

FINDING OF NO SIGNIFICANT IMPACT

I-24 Southeast Choice Lanes

From I-40 in Davidson County to I-840 in

Rutherford County, Tennessee

Submitted Pursuant to the National Environmental Policy Act of 1969

42 USC 4332(2)(c)

Lead Agencies:

U.S. Department of Transportation, Federal Highway Administration

and the

Tennessee Department of Transportation

Cooperating Agencies:

U.S. Army Corps of Engineers, Nashville District

and the

Tennessee Department of Environment and Conservation

June 2026

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and Conservation

The Federal Highway Administration (FHWA) has determined that this project will not have any significant impact on the human environment. This Finding of No Significant Impact is based on the approved Environmental Assessment, which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an environmental impact statement is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the Environmental Assessment approved on January 30, 2026. This Finding of No Significant Impact should not be reviewed independently of the approved Environmental Assessment.

6/16/26

Date



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Federal Highway Administration: Tennessee Division

For additional information concerning this document,
contact:

Boday Borres, P.E.
Federal Highway Administration
Tennessee Division Office
404 BNA Drive, Suite 508
Nashville, TN 37217
tennessee.fhwa@dot.gov or (615) 781-5770

Sharon Schutz, P.E.
Tennessee Department of Transportation
Environmental Division
William R. Snodgrass TN Tower, 14th Floor
312 Rosa L. Parks Avenue
Nashville, TN 37243
(615) 350-4208



FINDING OF NO SIGNIFICANT IMPACT

I-24 SOUTHEAST CHOICE LANES

PIN 134727.01

DAVIDSON AND RUTHERFORD COUNTIES

June 2026



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1. WHAT IS THE PROJECT?

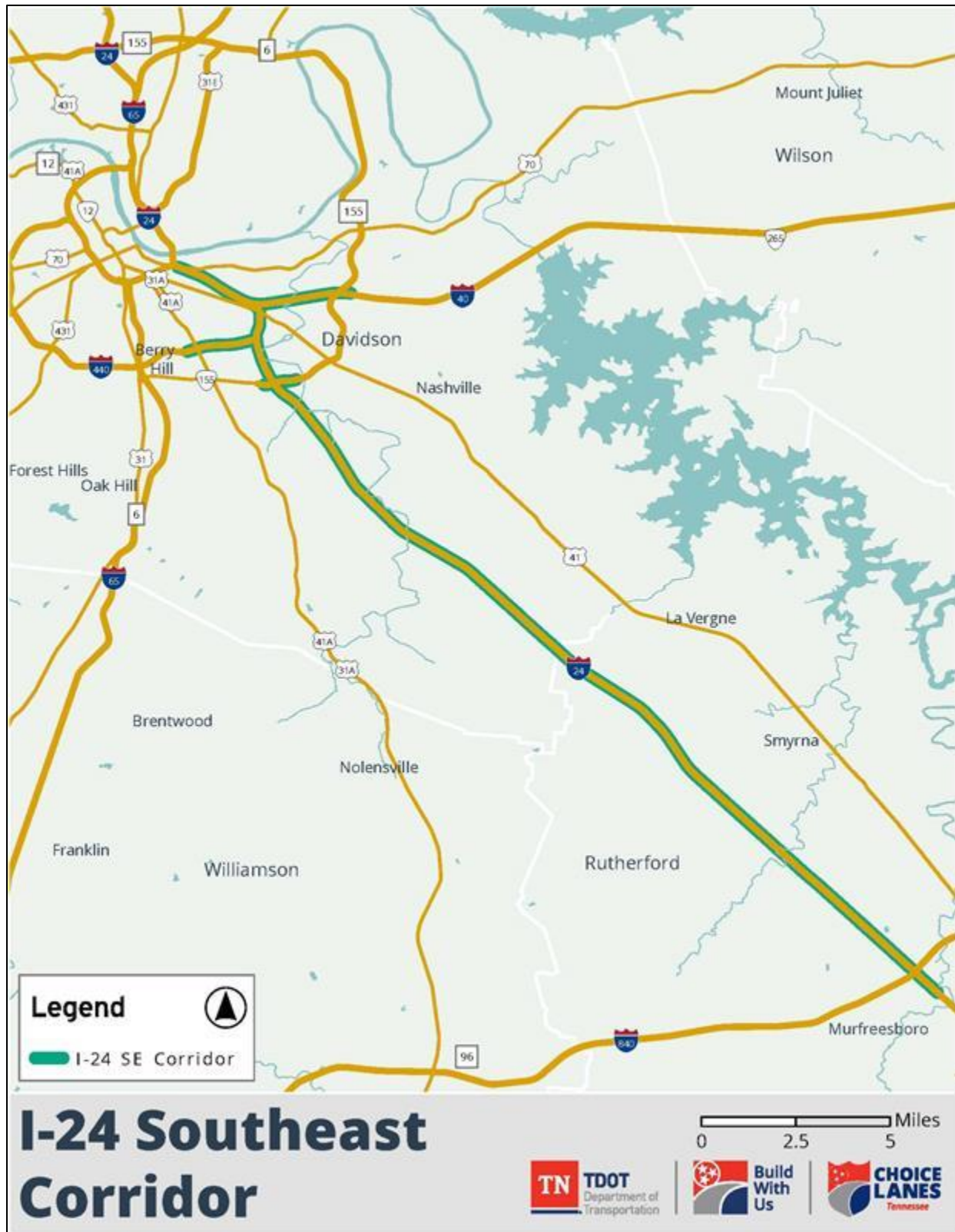
The Tennessee Department of Transportation (TDOT), in coordination with the Federal Highway Administration (FHWA), is proposing to make improvements to Interstate (I-) 24 between I-40 and I-840 in Davidson and Rutherford counties, Tennessee. The I-24 Southeast Choice Lanes project (proposed Project) would include widening the existing interstate to accommodate the addition of two price-managed lanes (Choice Lanes¹) in each direction, adding additional interchange and access points, and interchange improvements.

As shown in **Figure 1-1**, 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). 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.

The proposed Project would use the Public-Private Partnership (P3) model, where TDOT would partner with a private entity that would design, build, finance, operate and maintain the proposed Choice Lanes. The P3 model would also leverage the potential for innovations in design and flexibility during construction, as well as the revenue-generating mechanism of price-managed Choice Lanes, enabling accelerated project delivery.

¹ Choice Lanes are new, additional and optional lanes that use variable pricing to proactively manage demand and provide users with improved travel speeds and trip times. Motorists would be able to maintain consistent travel speeds even when the adjacent existing lanes are congested in exchange for paying a voluntary user fee. These new lanes typically operate at 45 miles per hour (mph) during rush hours when traditional lanes are slow or at a standstill during peak periods.

Figure 1-1: I-24 Southeast Choice Lanes Project Location Map



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2. WHAT IS THE PURPOSE AND NEED OF THE PROJECT?

The purpose of the proposed Project is to provide a cost-feasible² transportation option that offers travel time advantages with user participation for both passenger and commercial vehicles³ along I-24, between I-40 south of downtown Nashville and I-840 near Murfreesboro by addressing the following transportation issues:

- > Capacity
- > Travel times
- > Limited funding and accelerate project delivery

Based on the issues above, the proposed Project is needed to address increasing urban congestion caused by insufficient capacity. This can be defined and measured by slow travel speeds accompanied by high travel demand, weaving issues due to traffic density and geometric constraints at system-to-system interchanges and bottlenecks in critical areas along the corridor.

In 2023, the Transportation Modernization Act (TMA) was signed into law, giving TDOT the authority to enter into P3 contracts and develop user-fee facility projects to address congestion. The proposed Project would meet the legislative intent of the TMA by relying on a P3 contract in which a private sector partner would design, build, finance, operate, and maintain a Choice Lanes facility along I-24 SE, thus addressing the limited funding aspect of the proposed Project's need and the need to accelerate project delivery.

3. WHAT ALTERNATIVES WERE STUDIED IN THE ENVIRONMENTAL ASSESSMENT?

The Environmental Assessment (EA) for the proposed project was approved on January 30, 2026.⁴ Two Alternatives, a No-Build Alternative and the Build Alternative, were studied in the approved EA and were evaluated for potential impacts to social, physical, natural and cultural environments.

² Cost-feasible is defined as the alternative financing mechanism (i.e., P3) that would allow for the proposed Project to progress into final design and construction phases. This terminology should not be confused with user fees, or the rates in which motorists who choose to use the Choice Lanes would pay.

³ FHWA vehicle classes 1-10 would be allowed to use the proposed Choice Lanes.

⁴ TDOT, I-24 Choice Lanes website, <https://www.tdot.tn.gov/Applications/Documents?pathName=%5CI-24CorridorStudy%5CSE%20Choice%20Lanes%20Environmental%20Studies>.

The alternatives screening process included three levels⁵ and led to the identification of the Build Alternative for more detailed analysis. Refer to Section 2.2 of the EA for more information about this process, including information on which alternatives were eliminated from further consideration and the reasons for these decisions.

3.1. No-Build Alternative

The No-Build Alternative was retained for analysis in the EA to provide baseline conditions for comparison with the Build Alternative. Under the No-Build Alternative, there would be no improvements to operations on the I-24 Southeast corridor. However, fiscally constrained projects within the proposed Project area that are identified in the Statewide Transportation Improvement Program (STIP) would still be implemented. The No-Build Alternative would not meet the purpose and need of the proposed Project, and issues related to capacity and travel time would persist. The I-24 Southeast corridor would be substantially impacted by capacity constraints from future population growth, and traffic delays would reach approximately three hours for westbound trips in the A.M. peak period under the No-Build Alternative. For additional information on the traffic studies that were completed, please refer to the Interstate Access Justification Report in **Appendix G**.

3.2. Build Alternative

The Build Alternative, also referred to as the Recommended Preferred Alternative or Build Alternative 1A in the EA, is the result of refinements to Alternative 1⁶ to address public and stakeholder comments and minimize environmental impacts. This alternative would consist of:

- Constructing two new Choice Lanes in each direction on approximately 26 miles of I-24 Southeast and installing associated signage and fee collection infrastructure.
- Realigning and reconstructing approximately 17 miles of existing general-purpose or High Occupancy Vehicle (HOV) lanes impacted on I-24 Southeast by Choice Lanes construction. The current number of general-purpose and HOV lanes would remain the same and all general-purposes lanes within the project limits would be resurfaced.

⁵ Level 1 of the alternatives screening process evaluated Preliminary Alternatives' ability to meet the purpose and need of the proposed Project. Level 2 focused on engineering feasibility, safety considerations and environmental and social impacts of Refined Preliminary Alternatives. Level 3 involved a detailed analysis of Reasonable Alternatives' environmental and social impacts, planning-level cost estimates and agency/public input.

⁶ Alternative 1 was identified following the identification of the mainline widening alignment and access points along I-24 during the level 2 screening process. Alternative 1 included 13 Choice Lanes access points, including system-to-system access at I-40 and I-440 and included a combination of Choice Lanes on the inside and outside.

CHAPTER 3: WHAT ALTERNATIVES WERE STUDIED IN THE ENVIRONMENTAL ASSESSMENT?

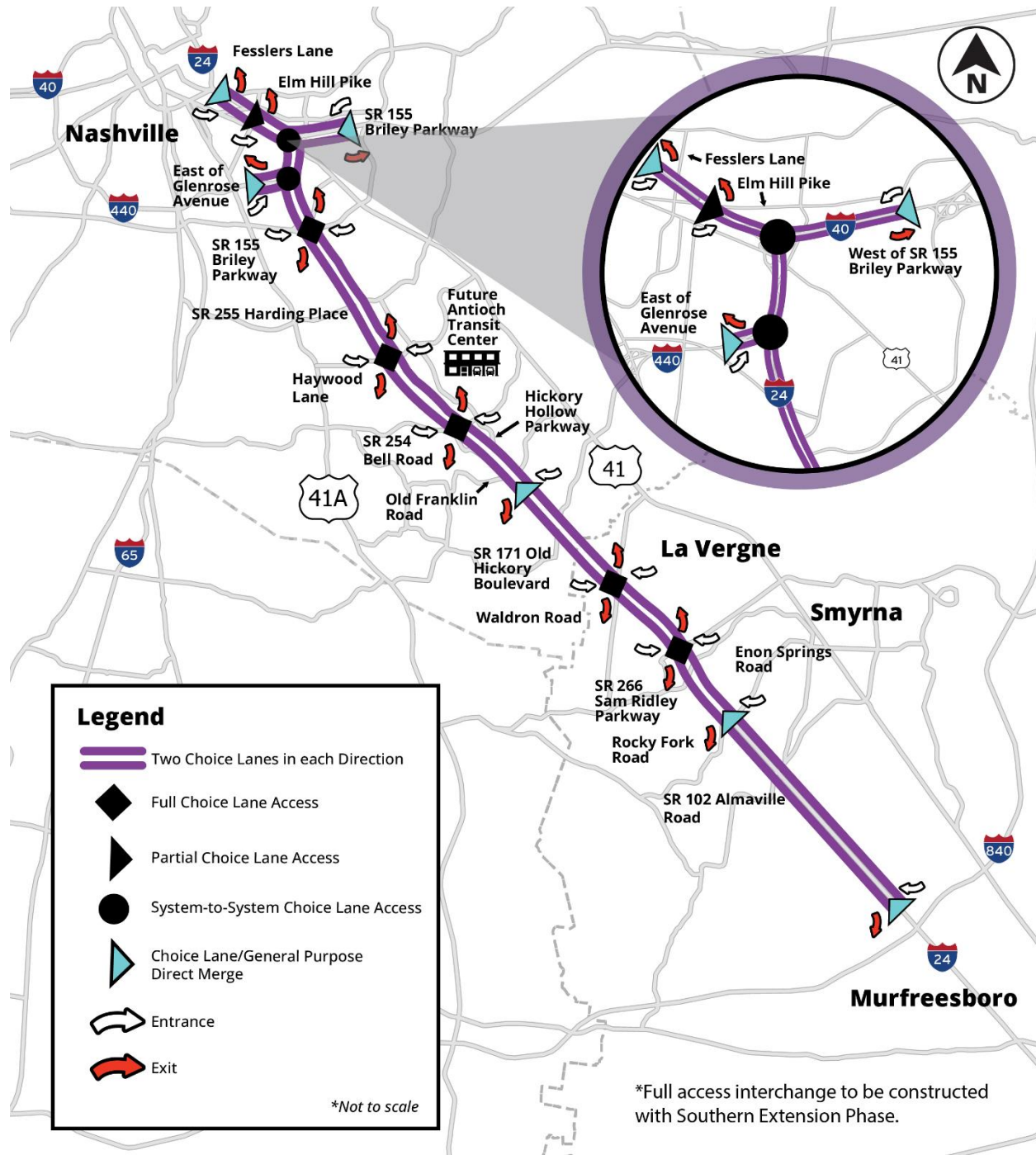
- Modifying existing interchanges and intersections and adding new interchanges to provide Choice Lanes access.⁷
- Replacing 37 bridges, widening 3 bridges and constructing 55 new bridges.
- Constructing approximately 77 retaining walls at a length of approximately 18.9 miles to minimize right of way (ROW) and environmental impacts and extend the width of the road, where needed.
- Constructing approximately 30 noise abatement barriers,⁸ as needed.
- Approximately 43 acres of ROW acquisition.

The Build Alternative would propose 14 Choice Lanes access points along the I-24 Southeast corridor, the details of which are explained in Appendix E of the EA. Refer to **Figure 3-1** for a visual representation of the Build Alternative.

⁷ The proposed Project includes operational improvements to the Almadillo Road interchange. However, no Choice Lanes access points would be added at this location.

⁸ The Traffic Noise Analysis completed for the proposed Project identified 30 potential noise barriers that preliminarily met the feasibility and reasonableness criteria found in TDOT's Guidance on Highway Traffic Noise Abatement.

Figure 3-1: Build Alternative Overview



4. WHAT IS THE PREFERRED ALTERNATIVE?

TDOT has identified the Build Alternative as the Preferred Alternative for the following reasons:

- The Build Alternative meets the purpose and need of the proposed Project by:
 - > Increasing capacity along I-24
 - > Improving travel times along I-24
 - > Addressing limited funding and accelerating project delivery

The Build Alternative would meet the legislative intent of the TMA by relying on a P3 contract to design, build, finance, operate, and maintain a Choice Lanes facility along I-24. The Build Alternative is also consistent with local and regional planning efforts.

5. IS THERE ANY UPDATED/SUPPLEMENTAL INFORMATION SINCE THE EA?

TDOT has not refined the Selected Alternative since the approval of the EA. However, since the approval of the EA, a Biological Opinion for the Nashville crayfish as part of Formal Section 7 Consultation under the Endangered Species Act (ESA) and an executed Memorandum of Agreement (MOA) for Rogers Manufacturing Plant and Mill Creek Baptist Church Cemetery/Whitsett Cemetery under Section 106 of the National Historic Preservation Act (NHPA) were completed (refer to **Appendix A** and **Appendix C**). TDOT will continue to make efforts to avoid and/or minimize the impacts disclosed within this document and the EA as the proposed Project progresses into the final design phase.

Additional updates include: a reduction of anticipated impacts to Waters of the United States (WOTUS) by the proposed Project (see Section 7 below), a probable absence finding for protected bat species within the Cave-1 specialized habitat, updated jurisdictional determinations (WOTUS) within the ETSA, and an additional specialized habitat identified within the ETSA (see Error! Reference source not found.).

Additionally, since the proposed Project would involve changes in access to the Interstate System, an Interstate Access Justification Report was completed. Based on the analyses documented in the report, the proposed Project meets the requirements of FHWA's policy on changes in access to the Interstate System. Refer to **Appendix G** for a copy of the report.

6. HOW IS THE PROJECT CONSISTENT WITH PLANS?

The proposed Project is included in the 2023-2026 STIP and the Nashville Metropolitan Planning Organization (MPO) Transportation Improvement Program (TIP) as well as TDOT's 10-Year Project Plan. Refer to Appendix A in the EA. The proposed Project is also consistent with the TMA, which authorizes TDOT to enter into P3 contracts and construct user-fee facilities.

7. WHAT ARE THE BENEFITS AND ADVERSE EFFECTS OF THE PROJECT?

The primary beneficial effects of the proposed Project include:

- Travel times would be improved along the I-24 Southeast corridor with the addition of managed lanes that rely on dynamic pricing and demand management.⁹
 - In 2032, the year the proposed Project is anticipated to open to the public, travel times are projected to improve by 5 to 10 minutes in both the general-purpose lanes and the proposed Choice Lanes along I-40 eastbound.
 - Travel times are also projected to improve by 10 to 15 minutes for the general-purpose lanes and by 15 to 20 minutes for the Choice Lanes along I-40 westbound during the AM peak period when compared to the No-Build Alternative. Additionally, travel times would decrease in the Choice Lanes but increase for the general-purpose lanes along I-40 westbound during the PM peak period when compared to the No-Build Alternative. These increases would be caused by the increased volumes from the Choice Lanes merging into an already congested area.
 - In 2052, the design year for the proposed Project, congestion from interstate queue spillback onto arterial roadways would likely not occur under the Build Alternative but would likely occur under the No-Build Alternative.
 - In 2032 and 2052, travel speeds along I-24 for the Build Alternative are anticipated to be higher than travel speeds for the No-Build Alternative.
 - I-24 westbound travel times are anticipated to be reduced by over one hour in 2032 and more than two hours in 2052 from the added capacity along I-24.
 - I-24 eastbound travel times are anticipated to be reduced by 30 to 50 minutes in both 2032 and 2052.

⁹ Interstate Access Justification Report (Version 5), I-24 Southeast Choice Lanes Project

CHAPTER 7: WHAT ARE THE BENEFITS AND ADVERSE EFFECTS OF THE PROJECT?

- In 2032 and 2052, travel speeds along I-840 for the Build Alternative are also anticipated to be equal to or higher than travel speeds for the No-Build Alternative.
- Compared to the No-Build Alternative, the Build Alternative is anticipated to result in increases to system-wide throughput:⁹
 - In 2032, throughput is anticipated to increase by approximately 15,000 vehicles (+6 percent) during the A.M. peak period and 35,000 vehicles (+13 percent) during the P.M. peak period.
 - In 2052, throughput is anticipated to increase by approximately 25,000 vehicles (+9 percent) during the A.M. peak period and 50,000 vehicles (+20 percent) during the P.M. peak period.
- Compared to the No-Build Alternative, the Build Alternative is also anticipated to result in increases to throughput along the I-24 corridor:⁹
 - In 2032, throughput along I-24 near SR 155 is anticipated to increase by less than 5 to 6 percent during off-peak westbound travel and 23 percent during P.M. peak period eastbound travel.
 - In 2052, throughput along I-24 is anticipated to increase by 18 to 30 percent during A.M. peak period westbound travel and P.M. peak period eastbound travel.
- As explained above, the proposed project would address growing urban congestion by increasing roadway capacity through the implementation of a managed lanes system that offers drivers travel choices. By providing additional lanes that operate under dynamic pricing, the system would allow users to opt in to a faster travel option when needed, while preserving general-purpose lane availability.
- The P3 model used on the proposed Project would allow motorists an option of paying a voluntary user fee in exchange for faster travel speeds and trip times. The P3 model would also leverage the potential for innovations in design, flexibility during construction, as well as the revenue-generating mechanism of Choice Lanes, enabling accelerated project delivery.
- User-fee revenue from the proposed Choice Lanes would help fund transportation-related employment in the region.

The primary adverse effects of the proposed Project include:

- Approximately 1.6 acres of permanent fill and 0.8 acres of temporary impacts to wetlands (mitigated); updated stream impacts (linear feet) are still being quantified and will be included in the Section 404 permit application; however, the total loss of WOTUS is expected to be less than 0.5 acres per waterbody crossing, therefore qualifying the project for a Nationwide Permit.
- May Affect, Likely to Adversely Affect Nashville crayfish primarily through habitat modification/loss with the potential for direct take of individuals.
- Adverse visual effects to Mill Creek Baptist Church Cemetery/Whitsett Cemetery and Rogers Manufacturing Plant.

- The proposed Project would convert approximately 43 acres of land to transportation use and require an estimated 51 property relocations (18 commercial and 33 residential). Given the relatively large size of the project (26-mile corridor),¹⁰ property impacts are confined to areas that are already highly developed and have limited ROW availability. Parcels to be acquired and converted to transportation use would remain consistent with current zoning codes. Further, the Conceptual Stage Relocation Plan (Appendix K of the EA) prepared for the proposed Project verified the adequate availability of suitable properties within the corridor for potential relocations. Relocation assistance would be provided to all property owners and adhere to the rules, policies and procedures set forth in the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. As such, the proposed Project is not expected to have an adverse effect on land use or property acquisitions.

8. WHAT PERMITS AND APPROVALS ARE NEEDED?

The acquisition of permits would occur prior to initiating construction activities, pursuant to Section 63-3-108(a) of the Tennessee Water Quality Control Act of 1977 and other federal laws and regulations. The following permits are likely to be required:

- United States Army Corps of Engineers (USACE) Clean Water Act Section 404 Nationwide Permit: required for construction that involves placement of dredge and fill material in Waters of the U.S. Typical Waters of the U.S. include rivers, blueline streams, headwaters streams and special aquatic sites, such as wetlands.
- Section 401 Water Quality Certification/Aquatic Resource Alteration Permit (ARAP): required to ensure that activities requiring federal permits or licenses will not cause pollution in violation of state water quality standards. Section 401 Water Quality Certification/ARAP permits are required for construction at locations where the proposed project involves placement of fill. The Tennessee Department of Environment and Conservation (TDEC) issues Section 401 Water Quality Certifications for Tennessee.
- National Pollutant Discharge Elimination System (NPDES) Stormwater Construction Permit: required for grubbing, cleaning, grading or excavation of one or more acres of land and for stormwater discharges. TDEC's Division of Water Pollution Control issues NPDES permits for Tennessee.

¹⁰ Although the ROW footprint for the proposed Project has been refined since approval of the EA, there have been no changes to the number of relocations as described in the CSRP included in the EA, and the CSRP remains valid.

A Project Management Plan (PMP) and Financial Plan (FP): required by FHWA for all Major Projects, which are those with an estimated total cost of \$500 million or greater.

- A Cost and Schedule Risk Assessment (CSRA) Workshop, a requirement for Major Projects, was held in April 2025.

9. WHAT ARE THE PUBLIC HEARING DETAILS?

As part of the NEPA process, three public hearings were held for the proposed project following the approval of the EA. The public hearings were held on March 3, 4 and 5, 2026 from 5:00 P.M. to 7:30 P.M. at the Smyrna Event Center (March 3) and Coleman Park Community Center (March 4 and 5). All public hearings included a brief formal presentation about the proposed Project followed by a question-and-answer period. All questions and/or comments received during the public hearings were documented by a court reporter.

Physical copies of the EA were made available for public review at eleven locations around the greater Nashville/Murfreesboro areas. Locations include: TDOT's headquarters office, TDOT's Region 3 office, the Nashville Metropolitan Government office, the Greater Nashville Regional Council office, La Vergne City Hall and Smyrna Town Hall. The approved EA was also made available on TDOT's project website on February 13, 2026.¹¹ The official comment period extended through March 31, 2026. Questions/comments received during the public hearings and public comment period are summarized below.

The comment period yielded 870 comments. Of the 870 comments received, the topics and questions fell into the following primary categories:

- Social and Economic Environment
- Land Use, Property, and Community Impacts
- Cultural Resources, Neighborhood Character and Community Cohesion
- Traffic, Transportation and Mobility
- Alternatives Analysis (Including Transit and Multimodal Options)
- Noise, Air Quality and Quality of Life Effects
- Water Resources, Stormwater and Flooding
- Project Costs and Public-Private Partnership

A copy of the public hearing summary, including responses to comments, is included in **Appendix B**.

¹¹ [I-24 Choice Lanes EA Website](#)

10. WHAT ARE THE MITIGATION STRATEGIES ASSOCIATED WITH THE PROPOSED PROJECT?

10.1. Standard Specification

The proposed Project would be developed in accordance with TDOT's Standard Specifications for Road and Bridge Construction, which addresses sediment and erosion control and siltation, channelization, floodplains, construction impacts, utility relocations and traffic maintenance and detours.

10.2. Historic Resources

Pursuant to 36 CFR § 800.6(b)(1)(iv), a MOA between FHWA, Tennessee State Historic Preservation Officer (TN-SHPO), and TDOT was executed on May 05, 2026, that will require the signatories as well as the contractors to carry out mitigation measures as disclosed in the MOA (see **Appendix C**) for the following resources:

- > Rogers Manufacturing Plant
- > Mill Creek Baptist Church Cemetery/Whitsett Cemetery

10.3. Archaeological Resources

Avoidance measures will be in place for all archaeological sites including cemeteries. Additionally, as outlined in the MOA (see **Appendix C**), archaeological monitoring will be required during construction. Pursuant to TCA 11-6-107(d), if human remains are identified, construction work must be halted, and the state archaeologist, the medical examiner and local law enforcement must be contacted. A representative of Native American Tribes will also be notified in the event he or she wishes to be present.

10.4. Reduction in Relocations

As the proposed project moves forward into the final design phase, TDOT would continue to evaluate design refinements that would further reduce or avoid the residential and commercial displacements associated with the Selected Alternative.

10.5. Relocation Assistancess

To minimize the unavoidable effects of the right-of-way acquisition and displacement of people and businesses, TDOT would carry out a right-of-way and relocation program in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91-646) and the Tennessee Uniform Relocation Assistance Act of 1972. Relocation resources would be available without discrimination to all displaced residences and businesses.

10.6. Water Quality

Many of the projected impacts to water quality associated with the Selected Alternative would be offset by the roadway design and by the federal, state and local regulations that require erosion and sediment control plans, the implementation of best management practices (BMPs), and various water quality permits that require water quality monitoring.

10.7. Aquatic Resources

The Selected Alternative would be developed in accordance with TDOT's Standard Specifications for Road and Bridge Construction, which addresses sediment and erosion control and siltation, channelization, floodplains, construction impacts, utility relocation, traffic maintenance and detours. BMPs would be stringently implemented throughout the construction period. Mitigation of impacts to streams or any other fluvial systems would be accomplished through the avoidance and minimization of potential impacts during the design process. Permanent stream alterations, such as relocations, impoundments or channel modification, would be mitigated through the purchase of compensatory mitigation credits. Impacts will be minimized on site and any relocated stream reaches will be stabilized and graded to ensure natural flow is restored.

As an effort to minimize sedimentation impacts, erosion and sediment control plans would be included in the project construction plans. TDOT would monitor strict adherence to Stormwater Pollution Prevention Plan and Erosion Prevention and Sediment Control Measures.

10.8. Geology

TDEC oversight on land development activities would help to reduce/avoid potential impacts associated with the possible creation of a sinkhole and/or introduction of pollutants to any unknown underground streams. In addition, TDOT would apply for any necessary permits from TDEC, specifically a Class V Injection Well Permit, if identified sinkholes are impacted or within the limits of the Selected Alternative.

10.9. Construction Impacts

Construction activities would be confined within the permitted limits to prevent unnecessary disturbance to environmental resources. Measures that may be used to avoid and/or minimize impacts to aquatic resources include silt fencing, biodegradable mats/blankets, straw bales, temporary grass seeding in disturbed areas, covered soil piles during rain events and at the end of each workday and staging fueling equipment away from aquatic resources. TDOT inspectors would conduct periodic inspections during construction. For a warranty period following the construction, the inspectors would

continue to monitor the site for failures of erosion and sediment controls. Additionally, high visibility fencing (HVF) will be required for the protection of environmentally sensitive areas such as cemeteries and eligible historic resources along the corridor. Archaeological monitoring will also be required for specific cemeteries and sites.

11. WHAT ARE THE PROJECT-SPECIFIC ENVIRONMENTAL COMMITMENTS?

The following provides a summary of the project commitments. Additional NEPA approvals may be warranted if construction extends outside the existing and proposed ROW. For a full list of project related commitments, see **Appendix D**.

11.1. Visual Impacts

A Visual Impacts Assessment (VIA) Workshop was held on April 22, 2026, from 10:30 AM to 7 PM at the Southeast Community Center. The VIA Workshop was a collaborative, discussion-based exercise to collect feedback from the public on visual components and design considerations as the proposed Project moves to final design. A total of eleven (11) individuals attended the VIA Workshop, and six (6) surveys were collected on respondents' visual priorities for the corridor. See **Appendix F** for further details.

11.2. Noise Impacts

Barriers determined to be feasible and reasonable based on conceptual design were included in the conceptual plans. Design, location and feasibility/reasonableness for all barriers included in conceptual plans will be re-evaluated during final design. The final decision for installation of any noise abatement measure(s) will occur upon completion of final design and in accordance with TDOT Noise Guidelines, which specify that TDOT will conduct a certified mail survey to solicit the viewpoints of the benefited residents and/or property owners that would be protected by the barriers. If a majority of benefited residents/property owners oppose the construction of a noise barrier, then the barrier is not reasonable and will not be included in the project plans.

11.3. Hazardous Materials Sites

Prior to construction, remediation would occur for the seven high-risk sites being acquired for the proposed Project. Prior to construction, Phase II Environmental Site Assessments would occur for the 17 low-risk sites, as-needed, and for any additional sites identified as being impacted as a result of changes to final design.

11.4. Waters of the U.S.

Based on the presence of wetlands within the project footprint and the current design, it is assumed TDOT will apply for a Nationwide 14 Permit under Section 404 of the Clean Water Act (CWA). As part of the Section 404 permit, compensatory mitigation credits will be required where avoidance and minimization of impacts is not achievable. Unavoidable impacts to water quality would be permitted through Section 401 of the CWA and through the TDEC ARAP.

Additionally, the developer shall submit an NOI for the NPDES General Permit following award of the contract but prior to construction activities.

11.5. Protected Species

11.5.1. Bats and Migratory Birds

Tree clearing shall be restricted to the period between October 1 and March 31 to avoid impacts to potential roost sites.

11.5.2. Streamside Salamander

Presence surveys were conducted within the PSA in areas containing suitable habitat during this species' breeding season in the winter/spring of 2025, with additional surveys conducted during the 2026 breeding season. For those areas determined to contain suitable habitat, as defined by the results of the surveys, in-stream work activities shall be prohibited from December 15 to June 1.

11.5.3. Nashville Crayfish

Based on review of the submitted Biological Assessment (BA) for the Nashville crayfish, the U.S. Fish and Wildlife Service (USFWS) has issued a Biological Opinion (BO) on May 5, 2026, to complete the regulatory requirements of Formal Section 7 consultation with the USFWS, as outlined in 50 CFR 402.14. In accordance with the required Conservation Measures, Reasonable and Prudent Measures, and Terms and Conditions from the BO, commitments A-9a – A-9s have been added to the proposed Project. See **Appendix D** for a full list of commitments related to the Nashville crayfish.

11.5.4. Brawley's Fork Crayfish

Pre-construction surveys for the presence of Brawley's Fork crayfish shall occur in perennial features of the West Fork of the Stones Throw Watershed, as identified in **Appendix D**. If individuals are found, in-stream work would be avoided in identified streams from September 1 to June 30. If in-stream work must take place within these dates, sweeps must take place prior to in-stream work 14 days in advance of construction activities and

collected specimens relocated to suitable habitat. Surveys and sweeps must be conducted by qualified individuals with appropriate permits.

11.5.5. State Protected Fish Species

For those species included in **Appendix D** (commitments A-11 – A-18), pre-construction surveys for species presence shall occur in streams containing suitable habitat, as identified in **Appendix D**. If found, in-stream work shall take place outside of that species' spawning season, as identified in **Appendix D**. In-stream work during the spawning season is permissible for some species in some streams, as specified in **Appendix D**. If in-stream work must take place during the spawning season where identified species are determined to be present, sweeps shall take place prior to initiating work and collected specimens relocated to suitable habitat. Surveys and sweeps shall be conducted by qualified individuals with appropriate permits.

11.5.6. Glade-inhabiting Plant Species

For those glades to be impacted by design, two surveys, late spring and early fall, shall be conducted to identify presence of glade-inhabiting plant species as identified in **Appendix D**. If impact avoidance is not possible, relocation of present species shall be required. The developer shall coordinate the timing of surveys and a relocation plan for required populations with TDOT's Environmental Division prior to any construction activities occurring.

11.5.7. Water Stitchwort

For impacted seep habitats, appropriately timed surveys shall occur in early April to late June to determine species presence. If present, impacts shall be avoided, or relocation shall occur if avoidance is not possible. The developer shall coordinate the timing of surveys with TDOT's Environmental Division in advance of any construction activities and will develop a relocation plan for required populations.

11.5.8. Duck River Bladderpod and Stones River Bladderpod

Surveys shall occur in March to April in areas of suitable habitat to determine species presence. If found in areas to be impacted, the top six inches of the topsoil shall be removed from the area of impact and relocated to suitable habitat outside the area of impact to preserve the seedbank for these species.

11.6. Cemeteries and Historic Resources

For the cemeteries and historic resources identified in **Appendix D** (commitments A-23 – A-30), high visibility fencing shall be installed at the ROW and/or property boundaries. Specific

locations and lengths of fencing to be installed relative to each resource are outlined, by individual commitment, in **Appendix D**. A vibration monitoring plan¹² for all work near the seventeen (17) National Register of Historic Places (NRHP)-listed and NRHP-eligible resources will be developed. The plan will include inspection and photographic documentation of the condition of foundations and masonry before construction begins. Vibration monitoring during construction activities shall be conducted in accordance with that plan. Following construction, the foundations and masonry will be inspected again for vibration damage. The MOA in **Appendix C** provides complete details of commitments around vibration monitoring. Additionally, for all cemeteries identified in **Appendix D**, archaeological monitoring and non-destructive GPR remote sensing shall occur at specified locations, as outlined by individual property, prior to initiating any ground-disturbing activities.

TDOT has executed a Memorandum of Agreement (MOA), dated May 5, 2026, with the FHWA and the TN-SHPO to mitigate the adverse visual effects to the Rogers Manufacturing Plant and Mill Creek Baptist Church Cemetery/Whitsett Cemetery resources. Complete details of the MOA can be found in **Appendix C**.

11.6.1. Rogers Manufacturing Plant

Photographic documentation of Rogers Manufacturing Plant will occur after tree removal has been completed, but prior to any other ground-disturbing activity associated with the proposed Project with the intention of capturing the views that will be affected by the proposed Project. Unless otherwise agreed upon, photographs will follow the guidelines as laid out in the “National Register of Historic Places and National Historic Landmarks Program Consolidated and Updated Photograph Policy 2024”. TN-SHPO will review and provide concurrence that the photographic views and angles selected sufficiently document the views affected by the proposed Project. Following concurrence, NRHP quality archival photographs will be provided to TN-SHPO, property owners and stakeholders upon request.

11.6.2. Mill Creek Baptist Church Cemetery/Whitsett Cemetery

TDOT will investigate to determine the feasibility of preparing documentation for listing the Mill Creek Baptist Church Cemetery/Whitsett Cemetery on the NRHP. In the event contact cannot be established with representatives of the Friends of Mill Creek Baptist Church Graveyard (the Friends), or the Friends do not agree to NRHP listing, contact will be made with the Lane Motor Museum regarding preparation of an NRHP nomination for the American Bread Company Building. If NRHP listing is not pursued for either resource, TDOT

¹² The vibration monitoring plan is only applicable to historic properties.

will conduct additional research on the Mill Creek Baptist Church Cemetery equivalent to an NRHP nomination historic context. This historic context will be provided to the TN-SHPO and a local repository.

11.7. Archaeological Resources – Site 40DV750

In addition to the standard commitments outlined in Section 10.3, HVF shall be installed within ten (10) feet of the present and proposed ROW to avoid any construction activities within the site boundary. Additionally, archaeological monitoring will be required within the site boundary if the construction extends outside of the existing and proposed ROW.

11.8. Floodplains

A completed hydraulic analysis shall occur for the proposed Project’s final design. A No-Rise Certification for the protection of floodplains is anticipated. In the event a No-Rise Certification cannot be obtained, coordination with the locals to acquire a Conditional Letter of Map Revision/Letter of Map Revision (CLOMR/LOMR) shall be required. Modifications to the design will be considered during final design to reduce impacts to floodplains and be incorporated into final design where practicable.

12. WHAT IS THE STATUTE OF LIMITATIONS ON FILING CLAIMS?

A Federal agency may publish a notice in the Federal Register, pursuant to 23 USC 139(l), indicating that one or more Federal agencies have taken final action on permits, licenses or approvals for a transportation project. If such notice is published, claims seeking judicial review of those Federal agency actions will be barred unless such claims are filed within 150 days after the date of publication of the notice, or within such shorter time period as is specified in the Federal laws pursuant to which judicial review of the Federal agency action is allowed. If no notice is published, then the periods of time that otherwise are provided by the Federal laws governing such claims will apply.

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 FONSI.

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 FONSI. 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.

Errata/Updates

Date: June 2026

Project: I-24 Southeast Choice Lanes Project

The following is a list of corrections/updates to the Environmental Assessment (EA) approved on January 30, 2026:

Location in EA	Original Text or Finding	Correction/Update
Table 3-1; Section 3.1.1; Section 3.8.2	The EA indicated a total of 34.9 acres of ROW to be acquired and converted for transportation use.	This total has been updated to 43 acres and referenced in the FONSI.
Appendix W	Seven comments were inadvertently omitted from the initially published Comment Response Matrix for the 2025 Public Information Meetings due to a clerical error. While all comments received during the public comment period were included in the project database and reviewed as part of the formal evaluation process, this addendum was not reflected in the approved Environmental Assessment.	In February 2025, an addendum was made to the 2025 Comment Response Matrix. This addendum ¹ is being added into the public comment record as part of the FONSI.
Section 4.2.3	The EA mentioned that the Project Team plans to host in-person Public Hearings in 2026 for the public to review and provide feedback on the approved EA and other Project materials.	The Project Team held public hearings on March 3, 4 and 5, 2026 to present information on the EA and Recommended Preferred Alternative (RPA) and collect public feedback. Additionally, a public comment period was established from February

¹ <https://www.tn.gov/content/dam/tn/tdot/region-3-documents/interstate-24-choice-lanes-/CommentAddendum022426.pdf>

		13 to March 31, 2026. A Public Hearing Summary has been added to Section 9 of the FONSI. As part of the summary, a public comment summary response matrix has been created to provide TDOT responses to all comments received during the comment period. Refer to Appendix B of the FONSI for more detailed public hearing information.
Table 5-1, Commitment A-3	Commitment A-3 stated that prior to completing the NEPA decision document, TDOT will hold a Visual Impacts Workshop to inform the development of mitigation measures that would be proposed and/or incorporated into the design or through commitments made in the NEPA decision document.	TDOT held a Visual Impacts Workshop on 04/22/2026.
Table 5-1, Commitment A-8a	Commitment A-8a stated that additional surveys for the Streamside salamander are anticipated for the 2025/2026 breeding season (December 15 – March 15) and would be completed prior to approval of the NEPA decision document.	Surveys for the streamside salamander were completed on March 9, 2026.
Section 3.10.2; Table 5-1, Commitment A-32	Section 3.10.2 of the EA and Commitment A-32 state that prior to construction and approval of the NEPA decision document, TDOT will prepare and ratify a Memorandum of Agreement (MOA) for the visual adverse effects to Mill Creek Baptist Church Cemetery/Whitsett Cemetery and Rogers Manufacturing Plant properties.	A Memorandum of Agreement (MOA) between FHWA, Tennessee State Historic Preservation Officer (TN-SHPO), and TDOT was executed on 05/05/2026 that will require the signatories as well as the

		contractors to carry out mitigation measures as disclosed in the MOA.
Table 5-1, Commitment A-33	Commitment A-33 references “six high-risk” and “sixteen low-risk” sites.	The correct number of sites, as stated in Section 3.9 of the EA, is seven high-risk and 17 low-risk. This has been updated in the FONSI.
Table 5-1, Commitment A-36	Commitment A-36 states the following: “The Developer should attempt to avoid impacts to the extent practicable, including any construction related activities in the following areas: Historic properties on or listed for the National Register of Historic Places, parks and greenways. If impacts are unavoidable, the Developer shall coordinate with TDOT Environmental Division prior to construction activities.” This original commitment language inadvertently excluded historic properties eligible for listing in the National Register of Historic Places from this avoidance requirement.”	To show that the requirement to avoid historic properties would apply to those eligible for or listed in the National Register of Historic Places, the commitment has been changed to the following: “The developer should attempt to avoid impacts to the extent practicable, including any construction related activities in the following areas: Historic Properties eligible for or listed in the National Register of Historic Places, parks and greenways. If impacts are unavoidable, the developer shall coordinate with TDOT

		Environmental Division prior to construction activities.”
Section 3.8.2	The EA mentioned that a Biological Opinion (BO) will be issued prior to the FONSI once FHWA and USFWS have agreed with TDOT’s determination that the proposed Project would likely adversely affect the Nashville crayfish and TDOT’s proposed efforts to mitigate impacts to the species.	The USFWS issued a Biological Opinion for effects to the Nashville crayfish on May 5, 2026. Refer to Appendix A of the FONSI.
Table 3-1	The EA states an estimated 4.05 acres of impacts would occur to wetlands and 12,282 linear feet of impacts would occur to streams.	The current estimate for wetland impacts is 1.5 acres of permanent impacts and 0.8 acres of temporary impacts. Updates to stream impacts are still being quantified, but the total is expected to be within the limits qualifying for a Nationwide 14 Permit. This update is included in Section 5 of the FONSI.
Appendix V	The proposed Project’s stakeholder list was referenced as Appendix A of the PIACP (appendix V in the EA), but was inadvertently omitted during EA submission.	The stakeholder list has been attached to Appendix B of the FONSI (Public Hearing Summary).
Appendix D	The EA included a Traffic Analysis Report completed for the proposed Project.	An Interstate Access Justification Report has been completed for the proposed Project, which contains updated data on traffic conditions.

APPENDIX A. BIOLOGICAL OPINION

DRAFT - CONFIDENTIAL - DELIBERATIVE

APPENDIX B. PUBLIC HEARING SUMMARY

DRAFT - CONFIDENTIAL - DELIBERATIVE

APPENDIX C. SECTION 106 MEMORANDUM OF AGREEMENT

DRAFT - CONFIDENTIAL - DELIBERATIVE

APPENDIX D. ENVIRONMENTAL COMMITMENTS TABLE

DRAFT - CONFIDENTIAL - DELIBERATIVE

APPENDIX E. MODIFIED EBR ADDENDUM II

DRAFT - CONFIDENTIAL - DELIBERATIVE

APPENDIX F. VISUAL IMPACTS ASSESSMENT WORKSHOP SUMMARY

DRAFT - CONFIDENTIAL - DELIBERATIVE

APPENDIX G. INTERSTATE ACCESS JUSTIFICATION REPORT

DRAFT - CONFIDENTIAL - DELIBERATIVE