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SECTION 4(F)/ SECTION 6(F) RECREATIONAL RESOURCES

I-24 SOUTHEAST CHOICE LANES

October 2025



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SHAREPOINT PATH

[Appendices](#)

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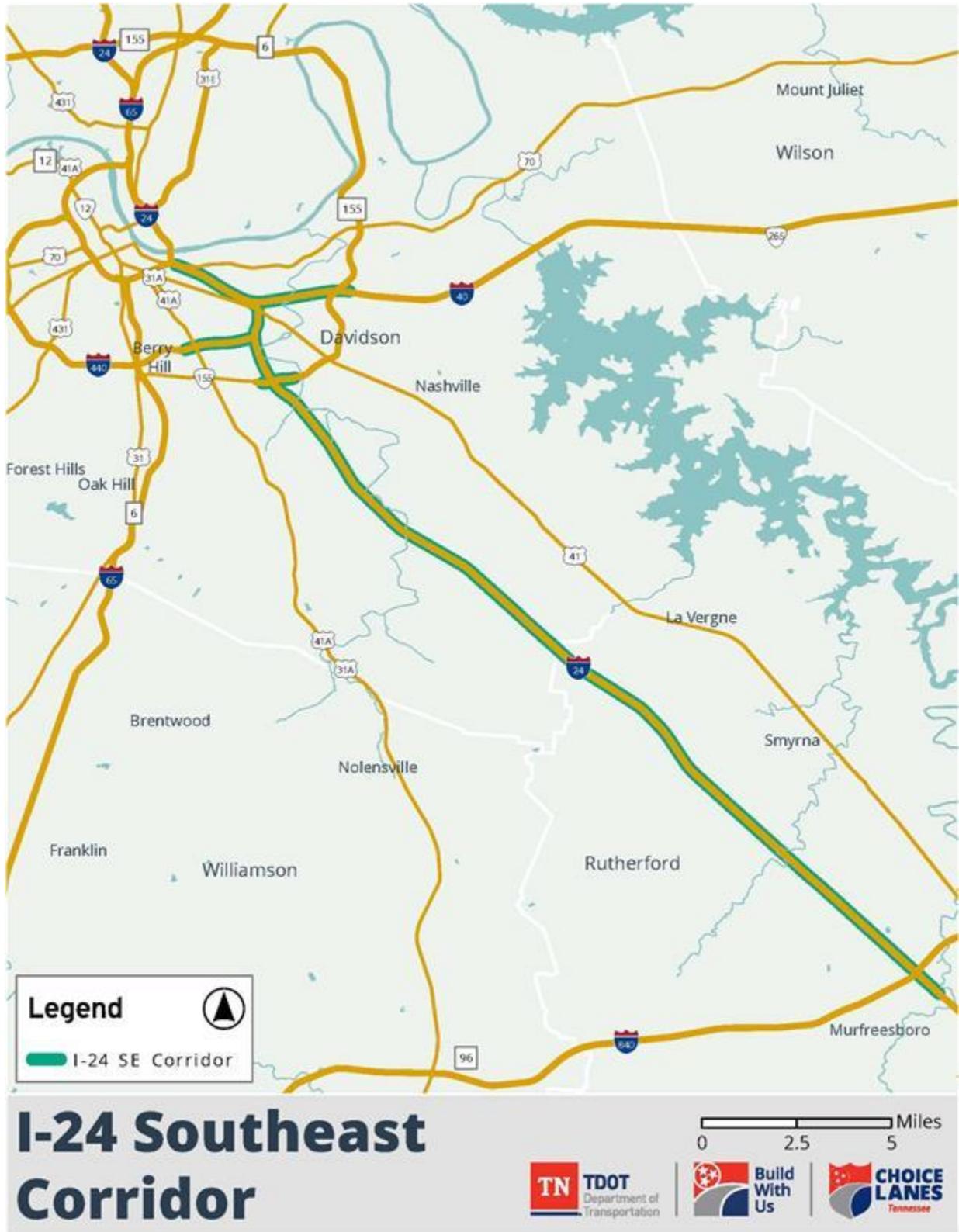
1. PROJECT OVERVIEW

The Tennessee Department of Transportation (TDOT), in coordination with the Federal Highway Administration (FHWA), is proposing to make improvements to I-24 between I-40 and I-840 in Davidson and Rutherford counties, Tennessee. The I-24 Southeast Choice Lanes project (proposed Project) would include widening the existing interstate to accommodate the addition of price-managed lanes (Choice Lanes) and interchange improvements.

The proposed Project is located along approximately 26 miles of I-24 between I-40 near downtown Nashville (Davidson County) and I-840 near Murfreesboro (Rutherford County) as depicted in **Figure 1-1**. The proposed Project would provide I-24 mainline improvements as well as improvements at the system-to-system interchanges at I-40 and I-440.

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Figure 1-1: Project Location Map



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2. OBJECTIVES OF THE MEMORANDUM

The objectives of this memorandum are to identify resources protected under Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 and Section 6(f) of the Land and Water Conservation Fund Act of 1965 within the proposed Project's Environmental Technical Study Area (ETSA) and to assess impacts to the resources identified. This memorandum only discusses properties within the parks, recreation areas, and wildlife and waterfowl refuges categories. Section 4(f) also applies to any historic properties that are determined eligible for the National Register of Historic Places (NRHP) and will be discussed in the Cultural Resources Assessment of Effects Report.

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3. METHODOLOGY

To establish a starting point for resource identification, TDOT developed an ETSA, which incorporates a set area beyond the proposed right-of-way in order to account for community resources, natural resources and other potential environmental constraints. Following TDOT's general ETSA guidance, the ETSA for the proposed I-24 Southeast Choice Lanes project extends at least 300 linear feet beyond the project limits. For side roads, interchanges and ramps, the ETSA extends at least 150 feet beyond tie-in points or ramps. Throughout the corridor, the ETSA generally extends 100 linear feet beyond the existing ROW.

Once the ETSA was established for Section 4(f) and Section 6(f) resource identification, a 500-ft buffer was added to account for any potential changes in the project footprint that may occur after approval of the National Environmental Policy Act (NEPA) decision document. This allowed the Project Team to identify resources in a broader area that would not be impacted based on current right-of-way (ROW) plans but would need to be further evaluated if the footprint of the project changes such that new ROW or easements would be needed from the boundaries of any protected properties.

During the development of this memorandum, the ETSA and 500-ft buffer area were used to identify Section 4(f) and Section 6(f) resources. Once identified, Section 4(f) resources were then assessed for use, which was based on an examination of the ROW plans associated with the Build Alternative. While this memorandum discusses Section 6(f) resources, no properties protected by Section 6(f) were identified within or near the ETSA.¹

¹ [FHWA Environmental Review Toolkit. Other Environmental Topics](#). Accessed May 2024.

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4. SECTION 4(F) AND SECTION 6(F) RESOURCES

4.1. Section 4(f) of the U.S. Department of Transportation Act of 1966

Section 4(f) of the USDOT Act of 1966 (now codified in Title 49 of the U.S. Code (USC) 303 and 23 USC 138) requires the evaluation of parks, recreation land, wildlife and waterfowl refuges and historic sites during environmental review for transportation projects. According to 23 CFR 138(a),

“It is declared to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites...The Secretary [of Transportation] shall cooperate and consult with [the Secretary of] the Interior, [the Secretary of] Housing and Urban Development, [the] Agriculture [Secretary], and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed...After the effective date of the Federal-Aid Highway Act of 1968, the Secretary shall not approve any program or project (other than any project for a [park road or parkway under section 204 of this title]) which requires the use of any publicly owned land from a public park, recreation area, or wildlife and waterfowl refuge or national, State, or local significance as determined by the Federal, State, or local officials having jurisdiction thereof, or any land from an historic site of national, State, or local significance as so determined by such officials unless – (A) there is no feasible and prudent alternative to the use of the land; and (B) the program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.”

Section 4(f) applies to all agencies within the USDOT, including FHWA, the Federal Railroad Administration (FRA) and the Federal Transit Administration (FTA). Transportation projects that do not require the approval of a USDOT agency are not subject to the requirements of Section 4(f).

Section 4(f) regulations define three types of “use” of Section 4(f) property (23 CFR 774.17):

1. When land is permanently incorporated into a transportation facility;
2. When there is a temporary occupancy of land that is adverse to the preservation purpose of Section 4(f) as determined by the criteria in 23 CFR 774.13(d); and
3. When there is a constructive use of a Section 4(f) property, which occurs “when the transportation project does not incorporate land from a Section 4(f) resource, but the proximity impacts are so severe that the protected activities, features, or attributes that qualify a resource for protection under Section 4(f) are substantially impaired” (23 CFR 774.15(a)).

It is required that all reasonable efforts be made to avoid or minimize impacts made to Section 4(f) resources by transportation projects. If avoidance of a Section 4(f) resource is feasible and prudent, it must be selected. However, if there is not a reasonable and feasible way to avoid impacts on Section 4(f) resource(s), any potential impacts to the resource must be minimized to the furthest extent possible.²

In general, there are four possible paths to compliance with Section 4(f) for a transportation project that requires FHWA, FRA or FTA approval:

1. **Finding of No Use:** FHWA, FRA or FTA can determine that the project will not use any Section 4(f) properties. In some cases, the finding is straightforward and requires little if any documentation. In others, a finding of “no use” requires detailed analysis to determine where Section 4(f) applies to a property and/or whether the project will use that property. This analysis should be included in the project file and summarized in the NEPA document.
2. **De Minimis Determination:** FHWA, FRA or FTA can determine that the project’s impacts on one or more Section 4(f) properties will be *de minimis*. A *de minimis* impact determination is not an exemption from Section 4(f); it is authorization for a minor use of a Section 4(f) property, without having to make a finding that there are no feasible or prudent avoidance alternatives.

A *de minimis* impact determination is made on a property-by-property basis, not for a project as a whole. Therefore, several separate *de minimis* impact determinations could be made for a single project.
3. **Programmatic Evaluation:** FHWA has issued five programmatic evaluations under Section 4(f). In general, programmatic evaluations are intended to be used for projects with relatively minor impacts to Section 4(f) properties. FHWA, FRA or FTA can apply for a programmatic evaluation to an individual project without some of the process steps required for an individual Section 4(f) evaluation: a legal sufficiency review is not required, nor is there a need for 45-day review by the U.S. Department of the Interior. Therefore, Section 4(f) approval usually can be granted more quickly with a programmatic evaluation than with an individual evaluation.
4. **Individual Section 4(f) Evaluation:** FHWA, FRA or FTA can complete an individual Section 4(f) evaluation, which authorizes the use of one or more Section 4(f) properties. A Section 4(f) evaluation requires a legal sufficiency review by the agency’s legal counsel, and generally is included as a separate chapter or appendix in the project’s NEPA document. It must include two findings: 1) that there is no feasible and prudent alternative that completely avoids the use of Section 4(f)

² [FHWA Environmental Review Toolkit. Section 4\(f\) Tutorial](#). Accessed May 2024.

property; and 2) that the project includes all possible planning to minimize harm to the Section 4(f) property resulting from the use.

4.2. Section 6(f) of the Land and Water Conservation Fund Act of 1965

Section 6(f) resources are those that have received funding from the LWCF under the State Assistance Program. Section 6(f)(3) of the Land and Water Conservation Fund Act stipulates that any impacts or conversion of land from these resources be coordinated alongside the National Park Service:

“No property acquired or developed with assistance under this section shall, without the approval of the Secretary, be converted to other than public outdoor recreation uses. The Secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide outdoor recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.”

This “anti-conversion” requirement applies to all parks and other sites that have been the subject of LWCF grants of any type, whether for acquisition of parkland, or the development or rehabilitation of facilities. The LWCF mapping database³ was searched for potential LWCF sites in or near the study area and no sites were found. Since no sites that have received LWCF grants were identified within the study area, Section 6(f) will not be considered in future discussion within this memo. If during project development new information indicates potential for Section 6(f) resources, impacts to newly identified resources will be considered.

³ [The Land and Water Conservation Fund Mapper](#). Accessed May 2024.

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5. NASHVILLE AREA PARKS

5.1. The Nashville Master Park Plan

Nashville released its Master Park Plan in 2016 and established a forward-looking agenda for park development and investments across the city into 2027. This master plan, also called Nashville’s Plan to Play, was developed in alignment with the [NashvilleNext](#) (adopted in 2015 and amended in 2017) regional growth plan and the 2017 [WalknBike Plan](#) for improving multimodal transportation facilities around the city. Investment in city park systems has been identified as an essential part of Nashville’s continued growth: “Nashville’s projected rapid population growth, demographic shifts, densification of the urban core, transportation issues and other factors present a new set of challenges and opportunities for this community.”⁴ Importantly, the park plan for the city of Nashville is aimed at creating shared outdoor community spaces for Nashvillians of all demographics to use and enjoy. Growth and maintenance of green space and outdoor recreational space is essential as the city expands, especially as “aspects of Nashville’s park system are seeing intensified use pressure on existing parks due to the popularity of park land, facilities, and programs.”⁴

5.2. Public Parks

Six parks and recreation facilities are located within 500 feet of the I-24 Southeast Choice Lanes project ETSA, with five of these parks partially overlapping the ETSA boundaries (**Table 5-1, Figure 5-1**). The 500-foot buffer was chosen for park location analysis to capture all parks which may be either directly or indirectly affected by project activities. Providence Park, a small city-owned neighborhood park with a playground and walkways, is outside of the ETSA but serves the Paragon Mills area adjacent to the ETSA. The parks partially within the ETSA are Whitsett Park, Antioch Park, Mill Creek Greenway Trails/Whitsett Park Trails, Mill Creek Greenway Trails/Blue Hole Trails located near Antioch Park and Mill Ridge Park.

Whitsett Park is in the northern portion of the project area in Nashville near Glenrose Avenue. The park is owned and operated by the Metropolitan Government of Nashville and Davidson County and offers walking trails, picnic shelters and a playground. The Mill Creek Greenway Trails/Blue Hole Trails are located in Antioch near the Antioch Community Center and Antioch Park is located nearby. These parks offer greenways, picnic areas and

⁴ Plan to Play. [The Nashville Parks & Greenways Master Plan – Executive Summary \(2017\)](#). Accessed March 2024. Metro Parks is updating the plan over the course of 2025.

playgrounds. The parks and recreation areas within the ETSA are discussed in more detail in Sections 5.2.1 and 5.2.2.

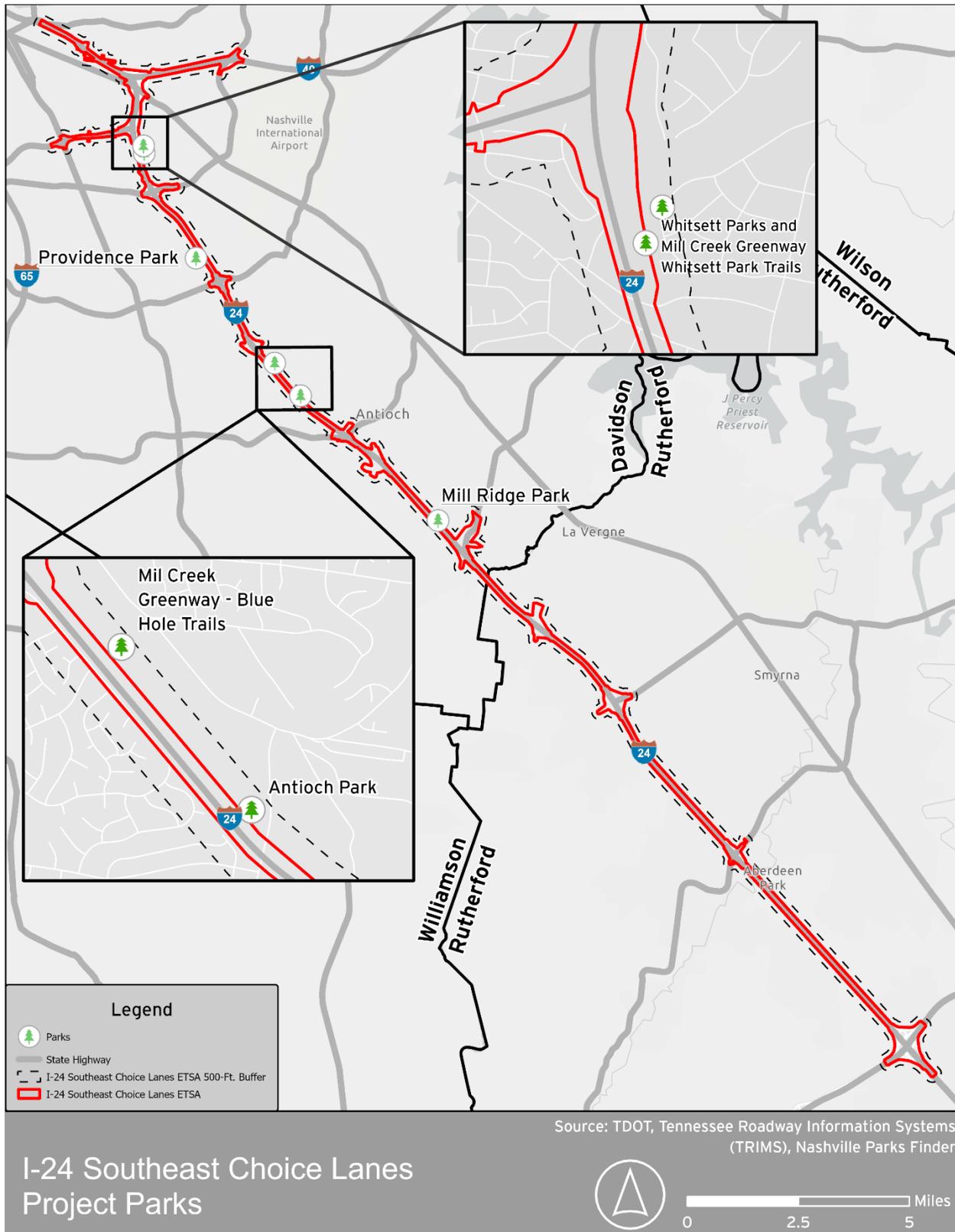
Table 5-1: Recreational Resources in the I-24 Southeast Choice Lanes Project Study Area

Park/Resource	Location	County	Amenities
Whitsett Park	Woodbine area near I-440	Davidson	Playground, Trails, Tables
Providence Park*	Paragon Mills area near SR-255	Davidson	Playground, Trails, Tables
Antioch Park	Antioch near Blue Hole Road	Davidson	Playground, Canoe Launch, Trails, Tables
Mill Creek Greenway Trails – Whitsett Park Trails	Portion of the Mill Creek Greenway near Whitsett Park	Davidson	Trails
Mill Creek Greenway – Blue Hole Trails	Portion of the Mill Creek Greenway near Antioch Park	Davidson	Trails
Mill Ridge Park	South of Antioch near SR-171	Davidson	Playground, Fitness Amenities, Trails, Tables, Event Facilities

**Indicates facility is located outside the I-24 Southeast Choice Lanes project ETSA, but serves the Paragon Mills area.*

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Figure 5-1: Overview of Parks in the I-24 Southeast Choice Lanes Project ETSA



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5.2.1. Mill Ridge Park

Mill Ridge Park is Nashville’s newest public park, located in southeastern Davidson County. The park is still under development but is expected to be more than 600 acres in size once completed. The park is highlighted by a large playground and a large event lawn for community performances and festivals. Additional features include a fitness equipment area, a trail loop, basketball courts, picnic shelters, restrooms, parking and curated vegetation areas. The Metro Arts Commission is also incorporating a permanent, interactive public art installation.⁵ Phase 1 construction finished in August 2023 and opened 15 of the expected 600 acres to the public. The portion of the park that is currently open to the public is not located within the study area. Continued development of the park would include forest restoration, grasslands and grazing area, riparian restoration and park amenities, trails and roads. Phase 1 of the park’s development occurred from 2021-2022. The park is currently in Phase 2 of development.

Mill Ridge Park fills a need in southeastern Davidson County by providing a “large acreage anchor park” in an area that currently has limited public outdoor spaces and/or parks. Additionally, the Antioch area in Nashville is culturally diverse, with the “largest percentage of ‘new Americans’ in [Davidson County].”⁶ Furthermore, this portion of Davidson County has been identified in Nashville’s Plan to Play as an area of both greenway priority and greenway long-term visions. Thus, this park is viewed as an important way to connect the diverse community of Antioch and Southeast Nashville.

The planned expansion of Mill Ridge Park would border existing TDOT ROW along the I-24 Southeast Choice Lanes project ETSA in Antioch (**Figure 5-2**).⁷ As a planned park, this park and the property set aside and owned by the Metropolitan Government of Nashville and Davidson County qualifies as a Section 4(f) resource. Part of the park’s mission includes the preservation of the Nashville crayfish (*Orconectes shoupi*), which is found within the park boundaries (in the Mill Creek watershed). Riparian restoration activities within the park are aimed at improving habitat and monitoring water quality to improve the health of Nashville crayfish populations. While not formally classified as a Wildlife Refuge or Wildlife Management Area, this park is committed to the protection of the Nashville crayfish. The park is also championed by the non-profit Friends of Mill Ridge Park.⁸ This organization supports, advocates for and plans multiple community events each month at Mill Ridge Park.

⁵ [Mill Ridge Park Plan](#). Accessed March 2024.

⁶ [Mill Ridge Park Plan](#). Accessed March 2024.

⁷ [Southeast Davidson Regional Park Master Plan Rendering](#) Accessed March 2024.

⁸ [Friends of Mill Ridge Park](#). Accessed March 2024.

Based on current ROW plans, no ROW or temporary easements would be required from Mill Ridge Park. Therefore, there would be no Section 4(f) use of this property. Due to its status as a Section 4(f) property, the park will continue to be considered throughout project development and avoided to the extent practicable.

5.2.2. The Mill Creek Greenway Trails (Antioch Park and Whitsett Park)

Antioch Park is a city-owned park in Southeastern Davidson County (**Figure 5-3, Figure 5-4**). The park's amenities include greenway trails along Mill Creek, a canoe launch into Mill Creek, a playground, picnic tables and a former community center, which is currently listed as a church. The old Antioch Community Center was replaced by the Southeast Community Center, which is located at the Global Mall about one mile southeast of Antioch Park. The park's greenways (Mill Creek Greenway Trails/Blue Hole Trails) connect to the Mill Creek greenway system and run north parallel to I-24 toward Haywood Lane. The Mill Creek Greenway extends from Antioch Park north to Ezell Road Park, just over 6 miles. The greenway offers miles of trails, green space and waterfront activities for users.

The portion of the Mill Creek Greenway Trail system located near Whitsett Park is also located within the I-24 Southeast Choice Lanes project ETSA (**Figure 5-5**). This greenway is approximately 1.2 miles long⁹ and connects to Whitsett Park.

Based on current ROW plans, no ROW or temporary easements would be required from the Mill Creek Greenway Trails, Antioch Park, or Whitsett Park. Therefore, there would be no Section 4(f) use of these properties. Since these properties are protected under Section 4(f), they will continue to be considered throughout project development and avoided to the extent practicable.

⁹ [Greenways for Nashville](#). Accessed March 2024.

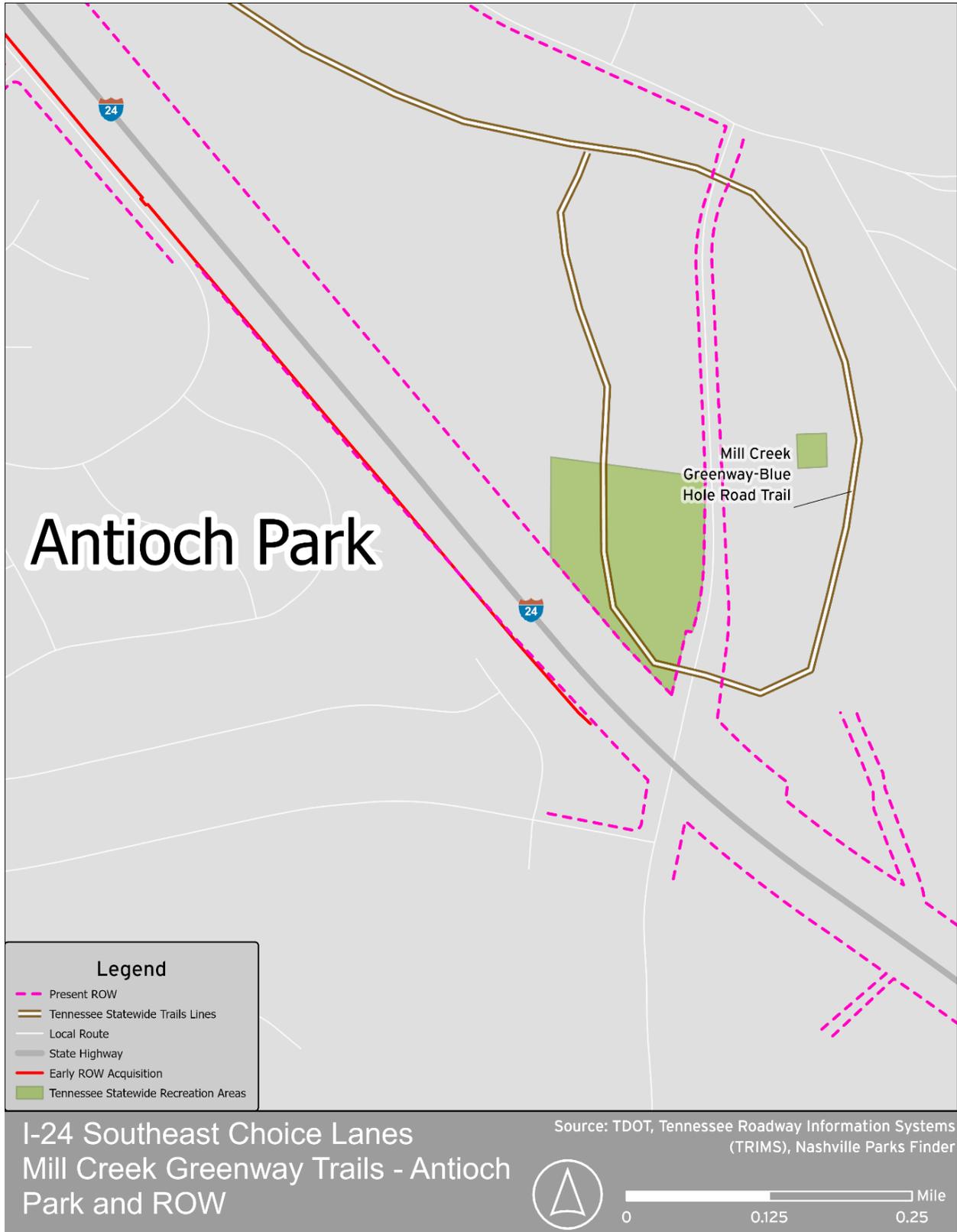
Figure 5-2: Mill Ridge Park Site Plan



Source: [Southeast Davidson Regional Park Master Plan](#). Metropolitan Government of Nashville and Davidson County. Department of Parks and Recreation. December 2017. Accessed March 2024.

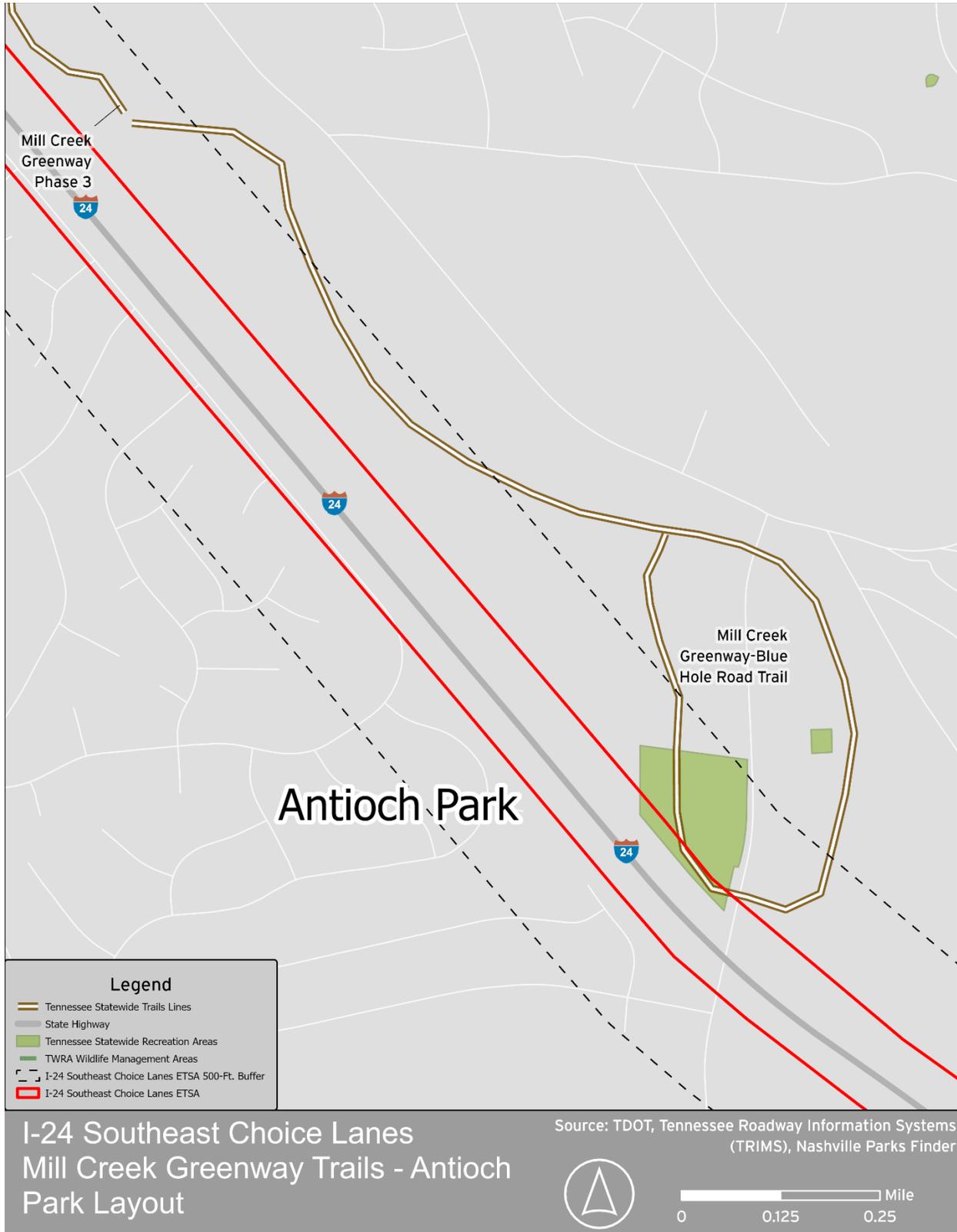
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Figure 5-3: Antioch Park and ROW



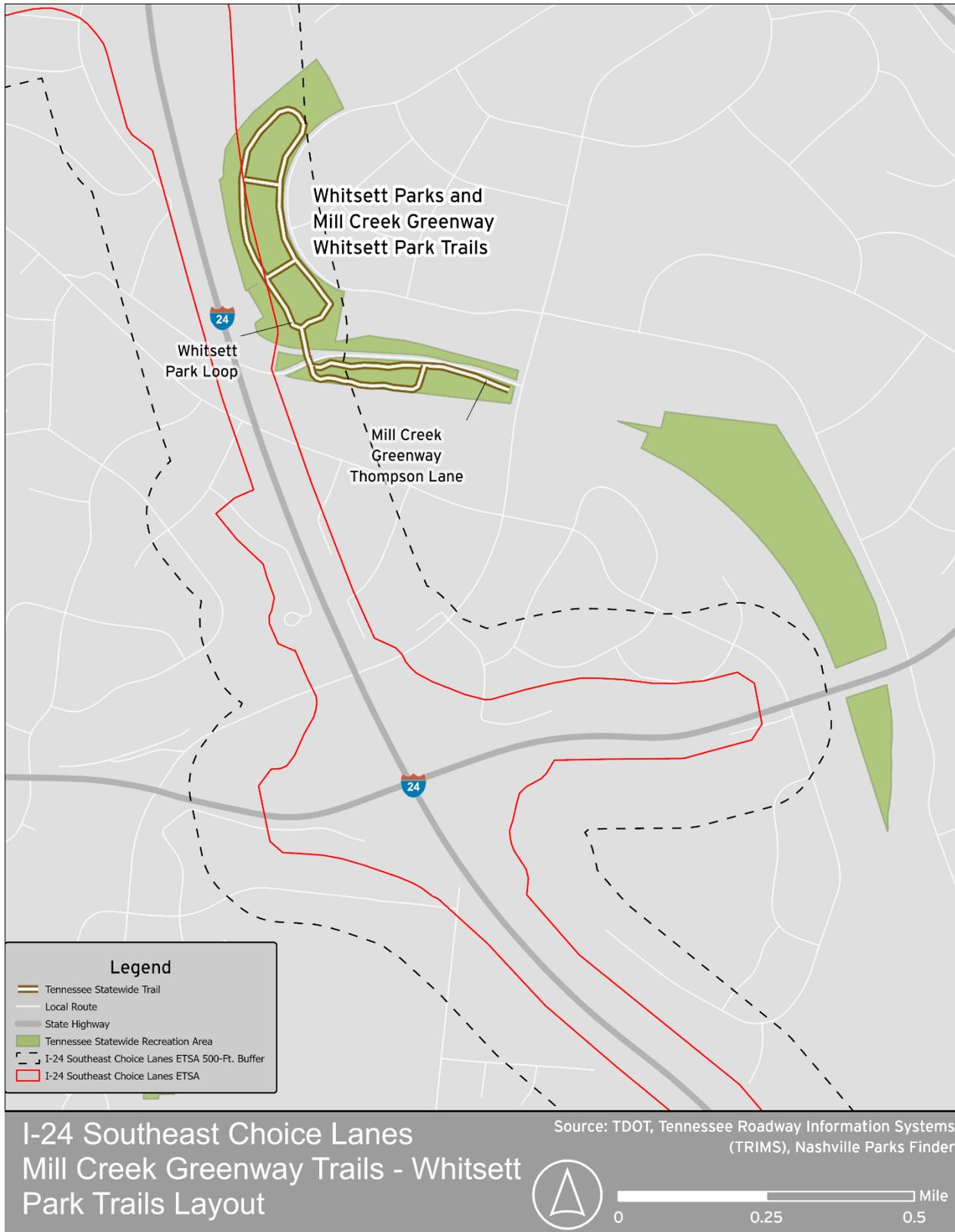
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Figure 5-4: Antioch Park and ETSA



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Figure 5-5: Whitsett Park and Mill Creek Greenway and ETSA



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Figure 5-6: Whitsett Park and Mill Creek Greenway and ROW



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6. CONCLUSION

Six parks and recreation areas protected under Section 4(f) are located within or partially within the I-24 Southeast Choice Lanes project ETSA and 500-foot ETSA buffer. However, based on current ROW plans associated with the Build Alternative, there would be no ROW acquisition or temporary easements required from any of these properties. Therefore, there would be no Section 4(f) use associated with the proposed project as currently designed and no Section 4(f) approvals would be needed.

As subsequent ROW plans become available, potential uses of Section 4(f) properties will continue to be evaluated as the project progresses. In accordance with 23 CFR 774.9(c), the need for a Section 4(f) approval after the NEPA decision document has been approved will be evaluated, which will be based on proposed modifications of the project's alignment or design that would require the use of Section 4(f) property.

Additionally, there are no Section 6(f) properties within ETSA or 500-foot ETSA buffer. Therefore, there would be no impacts to Section 6(f) properties based on the current design of the project. Any proposed changes to the project's alignment or design will be evaluated for the potential to cause impacts to Section 6(f) properties.

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