



October 4, 2010

Ms. Jane P. Rawlings  
President, Lindbergh Martin Manor Neighborhood Association  
2116 Lenox Road NE  
Atlanta, Georgia 30324

Re: Project NH000-0085-02(153), Fulton County – P.I. No. 762380 – SR 400/I-85 Connector Ramps

Dear Ms. Rawlings:

Thank you for your letter dated September 10, 2010 in response to the Department's request for input in developing appropriate measures for mitigating the adverse visual effect to the Lindridge Martin Manor Subdivision. The Department wishes to engage the community as much as possible in the development of the above project, with the understanding that the Department must be prudent in the expenditure of Federal and State tax dollars and align those expenses with the project's Need and Purpose. In response to your request, the Department has sent a letter dated September 22, 2010, confirming your participation in the Section 106 process as a consulting party. As a consulting party, you will receive copies of all historic resources documentation for this project including the Assessment of Effects document and mitigation proposals.

We are currently investigating the mitigation proposals discussed in your September 10 letter. First, the request for assistance in applying for National Register of Historic Places is feasible and the Department will work with the Lindridge Martin Manor Neighborhood Association (LMMNA) towards accomplishing this. Unfortunately this process will not be completed before the environmental document is approved, nor can the Department promise that the registration will occur before the construction of the project commences. Note that SHPO already deems the neighborhood eligible for the National Register so the findings in the Environmental Assessment would not change regardless of the timing of the registration. Secondly, we are investigating the use of landscaping or other physical improvements within our right-of-way area that would be compatible with the plan for the Confluence Trail System.

In regards to your other concerns about the project, the Department has invested considerable resources towards making this project fiscally constrained and still responsive to the desires of the community. The below concerns and requests are outside of the requirements for the Section 106 process. Below are responses to particular concerns and requests.

**LMMNA Concern #1:**

*"We, therefore, again request that GDOT lower the design speed for this project."*

To safely function as a connector between SR 400 and I-85, the proposed ramps must adhere to minimum design standards and guidelines. There is only a small amount of flexibility allowed in design speed, turning radii, vertical clearance between roadways, and vertical alignments due to the proximity of physically constraining factors such as the I-85 mainline expressway, the SR 400 mainline expressway, adjacent land use development, and the North Fork of Peachtree Creek. Specifically, minimum clearance over the existing I-85 southbound exit ramp to Buford Highway southbound must be maintained and governs the elevation required

for the proposed fly-over ramp from SR 400 southbound to I-85 northbound. The piers for the proposed ramp crossing of I-85 have very limited locations for placement. Reducing the radius of the proposed ramp which crosses I-85 changes the location of the pier placement and thus makes it infeasible to span the I-85 mainline expressway and existing ramps. The reduced radius would also provide for an inadequate tie-in and merge condition to the I-85 mainline. The proposed alignments were developed through an iterative process evaluating varying design speeds while balancing traffic operations (e.g. merge conditions), right-of-way impacts, environmental impacts, and construction costs. Modifications to the currently proposed ramp alignments would result in a degraded ramp operational efficiency, additional right-of-way impacts, increased adverse environmental impacts, and increased construction cost.

**LMMNA Request #1:**

*“LMMNA requests that GDOT pay for the cost of an external technical review of the design, with the firm conducting such review to be selected by LMMNA.”*

The Department has hired the firm HNTB, as a prequalified engineering design firm with experience in designing interstate facilities. The design created by HNTB has been extensively reviewed by GDOT internal staff, FHWA’s staff and an independent Value Engineering team, Louis & Zimmerman Associates, Inc. The interchange design and operating parameters have been reviewed and approved by FHWA through the Interchange Modification Report process. The Department is confident that the interchange design is the most practical and cost efficient that meets the Need and Purpose of the project.

If the LMMNA desires to have an independent consultant firm, contracted by the LMMNA, to review the designs, then the Department will make all the design files available to them.

**LMMNA Concern #2:**

*Protection of the Peachtree Creek*

To safely function as a connector between SR 400 and I-85, the proposed ramps must adhere to minimum design standards and guidelines. There is only a small amount of flexibility allowed in design speed, turning radii, vertical clearance between roadways, and vertical alignments. The currently proposed ramp alignments are a result of making every attempt to minimize impacts to right-of-way and the environment. As the North Fork of Peachtree Creek crosses under I-85 within the project limits, the construction of the proposed connector ramps cannot avoid crossing this creek.

While the creek crossing cannot be avoided, the Department does make every attempt to construct projects that cause the least amount of impacts to the environment. The Department has worked, and will continue working to develop ways to avoid, minimize, and mitigate any impacts to jurisdictional Waters of the US and Wetlands along the project corridor as the proposed project moves forward. These efforts to avoid and minimize impacts have resulted in a design that has only minor impacts to these regulatory Waters and Wetlands. The possible permanent impacts to the North Fork Peachtree Creek will be related to the additional bridge columns associated with the proposed ramp crossing of the creek. The placement of these columns will be made to avoid the creek where feasible. Impacts to wetlands and streams would require a permit from the US Army Corps of Engineers (USACE).

**LMMNA Concern #3:***Flooding Concerns*

The Department is aware that storm water runoff is an environmental concern and is working with state and federal agencies to make our projects more responsive. Storm water management practices will be used to mitigate anticipated increases in non-point source pollution and runoff from the project. Best Management Practices (BMPs) for storm water management will be incorporated into the construction plans. Further, a variety of temporary erosion and sedimentation control measures will be used during project construction. These may include the use of berms, dikes, dams, sediment basins, fiber mats, netting, gravel, mulches, grasses, slope drains, and other erosion control devices or methods, as applicable. The temporary provisions would be coordinated with permanent erosion control features (such as re-vegetation) insofar as practical to assure economical, effective, and continuous erosion control throughout the construction and post-construction periods.

As part of the storm water system design, project engineers would also evaluate potential impacts to floodplains and ensure that the project does not create flooding problems for surrounding properties. Storm water conveyance from the proposed ramp structures to Peachtree Creek will continue to be evaluated as the design for the project progresses. As the Department prepares the necessary environmental permits with state and federal regulatory agencies, the Department will adhere to the requirements established by these agencies, including storm water collection.

The Department has worked, and will continue working to develop ways to avoid, minimize, and mitigate any impacts to jurisdictional wetlands and streams along the project corridor as the proposed project moves forward. These efforts to avoid and minimize impacts have resulted in a design that has only minor impacts to regulatory wetlands and streams. Impacts to wetlands and streams would require a permit from the US Army Corps of Engineers (USACE).

**LMMNA Request #2:**

*"...purchase by GDOT of those properties deemed FEMA-eligible for use as future public greenspace should property owners so desire."*

The Department will acquire all properties that are necessary to implement the project in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The Department cannot buy properties using Federal funds that are not directly affected by the construction of this project.

**LMMNA Request #3:**

*"...GDOT grant public access to the creek through the funding and completion of the Confluence Trail System as proposed by the LLCC and the South Fork Conservancy."*

The Department, through the State Access Management Supervisor, Daphne Cautela, has been working with the Lindbergh Lavista Corridor Coalition (LLCC) and Sally Sears to allow access to the interstate right-of-way to construct the first section of the Confluence Trail System, the Meadow Loop section. There are several issues to still settle in this access agreement and construction of the trail; including liability, maintenance, enforcement

and Stream Buffer Variance permitting with the City of Atlanta. The Department will continue to assist LLCC towards their goal, but not under the umbrella of this project.

**LMMNA Request #4:**

*“...an aggressive program to remove non-native, invasive species, such as kudzu and privet, to be replaced by appropriate native species that would secure the banks and provide habitat for indigenous plants and animals.”*

The North Fork of Peachtree Creek crosses under I-85 within the project limits. Due to its proximity to I-85, crossing the creek cannot be avoided. The removal of existing vegetation along the banks of the North Fork of Peachtree Creek would require a stream buffer variance from the Environmental Protection Division. Since the area of requested vegetation removal is outside the construction limits of this project, the removal would be beyond the scope of the project.

**LMMNA Request #5:**

*LMMNA requests to receive a copy of all NEPA documents as it relates to this project and an update on where this project stands in the NEPA process.*

The Department is currently in the process of completing the draft Environmental Assessment for this project. The LMMNA can access these documents through an open records request to the Department. The LMMNA would then be responsible to pay for any copies of documents received as a part of this request.

**LMMNA Concern #4**

*The high project costs are not justified by the benefits and the project should be dropped from priority for funding.*

The SR 400 and I-85 interchange project is included in the Atlanta Regional Commission's (ARC) Fiscal Year 2008-2013 Transportation Improvement Program. Additionally, the project is included in a variety of location transportation studies and plans, including the ARC's 2030 Regional Transportation Plan, the City of Atlanta's Comprehensive Transportation Plan (also known as "The Connect Atlanta Plan"), and the Buckhead Community Improvement District / Buckhead Area Transportation Management Association 2008 "Piedmont Area Transportation Study". The Department also has a letter on file endorsing the SR400 and I-85 interchange project from Congressman John Lewis and a resolution from the City Council of the City of Atlanta adopting as its policy the proposal to amend the Transportation Improvement Program (TIP) to transfer funds from the Lenox Road widening project to the construction of the SR400/I-85 Interchange. The consensus among these transportation studies is that the lack of connectivity at this important transportation node in metropolitan Atlanta results in severe traffic congestion on numerous local surface streets. As residential areas and employment centers located along SR 400 and I-85 continue to see positive growth, the traffic situation worsens.

The future traffic forecasts for the proposed ramps were developed using the regional travel demand model developed by the ARC. This model predicts future travel patterns based on existing and future socioeconomic trends and typical travel patterns of Atlanta motorists. This model predicted that there would be a future design year (2035) daily demand of approximately 19,700 vehicles on each of the proposed ramps. If these ramps were not constructed, much of this demand would have to be met by the local street system which is already

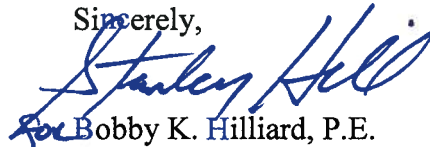
congested today. The completion of this project will provide much needed relief to commuters and residents of the area alike.

The Department did estimate the future benefits of the project based on the travel time savings and motor fuel savings between using the proposed ramps and using the local street system. Over the 20-year design life of the project, the time and fuel savings were estimate to be much greater than the cost to construct the project. Currently, the estimate for completing the SR 400/I-85 Connector Ramps, including utility relocations, right-of-way acquisition, and construction, is approximately \$31,027,000.00. The interchange improvements will be authorized for construction when funds have been identified and allocated.

The Department will be participating in a meeting on October 6, 2010 at 7:15 pm at the Westminster Presbyterian Church at 1438 Sheridan Road, Atl., GA 30324. This meeting was requested by Representative Pat Gardner to discuss the project with GDOT and SRTA officials. Please feel free to attend and further discuss this project.

Thank you again for participating in the process. Should you have any further questions concerning this project, please call the project manager, Albert Shelby, at 404-631-1758 of the Department's Office of Program Delivery.

Sincerely,



for Bobby K. Hilliard, P.E.

State Program Delivery Engineer

S.H.

BKH:SH:avs

C: Gerald Ross, P.E., Chief Engineer  
 Glenn Bowman, P.E., State Environmental Engineer  
 Daphne Cautela, State Access Management Supervisor  
 Keith Strickland, HNTB  
 Congressman John Lewis, U.S. Congress 5th District  
 Rodney N. Barry, P.E., FHWA (attn: Jennifer Giersch)  
 David Crass, Deputy SHPO  
 Stanley Meiburg, EPA, Acting Regional Administrator  
 Beverly Houston Banister, EPA, Acting Deputy Regional Administrator  
 Carl Terry, EPA, Director Office of External Affairs  
 Tad Leithead, Chair, Atlanta Regional Commission  
 Nan Orrock, State Senate, District 36  
 Pat Gardner, State Representative, District 57  
 Kasim Reed, Mayor City of Atlanta  
 Ames Shelby, Commissioner of Planning, City of Atlanta  
 Richard Mendoza, Commissioner of Public Works, City of Atlanta  
 Rob Hunter, Commissioner of Watershed Management, City of Atlanta  
 Alex Wan, City Council, District 6  
 Charletta Wilson-Jacks, Director of Planning City of Atlanta  
 Doug Young, Assistant Director of Planning City of Atlanta  
 Henry Batten, President Lindbergh LaVista Corridor Coalition



September 10, 2010

Mr. Glenn Bowman  
Department of Transportation  
Office of Environmental Services  
One Georgia Center  
600 West Peachtree Street, NW, 16th Floor  
Atlanta, Georgia 30308

Dear Mr. Bowman,

The Lindridge Martin Manor Neighborhood Association (LMMNA) received your letter dated August 17, 2010, requesting our input for developing appropriate measures to mitigate the adverse visual effects created should the proposed SR 400/I-85 Connector Ramp project (GDOT Project NH000-0085-02(153), Fulton County, P.I.#762380) be advanced. We believe that this letter was sent to comply with Section 106 of the National Historic Preservation Act, because GDOT identified historic properties within the geographic area of potential effects, and that a field survey identified the Lindridge Martin Manor neighborhood as a historic district eligible for listing in the National Register of Historic Places. In order to comply with the 30 day response timeline afforded us, we submit the following letter. Please note that this document serves as an initial response only, given the facts currently available to us. As future information becomes available to our organization, we reserve the right for future response and action as appropriate. This letter, in no way, serves as a complete and exhaustive outline of our concerns and/or proposed mitigation measures.

LMMNA reiterates our belief that this project should not be prioritized for the reasons outlined in the Lindbergh LaVista Corridor Coalition's (LLCC) position statement issued on July 14, 2008, to which we were co-signatories. Despite this belief, should GDOT proceed with this project as planned, we request the following as minimal mitigation measures.

The proposed height of the ramps will, indeed, create extensive adverse visual impact. Unfortunately, LMMNA maintains that, at the height proposed, it would prove impossible to successfully mitigate this impact. We, therefore, again request that GDOT lower the design speed for this project. This action would allow for ramps to be constructed at a lower height and with a tighter radius thus minimizing proximity to our residents and, therefore, impact to our neighborhood. In previous conversations with LMMNA, GDOT engineers have indicated that this may not be technically feasible. LMMNA maintains that this is indeed a feasible alternative that has not been adequately explored, and should not be dismissed at this time. LMMNA requests that GDOT pay for the cost of an external technical review of the design, with the firm conducting such review to be selected by LMMNA.

LMMNA is in the process of applying for listing in the National Register of Historic Places. As part of mitigation for the construction of the road, LMMNA requests GDOT to fund our application which would include the hiring of an external consultant chosen by LMMNA to prepare and submit the necessary documentation to the State Historic Preservation Office (SHPO). In addition, we request GDOT to assist in expediting the review of our application with the SHPO so that it may be on record prior to beginning any construction of the ramps.

LMMNA also seeks to become a consulting party between the SHPO and GDOT as we seek to review past official documents of interest and be privy to additional documents and findings in the future.

Perhaps one of the greatest potential assets for our neighborhood is historic Peachtree Creek. Our neighborhood lies at the confluence of the North and South Forks. LMMNA is concerned that construction of this project will exacerbate the already adverse visual impact the highway creates on this historically significant waterway.

We also fear that the ramp construction will destabilize the creek banks thereby contributing to increased flooding within our neighborhood. Such a result, threatens the viability of many of our historic homes and properties. This flooding further destabilizes the creek banks resulting in property loss for residents and threatens the health and aesthetic value of this vital and historically important waterway. To mitigate this impact, we first recommend that GDOT fund a study of Peachtree Creek examining viable flood control and stream bank stabilization measures required to mitigate this impact, and to fund and implement those measures as LMMNA so approves. This may also include the purchase by GDOT of those properties deemed FEMA- eligible for use as future public greenspace should property owners so desire. Furthermore, LMMNA, in partnership with the LLCC, wishes to raise awareness surrounding the environmental and historic significance of Peachtree Creek. Toward this end, we ask that GDOT grant public access to the creek through the funding and completion of the Confluence Trail System as proposed by the LLCC and the South Fork Conservancy. A major component of this effort would include an aggressive program to remove non-native, invasive species, such as kudzu and privet, to be replaced by appropriate native species that would secure the banks and provide habitat for indigenous plants and animals.

LMMNA appreciates the efforts of GDOT to reach out to us regarding these matters of historic significance and visual impact. Previously, however, LMMNA has outlined other concerns regarding adverse impacts should this project move forward. GDOT has failed to address many of these issues to our satisfaction. LMMNA has requested in the past, and reiterates that request in this letter, that we receive a copy of all NEPA documents as it relates to this project and an update on where this project stands in the NEPA process. We have concerns over negative impacts such as noise, lighting, flooding, and air quality measures. While this letter serves to address visual impact and Section 106 compliance, these other impacts cannot be ignored and mitigation measures for them should be considered.

The projected cost of this project as estimated in 2004 was approximately \$22.5 million. Should GDOT construct this project at a later date, the associated costs will prove significantly greater. At a time when GDOT, the City of Atlanta, and, indeed, the state of Georgia are facing significant budget constraints, LMMNA believes that the high cost of this project is not justified in terms of its benefit to our neighborhood and/or the region as a whole. Indeed it is inconsistent with the City of Atlanta's stated priorities of "predominantly operational and transportation mitigation projects" of a mixed use nature that are pedestrian in scale. These priorities are contained within the locally approved City of Atlanta Comprehensive Transportation Plan. Within this plan, the City of Atlanta Planning Department concludes, "The City supports the construction of the interchange at Georgia 400 and I-85 provided the design is consistent with the principles of this study, avoids impacts to adjacent single family neighborhoods and that the project is funded by regional/federal and state sources rather than City of Atlanta funds or funds which would

otherwise be due the City." It is the stance of LMMNA that the plan as proposed does not satisfy these conditions.

Please contact me upon receipt of this letter to schedule a meeting within thirty days, with the appropriate representatives from the following agencies: GDOT, Federal Highway Administration, SHPO and others as copied below, to clarify project status and how GDOT intends to proceed. As part of this meeting, LMMNA wishes to outline a prioritized project list for mitigation. Representatives from LMMNA are available to meet on the following dates in the upcoming month: Tuesdays on September 14th, 21st, 28th, or October 5th; and Fridays, on September 17th, 24th, October 1st, or 8th. Please respond to:

Jane Rawlings  
Lindridge Martin Manor Neighborhood Association  
2116 Lenox Road NE  
Atlanta, GA 30324

In order for LMMNA to comment sensibly and completely on all desired mitigation actions, we need to review carefully the plans that GDOT currently has prepared and/or the mitigation measures GDOT is contemplating.

Respectfully,



Jane P. Rawlings  
President Lindridge Martin Manor Neighborhood Association

cc: Congressman John Lewis, U. S. Congress 5th District  
Rodney N. Barry, P.E., FHWA, (Attn: Jennifer Giersch)  
David Crass, Deputy SHPO  
Amber Phillips, GDOT NEPA  
Albert Shelby, GDOT Project Manager  
Nancy McReynolds, Terracon  
Stanley Meiburg, EPA, Acting Regional Administrator  
Beverly Houston Banister, EPA, Acting Deputy Regional Administrator  
Carl Terry, EPA, Director Office of External Affairs  
Tad Leithead, Chair, Atlanta Regional Commission  
Nan Orrock, State Senate, District 36  
Pat Gardner, State Representative, District 57  
Kasim Reed, Mayor City of Atlanta  
James Shelby, Commissioner of Planning, City of Atlanta  
Richard Mendoza, Commissioner of Public Works, City of Atlanta  
Rob Hunter, Commissioner of Watershed Management, City of Atlanta  
Alex Wan, City Council, District 6  
Charletta Wilson-Jacks, Director of Planning City of Atlanta  
Doug Young, Assistant Director of Planning City of Atlanta  
Henry Batten, President Lindbergh LaVista Corridor Coalition