

APPENDIX J

AGENCY COORDINATION PLAN

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I-285 Top End Express Lanes

Cobb, Fulton, and
DeKalb Counties,
PI 0001758, 0017124,
0017135, 0019965

The Final Environmental Impact Statement (EIS) Appendix J, Agency Coordination Plan, has been updated following the publication of the Draft EIS as summarized below:

- Updated references to the EIS to specify Draft versus Final EIS, where applicable.
- Updated Participating Agencies contact information, see Exhibit 3-1.
- Updated “Update Box” to include post-Draft EIS publication public involvement activities, see Section 5, Agency Roles in Public Involvement.
- Updated Permitting Timetable Tracker and Summary Schedule attachments, see Attachments 2 and 3, respectively.

Appendix J of the Draft EIS can be viewed on the Proposed Project website through the following link:

- Draft EIS, Appendix J:
https://www.dot.ga.gov/systems/ProjectDocuments/Projects/0001758_I285TopEnd_ExpressLanes/FactSheets/Appendix%20J%20%E2%80%93%20Agency%20Coordination%20Plan.pdf

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Acronyms and Abbreviations

ACP	Agency Coordination Plan
ARC	Atlanta Regional Commission
CFR	Code of Federal Regulations
CRNRA	Chattahoochee River National Recreation Area
CWA	Clean Water Act of 1977
DCA	Department of Community Affairs
EIS	Environmental Impact Statement
EL	express lanes
EPA	U.S. Environmental Protection Agency
EPD	Environmental Protection Division
ESA	Endangered Species Act
FHWA	Federal Highway Administration
FWCA	Fish and Wildlife Coordination Act
GADNR	Georgia Department of Natural Resources
Georgia DOT	Georgia Department of Transportation
HPD	Historic Preservation Division
I-285	Interstate 285
MMIP	Major Mobility Investment Program
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act
NOI	Notice of Intent
NPS	National Park Service
OFD	One Federal Decision
P.L.	public law
PHOH	Public Hearing Open House
PIOH	Public Information Open House
PIP	Public Involvement Plan

Proposed Project	Interstate 285 Top End Express Lanes Project
PTT	Permitting Timetable
ROD	Record of Decision
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users
SR	state route
U.S.	United States
U.S.C.	United States Code
USACE	U.S. Army Corps of Engineers
USDOT	U.S. Department of Transportation
USFWS	U.S. Fish and Wildlife Service

Revision Log

Version	Revision
April 2023	Update boxes added to highlight project progress since previous Federal Highway Administration approval of Appendix J in 2019.
May 2024	Updated Permitting Timetable (Attachment 2), Summary Schedule (Attachment 3), and NPS contact information.

1. Introduction

This Agency Coordination Plan (ACP) defines the process by which the Georgia Department of Transportation (Georgia DOT) and the Federal Highway Administration (FHWA) will share information about the proposed Interstate 285 (I-285) Top End Express Lanes Project (Proposed Project) with agencies, organizations, and the public, as well as coordinate required agency reviews and authorizations. The Public Involvement Plan (PIP) provides further details regarding how public outreach and stakeholder input will be promoted during Proposed Project development (included in **Appendix I, Public Involvement Plan** of the Final Environmental Impact Statement [EIS]). This ACP establishes the procedures by which Georgia DOT, as lead state agency, and FHWA, as lead federal agency, will interact with cooperating and participating agencies, as well as with other agencies, organizations, and the public.

1.1 Regulatory Framework

For the Proposed Project in Cobb, Fulton, and DeKalb Counties (Georgia DOT PI No. 0001758, 0017124, 0017135, 0019965), Georgia DOT and FHWA are initiating the environmental review process as an EIS. The process will be conducted in accordance with, but not limited to, the following:

- National Environmental Policy Act of 1969 (NEPA) (33 United States [U.S.] Code [U.S.C.] 4332[2][c])
- Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Public Law [P.L.] 109-59)
- Section 4(f) of the U.S. Department of Transportation Act of 1966 (USDOT; 49 U.S.C. 303, as amended)
- Section 404 of the Clean Water Act of 1977 (CWA; 33 U.S.C. 1251)
- FHWA's Regulations on Environmental Impact and Related Procedures (23 Code of Federal Regulations [CFR] 771)
- Moving Ahead for Progress in the 21st Century (P.L. 112-141)
- Fixing America's Surface Transportation Act (P.L. 114-94)
- Section 106 of the National Historic Preservation Act (NHPA; P.L. 96-515)
- Fish and Wildlife Coordination Act (FWCA; 16 U.S.C. 661)
- Section 7 of the Endangered Species Act (ESA; 16 U.S.C. 1531 et seq.)

1.2 Purpose of 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 amended these procedures effective December 4, 2015, further clarifying agency roles and responsibilities. This plan establishes how input from agencies, Tribes, and other interested parties will be solicited and addressed.

The purpose of this ACP is to accomplish the following:

- Identify early coordination efforts.
- Identify cooperating and participating agencies to be involved in the environmental review process.
- Establish formal procedures for agencies to participate during the Proposed Project's development and review process, including the timing and form for agency involvement in defining the Proposed Project's need and purpose and study area, the range of alternatives to be evaluated, evaluation methodologies, selection of the Preferred Alternative, and mitigation strategies.
- Establish the methods for transmittal of information for agency review and comment, as well as deadlines for reviews.
- Facilitate and document the interactions of Georgia DOT and FHWA as lead agencies with other agencies and organizations.
- Establish the timing and form for public opportunities to be involved in defining the Proposed Project's need and purpose and range of alternatives to be investigated, providing input on issues of concern and environmental features, and commenting on the findings presented in the Draft EIS.
- Describe the communications methods that will be utilized to inform the public, agencies, and organizations about the Proposed Project.

This ACP was shared with the public and agencies for review and comments. If revision to the ACP is warranted in response to agency or public comment, a revised document will be distributed.

2. Project Background

Update

In February 2022, the Georgia DOT Major Mobility Investment Program (MMIP) was refined, revising the configuration and timing of adjacent projects. The beginning and ending points of the Proposed Project were adjusted accordingly. The MMIP changes were included in Amendment 6 of the Transportation Improvement Program and Metropolitan Transportation Plan (TIP/MTP).

During the late 1960s, I-285 was constructed as a four-lane highway to allow traffic passing through Metro 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 10-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**.

Studies and planning began shortly thereafter to address requirements of NEPA. In accordance with 23 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 State Route (SR) 400 interchange, known as Transform 285/400. A remaining key component of the original project scope is the addition of managed lanes within the I-285 corridor.

With the Transportation Funding Act of 2015 and the subsequent creation of the Major Mobility Investment Program (MMIP), Georgia DOT began early planning for the Proposed Project as one of 11 initial major transportation projects in Georgia. As defined in the MMIP, the Proposed Project would add new express lanes (ELs) in each direction along the “top end” of I-285 (refer to **Exhibit 2-1**).

In the years between 2015 and 2022, planning for the Proposed Project progressed under the MMIP. In 2016, the project team determined the Proposed Project would be delivered through innovative contracting and financing methods. The Proposed Project was included in the Atlanta Regional Commission’s (ARC’s) 2050 Metropolitan Transportation Plan (MTP).¹

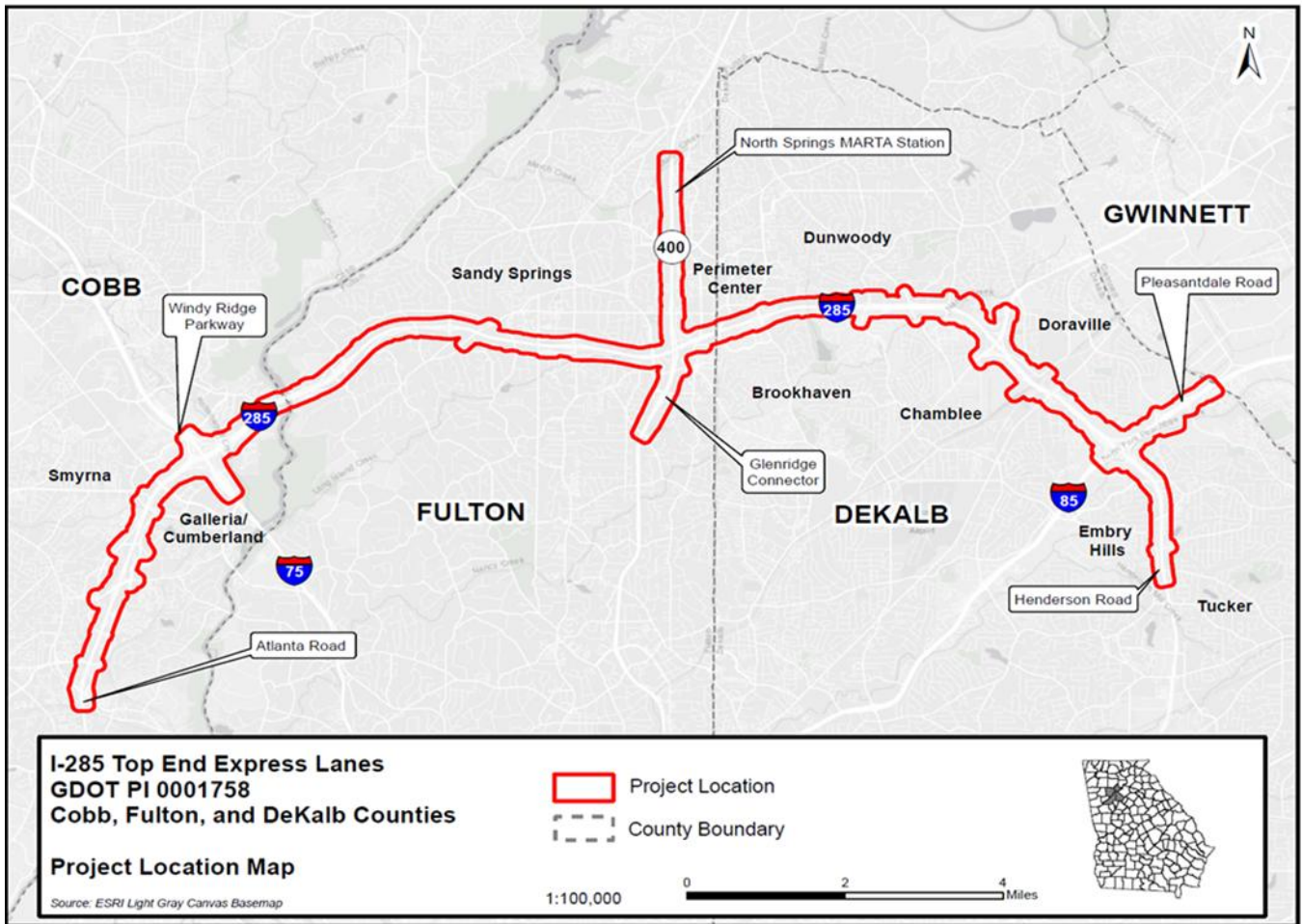
During February 2022, Georgia DOT refined its MMIP, revising the configuration and timing of proposed adjoining projects. As part of the MMIP, the proposed I-285 top end ELs would tie into the planned ELs along SR 400, as well as to the existing Northwest Corridor ELs on I-75 and the existing high-occupancy toll ELs along I-

¹ Atlanta Regional Commission (ARC). 2022. *The Atlanta Region’s Plan*. Metropolitan Transportation Plan. December. <https://cdn.atlantaregional.org/wp-content/uploads/2050-rtp-main-doc.pdf>.

85. The Proposed Project would include improvements required to safely and efficiently transition to the adjacent roadway system.

In 2022, ARC evaluated changes for an amendment to the TIP/MTP, referred to as Amendment 6. ARC received an updated conformity determination by the USDOT and U.S. Environmental Protection Agency (EPA) on January 4, 2023. The changes to the MMIP reflected in Amendment 6 include the configuration and timing of the proposed adjoining I-285 Eastside EL and I-285 Westside EL projects.

Exhibit 2-1: I-285 Top End Express Lanes Project Location Map



Update: Revised Proposed Project Map, 2022

Note: The revised Proposed Project map reflects February 2022 MMIP project updates. Further details may be found on the I-285 Top End Express Lanes webpage at <https://i285topendexpresslanes-gdot.hub.arcgis.com/>.

3. Initial Coordination

On December 18, 2018, Georgia DOT notified FHWA through an initiation letter of its intent to move forward with the Proposed Project following the environmental review process then required by Executive Order 13807 (referred to as One Federal Decision [OFD]), which was subsequently revoked on January 20, 2021 (refer to **Attachment 1**). These state and federal lead agencies began coordination and documentation steps to address OFD procedures that were required at the time before issuing the new NOI (as described in **Section 3.2, Notice of Intent**).

3.1 Early Coordination Meetings

As an introduction to the Proposed 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) now a division within the Department of Community Affairs (DCA) and Environmental Protection Division (EPD). The federal agencies met individually on April 25, 2019; state agency meetings followed on August 26, 2019 (refer to **Attachment 6**).

3.2 Notice of Intent

Update

The NOI was signed October 29, 2019, and published in the *Federal Register* on November 4, 2019.

FHWA rescinded the 2006 NOI for the previous **revive285** project with a notice submitted for publication in the *Federal Register* on September 5, 2019. In October 2019, FHWA issued a new NOI for publication in the *Federal Register* announcing that Georgia DOT and FHWA intend to prepare an EIS for the Proposed Project. The NOI was made available to cooperating and participating agencies, other stakeholders, and the public.

3.3 Agency Invitations and Project Initiation Package

Update

- A project initiation package was uploaded to the project website on November 4, 2019, for review by cooperating agencies, participating agencies, non-participating agencies and organizations, local agencies and organizations, and NHPA Section 106 consulting parties.
- During fourth quarter 2019, both USACE and NPS accepted the role of cooperating agency.

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 will be 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 the following:

- Cooperating agencies
- Participating agencies
- Non-participating agencies and organizations
- Local agencies and organizations
- NHPA Section 106 consulting parties

The project initiation package includes the following documents:

- Draft need and purpose statement
- Draft PIP
- Draft ACP, including a draft project schedule

Copies of the initiation package were shared as online links to download files, along with printed copies upon agency request, with a request for review and comment. Concurrence with the Proposed Project need and purpose was requested from cooperating agencies within the 30-day review period. Other agencies and organizations had 30 days to review and comment. Comments were considered during Proposed Project scoping phase (refer to **Section 6, Scoping**).

3.3.1 Cooperating Agencies

“Cooperating agency” is defined in NEPA under the Council for Environmental Quality 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 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 Council for Environmental Quality regulations (40 CFR 1501.6(b)(3)) permit a cooperating agency to “assume on request of the lead agency responsibility for developing information and preparing environmental analyses including portions of the environmental impact statement concerning which the cooperating agency has special expertise.” An additional distinction is that, pursuant to 40 CFR 1506.3(c), “a cooperating agency may adopt without recirculation of the environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied.” This provision is particularly important to permitting agencies, such as USACE, who, as cooperating agencies, routinely adopt environmental documents.

The cooperating agencies for this Proposed Project are the USACE Savannah District and the NPS, Chattahoochee River National Recreation Area (CRNRA) (refer to **Exhibit 3-1**). The cooperating agencies received copies of the initiation package and a request for concurrence with the Proposed Project need and

purpose. If new information becomes available that would require the designation of any additional cooperating agency, FHWA will issue that agency an invitation.

3.3.2 Participating Agencies

As defined by SAFETEA-LU (Section 6002), “participating agencies” are federal or non-federal governmental agencies that may have an interest in the Proposed Project due to their jurisdictional authority, special expertise, and/or statewide interest. These participating agencies are formally invited to participate in the environmental review process of the Proposed Project. FHWA issued invitations to participating agencies for the Proposed Project on September 13, 2019. The list of agencies invited to participate is included in **Attachment 4**. Participating agencies received copies of the initiation package for their review.

Exhibit 3-1: Lead, Cooperating, and Participating Agencies

Agency Name	Category	Point of Contact
FHWA	Lead Federal Agency	<ul style="list-style-type: none"> • Chetna Dixon-Thomas, Environmental Team Leader • Randy Paulk, Urban Transportation Engineer • Jessica Granell, Environmental Coordinator
Georgia DOT	Lead State Agency	<ul style="list-style-type: none"> • Tim Matthews, MMIP Program Manager • Xavier James, I-285 Top End Express Lanes Project Manager • D.J. Fontenot, NEPA Analyst • Amber Phillips, Assistant State Environmental Administrator
USACE Regulatory Division	Cooperating Agency (Waters of the United States [WOTUS] under Section 404 of CWA)	<ul style="list-style-type: none"> • Edward B. Johnson, Jr., Management Branch Chief • Shaun Blocker, Regulatory Division Team Lead • Nicole Liette, Project Manager
NPS	Cooperating Agency (CRNRA)	<ul style="list-style-type: none"> • Sabrina Henry, Environmental Protection Specialist, Interior Region 2, Planning & Compliance Division • Beth Wheeler, Chief of Planning Resources and Education, CRNRA
USFWS	Participating Agency (ESA, FWCA)	<ul style="list-style-type: none"> • Eric Prowell, Fish and Wildlife Biologist – Transportation Projects, Aquatics
EPA, Region IV	Participating Agency (NEPA Administration and Review)	<ul style="list-style-type: none"> • Kim Gates, NEPA Coordinator • Ntale Kajumba, NEPA Section Chief
GADNR	Participating Agency Wildlife Resources, Water Quality	<ul style="list-style-type: none"> • Anna Truszczynski, EPD
Georgia Department of Community Affairs, Historic Preservation Division	Participating Agency	<ul style="list-style-type: none"> • Jennifer Flood, Division Director and Deputy State Historic Preservation Officer
Fulton County Schools	Participating Agency	<ul style="list-style-type: none"> • William Boyajan, Director of Land Management

If, during Proposed Project development, new information reveals that an agency not previously identified and invited to be a participating agency has authority, jurisdiction, acknowledged expertise, or information or interest relevant to the Proposed Project, then FHWA will issue a subsequent invitation to that agency to participate in the environmental review process. FHWA and Georgia DOT will determine whether this new information affects any decisions previously made.

3.3.3 Non-Participating Agencies and Organizations

Copies of the initiation package were sent to non-participating federal and state agencies with statewide interests. A list of these agencies and organizations is included in **Attachment 4**. Non-participating agencies and organizations may remain involved in the NEPA process. They were included in the initial scoping outreach as points of contact for data required for the study. They will also be furnished copies, or portions of, the EIS document for review and comment, as deemed appropriate by Georgia DOT and FHWA.

3.3.4 Local Agencies and Organizations

Copies of the initiation package were sent to local agencies, governments, and private organizations. A list of those entities is included in **Attachment 4**. Local agencies and organizations may remain involved in the NEPA process and will be included in the initial scoping outreach using the points of contact for data required for the study. They will also be furnished copies, or portions of, the EIS document for review and comment, as deemed appropriate by Georgia DOT and FHWA.

3.3.5 National Historic Preservation Act Section 106 Consultation

Under Section 106 of the NHPA, FHWA identified parties that need to be consulted (termed “consulting parties”) regarding resources that are listed on or eligible for listing on the National Register of Historic Properties. As a part of the consultation requirements for Section 106, FHWA 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 and others who express interest in the Section 106 activities for the Proposed Project.

Section 106 also requires federal agencies to work with American 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 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. **Attachment 5** provides a list of Tribal contacts, as well as information regarding how each Tribe prefers to receive Proposed Project information.

All Section 106 consulting parties will receive all relevant Proposed Project documentation during development of the EIS. The NEPA public involvement activities for the Proposed Project will be used to satisfy Section 106 NHPA requirements for public involvement.

4. Agency Coordination

4.1 Procedures for One Federal Decision

Update

- Executive Order 13807 (OFD) was revoked on January 20, 2021. The Proposed Project agency coordination procedures were set ahead of this revocation; therefore, OFD formed the foundation on which the Proposed Project agency coordination procedures were based. Though OFD is no longer in place, the procedures set in early project development will be maintained through finalization of the EIS. References to OFD are maintained throughout this ACP.

Under OFD, Proposed 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 cooperating and participating agencies have roles and responsibilities that include the following:

- Participating in the NEPA process at the earliest practicable time, especially regarding the development of the Proposed Project need and purpose, 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 Proposed 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 Memorandum of Understanding (MOU)-OFD
- Reviewing and providing comment on Draft EIS sections and the Preferred Alternative prior to publication

Georgia DOT has the overall responsibility for the design and construction of all projects under the Facility Agreement for the region. The roles and responsibilities of FHWA, Georgia DOT, Cooperating Agencies, and Participating Agencies are depicted in **Exhibit 4-1**.

Exhibit 4-1: Project Roles and Responsibilities Chart



4.2 One Federal Decision Concurrence Points

Update

The Need and Purpose Statement was completed during fourth quarter 2019 based on the file approved immediately following the NOI. NPS issued a Statement of No Comments on the Purpose and Need Statement on November 21, 2019. USACE issued comments on the Purpose and Need Statement on November 13, 2019, and concurred on May 23, 2020. Additionally, a memorandum describing the alternatives consideration process was submitted in December 2020 to cooperating agencies for review and concurrence of the range of alternatives and Preferred Alternative. On December 18, 2020, NPS concurred on Concurrence Points 2 and 3, and on January 4, 2021, USACE provided concurrence.

As a result of updates to the MMIP and Proposed Project construction phasing, the Cooperating Agencies were provided updated project collateral related to the need and purpose as well as the alternatives evaluation, and associated appendices, on April 3, 2023. The Cooperating Agencies reviewed the updated need and purpose and alternatives evaluation project collateral and provided affirmation of prior OFD concurrences (Points 1-3), including identification of the Preferred Alternative on April 20, 2023 (NPS) and July 12, 2023 (USACE). Refer to **Appendix M, Agency Correspondence**, of the Final EIS for coordination documentation.

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 (refer to **Section 1.1, Regulatory Framework**). 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 Proposed Project, to be completed prior to the Draft EIS:

- Need and purpose
- Range of alternatives to be carried forward for detailed analysis
- Preferred Alternative

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

4.2.1 Concurrence Point 1 – Need and Purpose

After Georgia DOT developed the Proposed Project need and purpose, FHWA provided copies to cooperating agencies for review as part of the project initiation package. Cooperating agencies reviewed the need and purpose and determined whether it meets their NEPA obligations. Written concurrence on the Proposed Project's need and purpose was requested from the cooperating agencies.

4.2.2 Concurrence Point 2 – Range of Alternatives

The OFD process requires that cooperating agencies concur with the range of alternatives to be considered in the EIS. The range of preliminary alternatives identified through technical analysis along with agency and public

input gathered during scoping serves as the basis for developing and screening preliminary alternatives. A Range of Alternatives Report identifies the full range of preliminary alternatives considered, the method for screening alternatives, and the results of screening. The results of the screening process reflect the alternatives that are planned to be carried forward for further detailed evaluation in the EIS.

The Range of Alternatives Report was submitted to cooperating agencies for review and written concurrence. After this concurrence was received, the Range of Alternatives Report was issued for public input and comment, and public comment was considered in the finalization of the range of alternatives, which was subjected to detailed analysis. This occurred following the scoping process and prior to identification of the Preferred Alternative.

4.2.3 Concurrence Point 3 – Preferred Alternative

The cooperating agencies will receive all technical studies for the Proposed Project as they are developed. Coordination will occur to discuss the results, particularly as they bear upon the cooperating agency's decision-making process and the development of a Preferred Alternative. Any public or participating agency input received during the development of the Draft EIS will be considered. Prior to the issuance of the Draft EIS, Georgia DOT will identify a Preferred Alternative and request written concurrence from the cooperating agencies on the selection of the Preferred Alternative to be identified in the Draft EIS.

4.2.4 Draft Environmental Impact Statement

Once the detailed investigation of alternatives and analysis of impacts and potential mitigation strategies is completed, Georgia DOT will prepare a Draft EIS. Throughout the Draft EIS 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 **Appendix I, Public Involvement Plan** of the Draft EIS. The informal engagement and official comments from the public meetings have provided important input into the concept and environmental studies. As the Draft EIS documentation is in progress, Georgia DOT will provide some sections for informal preliminary review and technical input by FHWA. After assembling the complete Draft EIS through its project team, Georgia DOT will submit it to FHWA for review and comment. After any comments from FHWA are addressed, the Draft EIS will be sent to the agencies for review and comment. After reviewing and addressing comments from agencies, Georgia DOT will finalize the Draft EIS for resubmittal to FHWA.

After FHWA approves the Draft EIS for public and agency review, Georgia DOT will hold a Public Hearing Open House (PHOH) series in accordance with the PIP to receive comments from the public on the findings presented in the Draft EIS. Additional outreach to elicit input on the mitigation plan will be conducted with communities in the post-PHOH period. Input on the Draft EIS will include this post-PHOH feedback as well as comments from the PHOH series and comments gathered during a 45-day public and agency review period for the Draft EIS. 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.

4.2.5 Mitigation Plan

The assessments of impacts of the Proposed Project will include potential mitigation measures for unavoidable impacts. During preparation of the Draft EIS, Georgia DOT and FHWA will coordinate with agencies having purview over potentially impacted resources to develop a draft mitigation plan. The plan will include compensatory mitigation for the CWA Section 404 Individual Permit along with applicable mitigation measures for other unavoidable impacts as determined applicable by FHWA. The plan will be presented in the Draft EIS for agency and public comment. Based on the comments received and any modifications to the Preferred Alternative, a final mitigation plan will be developed for review and approval concurrently with draft permit applications so that all required permit authorizations are completed within the required OFD timeline.

4.2.6 Combined Final Environmental Impact Statement and Record of Decision

After the close of the Draft EIS review period, Georgia DOT will prepare the combined Final EIS/Record of Decision (ROD) document for approval by FHWA consistent with OFD. All comments received during the review of the Draft EIS and responses to each comment will be included in the Final EIS/ROD.

Initial coordination with the two cooperating agencies has included a discussion of agency requirements for NEPA approval. USACE stated its intention to adopt the FHWA Final EIS, to utilize it in support of the USACE ROD, and, if appropriate, to issue a CWA Individual Permit. Following its own agency procedures, NPS will adopt the applicable portions of the Final EIS and will sign a separate ROD signatory page with NPS language for the basis of the federal actions of issuing a Special Use Permit and will add a non-impairment determination to the signatory page per NPS policies. After FHWA's approval of the Final EIS/ROD, the document will be made available for public and agency review for 30 days. All authorization decisions will be issued within 90 days after the ROD is authorized. The primary federal authorization anticipated is permitting under CWA Section 404 by USACE, described in **Section 4.2.8, Additional Requirements by Cooperating Agencies**.

4.2.7 Dispute Resolution

Section XII of the MOU on OFD will be followed to implement dispute resolution when there is a failure to reach concurrence at a coordination point, or when there is substantial disagreement at a critical decision point. Each agency shall make its best effort to resolve disputes. The lead agency will request written concurrence on each concurrence point from all cooperating agencies whose authorization is required for the Proposed Project. Each applicable cooperating agency will either confirm its concurrence or inform FHWA that it cannot yet concur. A non-concurring agency will take actions to resolve the issue and provide the requested concurrence through steps identified in the MOU.

4.2.8 Additional Requirements by Cooperating Agencies

Update

In November 2020 a Statement of Findings was created that identified impacts to NPS-defined wetlands and identified mitigation measures to impacted resources. Approval of this document is pending NPS acceptance.

Based on the initial scope of the Proposed Project, USACE and NPS have been identified for potential cooperating agency roles. This section of the ACP highlights the anticipated coordination and authorizations from the cooperating agencies.

Coordination with USACE will include verification of streams, wetlands, or open waters delineated during field surveys. Given the potential for impacts to WOTUS along both sides of I-285, a CWA Section 404 Individual Permit is anticipated. Proposed Project coordination will follow Georgia DOT and FHWA procedures to conduct the Practicable Alternatives Review prior to the Draft EIS, consistent with Georgia DOT's 2019 CWA Section 404 Local Coordination Procedures agreement. Coordination between the Draft EIS and the Final EIS will provide opportunities for USACE to review the mitigation plans and the early draft of the Individual Permit. Following OFD requirements, USACE authorization of the CWA Section 404 permit(s) will occur within 90 days after the ROD period.

One temporary permit may be required from USACE during the conceptual design. Based on the proposed grid of geotechnical testing, potential disturbance within WOTUS will be mapped and calculated. Depending on whether impacts will exceed 0.1 acre for the testing, the developer will prepare either a letter of notification or Preconstruction Notification for a Nationwide Permit 6 for the temporary impacts. The schedule will be determined once geotechnical testing is scoped to confirm the need for and obtain the permit prior to fieldwork.

Coordination with NPS will include ongoing meetings with park staff to discuss involvement in fieldwork and surveying within the limits of the CRNRA. Additionally, all types of archaeological fieldwork on parklands will require NPS authorization in the form of a Permit for Archaeological Investigations under the Archaeological Resources Protection Act. A Special Use Permit will be obtained from NPS in advance of any short-term activities such as surveys. For impacts to NPS-defined wetlands, project ecologists have prepared a Statement of Findings to disclose impacts and identify mitigation measures for NPS which can be viewed in the Draft EIS in **Appendix H-11, National Park Service Statement of Findings**. Currently, the Proposed Project is proposed to limit use of NPS property to bridging the Chattahoochee River at the existing I-285 crossing. Any further land encroachment would require additional documentation and permit steps.

4.2.9 Permitting Timetable

The Permitting Timetable (PTT) identifies the actions and associated milestones for required environmental reviews and authorizations. The PTT will serve as a tool for FHWA and Georgia DOT to track the coordination of the reviews and authorizations required under the OFD process. Following OFD procedures, FHWA will monitor milestone progress and report periodic progress in an OFD dashboard. The cooperating agencies will work together to meet milestones set forth in the PTT to the extent practicable by law, as stated in the MOU. The PTT can be viewed in **Attachment 2**. Target dates will be included in the PTT based upon the baseline project schedule, and actual completion dates for each task will be noted as they are accomplished.

5. Agency Roles in Public Involvement

Update

- In January 2020, Georgia DOT hosted seven PIOHs in four locations along the corridor. A comment period was extended from January 21 through February 25, 2020.
- Agencies received a copy of Georgia DOT's PIOH summary response letter, which was shared online and emailed to commenters on March 26, 2020.
- The detailed PIOH comment response letter was uploaded to the project website on April 29, 2020, with notifications of its availability sent via email to agencies and postcards to the commenters.
- In July 2024, Georgia DOT hosted two virtual events and four PHOH meetings in four locations along the corridor. A comment period began on June 6 and ended on July 29, 2024.
- Agencies received a copy of Georgia DOT's PHOH summary response letter, which was shared online and emailed to commenters on September 24, 2024, please see Appendix L.
- The detailed PHOH comment response letter was uploaded to the project website on {TBD} with notifications of its availability sent via email to agencies and via postcards to the commenters.

Public involvement approaches are identified in **Appendix I, Public Involvement Plan** of the Draft EIS, which is part of the initiation package for agency and public review at the time of the NOI. The PIP will be updated periodically throughout the EIS process. The role of agencies in public involvement for the Proposed Project will depend on their respective regulations and policies. Opportunities will include (or have included) the following:

- During scoping, Georgia DOT and FHWA sought additional input from agencies about hearings, notices, or other requirements for public involvement.
- Agencies received early notifications of the dates, times, and locations for a series of Public Information Open Houses (PIOHs) held during late January 2020. Agency representatives were invited to attend. Following the series and comment period, Georgia DOT provided agencies with summaries of comments received and a copy of the response letter.
- After FHWA's approval of the Draft EIS, Georgia DOT will host a series of PHOHs to allow stakeholders and the public the opportunity to view the Draft EIS and provide comments. As with the PIOHs, Georgia DOT will provide agencies with early notification of the dates, times, and locations. The PHOHs will be held in the same format as the PIOHs, with the addition of any cooperating agency requirements. Coordination may be required with agencies if comments are received on specific topics. Following the series and end of the Draft EIS review period, Georgia DOT will provide agencies with summaries of comments received and a copy of the response letter.
- USACE and NPS have not indicated any requirement for a formal public hearing unique to each agency. If practicable, the Georgia DOT format of the PHOH is proposed to address public hearing requirements jointly. Coordination with USACE and NPS will occur during planning of the PHOH to include any displays or wording required by law for either agency.

- Agencies can receive updates upon request to Georgia DOT about ongoing public inquiries including requests for technical data, right-of-way answers, and other topics during the project environmental and conceptual design phase.
- A summary of the complete public involvement and comment process will be included in the Final EIS/ROD for agency review.

6. Scoping

Update

- An agency scoping meeting was held on November 21, 2019, to introduce the environmental and Proposed Project development processes to cooperating and participating agencies for any additional input. Agency attendees included FHWA, USACE, NPS, USFWS, Georgia DOT, and DCA.
- The formal scoping process extended from the NOI publication (November 4, 2019) through the comment period for the PIOH series (February 25, 2020). The Scoping Report, which was approved July 30, 2020, describes input received from agencies, organizations, and the public and the range of technical studies being undertaken for the Proposed Project.
- In January 2020, Georgia DOT hosted seven PIOHs in four locations along the corridor.

Scoping is an open process for determining the scope of issues to be addressed in the EIS, identifying the significant issues related to the Proposed Project, and engaging stakeholders and the public. Lead agencies determine the level and form of public engagement based on factors such as the overall size and complexity of the Proposed Project. All agencies use the NEPA scoping process to agree on the relevant analyses, studies, and engineering needed to support the consideration of alternatives, potential impacts, and mitigation measures.

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 resource 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. Detailed methodologies are available upon request from Georgia DOT.

A Scoping Report documents any decision points reached during the pre-NOI process in the following areas, as outlined in SAFETEA-LU:

- Obtaining input from appropriate agencies and the public
- Determining the lead agency
- Determining cooperating agencies
- Determining participating agencies
- Determining if existing documents address the proposed action
- Identifying public involvement needs
- Identifying significant environmental issues to be analyzed further

The Scoping Report also includes comments from agencies and the public on the ACP, PIP, Proposed Project need and purpose, and preliminary range of alternatives. The report was re-distributed to agencies and organizations that provided scoping comments and was made available on the project website. The coordination of the Scoping Report will be integrated into monthly agency conference calls and periodic meetings.

A series of public meetings was conducted in May 2019 to introduce the Proposed Project to the public. Total attendance across 7 meetings in the corridor was 562, with 132 submitting surveys that indicated primary topics of interest are noise, transit, and displacements/right-of-way. Total attendance across 7 meetings in the corridor was 562, with 132 submitting surveys that indicated primary topics of interest are noise, transit, and displacements/rights-of-way. A PIOH series was scheduled after the publishing of the NOI in January 2020 to share the alternative concept displays and known environmental resource concerns with the public. The details of and comments from the series were described in the Scoping Report along with other stakeholder coordination and inquiries received.

Following the scoping period, the report was made available for agency review. Through the project website, dedicated phone line, and email, Georgia DOT will continue to accept comments and inquiries about the Proposed Project during the remainder of it.

7. Schedule

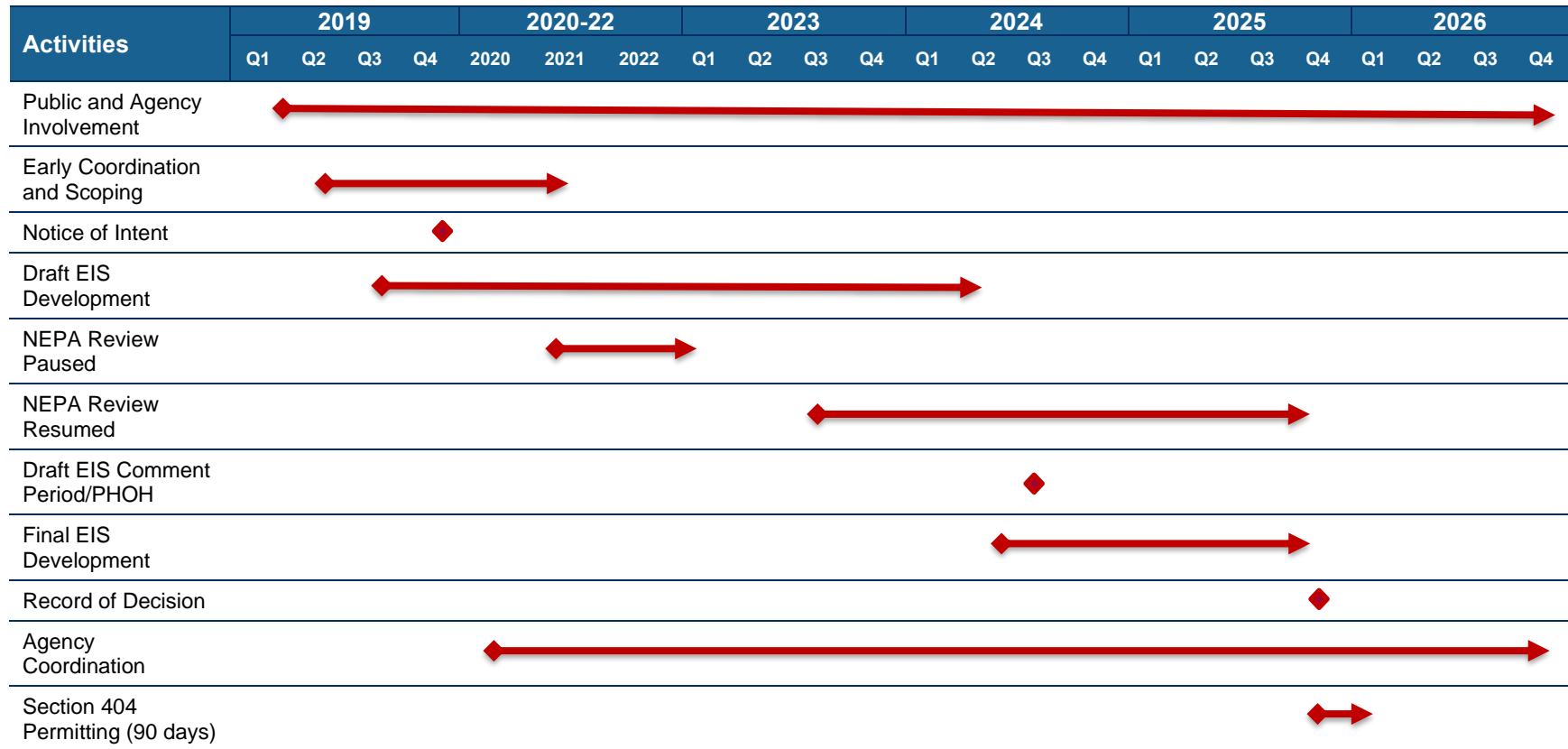
Update

- FHWA's Federal Infrastructure Permitting Dashboard indicated the environmental review and permitting status was paused by the project sponsor in May 2021. The Proposed Project was taken off pause and resumed with the March 29, 2023, meeting with Cooperating Agencies.
- An updated project schedule was established by the Lead and Cooperating Agencies following NPS concurrence on July 11, 2023, and USACE concurrence on July 12, 2023.

A schedule for the Proposed 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 EIS development and permitting on FHWA's Federal Infrastructure Permitting Dashboard website.

As shown in **Exhibit 7-1**, the Proposed Project schedule has been set with a goal of meeting Georgia DOT's schedule for delivery of this MMIP project by meeting OFD requirements (revoked on January 20, 2021) 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.

Exhibit 7-1: I-285 Top End Express Lanes Project Environmental Impact Statement Schedule for Agency Coordination



Note: Updated as of May 2024

ATTACHMENT 1:
PROJECT INITIATION



Russell R. McMurry, P.E., Commissioner
One Georgia Center
600 West Peachtree Street, NW
Atlanta, GA 30308
(404) 631-1000 Main Office

December 18, 2018

Mr. Moises Marrero, Division Administrator
Federal Highway Administration
61 Forsyth Street, SW, Suite 17T100
Atlanta, Georgia 30303-3104

Re: Executive Order 13807: One Federal Decision - Notification of Project Initiation on I-285 Top End Express Lanes/PI# 0001758, Cobb, Fulton, and DeKalb Counties

Dear Mr. Marrero:

The Georgia Department of Transportation (GDOT) is initiating the environmental review process as required by Executive Order 13807 – One Federal Decision for an Environmental Impact Statement (EIS) for the proposed Interstate 285 (I-285) Top End Express Lanes Project. This is a major express lane project proposed as part of the Major Mobility Investment Program (MMIP) in Cobb, Fulton, and DeKalb Counties. The proposed project is located on I-285 between its interchanges with Interstate 75 (I-75) and Interstate 85 (I-85). The total project length would be approximately 27.6 miles, consisting of: 19.5 miles of express lanes along I-285, with signage and other related improvements along 1.3 miles of I-75, 4.2 miles of SR 400, and 2.6 miles of I-85. A project vicinity map is attached. The purpose of the project, as currently defined, is to improve mobility along the I-285 top end in metro Atlanta, one of the most heavily traveled and congested interstate highways in America. More than 240,000 vehicles travel across this stretch of highway every weekday. The project focuses on adding two new elevated, barrier separated express lanes in both directions of I-285, alongside the existing general purpose lanes.

The Federal Highway Administration (FHWA) will serve as the lead Federal agency for this project, and GDOT will serve as a joint lead agency. The responsibilities of the lead agencies are to:

- Establish a list of potentially participating and cooperating agencies
- Prepare and send invitations to potentially participating agencies
- Develop an Agency Coordination Plan

I-285 Top End Express Lanes
Project Initiation Request

- Provide opportunities for the public and participating agencies involvement in defining purpose and need and range of alternatives
- Consult with participating agencies in determining methodologies and the level of detail for the analysis of alternatives.

In addition to an EIS, GDOT anticipates that this project will require a Section 404 permit and possible highway encroachment permit from the National Park Service.

If you have any questions or would like to discuss in more detail the I-285 Top End Express Lanes or the Executive Order 13807 – One Federal Decision process as it pertains to this project, please contact *Mr. Tim Matthews, GDOT Project Manager at 404-631-1713 or TMatthews@dot.ga.gov.*

Thank you for your cooperation and interest in this project.

Sincerely,



Margaret B. Pirkle, P.E.
Chief Engineer

Enclosure

Project Location Map
Draft Pre-Let Public Involvement and Communication Plan (PICP)
Draft Federal Register Notice Memorandum

cc: Katy Allen, PE, FHWA
Jennifer Giersch, FHWA
Tim Matthews, GDOT MMIP Program Manager
Marcy Newman, PE, GEC Project Manager
Michael Nader, PMC Project Manager
Meghan Hedeem, State Environmental Liaison
Eric Duff, State Environmental Administrator

ATTACHMENT 2:
PERMITTING TIMETABLE

PERMITTING TIMETABLE TRACKER			
Actions	Milestones (* indicates that the milestone can be marked as N/A on Dashboard)	Target Date	Completion Date
Environmental Impact Statement	Determination to prepare an Environmental Impact Statement	10/29/2019	10/29/2019
	Issuance of a Draft Environmental Impact Statement	6/7/2024	6/7/2024
	Issuance of Final Environmental Impact Statement	9/23/2025	
	Issuance of ROD (FHWA/NPS)	9/23/2025	
	Issuance of ROD (USACE)	10/23/2025	
Section 404 Clean Water Act	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	11/19/2024	11/19/2024
	Complete Pre-Construction Notification (PCN)/Application Received	11/19/2024	11/19/2024
	Publication of Public Notice*	1/27/2025	
	Final Verification/Permit Decision Rendered	2/14/2026	
Section 10 of the Rivers and Harbors Act of 1899	Pre-construction Notification (PCN)/Form ENG 4345/Joint Application Form Received	11/19/2024	11/19/2024
	Complete Pre-Construction Notification (PCN)/Application Received	11/19/2024	11/19/2024
	Publication of Public Notice*	1/27/2025	
	Final Verification/Permit Decision Rendered	2/14/2026	
Section 106 Review	Consultation initiated with SHPO/THPO	11/21/2019	11/21/2019
	Notification agency will use NEPA substitution approach [36 CFR 800.8(c)]*	N/A	N/A
	Section 106 consultation concluded	3/27/2023	3/27/2023
Marine Mammal Protection Act (MMPA) Incidental Take Authorization – DOC - NOAA/NMFS	Complete Application Received	N/A	N/A
	Publish Notice of Receipt in the Federal Register (FR)*	N/A	N/A
	Publish Proposed Incidental Take Authorization in the FR	N/A	N/A
	Publish Final Incidental Take Regulations in the FR*	N/A	N/A
	Incidental Take Authorization Decision Rendered	N/A	N/A
Magnuson-Stevens Fishery Conservation and Management Act, Section 305 Essential Fish Habitat (EFH) Consultation	Lead Agency Requests EFH Consultation by submitting an EFH Assessment	N/A	N/A
	NOAA Determines the EFH Assessment is complete and Initiates consultation	N/A	N/A
	NOAA Issues any EFH conservation recommendations	N/A	N/A
National Marine Sanctuaries Act, Section 304(d) Consultation - NOAA	Lead Agency Requests EFH Consultation by submitting an EFH Assessment	N/A	N/A
	NOAA Determines the EFH Assessment is complete and Initiates consultation	N/A	N/A
	NOAA Issues any EFH conservation recommendations	N/A	N/A
Endangered Species Act Consultation (NOAA-NMFS)	Request for ESA Consultation Received	N/A	N/A
	Consultation Package Deemed Complete – Formal*	N/A	N/A

	Consultation Package Deemed Complete – Informal*	N/A	N/A
	Conclusion of ESA Consultation	N/A	N/A
Endangered Species Act Consultation (DOI-FWS)	Request for ESA Consultation Received		5/9/2024 4/29/2024
	Consultation Package Deemed Complete – Formal*		5/29/2024 5/21/2024
	Consultation Package Deemed Complete – Informal*	N/A	N/A
	Conclusion of ESA Consultation		10/2/2024 8/28/2024
Clean Water Act Section 402 NPDES Discharge Permit for EPA issued	Initial application received	N/A	N/A
	Completed application received	N/A	N/A
	EPA authorizes discharge under Individual permit	N/A	N/A
USCG Bridge Permit	Navigation data received		8/1/2019 8/1/2019
	Issued Preliminary Navigation Clearance Determination		8/1/2019 8/1/2019
	Application Received	N/A	N/A
	Publication of Public Notice	N/A	N/A
	Application Deemed Complete	N/A	N/A
	Permit Decision Rendered	N/A	N/A
Migratory Bird Treaty Act permits	Initial application received	N/A	N/A
	Completed application received*	N/A	N/A
	Issuance of decision for permit/approval	N/A	N/A
	Notice to proceed*	N/A	N/A
	Review Terminated with no decision*	N/A	N/A
Bald and Golden Eagle Protection Permit	Initial application received	N/A	N/A
	Completed application received*	N/A	N/A
	Issuance of decision for permit/approval	N/A	N/A
	Notice to proceed*	N/A	N/A
	Review Terminated with no decision*	N/A	N/A
Fish and Wildlife Coordination Act Review (DOI – FWS)	Action Agency requests consultation regarding conservation of fish and wildlife		4/18/2024 4/24/2024
	Fish and Wildlife Coordination Act review concluded		10/2/2024 8/28/2024
Fish and Wildlife Coordination Act Review (NOAA)	Action Agency requests consultation regarding conservation of fish and wildlife resources	N/A	N/A
	Fish and Wildlife Coordination Act review concluded	N/A	N/A
Section 408 Permit	Initial application received	N/A	N/A
	Completed application received*	N/A	N/A
	Issuance of decision for permit/approval	N/A	N/A
	Notice to proceed*	N/A	N/A
	Review Terminated with no decision*	N/A	N/A
State, Local, Tribal, or Other Non-Federal Action (CWA Section 401 WQC)	Initial application received		3/7/2025
	Completed application received*		3/7/2025
	Issuance of decision for permit/approval		4/21/2025
	Notice to proceed*		4/21/2025
	Review Terminated with no decision*	N/A	
Section 4 (f) - De Minimis	Written concurrence from official with jurisdiction	PHOH date + 45 days minimum	
	Completion of any necessary public involvement	PHOH date	
	Date of de minimis determination	PHOH date + 45 days minimum	

ATTACHMENT 3:
SUMMARY SCHEDULE

ATTACHMENT 4:
AGENCIES AND ORGANIZATIONS DISTRIBUTION LIST

Agency Type	Role	Organization	Contact(s)
Federal	Lead Federal Agency	Federal Highway Administration 75 Ted Turner Dr. SW, Suite 1000 Atlanta, GA 30303	Chetna Dixon-Thomas, Randy Paulk, and Jessica Granell
	Cooperating Agency	US Army Corps of Engineers 1590 Adamson Parkway The Plaza, Suite 100 Morrow, GA 30260	Ed Johnson, Shaun Blocker, and Nicole Liette
		National Park Service 100 Alabama Street, SW Atlanta, GA 30303	Sabrina Henry
	Participating Agency	US Fish and Wildlife Service 355 E. Hancock Ave. Rm 320, Box 7 Athens, GA 30601	Eric Prowell
		US Environmental Protection Agency, Region IV 61 Forsyth Street SW Atlanta, GA 30303	Ntale Kajumba
	Invited to Participate	US Coast Guard (Declined by Email) 909 SE 1 st Ave Ste 432 Miami, FL 33131-3050	Jennifer Zercher
		US Geological Survey 12201 Sunrise Valley Dr., Mail Stop 423 Reston, VA 20192	Gary LeCain
		US Department of Housing and Urban Development 40 Marietta Street Atlanta, GA 30303	Michael Browder
		National Center for Environmental Health 1600 Clifton Road NE, Mail Stop D69 Atlanta, GA 30329	Patrick Breysse
		Federal Emergency Management Agency 3003 Chamblee Tucker Road Atlanta, GA 30341	Gracia Szczech
Economic Development Administration 401 W Peachtree St NW, Ste 1820 Atlanta, GA 30308		H. Phillip Paradice, Jr.	
State	Lead State Agency	Georgia Department of Transportation 600 West Peachtree Street NW Atlanta, GA 30308	Tim Matthews
	Participating Agency	Environmental Protection Division, Georgia Department of Natural Resources (GDNR) 3 Martin Luther King Jr. Dr., Ste 1456, East Tower Atlanta, GA 30335	Anna Truszczynski, PhD
		Historic Preservation Division, Georgia DCA 60 Executive Park S. Atlanta, GA 30329	Jennifer Flood
		Wildlife Resources Division, GDNR 2070 US HWY 278, SE Social Circle, GA 30025	Ted Will

Agency Type	Role	Organization	Contact(s)
	Invited to Participate	Georgia Department of Community Affairs 60 Executive Park South NE Atlanta, GA 30329	Christopher Nunn
		Georgia Department of Economic Development 75 Fifth St NW, Ste 1200 Atlanta, GA 30308	Pat Wilson
		Georgia Forestry Commission 5645 Riggins Mill Road Dry Branch, GA 31020	Angela Kimberly
		Georgia Emergency Management Agency (Declined by Email) PO Box 18055 Atlanta, GA 30316	Homer Bryson
		Georgia Environmental Finance Authority 233 Peachtree St NW, Harris Tower, Ste 900 Atlanta, GA 30303	Kevin Clark
Regional	Participating Agency	Atlanta Regional Commission 229 Peachtree St NE, Ste 100 Atlanta, GA 30303	Kerry Armstrong
Local	Non-Participating Agency / Local Agency or Organization	Cobb County Commission 100 Cherokee Street Marietta, GA 30090	Lisa Cupid
		Georgia Chamber of Commerce 270 Peachtree St NW Atlanta, GA 30303	Chris Clark, David Raynor
		Cobb County School District 514 Glover Street Marietta, GA 30060	Brad Wheeler
		DeKalb County Chief Executive Officer 1300 Commerce Drive Decatur, GA 30030	Michael Thurmond
		DeKalb County Board of Commissioners 1300 Commerce Drive Decatur, GA 30030	Mereda Davis Johnson
		DeKalb County Board of Education 1701 Mountain Industrial Boulevard Stone Mountain, GA 30083	Michael Erwin
		Fulton County Board of Commissioners 141 Pryor Street SW, 10 th Floor Atlanta, GA 30303	Robb Pitts
		Fulton County Board of Education 6201 Prowers Ferry Road NW Atlanta, GA 30339	Linda Bryant
		Cumberland Community Improvement District PO Box 671868 Marietta, GA 30006	Kyethea Clark, Mike Winters
		Peachtree Gateway Partnership Sandy Springs, GA 30328	Dan Reuter, Malaika Rivers
		Perimeter Community Improvement District 1000 Abernathy Rd NE Atlanta, GA 30328	Ann Hanlon, Linda Johnson
		Sandy Springs Perimeter Chamber Six Concourse, Suite 1725 Sandy Springs, GA 30328	Tom Mahaffey, Suzanne Brown

Agency Type	Role	Organization	Contact(s)
		Cobb Chamber PO Box 671868 Marietta, GA 30006-0032	Sharon Mason, Slade Gulledege
		Dunwoody Perimeter Chamber 41 Perimeter Center East, Suite 225 Dunwoody, GA 30346	Stephanie Freeman, Paula Shiver
		Brookhaven Chamber of Commerce 4246 Peachtree Road Ste 2 Brookhaven, GA 30319	Alan Goodman, Barbara Barber
	Non-Participating Agency / Local Agency or Organization	Chamblee Chamber of Commerce 1954 Airport Road Ste 234 Chamblee, GA 30341	Jim Demetry, Kate Henry
Greater North Fulton Chamber of Commerce 11605 Haynes Bridge Rd, Suite 100 Alpharetta, GA 30009		Katie Harding, Lindsey Petrini	
Metro Atlanta Chamber 191 Peachtree Street NE, Suite 3400 Atlanta, GA 30303		Hala Moddelmog, Thomas Cunningham	
DeKalb Chamber of Commerce Two Decatur Town Center, 125 Clairmont Avenue, Ste 235 Decatur, GA 30030		Katerina Taylor, Emily Yang	
City of Marietta 205 Lawrence Street Marietta, GA 30060		Bill Bruton	
City of Smyrna 2800 King Street Smyrna, GA 30081		Joseph Bennett	
City of Sandy Springs 1 Galambos Way Sandy Springs, GA 30328		John McDonough	
City of Dunwoody 4800 Ashford Dunwoody Road Dunwoody, GA 30338		Eric Linton	
City of Doraville 3725 Park Avenue Doraville, GA 30340		Regina Williams-Gates	
City of Chamblee 5468 Peachtree Road Chamblee, GA 30341		Jon Walker	
City of Brookhaven 4362 Peachtree Road NE Brookhaven, GA 30319	Christian Sigman		

ATTACHMENT 5:
LIST OF FEDERALLY RECOGNIZED TRIBAL CONTACTS AND
PREFERRED COMMUNICATIONS METHODS

Tribal Government	Contact	Preferred Means of Communication
Alabama-Coushatta Tribe of Texas 571 State Park Road, 56 Livingston, TX 77351	Bryant Celestine celestine.bryant@actribe.org	Email or CD
Alabama-Quassarte Tribal Town Tribal Historic Preservation Office 101 East Broadway Wetumka, OK 74883	Rovena Yargee ryargee@alabama-quassarte.org	Email or CD
Cherokee Nation P.O. Box 948 Tahlequah, OK 74465	Elizabeth Toombs elizabeth-toombs@cherokee.org	Email or CD
Coushatta Tribe of Louisiana P.O. Box 10 Elton, LA 70532	Kristian Poncho kponcho@coushatta.org	Email or CD
Eastern Band of Cherokee Indians P.O. Box 455 Cherokee, NC 28719	Russell Townsend russtown@nc-cherokee.com	Email or CD
Kialegee Tribal Town Kialegee Tribal Town P.O. Box 332 Wetumka, OK 74883	Dr. David Cook David.cook@kialegeetribe.net	Email or CD
Muscogee (Creek) Nation Historic and Cultural Preservation Office P.O. Box 580 Okmulgee, OK 74447	Turner Hunt thunt@muscogeenation.com	Email or CD
Poarch Band of Creek Indians 5811 Jack Springs Road Atmore, AL 36502	Larry Haikey THPO@pci-nsn.gov	Email or CD
Seminole Nation of Oklahoma 12555 NS 3540 Seminole, OK 74868	Ben Yahola yahola.b@sno-nsn.gov	Email or CD
Thlopthlocco Tribal Town P.O. Box 188 Okemah, OK 74859	David Frank thpo@tftown.org	Email or CD
United Keetoowah Band P.O. Box 746 Tahlequah, OK 74465	Whitney Warrior ww@ukb-nsn.gov	Email or CD

ATTACHMENT 6:
COORDINATION MEETINGS

Meeting Summary

Meeting Information

Program:	MMIP – PI 0001758, I-285 Top End
Topic	Agency Meeting: US Fish and Wildlife Service
Date/Time:	April 25, 2019 / 8:00 AM
Location:	GDOT Office of Environmental Services, 16 th Floor Main Conference Room

The meeting purpose was to introduce the project and One Federal Decision to USFWS in an informal setting before formal coordination procedures begin through GDOT and FHWA. Tim Matthews (GDOT) provided an overview of the MMIP; Katy Allen (FHWA) discussed OFD and its administrative requirements for agencies; and Todd Barker (GEC team) described the current activities on the project, the anticipated involvement with USFWS, and next steps. The following items were points of discussion with USFWS during and after the presentation:

- **Agency Attendance:**
 - Peter Maholland, USFWS
- **Review and concurrence steps in near future**
 - Need and Purpose—draft is in review and edits; available for initial agency review prior to NOI and formal concurrence after NOI
 - Agency Coordination Plan—draft is in review; input from the questionnaires will help fill in blanks for USFWS requirements and roles
- **What we need from USFWS**
 - Point of Contact—Eric Prowell will be primary for day-to-day while Don Imm will be official contact for agency correspondence (Peter Maholland will provide back-up as needed)
 - Build-out of schedule: please advise of any procedures that the team needs to incorporate into the project schedule
 - Staff review time: current 20 working days
 - We will need Don Imm’s signature and remain aware of his schedule to allow for timely signature and communication as needed
- **Tools and Technology**
 - e-Builder is the tool that is used by the cross functional team
 - GDOT prefers to use this online tool if agency is agreeable
 - GDOT to work with USFWS on use of eBuilder including training to use for project coordination and reviews
- **Other**
 - ACP addresses how agencies work out conflicts
 - USFWS provides written acceptance of EAOER and beginning of review

Meeting Summary

- Permit timetable to contain USFWS durations for review
- Financial records under OFD: USFWS to provide timesheets for GDOT so OMB can tally hours spent through the end of the project
- Next meeting/coordination step will cover:
 - Invitation and formal acceptance of role
 - USFWS to provide duration and required documents package
 - Updated project schedule will reflect target date for USFWS to begin review of Need and Purpose statement
 - GEC to complete edits of preliminary Range of Alternatives with PMC/GDOT/FHWA reviews for agency review

Sign-In Sheet

Program:	0001758 I-285 Top End Express Lanes
Topic	Initial Agency Meeting
Date/Time:	April 25, 2019 @ 8:00AM -USFWS
Location:	GDOT, 16 th floor Conference Room
Call In:	

Name	Email	Firm	Phone
TODD BARKER	tobk@adriancollaborative.com	ADRIAN COLLABORATIVE	678 469 1600
Maureen Wakeland	maureen.wakeland@jacobs.com	JACOBS	404.978.7489
Xavier James	XJames@dot.ga.gov	GDOT IPD	404-631-1583
Drew Pitman	dpitman@hntb.com	HNTB PMC	470 728 1555
Tim Matthews	Tmatthews@dot.ga.gov	GDOT	404 631 1713
Dustin Quinn	DQuinn@hntb.com	HNTB PMC	404-960-9323
Tim Hatton	thatt@hntb.com	HNTB PMC	404 946 5755
Amber Phillips	aphillips@dot.ga.gov	GDOT	404-631-1117
Meg Hedeen	mhedeen@dot.ga.gov	GDOT	4 631 1812
Peter Maholland	peter_maholland@fws.gov	USFWS	706-208-7512
Kathe Howard	kahwe@dot.ga.gov	GDOT	4/631-1570
Eric Duff	eduff@dot.ga.gov	GDOT	404 631 1071
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BROCK HOZEH	bahwesh@hntb.com	HNTB PMC	4-946-5713

Meeting Notes

Meeting Information

Program:	MMIP – PI 0001758, I-285 Top End
Topic	Agency Meeting: US Army Corps of Engineers
Date/Time:	April 25, 2019 / 11:00 AM
Location:	GDOT Office of Environmental Services, 16 th Floor Main Conference Room

The meeting purpose was to introduce the project and One Federal Decision to USACE in an informal setting before formal coordination procedures begin. Tim Matthews (GDOT) provided an overview of the MMIP; Katy Allen (FHWA) discussed OFD and its administrative requirements for agencies; and Todd Barker (GEC team) described the current activities on the project, the anticipated involvement with USACE, and next steps.

The following items were discussed during and after the presentation:

- **Agency Attendees:**
 - Joseph Rivera, USACE
 - Ed Johnson, USACE
- **OFD objective is to meet all agency needs in one NEPA document**
 - USACE needs to identify any specific requirements for the EIS
 - Ideally, integrating the documentation will replace or reduce the USACE burden for the case document typically required to approve the permit application.
- **Wetlands overview:**
 - 60+ streams
 - 20 wetland areas
 - Anticipate individual permit
- **When is PAR (practicable alternatives review)?**
 - Have a conversation soon to inform USACE on the range of alternatives.
 - PI 0001758 has an approved (2013) PAR on file, with parts being implemented with separate NEPA and permit since then including the 285/400 interchange.
 - PAR requirements need to be confirmed and coordinated with USACE.
 - IRT calendar in July is an opportunity for the PAR process.
 - New NOI will occur in September; need to confirm sequence needed and progress toward alternatives during pre-NOI and post-NOI phases.
- **Purchase of mitigation credits**
 - Is a mitigation solution part of the current schedule?

Meeting Notes

- Wetland and stream credits have been estimated by the PMC at a program level; purchase from authorized mitigation banks is assumed.
- Does the MMIP approach for mitigation require GDOT to purchase or does developer purchase as part of bid?
 - Put a financial incentive for developer to turn excess credits back over to GDOT; GDOT could transfer leftover credits to another project
 - Credit transaction: responsibility stays with GDOT to preserve the ongoing trust relationship with USACE.
 - Project developer contract would include budget to purchase credits.
- Important to work through timing of permit and purchase
 - Initial avoidance will be key where an option, along with certain amount of minimization while creating incentive and scope for developer to minimize further where reasonable.
 - Per OFD, permit is to be approved within 90 days of ROD. This timing would bring the permit application into the GDOT side of scope prior to developer contract. Assumptions for design and mitigation need to be discussed accordingly.
 - USACE requested a white paper outlining the proposed approach for the permit timing and coordination needs.
- What if there are no existing credits available? Can a purchase be phased?
 - This needs to be addressed in advance of the application to meet the tight project schedule; however, early purchase for MMIP could also deplete needed credits in the primary service area for other important projects.
- A typical permit application review and approval typically takes about 120 days to issue an IP.
 - Assumes there are no endangered species or other resource constraints.
 - Presence of endangered requires a longer process.
- **USACE has PMs that work with GDOT**
 - Ed can prioritize this project for close coordination as needed.
 - Staying connected is a priority; include Joseph Rivera and Ed Johnson.

Sign-In Sheet

USACE.

Program:	0001758 I-285 Top End Express Lanes
Topic	Initial Agency Meeting
Date/Time:	April 25, 2019 @ 10:00AM USACE
Location:	GDOT, 16th floor Conference Room
Call In:	

Name	Email	Firm	Phone
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Amber Phillips	aphillips@dot.ga.gov	GDOT	404-631-1117

Meeting Summary

Meeting Information

Program:	MMIP – PI 0001758, I-285 Top End
Topic	Agency Meeting: National Park Service
Date/Time:	April 25, 2019 / 9:30 AM
Location:	GDOT Office of Environmental Services, 16 th Floor Main Conference Room

The meeting purpose was to introduce the project and One Federal Decision to NPS in an informal setting before formal coordination procedures begin. Tim Matthews (GDOT) provided an overview of the MMIP; Katy Allen (FHWA) discussed OFD and its administrative requirements for agencies; and Todd Barker (GEC team) described the current activities on the project, the anticipated involvement with NPS, and next steps. The following items were discussed during and after the presentation:

- **Agency Attendees:**
 - Steven Wright, NPS Southeast Region
 - Bill Cox, Superintendent of Chattahoochee River National Recreational Area
- **NPS and One Federal Decision**
 - Upper level agency agreements in the initial OFD memorandum (OMB, April 28, 2018) occurred at Department of the Interior; NPS also has participated in its own agency memorandum.
 - Steven Wright represents NPS, Department of Interior, Planning and Compliance—he will be involved from both NEPA/OFD coordination and signing of Section 4(f) documentation.
 - NPS doesn't have any specific OFD reporting requirements for the project since FHWA is lead federal agency.
- **NPS and NEPA Documentation**
 - NPS procedures are identified in its separate memorandum on OFD
 - NPS can adopt findings of EIS prepared by GDOT/FHWA, along with unique documentation added where applicable (Statement of Findings for wetlands)
 - Steven can provide guidance for how the team can assist with a preliminary version of the ROD for NPS to complete and process.
 - NPS adopts our EIS then signs ROD immediately after FHWA signs ROD.
 - Steven Wright is POC for correspondence and review; he prefers emailed versions for efficiency.
 - Given the OFD schedule, some concurrent reviews by federal agencies may be necessary—important to coordinate details ahead of deliverables.

Meeting Summary

- **Identification and avoidance of resources**
 - NPS wetlands need a clear delineation following NPS procedures with a Statement of Findings to calculate impacts and mitigation—this will apply for the bridging over Chattahoochee River.
 - Phase I archaeology survey: aquatic survey has been completed after coordinating with CRNRA staff concurrently with SR 400. The GEC team received ARPA permit then was on hold during shutdown until February to finish the survey. No artifacts were found; a survey report is in review and will be provided to NPS upon GDOT approval.
- **Public Involvement**
 - The NPS ROD will adopt GDOT's Need and Purpose, and their adoption of the EIS will include the public involvement process.
 - NPS may attend our public meetings informally.
 - Bill Cox offered to provide contacts from the CRNRA User Groups, which will provide a broader audience for outreach notifications.
- **General discussion of plan and impacts**
 - Staying within existing ROW; only footings are an impact for crossing of Chattahoochee; no land encroachment identified currently.
 - GEC needs to coordinate closely with Bill Cox, Park Superintendent—he has decision-making authority for CRNRA.
 - Involve Bill Cox in alternatives; try to minimize impacts, then work with staff to identify mitigation measures on site.
 - Provide preliminary bridge drawings to show areas of impact as soon as possible to facilitate coordination.
 - Provide an overview map early on showing the project in context with existing ROW lines—important to confirm NPS level of involvement.
- **Noise discussion**
 - Identify receptors for noise where NPS wants them and use in existing monitoring to validate the model—good to identify sensitive areas of the park for existing levels and model for future conditions.
 - Coordinate with Bill Cox for access and staff escorts to noise areas.
 - There is a technical team that supports NPS on topics of night sky and noise; a website describes what they do for the analysis.
- **Closing comments by NPS representatives**
 - Park mission is to preserve and protect the park.

Sign-In Sheet

Program:	0001758 I-285 Top End Express Lanes
Topic	Initial Agency Meeting
Date/Time:	April 25, 2019 @ 8:30AM - NPS
Location:	GDOT, 16th floor Conference Room
Call In:	

Name	Email	Firm	Phone
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Georgia 404-5755
Department
of Transportation



I-285 Top End Express Lanes Agency Coordination Inquiry Form: Coordination and One Federal Decision

The Federal Highway Administration (FHWA) and the Georgia Department of Transportation (GDOT) are cooperating to complete an Environmental Impact Statement (EIS) for the I-285 Top End Express Lanes. Thank you for considering your role in the successful completion of this EIS and associated permitting for the project. To ensure the efficiency of future communications, please answer the following preliminary questions to help guide the preparation of the project Agency Coordination Plan (ACP):

1.0 Does your agency have specific OFD procedures or requirements?

No Yes If yes, please explain:

2.0 Are there any agency-specific approval processes or time frames that are required at any milestone?

No Yes If yes, please explain:

2.1 Who are your preferred agency contacts?

Primary Contact

Secondary Contact

Name: _____

Name: _____

Title: _____

Title: _____

Phone Number: _____

Phone Number: _____

Email: _____

Email: _____

Preferred means of contact: _____

Preferred means of contact: _____

2.2 Who within your agency has signatory authority?

Signatory Name: _____ Phone Number: _____

Email: _____

3.0 Will the FHWA EIS meet your agency's NEPA requirements?

No Yes If no, please describe any additions necessary to make the EIS sufficient:

3.1 Will any of your agency's requirements or conditions require a legal sufficiency review?

No Yes If yes, please provide approximate time and additional details:

4.0 Will the proposed GDOT public hearing meet your agency public involvement requirements?

No Yes If no, please describe any additions necessary to meet your agency's PI req's:

5.0 What, if any, permits do you anticipate being required from your agency?

Required Permit	Required Permit
Type: _____	Type: _____
Review Process: _____	Review Process: _____
_____	_____
Approval Time Frame: _____	Approval Time Frame: _____
_____	_____
Other: _____	Other: _____
_____	_____

6.0 Please describe the standard operating procedure for issue resolution within your agency:

7.0 Please describe any other relevant information or topics you would specifically like to be considered for the ACP:

Preparer: _____ Date Prepared: _____

Thank you again for your help in ensuring the success of the I-285 Top End Express Lanes. We look forward to working alongside you throughout the duration of this project.

Meeting Notes

Meeting Information

Program:	MMIP – PI 0001758, I-285 Top End
Topic	Agency Meeting: Georgia Department of Natural Resources
Date/Time:	August 26, 2019 / 10:00 AM
Location:	GDOT, 3 rd Floor Conference Room

The meeting purpose was to introduce the project and One Federal Decision (OFD) to Georgia Department of Natural Resources (DNR) in an informal setting before formal coordination procedures begin. As a state agency, DNR will have key roles in the eventual federal permits through the Environmental Protection Division (EPD) and Historic Preservation Division (HPD) while standard coordination procedures also will occur for protected species through Wildlife Resources Division. Representatives in management roles for EPD attended in person while HPD joined by phone.

Michael Nader (PMC team) provided an overview of the MMIP; Katy Allen (FHWA) discussed OFD and its administrative requirements for agencies; and Todd Barker (GEC team) described the current activities on the project and next steps.

The following items were discussed during and after the presentation:

- **Agency Attendees:**
 - James Cooley and Anna Truszczynski, GA EPD
 - Jennifer Dixon, Whitney Rooks, GA HPD
 - Katy Allen and Jennifer Giersch, FHWA
- Primary OFD objectives are to meet all agency needs in one National Environmental Policy Act (NEPA) document and shorten the timeline for required permits. State reviews and concurrences will be important parts of the team's success with the overall OFD schedule.
- The FHWA is the lead federal agency and plans to conduct monthly agency coordination calls.
- Section 404 Individual Permit process will be completed within 90 days after Record of Decision (ROD)—state roles and requirements in that process will be important to confirm in advance.
- Certain design-build requirements with EPD need to be confirmed during the Environmental Impact Statement (EIS) process to create a smooth path forward during permitting and subsequent Developer tasks.

Meeting Notes

- Informal, over-the-shoulder meetings will be options to gain input from agencies ahead of the formal NEPA documentation. For example, EPD staff may have insights on addressing water quality concerns, which will be an impact section in the EIS.
- The typical timing between EPD for State Buffer Variance and US Army Corps of Engineers for Section 404 Individual Permit will need to be refined to address OFD requirements and still meet each agency's responsibilities in this design-build delivery.
- HPD staff will be engaged through GDOT Office of Environmental Services (OES) with typical deliverables.
- Upcoming cultural resource milestones include a memo on Area of Potential Effects, followed by Historic Resources Survey Report Addendum (updating prior 2010 documentation). The coordination will begin during fall of 2019, with survey reports targeted for late 2019 and assessment of effects (AOE) following in mid-2020. The eventual HPD staff should expect typical OES procedures and coordination, mostly occurring during the period after Notice of Intent from the fall of 2019 through concurrence on all cultural resources' documentation ahead of the Final EIS and ROD in fall of 2021.

Sign-in Sheet



Date/Time: 26 AUG. 2019 / 10:00 a - 11:30 am

Location: GDOT CONF. RM. 310

Projects: TOP END P1# 001758

Purpose: STATE AGENCY PROJECT INTRO. MTG.

Name	Agency/Firm	Email Address/ Phone Number	Project Role
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Whitney Ruck (s?)	HPD		
Jennifer Dixon	HPD		
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Katy Allen	FHWA	katy.allen@dot.gov 404-562-3657	ENV- "
James Cooley	EPA	404-651-7807	Env Compliance

