FINDING OF NO SIGNIFICANT IMPACT
FOR
17TH STREET EXTENSION
[GDOT PROJECT NH-7141-00(900), P.I. NUMBER 714190]
AND
ATLANTIC STEEL REDEVELOPMENT PROJECT
FULTON COUNTY, GEORGIA

Lead Agency:

U.S. Environmental Protection Agency

Cooperating Federal Agencies:

U.S. Department of Transportation,
Federal Highway Administration

and

U.S. Department of Transportation,
Federal Transit Administration

An Environmental Assessment of the referenced project has been prepared by the U.S. Environmental Protection Agency (EPA), in consultation with the U.S. Department of Transportation, Federal Highway Administration (FHWA), and the U.S. Department of Transportation, Federal Transit Administration (FTA), collectively referred to as the "Federal Agencies". The document was made available for public inspection as announced in public notices, and comments were invited from all interested parties. Subsequent to the availability of the Environmental Assessment and the comment period, an updated Environmental Assessment was prepared by EPA and has been furnished to FHWA and FTA with the recommendation for a "Finding of No Significant Impact."

The Federal Agencies, after reviewing the revised Environmental Assessment, find that the project will have no significant impact on the human or natural environment. No significant impacts on air and water quality or on ambient noise levels are expected. The project is consistent with local plans and will not divide or disrupt a community. The project will have no effect on threatened and endangered species or any resources regulated by Section 4(f) of the Department of Transportation Act of 1966.

The Finding of No Significant Impact is based on the revised Environmental Assessment, which has been evaluated by the Federal Agencies and determined to adequately and accurately discuss the environmental issues and effects of the proposed project. The Environmental Assessment was revised based upon comments from federal, state, and local agencies, as well as private citizens and neighborhood groups. Most of the changes to the Environmental Assessment document additional commitments that have been developed in response to neighborhood concerns about traffic impacts. The Environmental Assessment also provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. The Federal Agencies take full responsibility for the accuracy, scope and content of the Environmental Assessment.

11/21/2006
DATE

JOHN H. HANKINSON, JR.
REGIONAL ADMINISTRATOR
ENVIRONMENTAL PROTECTION AGENCY

11/21/00
DATE

Marvin Woodward
for LARRY R. DREIHAUP, P.E.
DIVISION ADMINISTRATOR
FEDERAL HIGHWAY ADMINISTRATION

11-21-00
DATE

JERRY FRANKLIN
REGIONAL ADMINISTRATOR
FEDERAL TRANSIT ADMINISTRATION

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SUMMARY OF ENVIRONMENTAL COMMITMENTS

The following is a summary of the environmental commitments of the public and private entities involved with the 17th Street Extension and Atlantic Steel Redevelopment Project.

Groundwater & Hazardous Materials

- The Georgia Department of Natural Resources (DNR) approved a remediation plan for the Atlantic Steel site that requires a groundwater interception system to collect and contain groundwater on-site. Jacoby Atlantic Redevelopment, L.L.C. (JAR), or its successor, will monitor and treat intercepted groundwater, if required, prior to discharge to the City of Atlanta sewer system. The remediation plan requires that redevelopment and construction provide permanent engineered barriers to exposure in the form of new structures, pavement, concrete and/or soil cover.
- The City of Atlanta and Georgia DNR approved a conservation easement holding JAR responsible for implementing the approved remediation plan. The easement has been prepared in order to assure that the necessary engineering and institutional controls are maintained in-perpetuity.

Water Quality & Wetlands

- The proposed project will comply with all federal, state, and local stormwater design standards. The proposed development will provide detention facilities to reduce the peak runoff from the post-development condition to less than or equal to the pre-development conditions. An additional stormwater detention capacity of approximately 20% will be provided by JAR as part of its stormwater design to assist the City in the management of flows to the Tanyard Creek Combined Sewer Overflow Treatment Facility.
- Remediation of the Atlantic Steel site is expected to impact approximately 3.75 acres of wetlands. Mitigation for these impacts includes off-site stream restoration by JAR, or its designee, in the City of Atlanta/Fulton County.

Transportation Features

- Several communities in the project area expressed concerns about the cumulative traffic increases resulting not only from this project, but from other new development in the area that is already occurring, or that would occur in the future. Through meetings with the Atlanta Neighborhood Planning Unit for this area, along with individual meetings with the neighborhood civic associations, a number of measures were developed to address these community concerns. The following is a short summary of the measures.

  - ♦ Zoning Commitments: Specific zoning conditions for the Atlantic Steel site were included to address the surrounding neighborhoods' concerns. Condition 4 of the zoning for the site requires JAR to work with the City of Atlanta, Home Park, and Loring Heights to limit cut-through traffic in these neighborhoods. Condition 23 of the zoning for the site requires JAR to develop a transportation management plan that will attempt to reduce single occupancy vehicle trips to and from the site.

  - ♦ Transportation Control Measure (TCM) Commitments: The Atlantic Steel TCM requires monitoring by JAR of the site design and transportation performance of the redevelopment project during build-out. The TCM includes four site design criteria and four transportation performance targets which collectively make certain that the site is built-out to encourage alternatives to single occupancy vehicle trips and minimize vehicle miles traveled.

  - ♦ Additional Neighborhood Commitments:

    Home Park and Loring Heights - Atlantic Steel Brownfield Area and Tax Allocation District Number Two (BATAD #2) promotes maximum use of alternative transportation modes to minimize congestion and creates a financing tool for transportation and other infrastructure to improve and connect major activity centers. If cut-through traffic is determined to be excessive in Home Park or Loring Heights attributed to the Atlantic Steel redevelopment or surrounding areas, appropriate BATAD #2 funds would be utilized to study and implement measures to limit cut-through traffic. All monies and expenditures would be managed by the Atlanta Development Authority and the City of Atlanta.

    Ansley Park – In response to concerns from the Ansley Park Civic Association (APCA) and many citizens of the neighborhood about projected increases in traffic volumes, a specific agreement has been entered into, by and between the APCA, Georgia Regional Transportation Authority (GRTA), Georgia Department of Transportation (GDOT), the City of Atlanta, and JAR. The purpose of this agreement is to establish a mechanism for the continued study of traffic in Ansley Park as a result of the Atlantic Steel Redevelopment project and other developments in the Midtown Atlanta area. The agreement includes guaranteed financial commitments for the implementation of traffic calming and control measures that are identified as a result of separate studies, both internal

and external to the Ansley Park neighborhood. The agreement has been duly executed and constitutes a valid and binding agreement, enforceable in accordance with the laws of the State of Georgia and in any court of competent jurisdiction.

Air Quality

- Redevelopment of the Atlantic Steel site will include a monitoring program, consisting of site design criteria and transportation performance targets, to ensure that the redevelopment is designed and built with elements that encourage alternatives to single occupancy vehicle trips, and that the project will perform in ways to lower vehicle miles traveled and associated emissions.

Noise

- Construction equipment will be required to have factory-installed mufflers or their equivalents in good working order during the life of the construction contracts.
- Construction, where feasible, will take place primarily, during the less noise sensitive daylight hours to avoid impacts during the hours associated with sleep.

Cultural Resources

- The roadbed of Hemphill Avenue may contain buried trolley tracks, and the area beneath or alongside Hemphill Avenue may contain original water pipes associated with the National Register-listed Atlanta Waterworks Hemphill Avenue Station. During project construction, a qualified archaeological consultant would monitor any construction and subsurface activities that are to occur along Northside Drive in the vicinity of Hemphill Avenue.
- The Atlantic Steel site has been identified as eligible for listing in the National Register of Historic Properties. Cleanup and redevelopment of the site would have an adverse effect on this resource. Mitigation for impacts to this resource includes: 1) development of large-format black-and-white photographs of the site as it existed prior to redevelopment; and 2) development and implementation of a public education and outreach plan. Components of this education and outreach plan will include compilation of an oral history of Atlantic Steel Industries, Inc., development of educational materials, and the potential creation of a permanent exhibition space celebrating and incorporating the history of Atlantic Steel in the redevelopment plan.

Land Use/Community Resources

- An additional City of Atlanta police precinct for the surrounding area is anticipated to be added by JAR in conjunction with the project.

Aesthetics

- There are a number of specific zoning conditions for the Atlantic Steel site that address aesthetic, architectural, and landscaping requirements. In general, design

and placement of specific buildings will be completed in a manner so as to create transitions from, and compatibility with, surrounding uses.

ENVIRONMENTAL ASSESSMENT

17TH STREET EXTENSION
[GDOT PROJECT NH-7141-00(900), P.I. NUMBER 714190]
and
ATLANTIC STEEL REDEVELOPMENT PROJECT
FULTON COUNTY, GEORGIA

LEAD AGENCY:

U.S. Environmental Protection Agency

FEDERAL COOPERATING AGENCIES:

U.S. Department of Transportation
Federal Highway Administration

and

U.S. Department of Transportation
Federal Transit Administration

APPROVAL FOR ADVANCEMENT TO AVAILABILITY/PUBLIC HEARING PHASE:

8/2/00 — Michael C. Fryter / for
DATE — JOHN H. HANKINSON, JR.

8-2-00 — RW Chappel
DATE — for LARRY R. DREIHAUP, P.E.

8-2-00 — Jerry Franklin
DATE — JERRY FRANKLIN

APPROVAL OF ENVIRONMENTAL ASSESSMENT

11/21/00
DATE — JOHN H. HANKINSON, JR.
REGIONAL ADMINISTRATOR
ENVIRONMENTAL PROTECTION AGENCY

11/21/00 — Nancy Woodward
DATE — LARRY R. DREIHAUP, P.E.
for DIVISION ADMINISTRATOR
FEDERAL HIGHWAY ADMINISTRATION

11/21/00 — Jerry Franklin
DATE — JERRY FRANKLIN
REGIONAL ADMINISTRATOR
FEDERAL TRANSIT ADMINISTRATION

Certificate of Compliance

Project NH-7141-00(900), Fulton County

P.I. No. 714190

I hereby certify that the Georgia Department of Transportation has considered the social, economic and environmental effects of the project and has fulfilled the requirements of 23 USC 128 relating to public hearing requirements.

Georgia Department of Transportation

By: Harvey D Keepler, Jr.

Title: State Environmental/Location Engineer

Date: November 15, 2022

TABLE OF CONTENTS

Section	Title	Page
I.	TYPE OF ACTION	2
II.	DESCRIPTION OF PROPOSED ACTION	2
III.	COORDINATION AND COMMENTS	2
	A. Circulation of Environmental Assessement	2
	B. Public Hearing	2
	C. Agency Responses to Public Comments Received on the Environmental Assessment	3
IV.	REVISIONS TO THE ENVIRONMENTAL ASSESSMENT	25

NEW APPENDICES

APPENDIX J – Public Hearing Transcript

APPENDIX K – Public Comments on Environmental Assessment

I. TYPE OF ACTION

The U.S. Environmental Protection Agency (EPA), in cooperation with the Federal Highway Administration, the Federal Transit Administration, Georgia Department of Transportation (GDOT), Georgia Regional Transportation Authority (GRTA), Metropolitan Atlanta Rapid Transit Authority (MARTA), Atlanta Regional Commission (ARC) and the City of Atlanta, has prepared an Environmental Assessment (EA) for the 17th Street Extension [GDOT Project NH-7141-00(900)] and Atlantic Steel Redevelopment Project, Fulton County, Georgia. The EA is a summary of the development of concept alternatives, design traffic studies, preliminary engineering analyses, and environmental impact assessments, all of which have been completed with opportunities for public comment and agency coordination. This document represents an update of the EA that was distributed to the public in August 2000.

II. DESCRIPTION OF THE PROPOSED ACTION

Jacoby Atlantic Redevelopment, L.L.C. (JAR), a developer in the City of Atlanta, has proposed the remediation and redevelopment of approximately 135 acres near Atlanta's central business district. The property to be redeveloped is the site of the former steel mill owned by Atlantic Steel Industries, Inc. The planned redevelopment is expected to include two million square feet of general office space, one and a half million square feet of retail and entertainment uses, two million square feet of high tech offices, 2,400 residential units, and 1,000 hotel rooms. In addition to the site redevelopment, project plans include construction of a multi-modal (cars, pedestrians, bicycles, transit) bridge and interchange at 17th Street that will cross Interstate 75/85 (I-75/85) and provide access to the site as well as a connection to Midtown Atlanta and the nearby MARTA Arts Center Station. Roadway improvements will include extension of the existing 17th Street from West Peachtree Street (U.S. 19/S.R. 9) in Midtown Atlanta, heading west on new alignment over I-75/85, through the development, and connecting with Northside Drive (U.S. 41/S.R. 3) at Bishop Street. The project also will include operation of a transit shuttle system that will circulate between the MARTA Arts Center Station and the Atlantic Steel site.

III. COORDINATION AND COMMENTS

A. Circulation of the Environmental Assessment

The EA for this project was approved for advancement to availability and public hearing phase by the Federal Agencies on August 2, 2000. Copies of the approved EA were circulated to a number of federal, state, and local agencies, and other organizations and groups for review and comment. The EA was also made available to the public in August 2000, with copies available at local public libraries, GDOT and EPA offices, and on the internet at www.epa.gov/projectxl/atlantic/index.htm.

B. Public Hearing

Following circulation of the EA, a public hearing was held on September 12, 2000, from approximately 6:00 p.m. to 9:00 p.m. at the Georgia Center for Advanced Telecommunications Technology Building in Atlanta, Georgia. Members of the public attending the hearing were given an opportunity to comment on the project. All of the

comments received have been made part of the official transcript. Public concerns included the following:

- Traffic and air quality impact concerns;
- Roadway design concerns;
- Mass transit concerns;
- Other transportation concerns;
- Atlantic Steel Redevelopment site concerns; and
- Neighborhood concerns.

Representatives from EPA, GDOT, City of Atlanta, MARTA, and JAR addressed questions and concerns at the hearing. The Public Hearing transcript is provided in Appendix J.

C. Agency Responses to Public Comments received from the Environmental Assessment

Written comments on the EA were received during the public comment period, which ended October 6, 2000. During this period, 255 comments were received. A copy of each comment is included in Appendix K. The majority of comments received were from local citizens in and around the project study area. Agency representatives developed responses that effectively address all the major issues from the comments received. The following is a listing of the major concerns and responses:

General Comments

1. Comment: Why are taxpayer dollars being spent to support this private development?

   Response: The project is anticipated to provide substantial environmental benefits to the general public, both by improving regional air quality and cleaning up a brownfield site. The project also benefits the general public by reducing congestion (i.e., along 14th Street, 10th Street and at the I-75/I-85 NB exit ramp at 10th Street), by providing another crossing of the interstate, by providing transit/bike alternatives and corridors, and by providing pedestrian and streetscape improvements.

   The economic benefits of this project are significant. The project is anticipated to generate approximately 18,000 new jobs with a predicted gain of $619,638,000 total salaries paid to the new jobs. Several million dollars in tax revenues would be generated for the City of Atlanta and Fulton County. The retail portion of the redevelopment would contribute a Special Purpose Local Option Sales Tax revenue source that would be allocated to the City of Atlanta school system and a one-cent sales tax revenue source dedicated to the Metropolitan Atlanta Rapid Transit Authority (MARTA).

The former Atlantic Steel Mill site and other properties along Northside Drive and Bishop Street were part of an area that was dominated by heavy industry in the early to mid 1900's. The surrounding communities were largely connected to this industry through employment. However, this relationship no longer exists due to a gradual transition from heavy industry to more compatible residential and commercial land uses in downtown Atlanta. The proposed redevelopment of this site into mixed-use residential and commercial land uses continues this transition and provides opportunities for planned reconnection with the surrounding communities. By removing the industrial land use that was Atlantic Steel and replacing it with a more homogeneous type mixed-land use, the overall community feeling between the established neighborhoods is no longer broken.

In addition, when the Downtown Connector was initially constructed in the 1960's, access and community dynamics in Midtown Atlanta completely changed. Several existing roadways were severed by the initial freeway project. Construction of the 17th Street Bridge and Extension provides another opportunity to reconnect the east and west sides of Midtown Atlanta and restore continuity for communities in this area. New commercial and retail opportunities would be provided within walking and biking distances to many existing residences on both sides of the Interstate.

With regard to the transportation infrastructure not being justified, traffic conditions in the design year for this project (Year 2025) on the majority of surface roadways and intersections in the study area are predicted to stay the same or improve (i.e., traffic volumes are predicted to decrease and traffic is predicted to move more efficiently) with the construction of the 17th Street Bridge and Extension, as compared to not implementing the project. This is due in large part to an improved distribution of traffic that is predicted to occur as a result of the project.

2. Comment: The Environmental Justice section was only concerned with low-income or minority populations. Why would environmental impacts figure differently for different segments of the population? Is justice only available to minorities?

   Response: Executive Order 12898, entitled Federal Actions to Address Environmental Justice in Minority and Low-Income Populations (1994), requires all federal agencies to identify and address disproportionately high and adverse human health or environmental effects of federal programs on minority and low-income populations. The general purpose is to foster non-discrimination in federal programs and to provide minority and low-income communities greater opportunities for public participation in, and access to public information regarding human health and environmental issues. Potential low-income and minority communities were identified in the project area to ensure that these communities have access to both concise and clear information sufficient to effectively participate in the public involvement process; and to ensure that these communities are not disproportionately impacted by this project.

3. Comment: The Tax Allocation District (TAD) funding represents a financing vehicle that has not produced any dollars to date, despite many promises, anywhere in the City of Atlanta.

   Response: The TADs in the City of Atlanta (Westside and Atlantic Steel) are relatively newly established. The TADs are only recently formulating a bond issuance strategy. The bond proceeds for Atlantic Steel will be used to build the project's infrastructure and to improve its connective infrastructure to nearby City of Atlanta streets and storm and sanitary sewer linkages.

4. Comment: The assumptions developed for the No Build Alternative are unsound.

   Response: Using its best judgment, the EPA, City of Atlanta, and the developer for the Atlantic Steel site (hereafter referred to as JAR) developed a reasonably foreseeable No Build Alternative for what could occur on the Atlantic Steel site if the 17th Street Bridge was not built. There is no way to predict with 100 percent accuracy what the future will hold for cases such as this and market demands. However, based on current trends in the City and region, the proposed No Build Alternative is the best estimate.

5. Comment: Midtown neighborhoods, including Ansley Park, were not adequately included in the planning of this project.

   Response: An intensive public involvement campaign was conducted for this project. Over 300 public and agency meetings and discussion groups have been held, and individual contacts and public notices have occurred. This effort has included activities related to the rezoning of the property, EPA's Project XL, site remediation efforts, and the development of the EA. Neighborhood Planning Unit E (NPU-E), which represents all Midtown neighborhoods affected by this project, was involved as early as 1997 in reviewing the rezoning application for the site. Most of the conditions placed on JAR in the final zoning conditions for the site came as a result of negotiations between NPU-E, the neighborhoods, and JAR. Several meetings have been conducted by EPA and the GDOT with individual neighborhood associations to provide information about the proposed bridge and associated roadway improvements. A number of significant changes to the roadway improvements, including design of the bridge, have come from neighborhood input and concerns. In addition, JAR has committed to continue to meet with NPU-E to keep the neighborhoods up-to-date with the latest site design information and provide any other information on the site build-out.

6. Comment: An independent Environmental Impact Statement (EIS) and additional traffic studies should be completed that would consider alternative solutions and identify the impacts of this project.

   Response: EPA completed a thorough assessment of the environmental impacts of this project in full compliance with the National Environmental Policy Act. A number of nationally and internationally recognized architectural and engineering contractors and environmental consultants were utilized to conduct independent assessments of the various aspects of the project, including site design, traffic, air and water quality impacts. A range of alternatives were considered for this

project, including: 1) alternate site locations for the development in the Atlanta metropolitan region; 2) alternate site designs for the Atlantic Steel redevelopment; 3) alternate locations for the 17th Street Bridge placement; 4) Interstate access alternates; 5) alternate intersection improvement; 6) high occupancy vehicle (HOV) access alternates; 7) alternate transit connections to the MARTA Arts Center Station, and 8) no-action or no-build alternative. Based on the alternatives that were considered and the results of the various analyses completed for this project, EPA does not believe that an EIS is required.

Traffic and Air Quality Impact Comments

7. Comment: The analysis of traffic impacts included in the EA is flawed.

Response: The procedures used to develop future traffic projections followed generally accepted engineering guidelines of the transportation industry and included the use of state of the practice traffic modeling. Traffic projections were based on a combination of criteria including the capacity of the existing transportation network, future improvements to the transportation network, historical data and trends, existing and future land-use plans, etc. While predicting future traffic growth requires thorough consideration of a number of quantifiable criteria, some assumptions must inevitably be made and these assumptions must be based on sound engineering judgement and experience. The traffic study was prepared by registered professional engineers and reviewed and approved by state and federal agencies.

The traffic growth rates of 1.5% for the Interstate and 2.0% for surface streets used in the traffic projections are compounded annual growth rates. Over the 25-year period between existing (2000) and future (2025), the actual total growth rates calculate to be approximately 45% for the Interstates and 64% for the surface streets.

Currently, certain roadways in the metro Atlanta region have and are experiencing growth rates far in excess of the growth rates predicted in this traffic study. Roadways that experience double-digit traffic growth rates are generally in high employment and/or population growth areas. In addition, these roads are, in most cases, relatively new multi-lane facilities that have excess capacity to carry additional vehicles. Growth rates near and above 10% are common in the Atlanta region, but these rates represent short-term growth periods. Roadways that experience multiple years of high traffic growth eventually become congested and traffic growth slows as the traffic volumes approach the carrying capacity of that roadway.

Traffic forecasting procedures on a roadway or a system of roadways are approached differently when making short-term predictions verses long-term predictions. When forecasting short-term future traffic conditions, recent growth rates on roadways are used due to the tendency of traffic growth to follow recent trends in the short term. Forecasting becomes far more difficult when predicting 20 and 25 years into the future. Forecasts become a function of several variables.

First, the historical growth on roadways is considered. Second, the existing traffic volumes on the roadways are considered. If a roadway or system of roadways already experience high traffic volumes and congestion, these roads do not have the physical capacity to grow at high percentage rates. Thirdly, the employment and population growth in an area has to be studied since traffic growth is a function of these factors. When studying population and employment growth, historical as well as future predictions are utilized.

The metro Atlanta region has experienced a large population and employment growth period over the past decade. The Atlanta region continues to grow at a fast pace. While the growth experienced over the last decade has been large, this increase is defined as large absolute population growth as opposed to percentage growth. According to the ARC, the Atlanta region population grew from 2.5 million in 1990 to 3.2 million in 1999. While this represents a 700,000-person increase over 9 years, this is a percentage increase of only 25%. Furthermore, this growth represents an annually compounded growth rate of only 2.5%. The employment in the Atlanta region from 1990 to 1998 went from 1.4 million to 1.8 million, a 29% total increase and 3.2% annual growth.

As the population and employment of the Atlanta region increases, the annually compounded growth rates will reduce because of the high total numbers upon which they are based. While the absolute number increases year to year may remain high, these numbers represent a decreasing percentage of the growing overall population. ARC's forecasts for 2000 to 2020 population and employment are as follows. The Atlanta region is expected to experience a 1.5% and 1.4% annual growth rate for population and employment, respectively. Fulton County is expected to experience a 0.8% and 0.7% growth rate for population and employment, respectively. While these growth rates appear small, they are compounded annual rates based on already high population and employment numbers.

What this information shows is that the long-term population and employment growth rates for this region closely match the growth rates used for the traffic predictions. Furthermore, in order to be conservative, the traffic forecasts assumed constant modal split for the 25-year period. Modal split is the percentage of commuters using automobiles, transit, bicycle and other modes of transportation. With increased congestion predicted in the study area, it is likely that the percentage of commuters using mass transit will increase over the next 25 years.

Traffic growth in Atlanta, like population and employment growth, will experience decreasing annual growth rates due to the already high total volumes on the surface streets and Interstates. Additionally, traffic growth of roadways is further constrained by the physical ability of a roadway facility to handle additional vehicles. The high percentage growth rates on the Interstate system from 1986 to 1996 are, in large part, due to two factors, the first being the high population and employment growth of the Atlanta region. The second factor is that the Interstate system in the study area was widened in the mid-1980's. The I-75/I-85 Downtown Connector was expanded from a 6-lane facility to a 12-lane facility. This increased capacity on this section of Interstate enabled the high

traffic growth during the next ten years. With no widening of the Interstate planned or feasible in this area, additional traffic growth is constrained to the existing roadways. With no planned long-term widening on the main arterials in the study area, with the exception of Northside Drive, traffic growth on the surface streets is likewise constrained by the capacity of these roadways.

Several factors were researched and considered in the traffic predictions for the study area. The long-term population and employment trends were considered and closely approximate the long-term traffic growth used in the study. The existing roadway volumes and roadway capacities were closely studied when making predictions on how these facilities would handle increased traffic growth. Furthermore, if the percentage of commuters using transit to access this area of Atlanta increases, as many predict it will due to the huge expenditures planned for transit implementation, the growth rates predicted on these roadways should be high, particularly when projected to the year 2025.

8. Comment: How can the EA conclude that there are no impacts to the Ansley Park neighborhood? The traffic impacts to the Ansley Park neighborhood must be identified and appropriate actions taken to remedy the impacts.

Response: The EA concludes that the proposed 17th Street Bridge and extension would affect the Ansley Park neighborhood, primarily related to increased traffic volumes in the neighborhood. However, based on information that has been developed as part of the traffic impact analysis, the increases in traffic would occur over an approximate twenty-year time frame and should not adversely affect overall traffic patterns in the neighborhood. Three of the five entrances into the Ansley Park neighborhood from the west (Beverly Road, Peachtree Circle, and 16th Street) are anticipated to experience minimal increases in traffic volumes at these specific locations. The remaining two entrances (15th Street and 17th Street) into the neighborhood are anticipated to experience larger increases in daily traffic. This analysis is based on the comparison between future conditions in this area that are predicted to occur either with or without the 17th Street Extension and Bridge.

In response to concerns from the Ansley Park Civic Association (APCA) and many citizens of the neighborhood about these projected increases in traffic volumes, a specific agreement has been entered into, by and between the APCA, GRTA, GDOT, the City of Atlanta, and JAR. The purpose of this agreement is to establish a mechanism for the continued study of traffic in Ansley Park as a result of the Atlantic Steel Redevelopment project and other developments in the Midtown Atlanta area. The agreement includes guaranteed financial commitments for the implementation of traffic calming and control measures that are identified as a result of separate studies, both internal and external to the Ansley Park neighborhood. The agreement has been duly executed and constitutes a valid and binding agreement, enforceable in accordance with the laws of the State of Georgia and in any court of competent jurisdiction.

9. Comment: The concerns of the Ansley Park neighborhood would be resolved if Ansley Park was made a gated community.

Response: The idea of gating the community of Ansley Park is problematic and generally contrary to the City of Atlanta's Comprehensive Development Plan. Public streets typically cannot be gated, especially those that provide access to public parks. The City of Atlanta pledges to monitor traffic problems as they may develop and to work with the neighborhood and appropriate agencies to address such issues.

10. Comment: How will the traffic impacts to Home Park and Loring Heights be addressed in the future?

Response: When the Atlantic Steel property was rezoned in 1998, specific zoning conditions were included to address the surrounding neighborhoods' concerns related to future traffic impacts. Condition 4 of the current zoning requires JAR to work with the City of Atlanta and Home Park to limit cut-through traffic on residential streets perpendicular to and south of 16th Street by means of cul-de-sacs, speed humps, gates, control arms, and other traffic calming devices. JAR is also required to work with the City of Atlanta and the Loring Heights neighborhood to limit cut-through traffic on Bishop Street. In addition, Condition #23 of the current zoning requires JAR to develop a transportation management plan that will attempt to reduce single occupancy vehicle (SOV) trips to and from the site. Both of these conditions represent enforceable measures on behalf of the City of Atlanta and JAR to work with these adjacent neighborhoods to minimize traffic impacts in the future.

Atlantic Steel Brownfield Area and Tax Allocation District Number Two (BATAD #2) was created to make possible the redevelopment of the Atlantic Steel site and encourage additional development on the perimeter of the redevelopment area. More specifically, BATAD #2 promotes maximum use of alternative transportation modes to minimize congestion and creates a financing tool for transportation and other infrastructure to improve and connect major activity centers. Since certain surface streets in the adjacent neighborhoods of Home Park and Loring Heights are included in the boundary for BATAD #2, it provides a specific process and dedicated funding source for the implementation of future transportation projects, including potential traffic calming measures, in these areas. Therefore, if cut-through traffic is determined to be excessive in Home Park or Loring Heights attributed to the Atlantic Steel redevelopment or surrounding areas, appropriate BATAD #2 funds would be utilized to study and implement measures to limit cut-through traffic. All monies and expenditures would be managed by the Atlanta Development Authority and the City of Atlanta. For any traffic calming measures that would require changes in traffic ingress and egress at certain intersections, the City of Atlanta would provide temporary barricades for an agreed upon trial period to determine the effects of eliminating (or improving) access.

Specific to Loring Heights, two proposed transportation improvement projects have been identified as part of discussions with the Loring Heights Neighborhood Association. These are: 1) construction of an elevated pedestrian/bicycle bridge at Mecaslin Street; and 2) widening of Bishop Street between Northside Drive and Howell Mill Road. The City of Atlanta and JAR will continue to work with the Loring Heights neighborhood and the adjacent commercial district to further these

projects, as appropriate. As stated above, it is anticipated that appropriate BATAD #2 funds would be utilized to study and implement these projects.

The specific agreement with APCA in no way invalidates or supercedes existing commitments of the City of Atlanta and the developer with the Home Park and Loring Heights neighborhoods contained within the enforceable zoning conditions for the site and the established BATAD #2 for the area.

11. Comment: The EA fails to analyze the cumulative environmental impacts of other transportation proposals for this area.

Response: Specific, enforceable mechanisms have been established to monitor the build-out of the Atlantic Steel site and commitments have been made to continue to address traffic issues in the project study area. These commitments were developed to address the cumulative effects of the Atlantic Steel development and other developments and transportation proposals in the Midtown area. Individual transportation proposals in the area will comply with requirements for environmental impact assessment under the National Environmental Policy Act, as appropriate.

12. Comment: Construction of the 17th Street Bridge relieves 14th Street and moves Level of Service (LOS) on 14th Street from "F" to "C". However, 17th Street is constructed at LOS "F". Please explain.

Response: Many factors contribute to the capacity of a specific section of road or intersection. These factors include number of lanes, lane widths, shoulder widths, speed, grades, percent trucks, directional distribution of traffic, and intersection location. The extension of 17th Street and the construction of the 17th Street Bridge is, in part, intended to alleviate traffic patterns that move east or west across I-75/I-85 on 14th Street and 10th Street. The improved LOS on 14th Street is directly related to providing new and improved access from the Interstate and a new east-west minor arterial in the Midtown area at 17th Street across I-75/I-85.

In response to public concerns about the width of the originally proposed 17th Street, several key intersections and roadways were redesigned, including the removal of through lanes and turning lanes on 17th Street. In making these changes, additional urban design criteria were considered such as pedestrian safety and context sensitive design, creating a more acceptable urban corridor, with less emphasis on accommodating future traffic volumes alone. It was agreed that a certain amount of predicted additional congestion would be acceptable. A decreased LOS on 17th Street was determined to be permissible in order to accommodate the other design criteria. The primary design concern was that traffic would not backup on the Interstate exit ramps and affect the operations and safety of the Interstate system.

13. Comment: The analysis of air quality emissions included in the EA is incorrect.

Response: Regarding air quality impacts on surrounding neighborhoods generated by the Atlantic Steel redevelopment, the Georgia Institute of Technology performed a carbon monoxide (CO) hotspot analysis, on behalf of

EPA. Results of the analysis concluded that traffic associated with the Atlantic Steel redevelopment and associated roadway improvements would be extremely unlikely to create a localized violation of the National Ambient Air Quality Standards (NAAQS) for CO in the foreseeable future. Justification of the appropriate traffic assumptions used in the CO hotspot in the analysis is described in the Response to Comment #7. The CO hotspot analysis was conservative in that it considered conditions most likely to produce CO hotspots in terms of meteorology, traffic congestion, and receptor location. Furthermore, the CO hotspot analysis was completed before EPA finalized its Tier 2 tailpipe emissions and gasoline sulfur standards, which should reduce future motor vehicle CO emission rates below those assumed in the CO hotspot analysis.

In addition, EPA performed a regional emissions analysis, which concluded that the Atlantic Steel redevelopment would produce fewer transportation-related emissions of volatile organic compounds and oxides of nitrogen, precursors to ground-level ozone formation, than a comparable amount of development built at other likely locations in the Atlanta region.

14. Comment: The EA fails to acknowledge the existence of air quality problems in the Atlanta Metropolitan Region and active litigation challenging the recent regional transportation plan.

Response: The EA clearly explains the current air quality status for the study area, including the Atlanta Metropolitan Region. Regardless of the outcome of any active litigation challenging the recent regional transportation plan for the Atlanta region, the 17th Street Extension and Atlantic Steel Transportation Control Measure (TCM) are required to be implemented by the State of Georgia as this project has been included as part of the Georgia State Implementation Plan (SIP).

15. Comment: The designation of the 17th Street Extension plus the Atlantic Steel development as a TCM by EPA is in excess of its legal authority.

Response: EPA has approved the Atlantic Steel TCM into the Georgia SIP under the authority of Sections 108(f) and 110 of the Clean Air Act (CAA). As explained in the final TCM rulemaking, EPA approved the redevelopment as a TCM because its location, transit linkage, site design, and other transportation elements together comprise a measure for the purpose of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. In addition, the redevelopment includes specific elements listed in Section 108(f). Under Section 110 of the CAA, EPA approves measures into the SIP that contribute to attainment of the NAAQS.

16. Comment: The project lacks the necessary criteria to qualify as a TCM.

Response: In the final TCM rulemaking, EPA identified six criteria established by EPA policy ("Transportation Control Measures: State Implementation Plan Guidance," U.S. EPA Office of Air Quality Planning and Standards, September 1990) that a proposed TCM must satisfy before it may be considered for inclusion

in the SIP. The rulemaking also contained detailed explanations of how the proposed Atlantic Steel TCM satisfied EPA's criteria. It is the opinion of EPA that the Atlantic Steel TCM has indeed been subject to intense scrutiny, particularly in terms of satisfying EPA's six TCM criteria.

In addition, the Atlantic Steel TCM contains four site design criteria and four transportation performance targets which will collectively help ensure both that the redevelopment is designed and built with elements that encourage alternatives to single-occupancy automobile trips, and also that the project will perform up to its potential to lower vehicle-miles traveled and concomitant emissions. Zoning conditions, other neighborhood commitments, and the site design criteria and performance targets identify and establish appropriate measures to protect surrounding neighborhoods from adverse traffic and air quality impacts generated by the Atlantic Steel redevelopment and 17th Street Extension.

Roadway Design Comments

17. Comment: Rail transit, pedestrian walkways, and bus lanes should be the focus for this project, rather than encourage vehicle use.

    Response: The success of the Atlantic Steel redevelopment is contingent on a mixture of access via different modes of transportation. Reliance on pedestrian, transit, and bicycle modes of transport without the proposed number of single occupancy vehicle (SOV) lanes would not address the proposed traffic demand nor allow this environmentally beneficial project to be viable.

    A specific alternative was considered in the EA that included transit-only for the 17th Street Bridge, including bike and pedestrian facilities, with no SOV lanes. However, a number of significant traffic impacts of the transit-only alternative were identified, specifically in the southern and western portions of the study area. Without the provision of an east-west general traffic connection, including SOV lanes, across I-75/I-85 and new Interstate access, traffic volumes would be significantly greater on the existing Interstate exits at 10th and 14th Streets. Certain sections of 10th Street, 14th Street, Techwood Drive, and Williams Street would experience large increases in average daily traffic (ADT) volumes in the project area. Several intersections would have a higher level of congestion in the Year 2025. Furthermore, without the provision of direct access to the Atlantic Steel site, traffic would utilize existing surface streets in the Home Park neighborhood to access the redevelopment and have much greater impacts on this community.

18. Comment: Instead of building the 17th Street Bridge, improve access to the site from Northside Drive.

    Response: Based on the future traffic projections for the planned residential, retail, office and hotel development on the Atlantic Steel site, improvements to Northside Drive alone, with no Interstate access improvements, could not accommodate the projected traffic volumes. In addition, the "smart growth"

aspects of the Atlantic Steel project and the substantial social, economic, and environmental benefits, as outlined in the EA, would not be possible without adequate access from all directions, particularly I-85 from the north and I-75/I-85 from the south.

19. Comment: Cover the Interstate with a continuous bridge from 5th Street to 17th Street, build a park on this structure, and reopen the cross streets.

    Response: The overall implementation costs for such an alternative would likely cost several hundred million dollars. A project of that magnitude may extend into the billions, as has occurred on a similar project being constructed at this time in Boston, Massachusetts. The "Big Dig", as it is referred, has an estimated cost of ten billion dollars and is expected to increase over time. It is also estimated that federal taxpayers will have to pay for eighty-five percent of the cost. This would be beyond the scope and funding of this project. Due to fiscal constraints, this alternative would not be feasible. The 17th Street Extension and Atlantic Steel Redevelopment Project has an intended purpose of creating a mixed-use community that is interconnected to the Midtown area.

20. Comment: The 17th Street Bridge design is not in compliance with the zoning conditions attached to the Atlantic Steel property.

    Response: The zoning conditions for the Atlantic Steel site included two diagrams (a plan and cross-section) of 17th Street. These conditions are specific to 17th Street on the Atlantic Steel property. However, the design for 17th Street, including the bridge, included a divided four-lane roadway, with two general purpose lanes in each direction and one bike lane in each direction. The main addition to this design would be the transit-only lane from Northside Drive to West Peachtree Street. The bicycle lane is now included within this wide transit lane. Unfortunately, the rezoning of this property came well in advance of the development of the concept for the 17th Street Extension, including a better definition of the transit connection to the Arts Center Station. The bridge cross-section in the zoning conditions is illustrative and not a binding diagram. The proposed cross-section is consistent with and satisfies the performance criteria stated in the zoning conditions.

21. Comment: The proposed bridge design is not supportive of the Blueprint Midtown developed by the Midtown Alliance.

    Response: Several key intersections and surface streets were redesigned. Additional urban design criteria were considered such as pedestrian safety and aesthetics, with less emphasis on accommodating future traffic volumes. The focus of the changes was to reduce: driving speeds, lane widths, the number of through and turning lanes, and turning radii of intersections. The ultimate objective was to balance the needs of cars, buses, bicycles, and pedestrians to better integrate 17th Street with the urban fabric of Midtown Atlanta and coordinate more closely with the vision for Midtown provided by the Midtown Alliance and "Blueprint Midtown."

22. Comment: The 17th Street Bridge is too wide. The dedicated bus lanes should not be a part of the bridge.

Response: The dedicated transit link to the MARTA Arts Center Station is required in order for this project to be considered a TCM. The multi-modal bridge is proposed to be approximately 130 feet wide to accommodate automobile, transit, pedestrian, and bicycle elements. Without the transit, bicycle, and pedestrian elements incorporated into the design of the 17th Street Bridge, the project would not be approved.

23. Comment: The 17th Street Bridge must be designed by someone sensitive to aesthetic issues, not just experienced in building roadways.

Response: Pedestrian design and aesthetic detail will be important considerations. The 17th Street Bridge will be multi-modal, meaning that vehicles, pedestrians, bicycles, and transit buses will all utilize it. At this time, potential designs for the bridge are unknown; however, there is a general agreement that the 17th Street Bridge should be designed as a "gateway" structure into the heart of Downtown Atlanta, if possible. Regardless, qualified landscape architects will work to ensure that aesthetic values and overall compatibility with existing and future Midtown streetscapes are achieved in the course of final bridge and roadway design.

24. Comment: The project should provide return access to I-75/I-85 from the 17th Street Bridge.

Response: This was considered during the early stages of concept development. However, it was determined that such connections were not feasible due to physical and geometric constraints and due to unacceptable impacts on freeway mobility. Therefore, the existing local access to the Interstates will be utilized.

25. Comment: Why do you need the 17th Street Bridge, when there is an existing state roadway corridor (14th Street) that runs parallel to the proposed corridor and provides adequate access to the area?

Response: An alternative was considered that included upgrades to 14th Street and no 17th Street Bridge. Results of the Year 2025 traffic modeling for this alternative did not show appreciable improvements in traffic and ramp operations even with significant widening of 14th Street. In addition, this alternative did not provide direct access to the Atlantic Steel site. Therefore, this alternative was not considered further, and it was determined that a new bridge would be required to provide direct access to the Atlantic Steel site and another east-west connection into Midtown.

26. Comment: As part of this project, Piedmont Road, Juniper Street, Spring Street, and West Peachtree Street should be returned to two-way traffic.

Response: The return of these roadways to two-way traffic is considered outside the scope of the 17th Street Extension project. Piedmont Road and Juniper Street are City of Atlanta streets. A specific project could be initiated to effect this

change; however, the City of Atlanta would be responsible for sponsoring and implementing these changes. West Peachtree Street and Spring Street are both on the State Route system. Previous studies conducted by traffic engineering consultants for GDOT indicated that this is the best utilization of these two facilities and that returning these roads to two-way traffic would reduce the existing level of service to further unacceptable levels.

27. Comment: Instead of extending 17th Street to Peachtree Street, stop 17th at Spring Street or West Peachtree Street.

Response: The termination of any GDOT project requires a connection to a State Route (SR). The 17th Street Extension as currently designed, terminates at U.S. 41/S.R. 3 (Northside Drive) on the west and U.S.19/S.R.9 on the east. S.R.9 in this location consists of Spring Street and West Peachtree Street, which are one-way, southbound and northbound arterials, respectively. Because these are one-way streets, 17th Street must connect to both streets in order to effectively distribute the traffic in both directions. 17th Street between West Peachtree Street and Peachtree Street is an existing two-lane City street. 17th Street in this location would not be changed, with the possible exception of the removal of on-street parking at the intersection of 17th Street and Peachtree Street. Utilization of 17th Street in this location is necessary to provide continued access to the commercial district along Peachtree Street, maintaining the City Street grid system, and allowing for better distribution of traffic.

28. Comment: The combined bus/bicycle lane design poses a hazard to bikers.

Response: Dedicated bus/bicycle lanes will continue from West Peachtree Street to Northside Drive. In the design of the 17th Street Extension, these lanes would include12 feet for buses and four feet for bicycle travel. Adequate space has been provided within these lanes for the safe operation of buses and bicycles based on American Association of State Highway and Transportation Officials guidelines. Operation of shuttles is not anticipated to hamper bicycle travel. Shuttles would operate on four and eight minute intervals. The same concept has been used in other cities and has been found to be effective. Based on comments made during the Public Hearing for this project, the Executive Director of the Atlanta Bicycle Campaign expressed support for this concept.

29. Comment: The 17th Street Extension does not seem to be pedestrian-friendly.

Response: The multi-modal bridge is proposed to be approximately 130 feet wide and would include automobile, transit, pedestrian, and bicycle elements. The bridge would contain two general-purpose travel lanes and one dedicated transit/bike lane in each direction with sidewalks on both sides. Sidewalks would be provided on all new surface streets in the Atlantic Steel redevelopment and as part of most off-site roadway improvements. It is anticipated that sidewalk widths would be approximately 15 feet on all street improvements except for the 17th Street Bridge where they would be 22 feet on the south side and 30 feet on the north side. The redevelopment would include utilization of the existing at-grade crossing over the railroad at Mecaslin Street to provide a signalized bike/pedestrian crossing into the Loring Heights community. JAR would provide

a grade separated (elevated) bike/pedestrian crossing at the location, depending on negotiations with Norfolk Southern Railroad.

There are a number of design-specific measures that will be considered in the next phase of bridge and intersection design to ensure that bicycle and pedestrian needs are met. These include: 1) construction of narrower lanes to shorten the length of the intersection crossing; 2) develop wider medians to provide islands; 3) consideration of prioritized signal timing for pedestrians; and 4) use of special surface treatments for cross walks. The City of Atlanta and GDOT commit to working with affected stakeholders of the project to ensure that pedestrian needs are considered and a continuous flow of pedestrian movement is maintained in the design of roadways and intersections connecting the 17th Street Bridge into Midtown.

30. Comment: Lower the design speed on 17th Street to 25 mph.

Response: The speed design is applicable to the functional classification of the proposed roadway. While the design speed is set at 35 mph, once completed the posted speed can be changed to facilitate operations. The City of Atlanta is anticipating to post a 25 mph speed limit on 17th Street.

31. Comment: Provide an eight to ten foot planting buffer between the travel lanes and the sidewalk on 17th Street.

Response: The design team for the project will consider this and similar options for the 17th Street corridor during the plan development phase. Additional input will be sought from the community and the City of Atlanta concerning the landscaping desires and commitments for maintenance as the project moves forward.

32. Comment: Provide a grade separation to allow motorists traveling southbound on Techwood Drive that are destined to 10th Street to pass under 14th Street.

Response: According to the traffic analysis conducted for the Atlantic Steel/17th Street Extension project, acceptable operations will occur with the 14th Street/Techwood Drive intersection remaining at-grade. In order to grade separate the 14th Street movements from the 10th Street movements, there would be substantial impacts to all properties surrounding this intersection and, therefore, this option is not viable for this project.

33. Comment: Shift the alignment for the southbound ramps from I-75 and I-85 to Techwood Drive to the east in order to reduce property impacts south of 16th Street.

Response: The conceptual alignments have been adjusted to achieve a “smoother transition” as suggested. However, there will be unavoidable impacts to the properties that abut this section of Techwood Drive. The final design will attempt to minimize property impacts without jeopardizing vehicular safety or operations. Once the design is completed in this area and the actual property impacts are

defined, specific affected property owners will be contacted to discuss the property impacts of the final design.

34. Comment: Extend 17th Street west from Northside Drive to Howell Mill Road

Response: Currently, there are no plans to extend 17th Street improvements beyond Northside Drive. The Loring Heights Neighborhood Association expressed a desire to widen Bishop Street between Northside Drive and Howell Mill Road. This will not be included in the 17th Street project; however, the City of Atlanta and JAR will continue to work with the Loring Heights neighborhood and the adjacent commercial district to further this project, as appropriate. As stated previously, it is anticipated that appropriate BATAD #2 funds would be utilized to study and implement this project.

35. Comment: Provide a traffic light at the intersection of Bishop Street and 17th Street.

Response: GDOT will evaluate need for a traffic signal at this location as design proceeds. Specific design standards will be reviewed to determine if adequate distance from Northside Drive is available to place a traffic light at this location. Any traffic light at this location will include signalization for both pedestrians and cars.

36. Comment: Close Bishop Street at Mecaslin Street.

Response: At the request of the Loring Heights Neighborhood Association and several of the businesses in the adjacent commercial district, Bishop Street will remain open at Mecaslin Street.

37. Comment: Do not destroy large oak trees on the east of Northside Drive, south of Bishop Street.

Response: No trees will be removed at this location.

Transit Comments

38. Comment: Rail transit, not a shuttle service, should be a component of this project.

Response: The developer will provide a rubber-tired shuttle service for ten years from the date that the 17th Street Bridge opens to traffic or until December 31, 2015, whichever is longer. The developer's obligation will cease if, during the period of obligation, an appropriate entity operates a fixed mass transit link providing a similar level of service.

Although currently there is no commitment of funds for rail transit service to the Atlantic Steel site beyond the developer's commitment, EPA believes it is reasonable to expect that some form of future fixed transit (potentially rail) will

be developed to serve the Atlantic Steel redevelopment. The 2025 Regional Transportation Plan (RTP) for the Atlanta region adopted by ARC anticipates assigning $1,677,000,000 for the construction of a light rail line from the MARTA Arts Center station through the Atlantic Steel redevelopment and extending northwest to the Town Center area in Cobb County (RTP projects AR-251A, AR-251B, and AR-251C). The first phase of the project, which would connect the MARTA Arts Center station to the Cumberland area through the Atlantic Steel redevelopment, is anticipated to be operational by 2010. The developer has committed in the TCM to provide without cost right of way in the development to MARTA or other acceptable entity for the construction of a transit linkage connecting the Atlantic Steel site to the MARTA Arts Center station.

39. Comment: Provide an explanation on the status of the transit loop to the OMNI MARTA Station, commonly called the "West Side Loop".

Response: The 2025 Regional Transportation Plan (RTP) for the Atlanta region adopted by ARC includes $1,000,000 for a downtown westside transit study (AR-325). One of the objectives of the Central Atlanta Transportation Study (CATS), currently underway, is to develop alternatives for mobility on the west side of Downtown Atlanta between the Atlantic Steel redevelopment and the Georgia World Congress Center and destinations between, including transit.

40. Comment: There are insufficient guarantees to preclude expanded automobile lanes on the bridge in place of the transit lanes.

Response: Approval of the project as a Transportation Control Measure (TCM) requires dedicated transit lanes. Any conversion of these lanes to general purpose vehicular traffic is prohibited under the federally enforceable TCM.

41. Comment: How can the developers or the City of Atlanta believe that bus service to the site will do any good?

Response: Provision of a shuttle bus service is the short-term solution of linking the Atlantic Steel site to the MARTA Arts Center Station. This short-term transit option should be successful because of: 1) the connectivity it will provide with MARTA; 2) convenience; 3) accessibility; and 4) specific performance requirements in the TCM. Buses would circulate throughout the development and across the 17th Street Bridge on dedicated transit-only lanes, which will have a signal priority at certain signalized intersections. During peak hours (6:00 to 9:00 AM and 3:30 to 6:00 PM) the buses would operate on a four-minute frequency and an eight-minute frequency at off-peak hours, thereby matching the existing MARTA train schedule. The developer will provide the buses, which are anticipated to be comfortable, clean-burning natural gas vehicles, and will operate the shuttle system. The shuttle service will be free of charge. Finally, there are specific performance requirements in the TCM and zoning conditions for the site that if the development is not meeting expected ridership targets for non-SOV modes (including transit), the developer must initiate practices to increase ridership in these alternative modes.

It is also anticipated that MARTA will expand or alter its existing bus routes to include service to the Atlantic Steel site once the redevelopment attains a transit-supportable level of residents, employees, and other trip generators.

42. Comment: What are the opportunities for linking this project with AMTRAK or creation of a new multi-modal terminal on the Atlantic Steel site?

Response: The current proposed Multi-Modal Passenger Terminal (MMPT) is proposed to consolidate a number of transportation providers (Greyhound Buses, Metro Commuter Rail/Buses, Georgia Rail Passenger Network and AMTRAK) at one location adjoining the Five Points MARTA Station. It has been in the planning stages for nearly a decade. A feasibility report was completed by ARC in 1991 which looked at a number of sites for AMTRAK. GDOT prepared an EA in 1994 for the MMPT at the Five Points site. Brookwood Station was considered, but was not large enough, nor could it be expanded to accommodate a new AMTRAK network. GDOT is now in the process of reviewing this project and it is probable that AMTRAK, with a larger network or the current New York/New Orleans service, will be relocated to the Five Points facility to provide a comprehensive transportation facility for the traveling public. Relocation of the MMPT to the Atlantic Steel site is not part of the site development plan as created by JAR.

A possible rail line to Cobb County from the Arts Center Station thru the Atlantic Station site will be studied by GRTA and, if feasible, would be subjected to an environmental document, as described previously. It would be a number of years in planning and development stages. It is not likely that any of these studies would conclude that AMTRAK should be located at the current site or a new site based on the earlier studies for the MMPT in 1991. MARTA has no studies underway or pending for a Northwest Line that would link to an AMTRAK facility at the current location or at the Atlantic Steel site.

Other Transportation Comments

43. Comment: What is the status of providing High Occupancy Vehicle (HOV) access to Midtown as part of this project?

Response: Based on public concerns, the concept of providing HOV access to the Midtown area is no longer a part of the 17th Street Extension project. The concept of providing HOV access into the Midtown area is still being considered by GDOT, GRTA, and the City of Atlanta; however, there is currently not a specific project that has been defined for inclusion in the ARC FY 2001 to FY 2003 Transportation Improvement Program (TIP) or 2025 RTP. It is anticipated that a Midtown HOV project could be developed for inclusion in later updates/amendments to the TIP or RTP. Several alternatives would likely be considered to satisfy the overall purpose and need for that project. The HOV project would have a separate planning process, including preparation of an environmental impact document and several opportunities for public involvement and comment on the scope of any HOV plans. Construction of the 17th Street

Extension will not preclude the possibility of a direct HOV freeway access component in the future.

44. Comment: What is the status of the proposed redesign of the I-75/I-85 interchange?

Response: A separate project to improve the existing exit from I-75 southbound to I-85 northbound at Brookwood is listed in the ARC FY 2001 to 2003 TIP, as Project AT-AR 211. This project is not included within the 17th Street project; however, design of the 17th Street Extension will not preclude the possibility of a future interchange. Monies are included in the TIP to initiate preliminary engineering this fiscal year. The I-75/I-85 Interchange project will have a separate planning process, including preparation of environmental impact documents and several opportunities for public involvement and comment on the scope of the proposed improvements.

45. Comment: Roadway construction staging areas should be located on the Atlantic Steel site and not on the east side of the Interstate. Any nonessential land acquired by GDOT for construction purposes should be put back into use within a year after construction is finished.

Response: Construction staging areas have not been identified at this point. This decision will be made during the Right-of-Way acquisition phase.

Atlantic Steel Redevelopment Comments

46. Comment: Redevelopment of this site should not include a retail component that is larger than Lenox Mall.

Response: The retail component of the Atlantic Steel Redevelopment is small in comparison to Lenox Square Mall in Buckhead. Lenox Square has over 230 specialty stores and three department stores. The retail component planned for the Atlantic Steel redevelopment consists of approximately 80 stores, or about one-third the size of Lenox Square.

47. Comment: Mixed use buildings only promote transit if they have their front doors at the sidewalk or oriented to transit stops.

Response: The mixed-use buildings within the Atlantic Steel redevelopment will be oriented to the sidewalk and transit stops. This is not only part of the redevelopment plan for the site but is outlined in the zoning conditions as well.

48. Comment: The Atlantic Steel redevelopment is a suburban, not urban, development.

Response: JAR consulted and produced its redevelopment plans with local, national and international experts who have been identified as the leaders in mixed-use, smart-growth urban communities. Based on these experts'

recommendations and extensive input from the neighboring communities of Home Park and Loring Heights, the current plan has been developed. Architects and planners who understand how great urban spaces are created, have commented that the mix-of-uses, street-connectivity, small block-size, pedestrian-orientation and urban design elements in this plan have made the Atlantic Steel Redevelopment a national model for exceptional urban development.

49. Comment: The Atlantic Steel Redevelopment is three times the size of the Mall of Georgia.

Response: The Atlantic Steel Redevelopment is actually over three times smaller than the Mall of Georgia. Construction of the Mall of Georgia required the clearing of approximately 500-acres of undeveloped land 30 miles northeast of downtown Atlanta in Gwinnett County. The Mall of Georgia contains only retail components. The Atlantic Steel redevelopment cleans up a contaminated industrial site and will include a mix of uses on approximately 135 acres. The Mall of Georgia has over 175 specialty stores and 5 anchor department stores compared to the approximately 80 stores planned for the Atlantic Steel Redevelopment.

50. Comment: Make the former Atlantic Steel site into a park.

Response: The redevelopment of the Atlantic Steel property is ultimately a private venture, which is providing the financial resources for cleanup of this site. The City of Atlanta has not identified this area as part of their master park plan. In addition, a specific zoning condition placed on the property by the City of Atlanta stipulates that there will be no less than 7 acres of green space or park space within the redevelopment. Currently there are plans for over 11 acres of public park space for the residents, employees and visitors to use. This 60% increase in park space will provide opportunities for recreation, afternoon concerts, and evening strolls.

51. Comment: EPA must ensure that adequate measures are taken to control dust from on-site construction operations.

Response: JAR has implemented a stringent dust control program that provides for visual inspections of construction activities on a continuing basis, and requires the construction contractor to maintain and utilize dust control equipment (water trucks) on a full time basis during earthwork and grading activities. Two such water trucks are currently utilized at the project site maintaining the excavation areas and haul roads in a watered down condition. Ongoing inspections by the City of Atlanta staff, the Fulton County Soil and Water Conservation Commission, and the on-site engineering staff maintain consistent oversight of the contractor's compliance with these requirements. Citizen complaints to EPA will be forwarded to the Georgia Environmental Protection Division for enforcement of regulatory requirements.

52. Comment: Water and sewer lines in the Home Park neighborhood should be updated and expanded, based on current inadequacies of the water system in the area.

Response: JAR has conducted a detailed evaluation of the current potable water, storm sewer and sanitary sewer service system within the area of 16th Street between Mecaslin Street and Techwood Drive. This evaluation was conducted to determine if any infrastructure improvements would be required to fully support the additional service needs of the redevelopment. The utility improvements identified include installation of a new potable water service main paralleling 16th Street and connecting to the existing service mains that provide potable water service along the connecting north-south streets in the Home Park community. In addition, JAR has conducted television inspections of the combined sewer mains along 16th Street to assess the current condition of these lines. As a result of this evaluation, JAR has recommended that the City of Atlanta remove sediment and debris that currently reduces the capacity of these lines. The City of Atlanta recently completed this action. As part of the redevelopment, JAR will be providing a separate storm sewer line along the reconstructed 16th Street that will handle storm drainage from Home Park streets, providing additional sanitary sewer capacity in the existing line. These improvements should address current infrastructure concerns with respect to potable water service, sanitary service, and storm drainage/flooding issues along 16th Street and in Home Park.

53. Comment: Stormwater and wastewater should be separated in the 503-acre Shoal Creek catchment area. Stormwater detention should be provided on the Atlantic Steel site for the entire Shoal Creek watershed.

Response: For purposes of this project, the sanitary sewer and stormwater impacts are limited to the redevelopment site within the 503-acre catchment area. The combined sewer issues and storm water runoff within the entire Shoal Creek watershed were considered to be beyond the scope of this project. However, a number of mitigative measures and corrective actions will be implemented to address storm water runoff and combined sewer overflow issues for the entire Shoal Creek catchment area.

The developer is required to provide an increased on-site stormwater detention capacity of approximately 20% to assist the City of Atlanta in the management of stormwater flows to the Tanyard Creek Combined Sewer Overflow (CSO) Facility. Furthermore, the Hemphill Water Treatment Plant historically contributed to surface water flows on the Atlantic Steel site, primarily from water that was discharged as part of cleaning its on-site filters. Recently, the City of Atlanta instituted a number of measures to recycle these flows. JAR is required to provide separate stormwater and sanitary sewer facilities, with sanitary connections directly to the Tanyard Creek Interceptor Sewer downstream of the Tanyard Creek CSO Treatment Facility. The combined effect of the reduction of other sources of surface water (Hemphill Water Treatment Plant), the requirement for additional on-site detention, and separation of sanitary flows is anticipated to improve operations at the Tanyard Creek CSO Treatment Facility.

Although the issues of control are being addressed for only the portion of the Shoal Creek catchment area pertaining to the Atlantic Steel site, all of the measures listed above represent a step in the positive direction for the entire Shoal Creek catchment area.

54. Comment: The EA fails to acknowledge the existence of water quality problems in the City of Atlanta, and the impacts of this project on the City's ability to address those problems.

Response: Permits and certifications for the project were based upon the best available information. The issuance of the capacity certification letters by the City of Atlanta are based upon projected site build out figures and sequence of construction. The stormwater and wastewater flow volumes estimated by JAR in the EA were based on the current redevelopment plan. Submittal of projected flow volumes is a common permit practice for new developments.

The certification letters limit JAR to development that is consistent with the parameters established in the certification letters. In addition, infrastructure improvements on-site and in the Home Park and Loring Heights communities funded by and constructed by JAR are an integral component in the City's determination that the sanitary and storm sewer capacities will be available to service the planned development. Discussions between JAR and the City are ongoing and continuous. As the design activities continue to move forward, the scope of detention pond design and required retention capacities will be maintained and enforced by the City of Atlanta.

Stormwater runoff and combined sewer overflow issues are regulated under the Georgia Municipal stormwater permit for the City of Atlanta, and the long term control plans in the combined sewer overflow permits issued by the State. The City of Atlanta is responsible for assuring: (1) that the project will comply with the Federal Clean Water Act litigation; and (2) that the project will be constructed in such a way as to guarantee the existence of sufficient water and sewage capacity. By addressing the potential to generate significant pollutant loadings as a result of redevelopment of the site, future impairments to the watershed should be minimized.

55. Comment: Stormwater runoff laden with lead and other contaminants from the National Smelting and Refining site should not be permitted to flow via any piping system into Tanyard Creek.

Response: The EPA currently is conducting a removal action that will abate the immediate threats posed by the National Smelting and Refinery site. Although the final remedial solution for the site has not been determined, EPA will implement the necessary stormwater runoff management and controls to limit off-site migration of surface soil contaminants.

56. Comment: Provisions should be made to inform future commercial or residential tenants of the redevelopment that both the Atlantic Steel site and the National Smelting and Refining property were once Superfund sites.

Response: The Atlantic Steel site has never been listed as a Superfund site. The conservation easement, which is the legal mechanism for ensuring future actions comply with the approved remediation plan, is filed with the City of Atlanta and Georgia EPD. This information is available from Georgia EPD, Hazardous Waste Management Branch, or the City of Atlanta, Planning Department. Future

purchasers of property in the redevelopment would be subject to this conservation easement, under law. However, there is no legal obligation of future purchasers to inform individual tenants of any information contained in the remediation plan or conservation easement. This disclosure would be up to the discretion of each purchaser.

The long-term remedial solution for the National Smelting and Refining site will likely be conducted in accordance with the Superfund remedial program or the State of Georgia Hazardous Site Response Act. Future public disclosures and announcements related to site cleanup activities will follow all requirements of these statutes and likely include press releases and periodic updates to the surrounding community, including owners at the Atlantic Steel site.

57. Comment: The compensatory mitigation needs to be recomputed to account realistically for the value of these wetlands to the community.

Response: A Nationwide Permit (NWP) 38 for fill of the on-site Waters of the United States was applied for and authorized by the Savannah District, U.S. Army Corps of Engineers (USACE). The NWP 38 allows activities to be completed in wetlands that are required to effect the containment, stabilization, or removal of hazardous or toxic wastes that are performed, ordered, or sponsored by a government agency with established legal or regulatory authority. The authorization of NWP 38 was due to the approval of the Remediation Plan by the Georgia EPD. Mitigation for wetland impacts was calculated using the USACE's Standard Operating Procedures for Compensatory Mitigation. The appropriate mitigation credits were applied to an "in-lieu of fee" stream restoration mitigation plan. Approval of the mitigation plan was coordinated with the EPA, U.S. Fish and Wildlife Service, and Georgia EPD. Identification of appropriate stream restoration sites included an evaluation of all surface waters in the Chattahoochee watershed, including Tanyard Creek and Peachtree Creek. Candidate sites were assessed based on their current condition, position and function in the watershed, and potential for further degradation. In addition, extensive coordination with the USACE, the City of Atlanta, and DeKalb County, specific to their needs related to current restoration efforts and pending greenway acquisition projects, was conducted as part of mitigation efforts.

58. Comment: What happens if the ultimate uses of the Atlantic Steel site change or if transportation aspects of the project change? Is there a consequence imposed on the developer?

Response: Four site design criteria and four transportation performance targets are included in the final TCM rulemaking that would collectively ensure that the redevelopment is designed and built with elements that encourage alternatives to single occupancy vehicle trips, and that the project would perform in ways to lower vehicle miles traveled and associated emissions. An enforceable, detailed site design is not included in the TCM due to the complexity and duration of build-out. Instead, the TCM contains site design criteria and target values that are enforceable. As part of the TCM monitoring, JAR is required to submit copies of the site plan, with revisions, to the City of Atlanta, ARC, Georgia EPD and EPA annually after the bridge opens to traffic until the project is built-out. If the site

design does not meet or exceed the target site design criteria, JAR must submit and receive approval from the City of Atlanta, ARC, EPD, and EPA for a revised final site plan that does.

The TCM also contains contingency measures that encourage more travelers to use alternatives to single occupancy vehicles, should the monitoring program conclude that the project is not meeting the transportation performance targets. If the site is not meeting or exceeding the applicable performance targets, JAR would identify funding or fund the creation of a Transportation Management Association (TMA), if employers and property managers are not participating in a TMA already. The TMA would consult with the City of Atlanta concerning implementation of additional alternative transportation programs that achieve the performance standards stipulated. The City of Atlanta and JAR would ensure that these programs would be developed and implemented, as appropriate.

The City of Atlanta has established zoning conditions on the Atlantic Steel property that require JAR to complete certain activities that are also related to implementation of the TCM. Relevant conditions include: development and appropriate phasing of residential and non-residential components of the project; development of 17th Street as a mixed use street; construction of bicycle lanes; creation of and maintenance of open space; incorporation of a transit connection to the MARTA Arts Center station from the site; development of a transportation management plan, including support for and participation in a TMA; and the necessity of having the 17th Street Bridge under contract for construction before building permits are issued for the site. These zoning conditions apply to JAR and/or its successors. These conditions ensure that the site design maximizes pedestrian and bicycle connectivity, transit connections, and activity diversity. Before construction occurs, JAR is required to submit a site plan to the Bureau of Buildings of the City of Atlanta for approval. Compliance with zoning conditions is enforceable by law.

IV. REVISIONS TO THE ENVIRONMENTAL ASSESSMENT

After reviewing all the comments received by EPA on the Environmental Assessment, only a few changes to the document were found to be needed. Therefore, the Environmental Assessment is revised as follows:

1) Pg EX-3, 2nd bullet – Replace text to read…

- *Several communities in the project area expressed concerns about the traffic increases resulting not only from this project, but from other new developments in the area that are already occurring, or that would occur in the future. Based on these concerns, a number of measures were developed. These measures include design modifications, specific zoning and traffic monitoring commitments for the Atlantic Steel site, and specific conditions or agreements between various public and private entities and individual neighborhoods.*

2) Pg vii, List of Appendices – Delete Appendix I and rename Appendix J as Appendix I.

3) Pg vii, List of Appendices – Add new Appendix J – Public Hearing Transcript.

4) Pg vii, List of Appendices – Add new Appendix K – Public Comments on Environmental Assessment.

5) Pg 4-27, Section 4.3.3.7, Measures for Addressing Community Traffic Concerns – Replace entire text of section to read…

As part of the rezoning process for the Atlantic Steel site and public involvement for this project, a number of citizens from the neighborhoods in the study area (Ansley Park, Home Park, and Loring Heights) raised concerns about potential traffic impacts to their communities resulting from the 17th Street Extension and Atlantic Steel redevelopment. Through subsequent meetings with the City of Atlanta Neighborhood Planning Unit (NPU-E) for this area, as well as individual meetings with the neighborhood civic associations, a number of measures were developed to address these community concerns. These measures are summarized below.

Design Modifications*. Several design modifications were developed for the original 17th Street Concept based on direct input from the neighborhoods. The major design modifications to the 17th Street Bridge and its transition into Midtown Atlanta, both east and west of I-75/I-85, were discussed in Section 4.3.3.1. In addition, three alternatives were presented to the Loring Heights Neighborhood Association related to the design of the intersection of Bishop Street and the proposed 17th Street. The neighborhood discussed these alternatives with the adjacent commercial district along Bishop Street and identified a preferred alternative. This design alternative was incorporated into the latest design of this intersection.*

Zoning Commitments. *When the Atlantic Steel property was rezoned in 1998, specific zoning conditions were included to address the surrounding neighborhoods' concerns related to future traffic impacts. Condition 4 of the current zoning requires JAR to work with the City of Atlanta and Home Park to limit cut-through traffic on residential streets perpendicular to and south of 16th Street by means of cul-de-sacs, speed humps, gates, control arms, and other traffic calming devices. JAR is also required to work with the City of Atlanta and the Loring Heights neighborhood to limit cut-through traffic on Bishop Street. In addition, Condition #23 of the current zoning requires JAR to develop a transportation management plan that will attempt to reduce single occupancy vehicle (SOV) trips to and from the site. Both of these conditions represent enforceable measures on behalf of the City of Atlanta and JAR to work with these adjacent neighborhoods to minimize traffic impacts in the future.*

TCM Commitments*. The Atlantic Steel TCM requires annual monitoring of the build-out and performance of the Atlantic Steel site relative to certain site design and transportation performance measures. The TCM contains four site design criteria and four performance targets which will collectively ensure that the redevelopment is designed and built with elements that encourage alternatives to SOV trips, and also that the project will perform in ways to lower VMT and associated emissions (see Section 4.3.4.4).*

Additional Neighborhood Commitments.

<u>Home Park and Loring Heights.</u> Atlantic Steel Brownfield Area and Tax Allocation District Number Two (BATAD #2) was created to make possible the redevelopment of the

Atlantic Steel site and encourage additional development on the perimeter of the redevelopment area. More specifically, BATAD #2 promotes maximum use of alternative transportation modes to minimize congestion and creates a financing tool for transportation and other infrastructure to improve and connect major activity centers. Since certain surface streets in the adjacent neighborhoods of Home Park and Loring Heights are included in the boundary for BATAD #2, it provides a specific process and dedicated funding source for the implementation of future transportation projects, including potential traffic calming measures, in these areas. Therefore, if cut-through traffic is determined to be excessive in Home Park or Loring Heights attributed to the Atlantic Steel redevelopment or surrounding areas, appropriate BATAD #2 funds would be utilized to study and implement measures to limit cut-through traffic. All monies and expenditures would be managed by the Atlanta Development Authority and the City of Atlanta. For any traffic calming measures that would require changes in traffic ingress and egress at certain intersections, the City of Atlanta would provide temporary barricades for an agreed upon trial period to determine the effects of eliminating (or improving) access.

Specific to Loring Heights, two proposed transportation improvement projects have been identified as part of discussions with the Loring Heights Neighborhood Association. These are: 1) construction of an elevated pedestrian/bicycle bridge at Mecaslin Street, and 2) widening of Bishop Street between Northside Drive and Howell Mill Road. The City of Atlanta and JAR will continue to work with the Loring Heights neighborhood and the adjacent commercial district to further these projects, as appropriate. As stated above, it is anticipated that appropriate BATAD #2 funds would be utilized to study and implement these projects.

<u>Ansley Park.</u> In response to concerns from the Ansley Park Civic Association (APCA) and many citizens of the neighborhood about projected increases in traffic volumes, a specific agreement has been entered into, by and between the APCA, GRTA, GDOT, the City of Atlanta, and JAR. The purpose of this agreement is to establish a mechanism for the continued study of traffic in Ansley Park as a result of the Atlantic Steel Redevelopment project and other developments in the Midtown Atlanta area. The agreement includes guaranteed financial commitments for the implementation of traffic calming and control measures that are identified as a result of separate studies, both internal and external to the Ansley Park neighborhood. The agreement has been duly executed and constitutes a valid and binding agreement, enforceable in accordance with the laws of the State of Georgia and in any court of competent jurisdiction. The specific agreement with APCA in no way invalidates or supercedes existing commitments of the City of Atlanta and the developer with the Home Park and Loring Heights neighborhoods contained within the enforceable zoning conditions for the site and the established BATAD #2 for the area, as described previously.

6) Pg 4-37, Section 4.3.6, Cultural Resources – Change title of section to "Archaeological/Historic Resources".

7) Pg 4-38, Section 4.3.6, Archaeological/Historic Resources – Add a new paragraph following the bulleted text to read…

In accordance with Section 106 of the National Historic Preservation Act, the Georgia State Historic Preservation Office (SHPO) reviewed the EA, as well as

supplementary documentation and correspondence, to determine the effect of this project on historic properties. Based on this review, the Georgia SHPO concurred that the project will have no adverse effect on the 15 historic architectural properties identified. In addition, the SHPO concurred that there will be no adverse effect on historic archaeological resources in the project's area of potential effects, conditioned upon monitoring of construction activities along Hemphill Avenue and further consultation with the SHPO should historic trolley tracks or water mains be discovered (see Appendix D). The basis for these determinations is included in Sections 4.3.6.1 through 4.3.6.3.

8) Pg 4-59, Section 4.3.6.3, Measures Proposed to Address Cultural Resource Concerns – Replace entire text of section to read…

During project construction, it is recommended that a qualified archaeological consultant monitor any construction and subsurface activities that are to occur along Northside Drive in the vicinity of Hemphill Avenue. Should the remains of either trolley tracks or water pipes be located, the archaeological consultant should notify the SHPO about the nature of the findings. Consultation with the SHPO and/or other interested parties would occur to discuss further treatment measures. Documentation of these resources would follow Georgia Historic Preservation Division and GDOT guidelines.

Impacts to historic properties in the study area associated with future transportation improvements that could be proposed outside the scope of this project, but as part of the agreement with APCA, as discussed in Section 4.3.3.7, are impossible to predict at this time. However, several agency and public citizens, including the SHPO, the Georgia Trust for Historic Preservation, the Atlanta Preservation Center, and citizens of Ansley Park raised concerns related to potential impacts of future transportation improvements to historic properties in Midtown. In recognition of these concerns, the City of Atlanta, through the Atlanta Urban Design Commission, will take appropriate steps to insure that historic properties that might be affected by any proposed transportation improvements are taken into account at the earliest possible opportunity. This will include coordination with the SHPO, the Georgia Trust for Historic Preservation, the Atlanta Preservation Center, and APCA.

9) Pg 4-70, Traffic Impacts, 2nd paragraph – Replace text to read…

However, because of concerns raised by the surrounding neighborhoods related to traffic impacts, a number of measures were developed to address these concerns. These measures include design modifications, specific zoning and traffic monitoring commitments for the Atlantic Steel Site, and specific conditions or agreements between various public and private entities and individual neighborhoods. Based on these commitments, no disproportionate adverse impacts associated with additional traffic are anticipated to low-income or minority populations.

10) Pg 5-6, List of Acronyms – Delete MOU, Memorandum of Understanding.

11) Appendix D, Agency Correspondence – Add letter from W. Ray Luce, Historic Preservation Division, Division Director and Deputy State Historic Preservation Officer to Heinz J. Mueller, Chief, Office of Environmental Assessment, U.S. Environmental Protection Agency.