summary of concerns brought forth by each agency can be found in Exhibit 8-2. Agency correspondence related to scoping is included in Appendix B.

## EXHIBIT 8-2: SUMMARY OF SCOPING MEETING CONCERNS

Agency	Concern
<b>USACE</b>	<ul style="list-style-type: none"> <li>• Provided comments to FHWA regarding a strategy for future coordination</li> <li>• Requested site visits to agree on delineations and the quality of resources, with a focus on questionable resources</li> <li>• Noted that separate mapping will be required to show locations of community types and remaining habitat in order to record the percentage of existing and disturbed habitats</li> <li>• Requested to make site visits more efficient by identifying high priority/risk resources, and to coordinate site visits with those of another ongoing MMIP project</li> <li>• Safety should be a primary goal of the I-285 Top End Express Lanes project, as it is stated in the goals of the MMIP</li> <li>• Requested an explanation of why the north end of the Logical Termini terminates into two lanes in separate directions</li> </ul>
<b>NPS</b>	<ul style="list-style-type: none"> <li>• Noise analysis and future noise impacts to NPS property</li> <li>• Cumulative impacts regarding two crossings of the Chattahoochee River</li> <li>• 4(f) analysis – NPS has a process for estimating the cost of impacts to the visitor experience, but will need more specifications regarding potential impacts to waters</li> <li>• NPS would like to be notified of any proposed field activities, and Special Use Permits will be required should there be a use of park property</li> </ul>
<b>EPA</b>	<ul style="list-style-type: none"> <li>• Noise, water resources, community impacts, and EJ analysis to identify outreach needs and potential for adverse effects</li> </ul>

## 8.2 PUBLIC SCOPING PROCESS

An NOI was issued to inform the public and agencies about the initiation of the NEPA EIS process. Input from agencies and the public will be considered in the development of the project's EIS scoping. With the NOI, project materials were provided for review in paper and electronic format, including a public access website. The scoping process will provide an opportunity for residents, public officials, and other stakeholders to comment about the project's Need and Purpose, preliminary range of alternatives, ACP, PIP, and resources of concern in the corridor.

After the NOI was issued, an NOI file link was emailed and mailed to a number of stakeholders, including all local governments, Community Improvement Districts, and all homeowners associations (HOAs), churches or places of worship, and citizens who had previously requested information regarding the project. Included in this link was access to the PIP, the ACP, the Need and Purpose document, the project schedule, and a project fact sheet. In addition, prior to the PIOH series, Georgia DOT offered to meet with each local government, met with HOAs upon request, and met with two areas of potential concentrations of residential displacements.

The scoping process helps assure that the project team considers a wide range of concerns and potential impacts during the environmental studies that follow. Based on local input from residents to date and the existing conditions along I-285, some of the concerns include noise, changes in local traffic, and

displacements. This input will help project planners refine targeted outreach approaches as the impact assessments are conducted. In instances where potential displacements by the project alternatives are heavily concentrated to a specific area, Georgia DOT has made efforts and will continue to make efforts to meet with residences or businesses prior to the alternatives being displayed at a PIOH or PHOH to explain the federal process for relocations. In addition, outreach to potential recipients of noise abatement (identified through noise analysis) will be conducted in accordance with the current [Georgia DOT Noise Abatement Policy](#).

### 8.2.1 PUBLIC INFORMATION OPEN HOUSE COMMENTS

As discussed in Section 7.3.4.2, a series of PIOHs was held to provide stakeholders with project information and to solicit public comments on the I-285 Top End Express Lanes project. A total of 722 people attended the PIOHs, and 485 people left formal comments at the meetings or submitted a comment within the comment period. Of the 485 respondents who formally commented, 82 were in support of the project, 250 were opposed, 33 were uncommitted, 109 expressed conditional support, and 11 were unspecified.

The respondents raised a number of questions and concerns that were organized by topic. The main topics mentioned by respondents were:

- Noise – Information regarding the noise analysis Georgia DOT uses as part of the NEPA process and potential noise abatement measures.
- Design Considerations and Alternatives Analysis – Information about the current design of the project and suggestions for alternatives.
- Local Access/Access Points – Information about how access points were identified based on travel demands, stakeholder input, and potential changes in local traffic patterns/volumes.
- Transit – Information about the role of transit in the EL system and the I-285 Top End Express Lanes project.
- ROW – Information on Georgia DOT’s ROW and property acquisition process, proposed schedule, and property appraisals.
- Potential School Impacts – Information about potential ROW, air, noise, and traffic impacts to schools along the corridor, in addition to concerns regarding safety in proximity to elevated lanes.
- ELs and Tolling – Information regarding tolling from the State Road and Tollway Authority and equity considerations.
- Safety – Information about the safety of elevated lanes.
- Project Information and Schedule – Information about the project development process, funding, public involvement, local government, and project timeline.
- Community Concerns – Information on specific concerns voiced by communities within or near the project corridor including property impacts, potential land use and landscaping, visual impacts, noise, amenities, environmental impacts and concerns, and effects of multiple construction projects occurring along the top end corridor, and more.

Detailed responses to these comments can be found in the official I-285 Top End Express Lanes detailed response to public comments online.<sup>25</sup> A copy of the summary letter also is attached as Appendix C. In addition, a letter from FCS was submitted following participation by FCS officials at the PIOH series. In response to this comment letter, Georgia DOT sent a letter as included in Appendix C.

## 9. CONCLUSION

This Scoping Report summarizes the process to seek and consider input during early project development activities including the NOI, agency invitations and meetings, and PIOH series. Additional questions or input about the project may be provided at any time to one of the primary contacts listed for Georgia DOT and FHWA in Section 7.3.5.

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<sup>25</sup> <https://majormobilityga.com/projects/topend/>

## **Appendix A: Agency Scoping Meeting**

# Meeting Minutes

## I. Meeting Information

<b>Program:</b>	<b>I-285 Top End MMIP PI# 0001758</b>
<b>Topic</b>	<b>Agency Scoping Meeting</b>
<b>Date/Time:</b>	November 21 <sup>th</sup> , 2019 - 9:30 – 11:30 AM
<b>Location:</b>	GDOT One Georgia Center Room 310

## II. Attendees

Name	Email	Agency or Firm
Daniel Lowrey	<a href="mailto:Daniel.lowrey@jacobs.com">Daniel.lowrey@jacobs.com</a>	Jacobs
Siska Williams	<a href="mailto:swilliams@dot.ga.gov">swilliams@dot.ga.gov</a>	GDOT
Drew Pitman	<a href="mailto:dpitman@HNTB.com">dpitman@HNTB.com</a>	HNTB
Maureen Wakeland	<a href="mailto:Maureen.wakeland@jacobs.com">Maureen.wakeland@jacobs.com</a>	Jacobs
Melvin Brown	<a href="mailto:msbrown@HNTB.com">msbrown@HNTB.com</a>	HNTB
Katy Allen	<a href="mailto:Katy.allen@dot.gov">Katy.allen@dot.gov</a>	FHWA
Eric Prowell	<a href="mailto:Eric.prowell@fws.gov">Eric.prowell@fws.gov</a>	USFWS
Chetna Dixon-Thomas	<a href="mailto:Chetna.dixon-thomas@dot.gov">Chetna.dixon-thomas@dot.gov</a>	FHWA
Jen Giersch	<a href="mailto:Jennifer.giersch@dot.gov">Jennifer.giersch@dot.gov</a>	FHWA
Meg Hedeem	<a href="mailto:mhedeem@dot.ga.gov">mhedeem@dot.ga.gov</a>	GDOT
Kaelin Priger	<a href="mailto:kpriger@dot.ga.gov">kpriger@dot.ga.gov</a>	GDOT
Jessie Hanna	<a href="mailto:jessie@adriancollaborative.com">jessie@adriancollaborative.com</a>	Adrian Collaborative
Todd Barker	<a href="mailto:todd@adriancollaborative.com">todd@adriancollaborative.com</a>	Adrian Collaborative
Kyle Hood	<a href="mailto:Kyle.hood@dca.ga.gov">Kyle.hood@dca.ga.gov</a>	DCA
Amber Phillips	<a href="mailto:aphillips@dot.ga.gov">aphillips@dot.ga.gov</a>	GDOT
Joseph Rivera	<a href="mailto:Joseph.n.rivera@usace.army.mil">Joseph.n.rivera@usace.army.mil</a>	USACE
Jenna Osbun	<a href="mailto:Jenna.osbun@jacobs.com">Jenna.osbun@jacobs.com</a>	Jacobs
Davey Dobbs	<a href="mailto:ddobbs@vhb.com">ddobbs@vhb.com</a>	VHB
Jennifer Napier	<a href="mailto:jnapier@vhb.com">jnapier@vhb.com</a>	VHB
Bill Cox	<a href="mailto:Bill_Cox@nps.gov">Bill_Cox@nps.gov</a>	NPS
Deanna Greco	<a href="mailto:Deanna_Greco@nps.gov">Deanna_Greco@nps.gov</a>	NPS
Steven Wright	<a href="mailto:Steven_m_wright@nps.gov">Steven_m_wright@nps.gov</a>	NPS
Ntale Kajumba	<a href="mailto:kajumba.ntale@epa.gov">kajumba.ntale@epa.gov</a>	EPA
Laci Pattavina	<a href="mailto:laci.pattavina@dnr.ga.gov">laci.pattavina@dnr.ga.gov</a>	GADNR, WRD

## III. USACE

- a. USACE sent comments to FHWA regarding a strategy for future coordination
  - i. Discussed USACE's Need and Purpose comments
- b. Hannah Held (via Robert Brown) will coordinate with USACE on upcoming site visits. Need to first identify high priority/ high risk resources to make site visits more efficient
- c. The purpose of the site visits is to agree on delineations and the quality of resources; focus will be on questionable resources
  - i. To address community types and remaining habitat it will be necessary to record the percentage of existing habitats and percentage of disturbed habitat
    1. Separate mapping will be required to show these locations

# Meeting Minutes

- d. USACE has request to do site visits for another MMIP project; these efforts will need to be coordinated

## IV. Need and Purpose Comments

- a. USACE comment: Safety is stated as one of the MMIP goals, but Top End focuses on reliable trip times and safety is secondary
  - i. Response: The role of safety will be clarified in updated Need and Purpose (NP)
  - ii. Response: Safety analysis has been done and a summary of this information can be included in NP
- b. USACE comment: Regarding Logical Termini; the north end terminates into two lanes in separate directions
  - i. Need to add a more robust discussion of why this design decision was made
  - ii. This is dissimilar to the other projects
- c. FHWA Comment: The Permitting Time Table will be provided to FHWA headquarters shortly and then available to the public and to agencies via the FHWA website
  - i. Within the NOI review period agencies will review and provide comments to FHWA
  - ii. The public will have access to delivery dates, so they need to be solidified and unchanging
    - 1. FHWA requests that this be the highest priority

## V. NPS

- a. Main NPS focus area is on noise analysis; future noise impacts specific to NPS property
- b. 4(f) analysis
  - i. NPS has a process of estimating the cost of impacts to the visitor experience (loss of enjoyment)
  - ii. This will require more specifics on impacts to waters
- c. Special Use Permits (SUP) are required by NPS for use of park property
  - i. Notify NPS of any proposed activities, they need to be aware for safety and other concerns
- d. With two crossings of the Chattahoochee River (SR 400 and I-285 Top End) NPS brought forth concerns regarding cumulative impacts.

## VI. EPA

- a. The main concerns are noise, water resources, and community impacts (possibly interested in EJ)
- b. Kim Gates would like to be added to email list

## VII. Other

- a. Section 6(f) analysis is underway. CRNRA is a potential: the project will not require conversion of any of this property
  - i. Will be captured in DEIS



## I-285 Top End Express Lanes

### Project Scoping

Project: I-285 Top End Express Lanes,  
GDOT PI No. 0001758  
Cobb, Fulton, and DeKalb Counties

November 21, 2019



1



## Welcome

- Introductions and Roles
- Highlights of Current Scoping Activities
- Brief Overview of One Federal Decision
- Project Description
- Overview of Public Involvement
- Resource Identification and Known Constraints
- Agency Input on Resources, Technical Studies, Coordination
- Upcoming Coordination

2

2

## I-285 Top End Express Lanes: Overview

- Environmental Impact Statement under One Federal Decision (OFD)
- OFD directive achieves 24-month schedule from Notice of Intent to Record of Decision followed by 90-Day Permit Window
- Cooperating Agencies: US Army Corps of Engineers (USACE), National Park Service (NPS)
- Participating Agencies: US Fish and Wildlife Service, Department of Natural Resources, Environmental Protection Agency, others invited
- GDOT Design-Build contract with phased construction through Transportation Funding Act (TFA)

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## Scoping Activities

- Notice of Intent October 29, 2019, published November 4, 2019
- Project Initiation Packages and invitations provided via electronic access for review and input from:
  - Cooperating Agencies
  - Participating Agencies
  - Local/Regional Organizations and Non-Participating Agencies
  - Local Governments
  - 12 Recognized Tribes
  - Available to public in open access web site
- Comments are welcome and requested by first week of December

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## Scoping Activities

- Established procedures from GDOT, FHWA, and other resource agencies for project delivery and permitting
- Public Information Open Houses scheduled in January 2020
- Scoping Report will summarize:
  - Obtain input from agencies and public
  - Determine lead/cooperating/participating agencies
  - Determine if documents address the proposed action
  - Identify public involvement needs
  - Identify environmental issues

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## Agency Coordination and Environmental Review

- Procedures for One Federal Decision (OFD)
- Environmental Review Under OFD
- Concurrence Points for Cooperating Agencies:
  1. Need and Purpose
  2. Range of Alternatives
  3. Preferred Alternative
- Resource agencies review special studies following GDOT processes
- Cooperating and Participating Agencies along with General Public: Review and comment on Draft EIS

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## Draft Environmental Impact Statement (DEIS)

- Problems that the proposed project is intended to solve
- The affected environment
- A range of alternatives
- Likely impacts of the proposed action on a variety of environmental factors, in proportion to their significance
- Coordination with project stakeholders and interested parties
- Mitigation strategies

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## Mitigation Plan

- Potential mitigation measures for unavoidable impacts
- Compensatory mitigation for the Section 404 Individual Permit
- Presented in the DEIS for agency and public comment

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## Combined Final EIS/Record of Decision (ROD)

- Discuss of the outcome of the public review period
- Provide any revised information or data since the publication of the DEIS or any modifications to the proposed action
- Disclose the decision of FHWA on the proposed action
- Following OFD requirements, all permit authorization decisions to be issued within 90 days after the ROD is authorized
- Primary federal authorization anticipated is permitting under Section 404 by USACE

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## Project Background and Initial Planning

- TFA 2015 and Major Mobility Investment Program (MMIP)
- Notice of Intent
- Agency Scoping Invitations
  - Cooperating Agencies
  - Participating Agencies
  - Non-participating Agencies
  - Local Agencies and Organizations
  - Section 106 Consultation

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## Major Mobility Investment Program



\$11 billion program including federal and state funding



Innovative delivery and public-private partnerships to accelerate projects



Includes five express lanes projects

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## MMIP Project Locations



<b>Interchange Reconstruction:</b>	<b>I-285 Advanced Improvement Projects:</b>
<ol style="list-style-type: none"> <li>1. I-16/I-95</li> <li>2. I-285/I-20 West</li> <li>3. I-285/I-20 East</li> </ol>	<ol style="list-style-type: none"> <li>13. I-285 Westbound Collector-Distributor Lanes</li> <li>14. I-285/Peachtree Industrial Boulevard Interchange Improvements</li> <li>15. I-285 Westside Railroad Crossings</li> <li>16. I-285 Westside Bridge Replacements</li> <li>17. I-285 Eastside Bridge Replacements</li> <li>18. I-285 Westbound Auxiliary Lane Extension</li> </ol>
<b>Express Lanes:</b>	
<ol style="list-style-type: none"> <li>4. I-285 Eastside</li> <li>5. I-285 Top End East</li> <li>6. I-285 Top End West</li> <li>7. I-285 Westside</li> <li>8. SR 400</li> </ol>	
<b>Interstate Widening:</b>	
<ol style="list-style-type: none"> <li>9. I-85 Phase I</li> <li>10. I-85 Phase II</li> <li>11. I-16</li> </ol>	
<b>Commercial Vehicle Lanes:</b>	
<ol style="list-style-type: none"> <li>12. I-75</li> </ol>	

Top End Project is a combination of 5 and 6 as construction phases

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**GDOT** Georgia Department of Transportation

## Need and Purpose

	Summary of Needs	Corresponding Project Purposes
	Trip times on the I-285 top end corridor are anticipated to become more unreliable in the future as traffic volumes and corresponding delays increase.	Provide reliable trip times for commuters
	The existing EL network is missing a connection in this part of Atlanta, which creates interruptions in driver route options.	Improve regional accessibility and connectivity through priced ELs that integrate with the greater metro Atlanta EL network
	Delayed solutions to the current and future traffic concerns will be inconsistent with TFA legislation.	Accelerate project delivery following the TFA legislation in response to the urgency of traffic conditions

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**GDOT** Georgia Department of Transportation

## I-285 Top End Express Lanes: Benefits

- Travel time savings = more personal time with social benefits and improved quality of life
- Economic benefits, such as lower fuel consumption and less vehicle wear/maintenance costs
- Improved access for commuting = employers' improved ability to recruit and retain skilled workers
- More efficient travel = lower vehicle emissions and improved air quality
- Shorter on-the-clock/travel times for goods movement/freight on the GP lanes

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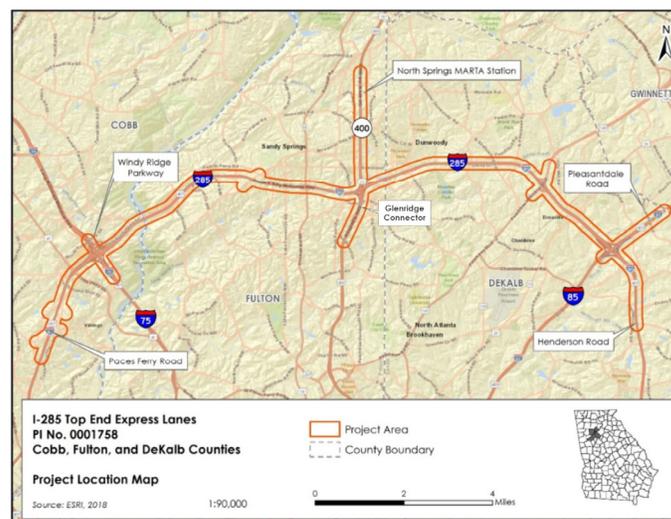
## Introduction

- The I-285 Top End Express Lanes project:
  - Barrier-separated ELs along the I-285 top end corridor and SR 400
- Studied as one project with construction in two phases:
  - The I-285 Top End West: ELs in both directions from Paces Ferry Road (Exit 18) to SR 400.
  - The I-285 Top End East: ELs in both directions from Henderson Road to SR 400 and along SR 400 from south of Glenridge Connector north to the Metropolitan Atlanta Rapid Transit Authority (MARTA) North Springs Station.
- Total of approx. 22.5 miles
- System-to-system connections are proposed with existing EL systems at I-75 Northwest Corridor (NWC) and at I-85 ELs.

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## I-285 Top End ELs Project Location Map



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## Public Involvement

- Input is requested from agencies about hearings, notices, or other requirements
- Agencies receive notifications of dates, times, and locations for PIOHs and PHOHs and are invited to attend
- After FHWA approves DEIS, series of PHOHs will allow stakeholders and public viewing of the DEIS
- Summary of comments received, response letters, provided to agencies
- Summary of complete public involvement comment process included in the FEIS/ROD

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## Environmental Resources and Constraints

- Social Environment
- Cultural Environment
- Natural Environment
- Physical Environment

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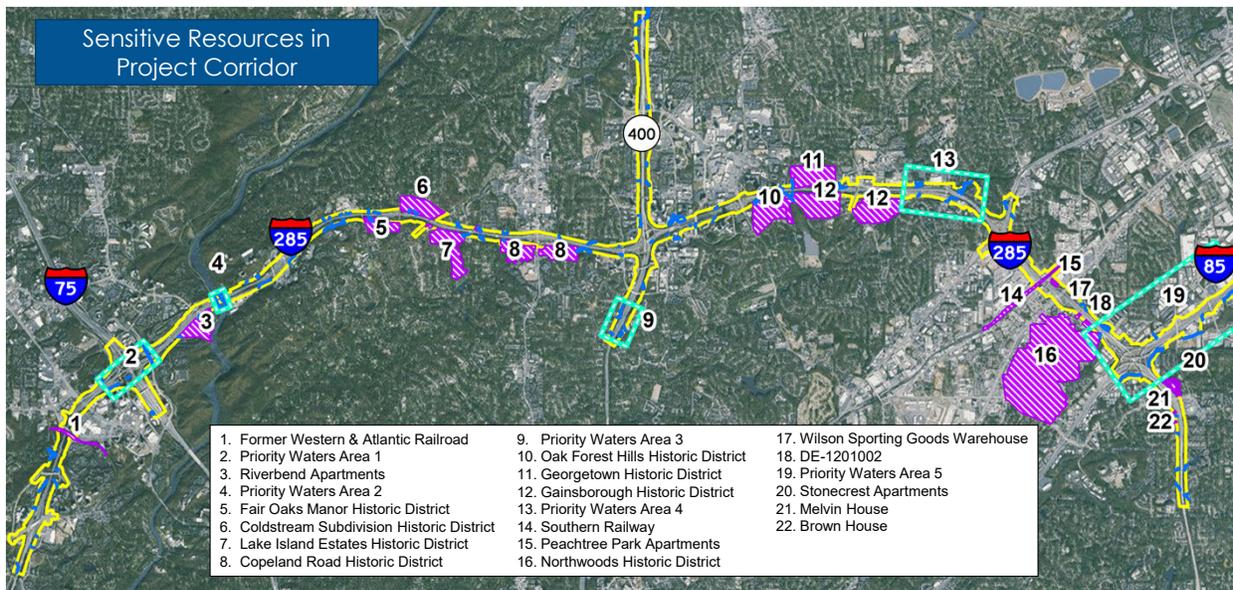
## I-285 Top End Express Lanes: Documentation

Document	Current Status
HRSR	<ul style="list-style-type: none"> <li>In GDOT OES review</li> <li>Eligible or listed resources will be subject of Cultural Resources Assessment of Effects</li> <li>Adverse effects for land conversion to the project will require avoidance analysis under Section 4(f)</li> </ul>
ARDVRq	<ul style="list-style-type: none"> <li>In GDOT OES review</li> <li>Site visit to be held November/December 2019</li> <li>To be transmitted to USACE January 2020</li> </ul>
ERSR	<ul style="list-style-type: none"> <li>Approved by FHWA Spring 2018</li> <li>Resource changes since transmittal will be included with Ecology Assessment of Effects Report</li> </ul>
ARSR	<ul style="list-style-type: none"> <li>ARSR Management Summary Complete; Resource Report in PMC review</li> </ul>

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### Sensitive Resources in Project Corridor



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## I-285 Top End Express Lanes: Environmental Constraints

- 141 total jurisdictional waters
  - 53 perennial streams
  - 45 intermittent streams
  - 9 ephemeral channels
  - 1 feature with both intermittent and ephemeral reaches
  - 23 wetlands
  - 10 open waters
- Five priority ecology areas for design focus, based on:
  - Longitudinal encroachments
  - High Quality (including Chattahoochee River)
  - Protected species concerns
  - Connection to other waters

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## I-285 Top End Express Lanes: Environmental Constraints

- No federal or state protected species observed (habitat only)
- Section 4(f) Resources
  - Chattahoochee National Recreational Area
  - Allen Park
  - Linear parks and trails
  - One listed historic resource
  - 12 eligible historic resources; 7 additional potentially-eligible resources
- Three schools within corridor
- Neighborhoods

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## I-285 Top End Express Lanes: Protected Species Habitat

- No federal species listed for project area per USFWS
- Terrestrial species (state) with suitable habitat
  - Pink lady's slipper (*Cypripedium acaule*)
  - Indian olive (*Nestronia umbellula*)
  - Bay star-vine (*Schisandra glabra*)
  - Georgia aster (*Symphyotrichum georgianum*)
- Aquatic species (state) with suitable habitat (presence assumed)
  - Chattahoochee crayfish (*Cambarus howardi*) (17 streams)
  - Bluestripe shiner (*Cyprinella callitaenia*) (9 streams)

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## I-285 Top End Express Lanes: General Habitat Info

- Developed/maintained: 84.30%
- Mixed pine/hardwood forest: 11.75%
- Planted pine: 2.05%
- Upland hardwood forest: 1.11%
- Bottomland hardwood forest: 0.43%
- Ruderal: 0.20%
- Water: 0.16%

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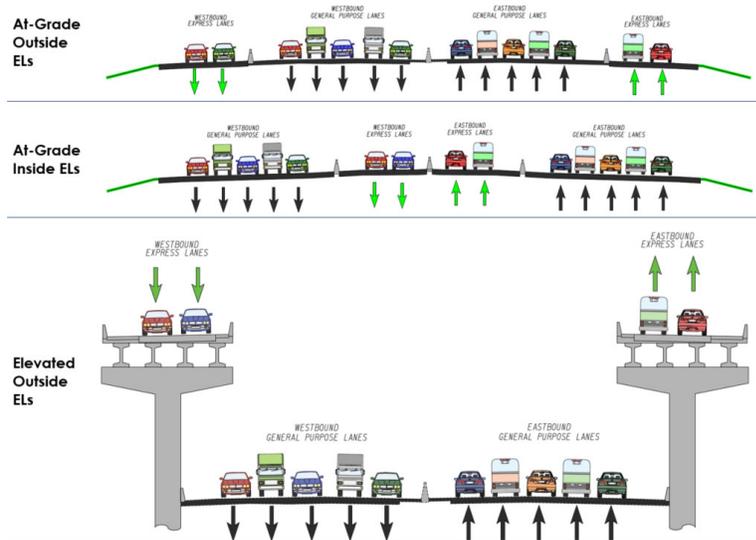
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## I-285 Top End Express Lanes: Alternatives Considered

- Many potential express lane configurations have been considered
- Priority on EL system connectivity to meet need and purpose
- No-Build scenario = all other projects in regional plan constructed, including adjacent EL projects in MMIP
- 12 typical sections evaluated for costs, preliminary footprint/right-of-way impacts, engineering/constructability factors
- 3 of these typical sections were selected; the 9 others would have increased impacts, costs, and traffic disruption or constructability issues

## Alternatives Under Consideration

- No-Build Alternative
- Build Alternatives





### I-285 Top End Express Lanes: At-Grade Outside Rendering



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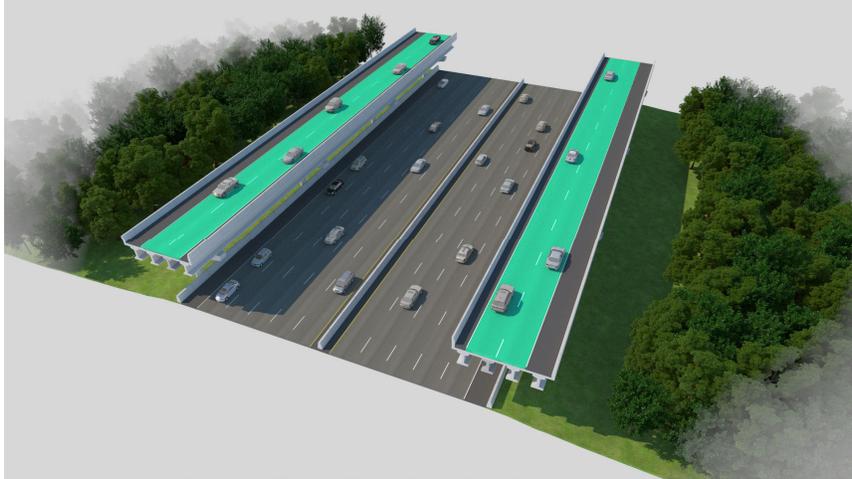
### I-285 Top End Express Lanes: At-Grade Inside Rendering



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## I-285 Top End Express Lanes: Elevated Outside Rendering



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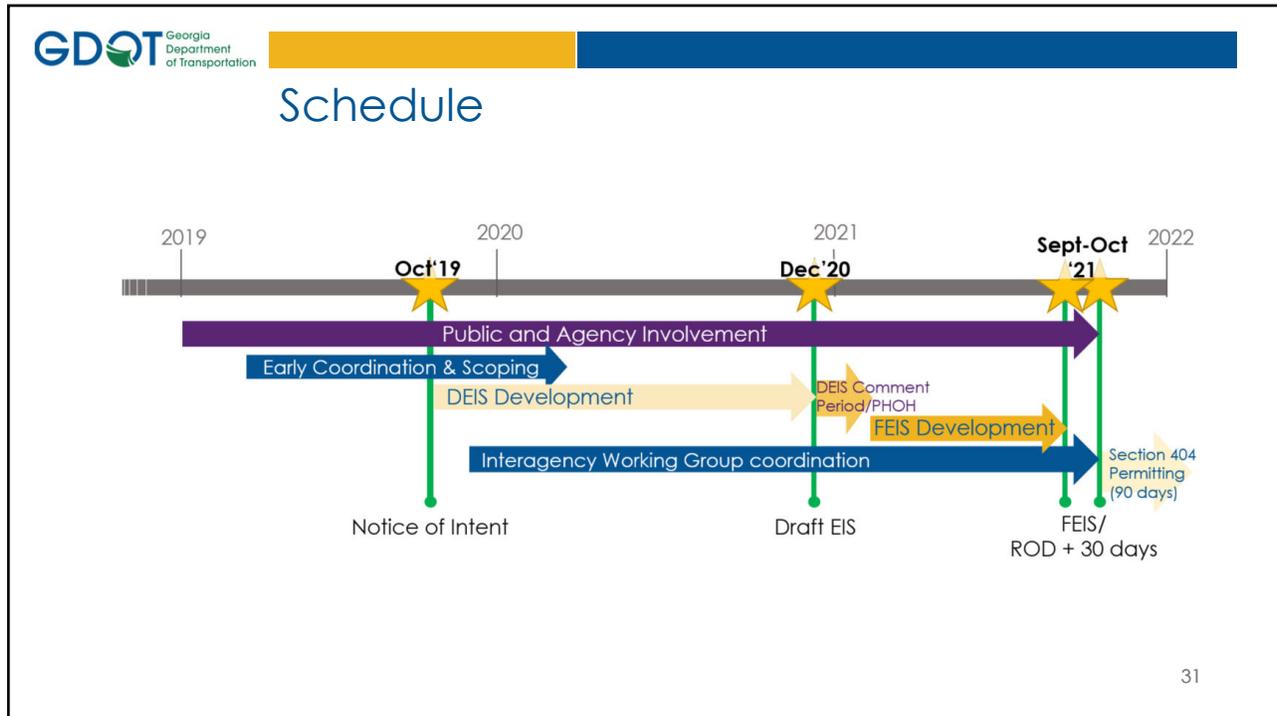
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## I-285 Top End Express Lanes: Timeline

- Alternatives Review and Refinement:** continuing into Spring 2020
- Public Information Open Houses:** introduce concept layouts January 2020
- Special Studies:** Fall 2019 through mid 2020
- Preliminary Draft Individual Permit:** concurrent with Draft EIS - Fall 2020
- Draft Individual Permit Application:** concurrent with Final EIS - Summer 2021
- Individual Permit Authorization:** 90 days after Record of Decision - early 2022
- Developer Phased Construction:** start East in 2023 – finish West in 2032

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## **Appendix B: Agency Scoping Correspondence**

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**Subject:** EPA's Response to GDOT's Notice of Intent for I-285 Top End Express Lanes EIS

**From:** Gates, Kim [<mailto:Gates.Kim@epa.gov>]  
**Sent:** Thursday, January 23, 2020 7:30 PM  
**To:** Marrero, Moises (FHWA) <[Moises.Marrero@dot.gov](mailto:Moises.Marrero@dot.gov)>; [tmatthews@dot.ga.gov](mailto:tmatthews@dot.ga.gov)  
**Cc:** Kajumba, Ntale <[Kajumba.Ntale@epa.gov](mailto:Kajumba.Ntale@epa.gov)>  
**Subject:** EPA's Response to GDOT's Notice of Intent for I-285 Top End Express Lanes EIS

January 23, 2020

Mr. Moises Marrero, Division Administrator  
Federal Highway Administration  
61 Forsyth Street, Suite 17T100  
Atlanta, GA 30303

SUBJ: Notice of Intent for I-285 Top End Express Lanes Environmental Impact Statement

Dear Mr. Marrero:

The U.S. Environmental Protection Agency (EPA) is responding to the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) for the I-285 Top End Express Lanes in the Georgia counties of Cobb, Fulton, and DeKalb. The NOI was published in the Federal Register on November 4, 2019.

The EPA has reviewed the NOI in accordance with our responsibilities under Section 102(2)(c) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act (CAA). Based on the project termini identified in the FY2018-2023 Transportation Improvement Program (<https://documents.atlantaregional.com/transportation/TIP19/Q4/TIP%20Project%20List%20-%20ARCID%20-%202012-05-2019.pdf>), we have the following concerns about potential environmental impacts along the 13.12-mile corridor from the I-75 interchange in Cobb County east to the I-85 interchange in DeKalb County.

**Air Quality.** Cobb, Fulton, and DeKalb counties are not in attainment with the 2015 8-hour ozone ambient air quality standard ([https://www3.epa.gov/airquality/greenbook/anayo\\_ga.html](https://www3.epa.gov/airquality/greenbook/anayo_ga.html)), so transportation conformity is required pursuant to CAA Section 176(c). Please ensure the project is consistent with both state and federal air quality standards.

Given the proximity of the I-285 top end to residential areas and schools (discussed below), the EPA recommends evaluating the potential impact of the project on ambient levels of particulate matter with diameters equal to and less than 2.5 micrometers (PM<sub>2.5</sub>) and mobile source air toxics (MSATs). As described in the article entitled "As 285/400 interchange expands, air pollution is a concern" published on September 29, 2018 (<https://www.reporternewspapers.net/2018/09/29/as-285-400-interchange-expands-air-pollution-is-a-concern/>), the Atlanta Regional Commission's (ARC's) Atlanta Roadside Emissions Exposure Study (AREES, <https://atlantaregional.org/natural-resources/air-quality/air-quality/>) identified higher PM<sub>2.5</sub> levels in the project corridor, with "[t]he most intense estimated pollution . . . in Sandy Springs between Long Island and Glenridge drives. Allen Road Park, featuring a playground and sports courts, is within that area." Using AREES, the ARC created an interactive map (<https://atlregional.github.io/dispersion/>) to depict PM<sub>2.5</sub> concentrations at sensitive sites, namely schools and hospitals. Regarding MSATs, the EPA's MOtor Vehicle Emission Simulator (MOVES) estimates emissions for mobile sources at the national, county, and project level for criteria air pollutants, greenhouse gases, and air toxics. The latest version, MOVES2014b, was released in August 2018 (<https://www.epa.gov/moves/latest-version-motor-vehicle-emission-simulator-moves>).

Furthermore, preventive action is needed during construction to minimize short-term air impacts. The EPA advocates controlling fugitive dust and implementing measures to reduce diesel emissions, such as switching to cleaner fuels, retrofitting current equipment with emission reduction technologies, repowering older engines with newer cleaner engines, replacing older vehicles, and reducing idling through operator training and/or contracting policies.

**Contaminated Sites.** The EPA’s online NEPAassist mapping tool (<https://www.epa.gov/nepa/nepassist>) identified a number of facilities regulated under Subtitle C of the Resource Conservation & Recovery Act (RCRA) in the project corridor. Considering that many of these facilities have RCRA Subtitle I petroleum underground storage tanks (USTs), which are not tracked in NEPAassist, the EPA recommends coordinating with the Georgia Environmental Protection Division’s (EPD’s) Hazardous Waste Corrective Action and UST Management Programs (<https://epd.georgia.gov/land-protection-branch-programs-and-units>) to update the Limited Phase I Environmental Assessment conducted in 2012 (discussed in the Environmental Assessment for the I-285 and State Route (SR) 400 Interchange Reconstruction Project, <http://www.dot.ga.gov/BuildSmart/Projects/Documents/I285SR400/Environmental/EnvironmentalAssessment-Pg1-401.pdf>) and to ensure all sites with potential contamination are identified.

NEPAassist did not report any federal Superfund sites in the project vicinity. The nearest federally-funded Brownfield site is the former General Motors Assembly Plant in Doraville ([https://cfpub.epa.gov/bf\\_factsheets/gfs/index.cfm?event=factsheet.display&display\\_type=PDF&xpg\\_id=9103](https://cfpub.epa.gov/bf_factsheets/gfs/index.cfm?event=factsheet.display&display_type=PDF&xpg_id=9103)), which is undergoing redevelopment (<https://www.ajc.com/news/local/mattress-company-and-self-driving-shuttle-are-coming-dekalb/MfpROcpJhvLRBtgMKb9o9L/>). More information about Brownfield sites and EPA cleanup actions in other programs is available in the Cleanups in My Community mapping tool (<https://www.epa.gov/cleanups/cleanups-my-community>).

**Cumulative Impacts.** The EPA appreciates the media-specific discussions of cumulative impacts in the Environmental Assessment for the I-285 and SR 400 Interchange Reconstruction Project. Please provide similar analyses in the EIS to address the various ongoing and planned projects in the I-285 top end corridor.

**Environmental Justice.** Based on the information in the EPA’s online EJSCREEN tool (<https://www.epa.gov/ejscreen>), upwards of 15,000 people live within 1,000 feet of the project corridor, including statistically significant populations of minorities, people with low incomes, people with Limited English Proficiency (LEP), and children under five years of age.

I-285 Segment	Approximate Population	% Minority	% Low Income	% Linguistically Isolated	% Less than High School Education	% Under 5 Years of Age	% Over 64 Years of Age
I-75 to Chattahoochee River (Cobb County)	688	63	21	9	4	8	3
Chattahoochee River to Heards Dr (Fulton County)	531	18	9	3	1	3	26
Heards Dr to Lake Forrest Dr (Fulton County)	505	8	15	12	2	5	37
Lake Forrest Dr to SR 400 (Fulton County)	4935	78	63	36	37	11	6
Fulton/DeKalb line to Chamblee Dunwoody Rd (DeKalb County)	2153	56	15	6	3	5	8
Chamblee Dunwoody Rd to Peachtree Industrial Blvd (DeKalb County)	4516	59	22	8	8	7	10
Peachtree Industrial Blvd to I-85 (DeKalb County)	1610	91	71	41	39	15	5

Statistical significance, highlighted in yellow in the table, was determined by comparing the EJSCREEN results with State and county\* demographic data as follows:

- ? The minority population in the Cobb County segment – from I-75 to Chattahoochee River - exceeds the averages for the State (46%) and the County (48.5%). Also, the low income population is larger than the State average (37%).
- ? In the Fulton County segment from Lake Forrest Drive to SR 400, the minority population surpasses the State (46%) and County (60.3%) averages, and the low income population exceeds the State average (37%)
- ? In the three DeKalb County segments, the minority populations are larger than the State average (46%), but only one segment - from Peachtree Industrial Boulevard to I-85 - has a higher percentage than the County average (70.8%). The low income populations in two segments are larger than the State average (37%).
- ? Notable LEP populations are present in the segments from Lake Forrest Drive to SR 400 (State avg = 3%, Fulton County avg = 13.5%) and from Peachtree Industrial Boulevard to I-85 (DeKalb County avg = 19%). Larger than average populations of children under the age of 5 are also present in these two segments (State avg = 6%, Fulton County avg = 5.9%, DeKalb County avg = 6.9%).

\*Sources of county demographic data:

- ? Cobb County, <https://www.census.gov/quickfacts/cobbcountygeorgia>
- ? Fulton County, <https://www.census.gov/quickfacts/fultoncountygeorgia>
- ? DeKalb County, <https://www.census.gov/quickfacts/dekalbcountygeorgia>

It was reported last year that widening I-285 to accommodate the express lanes will impact more than 300 properties (<https://www.reporternewspapers.net/2019/04/19/300-properties-could-be-affected-by-i-285-top-end-toll-lanes-project/>). Pursuant to Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (<https://www.epa.gov/laws-regulations/summary-executive-order-12898-federal-actions-address-environmental-justice>), residential displacements should not disproportionately impact these populations.

In light of the presence of statistically significant LEP populations, we recommend complying with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (<https://www.fhwa.dot.gov/civilrights/programs/lep.cfm>), as described in the Federal Highway Administration's publication *How to Engage Low-Literacy and Limited-English-Proficiency Populations in Transportation Decisionmaking* ([www.fhwa.dot.gov/planning/publications/low-limited/](http://www.fhwa.dot.gov/planning/publications/low-limited/)).

Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks (<https://www.epa.gov/children/executive-order-13045-protection-children-environmental-health-risks-and-safety-risks>), directs federal agencies (and their designees) to minimize environmental health and safety risks to children, and to prioritize the identification and assessment of the risks that may have a disproportionate impact on children. Considering the presence of higher than average populations of children under five years of age and the following seven schools within 500 feet of I-285, the EPA recommends assessing children's potential exposures to PM2.5 and MSATs:

- ? Heards Ferry Elementary, 6151 Powers Ferry Road NW, Sandy Springs 30339, <https://www.fultonschools.org/heardsferrys>;
- ? Riverwood International Charter School, 5900 Raider Drive, Sandy Springs 30328, <https://school.fultonschools.org/hs/riverwood/Pages/default.aspx>;
- ? Tabula Rasa – The Language Academy/Bilingual School of Atlanta, 5855 Riverside Drive #4336, Atlanta 30327, <https://www.trlanguages.com/>;
- ? Springmont School (formerly known as First Montessori School of Atlanta), 5750 Long Island Drive, Atlanta 30327, <https://www.springmont.com/>;

- ? Solidarity School at Holy Spirit Catholic Center, 120 Northwood Drive, Suite B5-8, Sandy Springs 30342, <https://georgiabulletin.org/news/2014/12/solidarity-school-helps-children-learn-english-prepare-for-kindergarten/>;
- ? La Dee Da – A Creative Play & Party School, 120 Allen Road NE, Sandy Springs 30328, <https://ladeedastudio.com/>; and,
- ? Ashford Academy, 4472 Chamblee Dunwoody Road, Dunwoody 30338, <http://ashfordacademychildcare.com/>.

Exposure to traffic-related air pollution has been linked to a variety of short- and long-term health effects, including impaired lung development in children. “Studies show that concentrations of traffic-related air pollutants can be elevated inside classrooms, and that traffic is one of the most significant sources of air pollution in both the indoor and outdoor school environments” ([https://www.epa.gov/sites/production/files/2015-10/documents/ochp\\_2015\\_near\\_road\\_pollution\\_booklet\\_v16\\_508.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/ochp_2015_near_road_pollution_booklet_v16_508.pdf)). Other studies have shown that roadside vegetation reduces a population’s exposure to air pollution through the interception of airborne particles or through the uptake of gaseous air pollution. “Noise barriers combined with mature vegetation have . . . been found to result in lower ultrafine particle concentrations along a highway transect compared to an open field or a noise barrier alone” ([https://cfpub.epa.gov/si/si\\_public\\_record\\_report.cfm?Lab=NRMRL&dirEntryId=321772](https://cfpub.epa.gov/si/si_public_record_report.cfm?Lab=NRMRL&dirEntryId=321772)).

**Public Participation.** According to the Public Involvement Plan (PIP) dated October 25, 2019 (<https://majormobilityga.com/projects/topend/document-library/>), targeted outreach measures to involve minority and low-income communities will be developed and implemented in accordance with guidance from GDOT, FHWA, and the EPA. Of note is that Ms. Tami Thomas-Burton is the Regional Environmental Justice Coordinator ([thomas-burton.tami@epa.gov](mailto:thomas-burton.tami@epa.gov), 404-562-8027).

The neighborhood maps in Appendix A of the PIP contain numerous errors and omissions. Given the number of people living within 1,000 feet of the project corridor and the anticipated extent of residential impacts, these maps should be updated. In addition to conducting drive-by surveys, the ARC’s ‘Subdivisions & HOAs in Sandy Springs’ mapping tool ([https://opendata.atlantaregional.com/datasets/2ca25875672f4b02ab2eb648d134622d\\_125](https://opendata.atlantaregional.com/datasets/2ca25875672f4b02ab2eb648d134622d_125)) and the City of Sandy Springs’ Neighborhood Map (<https://www.google.com/maps/d/viewer?ie=UTF8&hl=en&msa=0&ll=33.91002981880682%2C-84.36684619055177&spn=0.142423%2C0.240326&z=14&source=embed&mid=1X3FSW04r4yAKZfNm-nuXi4T89xo>) are good resources.

We also recommend maintaining an up-to-date list of homeowner associations and apartment management companies in an appendix to document adequate community engagement. Other noteworthy PIP maintenance items include current hyperlinks to referenced policies (i.e., GDOT’s Noise Abatement Policy) and project websites (namely the Facebook page and <https://majormobilityga.com/projects/topend/>).

**Section 4(f) Resources.** No sites in the National Register of Historic Places (NRHP) are located within 0.25 mile of the project corridor. NRHP-eligible sites were identified in the 2010 Historic Resources Survey (HRS) Report prepared for the **revive285 top end** Project and in the 2014 HRS Report for the I-285 and SR 400 Interchange Reconstruction Project (<http://www.dot.ga.gov/BuildSmart/Projects/Documents/I285SR400/Environmental/EnvironmentalAssessment-Pg1-401.pdf>). Please consult with the State Historic Preservation Office – the Georgia Department of Natural Resource’s Historic Preservation Division - about updating this information and including it in the EIS.

Potentially impacted recreational and park lands include the Cochran Shoals (<https://www.crnra.vip/wp-content/uploads/2019/05/Cochran-Shoals-Interstate-N.pdf>) and Powers Island (<https://www.crnra.vip/wp-content/uploads/2019/05/Cochran-Shoals-Powers-Island.pdf>) units of the Chattahoochee River National Recreation Area, Allen Park in Sandy Springs (also known as Allen Road Park, <http://www.sandyspringsga.gov/Home/Components/FacilityDirectory/FacilityDirectory/6/2645?backlist=%2F%2Fplaces-to-visit%2Fcity-parks>), and Murphey Candler Park in Brookhaven (<https://www.brookhavenga.gov/parksrec/page/murphey-candler-park>). Use of land in these areas, other than de

minimis use, cannot be approved if a feasible and prudent alternative exists and all possible planning to minimize harm has not occurred.

Section 4(f) properties sometimes include recreational facilities at public schools and publicly-owned trails ([https://www.environment.fhwa.dot.gov/env\\_topics/4f\\_tutorial/properties\\_other.aspx](https://www.environment.fhwa.dot.gov/env_topics/4f_tutorial/properties_other.aspx)). Please coordinate with Fulton County Schools regarding the facilities at Heards Ferry Elementary (<https://www.fultonschools.org/heardsferryes>) and Riverwood International Charter School (<https://school.fultonschools.org/hs/riverwood/Pages/default.aspx>), and review the trail systems owned by local municipalities in the project corridor: Cobb County (<https://cobbcountyga.maps.arcgis.com/apps/MapJournal/index.html?appid=55470d12c0814f1f8c68e96724610e87>), the City of Sandy Springs (<http://www.sandyspringsga.gov/home/showdocument?id=21757>), and the City of Dunwoody (<https://dunwoodyga.gov/ckeditorfiles/files/Parks%20&%20Recreation/Dunwoody%20Trailway%20Map%20October%202017.pdf>).

**Special Designations.** I-285 from I-75 to SR 400 is located in a Water Supply Watershed ([http://northgeorgiawater.org/wp-content/uploads/2017/03/2017-03-31\\_Attachment-1\\_UpperChattRBP.pdf](http://northgeorgiawater.org/wp-content/uploads/2017/03/2017-03-31_Attachment-1_UpperChattRBP.pdf)). In addition to crossing the segment of the Chattahoochee River - between Morgan Falls Dam and Peachtree Creek - that supplies 70% of metropolitan Atlanta's drinking water, the roadway traverses waterbodies that discharge to this river segment. The EIS should address the protection criteria in Georgia Rule 391-3-16-.01 ([http://www.georgiaplanning.com/documents/EnvironmentalPlanning/EnviroPlanningRulesEPD\\_DNR.pdf](http://www.georgiaplanning.com/documents/EnvironmentalPlanning/EnviroPlanningRulesEPD_DNR.pdf)), especially vegetative buffers and allowable impervious surface densities to prevent contaminating water sources to the point where they cannot be treated to drinking water standards.

**Stormwater Management.** Cobb, Fulton, and DeKalb counties are Phase I MS4 permittees ([https://epd.georgia.gov/sites/epd.georgia.gov/files/related\\_files/site\\_page/Phase%20I%20L%20%26%20M%20Permittee%20list%20060917.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/related_files/site_page/Phase%20I%20L%20%26%20M%20Permittee%20list%20060917.pdf)), so the stormwater management requirements in GDOT's MS4 permit will be triggered if the project disturbs more than one acre of contiguous land. Considering the 13-mile length of the corridor and the reported expansion of I-285 by 50 feet on either side (<https://www.reporternewspapers.net/2019/04/19/300-properties-could-be-affected-by-i-285-top-end-toll-lanes-project/>), it appears that more than one acre of contiguous land will be disturbed. Furthermore, the impervious surface of the new lanes – at least 159 acres – will generate significant quantities of stormwater during rain events.

The project is located in the Upper Chattahoochee River sub-basin and the roadway crosses the river as well as various tributaries. Stormwater from the roadway discharges to these surface waters (<https://www.epa.gov/waterdata/waters-geoviewer>). And, because the more intense, high-velocity stormwater flows generated by impervious surfaces cause erosion and sedimentation, the degraded surface water quality no longer supports fish and/or macroinvertebrate populations. The following waterbodies in the project corridor are verified impaired by the Georgia EPD (<https://epd.georgia.gov/georgia-305b303d-list-documents>) and have approved Total Maximum Daily Loads (TMDLs) (<https://epd.georgia.gov/chattahoochee-river-basin-tmdl-reports>). TMDL Implementation Plans and/or Watershed Improvement Plans have also been prepared to restore designated uses.

- ? Rottenwood Creek (Headwaters to Chattahoochee River)
  - o Designated Use: Fishing
  - o Impaired for biota (macroinvertebrates)
  - o TMDLs for fecal coliform (2008) and sediment (2017)
  - o TMDL Implementation Plan,  
[https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL\\_Implementation\\_Plans/Chattahoochee/0313000111/TMDLIP\\_RottenwoodCreek\\_0313000111\\_Y2004.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL_Implementation_Plans/Chattahoochee/0313000111/TMDLIP_RottenwoodCreek_0313000111_Y2004.pdf)
- ? Chattahoochee River (Morgan Falls Dam to Peachtree Creek)
  - o Designated Uses: Drinking water, recreations
  - o Impaired for *Escherichia coli*, fecal coliform, and polychlorinated biphenyl (PCB) contamination in fish tissue
  - o TMDLs for fecal coliform (2008) and PCBs (2003)

- TMDL Implementation Plans
  - ✍ Fecal coliform, [https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL\\_Implementation\\_Plans/Chattahoochee/Chattahoochee\\_ProgramPlans/TMDLIP\\_ChattFlintPS\\_FC\\_Y2004.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL_Implementation_Plans/Chattahoochee/Chattahoochee_ProgramPlans/TMDLIP_ChattFlintPS_FC_Y2004.pdf)
  - ✍ PCBs, [https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL\\_Implementation\\_Plans/Chattahoochee/Chattahoochee\\_ProgramPlans/TMDLIP\\_Chatt\\_FCG\\_PCB\\_Y2004.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL_Implementation_Plans/Chattahoochee/Chattahoochee_ProgramPlans/TMDLIP_Chatt_FCG_PCB_Y2004.pdf)
- ? Long Island Creek (Headwaters to Chattahoochee River)
  - Designated Use: Fishing
  - Impaired for fecal coliform and biota (fish)
  - TMDLs for fecal coliform (2008) and sediment (2008)
  - TMDL Implementation Plan for fecal coliform, [https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL\\_Implementation\\_Plans/Chattahoochee/0313000111/TMDLIP\\_RottenwoodCreek\\_0313000111\\_Y2004.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL_Implementation_Plans/Chattahoochee/0313000111/TMDLIP_RottenwoodCreek_0313000111_Y2004.pdf)
  - Watershed Improvement Plan, <http://www.sandyspringsga.gov/home/showdocument?id=676>
- ? Nancy Creek (Headwaters to Peachtree Creek)
  - Designated Use: Fishing
  - Impaired for fecal coliform and biota (fish)
  - TMDLs for fecal coliform (2008) and sediment (2008)
  - TMDL Implementation Plan for fecal coliform, [https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL\\_Implementation\\_Plans/Chattahoochee/0313000111/TMDLIP\\_RottenwoodCreek\\_0313000111\\_Y2004.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL_Implementation_Plans/Chattahoochee/0313000111/TMDLIP_RottenwoodCreek_0313000111_Y2004.pdf)
  - Watershed Improvement Plans
    - ✍ City of Sandy Springs, <http://www.sandyspringsga.gov/home/showdocument?id=680>
    - ✍ City of Brookhaven, <https://www.brookhavenga.gov/publicworks/project/nancy-creek-watershed-improvement-plan>
- ? North Fork Peachtree Creek (Headwaters to Peachtree Creek)
  - Designated Use: Fishing
  - Impaired for fecal coliform and biota (fish & macroinvertebrates)
  - TMDLs for fecal coliform (2008) and sediment (2008 and 2017)
  - TMDL Implementation Plan for fecal coliform, [https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL\\_Implementation\\_Plans/Chattahoochee/0313000111/TMDLIP\\_RottenwoodCreek\\_0313000111\\_Y2004.pdf](https://epd.georgia.gov/sites/epd.georgia.gov/files/tmdl/TMDL_Implementation_Plans/Chattahoochee/0313000111/TMDLIP_RottenwoodCreek_0313000111_Y2004.pdf)
  - Watershed Improvement Plan, [https://www.brookhavenga.gov/sites/default/files/fileattachments/peachtree\\_creek\\_greenway/page/3911/draft\\_northforkpeachtreecreek\\_wip\\_051818.pdf](https://www.brookhavenga.gov/sites/default/files/fileattachments/peachtree_creek_greenway/page/3911/draft_northforkpeachtreecreek_wip_051818.pdf)

Stormwater runoff can also cause significant stream damage by bottom downcutting. As reported in Appendix B of the City of Brookhaven’s Nancy Creek Watershed Improvement Plan, North Fork Nancy Creek is “incised with banks reaching 16 feet above normal water level in locations.” Please evaluate the adequacy of the existing stormwater management system during project planning and incorporate the needed improvements during construction. Moreover, for consistency with the TMDLs and implementing plans, best management practices should be implemented during and post-construction to avoid and minimize surface water impacts.

**Waters of the United States.** In accordance with Section 404 of the Clean Water Act, the project should avoid and minimize, to the maximum extent practicable, placement of dredged or fill material in jurisdictional waters listed in the U.S. Fish & Wildlife Service’s National Wetlands Inventory (<https://www.fws.gov/wetlands/data/mapper.html>). The I-285 top end corridor crosses the following jurisdictional waterbodies:

- ? Rottenwood Creek,
- ? Chattahoochee River,
- ? Long Island Creek and one unnamed tributary,

- ? Perimeter Creek and one unnamed tributary,
- ? North Fork Nancy Creek,
- ? Nancy Creek and one unnamed tributary, and
- ? North Fork Peachtree Creek and one unnamed tributary.

Furthermore, as documented in the Environmental Assessment for the I-285 and SR 400 Interchange Reconstruction Project, Georgia EPD identified additional jurisdictional waters in April 2012. Please include this information in the EIS.

If impacts to jurisdictional waters cannot be avoided, then the project may require U.S. Army Corps of Engineers (Corps) permitting. Any wetlands losses allowed under a Corps permit may also have to be mitigated (<https://www.sas.usace.army.mil/Missions/Regulatory/Mitigation.aspx>).

The EPA appreciates the opportunity to provide input on the I-285 Top End Express Lanes project. We look forward to receiving two hard copies and one electronic (i.e., on CD) of the draft EIS. Please send the draft EIS to the attention of Ms. Ntale Kajumba with a courtesy copy of the transmittal letter to me. Also, please include me on your mailing list. Contrary to the information in the Agency Coordination Plan dated October 25, 2019 ([https://majormobilityga.com/wp-content/uploads/2019/10/00001758\\_2019-10-23\\_NEPA\\_OFD\\_ACP\\_FHWA.pdf](https://majormobilityga.com/wp-content/uploads/2019/10/00001758_2019-10-23_NEPA_OFD_ACP_FHWA.pdf)), I am the primary Point of Contact and Project Coordinator for the EPA's Region 4 office. If you have any questions, I can be contacted at (404) 562-9261 or via email at [gates.kim@epa.gov](mailto:gates.kim@epa.gov).

Sincerely,

*Kim Gates*

Kim Gates, Environmental Engineer  
NEPA Section  
Strategic Programs Office  
USEPA Region 4  
61 Forsyth Street SW  
Atlanta, GA 30303-8960

cc: Tim Matthews/GDOT

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**From:** Gates, Kim <[Gates.Kim@epa.gov](mailto:Gates.Kim@epa.gov)>  
**Sent:** Wednesday, December 18, 2019 7:15 PM  
**To:** Kajumba, Ntale <[Kajumba.Ntale@epa.gov](mailto:Kajumba.Ntale@epa.gov)>  
**Subject:** GDOT's Notice of Intent for I-285 Top End Express Lanes EIS

Published on Nov 4, 2019.

<https://www.federalregister.gov/documents/2019/11/04/2019-24032/notice-of-intent-environmental-impact-statement-i-285-top-end-express-lanes-in-cobb-fulton-and>

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**Hands-free cell phone use is the law when driving in Georgia.** When drivers use cell phones and other electronic devices it must be with hands-free technology. There are many facets to the law. For details, visit <https://www.gahighwaysafety.org/highway-safety/hands-free-law/>



U.S. Department  
of Transportation  
**Federal Highway  
Administration**

**Georgia Division**

January 7, 2020

61 Forsyth Street SW  
Suite 17T100  
Atlanta, Georgia 30303  
Phone 404-562-3630  
Fax 404-562-3703  
[Georgia.fhwa@fhwa.dot.gov](mailto:Georgia.fhwa@fhwa.dot.gov)

In Reply Refer To:  
HPD-GA

Mr. William Boyajan  
Fulton County Schools  
Director of Land Management  
6201 Powers Ferry Road NW  
Atlanta, GA 30339

Dear Mr. Boyajan,

Thank you for your December 6, 2019 letter of response providing comments on behalf of the Fulton County School District regarding the I-285 Top End Express Lanes Project Initiation Package. In response to your request, the Fulton County School District will be considered a participating agency for this project pursuant to 23 USC § 139(d).

We appreciate your bringing to our attention some of the key concerns regarding Fulton County School District resources, specifically, the Heards Ferry Elementary School, Riverwood High School and Fulton County Schools Administration Center. The Georgia Department of Transportation (GDOT) will continue to coordinate with you about these concerns as the design alternatives for the project are developed.

If you have any questions regarding the process and/or the I-285 Top End Express Lanes project in general, please contact Jennifer Giersch, Environmental Coordinator at (404)562-3653 ([Jennifer.Giersch@dot.gov](mailto:Jennifer.Giersch@dot.gov)).

Sincerely,

*Katy L. Allen, P.E.*

*fu*

Moises Marerro  
Division Administrator

December 6, 2019

Via Email: [Jennifer.Giersch@dot.gov](mailto:Jennifer.Giersch@dot.gov)  
And Certified U.S. Mail

Jennifer Giersch, Environmental Coordinator  
Georgia Division  
Federal Highway Administration  
61 Forsyth Street, S.W.  
Suite 17T100  
Atlanta, GA 30303-3104

RE: Fulton County School District – Initial Comments on Initiation Package for I-285 Top End Express Lanes Project (GDOT PIN 0001758)

Dear Ms. Giersch,

On behalf of the Fulton County School District (“FCS”) we are writing to respond to GDOT’s invitation of November 7, 2019, to comment on the Initiation Package for GDOT’s I-285 Top End Express Lanes Project (GDOT PIN 0001758) (the “Project”). FCS appreciates the invitation and opportunity to comment on the Initiation Package comprised of: (1) Notice of Intent to Prepare an Environmental Impact Statement; (2) Noise Barrier Fact Sheet; (3) Public Involvement Plan; (4) Draft Agency Coordination Plan; and (5) Need and Purpose Statement. Our initial comments follow:

**FCS Involvement as a Participating Agency.** The Draft Agency Coordination Plan currently categorizes FCS as a “Local Non-Participating Agency/Local Agency or Organization.” Based on FCS’ special interest in the Project, we respectfully request FCS be classified and included as a Participating Agency in the Project pursuant to 23 USCA § 139(d).

- a) FCS operates 753 buses within Fulton County and has special expertise in traffic patterns in the Project area. The Project impacts approximately 2,612 families serviced by FCS’ Heards Ferry Elementary School and Riverwood High School who travel to and from these schools during the school year; and 773 staff members employed at these schools and the FCS Administration Center year-round. Moreover, in a broader sense, the current and future traffic patterns related to the I-285 Top End affect numerous FCS families and staff beyond the three specific properties addressed in this letter, and also the transportation planning and routes for the FCS bus system. Accordingly, the Project may potentially result in significant negative and positive impacts to FCS operations and the community of families it serves. For these reasons, FCS requests to be included as Participating Agency in the Project with respect to all discussions and document distributions.

- b) Additionally, FCS constructs and renovates the public schools and facilities which serve the K-12 students and families within the Fulton County School District. FCS has special expertise in design, planning, construction and school safety and security requirements for FCS schools and facilities. As a participating agency, FCS' will be able to share its expertise in these requirements for consideration as the Project proceeds.

**Adding the FCS Schools and Facilities Impacted by the Project to Appendix A, Public Involvement Plan.**

The Public Improvement Plan includes an Appendix A which lists and maps neighborhoods, apartment complexes, multi-use complexes, assisted living facilities, townhome complexes and condominiums that are located adjacent to the Project. We believe the following FCS schools and facilities are also located adjacent to the Project and we respectfully request these properties be added to the map on Appendix A to the Public Involvement Plan:

- 1) Heards Ferry Elementary School  
Tax Parcel ID #: 17 0173LL220  
6151 Powers Ferry Road, NW  
Sandy Springs, GA 30339
- 2) Riverwood High School  
Tax Parcel ID #: 17 0173 LL0162  
5900 Raider Drive  
Sandy Springs, GA 30328
- 3) Fulton County Schools Administration Center  
Tax Parcel ID #: 17 0205LL0222  
6201 Powers Ferry Road, NW  
Atlanta, GA 30339

**Consideration of Alternatives.** We are concerned that the Project will negatively impact the safety and security of the students, families and staff serviced by Heards Ferry Elementary School and Riverwood High School. In regard to Heards Ferry Elementary School, initial plans that we have seen show that the project may displace the existing buffer between the school and I-285 with elevated express lanes. We expect this to substantially increase noise in the classroom and in fact it may require retrofitting the building structures and relocating certain activities. Likewise, the initial plans that we have seen regarding Riverwood High School show the buffer between the school and I-285 being removed and elevated express lanes being placed right against the athletic fields, requiring removal of some of the football field lighting. We believe that elevated lanes in such close proximity to students will have a seriously detrimental effect on school and extra-curricular activities. Moreover, these facilities have public use beyond school functions, so the impact will be on the general public as well.

In addition, the plans we have seen will have a very significant impact on the FCS Administration Center. This Center is the main hub for FCS operations, with 535 employees. Initial plans show the loss of approximately 25 parking spaces, and will require substantial structural retrofits to the facility, including structural walls and HVAC systems. This plan will have a significant detrimental effect on FCS operations.

Therefore, while we recognize the need to provide safe and efficient transportation, FCS respectfully requests GDOT consider other alternatives at these sites and wishes to be part of the discussion

regarding potential alternatives that will be considered as part of the EIS process as a participating agency.

Best regards,

A handwritten signature in blue ink, appearing to read "William C. Boyajan", with a long, sweeping horizontal stroke extending to the right.

William Boyajan  
Director of Land Management

cc: Dr. Mike Looney  
Mr. Patrick Burke  
Fulton County Board of Education



# United States Department of the Interior



## NATIONAL PARK SERVICE

Atlanta Federal Center  
1924 Building  
100 Alabama Street, SW  
Atlanta, GA 30303

IN REPLY REFER TO:  
1.A.2. (SERO-PC)

NOV 21 2019

Mr. Moises Marrero  
Division Administrator  
Federal Highway Administration  
61 Forsyth Street, SW  
Atlanta, Georgia 30303

Dear Mr. Marrero:

The National Park Service (NPS) has reviewed the draft Purpose and Need Statement dated October 25, 2019, for the proposed Interstate 285 (I-285) Top End Express Lanes project in Cobb and DeKalb Counties, Georgia, Georgia Department of Transportation (GDOT) project number 0001758.

Pursuant to Executive Order (E.O.) 13807, the NPS, as a formal cooperating agency with authorization decision responsibilities for this proposed project, has no comments regarding the draft Purpose and Need statement and has determined it will meet our National Environmental Policy Act (NEPA) obligations moving forward to the alternatives development stage.

We appreciate the opportunity to comment on this project. The NPS has a continuing interest in working with the Federal Highway Administration and GDOT to ensure that impacts to resources of concern to the NPS are adequately addressed. Should you have any questions, please contact Mr. William Cox, Superintendent, Chattahoochee River National Recreational Area, by calling (678) 538-1211.

Sincerely,

Ben West  
Chief, Planning and Compliance Division

**INTERIOR REGION 1 • NORTH ATLANTIC-APPALACHIAN\***  
**INTERIOR REGION 2 • SOUTH ATLANTIC-GULF**  
**INTERIOR REGION 4 • MISSISSIPPI BASIN\***

ALABAMA, FLORIDA, GEORGIA, KENTUCKY, LOUISIANA, MISSISSIPPI, NORTH CAROLINA,  
PUERTO RICO, SOUTH CAROLINA, TENNESSEE, U.S. VIRGIN ISLANDS

\*PARTIAL



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT  
100 W. OGLETHORPE AVENUE  
SAVANNAH, GEORGIA 31401-3604

November 13, 2019

Regulatory Division  
SAS-2006-02132  
P.I. No. 0001758

Mr. Moises Marrero  
Division Administrator  
Federal Highway Administration  
61 Forsyth Street, SW  
Atlanta, Georgia 30303

Dear. Mr. Marrero:

I refer to the submittal, dated October 29, 2019, regarding the proposed 18-mile, Interstate 285 Top-End Express Lanes (I-285 Top End) project corridor. The Federal Highway Administration (FHWA) currently operates as lead federal agency for this project. The I-285 Top End project would involve the construction of barrier-separated express lanes (ELs) in both directions along the I-285 Top End corridor and State Route 400. The project corridor is located from just south of Paces Ferry Road to Henderson Road, and along 3.5 miles of State Route 400 (SR 400) from south of the Glenridge Connector to the vicinity of the North Springs MARTA Station, in Cobb, DeKalb, and Fulton Counties, Georgia. The Top-End project would be constructed in two phases: I-285 Top End West and I-285 Top End East.

This project, as proposed, would improve reliability of trip/travel times along these routes, provide operational improvements and efficiencies, enhance mobility and safety, reduce severe congestion along key freight and passenger corridors, and improve regional connectivity across the State by expanding to other EL systems located throughout the greater Atlanta metro area. This project would also connect the Interstate 75 Northwest Corridor ELs to the west and Interstate 85 ELs to the east. The necessity for managed lanes projects was evaluated through projected population increases and other several key planning initiatives, including GDOT's 2010 Atlanta Regional Managed Lane System Plan and their 2015 (updated) Managed Lanes Implementation Plan. The project would include proposed interchange improvements, the construction of collector-distributor lanes, access point modifications throughout the corridor, and the addition of managed lanes along both sides of I-285. Along the I-285 corridor, two ELs would head in each direction, tapering down to one EL heading in each direction at each end of the project. Along SR 400, one EL would head in each direction, beginning south of the Glenridge Connector to the I-285/SR 400 interchange, and two ELs would then head in each direction from the interchange to the North Springs MARTA station.

Based on our review of the Purpose and Need Statement (Statement), we provide the following comments:

- 1) The Statement does not specifically identify the I-285 Top End Project as one of the Major Mobility Investment Program (MMIP) projects, other than identifying it through the use of exhibits; Section 1.1.3 would benefit through the direct identification that the I-285 Top End project is one specific component of the overall MMIP's objectives. Therefore, we recommend further refining this section of the Statement, addressing I-285 Top End as an MMIP project.
- 2) The Statement utilizes ARC data and outlines population projections through Year 2040 (Section 1); however, the Statement further utilizes available ARC data to project traffic models throughout Year 2052 (Section 2.1.1). We recommend that all forecasts project through the same ranges.
- 3) We recommend utilizing the same terminology when discussing ELs (i.e., EL system, EL network, EL facility, or EL project) in any future reporting to generalize ELs with respect to this project and to streamline the discussion of proposed ELs.
- 4) We recommend including a discussion regarding the northern termini along SR 400.

As a result of reviewing the information provided, we concur with the purpose and need statement with the assumption that the above actions can be addressed to resolve concerns with this project. We appreciate the opportunity to provide this input and look forward to further cooperating with continual review of this project.

If you have any questions, please contact Mr. Joseph Rivera, Project Manager, Management Branch, at [joseph.n.rivera@usace.army.mil](mailto:joseph.n.rivera@usace.army.mil) or at (678) 422-2723.

Sincerely,

**METIVIER.STEVE**  
**N.V.1228803185**

Digitally signed by  
METIVIER.STEVEN.V.1228803185  
Date: 2019.11.14 08:38:11  
-05'00'

Steven V. Metivier  
Acting Chief, Regulatory Division

## Appendix C: PIOH Summary Response Letters



**Russell R. McMurry, P.E., Commissioner**  
One Georgia Center  
600 West Peachtree NW  
Atlanta, GA 30308  
(404) 631-1990 Main Office

**MARCH 27, 2020**

Re: Responses to Public Information Open House Comments for PI# 0001758, Cobb, Fulton, and DeKalb Counties, I-285 Top End Express Lanes

Thank you for your comments concerning the proposed I-285 Top End Express Lanes project. The proposed project would construct approximately 22 miles of new at-grade and elevated, barrier-separated express lanes (EL) in both directions on I-285 from just south of Paces Ferry Road in Cobb County to Henderson Road in DeKalb County, and along SR 400 from the Glenridge Connector to the North Springs MARTA Station. Two lanes in both directions are proposed between I-75 and I-85, and single lanes in both directions are proposed from I-75 south to Paces Ferry Road and I-85 south to Henderson Road. The proposed express lanes would improve mobility and travel-time reliability along the Top End for drivers and improve connections between regional destinations through express lanes that integrate with the greater metro Atlanta express lanes network.

We appreciate your participation and input from the Public Information Open Houses (PIOHs) held on January 21, 23, 28, and 30, 2020. Every written, electronic, and verbal comment given to the court reporter will be part of the project's official record. A total of **722** people attended the PIOHs. Of the **485** respondents who formally commented, **82** were in support of the project, **250** were opposed, **33** were uncommitted, **109** expressed conditional support, and **11** were unspecified.

The attendees of the PIOHs and those submitting comments raised a number of questions. Due to the volume and breadth of comments, not all topics can be covered in a response letter. Therefore, the Georgia Department of Transportation (GDOT) has provided a summary of comments and responses herein. GDOT will provide additional detailed responses in the future to more thoroughly address the comments received as an update to this summary letter. This first response letter is intended to provide guidance on how to review our full detailed response which will be available online in April/May 2020. The public will be notified once the full detailed response is available on the I-285 Top End EL project website housed in the "Document Library" portion of the website: <https://majormobilityga.com/projects/topend/>. To request a hard copy of the full detailed response which will be available later in the spring, please contact GDOT environmental analyst Kaelin Priger at 404-631-1362. Please note, a full detailed response for the three I-285 Top End Advanced Improvement Projects (AIP) presented at the January 2020 PIOH series will be distributed in conjunction with this summary letter.

It should be noted that the comments addressed in this response are related to GDOT's responsibilities on the I-285 Top End EL project only. There are several other major transportation projects currently underway in the same area: SR 400 EL, I-285 Eastside EL, I-285 Westside EL, and three of the six I-285 AIPs, which are all currently in conceptual planning. For more information on those projects, please visit the Major Mobility Improvement Program (MMIP) website: <https://majormobilityga.com/> and click on "Projects" to learn more. For information on the Transform 285/400 Interchange project, which is currently under construction, please visit <http://www.dot.ga.gov/BuildSmart/Projects/Pages/I285SR400.aspx>. We have received comments related to these projects and have forwarded public input to the appropriate project teams.

There were a number of comments received covering various topics which are anticipated to be covered in the official I-285 Top End Express Lane detailed response to public comments. These include:

- *Project Information and Schedule* – Information about the project development process, funding, public involvement, local government involvement, and project timeline.
  - The project is currently in the preliminary engineering phase which includes the environmental process. The final project design will be advanced by the successful bidder (Developer) upon award of the contract.
  - Project funding comes from the passage of the 2015 Transportation Funding Act (TFA) by the Georgia General Assembly and from the Federal Highway Administration (FHWA). Additionally, the project is anticipated to be delivered using a Public-Private Partnership (P3) contracting model, whereby GDOT solicits bids from private investors, equity partners, and Developers for the project. The successful bidder will partner with GDOT and secure financing for the design and construction of the project.
  - The project will be constructed as two smaller packages to maximize competition, maintain competitive pricing, and phase construction for improved maintenance of traffic during construction. The eastern portion of Top End is proposed to begin construction in 2023, and the western portion of Top End is proposed to begin construction in 2026. The schedule can be viewed online as part of the MMIP here: [https://cdn.majormobilityga.com/wp-content/uploads/2020/02/25141413/MMIP-Timeline-Updated\\_03-1.pdf](https://cdn.majormobilityga.com/wp-content/uploads/2020/02/25141413/MMIP-Timeline-Updated_03-1.pdf).
  - The project website serves as an information hub with project updates, fact sheets, displays, meeting announcements, and contact information.
- *Design Considerations and Alternatives Analysis* – Information about the current design of the project and suggestions for alternatives. The displays shown at the PIOHs represent the current proposed concept based on data and input received to date. The project team will continue to refine the concept as additional project information and data are collected through coordination with stakeholders, public comment, and technical studies. The public will have an additional opportunity to view the concept, including any revisions, at the Public Hearing Open House (PHOH). Concerns from the community included at-grade vs. elevated lanes, pedestrian facilities, proposed bridge replacements, and potential detour location and duration.
- *Access Points* – Information about how access points were identified based on travel demand, stakeholder input, and potential changes in local traffic patterns/volumes.
- *Express Lanes and Tolling* – Information about tolling from the State Road and Tollway Authority (SRTA), and equity considerations. General information about express lanes can be found at this link: <http://www.dot.ga.gov/DriveSmart/GEL/Documents/GEL/FAQ.pdf>.
- *Noise* – Information about the noise analysis GDOT uses as a part of the National Environmental Policy Act (NEPA) process and potential noise abatement measures (i.e., barriers). The I-285 Top End EL project noise impact assessment is underway, and results will be shared at the PHOH anticipated to be held next year. Noise barriers along part of the corridor will be installed in multiple locations as a part of the Transform 285/400 project. The Transform 285/400 noise barriers will be installed independent of the assessment for the I-285 Top End EL project. The project team recognizes the concerns voiced by the community regarding noise, the potential noise impacts of the project, and the desire for timely information regarding noise barriers.

- *Potential School Impacts* – Information about potential right-of-way (ROW), air, noise, and traffic impacts to schools along the corridor, in addition to concerns regarding safety in proximity to elevated lanes, noise/air pollution/visual impacts to students and staff.
- *Right-of-Way* – Information on GDOT's ROW and property acquisition process, proposed schedule, and property appraisals. For more information on the GDOT's ROW process, please visit: <http://www.dot.ga.gov/PS/ROW>.
- *Transit* - Information about the role of transit in the express lanes system and the I-285 Top End EL. The project is being designed to not preclude studies or implementation of transit by others.
- *Community Concerns* - Information on specific concerns voiced by communities within or near the project corridor including property impacts, potential land use and landscaping, visual impacts, noise, amenities, environmental impacts and concerns, and effects of multiple construction projects occurring along the Top End corridor, and more. As the comments received touch upon a variety of topics, the project team will address those related to this project and forward those outside the scope of the project to the appropriate parties.

Again, thank you for your comments. The concerns of the stakeholders along the corridor are being considered by subject matter experts. We take your comments seriously and information on the above topics, and others, will be made available on the project website in April/May 2020:

<https://majormobilityga.com/projects/topend/>. In addition to this letter, there will be more opportunities in the future for continued engagement with GDOT as the design of I-285 Top End EL project progresses. If you would like to receive email updates about this project, please email [TopEndExpressLanes@dot.ga.gov](mailto:TopEndExpressLanes@dot.ga.gov) and request to be added to the email list.

Should you have further questions, comments, or concerns, please contact the MMIP program manager Tim Matthews, P.E. at [tmatthews@dot.ga.gov](mailto:tmatthews@dot.ga.gov) or 404-978-7490 or the environmental analyst, Kaelin Priger, at [kpriger@dot.ga.gov](mailto:kpriger@dot.ga.gov) or 404-631-1362.

Sincerely,



Eric Duff  
State Environmental Administrator

ED/KP/md

cc: Tim Matthews, P.E., GDOT MMIP Program Manager (via email)  
Representative Erick Allen  
Representative Teri Anulewicz  
Representative Matt Dollar  
Representative Scott Holcomb  
Representative Josh McLaurin  
Representative Deborah Silcox  
Representative Mike Wilensky  
Representative Matthew Wilson

Senator John Albers  
Senator Sally Harrell  
Senator Emanuel Jones  
Senator Jennifer Jordan  
Senator Michael Rhett  
Senator Horacena Tate  
Kevin Abel, GDOT Board Member  
PDF for Project File



**Russell R. McMurry, P.E., Commissioner**  
One Georgia Center  
600 West Peachtree NW  
Atlanta, GA 30308  
(404) 631-1990 Main Office

**APRIL 14, 2020**

William Boyajan  
Director of Land Management  
Fulton County Schools  
Administrative Building  
6201 Powers Ferry Road NW  
Atlanta, Georgia 30339

Re: Comment Letter, GDOT I-285 MMIP Impacts to Fulton County Schools, HPD-GA

Dear Mr. Boyajan,

Georgia Department of Transportation (GDOT) is in receipt of your Public Information Open House (PIOH) comment letter concerning the I-285 Top End Express Lanes project. Georgia DOT understands Fulton County Schools (FCS) concern and remains committed to working with FCS and all project stakeholders to minimize impacts to the greatest extent practicable.

Georgia DOT considers alternatives based on feedback received from the PIOH series, crafting balanced engineering solutions to address concerns from all stakeholders. Public safety and security are of paramount importance to Georgia DOT, and at the forefront of our engineering solutions.

In addition to planned and frequent coordination with you, FCS and the public will have another key opportunity to provide formal comments via the Public Hearing Open House (PHOH) series anticipated in early 2021. The project team will coordinate meetings and checkpoints with FCS in the coming weeks.

The I-285 Top End Express Lanes project team looks forward to continuing to work with FCS as a participating agency and a key community stakeholder.

Sincerely,

A handwritten signature in blue ink that reads 'Eric Duff'.

Eric Duff  
State Environmental Administrator

Copy to:  
Jennifer Giersch, FHWA Environmental Coordinator  
Tim Matthews, P.E., GDOT  
Tim Hatton, AICP, Consultant  
Michael Nader, P.E., Consultant

February 25, 2020

Georgia Department of Transportation  
Attn: Mr. Eric Duff  
600 West Peachtree Street NW  
16<sup>th</sup> Floor  
Atlanta, GA 30308

RE: GDOT I-285 MMIP Impacts to Fulton County Schools, HPD-GA

To GDOT MMIP:

As a public body with a commitment to community engagement, and a participating agency, the Fulton County School System (FCS) appreciates the recent Public Information Open Houses (PIOH) held by the Georgia Department of Transportation regarding its Major Mobility Investment Program (MMIP) for Top End I-285 Express Lanes. FCS operates an extensive fleet of school buses, over 116 facilities and numerous construction projects every year and can appreciate the complexity of a public infrastructure project of this nature. In addition, the system is appreciative of the efforts by GDOT staff and officials to keep an ongoing dialogue about the project.

FCS has three facilities directly impacted by the this I-285 MMIP project: Riverwood High School, Heard's Ferry Elementary School, and FCS's Administrative Building. The MMIP will impact the school district's ability to provide a safe and secure environment for students, staff, parents, and the greater school community, which will in turn, impact FCS's primary focus and the ability to educate children.

FCS will continue to communicate with GDOT regarding the MMIP and its impact to FCS, particularly as we see more detailed plans regarding the proposed project and its alternative layouts, and FCS would like to have a specific dialogue in that regard. Below are currently known, general concerns. These are not meant to include all concerns, nor are these expected to be the conclusion of FCS's comments; rather, the intent is to place on record, the numerous concerns FCS has regarding the MMIP on the FCS school communities as they are understood now with the limited amount of information provided to date.

Below is a list of FCS's general comments and concerns:

- The MMIP project will impact the safety and security of the FCS schools and facilities, including students, staff, parents and the community.
- Construction near the facilities, and certainly potential relocation, will be disruptive and impact FCS's ability to educate children, particularly during the school year
- FCS should be thought of as a community of 25,000 – 30,000 people (students, parents, and staff) that will be affected, in contrast to being considered as an owner of three parcels.
- The MMIP may impact FCS's ability to meet and satisfy the Georgia Department of Education (GA DOE) Facility Requirements for the facilities listed above.

- Based on the currently available plans, direct Impacts to FCS facilities are anticipated to include:
  - Availability of adequate educational facilities for all students
  - Accessibility for special needs students
  - Intramurals and public use of sports fields
  - Adequate buffers for safety, sound abatement, and air quality
  - Landscaping
  - Availability of playgrounds and playground equipment
  - Fencing necessary to ensure the safety and security of students and staff
  - Existing building and structures
  - Underground utilities
- During construction and post construction, impacts to FCS facilities may also include:
  - Flooding
  - Storm detention
  - Air quality
  - Noise/sound
  - Fire lane access
  - First responder access
  - Proximity to highway
  - Blast explosion
  - Airborne chemicals
  - Safety and security
  - Evacuations
  - Bus and school traffic routing
- Financial impact to the school system may include:
  - Short term impact on general fund expenditures
  - Long term impact on capital plans and future eSPLOST programs
- If FCS property is acquired by GDOT for right-of-way or easements, impacts may include:
  - Timing and scheduling concerns as each facility is impacted
  - Replacement or renovation
  - Property acquisition and reduced site utility
  - Site and building design
  - Loss of visual, noise and security buffer
- Finally, the MMIP project will impact the quality of life for school and community.

FCS looks forward to continued dialogue regarding MMIP and GDOT's openness to potential modifications of planned highway designs. In this regard, participating agency FCS proposes to schedule a meeting at your earliest convenience along with a FHWA representative to discuss the plans and how it may impact school facilities and operations. The district is particularly interested in discussing the alternatives that GDOT has considered, as well as sound walls and physical barriers GDOT plans or which may be installed adjacent to FCS facilities, to mitigate negative impacts of the project. It would also be important to discuss the potential access points for the express lanes and how they may affect the traffic patterns, particularly as it may affect school traffic and bus routes.

Sincerely,

  
 William C. Boyajan  
 Director of Land Management

Cc: Mike Looney, Ph.D., Superintendent  
 Fulton County Board of Education  
 Jennifer Giersch, FHWA Environmental Coordinator