

On January 20, 2025, President Trump signed Executive Order (E.O.) 14148 --Initial Rescissions of Harmful Executive Orders and Actions and E.O. 14154 – Unleashing American Energy. The E.O.s revoked E.O. 13990 – Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis (January 20, 2021) and E.O. 14008 – Tackling the Climate Crisis at Home and Abroad (January 27, 2021). Subsequently on January 29, 2025, Secretary Duffy signed a Memorandum for Secretarial Offices and Heads of Operating Administrations – Implementation of Executive Orders Addressing Energy, Climate Change, Diversity, and Gender. On February 25, 2025, the Council on Environmental Quality (CEQ) published an Interim Final Rule removing the CEQ’s National Environmental Policy Act (NEPA) implementing regulations, effective April 11, 2025 (90 Fed. Reg. 10610). As a result of these actions, FHWA will not include greenhouse gas emissions and climate change analyses in the federal environmental review process. Any purported greenhouse gas emissions and climate change impacts were not considered in the federal decision. Accordingly, no greenhouse gas emissions or climate change analyses are included in this EA.

Also on January 20, 2025, President Trump signed Executive Order (E.O.) 14148 --Initial Rescissions of Harmful Executive Orders and Actions and E.O. 14154 – Unleashing American Energy. The E.O.s revoked E.O. 14096 – Revitalizing Our Nation’s Commitment to Environmental Justice for All (April 21, 2023). Subsequently on January 21, 2025, President Trump signed E.O. 14173 – Ending Illegal Discrimination and Restoring Merit-Based Opportunity. This E.O. revoked E.O. 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994). On February 25, 2025, the Council on Environmental Quality (CEQ) published an Interim Final Rule removing the CEQ’s National Environmental Policy Act (NEPA) implementing regulations, effective April 11, 2025 (90 Fed. Reg. 10610).

As a result of these actions, all federal environmental justice requirements are revoked and no longer apply to the federal environmental review process. FHWA, FTA and FRA’s Joint NEPA regulations (23 CFR part 771) and the agencies Interim Final Guidance on “Section 139 Environmental Review Process: Efficient Environmental Reviews for Project Decision-making and One Federal Decision” (12/17/2024) do not require an environmental justice analysis. Accordingly, no analysis of environmental justice is included in this EA. Any purported environmental justice impacts were not considered in the federal decision. Social, economic, and community impacts will continue to be disclosed where applicable in accordance with 23 CFR 771.

As a result of E.O. 14148, E.O. 14154, E.O. 14173, and the removal of the Council on Environmental Quality’s regulations, all federal environmental justice requirements are revoked and no longer applicable to the federal environmental review process. Accordingly, this EA does not consider public comments regarding environmental justice.



**STATE OF TENNESSEE  
DEPARTMENT OF TRANSPORTATION**

**ENVIRONMENTAL DIVISION**  
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**BUTCH ELEY**  
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**BILL LEE**  
GOVERNOR

June 7, 2024

Frank DuBose  
Environmental Protection Specialist  
Federal Highway Administration  
Tennessee Division Office  
404 BNA Drive, Bldg. 200, Ste. 508  
Nashville, TN 37217

SENT VIA EMAIL TO: [Frank.DuBose@dot.gov](mailto:Frank.DuBose@dot.gov)

Re: I-24 Southeast Choice Lanes between I-40 near Downtown Nashville and I-840 near  
Murfreesboro in Davidson and Rutherford Counties  
TDOT Project # R3BVAR0051 TDOT PIN 134727.00

Dear Mr. DuBose:

The Tennessee Department of Transportation (TDOT) hereby provides notice of our intent to initiate the National Environmental Policy Act (NEPA) process for the above-referenced project. Included within the project's scope is the construction of additional lanes to an urban interstate facility; therefore, the proposed project is subject to the requirements of NEPA. Though TDOT does not anticipate that the proposed improvements will have significant effects, the proposed improvements are not specifically listed among the categories of excluded action types in Title 23 of the Code of Federal Regulations (CFR) 771.117 (c) or (d). Therefore, TDOT plans to develop an Environmental Assessment (EA) to comply with NEPA.

The proposed Interstate 24 (I-24) Southeast Choice Lanes project would include widening with the intent to introduce Choice Lanes along the section of I-24 between I-40 near Downtown Nashville in Davidson County to I-840 near Murfreesboro in Rutherford County. The proposed project would total approximately 24 miles in length and address travel time reliability and regional connectivity issues along the proposed I-24 Southeast corridor. The proposed Project

would address unreliable trip times for commuters, including those commuting via passenger vehicles or transit, and regional connectivity issues. Specifically, considering financial constraints, the proposed Project seeks to leverage funding and user fee financing mechanisms provided by the Transportation Modernization Act (TMA). The proposed roadway improvements are being considered to provide passenger vehicles and transit riders with an effective transportation alternative as well as amplify access to employment areas, healthcare services, educational facilities, and other regional resources that extend beyond the proposed I-24 Southeast corridor in Davidson County, Tennessee and Rutherford County, Tennessee.

Based on the environmental technical studies and early development of preliminary alternatives that have been conducted during the planning phase of the project development, the table below provides a summary of preliminary anticipated impacts, and the attached Class of Action Technical Memo provides additional information about the proposed project.

Resource	Potential Project Impacts
<b>Wetlands Estimated Impacts</b>	5.58 – 6.3 Acres (71 wetlands identified within the ETSA)
<b>Streams Estimated Impacts</b>	15,619-18,818 Linear feet (90 Streams identified within the ETSA)
<b>Open Waters</b>	No impact (5 man-made ponds and 37 stormwater ponds identified within the ETSA)
<b>Section 404 Permit</b>	An Individual permit is anticipated.
<b>Federal and State Protected Species</b>	Suitable habitats for the Nashville crayfish ( <i>Orconectes shoupi</i> ) and the Indiana bat ( <i>Myotis sodalis</i> ), northern long-eared bat ( <i>Myotis septentrionalis</i> ) and tricolored bat ( <i>Perimyotis subflavus</i> ) exist within the ETSA. Coordination with USFWS and TWRA will be required. No significant adverse effects are anticipated for federal or state protected species.
<b>Floodplains</b>	Impacts to the Mill Creek and Collins Creek FEMA Regulatory Floodways are anticipated; final design hydraulic studies will determine if a No Rise Certification, Conditional Letter of Map Revision (CLOMR), Letter of Map Revision (LOMR) is required.

Resource	Potential Project Impacts
<p><b>Section 106 Resources</b></p>	<p>One National Register of Historic Places (NRHP)-listed property, Mount Olivet Cemetery, in ETSA; No anticipated effect to this resource. Specific to historic resources, based on preliminary fieldwork, HNTB recommended seven surveyed resources as NRHP potentially eligible resources within the ETSA. TDOT and the TN-SHPO will review and comment. However, if these resources are determined NRHP eligible, there is potential for Section 4(f) <i>de minimis</i> impacts to three of these resources: Lane Motor Museum, Glenciff United Methodist Church, and Titan Logistics.</p> <p>For archaeological resources, there are five previously recorded sites within the ETSA. Preliminary fieldwork has led to the identification of two more potential archaeological sites. NRHP eligibility is unknown. As proposed Project details develop, it will be determined if additional investigation is needed.</p>
<p><b>Construction Detours</b></p>	<p>To facilitate construction of bridges over the mainline, some short-term detours of the crossing route may be necessary.</p>
<p><b>Displacements</b></p>	<p style="text-align: center;"><b>Total: 25</b></p> <p><b>Residential:</b> 8-10 (4-5 located in Environmental Justice (EJ) Communities); <b>Commercial/Industrial:</b> 15-17 (6-8 located in EJ areas, further analysis to identify EJ-owned businesses)</p>
<p><b>Required ROW</b></p>	<p>ROW or easements may be required from approximately 119-139 parcels: the majority of the potential ROW acquisitions would be partial land ROW acquisitions in addition to the partial or total relocations noted above; additional minimization measures will be evaluated as design is developed.</p>
<p><b>Section 4(f)</b></p>	<p>Section 4(f) <i>de minimis</i> determinations may be required for Mill Ridge Park and the Antioch Park/Mill Creek Greenway. No other Section 4(f) impacts are anticipated.</p>
<p><b>Air</b></p>	<p>The proposed Project is included in an area of conformity. No significant adverse effects are anticipated to air quality.</p>

Resource	Potential Project Impacts
<b>Noise</b>	Noise impacts are anticipated to occur within the Project corridor. Existing noise measurements are currently being collected. Construction of new barriers and reconstruction of several existing barriers is anticipated; however, the Project Team will continue to investigate the reasonability and feasibility of noise abatement.
<b>Communities / Neighborhoods</b>	Laurel Acres Community Sidler Heights Community Thompson Lane Park Community
<b>Churches / Institutions</b>	ROW would be potentially acquired from the Glenclyff United Methodist Church, which could potentially have minor impacts to the church's parking lot. This church property also includes a nonprofit housing development, The Village at Glenclyff. Impacts are not anticipated to the housing development. As the design is refined, impacts avoidance and minimization will be further evaluated.
<b>Environmental Justice</b>	The Project area includes 43 Census block groups that contain EJ populations. Direct impacts from ROW relocations for 4-5 residences are anticipated within the Thompson Lane Park and Laurel Acres EJ communities just North of the E. Thompson Lane overpass. The replacement of existing noise walls and/or construction of new noise walls may be required near the Bel Air EJ Community, but no additional ROW acquisitions or relocations are anticipated at this location. Construction detours, permanent access changes and air quality impacts are not anticipated in these areas. Expanded community outreach and engagement are part of the public involvement plan to facilitate coordination with the community members.
<b>Cost</b>	The initial recommended full Project value for the I-24 Southeast Choice Lanes Project is between the 70% and 90% confidence interval values of \$3.21 - \$3.49 billion, with a total recommended value for Developer Cost (Construction, Design, Escalation and Contingency) is \$2.69 billion.

The Letter of Intent may contain language or data on Environmental Justice populations or communities and was published prior to Executive Order: Unleashing American Energy, dated January 20, 2025 and/or Executive Order: Ending Illegal Discrimination and Restoring Merit-Based Opportunity, dated January 21, 2025.

TDOT respectfully requests your review of this request, and requests approval or comments as soon as possible so that the proposed action can proceed as scheduled. If you need further information, please contact Tammy Sellers (Tammy.Sellers@tn.gov) at (615)741-5367.

Sincerely,



Tammy Allison Sellers  
Environmental Quality and NEPA Manager

cc:

Sharon Schutz	TDOT Environmental Division Director
Lori Lange	TDOT Assistant Chief of Engineering
Bryan Ledford	TDOT Executive Director of Public Private Partnerships
Joe Deering	TDOT Assistant Chief Engineer of Program Delivery
Will Reid	TDOT Deputy Commissioner/Chief Engineer
Erick Hunt-Hawkins	TDOT NEPA Special Projects Team Lead
Sean Santalla	FHWA Acting Deputy Division Administrator—TN Division
Melanie Murphy	FHWA Acting Team Leader
Bailey Vernon	FHWA Environmental Protection Specialist



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

**Tennessee Division**

June 17, 2024

404 BNA Drive, Suite 508  
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In Reply Refer To:  
HPD-TN

Ms. Tammy Sellers  
Manager, Environmental Quality and NEPA Section  
Tennessee Department of Transportation  
505 Deaderick Street  
Nashville, TN 37243

Subject: I-24 Southeast Choice Lanes between I-40 near Downtown Nashville and I-840 near Murfreesboro in Davidson and Rutherford Counties  
TDOT Project # R3BVAR0051 TDOT PIN 134727.00

Dear Ms. Sellers:

Thank you for your letter dated June 7<sup>th</sup>, 2024, requesting the Federal Highway Administration's (FHWA) concurrence with the proposed National Environmental Policy Act (NEPA) class of action for the project referenced in the subject line.

The FHWA Tennessee Division concurs with the Tennessee Department of Transportation's request that the project proceed as an Environmental Assessment (EA) in accordance with Title 23 Code of Federal Regulations (CFR) Section 771.

Initial analysis of this project has not clearly established the environmental impact. Should significant impacts be determined throughout the NEPA decision-making process, FHWA reserves the right to amend this class of action.

This EA shall be completed within one year of this letter, as required by 40 CFR 1501.10.

Sincerely,

Frank DuBose  
Environmental Protection Specialist

cc: Mr. Gilberto De León, Deputy Division Administrator, FHWA TN Division  
Mr. Sean Santalla, Program Development Team Leader, FHWA TN Division  
Ms. Bailey Vernon, Environmental Protection Specialist, FHWA TN Division  
Mr. Will Reid, Deputy Commissioner / Chief Engineer, TDOT  
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