Draft Finding of No Significant Impact
for
Construction of a New Federal Courthouse
Chattanooga, TN

LEAD AGENCY: U.S. General Services Administration (GSA), Region 4

ACTION: Finding of No Significant Impact

SUMMARY:
Pursuant to the Council on Environmental Quality (CEQ) Regulations (40 *Code of Federal Regulations* [CFR] Parts 1500-1508) for implementing the procedural provisions of the National Environmental Policy Act (NEPA) (42 *United States Code* [USC] 4321 *et seq.*), the United States (U.S.) General Services Administration (GSA) prepared an Environmental Assessment (EA) to analyze and document the potential environmental, cultural, and socioeconomic impacts associated with the Proposed Action, which is to construct and operate a new Courthouse at one of three sites in the city of Chattanooga. All discussions and findings related to the Proposed Action, the No Action Alternative, and those Alternative(s) that GSA considered, but eliminated are presented in the attached Final EA and Appendices. The Final EA is hereby incorporated by reference.

In December 2021, GSA issued a Request for Expressions of Interest (REOI) encouraging property owners to submit prospective sites in Chattanooga for consideration as locations for construction of a new federal Courthouse. GSA also conducted additional market outreach and research in an attempt to identify additional potentially suitable sites. The result of these efforts, along with responses to the REOI, resulted in nine initial sites for GSA to consider. GSA ultimately narrowed the list to three locations considered for acquisition and construction of a new federal Courthouse.

A. PROPOSED ACTION

GSA's Proposed Action is to acquire one of the three sites within the City of Chattanooga and construct and operate a new Courthouse encompassing approximately 190,478 gross square feet and accommodating 40 secured parking spaces, 7 courtrooms, and 9 chambers. The proposed project would replace the existing federal Courthouse, which is located in the Joel W. Solomon Federal Building and U.S. Courthouse, located at 900 Georgia Avenue in Chattanooga. It was constructed in 1933 and currently supports four courtrooms and three district judges, one senior district judge, and two magistrate judges. The bankruptcy court occupies space within the building for two judges in two courtrooms.

B. PURPOSE AND NEED:

The purpose of the Proposed Action is for GSA to acquire a site for construction and operation of a new Courthouse in the City of Chattanooga that meets the needs of the Judiciary and requirements of the *U.S. Courts Design Guide*, as amended in 2008 and 2016 (Judicial Conference of the United States 2021).

Implementation of the Proposed Action is needed in light of the identified building deficiencies at the Solomon Building, including the inability to meet the long-term operational needs of the courts, insufficient security and safety features, and inefficiency of court operations.

C. PUBLIC INVOLVEMENT

GSA invited public participation in decision-making on new proposals through the NEPA process. GSA published a public notice in the *Chattanooga Times Free Press* on May 31, 2023 announcing the initiation of a 30-day scoping period and the intent to prepare a Draft EA. After issuing the public notice, GSA conducted a scoping process that included hosting an in-person public scoping meeting and coordination with various interested governmental agencies and stakeholders. This meeting was advertised by flyers posted in 18 Chattanooga-area community recreation centers and Patten Towers, a large apartment complex located in downtown Chattanooga. GSA emailed letters to stakeholders on May 31, 2023. GSA also announced the public meeting through their website, social media, and a press release. Comments were accepted through July 1, 2023.

A public meeting was held on June 14, 2023 from 5:30 p.m. to 7:30 p.m. at the Mac Avenue Event Space located at 1304 McCallie Avenue Suite A, Chattanooga, Tennessee. The public meeting consisted of two parts: an open house and a formal presentation by GSA followed by a comment session. Approximately 50 people attended the scoping meeting. Outside of the public scoping meeting, GSA invited written comments to be submitted via mail or email throughout the 30-day scoping period. A total of 42 unique commenters provided a total of 164 comments.

The Draft EA was available for public review and comment after publication of the Notice of Availability in the *Chattanooga Times Free Press*. The public was invited to provide comments to GSA on the Draft EA during a 30-day comment period extending from December 1, 2023 to December 31, 2023. The Draft EA was available electronically on GSA's website and announced by letters sent to stakeholders on December 1, 2023.

D. ALTERNATIVES CONSIDERED:

Stadium Site – A portion of (specific size and location to be determined) 201, 203, 205, and 301 Power Alley.

8th Street Site – The property bounded by Lindsay Street on the west, E. 8th Street on the north, Houston Street on the east, and extending south to (and including) 814 Lindsay Street. A city-owned right-of-way (Flynn Street), which extends from Lindsay Street to Houston Street, is also included.

Tennessee Valley Authority (TVA) Site – A portion of (specific size and location to be determined) the property bounded by W. 11th Street on the north, Market Street on the east, W. 12th Street on the south, and Chestnut Street on the west.

No Action Alternative – Under the No Action Alternative, GSA would not acquire new property in Chattanooga and would not construct a new Courthouse. The ongoing deficiencies of the existing courthouse would continue and would not sufficiently meet the needs of the Eastern District of Tennessee.

E. MITIGATION MEASURES:

The Final EA examined the potential effects of the Proposed Action and No Action Alternative and determined the following would either not be affected or would sustain negligible impacts from the Proposed Action and not require further evaluation: biological resources, water resources, and utilities. The following resource areas were analyzed in more detail: air quality and climate change, noise, traffic and transportation, land use and visual resources, socioeconomics and environmental justice, cultural resources, human health and safety, and soils and geology. The EA also considered cumulative impacts that might reasonably occur as a result of the Proposed Action.

Based on the analysis contained in the Final EA, GSA determined that the acquisition of a site and construction and operation of the proposed new Courthouse in the city of Chattanooga, TN under the Proposed Action at any of the three site alternatives would not have significant adverse impacts, either individually or cumulatively, on the human, natural, or cultural environments. Under the No Action Alternative, the new Courthouse in Chattanooga, TN would not be constructed, and existing conditions would remain unchanged. As such, implementation of the No Action Alternative would not result in any impacts to considered resource areas but would not meet the purpose of and need for the Proposed Action.

The following table summarizes impact reduction measures identified within the EA to avoid, minimize, and mitigate potential impacts resulting from implementation of the Proposed Action at any of the three sites.

Air Quality and Climate Change
• Use water for dust control when grading roads or clearing land. • Pave roadways and maintain them in a clean condition. • Promptly remove spilled or tracked dirt or other materials from paved streets. • Minimize the use and number of trips of heavy equipment. • Maintain and tune all engines per manufacturer specifications to perform at USEPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies. • Encourage bids that include use of energy and fuel-efficient fleets and best available control technology. • Conduct periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and consistent with established specifications. • Recycle construction debris to the maximum extent feasible. • Plant shade trees in or near construction projects where feasible. • Reduce construction-related trips of workers and equipment, including trucks.
Noise
• Implement standard noise control measures such as scheduling construction noise within standard working hours, and using equipment noise controls (e.g., mufflers). • Adhere to OSHA regulations to reduce impact of noise on construction workers.
Traffic and Transportation
• Establish routes for construction-related vehicles following major highways and roads to the extent practicable. • If appropriate, schedule arrival of construction vehicles and outside typical commuting hours. • If the 8th Street Site was selected, the construction contractor would consider implementing a carpooling program and/or a shuttle bus to transport construction workers to the project site during the peak construction phase. • Establish designated parking and staging areas. • If the TVA Site was selected, the contractor would coordinate with the city to re-route construction workers and/or trucks during major events at the convention center. • If the TVA Site was selected, coordinate with CDOT and TDOT and, if needed, submit a transportation impact study regarding the direct impact on Broad Street and potential indirect impacts to surrounding roadways and intersections.
Land Use and Visual Resources
• Comply with existing land use plans. • Building design, lighting, and landscaping would complement surrounding aesthetics.
Socioeconomics and Environmental Justice
• None identified.
Cultural Resources
• If the 8th Street Site was selected, further investigations would be required prior to construction.

Human Health and Safety
• Conduct further research/ investigations, as appropriate, prior to ground disturbance. • Develop and implement appropriate remedial activities prior to construction. • Recycle/dispose of generated waste (hazardous or non-hazardous) in accordance with applicable regulations. • Properly characterize contaminated soils and transport to permitted facilities for disposal by licensed contractors. • Remediate activities as appropriate in consultation with the Tennessee Department of Environment and Conservation in order to reduce any impacts.
Soils and Geology
• Perform a geotechnical investigation and prepare an engineering report for the development in compliance with P100 Standards and current U.S. Courts Design Guide, as amended in 2008 and 2016. • Obtain a Construction Stormwater General Permit from the Tennessee Department of Environment and Conservation prior to construction.

F. FINDING OF NO SIGNIFICANT IMPACT:

GSA has completed the environmental review process for the proposed project and, with GSA's commitment to implementing the above measures to mitigate any potential impacts, finds there is no significant impact to the quality of the human, natural, or cultural environment associated with the Proposed Action at any of the proposed sites alternatives at the Stadium Site, 8th Street Site, or TVA Site. Therefore, an Environmental Impact Statement will not be prepared.

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Jeff Smith
Regional Commissioner
Public Buildings Service
Region 4, Southeast Sunbelt Region
General Services Administration

DRAFT

Environmental Assessment for the Construction of a New Federal Courthouse Chattanooga, TN

December 2023

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ACRONYMS AND ABBREVIATIONS

°F	degrees Fahrenheit
AADT	annual average daily traffic
ACHP	Advisory Council on Historic Preservation
ACM	asbestos-containing material
AHPA	Archaeological and Historic Preservation Act of 1974
APE	Area of Potential Effect
ARPA	Archaeological Resources Protection Act of 1979
ASTM	American Society for Testing and Materials
BER	business environmental risk
BG	block group
BMP	best management practice
CAA	Clean Air Act
CalEEMod	California Emissions Estimator Model
CARTA	Chattanooga Area Regional Transportation Authority
CDOT	Chattanooga Department of Transportation
CEQ	Council on Environmental Quality
CFR	*Code of Federal Regulations*
CH_4	methane
CHCRPA	Chattanooga-Hamilton County Regional Planning Agency
CO	carbon monoxide
CO_2	carbon dioxide
CO_2-eq	carbon dioxide equivalent
COC	Chattanooga Office Complex
CSGP	Construction Stormwater General Permit
dB	decibel
dB-A	A-weighted decibel
DSWM	Division of Solid Waste Management
EA	Environmental Assessment
EISA	Energy Independence and Security Act of 2007
EO	Executive Order
ESA	Environmental Site Assessment
FBC	Form-Based Code
FPPA	Farmland Protection Policy Act

FY	Fiscal Year
GHG	greenhouse gas
GSA	General Services Administration
GWP	global warming potential
HAP	Hazardous Air Pollutant
HTMW	hazardous and toxic materials and wastes
I	interstate
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
MLK	Martin Luther King, Jr.
MOVES	Motor Vehicle Emissions Simulator
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act of 1969
NESHAP	National Emissions Standard for Hazardous Air Pollutants
NHPA	National Historic Preservation Act of 1966
NO_2	nitrogen dioxide
NOA	Notice of Availability
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O_3	ozone
OSHA	Occupational Safety and Health Act/Administration
Pb	lead
PBS	Public Buildings Service
PCB	polychlorinated biphenyls
$PM_{2.5}$	particulate matter with a diameter of 2.5 micrometers or less
PM_{10}	particulate matter with a diameter of 10 micrometers or less
RCRA	Resource Conservation and Recovery Act
REC	Recognized Environmental Concern
REOI	Request for Expressions of Interest
ROI	Region of Influence
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SITES	Sustainable Sites Certification Program

SO_2	sulfur dioxide
SR	State Route
SWPPP	Stormwater Pollution Prevention Plan
T.C.A.	Tennessee Code Annotated
TAAQS	Tennessee Ambient Air Quality Standards
TDEC	Tennessee Department of Environmental Conservation
TDOT	Tennessee Department of Transportation
THPO	Tribal Historic Preservation Office
TSCA	Toxic Substances Control Act of 1976
TSP	Toxic Substances Program
TVA	Tennessee Valley Authority
U.S.	United States
U.S.C.	United States Code
USCB	United States Census Bureau
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
UST	underground storage tank
WSS	Web Soil Survey
YWCA	Young Women's Christian Association

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CHAPTER 1 PURPOSE AND NEED

This chapter introduces the United States (U.S.) General Services Administration's (GSA) proposed Chattanooga, Tennessee Federal Courthouse project and describes the purpose of and need for agency action and the scope of this Draft Environmental Assessment (EA). This chapter also summarizes the National Environmental Policy Act of 1969 (NEPA) process and relevant regulations; project background and objectives; and the public involvement process undertaken for this Draft EA.

1.1 INTRODUCTION

GSA's mission includes the design, construction, management, maintenance, custody, and control of federal buildings, including the consistent, cost-effective delivery of new federal courthouses. GSA's Public Buildings Service (PBS) assists federal agency customers housed in GSA facilities with their current and future workplace needs based on their specific mission requirements.

As part of PBS's mission to assist their federal agency customers, a list of courthouse priority projects is compiled every year by the Administrative Office of the United States Courts. In Fiscal Year (FY) 2022, the Chattanooga, Tennessee Federal Courthouse was listed as the second priority of courthouse priority projects.

In response to the deficiencies identified at the current courthouse, congressional funding was authorized and appropriated in FY 2021, FY 2022, and FY 2023 for site acquisition, design, and construction of a new courthouse in Chattanooga. A new courthouse also would allow for future expansion and would meet the standards of the *U.S. Courts Design Guide*, as amended in 2008 and 2016 (Judicial Conference of the United States 2021). The list of courthouse priority projects outlines the following deficiencies in the existing courthouse (Federal Judiciary 2022):

> The courthouse building lacks adequate security, does not provide for future expansion, and does not meet USCDG [U.S. Courthouse Design Guide] standards. Because of inadequacies in the existing building's configuration and size, judges, prisoners, and the public must use the same public elevators and corridors. There are not enough courtroom holding cells. The prisoner access route to one of the magistrate judge courtrooms passes through the magistrate judge's chambers. Further, the building lacks a prisoner sally port, adequate setbacks, or perimeter barriers. The building has ongoing water infiltration issues, mold issues, and a major rat infestation throughout the building, as well as the presence of asbestos. None of the courtrooms meet the recommended size requirements of the USCDG, nor accessibility requirements for persons with disabilities.

The existing federal Courthouse in Chattanooga is located in the Joel W. Solomon Federal Building and U.S. Courthouse (the Solomon Building), which is located at 900 Georgia Avenue, Chattanooga, Tennessee 37402. It serves the Eastern District of Tennessee, one of 94 federal judicial districts established across the country. Each district has its own U.S. District Court. In addition to the District Court itself, the Solomon Building hosts other judicial and non-judicial-related tenants. It was constructed in 1933 and currently supports four courtrooms and three district judges, one senior district judge, and two magistrate judges. The bankruptcy court occupies space within the building for two judges in two courtrooms.

In December 2021, GSA issued a Request for Expressions of Interest (REOI) encouraging property owners to submit prospective sites in Chattanooga for consideration as locations for construction of a new federal Courthouse. GSA also conducted additional market outreach and research in an attempt to identify additional potentially suitable sites. These efforts, along with responses to the REOI, resulted in nine initial sites for GSA to consider. GSA ultimately narrowed the list to three locations considered for acquisition and construction of a new federal courthouse (also referred to throughout this document as the Courthouse). Figure 1-1 depicts the regional location of Chattanooga, and Figure 1-2 shows the proximity of each of the three sites considered for acquisition in relation to the existing courthouse.

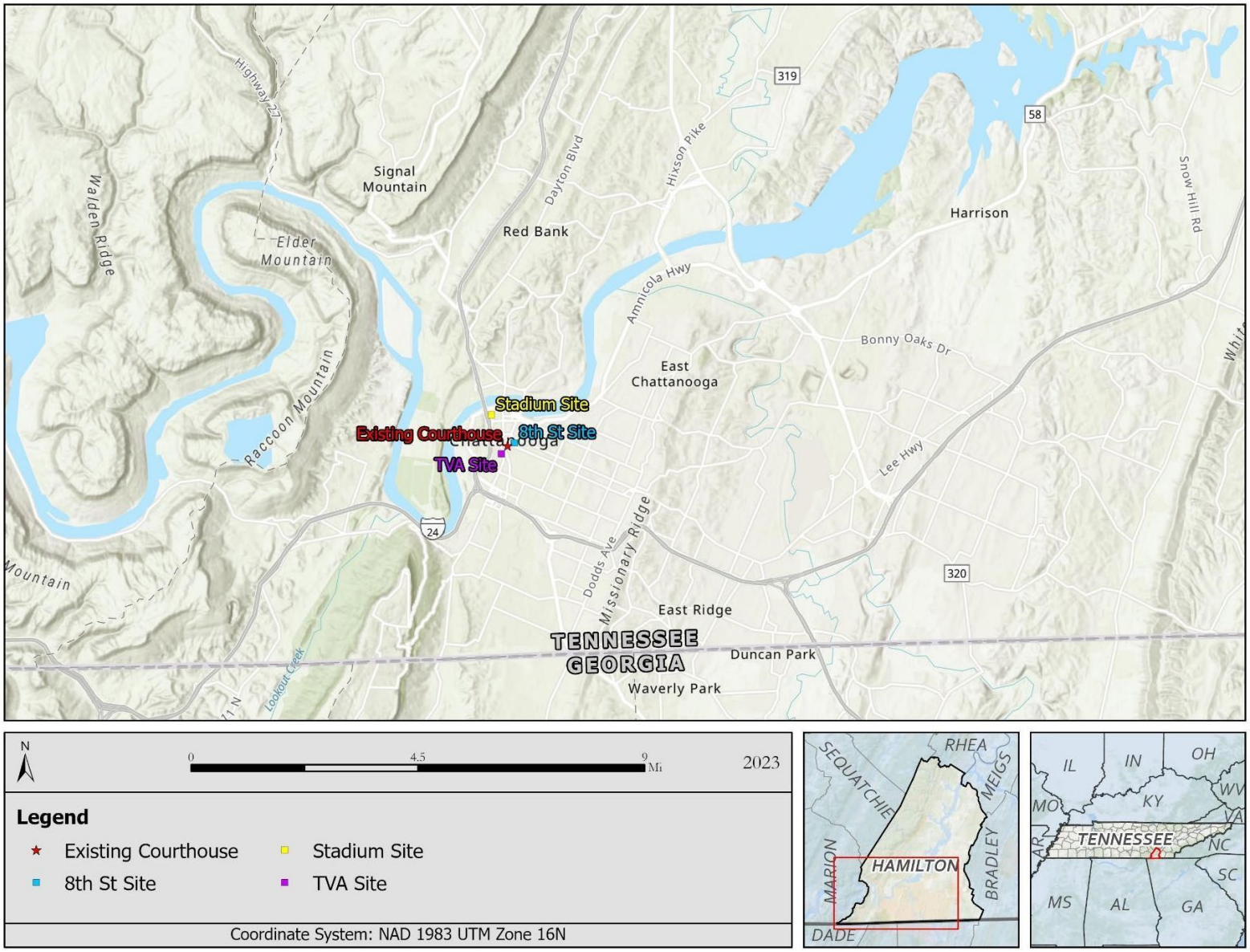

Figure 1-1. General Location of Chattanooga, Tennessee

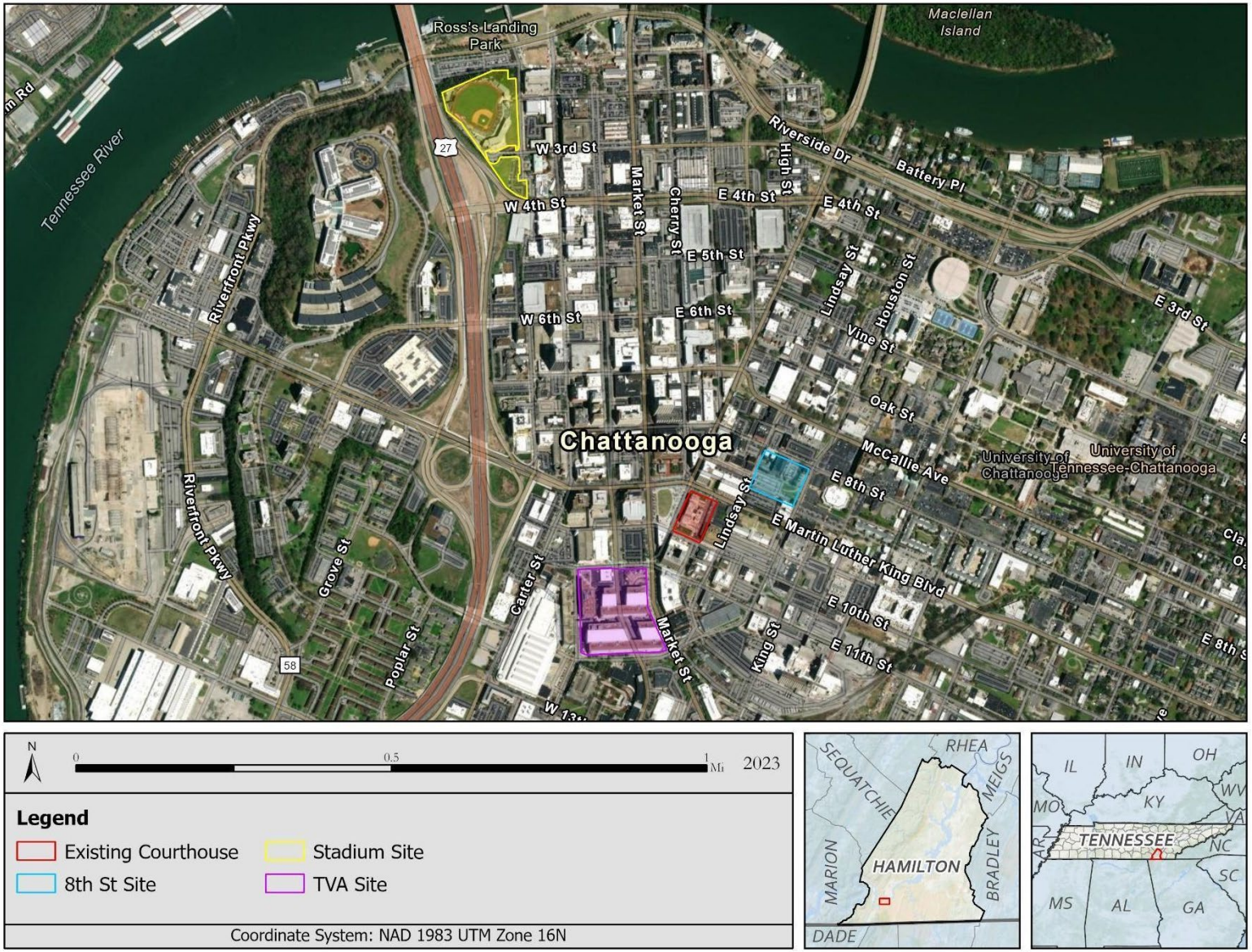

Figure 1-2. Locations of Existing Chattanooga Courthouse and Sites Considered for Acquisition

GSA has prepared this Draft EA for the purpose of analyzing the potential environmental impacts resulting from the Proposed Action to construct and operate a new Courthouse at one of three sites. GSA has prepared this Draft EA in accordance with the following, among other relevant federal and state laws and regulations (see Section 1.3, Relevant Environmental Laws, Regulations, and Executive Orders):

- NEPA (42 United States Code [U.S.C.] 4321 et seq.),
- The Council on Environmental Quality (CEQ) regulations implementing NEPA (Title 40 *Code of Federal Regulations* Parts 1500-1508 [40 CFR 1500-1508]), and
- *GSA NEPA Desk Guide* (GSA 1999).

1.2 PURPOSE OF AND NEED FOR THE PROPOSED ACTION

The purpose of the Proposed Action is for GSA to acquire a site for construction of a new Courthouse in the City of Chattanooga that meets the needs of the Judiciary and requirements of the *U.S. Courts Design Guide*, as amended in 2008 and 2016 (Judicial Conference of the United States 2021).

Implementation of the Proposed Action is needed in light of the identified building deficiencies at the Solomon Building, including the inability to meet the long-term operational needs of the courts, insufficient security and safety features, and inefficiency of court operations.

1.3 RELEVANT ENVIRONMENTAL LAWS, REGULATIONS, AND EXECUTIVE ORDERS

1.3.1 National Environmental Policy Act (NEPA) and NEPA Process

NEPA requires federal agencies to consider the potential impacts to the natural and human environment from their proposed actions. If potential adverse effects may arise, they must be disclosed in an EA or an Environmental Impact Statement that is circulated for public review. The NEPA process is intended to help federal agency officials make decisions based on an understanding of the potential environmental effects and to take actions that protect, restore, and enhance the environment (40 CFR 1500.1). Therefore, GSA, with input from the public and other federal and state agencies, would decide the future action to take in accordance with NEPA as part of their decision-making process.

Federal agencies are required to provide meaningful opportunities for public participation in a proposed action. Opportunities for stakeholders and the public to become involved in the NEPA process occur when an agency begins scoping and when a NEPA document is published for public review and comment. Please refer to Section 1.4, Public Involvement, for detailed information concerning internal and external scoping during the NEPA process.

1.3.2 Section 106 of the National Historic Preservation Act (NHPA)

The National Historic Preservation Act of 1966 (NHPA) (16 U.S.C. 470), as amended, is the most comprehensive federal law pertaining to the protection of cultural resources. The NHPA establishes a program for the preservation of historic properties (i.e., districts, sites, buildings, structures, and objects) throughout the nation. Section 106 of the NHPA requires federal agencies to consider the effects of their activities on such properties. Implementing regulations for Section 106 are at 36 CFR 800 (*Protection of Historic Properties*). These regulations require the responsible federal agency, in consultation with the State/Tribal Historic Preservation Officer (SHPO/THPO), to determine the level of effort to identify historically significant cultural resources in the area of potential effect (APE) of the undertaking. The Tennessee SHPO is the primary consulting party in the process. There are no federally recognized Native American Tribes in the state of Tennessee.

In accordance with 36 CFR 800, federal agencies are encouraged to coordinate studies and documents prepared under Section 106 with those done under NEPA. Section 800.8(a) of the regulations provides

guidance on how NEPA and Section 106 processes can be coordinated. GSA will conform to the consultation, identification, and documentation standards set forth in 36 CFR 800.8(c). Further details on the Section 106 process that was conducted for this Draft EA are included in Section 3.7, Cultural Resources.

1.3.3 Section 7 of the Endangered Species Act

The Endangered Species Act provides a means for conserving the ecosystems upon which threatened and endangered species depend and a program for the conservation of such species. The Endangered Species Act directs all federal agencies to participate in conserving these species and to use their authorities to further the purposes of the Endangered Species Act. Specifically, Section 7(a)(1) of the Endangered Species Act charges federal agencies to aid in the conservation of threatened and endangered species. Section 7(a)(2) requires the agencies to ensure that their activities are not likely to jeopardize the continued existence of listed species or adversely modify designated critical habitats. Section 7 of the Endangered Species Act (16 U.S.C. 1531 et seq.) outlines the procedures for federal interagency cooperation to conserve federally listed species and designated critical habitats.

GSA Section 7 consultation activities for this Draft EA are described in more detail in Section 1.5, Draft EA Phase.

1.3.4 Other Relevant Laws and Regulations

Table 1-1 provides a list of potentially relevant laws and regulations with which GSA must comply as part of the project planning and NEPA processes.

Table 1-1. Relevant Laws and Regulations

Statutes
Archaeological Resources Protection Act of 1979 (16 U.S.C. § 470aa-mm)
Clean Air Act of 1970 as amended (42 U.S.C. § 7401, et seq.)
Clean Water Act of 1977 as amended (33 U.S.C. § 1251, et seq.)
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. § 9601, et seq.)
Endangered Species Act of 1973 (16 U.S.C. § 1531-1544)
Energy Independence and Security Act (42 U.S.C. § 17001, et seq.)
National Energy Conservation Policy Act (42 U.S.C. § 8231, et seq.)
National Historic Preservation Act of 1966 (54 U.S.C. § 300101 et seq.) (89 Public Law 665 (1966)
Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901, et seq.)
Regulations
32 CFR 229 – Protection of Archaeological Resources: Uniform Regulations
33 CFR 320-330 – U.S. Army Corps of Engineers Regulations
36 CFR 800 – Protection of Historic Properties
40 CFR 300-399 – Hazardous Substance Regulations
40 CFR 6, 51, and 93 – Conformity of General Federal Actions to State or Federal Implementation Plans

Table 1-1. Relevant Laws and Regulations

Council on Environmental Quality Regulations (40 CFR 1500-1508)
Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation (48 *Federal Register* 44716, Thursday, September 29, 1983)
Executive Orders
EO 11593 – Protection and Enhancement of the Cultural Environment
EO 11988 – Floodplain Management
EO 11990 – Protection of Wetlands
EO 12898 – Environmental Justice
EO 13007 – Indian Sacred Sites
EO 13175 – Indian Trust Resources
EO 13287 – Preserve America
EO 13327 – Federal Real Property Asset Management
EO 13589 – Promoting Efficient Spending
EO 14008 – Tackling the Climate Crisis at Home and Abroad

1.4 PUBLIC INVOLVEMENT

The NEPA process provides several opportunities for public involvement to include public scoping and a public comment period following publication of the Draft EA. During each opportunity for public involvement, interested and affected parties (i.e., stakeholders) may express their concerns and provide their views about:

- The project and its possible impacts on the natural and human environment;
- What should be addressed in the analysis and evaluation of the Proposed Action; and
- The adequacy of the NEPA analysis and documentation of potential impacts in the EA.

Public participation with respect to decision-making on the Proposed Action is guided by GSA's implementing procedures for compliance with NEPA and the *GSA NEPA Desk Guide* (GSA 1999). GSA considered comments from interested and affected parties in the preparation of this Draft EA.

1.4.1 Scoping and Public Involvement

Scoping is an early and open process for determining the scope of issues to be addressed and for identifying potentially significant issues related to a proposed action. GSA's internal scoping process included the following steps:

- Identifying the purpose of and need for the project;
- Defining the Proposed Action;
- Determining the environmental issues potentially required for detailed analysis;
- Eliminating issues that are out of scope of the project;

- Listing data needs, identifying cumulative actions; and
- Confirming the appropriate NEPA path.

External scoping began when GSA notified the public and all interested stakeholders about the Proposed Action and solicited comments on the project and potential environmental issues.

To formally initiate the NEPA process for this Draft EA, GSA published a public notice in the *Chattanooga Times Free Press* on May 31, 2023 announcing the initiation of a 30-day scoping period and the intent to prepare a Draft EA. After issuing the public notice, GSA conducted a scoping process that included hosting an in-person public scoping meeting and coordination with various interested governmental agencies and stakeholders. This meeting was advertised by flyers posted in 18 Chattanooga-area community recreation centers and Patten Towers, a large apartment complex located in downtown Chattanooga. GSA also emailed letters to stakeholders on May 31, 2023 that:

- Announced GSA's intent to prepare an EA and conduct a scoping meeting;
- Provided a brief description of the project;
- Identified the public scoping meeting location and time; and
- Included instructions regarding how to submit a comment.

GSA also announced the public meeting through their website, a press release, and social media platforms. Comments were accepted through July 1, 2023.

A public meeting was held on June 14, 2023 from 5:30 p.m. to 7:30 p.m. at the Mac Avenue Event Space located at 1304 McCallie Avenue Suite A, Chattanooga, Tennessee. The public meeting consisted of two parts:

1) An open house during which attendees could view posters with project information and ask questions of GSA and contractor staff in attendance; and
2) A formal presentation followed by a comment session. Attendees had opportunities to submit verbal and/or written comments at the meeting. Approximately 50 people attended the meeting.

Outside of the public scoping meeting, GSA invited written comments to be submitted via mail or email throughout the 30-day scoping period. More specifically, GSA invited the following types of comments:

- The key topics that should be covered in the Draft EA;
- Examples of potential adverse and beneficial impacts from the Proposed Action;
- Input regarding which site should be selected for Courthouse construction; and
- Any other relevant information.

A total of 42 unique commenters provided input during the scoping period. Comments were provided on a range of topics as shown in Table 1-2, with the majority of comments received concerning the pros and cons of selecting each site. Overall, 164 comments were received.

Table 1-2. Commenters and Comments by Category

Issue or Concern	Addressed in Particular Section of the Draft EA	Remarks
Purpose and Need	Section 1.2	One commenter requested evidence of need for a new Courthouse before assuming the need to abandon existing buildings and build new. Another

Table 1-2. Commenters and Comments by Category

Issue or Concern	Addressed in Particular Section of the Draft EA	Remarks
		commenter expressed that a new Courthouse is needed.
Courthouse Design	Section 2.1	Commenters expressed desire for a beautiful building that embodies the importance of a Courthouse. Other commenters asked if the design would incorporate sustainable features.
Existing Courthouse	Section 2.1	Commenters expressed concern regarding the future use of the existing courthouse.
Alternatives	Section 2.4	Commenters recommended additional alternatives to consider, including additional sites and reuse of existing buildings at the TVA Site.
Stadium Site	Section 2.1.1, Chapter 3	Commenters expressed pros and cons of selecting this site, including the prominence of the location and the preference for use as housing or support of tourist/entertainment district.
8th Street Site	Section 2.1.2, Chapter 3	Commenters expressed pros and cons of selecting this site, including the central location, presence of historic structures, and impact on parking available for the Basilica of Saints Peter and Paul.
TVA Site	Section 2.1.3, Chapter 3	Commenters expressed pros and cons of selecting this site, including the accessibility, positive impact on downtown, compliance with EO 12072, central location, and impacts of demolition and disposal.

GSA used the results of the scoping efforts to further define the scope and areas of emphasis (or focus) of this Draft EA. Appendix A contains a copy of the public notice published in the *Chattanooga Times Free Press* on May 31, 2023, as well as meeting materials from the public scoping meeting (see Appendix A). Consultation-related correspondence is provided in Appendix B.

1.5 DRAFT EA PHASE

1.5.1 Public Review

GSA is soliciting comments from interested persons and stakeholders on the Draft EA during a 30-day comment period that began on December 1, 2023. The public was notified of the Draft EA public review period through publication of a Notice of Availability (NOA) in the *Chattanooga Times Free Press,* as well as letters emailed to interested parties and press releases made by GSA. Comments received during the 30-day comment period will be considered in preparation of the Final EA and will be made part of the Administrative Record.

1.5.2 Federal Agencies

GSA sent stakeholder letters, dated December 1, 2023 to the following agencies, providing information on the project background, project updates, and requesting input on resources that may be affected:

- United States Fish and Wildlife Service (USFWS) Tennessee Ecological Services Field Office

GSA also sent a technical assistance letter, dated October 31, 2023, to the USFWS Tennessee Ecological Services Field Office. A copy of this letter is included in Appendix B.

1.5.3 State Agencies

GSA sent stakeholder letters, dated December 1, 2023, to the following agencies, providing information on the project background, project updates, and requesting input on resources that may be affected:

- Tennessee Department of Environmental Conservation (TDEC) Chattanooga Environmental Field Office
- Tennessee Historical Commission (SHPO)

CHAPTER 2 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES

This chapter describes the alternatives development process, GSA's Proposed Action, and analysis of all action alternatives. This chapter also discusses alternatives considered and dismissed by GSA.

2.1 PROPOSED ACTION

GSA has prepared this Draft EA for the purpose of analyzing the potential environmental impacts resulting from the Proposed Action to construct and operate a new Courthouse at one of three sites.

In December 2021, GSA issued a REOI encouraging property owners to submit prospective sites encompassing between 2 to 5 acres within the city limits of Chattanooga for consideration as locations for construction of a new federal Courthouse. Responses were originally requested by January 31, 2022. Subsequent correspondence was issued encouraging property owners to continue to submit sites, with a "last call" for sites to be submitted by June 10, 2022. GSA also conducted additional market outreach and research in an attempt to identify additional potentially suitable sites. These efforts, along with responses to the REOI, resulted in nine initial sites for GSA to consider. GSA considered three of these sites to be potentially suitable alternatives. These three sites, as announced on January 4, 2023 and listed in north-south order, are discussed within this EA:

1) **Stadium Site** – A portion of (specific size and location to be determined) 201, 203, 205, and 301 Power Alley (see Figure 2-1).
2) **8th Street Site** – The property bounded by Lindsay Street on the west, E. 8th Street on the north, Houston Street on the east, and extending south to (and including) 814 Lindsay Street (see Figure 2-2). A city-owned right-of-way (Flynn Street), which extends from Lindsay Street to Houston Street, is also included.
3) **Tennessee Valley Authority (TVA) Site** – A portion of (specific size and location to be determined) the property bounded by W. 11th Street on the north, Market Street on the east, W. 12th Street on the south, and Chestnut Street on the west (see Figure 2-3).

Under the Proposed Action, GSA would acquire one of the three sites within the City of Chattanooga and construct a new Courthouse encompassing approximately 190,478 gross square feet and accommodating 40 secured parking spaces, 7 courtrooms, and 9 chambers. Tenants of the existing courthouse that would move to the new Courthouse currently include:

- U.S. District Court,
- Circuit Library,
- U.S. Probation Office,
- U.S. Department of Justice - U.S. Marshals Service,
- U.S. Department of Justice - Office of the U.S. Attorneys,
- Congressional Offices, and
- GSA

In addition, the Bankruptcy Court and potentially the U.S. Trustees would relocate to the new Courthouse from their current leased space in the Old Post Office Custom House Building, located at the intersection of E 11th Street and Lindsay Street. While the U.S. Attorney's Office currently located in the Old Post Office Custom House Building would not move to the new Courthouse, the proposed Courthouse would include approximately 1,500 square feet of trial preparation space for their use.

Figure 2-1. Stadium Site

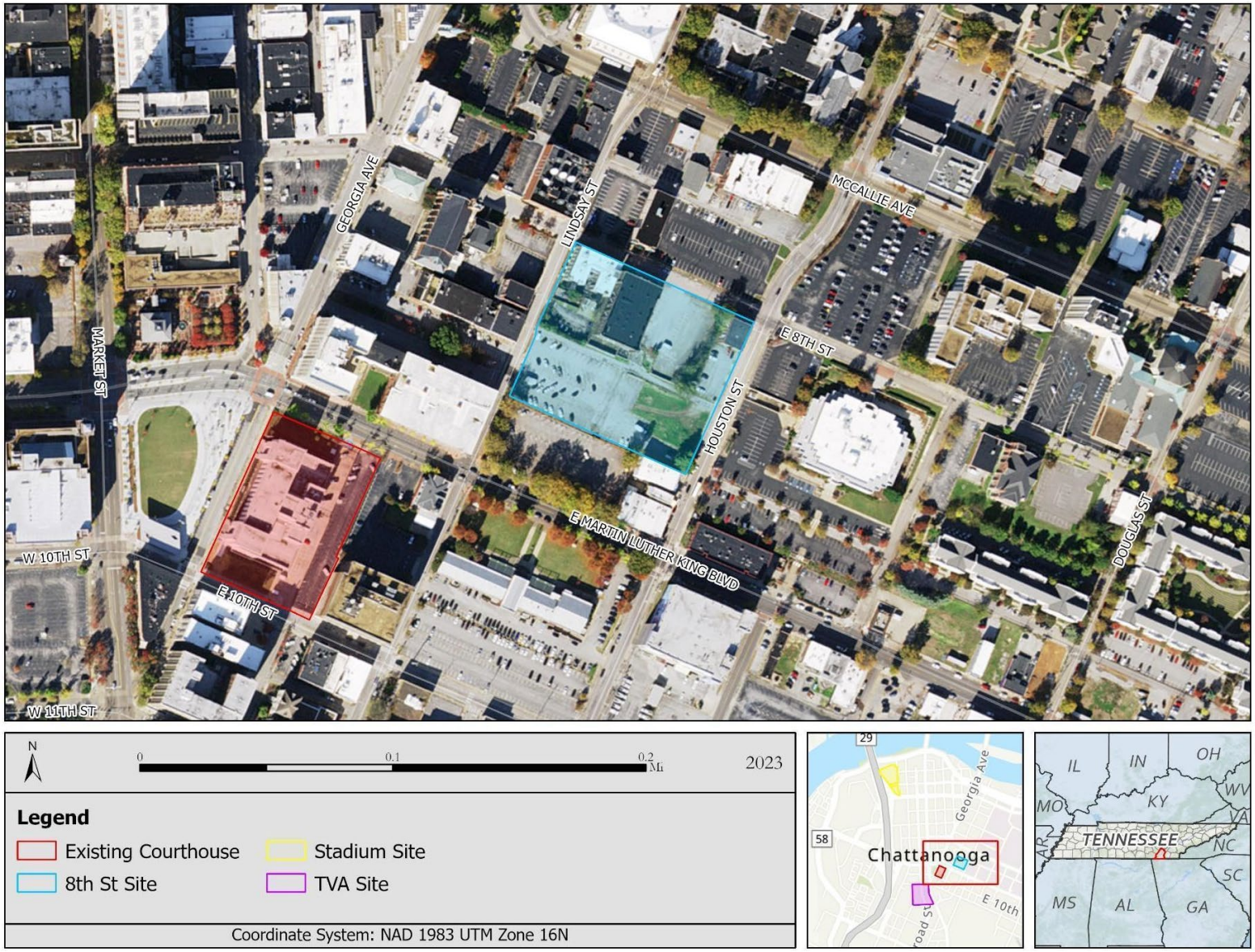

Figure 2-2. 8th Street Site

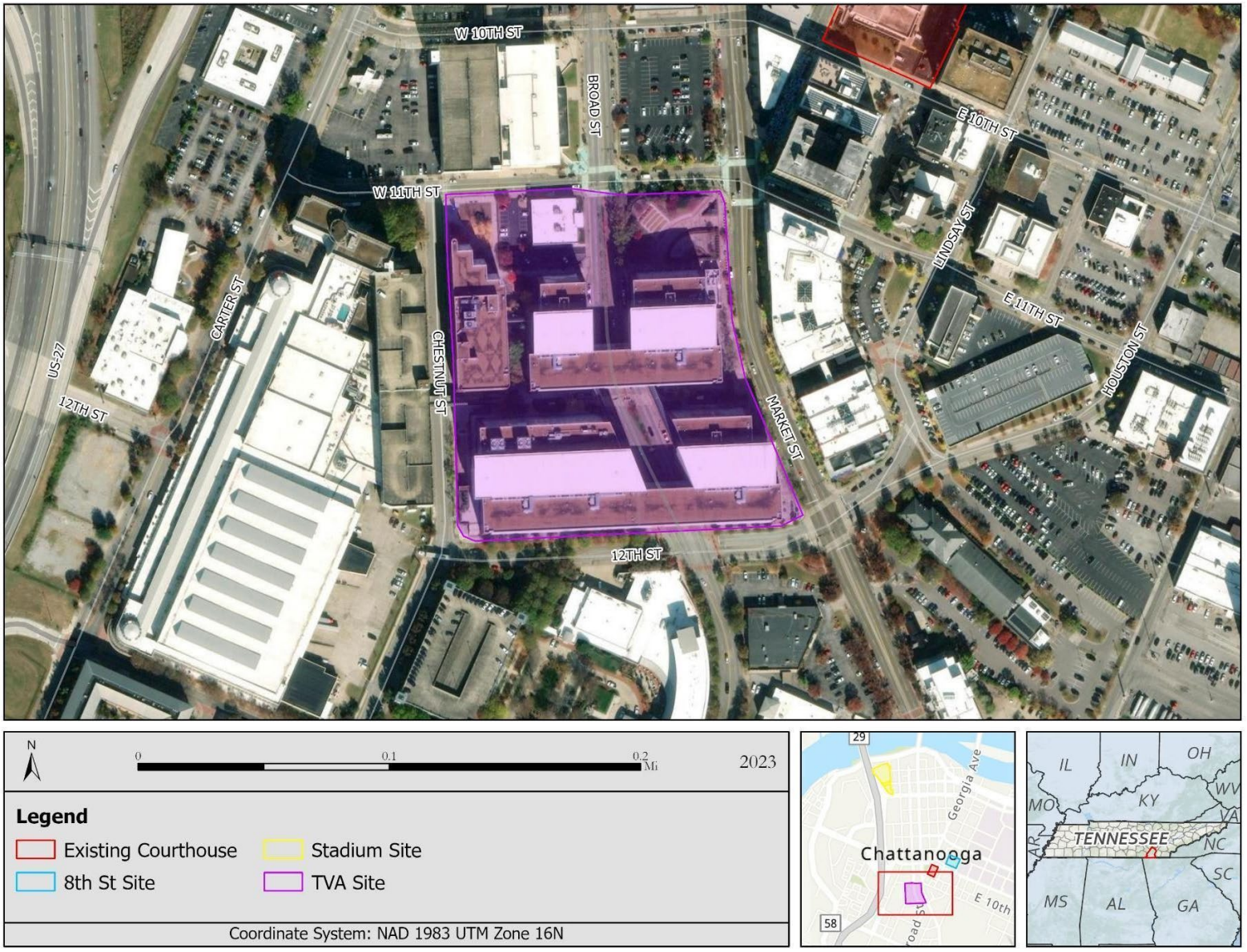

Figure 2-3. TVA Site

GSA is still in the process of making a final determination on how to best dispose of the Solomon Building. GSA will take into account multiple points of consideration, including financial viability, availability of appropriations, the needs and requirements of the Federal tenancy, as well as the historic significance of the property. It is GSA's goal to make a decision for the Solomon Building that is in the best interest of the Federal Government and taxpayers. Disposal options will be determined through the GSA disposal process. Future reuse of the Solomon Building is not part of the Proposed Action and is not considered in this EA.

The proposed Courthouse would incorporate a sustainable, climate-resilient, and operationally efficient design. GSA would strive to meet or exceed energy and sustainability goals established by federal guidelines, executive orders, and policies, along with industry-standard building codes and best practices. Sustainability elements include, but are not limited to:

- Implementation of the *Facilities Standard for the Public Buildings Service* (P100), as amended in 2022, in facilities design (GSA 2021):
    - Establishes standards and criteria for GSA-owned inventory and lease construction facilities;
    - Includes mandatory standards for energy and sustainable design, historic preservation, accessibility, and other codes and standards; and
    - Requires diversion of at least 50 percent of nonhazardous construction and demolition waste from a landfill.
- Adherence to principles, policies, and procedures of the GSA Design Excellence Program
- Consideration of renewable energy sources for viability and feasibility

All new and modernization construction projects undertaken by GSA seek to achieve Leadership in Energy and Environmental Design (LEED) Gold certification. New facilities are also required to comply with the Energy Independence and Security Act of 2007 (EISA). Between EISA and LEED, the project would adhere to whichever requirements are more stringent. Furthermore, the project would also adhere to the CEQ's *Guiding Principles for Sustainable Federal Buildings*. The design team would utilize GSA's *Guiding Principles Checklist* to track and report compliance.

Section 438 of the EISA specifies stormwater management requirements that must be considered by the designers of the project. Relevant guidance includes:

- *EPA Technical Guidance On Implementing The Stormwater Runoff Requirements For Federal Projects Under Section 438 Of The Energy Independence And Security Act*
- *GSA PBS Chief Architect Memorandum On Compliance With Section 438 (Stormwater) Requirements Of The Energy Independence And Security Act Of 2007*

Depending on which site is selected for construction of the proposed Courthouse, stormwater improvements could include reduction of impervious surfaces, infiltration or bio-filtration areas, underground infiltration trenches or retention chambers, and/or underground grit chamber devices.

In accordance with, EO 13653, *Preparing the United States for the Impacts of Climate Change*, EO 13693, *Federal Leadership on Climate Change and Environmental Sustainability*, and requirements of the A-11 Circular, *Preparation, Submission, and Execution of the Budget*, Sections 25.5 and 31.9, GSA also conducts a Climate Change Risk Analysis Study prior to acquiring or constructing new properties. This study evaluates the existing and future climate impacts to federal investments and how to manage these impacts to maintain mission continuity and secure the investment over the life of the asset within the limits of scope and budget for the project. The outcomes of the study enable GSA to document climate change risks over time based on the design and the implications to asset management and capital improvements to implement

phased adaptation to a changing climate. GSA will conduct a Climate Change Risk Analysis Study after a site is selected and more design details are known.

GSA also participates in the Sustainable Sites Certification Program (SITES™), managed by Green Business Certification, Inc. for its capital construction program. Through integrative design and application of sustainable design principles, all new construction projects have a goal to achieve, at a minimum, a SITES silver rating through the Green Building Rating System of the U.S. Green Building Council. GSA's use of the SITES framework allows GSA's land-based projects to better protect ecosystems and enhance the mosaic of benefits they continuously provide to our communities, such as climate regulation, carbon storage, and flood mitigation. SITES-specific credits will be pursued appropriate to the goals of GSA and specifically for the type of project being planned, designed, and constructed. SITES credits include protecting floodplain functions, preserving wetlands, limiting development on designated prime soils, reducing potable water use, preserving threatened or endangered species, creating a soil management plan, eliminating the use of wood from threatened tree species, restoring disturbed site soils, employing an integrated site development process, controlling construction phase pollutants, utilizing noninvasive plants, and planning for sustainable site maintenance. Considerations that do not apply to this particular project will be documented in the certification process.

2.1.1 Stadium Site

The Stadium Site comprises four parcels; two of these parcels are owned or managed by the Sports Authority of the City of Chattanooga, and the other two are owned by the River City Company. Altogether, the Stadium Site encompasses approximately 11.82 acres in downtown Chattanooga. The site currently supports AT&T Field, which serves as the home stadium for the Chattanooga Lookouts, the local minor league baseball team. The stadium and a paved-surface parking lot occupy most of the site. Limited areas of trees or maintained landscaping surround the stadium on all sides. The Stadium Site is bordered to the west by U.S. Highway 27 (US-27), and an entrance ramp to this highway follows the west and south site boundaries. A parking area lies adjacent to the north. Commercial properties are located across the street to the east from the stadium, across Power Alley.

If GSA selects the Stadium Site as the location for the proposed Courthouse, the stadium likely would be demolished prior to the property transfer and GSA acquisition. However, it remains a possibility that GSA may be responsible for demolishing the existing structure. As such, this EA discusses the potential demolition of the stadium as part of the Proposed Action. Construction of the proposed Courthouse would occur on a portion of the Stadium Site and would not require acquisition or development of the entire 11.82 acres. However, the exact location and design of the proposed Courthouse have not been determined. As such, GSA is considering the entire Stadium Site within this EA.

2.1.2 8th Street Site

The 8th Street Site comprises eight parcels; three of these parcels are owned by the Roman Catholic Church, three are owned by 8th Street Apartments, LLC, one is owned by Family & Children's Services of Chattanooga, Inc., and one is owned by Summers Whitehead Post 14 American Legion. The Flynn Street Alley extends through the site and parallels E 8th Street. Altogether, the 8th Street Site encompasses approximately 3.2 acres in downtown Chattanooga. Existing structures on the site include an apartment building; the Partnership for Families, Children, and Adults Crisis Resource Center; a condemned building that formerly served as the Catholic Hispanic Center Chattanooga and the All Saints Academy; and a paved surface parking lot. Paved surface parking lots also surround the 8th Street Site on all sides. Additional surrounding land uses are generally commercial. The entire 8th Street Site was previously disturbed. Most of the site is developed, while a few trees and an area of maintained lawn exist onsite.

If GSA selects the 8th Street Site as the location for the proposed Courthouse, GSA would be responsible for demolishing existing structures following the property transfer and agency acquisition. This proposed demolition is therefore considered part of the Proposed Action and is assessed within this EA. Construction

of the proposed Courthouse would require development of the entire 3.2 acres; however, the exact design of the proposed Courthouse has not been determined.

2.1.3 TVA Site

The TVA Site comprises four parcels; three of these parcels are owned by the TVA, and the fourth is owned by Dillard Partnership. Altogether, these parcels encompass approximately 8.66 acres in downtown Chattanooga. The entire site is currently developed, supporting a TVA facility and a multi-tenant office building. Surrounding land uses include a library and paved surface parking lot to the north, a hotel and convention center to the west, a hotel to the south, and commercial spaces to the east. Broad Street bisects the site from north to south. If Broad Street was permanently closed or modified as a result of the Proposed Action, the area of potentially developable land within the TVA Site could increase as Broad Street is not included in the 8.66-acre sum of parcels potentially acquired. Any change to Broad Street would be coordinated with the city and state departments of transportation.

If GSA selects the TVA Site as the location for the proposed Courthouse, the existing structures would be demolished prior to the property transfer and GSA acquisition. This proposed demolition is not considered part of the Proposed Action and is not assessed within this EA. Instead, TVA is currently preparing its own NEPA document assessing demolition of these buildings. GSA would be responsible for demolition of the multi-tenant office building currently owned by the Dillard Partnership. Construction of the proposed Courthouse would occur on only a portion of the TVA Site and would not require acquisition or development of the entire 8.66 acres. However, the exact location and design of the proposed Courthouse have not been determined. As such, GSA is considering the entire TVA Site within this EA.

2.2 PROJECT INFORMATION

This section provides additional details associated with the construction and operation of the proposed Courthouse.

2.2.1 Demolition and Construction

If GSA selects the TVA Site for acquisition, the existing TVA-owned office complex would be demolished prior to property transfer. TVA is currently preparing its own NEPA document to assess impacts of potential demolition activities related to these structures. GSA would not undertake demolishing the TVA-owned buildings of the TVA Site. Any demolition activities would be analyzed within the scope of TVA's NEPA review. If the building owned by the Dillard Partnership needed to be demolished based on the final design plan, GSA would be responsible for demolition of that structure. If the GSA selects the Stadium Site, demolition of the existing AT&T Field likely would occur prior to property transfer and would not be the responsibility of GSA. However, this remains unconfirmed at this time, and this EA therefore considers the potential demolition of the existing stadium as part of the Proposed Action. If GSA selects the 8th Street Site for acquisition, demolition of existing structures would be GSA's responsibility. This EA assesses potential impacts resulting from demolition activities conducted by GSA at the 8th Street Site.

Once cleared, construction is expected to require approximately 2.5 to 3 years to complete. The exact length and start date of the construction phase depends on the site selected. Regardless of which site is selected, GSA anticipates construction of the proposed Courthouse to be substantially complete by June 2030.

Throughout the construction phase, GSA anticipates that 50 to 500 construction workers may be onsite at any given time. The high end of this range represents peak construction, which would require higher numbers of workers. Peak construction would also be characterized by a higher number of truck trips delivering supplies and hauling away waste. Demolition and construction would take place primarily during normal business hours. All construction and demolition waste would be disposed of and recycled at authorized facilities.

2.2.2 Operations

Operations at the proposed Courthouse would be comparable to existing conditions at the existing courthouse but would be more efficient due to consolidation of court-related functions, improved security, and increased capacity for future expansion. Ongoing maintenance would be required for newly constructed facilities. A minimal increase in operational staff is anticipated as part of the Proposed Action, as the proposed Courthouse would support two additional courtrooms (one active district and one magistrate), two additional judges' chambers (one senior district judge and one visiting district judge), and associated supporting staff.

Once the proposed Courthouse becomes operational, GSA would explore alternative use options for the existing courthouse. If a suitable tenant cannot be found or if future reuse is not feasible, GSA may consider disposal options for the building. Future renovation or disposal of the existing courthouse is not considered part of this Proposed Action, is not assessed within this EA, and would require analysis in future NEPA documentation.

2.3 NO ACTION ALTERNATIVE

The No Action Alternative is included and analyzed in this EA to provide a baseline for comparison with impacts from the Proposed Action as well as satisfying federal requirements for analyzing "no action" under NEPA (40 CFR 1502.14(d)).

Under the No Action Alternative, GSA would not acquire new property in Chattanooga and would not construct a new Courthouse. The ongoing deficiencies of the existing courthouse would continue and would not sufficiently meet the needs of the Eastern District of Tennessee.

2.4 ALTERNATIVES DISMISSED FROM FURTHER CONSIDERATION

NEPA requires GSA to assess a range of reasonable alternatives to the Proposed Action. Several alternatives were assessed to determine whether they were feasible and whether they would meet the project's purpose and need. GSA initially considered nine sites as prospective locations for the new Courthouse. However, the three sites under consideration in this EA document best met the purpose and need for a new Courthouse in Chattanooga.

GSA also determined renovation and expansion of the existing courthouse was not feasible due to the cost for such renovations, disruption to existing courthouse operations during renovations, and the lack of additional space to accommodate the additional square footage necessary to bring the existing courthouse into compliance with the *U.S. Courts Design Guide,* as amended in 2008 and 2016 (Judicial Conference of the United States 2021). Similarly, reuse of the existing buildings on the TVA Site was not considered a feasible alternative due to the extensive renovations that would be needed to bring the existing TVA structures into compliance with federal courthouse design requirements and GSA sustainability standards. These renovations would be cost-prohibitive and impractical compared to new construction.

CHAPTER 3 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

3.1 INTRODUCTION

This chapter provides relevant environmental, cultural, and socioeconomic baseline information, and identifies and evaluates the environmental and socioeconomic changes likely to result from acquiring one of the three considered sites and constructing and operating the proposed new federal Courthouse. The general Region of Influence (ROI) for this EA includes the existing courthouse, Stadium Site, 8th Street Site, TVA Site, and the immediately adjoining properties. For resources where potential impacts may extend beyond the site boundaries (i.e., noise, traffic), the resource-specific ROI is defined and discussed in the appropriate section.

The methodology used to identify the existing conditions and to evaluate potential impacts on the physical and human environment involved the following: review of documentation and project information provided by GSA and their consultants, searches of various environmental and agency databases, agency consultations, and a site visit conducted in May 2023. All references are cited, where appropriate, throughout this EA.

Wherever possible, the analyses presented in this chapter quantify the potential impacts associated with implementing the Proposed Action at any of the three proposed sites and the No Action Alternative. Where it is not possible to quantify impacts, the analyses present a qualitative assessment of the potential impacts. The following descriptors qualitatively characterize impacts on each resource area analyzed:

- Beneficial – Impacts would improve or enhance the resource.
- Negligible – A resource would not be affected, or the effects would be at or below the level of detection, and changes would not be of any measurable or perceptible consequence.
- Minor – The action would have a barely detectable or measurable adverse impact on the resource. Effects would be localized, small, and of little consequence to the sustainability of the resource.
- Moderate – The action would have a noticeable or measurable adverse impact on the resource. This category could include potentially significant impacts that could be reduced to a lesser degree by the implementation of mitigation measures.
- Significant – The action would have obvious and extensive adverse impacts that could result in potentially significant impacts on a resource despite mitigation measures.

3.1.1 Resource Areas Screened from Detailed Analysis

CEQ regulations encourage NEPA analyses to be as concise and focused as possible, consistent with 40 CFR 1500.1(b) and 1500.4(b): "…NEPA documents must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail … prepare analytic rather than encyclopedic analyses." Consistent with the NEPA and CEQ Regulations, this EA focuses on those resources and conditions potentially subject to effects from implementation of the Proposed Action.

Table 3.1-1 identifies and describes the resources that GSA determined would either not be affected or would sustain negligible impacts from the Proposed Action and not require further evaluation. The resource areas dismissed from further analysis are biological resources, water resources, and utilities.

The subsections presented throughout the remainder of this chapter provide a concise summary of the current affected environment within the ROI and an analysis of the potential effects to each resource area considered from implementation of the No Action Alternative and the Proposed Action.

Table 3.1-1. Resources Dismissed from Further Analysis within this EA

Resource	Reason for Dismissal
Biological Resources	The three sites under consideration for acquisition and construction of a new Courthouse are located in developed urban areas where vegetation primarily consists of maintained landscaping and high-quality wildlife habitat is not present. Wildlife occurring within the vicinity (bird species, squirrels, etc.) would be accustomed to frequent human activity and would be unlikely to experience long-term adverse impacts resulting from the Proposed Action. Species avoidance during construction could result in short-term negligible impacts. While the U.S. Fish and Wildlife Service's Information for Planning and Consultation system indicates the potential presence of listed threatened and endangered species, they include three bat species, five clam species, and three plant species. The clam species would not be directly affected by construction and operation of a new Courthouse, and any indirect impacts from sedimentation or runoff would be negligible with implementation of the standard measures discussed in Section 3.9, Soils and Geology. The three protected plant species require either forested (large-flowered skullcap and small whorled pogonia) or specific riparian (Virginia spiraea) habitats, which do not occur within any of the three considered sites. The only trees present within the three considered sites are located within the Stadium Site. While it is possible that individuals of the three protected bat species (gray bat, northern long-eared bat, and tricolored bat) may utilize the limited number of trees for roosts or forage in the open area surrounding the stadium, effects would be negligible due to the limited area of potential habitat, the previously developed nature of the site (the Courthouse would not represent a significant change in existing land use), and the temporary nature of construction in an area where such activities already occur.
Water Resources	The three sites under consideration for acquisition and construction of a new Courthouse are located in upland areas and do not support surface waters. The nearest surface water is the Tennessee River, located more than 450 feet north of the Stadium Site. As such, no surface waters would be directly affected by construction or operation of a new Courthouse on any of the three sites. Potential indirect effects from stormwater and erosion would be reduced or avoided through implementation of the measures discussed in Section 3.9, Soils and Geology. No wetlands or 100- or 500-year floodplains are located within any of the three sites. Per the Phase I ESAs, groundwater is deeper than 6.5 feet but may be deeper than 200 feet below ground surface across the three sites.
Utilities	The three sites under consideration for acquisition and construction of a new Courthouse are currently developed and maintain existing connections to utilities. Minimal modifications would be required to connect the newly constructed Courthouse to existing service lines, and no significant change in overall local demand on service providers would be expected.

Source: NatureServe 2023; PHE 2023a, 2023b, 2023c; USFWS 2023

3.1.2 Comparison of Alternatives

Table 3.1-2 provides a summary comparison of the potential impacts that may result from implementation of the alternatives considered within this EA, as well as industry-standard best management practices (BMPs) and project-specific measures that could be implemented to further reduce potential adverse impacts. As shown in Table 3.1-2, no significant impacts would be anticipated from construction of a new Courthouse at any of the three sites considered for acquisition under the Proposed Action. As such, GSA intends to prepare a Finding of No Significant Impact for this Proposed Action.

Table 3.1-2 Comparison of Potential Impacts

Resource Area	Stadium Site	8th Street Site	TVA Site	No Action	Cumulative Impact	Impact Reduction Measures
Air Quality and Climate Change	Minor impacts associated with construction; negligible impacts associated with operations.	Minor impacts associated with construction; negligible impacts associated with operations.	Minor impacts associated with construction; negligible impacts associated with operations.	No impact	No significant cumulative impacts	• Use water for dust control when grading roads or clearing land. • Pave roadways and maintain them in a clean condition. • Promptly remove spilled or tracked dirt or other materials from paved streets. • Minimize the use and number of trips of heavy equipment. • Maintain and tune all engines per manufacturer specifications to perform at USEPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies. • Encourage bids that include use of energy- and fuel-efficient fleets and best available control technology. • Conduct periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and consistent with established specifications. • Recycle construction debris to the maximum extent feasible. • Plant shade trees in or near construction projects where feasible. • Reduce construction-related trips of workers and equipment, including trucks.
Noise	Minor to moderate impacts associated with construction; negligible impacts associated with operations.	Minor to moderate impacts associated with construction; negligible impacts associated with operations.	Minor impacts associated with construction; negligible impacts associated with operations.	No impact	No significant cumulative impacts	• Implement standard noise control measures such as scheduling construction noise within standard working hours, and using equipment noise controls (e.g., mufflers). • Adhere to OSHA regulations to reduce impact of noise on construction workers.

Table 3.1-2 Comparison of Potential Impacts

Resource Area	Stadium Site	8th Street Site	TVA Site	No Action	Cumulative Impact	Impact Reduction Measures
Traffic and Transportation	Moderate impacts associated with construction; minor impacts associated with operations.	Moderate impacts associated with construction; moderate impacts associated with operations.	Moderate impacts associated with construction; minor impacts associated with operations.	No impact	No significant cumulative impacts	• Establish routes for construction-related vehicles following major highways and roads to the extent practicable. • If appropriate, schedule arrival of construction vehicles and outside typical commuting hours. • If the 8th Street Site was selected, the construction contractor would consider implementing a carpooling program and/or a shuttle bus to transport construction workers to the project site during the peak construction phase. • Establish designated parking and staging areas. • If the TVA Site was selected, the contractor would coordinate with the city to re-route construction workers and/or trucks during major events at the convention center. • If the TVA Site was selected, coordinate with CDOT and TDOT and, if needed, submit a transportation impact study regarding the direct impact on Broad Street and potential indirect impacts to surrounding roadways and intersections.
Land Use and Visual Resources	No land use impacts anticipated; minor impacts to visual resources associated with construction and operations.	No impacts to land use anticipated; minor impacts to visual resources associated with construction.	No impacts to land use anticipated; minor impacts to visual resources associated with construction.	No impact	No significant cumulative impacts	• Comply with existing land use plans. • Building design, lighting, and landscaping would complement surrounding aesthetics.
Socioeconomics and Environmental Justice	Negligible	Negligible	Minor	No impact	No significant cumulative impacts	• None identified.

Table 3.1-2 Comparison of Potential Impacts

Resource Area	Stadium Site	8th Street Site	TVA Site	No Action	Cumulative Impact	Impact Reduction Measures
Cultural Resources	No impact	Minor	No impact	No impact	No significant cumulative impacts	• If the 8th Street Site was selected, further investigations would be required prior to construction.
Human Health and Safety	Negligible to minor	Negligible to minor	Negligible to minor	No impact	No significant cumulative impacts	• Conduct further research/ investigations, as appropriate, prior to ground disturbance. • Develop and implement appropriate remedial activities prior to construction. • Recycle/dispose of generated waste (hazardous or non-hazardous) in accordance with applicable regulations. • Properly characterize contaminated soils and transport to permitted facilities for disposal by licensed contractors. • Remediate activities as appropriate in consultation with TDEC in order to reduce any impacts.
Soils and Geology	Minor impacts associated with construction; negligible impacts associated with operation.	Minor impacts associated with construction; negligible impacts associated with operation.	Minor impacts associated with construction; negligible impacts associated with operation.	No impact	No significant cumulative impacts	• Perform a geotechnical investigation and prepare an engineering report for the development in compliance with P100 Standards and current U.S. Courts Design Guide, as amended in 2008 and 2016. • Obtain a Construction Stormwater General Permit from TDEC prior to construction. • Prepare and comply with a Stormwater Pollution Prevention Plan to limit impacts from soil erosion during construction.

CDOT = Chattanooga Department of Transportation; OSHA = Occupational Safety and Health Administration; TDEC = Tennessee Department of Environment and Conservation; TDOT = Tennessee Department of Transportation; USEPA = United States Environmental Protection Agency

3.2 AIR QUALITY AND CLIMATE CHANGE

3.2.1 Definition of the Resource/Regulatory Setting

3.2.1.1 *Air Quality*

Air quality is the measure of the atmospheric concentration of defined pollutants in a specific area. An air pollutant is any substance in the air that can cause harm to humans or the environment. Pollutants may be natural or human-made and may take the form of solid particles, liquid droplets, or gases. Natural sources of air pollution include smoke from wildfires, dust, and wind erosion. Human-made sources of air pollution include emissions from vehicles; dust from unpaved roads, agriculture, or construction sites; and smoke from human-caused fires. Air quality is affected by pollutant emission sources, as well as the movement of pollutants in the air via wind and other weather patterns.

The Clean Air Act (CAA) (42 U.S.C. 7401-7671q), as amended, provides the framework for federal, state, tribal, and local rules and regulations to protect air quality. The CAA gives the United States Environmental Protection Agency (USEPA) the responsibility to establish the primary and secondary National Ambient Air Quality Standards (NAAQS) (40 CFR 50). NAAQS set acceptable concentration levels for seven criteria pollutants; PM_{10} (particulate matter with a diameter of 10 micrometers or less), $PM_{2.5}$ (particulate matter with a diameter of 2.5 micrometers or less), sulfur dioxide (SO_2), carbon monoxide (CO), nitrogen dioxide (NO_2), ozone (O_3), and lead (Pb). Short-term standards, such as 1-, 8-, and 24-hour standards, have been established for pollutants that contribute to acute health effects. Long-term standards (i.e., yearly averages) are established for pollutants that contribute to chronic health effects. NAAQS are split into two types. Primary air quality standards provide public health protection, including "sensitive populations" such as the elderly. Secondary standards provide public welfare protection, including decreased visibility and damage to animals and crops. Primary NAAQS are used as the basis for determining whether a region is complying with CAA requirements.

Table 3.2-1. Ambient Air Quality Standards

Pollutant		Primary/ Secondary	Averaging Time		NAAQS	TAAQS	Form
Carbon Monoxide (CO)		Primary	8 hours	9 ppm	9 ppm	Not to be exceeded more than once per year	
			1 hour	35 ppm	35 ppm		
Lead (Pb)		Primary and Secondary	Rolling 3-month average		0.15 µg/m^3	1.5 µg/m^3	Not to be exceeded
Nitrogen Dioxide (NO_2)		Primary	1 hour	100 ppb	--	98th percentile of 1-hour daily maximum concentration, averaged over 3 years	
		Primary and Secondary	1 year	53 ppb	0.05 ppm	Annual Mean	
Ozone (O_3)		Primary and Secondary	8 hours	0.070 ppm	--	Annual fourth-highest daily maximum 8-hour concentration, averaged over 3 years	
		Primary and Secondary	1 hour	--	0.12 ppm		
Particle Pollution	$PM_{2.5}$	Primary	1 year	12.0 µg/m^3	--	Annual mean, averaged over 3 years	
		Secondary	1 year	15.0 µg/m^3	--	Annual mean, averaged over 3 years	

Table 3.2-1. Ambient Air Quality Standards

Pollutant		Primary/ Secondary	Averaging Time		NAAQS	TAAQS	Form
		Primary and Secondary	24 hours	35 µg/m^3	--	98th percentile, averaged over 3 years	
	PM_{10}	Primary and Secondary	24 hours	150 µg/m^3	150 µg/m^3	Not to be exceeded once per year on average over 3 years	
Sulfur Dioxide (SO_2)		Primary	1 hour	75 ppb	0.14 ppm	99th percentile of 1-hour daily maximum concentrations, averaged over 3 years	
		Secondary	3 hours	0.5 ppm	0.5 ppm	Not to be exceeded more than once per year	
		Primary	1 year	--	0.03 ppm		

Source: USEPA 2023a; TDEC 1977
µg = micrograms; CO = carbon monoxide; m^3 = cubic meter; NAAQS = National Ambient Air Quality Standards; NO_2 = nitrogen dioxide; O_3 = ozone; Pb = lead; $PM_{2.5}$ = particulate matter with a diameter of 2.5 microns or less; PM_{10} = particulate matter with a diameter or 10 microns or less; ppb = parts per billion; ppm = parts per million; SO_2 = sulfur dioxide; TAAQS = Tennessee Ambient Air Quality Standards

States have the authority to adopt standards stricter than those federally mandated; the Tennessee Ambient Air Quality Standards (TAAQS) adopted by the Chattanooga-Hamilton County Air Pollution Control Bureau generally mirror federal NAAQS. Any differences are detailed above in Table 3.2-1. Geographic areas in violation of the NAAQS are classified as nonattainment areas, and those in compliance with the NAAQS are attainment areas. Maintenance areas are attainment areas formerly designated as nonattainment and have implemented a State Implementation Plan (SIP) to maintain their status. Tennessee Air Quality Regulations Chapter 1200-3-8 requires reasonable precautions be taken to prevent particulate matter from becoming airborne.

In addition to the criteria pollutants discussed above, Hazardous Air Pollutants (HAPs) also are regulated under the CAA. The USEPA has identified 188 HAPs that are known or suspected to cause health effects in small concentrations. HAPs are emitted by a wide range of anthropogenic (human-related) and naturally occurring sources, including combustion engines from mobile and stationary sources. Unlike the NAAQS for criteria pollutants, federal ambient air quality standards do not exist for non-criteria pollutants. Therefore, HAPs are regulated through specific air emission permit provisions for stationary sources and HAP emission limits for mobile sources. The TDEC has adopted federal regulations regarding HAPs.

3.2.1.2 *Greenhouse Gases*

Greenhouse gases (GHGs) are gases that trap heat in the atmosphere by absorbing outgoing infrared radiation. GHG emissions released into the atmosphere from human-induced fossil fuel combustion are widely believed to be contributing to changes in global climate. GHGs, which include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), water vapor, and several trace gases, trap radiant heat reflected from Earth in the atmosphere, causing Earth's average surface temperature to rise. The predominant GHGs are CO_2, CH_4, and N_2O. In the U.S., anthropogenic GHG emissions are emitted primarily from burning fossil fuels. Although GHG levels have varied for millennia (along with corresponding variations in climate conditions), increases driven by human activity have contributed significantly to recent climatic changes.

Each GHG has been assigned a global warming potential (GWP) by the USEPA (USEPA 2023d). The GWP is the ability of a gas or aerosol to trap heat in the atmosphere. The GWP rating system is standardized to CO_2, which is given a value of one. For example, CH_4 has a GWP of 25, which means that it has a global warming effect 25 times greater than CO_2 on an equal-mass basis. To simplify GHG analyses, total GHG

emissions from a source are often expressed as a CO_2 equivalent (CO_2-eq), which is calculated by multiplying the emissions of each GHG by its GWP and adding the results together to produce a single, combined emission rate representing all GHGs. While CH_4 and N_2O have much higher GWPs than CO_2, CO_2 is emitted in such large quantities that it is the predominant contributor to global CO_2-eq emissions from both natural processes and human activities.

3.2.2 Affected Environment

3.2.2.1 *Air Quality*

Hamilton County, where all three of the sites being considered for acquisition and construction of a proposed new Courthouse are located, is in attainment for all pollutants (USEPA 2023b). It was previously in maintenance for the 1997 standards of $PM_{2.5}$, but that NAAQS has been revoked. The General Conformity Rule (40 CFR 51, Subpart W, and 40 CFR 93) was established under the CAA and ensures that federal actions do not interfere with a state's plan to attain and maintain the NAAQS. If a project takes place in an area that is in attainment, then the General Conformity Rule does not apply to the project. Therefore, the General Conformity Rule does not apply to this Proposed Action.

3.2.2.2 *Greenhouse Gases*

The current level of air emissions from all natural and human activities within a region represent the baseline emissions for that area. The National Emissions Inventory, updated every 3 years by the USEPA, can be used to identify the baseline emissions. It contains estimates of annual air emissions by county within the U.S. The most recent publicly available inventory data is for calendar year 2020 (USEPA 2020). The baseline emissions for Hamilton County are 2,366,929.48 tons CO_2-eq.

3.2.2.3 *Climate*

The climate classification for Chattanooga is humid subtropical. The warmest month is July with a monthly average temperature of 77.9 degrees Fahrenheit (°F), while the coldest month is January with a monthly average temperature of 39.6°F. The city receives an annual average of approximately 52 inches of total precipitation. Precipitation occurs throughout the year but is highest in March, which has an average of 5.3 inches of precipitation. Precipitation is lowest in October with 3.3 inches on average (Climate Data 2023).

3.2.2.4 *Climate Change Assessment*

The Fourth National Climate Assessment details the regional historical effects and projected impact of climate change. The assessment breaks down the U.S. into regions. All three of the considered sites are located within the Southeast region. The Southeast region faces extreme weather events and rising temperatures, although temperatures have had a lesser impact in this region than other parts of the U.S. (Carter et al. 2018). The extreme weather events expected to have a significant impact are hurricanes, heat waves, and drought. Cities across the Southeast are experiencing more and longer summer heat waves as well as seeing an increase in vector-borne disease (Carter et al. 2018).

3.2.3 Environmental Consequences

To evaluate air quality impacts and GHG emissions, alternatives were reviewed for their potential to cause the following:

- Result in emissions of criteria pollutants that would exceed relevant air quality or health standards including the NAAQS;
- Violate any federal or state permits; or
- Conflict with local or regional air quality management plans to attain or maintain compliance with the federal and state air quality regulations.

An adverse impact from GHG emissions would occur if that action would result in:

- Significant increase in direct or indirect emissions from fixed and mobile sources such as stationary fuel combustion, construction equipment, and employee vehicles; or
- Significant increase in indirect offsite GHG emissions associated with electricity generation.

There are currently no established numerical thresholds for GHG emission to be considered significant. The change in climate conditions caused by GHGs is a global effect. The Proposed Action would marginally contribute to global and regional GHG emissions and global climate change. For comparative purposes, this EA analyzes the potential GHG emissions for each alternative in Table 3.2-2, Table 3.2-4, and Table 3.2-6. When assessing significance, GSA considered the potential for BMPs to reduce the severity of the discussed impacts. Applicable BMPs are described in the sections below.

3.2.3.1 *Construction and Demolition*

As mentioned previously, the USEPA's General Conformity Rule under the CAA ensures that federal actions do not impact a state's ability to attain the NAAQS (40 CFR 93.153(b)). Projects located in non-attainment areas that exceed applicable *de minimis* emissions thresholds under the General Conformity Rule are required to conduct a detailed analysis of their impacts on air quality with respect to the NAAQS. The three proposed sites are within an attainment area for all NAAQS; therefore, the General Conformity Rule does not apply. The USEPA has not established thresholds for attainment areas (40 CFR 93.153).

Construction emissions were estimated for on-road vehicles and nonroad construction equipment. Since a detailed construction plan has not yet been developed, the number and types of construction equipment needed were estimated based on available data for other, similar projects, and in coordination with relevant GSA staff. Emissions rates from on-road vehicles (i.e., privately owned vehicles) were estimated using industry standard emission rates (Argonne National Laboratory 2013). Emission rates for non-road vehicles such as excavators, cranes, graders, backhoes, and bulldozers were estimated using the USEPA's MOVES (Motor Vehicle Emissions Simulator) model (USEPA 2023c). Construction duration was assumed based on acre-based phase lengths provided in the California Emissions Estimator Model (CalEEMod) Default Data Tables. To provide a conservative estimate of potential air emissions and for analysis purposes, the following assumptions were made:

- Fugitive dust emissions were primarily assumed to occur during demolition, grading, and site preparation activities.
- On road vehicles would travel various distances. Worker vehicles were assumed to travel 20 miles per day, while vendor and waste trucks were assumed to travel 50 miles per day.
- Peak construction was assumed to be 50 percent of the construction phase. Off-peak construction was assumed to comprise the other half as well as the other phases (i.e., site preparation and paving).
- Construction activities occur 5 days per week for 8 hours per day.

Impact results are presented by site in Table 3.2-2, Table 3.2-4, and Table 3.2-6.

Stadium Site

Total annual direct and indirect emissions associated with demolition and construction at the Stadium Site would cause short-term, minor adverse impacts to air quality, as shown in Table 3.2-2. Short-term criteria pollutant emissions associated with the Stadium Site would primarily result from the use of fuel in construction and demolition equipment, worker vehicles, and delivery and refuse trucks. Fugitive dust emissions presented in Table 3.2-2 assume uncontrolled emissions of fugitive dust; in practice emissions would likely be lower because GSA would require contractors to use BMPs to minimize fugitive dust. Construction and demolition activities would also cause long-term, negligible impacts on GHG emissions,

as GHG emissions remain in the atmosphere for long periods of time and have a cumulative effect on climate change. Construction activities would not be expected to cause exceedance of any NAAQS.

As discussed in Section 2.1.1, if GSA selects the Stadium Site as the location for the proposed Courthouse, the stadium likely would be demolished prior to the property transfer and GSA acquisition. However, it remains a possibility that GSA may be responsible for demolishing the existing structure. As such, air quality and GHG impacts associated with the potential demolition of the stadium are shown separately in Table 3.2-2, but are included in total emissions to present a more conservative estimate of potential impacts. If the stadium is demolished prior to GSA's acquisition of the property, impacts associated with the Proposed Action would be lower and would equal the total construction emissions shown in Table 3.2-2.

Table 3.2-2. Estimated Demolition and Construction Air Emissions

Source	Criteria Pollutant Emissions (tons)						GHG Emissions (metric tons)
	CO	NO_2	PM_{10}	$PM_{2.5}$	SO_2	VOCs	CO_2-eq
Demolition							
Demolition Equipment	0.33	0.61	0.05	0.05	0.00	0.01	36.1
Worker Vehicles	0.00	0.00	0.00	0.00	0.00	0.00	2.9
Delivery and Waste Trucks	0.04	0.04	0.00	0.00	0.00	0.00	61.2
Fugitive Dust	--	--	5.30	2.84	--	--	--
Demolition Total	0.38	0.66	5.35	2.88	0.00	0.01	100.2
Construction							
Construction Equipment	0.32	0.58	0.04	0.04	0.00	0.05	244.8
Worker Vehicles	5.43	0.30	0.06	0.04	0.01	0.31	541.7
Delivery and Waste Trucks	0.95	0.94	0.10	0.05	0.01	0.07	1,153.0
Fugitive Dust	--	--	0.60	0.32	--	--	--
Construction Total	6.70	1.82	0.81	0.45	0.02	0.43	1,939.5
Total (Demolition and Construction)	**7.08**	**2.47**	**6.15**	**3.34**	**0.02**	**0.44**	**2,039.7**

Source: Argonne National Laboratory 2013; CalEEMod 2022; USEPA 2009, 2015

CO = carbon monoxide; CO_2-eq = carbon dioxide equivalent; GHG = greenhouse gas; NO_2 = nitrogen dioxide; O_3 = ozone; $PM_{2.5}$ = particulate matter with a diameter of 2.5 microns or less; PM_{10} = particulate matter with a diameter of 10 microns or less; SO_2 = sulfur dioxide; VOC = volatile organic compound

Site preparation and grading activities at the Stadium Site were assumed to occur within a hypothetical 3-acre project footprint of the entire 11.82-acre site. The proposed Courthouse would not occupy the entire Stadium Site; however, the exact location and footprint of the Courthouse within the Stadium Site would be decided as part of the design process if this site was selected. As such, development of a general 3-acre footprint is assessed within this EA as a potential estimate and to allow for accurate comparison between constructing the same proposed Courthouse at the 3.2-acre 8th Street Site and the larger Stadium Site. The analysis conservatively assumes that all demolition and construction activities (e.g., grading) would be required regardless of the project location. In practice, some of these impacts may be reduced if the selected

3-acre footprint requires less site preparation and grading. Therefore, the impact estimates shown in Table 3.2-2 represent a conservative upper bound; actual impacts may be lower but would not be likely to exceed these levels.

Individuals living or working in close proximity to the Stadium Site would be most affected. Populations that are especially sensitive to air pollution include children, the elderly, and those with other health conditions. Table 3.2-3 lists sensitive receptors within 1,500 feet of the Stadium Site, including parks and residential areas. Impacts to these receptors are expected to be negligible to minor and temporary in duration.

Table 3.2-3. Air Quality Sensitive Receptors Within 1,500 feet of the Stadium Site

Receptor Type	Receptor Name	Direction	Distance
Park	Chattanooga Green	East	200 feet
Outdoor Recreation	Ross's Landing	North	220 feet
Park	Boynton Park	West	500 feet
Residential	Riverset Apartments	Northeast	1,075 feet
Residential	Residential properties along Cherry Street	East	1,160 feet
Residential	RMAD Condo	Northeast	1,320 feet

Note: Measured distances are approximate.

8th Street Site

As shown in Table 3.2-4, total annual direct and indirect emissions associated with demolition of the existing structures and construction of the proposed Courthouse at the 8th Street Site would cause short term, minor adverse impacts to air quality. Short-term criteria pollutant emissions associated with the 8th Street Site would primarily result from the use of fuel in construction and demolition equipment, worker vehicles, and delivery and refuse trucks. Fugitive dust emissions presented in Table 3.2-4 assume uncontrolled emissions of fugitive dust; in practice emissions would likely be lower because GSA would require contractors to use BMPs to minimize fugitive dust. Construction and demolition activities would also cause long-term, negligible impacts on GHG emissions, as GHG emissions remain in the atmosphere for long periods of time and have a cumulative effect on climate change. Construction activities would not be expected to cause exceedance of any NAAQS.

Table 3.2-4. Estimated Demolition and Construction Air Emissions

Source	Criteria Pollutant Emissions (tons)						GHG Emissions (metric tons)
	CO	NO_2	PM_{10}	$PM_{2.5}$	SO_2	VOCs	CO_2-eq
Demolition and Construction Equipment	0.33	0.61	0.05	0.05	0.00	0.05	266.8
Worker Vehicles	5.51	0.30	0.06	0.04	0.01	0.31	550.5
Delivery and Waste Trucks	0.96	0.95	0.10	0.05	0.01	0.07	1,165.7
Fugitive Dust	--	--	1.95	1.04	--	--	--

Table 3.2-4. Estimated Demolition and Construction Air Emissions

Total (Demolition and Construction)	**6.81**	**1.86**	**2.16**	**1.18**	**0.02**	**0.44**	**1,983.0**

Source: Argonne National Laboratory 2013; CalEEMod 2022; USEPA 2009, 2015

CO = carbon monoxide; CO_2-eq = carbon dioxide equivalent; GHG = greenhouse gas; NO_2 = nitrogen dioxide; O_3 = ozone $PM_{2.5}$ = particulate matter of diameter 2.5 microns or less; PM_{10} = particulate matter of diameter 10 microns or less; SO_2 = sulfur dioxide; VOC = volatile organic compound

Individuals living or working in close proximity to the 8th Street Site would be most affected. Table 3.2-5 lists sensitive receptors within 1,500 feet of the 8th Street Site, including parks, schools and childcare facilities, libraries, hospitals, and residential areas. Impacts to these receptors are expected to be negligible to minor, and temporary in duration.

Table 3.2-5. Air Quality Sensitive Receptors Within 1,500 Feet of the 8th Street Site

Receptor Type	Receptor Name	Direction	Distance
Park	Phillips Park	Northwest	450 feet
Dormitory	School dormitories on 8th Street	East	515 feet
Park	Miller Park	Southwest	665 feet
Residential	Johnson O'Bear Apartments	Northeast	800 feet
Residential	Patten Towers	Southwest	820 feet
Hospital	Medical Park Hospital	Northeast	1,000 feet
Residential	Douglas Heights Apartments	Southeast	1,000 feet
Park	Fountain Park	Northwest	1,215 feet
Library	UTC Library	Northeast	1,350 feet
Residential	Boling Apartments	Northeast	1,375 feet

Note: Measured distances are approximate.

TVA Site

As shown in Table 3.2-6, total annual direct and indirect emissions associated with demolition of the building owned by the Dillard Partnership and construction of the proposed Courthouse at the TVA Site would cause short term, minor adverse impacts to air quality. Short-term criteria pollutant emissions associated with the TVA Site would primarily result from the use of fuel in construction and demolition equipment, worker vehicles, and delivery and refuse trucks. Fugitive dust emissions presented in Table 3.2-6 assume uncontrolled emissions of fugitive dust; in practice emissions would likely be lower because GSA would require contractors to use BMPs to minimize fugitive dust. Construction and demolition activities would also cause long-term, negligible impacts on GHG emissions, as GHG emissions remain in the atmosphere for long periods of time and have a cumulative effect on climate change. Construction activities would not be expected to cause exceedance of any NAAQS.

Table 3.2-6. Estimated Demolition and Construction Air Emissions

Source	Criteria Pollutant Emissions (tons)						GHG Emissions (metric tons)
	CO	NO_2	PM_{10}	$PM_{2.5}$	SO_2	VOCs	CO_2-eq
Demolition and Construction Equipment	0.32	0.58	0.04	0.04	0.00	0.05	266.8
Worker Vehicles	5.47	0.30	0.06	0.04	0.01	0.31	546.1
Delivery and Waste Trucks	0.95	0.94	0.10	0.05	0.01	0.07	1,154.6
Fugitive Dust	--	--	1.28	0.68	--	--	--
Total (Demolition and Construction)	**6.74**	**1.82**	**1.48**	**0.81**	**0.02**	**0.44**	**1,967.5**

Source: Argonne National Laboratory 2013; CalEEMod 2022; USEPA 2009, 2015
CO = carbon monoxide; CO_2-eq = carbon dioxide equivalent; GHG = greenhouse gas; NO_2 = nitrogen dioxide; O_3 = ozone; $PM_{2.5}$ = particulate matter with a diameter of 2.5 microns or less; PM_{10} = particulate matter with a diameter of 10 microns or less; SO_2 = sulfur dioxide; VOC = volatile organic compound

Individuals living or working in close proximity to the TVA Site would be most affected. Table 3.2-7 lists sensitive receptors within 1,500 feet of the TVA Site, including parks, schools and childcare facilities, libraries, and residential areas. Impacts to these receptors are expected to be negligible to minor and temporary in duration.

Table 3.2-7. Air Quality Sensitive Receptors Within 1,500 Feet of the TVA Site

Receptor Type	Receptor Name	Direction	Distance
Library	Chattanooga Public Library	North	55 feet
Park	Miller Park	Northeast	450 feet
Preschool	Siskin Early Learning Center	West	500 feet
Park	Main Terrain Art Park	South	650 feet
Residential	1400 Chestnut Apartments	South	930 feet
Residential	Ridgeway Apartments	West	1,100 feet

Note: Measured distances are approximate.

3.2.3.2 *Operation*

Operation of the new Courthouse would have a long-term, negligible adverse impact on air quality. Onsite sources of criteria pollutant and GHG emissions could potentially include emergency generators, if included in the final building design. As it is currently not known whether emergency generators would be used, or the actual size of the generators that may be installed, these emissions cannot be quantified. However, emergency generators are typically operated for a very limited time for periodic testing and maintenance, and these emissions would likely be insignificant.

Other sources would include mobile emissions of criteria pollutants and GHGs from employee vehicle use, and GHG emissions from offsite generation of grid-supplied electricity to the building. Since all three alternative sites would offer the same services for the same proposed Courthouse, it is assumed the operational criteria pollutant and GHG emissions would be similar for all three alternatives. The Proposed

Action sites are located in close proximity to the current courthouse, and any change in vehicle emissions from commuting would be insignificant. A marginal long-term increase in employees is expected, but there is currently no expectation for an immediate increase in employees. Therefore, any increase in employee vehicle emissions is expected to be negligible (short-term) to minor (long-term).

GHG emissions associated with offsite generation of electricity would depend on the final building design. The proposed Courthouse would be larger than the existing facility and would potentially require more electricity to operate. GSA intends to design the new building to meet sustainable building standards, including a minimum of LEED Gold; therefore, some or all of the increase would be offset by improved building efficiency. Actual energy performance of the new building likely would not be known until the building design is substantially completed. GHG emissions associated with typical LEED Gold-certified buildings (as of 2018) were approximately 0.006 metric ton CO_2-eq per square foot per year (ARC 2023), or approximately 1,143 metric tons CO_2-eq per year for a building the same size as the proposed Courthouse.

3.2.3.3 *No Action Alternative*

Under the No Action Alternative, GSA would not construct a new Courthouse and would continue operations in the current building, which does not meet the needs of its tenants. Implementation of the No Action Alternative would result in no increased potential for adverse impact to air quality and GHGs, and existing conditions would remain unchanged. Vehicle traffic and periodic emergency generator use would continue to generate minor amounts of criteria air pollutants and GHG emissions.

3.2.3.4 *Climate Change Hazard Assessments*

The potential future impacts of climate change to the proposed facility are included in region-specific potential impact assessments as a part of long-range planning, project design, and permitting activities. Relevant long term weather events of concern that may be affected by climate change are discussed in Section 3.2.1; primarily, the new building would be subjected to the likelihood of more frequent and higher-intensity severe weather events as well as higher temperatures. GSA would take steps to implement climate-resilient infrastructure.

3.3 NOISE

3.3.1 Definition of the Resource/Regulatory Setting

Noise is generally defined as unwanted sound. Excessive noise can lead to annoyance and disrupt simple day-to-day activities, especially in areas where occupants are more susceptible to the adverse effects of noise pollution. These areas are referred to as noise-sensitive receptors and include, but are not limited to, residences, schools, daycare facilities, libraries, hospitals, elderly housing, and public recreational areas. The ROI for the noise analysis includes areas within 1,500 feet of the project site.

Noise levels are measured in terms of decibels (dB) and are typically adjusted to the "A-weighted" scale (i.e., dBA) to account for the varying sensitivity of the human ear to different frequencies of sound. Table 3.3-1 presents typical sound levels and the corresponding human response. In general, sounds at or below 70 dBA are considered safe, though may be intrusive. The USEPA and the World Health Organization recommend maintaining environmental noises below 70 dBA over 24 hours (75 dBA over 8 hours) to prevent noise-induced hearing loss. Over 2 hours of continuous noise levels between 80 dBA to 85 dBA can lead to damage of hearing (CDC 2022).

Table 3.3-1. Sound Levels and Human Response

Sound Level (dBA)	Effect	Example	
		Outdoor	Indoor
30	Very quiet	Rustling leaves	Soft whisper (15 feet)
40	Quiet	Quiet residential area	Library
55	Ambient	Rainfall or light auto traffic (100 feet)	Refrigerator
60	Intrusive	Normal Conversation	Air conditioning unit (20 feet)
70	Telephone use difficult	Freeway traffic	Noisy restaurant or TV audio
80	Annoying	Downtown (large city)	Alarm clock (2 feet) or ringing telephone
90	Very annoying; hearing damage (8 hours)	Tractor, bulldozer, excavator	Garbage disposal
100	Very annoying	Garbage truck, motorcycle	Subway train
110	Strained vocal effort	Pile drivers	Power saw at 3 feet
120	Maximum vocal effort	Jet takeoff (200 feet) or auto horn (3 feet)	Rock concert
140	Painfully loud	Carrier deck jet operation	--

Source: USEPA 1981
dBA = A-weighted decibel

The standard reduction for a point source noise is 6 dB per doubling of distance from the source. Barriers, both manmade (e.g., sound walls) and natural (e.g., forested areas, hills, etc.), as well as other natural factors, such as temperature and climate, may reduce noise levels. Standard buildings typically provide approximately 15 dB of noise reduction between exterior and interior noise levels for buildings with windows open and 25 dB with windows closed (USEPA 1978).

Table 3.3-2 presents typical construction equipment and corresponding noise levels at different distances. Concurrent operation of some of the equipment listed in the table could result in a 90-dBA (at 50 feet) sound level. At 500 feet, this combined construction noise level attenuates to 70 dBA outdoors and 55 dBA indoors (with windows open). Indoor noise levels above this threshold may begin to become intrusive and/or annoying. As such, for purposes of this EA, noise-sensitive receptors at or within 1,500 feet were identified (see Table 3.3-4, Table 3.3-5, and Table 3.3-6), and noise exposure of sensitive receptors within 500 feet were calculated (see Table 3.3-7).

Table 3.3-2. Estimated Noise Levels from Construction Activities

Equipment	Typical Noise Level at 50 feet (dBA)	Typical Noise Level at 500 feet (dBA)	Typical Noise Level at 1,000 feet (dBA)	Typical Noise Level at 1,500 feet (dBA)
Front Loader	80	60	54	50
Backhoe, excavator	80	60	54	50
Roller	85	65	59	55

Table 3.3-2. Estimated Noise Levels from Construction Activities

Equipment	Typical Noise Level at 50 feet (dBA)	Typical Noise Level at 500 feet (dBA)	Typical Noise Level at 1,000 feet (dBA)	Typical Noise Level at 1,500 feet (dBA)
Grader	85	65	59	55
Scraper	85	65	59	55
Truck	84	64	58	54
Concrete mixer	85	65	59	55

Source: FTA 2018
dBA = A-weighted decibel

The Noise Control Act of 1972 (42 U.S.C. 4901) directs federal agencies to comply with applicable federal, state, interstate, and local noise control regulations. In 1982, the USEPA transferred the primary responsibility of regulating noise to state and local governments. Additionally, under the Noise Control Act, the Occupational Safety and Health Act (OSHA) noise standard (29 CFR 1910.95) establishes workplace standards for noise. Table 3.3-3 lists OSHA-established limits for continuous noise exposure. The minimum requirement states that constant noise exposure must not exceed 90 dBA over an 8-hour period. The highest allowable sound level to which workers can be constantly exposed is 115 dBA; exposure to this level must not exceed 15 minutes within an 8-hour period. The standards limit instantaneous exposure, such as impact noise, to 140 dBA. If noise levels exceed the limits presented in Table 3.3-3, employers are required to implement feasible administrative or engineering controls (e.g., providing sound barriers between the source and receptor). If such controls are not feasible, employers are required to provide hearing protection equipment that reduces sound levels to acceptable limits (OSHA 2008).

Table 3.3-3. OSHA Permissible Noise Exposures

Duration (hours per day)	Noise Level Threshold (dBA)
8	90
6	92
4	95
3	97
2	100
1.5	102
1	105
0.5	110
0.25 or less	115

Source: OSHA 2008
dBA = A-weighted decibel; OSHA = Occupational Safety and Health Act

The Code of Ordinances City of Chattanooga, Tennessee Chapter 25, Article III Noises regulates noise in Chattanooga. The code specifies that construction activities associated with any building in any residential district or section are to occur between the hours of 7:00 a.m. and 8:00 p.m. except in cases of urgent

necessity in the interest of the public health and safety, and then only with a permit from the building inspector that will not exceed 30 days (City of Chattanooga 2023a).

3.3.2 Affected Environment

3.3.2.1 *Stadium Site*

The Stadium Site is located in the city's Riverfront District, near an entrance ramp to US-27, which follows the west and south site boundaries. A parking lot lies adjacent to the north. Commercial properties are located to the east of the stadium across from Power Alley. The dominant noise source near this site is vehicular traffic on US-27 and other nearby roads. Other sources of elevated noise levels result from commercial activities and from outdoor events that occur from nearby outdoor venues (e.g., the stadium and riverfront).

Table 3.3-4 presents noise-sensitive receptors within a 1,500-foot radius from the Stadium Site. The closest noise-sensitive receptors are hotels located less than 100 feet east of the project site. The closest residential property is located approximately 1,000 feet northeast of the project site.

Table 3.3-4. Noise-Sensitive Receptors Within 1,500 feet of the Stadium Site

Receptor Type	Receptor Name	Direction	Distance
Hotel	Residence Inn	East	60 feet
Hotel	Hilton Garden Inn	East	80 feet
Park	Chattanooga Green	East	200 feet
Outdoor Recreation	Ross's Landing	North	220 feet
Hotel	Hampton Inn & Suites	Southeast	335 feet
Hotel	Courtyard by Marriott	East	350 feet
Hotel	DoubleTree	South	380 feet
Park	Boynton Park	West	500 feet
Hotel	Holiday Inn & Suites	South	530 feet
Church	First Baptist Church of Chattanooga	Southwest	825 feet
Hotel	Hotel Indigo Chattanooga	South	1,075 feet
Residential	Riverset Apartments	Northeast	1,075 feet
Lodging	May's Urban Mansion	East	1,105 feet
Residential	Residential properties along Cherry Street	East	1,160 feet
Church	St Paul's Episcopal Church	South	1,275 feet
Residential	RMAD Condo	Northeast	1,320 feet

Note: Measured distances are approximate.

3.3.2.2 *8th Street Site*

The 8th Street Site is located near various roadways that surround the area such as Lindsay Street, E Martin Luther King, Jr. (MLK) Boulevard, Houston Street, and E 8th Street. Commercial properties comprise the majority of nearby structures in the surrounding area, as well as a few churches to the east and west of the site. Dominant sources of noise occur from roadway traffic and typical urban activities.

Table 3.3-5 presents noise-sensitive receptors within a 1,500-foot radius from the 8th Street Site. The closest receptors are a hotel directly adjacent to the south of the 8th Street Site and a church 45 feet southwest of the 8th Street Site. The closest residential property is located approximately 800 feet northeast of the 8th Street Site.

Table 3.3-5. Noise-Sensitive Receptors Within 1,500 Feet of the 8th Street Site

Receptor Type	Receptor Name	Direction	Distance
Hotel	The Heinsman Guest Hotel	South	Directly adjacent to project site
Church	Citizens of Heaven Church	Southwest	45 feet
Church	Basilica of Saints Peter and Paul	West	170 feet
Hotel	Choice Hotel	West	335 feet
Park	Phillips Park	Northwest	450 feet
Dormitory	School dormitories on 8th Street	East	515 feet
Hotel	The Dwell	Southwest	660 feet
Park	Miller Park	Southwest	665 feet
Church	First Presbyterian Church	Northeast	720 feet
Residential	Johnson O'Bear Apartments	Northeast	800 feet
Residential	Patten Towers	Southwest	820 feet
Church	Christ Church Episcopal	North	900 feet
Residential	Douglas Heights Apartments	Southeast	1,000 feet
Church	Central Church of Christ	Northeast	1,000 feet
Hospital	Medical Park Hospital	Northeast	1,000 feet
Church	First Church of Christ	East	1,150 feet
Park	Fountain Park	Northwest	1,215 feet
Church	Baptist Collegiate Ministry	Northeast	1,235 feet
Hotel	The Read House	West	1,250 feet
Library	UTC Library	Northeast	1,350 feet

Table 3.3-5. Noise-Sensitive Receptors Within 1,500 Feet of the 8th Street Site

Receptor Type	Receptor Name	Direction	Distance
Residential	Boling Apartments	Northeast	1,375 feet
Church	First Christian Church	East	1,500 feet

Note: Measured distances are approximate.

3.3.2.3 *TVA Site*

The TVA Site is located within the city's Central Business District, near various roadways that surround the area such as Market Street, W 11th Street, W 12th Street, and Chestnut Street. Broad Street bisects the site from north to south. The dominant source of noise near the project site is vehicular traffic from these roadways.

Table 3.3-6 presents noise-sensitive receptors within a 1,500-foot radius from the TVA Site. The closest receptors include a library and hotel approximately 55 feet and 90 feet from the TVA Site, respectively.

Table 3.3-6. Noise-Sensitive Receptors Within 1,500 Feet of the TVA Site

Receptor Type	Receptor Name	Direction	Distance
Library	Chattanooga Public Library	North	55 feet
Hotel	The Chattanoogan Hotel	South	90 feet
Hotel	Chattanooga Marriott Downtown	West	115 feet
Hotel	The Dwell Hotel	East	430 feet
Park	Miller Park	Northeast	450 feet
Preschool	Siskin Early Learning Center	West	500 feet
Hotel	Hotel Bo	Northwest	610 feet
Park	Main Terrain Art Park	South	650 feet
Hotel	Staybridge Suites	Southwest	700 feet
Hotel	The Read House	North	740 feet
Hotel	Moxy Chattanooga Downtown	Southeast	870 feet
Church	Citizens of Heaven Church	Northeast	920 feet
Residential	1400 Chestnut Apartments	South	930 feet
Hotel	Choice	Northeast	1,075 feet
Residential	Ridgeway Apartments	West	1,100 feet
Hotel	The Westin Chattanooga	Northwest	1,100 feet
Church	Basilica of Saints Peter and Paul	Northeast	1,175 feet
Hotel	Hotel Clemons	North	1,200 feet

Table 3.3-6. Noise-Sensitive Receptors Within 1,500 Feet of the TVA Site

Receptor Type	Receptor Name	Direction	Distance
Hotel	The Heinsman Guest Hotel	Northeast	1,245 feet

Note: Measured distances are approximate.

3.3.3 Environmental Consequences

A noise impact would be significant if it would:

- violate applicable noise limit guidelines;
- cause harm or injury to receptors, including on-site workers and nearby communities; or
- substantially affect normal operations of noise-sensitive receptors during construction or operation of the Proposed Action.

3.3.3.1 *Construction*

The Proposed Action would consist of the construction of the new Courthouse at the selected site over a period of 2.5 to 3 years. Construction of the Proposed Action would result in temporary increases in ambient noise levels in the vicinity of the project site on an intermittent basis for any of the alternatives. Noise-generating activities would include the use of construction equipment onsite and vehicles accessing and exiting the project site. The specific types of construction equipment and methods are anticipated to be similar to those occurring under standard building construction activities as listed in Table 3.3-2. Activities associated with outdoor construction include ground clearing, excavation/grading, and finishing. To estimate potential noise levels at nearby receptors, a conservative estimate of 90 dBA (at 50 feet) was used for the analysis by combining noise levels of several pieces of typical construction equipment and assuming simultaneous use (FTA 2018). For the 8th Street Site, GSA would be responsible for the demolition of the existing structures. GSA would also be responsible for demolition of the building currently owned by the Dillard Partnership at the TVA Site, if needed and potentially, the AT&T Field at the Stadium Site. The demolition activities would generate similar elevated noise levels over the 6- to 12-month period prior to the construction of the new Courthouse.

Adverse noise impacts would be minimized to the extent possible by standard noise control measures, such as project scheduling (e.g., limiting loud construction activities to standard working hours and within a typical 8-hour workday) and using noise controls on equipment (e.g., mufflers). Noise exposure thresholds presented in Table 3.3-3, as established by OSHA, would likely be exceeded for construction workers at a project site. Therefore, per OSHA regulations, the construction contractor would be required to administer a hearing conservation program (e.g., wearing hearing protection and limiting exposure) to reduce the impact of noise on construction workers.

Vehicles from commuting construction workers and truck shipments of materials, equipment, and wastes would intermittently increase ambient noise levels along major transportation routes. This increase would be temporary and restricted to daytime hours, to the extent practicable.

Table 3.3-7 displays the noise levels that sensitive receptors close to the proposed sites may experience during construction activities.

Table 3.3-7 Potential Noise Exposure to Noise-Sensitive Receptors within Approximately 500 Feet of Each Site

Receptor Name	Distance	Exterior Noise Level (dBA)	Interior Noise Level with Standard Reduction (Open Windows) (dBA)	Interior Noise Level with Standard Reduction (Closed Windows) (dBA)
Stadium Site				
Residence Inn	60 feet	88.3	73.3	63.3
Hilton Garden Inn	80 feet	85.8	70.8	60.8
Chattanooga Green	200 feet	77.8	N/A	N/A
Ross's Landing	220 feet	77.1	N/A	N/A
Hampton Inn & Suites	335 feet	73.4	58.4	48.4
Courtyard by Marriott	350 feet	73.0	58.0	48.0
DoubleTree by Hilton Hotel	380 feet	72.3	57.3	47.3
Boynton Park	500 feet	69.9	N/A	N/A
8th Street Site				
The Heinsman Guest Hotel	Directly adjacent	100.4	85.4	75.4
Citizens of Heaven Church	45 feet	90.8	75.8	65.8
Basilica of Saints Peter and Paul	170 feet	79.2	64.2	54.2
Choice Hotel	335 feet	73.4	58.4	48.4
Phillips Park	450 feet	70.8	N/A	N/A
Student dormitories on E 8th Street	515 feet	69.7	54.7	44.7
TVA Site				
Chattanooga Public Library	55 feet	89.1	74.1	64.1
The Chattanoogan Hotel	90 feet	84.8	69.8	59.8
Chattanooga Marriott Downtown	115 feet	82.7	67.7	57.7
The Dwell Hotel	430 feet	71.2	56.2	46.2
Miller Park	450 feet	70.8	N/A	N/A

Table 3.3-7 Potential Noise Exposure to Noise-Sensitive Receptors within Approximately 500 Feet of Each Site

Receptor Name	Distance	Exterior Noise Level (dBA)	Interior Noise Level with Standard Reduction (Open Windows) (dBA)	Interior Noise Level with Standard Reduction (Closed Windows) (dBA)
Siskin Early Learning Center	500 feet	69.9	54.9	44.9

N/A – Not Applicable
Note: Measured distances are approximate.

Stadium Site

Construction noise levels at the sensitive receptors closest to the Stadium Site (hotels located within 500 feet) are estimated to range from 72.3 dBA to 88.3 dBA. Standard buildings with windows shut would further reduce noise levels indoors by approximately 25 dBA, which would reduce detectable noise levels at the hotels to a range of 47.3 dBA to 63.3 dBA. At this range, the noise detected could be considered quiet at indoor sensitive receptors located farther away from the site, while the noise detected by those closer to the site could be considered annoying or intrusive. Parks and recreational areas located within 500 feet of the Stadium Site could experience noise levels that range from 69.9 dBA to 77.8 dBA, which could be considered a disturbance or an annoyance. Construction activities would be limited to daytime hours, and noise levels would be within thresholds considered safe. As such, adverse noise impacts at the Stadium Site would be expected to be short-term and range from minor to moderate.

8th Street Site

Construction noise levels at the sensitive receptors closest to the 8th Street Site are estimated to be 100.4 dBA at a hotel directly adjacent to the site and range from 69.7 dBA to 90.8 dBA at hotels, churches, and dormitories located within 500 feet. Standard buildings with windows shut would further reduce noise levels indoors by approximately 25 dBA. This would reduce detectable noise levels at the hotel to 75.4 dBA and 44.7 dBA to 65.8 dBA at the other receptors. At 75.4 dBA, the noise detected by the hotel could be considered loud enough to cause a disturbance. At 65.8 dBA, the construction noise detected could be considered moderately low or intrusive. A park located 450 feet from the 8th Street Site could experience noise levels of 70.8 dBA, which could be considered loud enough to become a disturbance or an annoyance. Although construction would be temporary, potential noise impacts would be minimized to the extent possible by standard noise control measures, such as project scheduling, noise barriers, and using noise controls on equipment (e.g., mufflers), as feasible. Activities would be consistent with normal construction activities and would be conducted in accordance with the City of Chattanooga's noise ordinance. In addition, GSA would provide notification to properties adjacent to the project boundary in advance of times of peak construction when the use of loudest equipment would be used for longer periods of time (e.g., use of jackhammers, excavators, and pavement breakers). Construction activities that could trigger notification may include demolition of existing structures, site preparation, earthwork, and shoring/foundational work. Notification would include, at a minimum, a brief description of the activity, length of the activity, and contact information. As such, adverse noise impacts at the 8th Street Site would be expected to be short-term and range from minor to moderate.

TVA Site

Demolition and construction noise levels at the sensitive receptors closest to the TVA Site are estimated to range from 69.9 dBA to 89.1 dBA at a library, a school, and nearby hotels located within 500 feet of the TVA Site. Standard buildings with windows shut would further reduce noise levels indoors by approximately 25 dBA. This would reduce detectable noise levels at the indoor receptors to a range of 44.9

dBA to 64.1 dBA. At this range, the noise detected could be considered quiet at receptors farther away from the site, while the noises detected by receptors closer to the site such as the library could be considered moderately low or intrusive. A park located 450 feet from the TVA Site could experience noise levels of 70.8 dBA, which could be considered loud enough to be considered a disturbance or an annoyance. Construction activities would be limited within daytime hours and noise levels would be within thresholds considered safe. As such, adverse noise impacts at the TVA Site would be expected to be short-term and minor.

3.3.3.2 *Operation*

Operation of the new Courthouse would not be expected to result in any substantial elevated increases in noise levels at noise-sensitive receptors. Elevated noise levels generally would be associated with vehicle traffic and would not be expected to differ from existing background noise levels. All three alternative sites would involve the same operations, and while the exact design of the proposed Courthouse has not been determined, the building would be a similar size in all three locations. As a result of this, the operational noise emissions would be similar for all three alternatives. Adverse noise impacts would be considered negligible under operations for all alternatives.

3.3.3.3 *No Action Alternative*

Under the No Action Alternative, GSA would not acquire new property in Chattanooga and would not construct a new Courthouse. No changes would be made to the proposed sites, and the existing noise environment would remain unchanged.

3.4 TRAFFIC AND TRANSPORTATION

3.4.1 Definition of the Resource/Regulatory Setting

The Tennessee Department of Transportation (TDOT), Hamilton County, and the City of Chattanooga are responsible for planning, designing, constructing, operating, and maintaining the public roadways, which include interstate highways, U.S. highways, state highways, and county highways.

Annual average daily traffic (AADT) is a measure of the average daily number of vehicles that pass through a given segment of roadway and is indicative of traffic conditions (i.e., higher AADT volumes lead to increases in traffic congestion and delays). Available AADT data from TDOT's database are presented in the subsections below for nearby roadway segments near the respective sites.

The ROI for transportation resources consists of the principal public roadways providing access to a site.

3.4.2 Affected Environment

The Chattanooga metropolitan area is connected to the U.S. interstate highway system via Interstate (I)-24 (connects to Nashville, Tennessee in the northwest), I-59 (connects to Birmingham, Alabama in the southwest), and I-75 (connects to Knoxville, Tennessee in the northeast and Atlanta, Georgia to the southeast). I-75 and I-24 are the principal highway corridors for the Chattanooga region. I-75 is one of the principal north-south corridors that is critical to movement of goods and people through eastern Tennessee as well as the United States. I-24 is the principal east-west corridor linking the Chattanooga region to central Tennessee. Other major public roadways serving the project region include Market Street, E MLK Boulevard, McCallie Avenue, Broad Street, US-27/State Route (SR) 29, US-41, US-64, SR 17, and SR 153. US-27 and SR 153 predominately facilitate Chattanooga commuter traffic linking the Chattanooga urban area to communities to the north. US-27 extends through Chattanooga and into Georgia about 4.3 miles south of the city center.

Public transit is provided by the Chattanooga Area Regional Transportation Authority (CARTA), which carries an estimated three million passengers annually. CARTA includes bus services, specialized transportation for the disabled, and a Downtown Electric Shuttle system. CARTA operates 13 fixed bus

routes that serve Chattanooga (CARTA 2023). The majority of CARTA bus routes pass through the downtown area.

Peak rush hour times in the City of Chattanooga occur during hours that are typical of most cities, which are usually from 6 a.m. to 9 a.m. and from 3 p.m. to 7 p.m. According to recent data, the city sees its heaviest traffic flows from 7:30 a.m. to 8:30 a.m. and from 4 p.m. to 6 p.m., with Friday being the busiest day and Tuesday being the least busy day (Chattadata 2023).

3.4.2.1 *Stadium Site*

The Stadium Site is located within the city's Riverfront District, and roadways near the existing stadium periodically experience high traffic volumes from tourists and events at the stadium and other nearby outdoor venues. The proposed site is bounded by US-27 to the west, Riverfront Parkway to the north, Power Alley to the east, and W 3rd Street and W 4th Street to the south. Direct access into the stadium parking lot is provided by W 3rd Street. Other notable roads in the vicinity include Chestnut Street, Broad Street, and Market Street (SR-8). US-27 is a 6-lane freeway that primarily runs in a north-south direction. Riverfront Parkway is a 2-lane road that runs primarily in an east-west direction while also running north-south in certain areas; this roadway is classified as a minor arterial and is part of the state highway system. Power Alley is a 2-lane local road that runs in a north-south direction. W 3rd Street is a 2-lane local road that runs in an east-west direction. W 4th Street is a 4-lane divided road that runs in an east-west direction; this road is classified as a principal arterial and is part of the state highway system. Chestnut Street is a 2-lane road that runs primarily in a north-south direction and is classified as a major collector. Multiple CARTA bus service stops are provided within a couple of blocks of the stadium.

Table 3.4-1. AADT Data for Roadways Near the Stadium Site

Roadway Segment	Number of Lanes	2019 AADT (vehicles per day)	2022 ADDT (vehicles per day) [percent change]
Riverfront Parkway (east of US-27)	2	14,786	12,152 [-17.8%]
Riverfront Parkway (west of US-27)	2	11,893	10,140 [-14.7%]
US-27	6	71,312	91,306 [+28.0%]
W 4th Street (south of project site)	4	24,769	19,058 [-23.1%]
W 4th Street (east of project site)	4	17,314	15,330 [-11.4%]
W Aquarium Way	2	3,667	3,251 [-11.3%]
Chestnut Street	2	6,145	4,310 [-29.9%]

Source: TDOT 2023a
AADT – Annual Average Daily Traffic

The Stadium Site also includes a surface lot that provides approximately 80 pay-to-park spaces for the public. This lot serves local tourist/recreational businesses, including hotels, museums, and restaurants. Street parking is limited; however, other nearby public parking facilities, including two garages located on/near 3rd Street, also serve this project area. Figure 3.4-1 illustrates the roadways surrounding the Stadium Site. Table 3.4-1 summarizes AADT data for key roadway segments near the Stadium Site.

In 2019, prior to the effects of COVID on traffic conditions, US-27, W 4th Street, and Riverfront Parkway were listed among the 20 most congested streets in the city (CHCNGA TPO 2020). Overall, traffic volumes on the roads listed in Table 3.4-1 have declined since 2019 due to the effects of COVID and the resulting telecommuting trend of workers, with decreases in traffic volumes ranging from 11.3 to 29.9 percent. An exception to this trend is US-27, which has experienced a 28.0 percent increase in traffic since 2019.

3.4.2.2 *8th Street Site*

The 8th Street Site is located approximately 400 feet northeast of the existing courthouse and, therefore, is served by some of the same major roadways. The site is located within the city's East Downtown district, which experiences moderate levels of traffic from commercial businesses and visitors/students at the University of Tennessee's Chattanooga campus. The 8th Street Site is bounded by Lindsay Street on the west, E 8th Street on the north, Houston Street on the east, and extends south to and includes 814 Lindsay Street. Other notable roads in the vicinity include E MLK Boulevard, McCallie Avenue, and Georgia Avenue. The site encompasses Flynn Street, a local alley, and the 814 Lindsay Street parking lot, which provides approximately 125 pay-to-park spaces for the public. The parking lot serves businesses, churches, and other local community services directly surrounding the lot. Street parking around the 8th Street Site is limited, although another surface parking lot is located about a block north of the site on Lindsay Street.

Lindsay Street is a 2-lane road that runs primarily in a north-south direction and is classified as a major collector. E 8th Street is a one-way local road that runs in an east direction. Houston Street is a 2-lane road that runs primarily in a north-south direction and is classified as a major collector. E MLK Boulevard is a 2-lane road that runs primarily in an east-west direction. This roadway is classified as a minor arterial and is part of the state highway system. Flynn Street is a 1-lane local road, considered an alleyway, located within the project site. Georgia Avenue is a 4-lane road that primarily runs in a north-south direction. This road is classified as a minor arterial and is part of the state highway system. McCallie Avenue is a 2-lane road that primarily runs in an east-west direction and is classified as a minor arterial. There are several CARTA bus service stops located within a couple of blocks of the 8th Street Site. Figure 3.4-2 illustrates the roadways surrounding the 8th Street Site. Table 3.4-2 summarizes AADT data for key roadway segments near the 8th Street Site.

In 2019, prior to the effects of COVID on traffic conditions, E MLK Boulevard was considered one of the top 20 congested streets in the city (CHCNGA TPO 2020). Overall, traffic volumes on the roads listed in Table 3.4-2 have declined since 2019 due to the effects of COVID and the resulting telecommuting trend of workers, with decreases in traffic ranging from 6.6 to 60.3 percent. An exception to this trend is Houston Street, which experienced a 20.7 percent increase in traffic since 2019.

Figure 3.4-1. Roadways Surrounding the Stadium Site

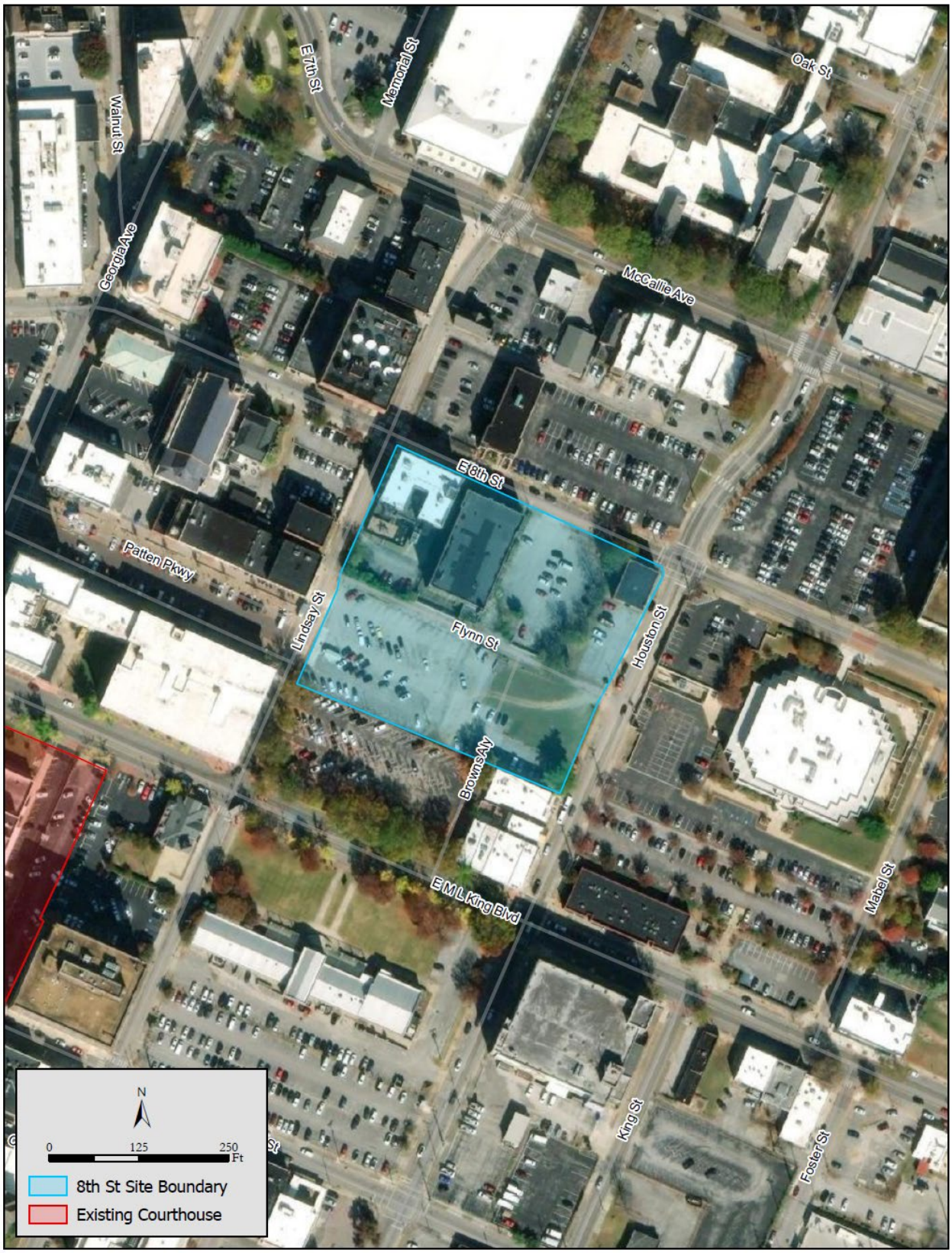

Figure 3.4-2. Roadways Surrounding the 8th Street Site

Table 3.4-2. AADT Data for Roadways Near the 8th Street Site

Roadway Segment	Number of Lanes	2019 AADT (vehicles per day)	2022 ADDT (vehicles per day) [percent change]
Lindsay Street	2	3,192	1,267 [-60.3%]
Houston Street	2	2,333	2,816 [+20.7%]
E M.L King Blvd	2	12,088	9,983 [-17.4%]
McCallie Avenue	2	10,760	10,543 [-2.0%]
Georgia Avenue	4	9,410	8,789 [-6.6%]

Source: TDOT 2023a
AADT – Annual Average Daily Traffic

3.4.2.3 *TVA Site*

The TVA Site is located approximately 500 feet southwest of the existing courthouse and, therefore, is served by some of the same major roadways. The TVA Site is located within the city's Central Business District, and some nearby roadways experience moderate levels of traffic as the convention center, the public library, and a few hotels and commercial businesses surround the site. The TVA Site is bounded by W 11th Street on the north, Market Street on the east, W 12th Street on the south, and Chestnut Street on the west. Broad Street extends in a north-south direction through the TVA Site. Other notable roads in the vicinity include W MLK Boulevard, Lindsay Street, and Houston Street. W 11th Street is a 2-lane road that runs in an east-west direction and is classified as a major collector. Market Street is a 4-lane road that runs primarily in a north-south direction that is classified as a minor arterial. W 12th Street is a 2-lane, local road that runs in an east-west direction. Chestnut Street is a 2-lane road that runs primarily in a north-south direction and is classified as a major collector. Broad Street is a 4-lane road that runs primarily in a north-south direction and is classified as a principal arterial and is part of the state highway system. Lindsay Street is a 2-lane road that runs primarily in a north-south direction and is classified as a major collector. Houston Street is a 2-lane road that runs primarily in a north-south direction and is classified as a major collector. W MLK Boulevard is a 4-lane road that runs primarily in an east-west direction. This road is classified as a principal arterial and is part of the state highway system.

There are several CARTA bus service stops located along Broad Street and Market Street within a few blocks of the TVA Site. The TVA Site encompasses a surface lot containing 33 parking spots. There are several parking garages surrounding the TVA Site that provide pay-to-park spaces for the public. These garages serve local businesses and community services, including the Chattanooga Convention Center, a public library, hotels, and restaurants. Figure 3.4-3 illustrates the roadways surrounding the proposed TVA Site. Table 3.4-3 summarizes AADT data for major roadways near the TVA Site.

Table 3.4-3. AADT Data for Roadways Near the TVA Site

Roadway Segment	Number of Lanes	2019 AADT (vehicles per day)	2022 ADDT (vehicles per day) [percent change]
Market Street (north of TVA Site)	4	13,353	10,911 [-18.3%]
Market Street (south of TVA Site)	4	13,976	11,043 [-21.0%]
W 11th Street (east of Broad Street)	2	2,950	1,783 [-39.6%]
W 11th Street (west of Broad Street)	2	2,597	1,359 [-47.7%]
Broad Street	4	9,044	6,039 [-33.2%]
Chestnut Street	2	1,087	1,009 [-7.2%]
W MLK Boulevard	4	16,650	18,226 [+9.5%]
Lindsay Street	2	2,337	1,523 [-34.8%]
Houston Street (east of W 12th Street)	2	2,089	2,282 [+9.2%]

Source: TDOT 2023a
AADT – Annual Average Daily Traffic

In 2019, prior to the effects of COVID on traffic conditions, E MLK Boulevard and Market Street were listed among the top 20 congested streets in the city (CHCNGA TPO 2020). Overall, traffic volumes on the roads listed in Table 3.4-3 have declined since 2019 due to the effects of COVID and the resulting telecommuting of workers, with decreases in traffic ranging from 18.3 to 47.7 percent. Exceptions to this trend are W MLK Boulevard, which has experienced a 9.5 percent increase in traffic, and Houston Street, which has experienced a 9.2 percent increase since 2019.

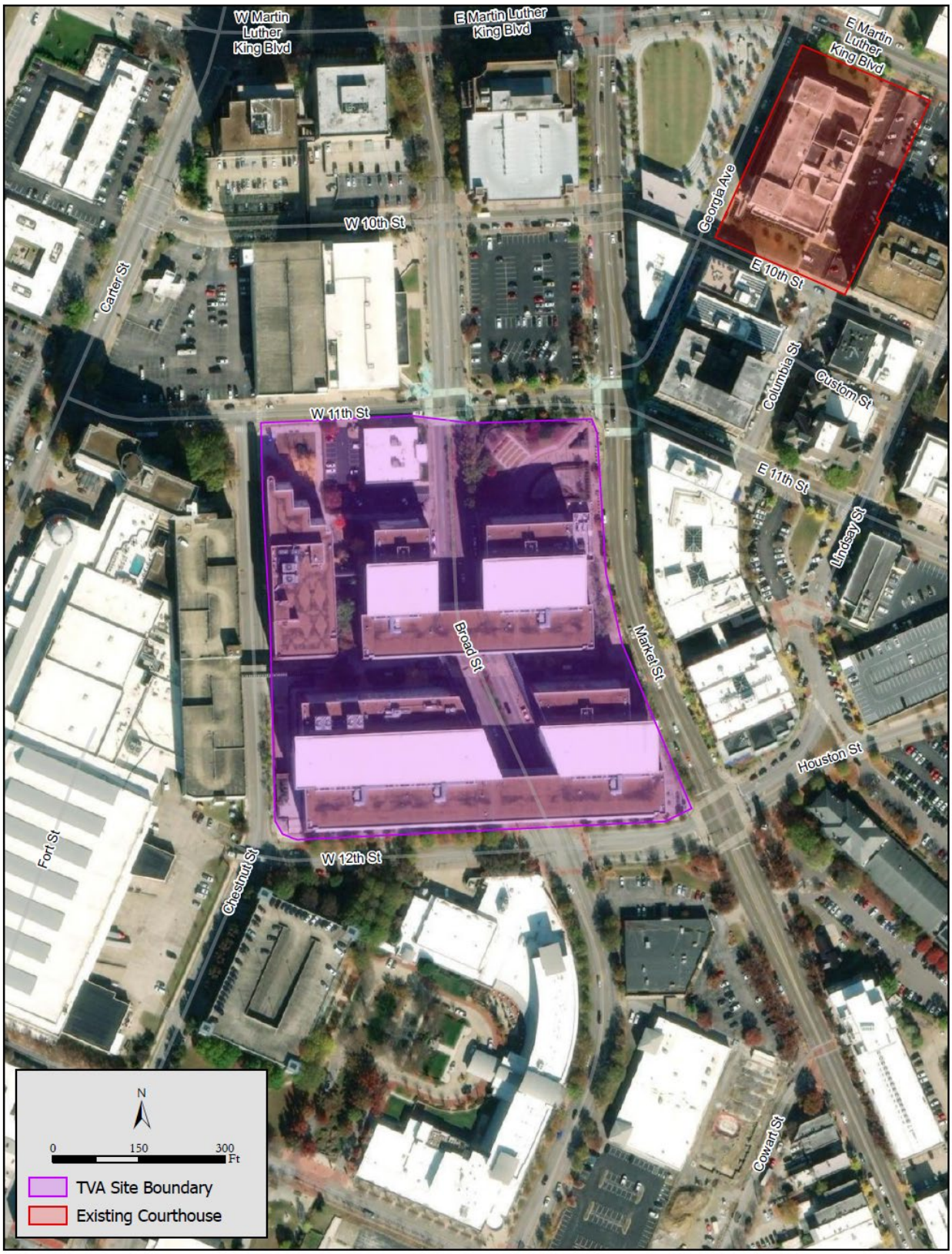

Figure 3.4-3. Roadways Surrounding the TVA Site

3.4.3 Environmental Consequences

An impact on transportation resources would be significant if it would:

- increase traffic volumes that would exceed the capacity of local roadways and intersections;
- increase traffic volumes resulting in deficient operations at the courthouse; or
- increase traffic volumes resulting in traffic hazards to workers and users at the Courthouse.

3.4.3.1 *Construction*

Construction of the proposed Courthouse would result in temporary increases in construction-related traffic from commuting workers and truck transport of materials, equipment, and waste at the project site. Construction is expected to take place over a period 2.5 to 3 years and an estimated 50 to 500 construction workers may be onsite; 500 workers would occur during peak construction activities over the last 18 months of construction. Public transportation may also be utilized to travel to the selected site, as each of the considered sites have bus stops in the general vicinity.

Although the number and frequency of vehicles traveling to and from the project sites are unknown at this time, it is expected, based on the size and nature of each of the construction activities involved at each project site, that the daily number of vehicles traveling to and from the selected site during construction could be as high as 425 from commuting workers (assuming 15 percent of construction workers would carpool to the site [McKenzie 2015]) during the construction phase, which would occur over 36 months. Up to an additional 30 trucks may be expected during peak construction, which would occur during the last 18 months of the 36-month construction phase. After the peak construction phase, traffic volumes would be reduced substantially. As a result of increased traffic volumes during construction, there would be increased congestion on the major roadways leading up to the selected site and cause delays, though this impact would generally be limited to peak commuting hours.

For the 8th Street Site, GSA would be responsible for the demolition of the existing structures. GSA would also be responsible for demolition of the building currently owned by the Dillard Partnership at the TVA Site, if needed, and potentially, the AT&T Field at the Stadium Site. The demolition activities would generate additional truck traffic over the 6- to 12-month period prior to the construction of the new Courthouse.

To mitigate construction-related traffic, GSA would specify appropriate routes for construction-related vehicles to follow to and from the selected site. Routes would follow major highways and roads, and would avoid local, residential, and neighborhood roads, to the extent practicable. If appropriate, the arrival of construction trucks and personnel, especially during peak construction activities, would be scheduled to occur outside of typical commuting hours in order to minimize traffic congestion on roadways, which usually occur from 7:30 a.m. to 8:30 a.m. and 4 p.m. to 6 p.m. GSA would also identify appropriate parking and staging areas for construction vehicles and equipment on-site.

Per the Code of Ordinances City of Chattanooga, Tennessee Chapter 25, Article III, construction activities associated with any building in any residential district or section are to occur between the hours of 7:00 a.m. and 8:00 p.m. However, it is expected that most construction activities would occur Monday through Friday during a standard 8-hour working day. To the extent possible, high volumes of anticipated construction traffic (e.g., during large concrete pours) would be scheduled outside of peak morning and evening commuting hours to minimize disruption to local traffic on and outside the selected site.

The magnitude and intensity of impacts on roadways would depend on the site chosen; however, overall, increases in traffic would be temporary, within the capacity of the existing vehicular transportation networks, and would not contribute to major degradation of traffic conditions. Overall, construction would have short-term, minor to moderate adverse impacts on transportation resources under all Proposed Action alternatives.

Stadium Site

If the Stadium Site was selected, traffic volumes on Power Alley, Riverfront Parkway, and W 3rd Street would be impacted by construction activities and would increase congestion on these roadways, making access to nearby areas more difficult. To minimize traffic congestion and conflicts, the contractor would direct construction personnel and trucks to avoid areas of high-density commercial businesses serving the city's tourists and visitors (e.g., 3rd Street and Aquarium Way). The contractor would also coordinate with the city on any major public events that could occur along the outdoor venues along the riverfront.

Based on AADT volumes presented in Table 3.4-1, it is expected that Riverfront Parkway and W 4th Street would have the capacity to handle the additional construction traffic, especially considering recent reductions in traffic volumes on these roadways. US-27 would also have the excess capacity to handle the temporary increase in traffic volumes during construction. As such, adverse traffic impacts on these roadways are expected to be short-term and moderate under this alternative.

8th Street Site

If the 8th Street Site was selected, Flynn Street would likely be inaccessible during construction or could be removed altogether as it is located within the project site. Because this is considered an alleyway and is not a heavily traveled road, impacts to traffic as a result of this would likely be minor. Traffic may become congested on surrounding roadways such as E 8th Street, Lindsay Street, Houston Street, and E MLK Boulevard during construction. To minimize traffic congestion and conflicts, the contractor would direct construction personnel and trucks to avoid the smaller roads, such as Lindsay Street. Additionally, during the peak construction period, the contractor would consider implementing a carpooling program and/or a shuttle bus to transport construction workers to the project site as parking spaces would be limited at the 8th Street Site.

Based on AADT volumes presented in Table 3.4-2, it is expected that the roadways would have the capacity to handle the additional construction traffic, especially considering recent reductions in traffic volumes on some of these roadways. Adverse traffic impacts on these roadways are expected to be short-term and moderate under this alternative.

TVA Site

If the TVA Site was selected, Broad Street could be completely or partially closed during construction. If Broad Street requires temporary closure, traffic would be rerouted elsewhere, which could cause increased congestion in the surrounding roadways. To minimize traffic congestion and conflicts, the contractor would coordinate with the city to re-route construction workers and/or trucks during major events at the convention center.

Based on AADT volumes presented in Table 3.4-3, it is expected that the roadways would have the capacity to handle the additional construction traffic, especially considering recent reductions in traffic volumes on these roadways. Adverse traffic impacts on these roadways are expected to be short-term and moderate under this alternative.

3.4.3.2 *Operation*

Because the existing Courthouse and all three proposed sites are located in close proximity to each other, it is expected that the net increase in overall traffic volumes in the downtown area generally would be minimal. Approximately 50 to 75 vehicles per day are currently generated by the existing courthouse, and this volume would be added to the daily traffic on the roadways directly serving the selected site. Tables 3.4-1 through 3.4-3 indicate that the additional traffic volume would represent a small percentage of the recent AADT volumes and the adjacent roadways would have the excess capacity to accommodate new traffic. Additionally, the proposed Courthouse would accommodate 40 secured parking spaces for employees and visitors, which would be an increase in dedicated parking spaces compared to the existing

lot at the current courthouse. Since public transit is in close vicinity of the proposed sites, it is likely that some employees and visitors would utilize public transportation, which would help reduce vehicular traffic.

Federal buildings are inspected, monitored, and approved for occupancy by GSA inspectors. However, GSA would be obligated to share with the City of Chattanooga the plans for building location and how it may impact surrounding streets and the community. For permanent closure of a roadway, a request must proceed through a mandatory referral process that is overseen by the Chattanooga-Hamilton County Regional Planning Agency. The Chattanooga Department of Transportation (CDOT) is one of the agencies responsible for reviewing and making recommendations about closure and abandonment requests.

Overall, operation of the Proposed Action would result in negligible to minor impacts to traffic due to operations of the Proposed Action. As discussed in the following subsections for each alternative, the magnitude and intensity of impacts from traffic would depend on the site chosen.

Stadium Site

A parking lot currently exists in the southern portion of the Stadium Site. Construction of the new Courthouse may require demolition of these existing parking spaces, which would decrease the amount of available parking (approximately 80 pay-to-park spaces) in the vicinity for other businesses. A few existing parking facilities located on 3rd Avenue, Aquarium Way, and Broad Street would have the capacity to accommodate the loss of these parking spaces, but users would have to walk an additional one to three blocks. As such, the loss of this parking lot would have a long-term, minor adverse impact on local businesses and the surrounding community.

Some traffic congestion and delays could occur from the new traffic volumes at this site, especially during events along the riverfront and during the summer months as the number of tourists and visitors increase. Based on the traffic volumes presented in Table 3.4-1, the roadways would have the excess capacity to handle any new traffic volumes. Overall, adverse traffic impacts would be long-term and minor under this alternative.

8th Street Site

As previously discussed under *Construction*, Flynn Street would be demolished for construction of the new facility. Because the street is a 1-lane street and considered an alleyway, impacts to traffic are considered minor. GSA would be required to submit a request for permanent closure of Flynn Street to the Chattanooga-Hamilton County Regional Planning Agency to demonstrate that "the public has no further need or interest to retain the right-of-way and that its abandonment is necessary to achieve a significant private or public interest" (City of Chattanooga Public Works 2016).

Parking locations currently on the 8th Street Site would be removed and would no longer be available for public use. As this lot provides 100-plus parking spaces in a highly developed area with limited additional parking facilities, removal of the lot could have long-term, moderate adverse impacts to public parking availability. This could adversely affect nearby businesses and organizations such as the Saints Peter and Paul Basilica that currently utilize the parking lot.

Based on the traffic volumes presented in Table 3.4-2, the roadways would have the excess capacity to handle any new traffic volumes. Overall, adverse traffic impacts would be long-term and moderate under this alternative.

TVA Site

Broad Street, a 4-lane, two-way road, currently bisects the TVA Site from north to south. At this time, it remains unknown if existing conditions related to Broad Street would continue unchanged during operation of a new Courthouse, or whether design of the new Courthouse would require modification to the route or traffic flow along the roadway. The Proposed Action at the TVA Site includes three scenarios for managing Broad Street, if modification is needed: 1) permanent closure; 2) realignment; and 3) lane modification

(modifying Broad Street from 4 lanes to 2 lanes). For all these scenarios, GSA would be required to coordinate with the CDOT and TDOT and may be required to submit a transportation impact study due to the direct impact on Broad Street and potential indirect impacts to surrounding roadways and intersections.

- **Scenario 1: Permanent Closure.** Under this scenario, Broad Street would be permanently closed, which would require GSA to submit a request for permanent closure of Broad Street to the Chattanooga-Hamilton County Regional Planning Agency to demonstrate that "the public has no further need or interest to retain the right-of-way and that its abandonment is necessary to achieve a significant private or public interest" (City of Chattanooga Department of Public Works 2016). Traffic that would normally access Broad Street through the TVA Site would be diverted to adjacent streets; traffic volumes would likely increase on nearby segments of Market Street, Chestnut Street, 11th Street, and 12th Street. In light of recent substantial decreases in traffic volumes since 2019, it is expected that the surrounding streets would have the excess capacity to handle the additional traffic volumes. GSA would conduct a traffic impact study to analyze effects on nearby streets and intersections and coordinate closely with CDOT and TDOT as part of a development review process. Under this scenario, adverse traffic impacts would be expected to be permanent, long-term, and range from minor to moderate. It is possible that permanent closure of Broad Street could provide benefits by complementing/extending the city's plans to revitalize Broad Street directly north of the TVA Site, improving the corridor that connects the city's riverfront with the downtown area (River City Company 2023a).
- **Scenario 2: Realignment.** Under this scenario, Broad Street would be realigned to accommodate the final proposed site layout. Although the layout of the proposed site is currently unknown, it is assumed that Broad Street would remain routed through the proposed site. As such, traffic patterns would be expected to remain similar to existing conditions under this scenario and, therefore, adverse traffic impacts would be negligible. GSA would coordinate with CDOT and TDOT on the final design of Broad Street as part of a development review process.
- **Scenario 3: Modification of lanes.** Under this scenario, Broad Street would be modified from a 4-lane to a 2-lane street; therefore, the street's capacity to handle traffic volumes would be reduced and the potential for congestion and delays on this street would increase. This could cause traffic to divert to other nearby roadways and increase traffic volumes on nearby segments similar to Scenario 1 (11th Street, 12th Street, Chestnut Street, and Market Street). In light of recent substantial decreases in traffic volumes since 2019, it is expected that the surrounding streets would have the excess capacity to handle the additional traffic volumes. GSA would conduct a traffic impact study to analyze effects to nearby streets and intersections and coordinate closely with CDOT and TDOT as part of a development review process. Under this scenario, adverse traffic impacts would be expected to be permanent, long-term, and minor. GSA would coordinate with CDOT and TDOT on the final design of Broad Street as part of a development review process.

Under the scenarios presented above, the potential closure of Broad Street or modification of lanes could increase the acreage within the TVA Site available for development. However, the area or potential site layout would be determined during the design process and remain unknown at this time.

Parking facilities would be demolished at this project site and would result in the removal of approximately 33 parking spaces. As the TVA Site is surrounded by several parking facilities, it is expected that these existing facilities would have the capacity to accommodate the loss of these parking spaces. As such, the loss of these parking facilities would have a long-term, minor adverse impact on the surrounding businesses.

Overall, adverse traffic impacts would be long-term and range from negligible to moderate under this alternative.

3.4.3.3 *No Action Alternative*

Under the No Action Alternative, GSA would not acquire new property in Chattanooga and would not construct a new Courthouse. The current Courthouse would remain in operation and maintain its current levels of traffic and transportation. No changes would be made to the proposed sites, and the existing traffic and transportation conditions would remain unchanged.

3.5 LAND USE AND VISUAL RESOURCES

3.5.1 Definition of the Resource/Regulatory Setting

This section discusses land use within the proposed boundaries of the three sites presented in Section 2.1, Proposed Action, as well as surrounding land uses and visual resources.

Land use generally refers to human modifications to the land, often for residential or economic purposes, but also for the preservation or protection of natural resources such as wildlife habitat, vegetation, or unique geographic features. Consideration of potential impacts to existing land use includes an analysis of designated land use categories and land ownership, land management plans, and any special use areas existing within the ROI. Conditions influencing potential impacts include past and present land uses, land cover on and surrounding the sites, applicable zoning regulations, and relevant planning documents such as comprehensive land use plans. Zoning ordinances and land use plans ensure that future development projects are compatible with existing and reasonably foreseeable land uses.

The City of Chattanooga is currently in the process of creating detailed area plans for Chattanooga and Hamilton County to supplement the comprehensive plan (entitled *Renewing Our Vision*) adopted in 2016 and amended in 2021. *Renewing Our Vision* is an update to the preceding comprehensive plan and focuses on physical development at a broad, county-wide level. Previously, the comprehensive plan was a standalone document, but moving forward the plan will be supplemented with detailed plans for specific neighborhoods and areas within Chattanooga and Hamilton County (CHCRPA 2021a).

Plan Chattanooga, the process by which these detailed, area-specific plans will be created, is ongoing, and is being undertaken by the Chattanooga-Hamilton County Regional Planning Agency. Plan Chattanooga divides the City of Chattanooga into eight areas, two of which have current, adopted plans. All three considered sites occur within Area 1 (Downtown/North Chattanooga), which does not yet have an adopted plan (CHCRPA 2023a). When complete, the Area 1 plan will complement *Renewing Our Vision* and supersede *Downtown Plan Chattanooga 2025*, which was adopted in 2006 and provides guidelines for development in Chattanooga by splitting the city into eight districts according to use and use intensity (CHCRPA 2006).

Downtown Plan Chattanooga 2025 provides development guidance intended to promote growth while also retaining the aesthetics and visual characteristics of the downtown area. The plan provides guidance regarding distance to public spaces such as parks, playgrounds, and greenways, sustainable building practices, building height restrictions, and recommendations regarding building facades, parking lot frontages (recommended screening practices include the use of any combination of low masonry walls, decorative fences, or landscaping), and architectural lighting (a downward focus is recommended to avoid obscuring the night sky or adding to light pollution) (CHCRPA 2006).

The City of Chattanooga utilizes two zoning systems to divide communities into zoning districts that regulate building size, location, population density, and land use. The Euclidean zoning system was adopted in 1961 and dictates zoning districts for the majority of the city (Chattanooga, Tennessee Code of Ordinances, Chapter 38-Zoning). The Form-Based Code (FBC) "Downtown Code" was adopted in 2016 to promote urban development within five Context Areas: Downtown Core, River, Urban, Urban Edge, and the Bend. All three considered sites are located within the FBC boundary and are zoned accordingly (City of Chattanooga Public Works 2023, CHCRPA 2021b).

3.5.2 Affected Environment

3.5.2.1 *Stadium Site*

The Stadium Site primarily occurs within the Downtown Core Context Area according to the FBC, although the northern portion occurs within the River Context Area. The Downtown Core consists of the greatest variety of uses and the highest use intensity. The River Context Area is characterized by medium- to high-intensity residential and tourist development that is oriented towards and maintains views of the Tennessee River (CHCRPA 2021b). Three zoning classifications intersect the Stadium Site, as presented in Figure 3.5-1. The portion of the site occurring within the River Context Area is zoned for River View, and the remainder of the site that occurs within the Downtown Core is zoned for Commercial Mixed Use (City of Chattanooga 2023b). In all FBC zoning classifications, the number found at the end of the classification code signifies the maximum height for structures within this zone. For instance, within the boundaries of the Stadium Site, the R-RV-6 classification indicates that six stories is the maximum height permitted within that zoning boundary. The other two classifications found within the Stadium Site are D-CX-6 and D-CX-8, with the D-CX-6 designation applying to the greatest area.

The Stadium Site is surrounded by similar land uses/zoning classifications, with River View continuing to the north and northeast and Commercial Mixed Use continuing to the south, southeast, and east. The Central Business Zone (C-3) occurs to the west, beginning on the opposite side of US-27 (City of Chattanooga 2023b).

Renewing Our Vision identifies the site as occurring within Development Intensity Level 5 on a scale of one through five. Level 5 areas are highly populated and developed, and have a high road density, meaning that all areas are supported by major or minor roadway intersections. Most development opportunities in Level 5 areas consist of infill or site redevelopment due to the developed nature of existing conditions (CHCRPA 2021a).

Downtown Plan Chattanooga 2025 shows the site occurring within the Riverfront District, which consists primarily of tourism, recreation, retail, and residential uses. The primary visual resource in this area, and the reason for much of the tourism, recreation, and other usage in this district, is the Tennessee River. Ross's Landing, the birthplace of the city and the place from which all future development occurred, is located in the heart of the district. The Riverfront District features a diversity of development and often complements the natural environment, with aesthetic walkways and bridges (CHCRPA 2006).

3.5.2.2 *8th Street Site*

The 8th Street Site occurs within the Urban Context Area according to the FBC. The Urban Context Area consists of medium-intensity residential and commercial areas. The entirety of the site is within zoning classification U-CX-6, which indicates Commercial Mixed Use with a maximum height of six stories for all structures. The surrounding land consists primarily of a continuation of Commercial Mixed Use, with the Central Business Zone occurring to the east and a small area of Parks and Open Space occurring to the southwest, as presented in Figure 3.5-1 (City of Chattanooga 2023b; CHCRPA 2021b).

Renewing Our Vision identifies the site as occurring within Development Intensity Level 5 (CHCRPA 2021a), and *Downtown Plan Chattanooga 2025* shows the site occurring at the western extent of the East Downtown district, which consists primarily of residential, retail, and institutional uses, and serves as a downtown gateway for people entering the city from the north. Housing in this area reflects the architectural styles and influences of the African American community that lived in this area between the 1890's and 1930 (CHCRPA 2006).

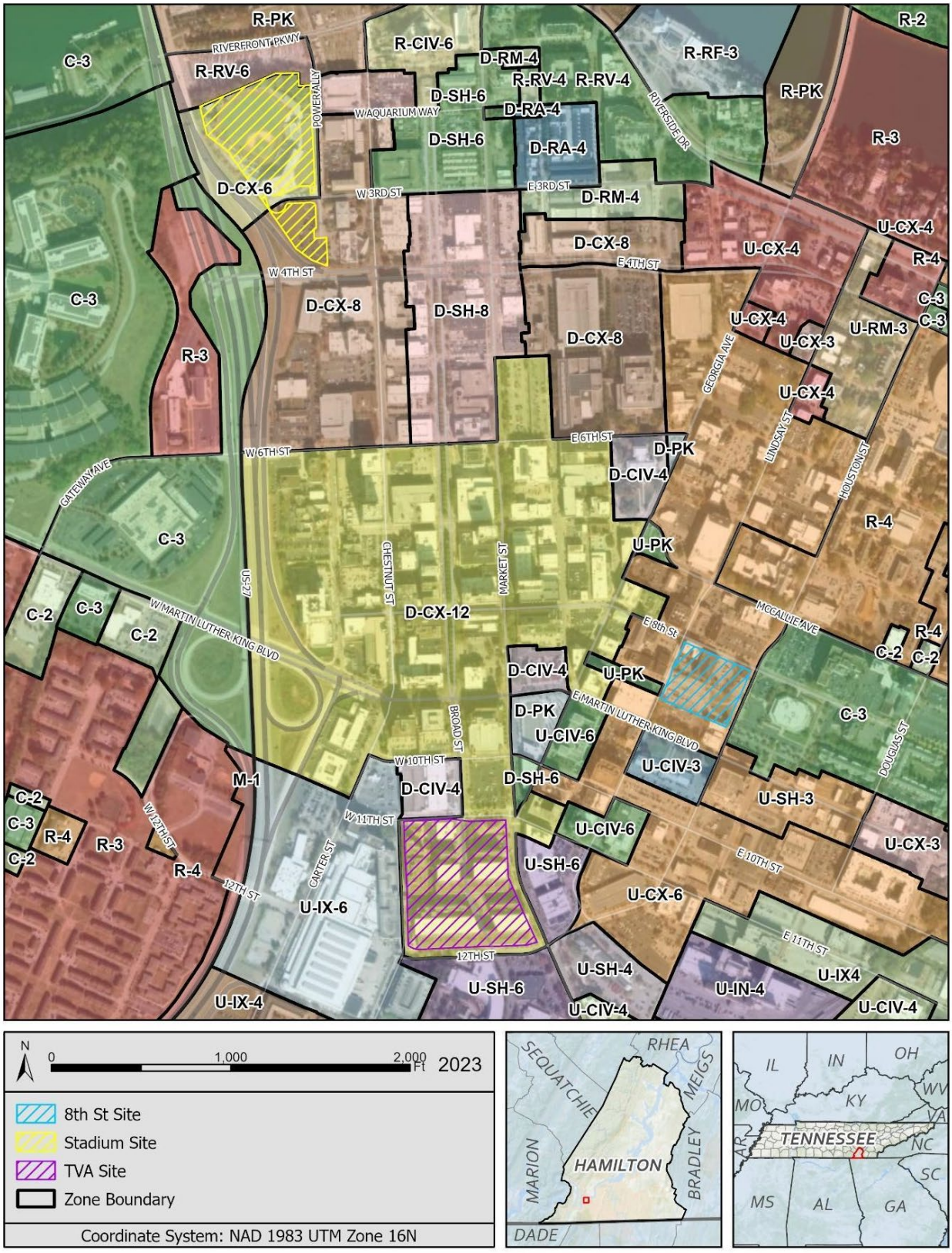

Figure 3.5-1. Zoning Classifications within the ROI

3.5.2.3 *TVA Site*

The TVA Site occurs within the Downtown Core according to the FBC. The entirety of the site is zoned as D-CX-12, indicating Commercial Mixed Use with a maximum structure height of 12 stories. Land to the south and east of the site is zoned for Shopfront Mixed Use, land to the west is zoned for Industrial Mixed Use, and land to the north is zoned for Commercial Mixed Use and Civic, as presented in Figure 3.5-1 (City of Chattanooga 2023b; CHCRPA 2021b).

Renewing Our Vision identifies the site as occurring within Development Intensity Level 5 (CHCRPA 2021a), and *Downtown Plan Chattanooga 2025* shows the site occurring within the Central Business District, which is the business, financial, and government center of the city, and is primarily used for retail and office space. *Downtown Plan Chattanooga 2025* recommends streetscaping and water features along major linear public spaces in this district, and screening of parking lots with low walls, decorative fences, and landscaping (CHCRPA 2006).

3.5.3 Environmental Consequences

The Proposed Action would cause significant impacts to land use and visual resources if it would conflict with any active comprehensive land use plans for the area.

3.5.3.1 *Construction*

Construction of a new Courthouse at any of the three considered sites would generally comply with existing land use and zoning regulations; therefore, the Proposed Action would not be expected to result in land use impacts. All three sites are located in intensely developed areas that are supported by minor and major roadways and associated roadway intersections. Existing comprehensive plans for the downtown Chattanooga area are supportive of continued development and redevelopment, and existing zoning classifications described in Section 3.5.2, Affected Environment, would allow for the construction of a new Courthouse in any of these Commercial Mixed Use zones. As the proposed Courthouse would be constructed on federal land, design would not be subject to local zoning requirements nor require review or approval from the city. However, building codes, *Renewing Our Vision*, *Downtown Plan Chattanooga 2025*, and any area-specific plans that are adopted under the Plan Chattanooga would be reviewed to consider during design and to ensure that the Courthouse would not be out of place in the City of Chattanooga. No changes to existing land use or zoning classifications would be required. While the proposed Courthouse has not yet been designed, preliminary test fits have identified possible options that range in height from three stories to eight stories. These options could be accommodated within the existing zoning classifications of at least one of the considered sites.

Construction activities at any of the considered sites would be expected to result in short-term, minor adverse visual impacts. Users of residential and commercial areas surrounding each site would be subject to visual disturbances associated with construction equipment and debris, and the aesthetics typical of each associated downtown district or area would be temporarily absent from the selected site and surrounding parcels. The Proposed Action may provide long-term beneficial impacts to visual resources, as design of the proposed Courthouse would seek to complement and add to the aesthetics of the surrounding area, choosing façade materials, lighting, and landscaping elements that would exhibit a sense of permanence and quality in accordance with *Renewing Our Vision* and *Downtown Plan Chattanooga 2025*.

3.5.3.2 *Operation*

Operations of a new Courthouse at any of the three considered sites would comply with existing land use and zoning regulations; therefore, the Proposed Action would not be expected to result in land use impacts. Once constructed, visual impacts associated with operation of the new Courthouse would not be expected, as the building would be designed to be pleasing to the eye and complement the aesthetics of the surrounding area. If the Stadium Site is selected and placement of the new Courthouse obstructed views of the river from surrounding residential and commercial areas, that would classify as a long-term, minor,

adverse impact to visual resources. The potential for this to occur would be minimized by adherence to structural height restrictions identified in the FBC zoning classification given to the selected site (when identified), and strategic placement of the building within the 11.82-acre site. Additionally, while the new Courthouse would technically be compatible with existing zoning at the Stadium Site, it would not entirely fit the "medium- to high-intensity residential and tourist development" setting that the River Context Area currently embodies, nor be compatible with the family-friendly destinations immediately adjacent to it (e.g., Tennessee Aquarium, IMAX Theater, Creative Discovery Museum, etc.). Any impacts to tourism in this area created by the presence of a new federal Courthouse would classify as a long-term, minor, adverse impact to land use.

3.5.3.3 *No Action Alternative*

Under the No Action Alternative, a new Courthouse would not be constructed. Use of the existing courthouse would continue, and there would be no change to land use or visual resources within the ROI.

3.6 SOCIOECONOMICS AND ENVIRONMENTAL JUSTICE

3.6.1 Definition of the Resource/Regulatory Setting

Socioeconomic and economic analyses generally include detailed investigations of the prevailing population, income, employment, and housing conditions of a grouping of individuals, community or city, or an area of interest. The socioeconomic conditions of a ROI could be affected by changes in the rate of population growth, changes in the demographic characteristics of a ROI, or changes in employment within the ROI caused by implementing a proposed action. The economic conditions of a group or entity could also be affected by increasing or decreasing revenue sources, like removing potential taxable land from the tax base. These potential effects can become especially noticeable in areas where the prevailing tax base or other source of revenue is already limited. In addition to these characteristics, populations of special concern, as addressed by EO 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, are identified and analyzed for potential environmental justice impacts.

EO 12898 requires a federal agency to "make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations." A memorandum from the President concerning EO 12898 stated that Federal agencies should collect and analyze information concerning a project's effects on minorities or low-income groups, when required by NEPA. If such investigations find that minority or low-income groups experience a disproportionate adverse effect, then avoidance or mitigation measures are to be taken.

According to the CEQ (1997), a minority population can be described as being composed of the following population groups: American Indian or Alaskan Native, Asian or Pacific Islander, Black, not of Hispanic origin, or Hispanic, and exceeding 50 percent of the population in an area or the minority population percentage of the affected area is meaningfully greater than the minority population percentage in the general population.

Race and ethnicity are two separate categories of minority populations. A minority population can be defined by race, by ethnicity, or by a combination of the two distinct classifications. Race as defined by the U.S. Census Bureau (USCB) (USCB 2022a) includes:

- White – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa;
- Black or African American – A person having origins in any of the Black racial groups of Africa;

- American Indian or Alaska Native – A person having origins in any of the original peoples of North and South America (including Central America) and who maintain tribal affiliation or community attachment;
- Asian – A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, or the Philippine Islands; and
- Native Hawaiian and Other Pacific Islanders – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

The USCB defines ethnicity as either being of Hispanic origin or not being of Hispanic origin. Hispanic origin is defined as "a person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race" (USCB 2023a).

Each year the USCB defines the national poverty thresholds, which are measured in terms of household income dependent upon the number of persons within the household. Individuals or families falling below the poverty threshold ($15,225 for an individual under the age of 65, or $29,678 for a household of four with two children under the age of 18 in 2022 [USCB 2022b]) are considered low-income individuals. USCB census tracts where at least 20 percent of the residents are considered poor are known as poverty areas (USCB 2023b).

EO 13045, *Protection of Children from Environmental Health Risks and Safety Risks*, states that a growing body of scientific knowledge has demonstrated that children may suffer disproportionately from environmental health risks and safety risks. These risks arise because: children's neurological, immunological, digestive, and other bodily systems are still developing; children eat more food, drink more fluids, and breathe more air in proportion to their body weight than adults; children's size and weight may diminish their protection from standard safety features; and children's behavior patterns may make them more susceptible to accidents because they are less able to protect themselves. Therefore, to the extent permitted by law and appropriate, and consistent with the agency's mission, federal agencies shall:

- make it a high priority to identify and assess environmental health risks and safety risks that may disproportionately affect children; and
- ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health risks or safety risks.

It is important to determine whether implementing the proposed action could affect local demographics, employment, and income potential, as well as localized minority and/or low-income populations. Potential effects to income and employment are determined by an unacceptable change (i.e., significant loss or decrease in these components; effects to populations of special concern are quantified in this EA by the number of individuals and/or populations affected).

3.6.2 Affected Environment

The data presented in this section are based on the results of the 2020 U.S. Census, which represented the most current and complete demographic data publicly available at the time of analysis. Data are presented at USCB Tract and Block Group (BG) level with City of Chattanooga and Hamilton County data used when appropriate for comparative purposes.

Table 3.6-1 summarizes demographic data for the existing courthouse site as well as for the three sites being considered for acquisition and construction of the proposed Courthouse. This table also summarizes the status of each site as it relates to typical environmental justice parameters.

Table 3.6-1. Demographic Data for Proposed Courthouse Site and Three Sites of Proposed Action

Data Set	Hamilton County	USCB Tract 003100	BG 003100-01 Existing Courthouse & TVA Site	BG 003100-02 Stadium Site & 8th Street Site
Population				
Total Population	366,207	2,073	670	1,403
White	254,028	1,562	477	1,085
Black	64,428	327	140	187
American Indian and Alaska Native	1,859	9	3	6
Asian	8,212	58	15	43
Native Hawaiian and Other Pacific Islander	171	1	0	17
Other	12,555	30	7	23
Population of two or more races	24,179	86	28	58
Total Minority Population	112,179 (31%)	511 (25%)	193 (29%)	318 (23%)
Is area considered a minority population?[1]	No	No	No	No
Hispanic or Latino	27,207 (7%)	78 (4%)	UNK	UNK
Population At or Under Age 14	64,056 (17%)	76 (4%)	UNK	UNK
Employment and Income				
Median Household Income	$66,096	$70,565	$38,708	$83,125
Percent of Families in Poverty	8%	11%	25%	4%
Is area considered a poverty area?	No	No	Yes	No
Labor Force Employed (civilian)	54%	46%	UNK	UNK
Housing				
Total Housing Units	162,268	1,497	615	882
Occupied Housing Units	148,758 (92%)	1,244 (83%)	534 (87%)	710 (80%)
Vacant Housing Units	13,510 (8%)	253 (17%)	81 (13%)	172 (20%)

Source: USCB 2023c

[1] – 50 percent of the population or percentage of the area is meaningfully greater than the minority population percentage of the general population.

[2] -Areas with 20 percent or more are considered poverty areas.

UNK – Unknown

3.6.3 Environmental Consequences

Constructing the proposed Courthouse at the Stadium Site or the 8th Street Site would be expected to result in negligible adverse socioeconomic (including environmental justice and protection of children) impacts. Construction and operation of the proposed Courthouse at the TVA Site could have a minor adverse environmental justice effect due to the presence of low-income families.

As shown Table 3.6-1, none of the three sites being considered for construction of a new Courthouse are considered to be minority in nature (i.e., areas where 50 percent of the population or percentage of the area is meaningfully greater than the minority population percentage of the general population). The minority population of BG 003100-01 (in which the TVA Site is located) is 29 percent, and the minority population of BG 003100-02 (in which the Stadium Site and the 8th Street Site are located) is 23 percent. This is less than the larger USCB Tract (003100) that supports a minority population of approximately 31 percent. The number of children in the USCB Tract comprising the three considered sites is approximately 4 percent (compared to 17 percent of the population of Hamilton County).

Construction of the proposed Courthouse at any of the three sites would result in no new measurable long-term employment opportunities; however, short-term employment changes could be realized during construction activities. A limited short-term economic gain could be realized within the area of Chattanooga as a result of construction worker food and beverage sales, sundry purchases, hotel/motel accommodations, etc. Additional short-term economic gains could be realized in the form of construction materials purchasing and equipment/vehicle rental. Long-term socioeconomic benefits could be realized if the development were to serve as a catalyst for future development/redevelopment in the area.

The TVA Site is located in an area of poverty (areas where 20 percent or more of the population is at or below the poverty level). Twenty-five percent of the families in the area are considered to be in poverty, compared to the BG in which the Stadium and 8th Street Site are located, which demonstrates 4 percent poverty. Although implementing this alternative would not be expected to result in a need for additional housing, should the development serve as a catalyst for future development/redevelopment in the area, additional housing starts and/or rentals could be realized.

Even though the Stadium Site and the 8th Street Site are located in an area considered as being largely minority and with a sizable population of children, construction and operation of a new Courthouse at either of these two sites would not be expected to result in disproportionate impacts to these individuals or populations. Construction of the proposed Courthouse at the TVA Site could have a disproportionate effect on families in poverty and may result in a minor adverse effect. As mentioned, there would likely be some temporary inconveniences as a result of construction activities (e.g., construction equipment noise, temporary road closures/detours and utility disruptions, etc.); however, the potential benefits (e.g., short-term economic gains during construction activities, long-term benefits should the development serve as a catalyst for future development/redevelopment in the area, etc.) would be expected to outweigh any short-term inconveniences. Additionally, there are several environmental resources or other related issues that can be considered typical indicators of disproportionate impacts to children and minority and low-income persons/communities. These issues often include increases in air pollution, increases in noise, hazardous materials use, storage, and transport, pollution of rivers and streams, pollution of drinking water, decreased opportunities for employment, and impacts to public transit. As demonstrated in other sections of this EA, implementing the Proposed Action would not be expected to result in any significant impacts to these resources or indicator issues. As a result, no significant socioeconomic impacts would be anticipated.

3.6.3.1 *No Action Alternative*

Under the No Action Alternative, court operations would remain at the existing federal courthouse. No site acquisition would be necessary, and no ground disturbing, demolition, or construction-related activities would occur. As a result, no socioeconomic impacts would be anticipated.

3.7 CULTURAL RESOURCES

3.7.1 Definition of the Resource/Regulatory Setting

The NHPA (54 U.S.C. 200101 et seq., as amended), the Archaeological and Historic Preservation Act of 1974 (AHPA), (16 U.S.C. 469-469c) and the Archaeological Resources Protection Act of 1979 (ARPA), (16 U.S.C. 470aa-mm) are designed to ensure adequate consideration of the values of historic properties in carrying out federal activities and to attempt to identify and mitigate impacts to significant historic properties. The NHPA is the principal authority used to protect historic properties; federal agencies must determine the effect of their actions on cultural resources and take certain steps to ensure that these resources are located, identified, evaluated, and protected. The responsibilities of the state, the Federal government, and the Advisory Council on Historic Preservation (ACHP) in protecting historic properties identified in a project area are defined in 36 CFR 800. The National Register of Historic Places (NRHP) is established in 36 CFR 60. Within this EA, historic properties refer to properties eligible or potentially eligible for inclusion in the NRHP. Per the National Park Service, a district, site, building, structure, or object is eligible for inclusion on the NRHP if it meets at least one of the following criteria (NPS 2023):

A. Associated with events that have made a significant contribution to the broad patterns of our history;

B. Associated with the lives of persons significant in our past;

C. Embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

D. Yield, or may be likely to yield, information important in history or prehistory.

The ARPA protects archeological resources on federal lands. Unauthorized excavation, removal, damage, alteration, or defacement of archaeological resources on public lands is prohibited.

Cultural resources are nonrenewable resources whose value may be diminished by physical disturbances. These resources include buildings, structures, objects, landscapes, and archeological sites, as well as places of importance to a culture or community for reasons of history, religion, or science. The archeological sites may include both prehistoric and historic sites, e.g., campsites, resource use or acquisition areas, house sites, and trash deposits that may exist. An impact would be significant to cultural and/or archeological resources if project activities result in any of the following within the APE:

- physical destruction of or damage to all or part of the property;
- alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material reduction, and provision of handicapped access, that is not consistent with the Secretary of the Interior's standards for the treatment of historic properties (36 CFR 68) and applicable guidelines;
- removal of the property from its historic location;
- change of the character of the property's use or of physical features within the property's setting that contribute to its historic significance;
- introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features;
- neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

- transfer, lease, or sale of property out of federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

For this Proposed Action, the APE was defined as each of the three considered alternatives, plus the immediate viewshed surrounding each site. The modeled viewshed consists of a 557-foot (170-meter) buffer around each site (NSA 2023). Figure 3.7-1 depicts the identified APE discussed within this EA.

Potential effects to cultural and historic resources will be quantified in this EA based on the number of sites or site locales (including historic buildings, districts, etc.) affected that are eligible, or potentially eligible, for listing on the NRHP or have been listed on the NRHP.

3.7.2 Affected Environment

As part of the overall planning process, the GSA prepared a Cultural Resources Assessment covering each of the three sites under consideration for construction of a proposed Courthouse. The report (NSA 2023) is on file with the GSA. The findings are summarized below.

3.7.2.1 *Stadium Site*

The Stadium Site is located on a rise overlooking the Tennessee River northwest of downtown Chattanooga. During the Civil War, the Union Army established fortifications on this hilltop and constructed a reservoir. The reservoir was sold at auction following the war, and private companies operated private water works on the site. Municipal water systems eventually replaced private companies. In 1959, the "crown of Reservoir Hill" was cut and used as fill material for construction of Ogliati Bridge. A school, Kirkman Technical School, was built on the site and opened in 1928. The hill became known as Hawk Hill in reference to the school's mascot: a Golden Hawk. Kirkman Technical School closed in 1991. The Chattanooga Sports Authority acquired the site, and the existing AT&T Field opened in 1999.

3.7.2.2 *8th Street Site*

The 8th Street Site is located in an area that has been developed since the 1800s. An 1885 fire insurance map shows the presence of residences, a grocery store, and a carpenter shop on this city block. A Market Hall and a candy factory were present by the turn of the century. By 1917, the candy factory, located at 814 Lindsay Street, had been replaced by an Odd Fellows Hall for African Americans, which in turn was replaced by American Legion Post Number 14. The American Legion occupied that location on Lindsay Street from 1945 until it burned down in 1977. Now, that address is occupied by a surface parking lot.

The 8th Street Site also supported a facility operated by the Young Women's Christian Association (YWCA). Constructed in 1912, the four-story building "played an important role in providing safe housing and shelter for young people coming in from the countryside to cities seeking wage work in the New South era" (NSA 2023). The YWCA facility is no longer in operation. The existing building on that site currently supports the Partnership for Families, Children, and Adults Crisis Resource Center.

A Catholic school, known as All Saints Academy, was constructed on the 8th Street Site in 1925. Operated by the nearby Saints Paul and Peter Basilica, the school continued to serve as Saints Peter and Paul Elementary School after students in the upper grades moved to the new Notre Dame Academy in 1965. The school on the 8th Street Site closed in 1985. The building served as a meeting place after its official closing; however, the structure is currently considered condemned.

An apartment building was constructed within the 8th Street Site in 1920 on a site previously occupied by a residential dwelling. This apartment building still stands and is occupied today, with all 13 apartments currently under lease.

Source: NSA 2023

Figure 3.7-1. Area of Potential Effects

No known archaeological sites or surveys are located within the APE for this site. However, one route followed by those on the Cherokee Trail of Tears, as the forced, marched removal of Native Americans of the Cherokee nation from their homeland came to be known, passed through what is now downtown Chattanooga. The intensive development of this area into an urbanized downtown makes it unlikely that NRHP-eligible archaeological features associated with the 1838 road that formed part of the route in this area remain within the 8th Street Site. However, given the known land use history for the 8th Street Site, the potential for NRHP-eligible archaeological resources to be present within the Site is considered to be moderate to high.

3.7.2.3 *TVA Site*

The TVA Site is located on land formerly occupied by the Union Depot rail yard. This rail yard opened in 1857 and was demolished in the 1970s. A new TVA complex opened on the former rail yard in 1985. Surrounding properties on the site of the former rail yard include Warehouse Row, which was nominated to the NRHP in 1984 and is located across Market Street from the TVA complex. The Market and Main Street NRHP District is located south of Warehouse Row and represents some of the remaining railyard surroundings. Construction of the Chattanooga Convention Center replaced additional warehouses that had surrounded the former depot (demolished in 1973) and rail yard.

The entire TVA Site area has been previously investigated archaeologically. Adverse effects to NRHP-eligible archaeological resources in this location have been mitigated prior to and alongside the construction of the extant TVA complex. Upon the 1986 completion of the TVA complex, a development that includes vast underground structures, the Union Railyards and Stockyard sites have been removed and/or altered to such a degree that the potential for any NRHP-eligible archaeological resources to be present at the TVA Site is highly unlikely.

3.7.3 Environmental Consequences

A Cultural Resources Assessment conducted for the Chattanooga Courthouse Project (NSA 2023) determined that six NRHP Historic Districts are located within the APE for the three sites being considered for construction of a new Courthouse. Of those six, two (Saints Peter and Paul Catholic Church and Buildings and the Martin Luther King Boulevard Historic District), would be directly affected by the proposed project (Table 3.7-1). The remaining four districts would fall within the viewshed of the TVA Site and 8th Street Site. No historic resources were found within the APE of the Stadium Site.

Table 3.7-1. National Register of Historic Places Historic Districts in Each Alternative's APE

Site	Direct Effect Y/N	District Name	Period of Significance
TVA	N	Market and Main Streets Historic District	1880–1907; 1907–1935
TVA	N	Market Street Warehouse District	1904–1929
TVA	N	Stone Fort Land Company	1892–1949
8th Street	N	Market Square/Patten Parkway	1887–1927
8th Street	Y	Martin Luther King Blvd District	1886–1980
8th Street	Y	Saints Peter and Paul Catholic Church and Buildings	1888–1925

Source: NSA 2023

3.7.3.1 *Stadium Site*

Per the Cultural Resources Assessment conducted for the Chattanooga Courthouse Project (NSA 2023), no known archaeological sites have been identified within the APE for the proposed Courthouse. Furthermore, based on existing conditions, there is no archaeological potential within the Stadium Site. No NRHP-listed historic structures are present on or adjacent to the Stadium Site, nor are there any potentially NRHP-eligible structures on the site. As such, no further cultural resources study would be required if GSA selected the Stadium Site as the location for the proposed new Courthouse. Selection of the Stadium Site would have no effect on cultural resources.

3.7.3.2 *8th Street Site*

The Cultural Resources Assessment conducted for the Chattanooga Courthouse Project (NSA 2023) recommends that the 8th Street Site may contain NRHP-eligible resources and if selected as the preferred alternative, should be subjected to further investigation prior to construction. Archaeological deposits in this area may be identified via ground-penetrating radar survey or machine-excavated test trenches. Monitoring of ground disturbance would be recommended should pre-construction investigation not be feasible.

Construction of the proposed Courthouse on the 8th Street Site has the potential to have minor direct and indirect effects on archaeological and historic resources. Archaeologically, the site has the potential for preserved deposits, and a Phase II archaeological survey would be required to determine if such deposits were present and if they warranted nomination to the NRHP. If NRHP-eligible archaeological deposits were found, then Phase III data recovery mitigation would likely be required as such deposits could not be avoided. From the historic resource perspective, the site abuts the Martin Luther King Boulevard District and the Saints Peter and Paul Catholic Church and Buildings District, and construction of the new Courthouse on this site would have a minor adverse effect on both of these districts as it would change their setting and feeling. Selection of this alternative would also have an adverse effect on the former YWCA building, which NSA (2023) recommends as eligible for listing on the NRHP under Criterion A for its role in women's history in Chattanooga and Criterion C as an example of neoclassical institutional architecture in Chattanooga.

Efforts to minimize effects could require design modifications, including efforts to maintain the feeling of the NRHP-listed historic districts. This could be accomplished through careful selection of building materials and an architectural design that is consistent with the existing visual landscape.

3.7.3.3 *TVA Site*

The Cultural Resources Assessment conducted for the Chattanooga Courthouse Project (NSA 2023) recommends that selection of the TVA Site would have minimal to no effect on cultural resources. The TVA Site was subjected to archaeological mitigation prior to the construction of the GSA building and therefore has no remaining archaeological potential. The TVA building is not 50 years old and does not qualify for the NRHP under Criterion Consideration G, as it lacks any architectural detail of note, nor is associated with any significant historic event or individual other than in tangential ways. The Edney Building, which is part of the TVA Site, is also recommended not eligible for the NRHP. The TVA Site is within the viewshed of the NRHP Market and Main Streets Historic District, Market Street Warehouse District, and Stone Fort Land Company District, but construction of the Courthouse would have no direct or indirect adverse effect on these districts. No further cultural resources study would be required if the TVA Site was selected for construction of the proposed Courthouse.

3.7.3.4 *No Action Alternative*

Implementing the No Action Alternative would result in no significant cultural or historic resources impacts. Under the No Action Alternative, court operations would remain at the existing Courthouse. No

site acquisition would be necessary, and no ground-disturbing, demolition, or construction-related activities would occur. As a result, no significant cultural or historic resources impacts would be anticipated.

3.8 HUMAN HEALTH AND SAFETY

3.8.1 Definition of the Resource/Regulatory Setting

This section describes the use and presence of hazardous materials and the generation of hazardous waste at the three alternative sites.

HTMW are generally defined as materials or substances that pose a risk (through either physical or chemical reactions) to human health or the environment. Regulated hazardous substances are identified through a number of federal laws and regulations. The most comprehensive list is contained in 40 CFR 302 and identifies quantities of these substances that, when released to the environment, require notification to a federal government agency. Hazardous wastes, defined in 40 CFR 261.3, are considered hazardous substances. Generally, hazardous wastes are discarded materials (solids or liquids) not otherwise excluded by 40 CFR 261.4 that exhibit a hazardous characteristic (i.e., ignitable, corrosive, reactive, or toxic) or are specifically identified within 40 CFR 261. Petroleum products are specifically exempted from 40 CFR 302, but some are also generally considered hazardous substances due to their physical characteristics (especially fuel products), and their ability to impair natural resources.

The TDEC Division of Solid Waste Management (DSWM) regulates hazardous waste generation, transportation, storage, treatment, and disposal in the state of Tennessee. Regulation of hazardous waste is also a federal responsibility under the Resource Conservation and Recovery Act (RCRA). Tennessee has been authorized by the USEPA to administer the majority of the federal program. DSWM's Hazardous Waste Management Program has authority over facilities subject to RCRA Subtitle C, under the oversight of USEPA Region 4. The Hazardous Waste Management Program operates under the authority of the Hazardous Waste Management Act of 1977 (Tennessee Code Annotated [T.C.A.] Section 68-212-101 et seq.) and various Hazardous Waste Management rules.

The coordinated state and federal program regulates activities such as:

- The permitting and inspection of hazardous waste storage, recycling, treatment, and disposal facilities;
- The management of hazardous waste from generators (primarily manufacturing industry) through the required Waste Steam Notifications, Annual Reports, and Waste Reduction Reports;
- The annual registration of hazardous waste transporters; and
- The regulation of used oil.

TDEC's Toxic Substances Program (TSP) works under state and federal statutes and regulations to protect the people of Tennessee from environmental and health hazards caused by three toxic substances, lead, asbestos, and polychlorinated biphenyls (PCBs). The TSP's objective is to prevent the release of lead-based paint (LBP), asbestos, and PCBs to the environment resulting in less exposure of these substances to people, reducing potential health hazards.

Asbestos is a fibrous mineral once popular in the construction and commercial products industries for its heat-resistant, flexible properties. It was used heavily during the 20th century until the 1960's and 1970's when the dangers of asbestos exposure became more well-known. While most uses are now banned, many structures, such as popcorn ceilings, still have asbestos-containing material (ACM) in them. Because asbestos exposure poses such serious health effects, Tennessee and the federal government have enacted asbestos laws and regulations to protect workers, contractors, and the general public, such as the Tennessee Rule Chapter 1200-01-20, Asbestos Accreditation Requirements. In general, Tennessee regulations echo the federal standards found in the National Emissions Standard for Hazardous Air Pollutants (NESHAP)

(40 CFR 61, Subpart M, *National Emission Standards and Renovation/Demolition Requirements for Asbestos*) and the OSHA asbestos regulations found in 29 CFR 1926.1101, F*ederal Safety and Health Regulations Regarding Asbestos in the Workplace*.

Lead is a toxic metal that was used for many years in products found in and around our homes. Although LBP was banned for use in residential structures in 1978, deterioration of old buildings, remodeling and renovation of older houses, and lead in dust and soil result in a continuing health threat. Rule Chapter 1200-1-18 *Lead-Based Paint Abatement*, effective September 26, 2000, implements T.C.A. Section 68-131-401 et seq., *Part 4-Tennessee Lead-Based Paint Abatement Certification Act of 1997*. The Rule outlines procedures and requirements for accreditation of training programs, certification of professionals, and work practice standards for conducting LBP abatement activities.

PCBs are long lasting, synthetic compounds that were used in electrical insulating oils as a fire retardant, in paint and adhesives as an elasticizer, in insulation and caulks, and for other uses. Although generation of PCBs and new uses have been prohibited since 1979 by Toxic Substances Control Act of 1976 (TSCA) regulations (40 CFR 761), PCBs are still in use in older electrical equipment such as transformers and capacitors. Through a cooperative agreement with USEPA Region 4, TSP conducts PCB Compliance Inspections to monitor use, storage, disposal, and management of PCBs by electrical utility companies, industries, scrap metal facilities, and other businesses.

GSA performed a Phase I Environmental Site Assessment (ESA) for each of the three site alternatives pursuant to the guidelines (E 1527-21) of the American Society for Testing and Materials (ASTM) and the USEPA's "*Standards and Practices for All Appropriate Inquiries*" (40 CFR 312). The purpose of the Phase I ESAs was to identify, to the extent feasible, Recognized Environmental Concerns (RECs) in connection with each site. A REC is defined by ASTM E 1527-21 as "(1) the presence of hazardous substances or petroleum products in, on, or at the Subject Property due to a release to the environment; (2) the likely presence of hazardous substances or petroleum products in, on, or at the Subject Property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the Subject Property under conditions that pose a material threat of a future release to the environment. A *de minimis* condition is not a recognized environmental condition."

A *de minimis* condition is defined by ASTM E1527-21 as "a condition related to a release that generally does not present a threat to human health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of the appropriate government agencies."

Finally, ASTM E1527-21 also defines the term business environmental risk (BER), which is generally outside the scope of a Phase I ESA but nonetheless typically noted in the report by the Environmental Professional, as "a risk which can have a material environmental or environmentally-driven impact on the business associated with the current or planned use of commercial real estate, not necessarily related to those E1527-21 environmental issues required to be investigated in this practice. Consideration of BER issues may involve addressing one or more non-scope considerations…"

Common non-scope considerations which may be identified as BERs include, but are not limited to, ACM or LBP in onsite buildings or structures, mold or microbial growth in buildings, naturally occurring radon, ecological conditions (e.g., wetlands), and cultural or historical resources.

The findings and conclusions of the site investigations are summarized in the following sections. Based on the results of the Phase I ESAs, Phase II ESAs were recommended for all three sites. A Phase II ESA consists of further investigation of a property, typically involving sampling of environmental media (e.g., soil, groundwater, air, etc.); geophysical surveys using ground-penetrating radar to inspect for underground storage tanks (USTs) and other subsurface objects of concern; and similar activities.

3.8.2 Affected Environment

Based upon review of historical sources, environmental databases, interviews, user-provided information, site reconnaissance and judgment by an Environmental Professional, RECs were identified at all three considered sites and documented in Phase I ESAs on file with the GSA. In general, these RECs included the following, each of which applies to at least one of the considered sites (PHE 2023a, 2023b, 2023c):

- The historical presence and operation of industrial and commercial properties utilizing hazardous materials on and nearby the properties has created the potential for soil and groundwater contamination. Even though GSA would not be liable for groundwater contamination that originates off-site from a third-party, the potential exists for vapors from groundwater contamination to migrate into the occupied space of the current or future buildings, creating a health and safety concern.
- The use of non-native fill material presents a potential for the presence of contamination.
- The extensive use of herbicides and pesticides has created the potential for shallow soil contamination.
- The past development of the area suggests that historic USTs may be present, in addition to known USTs, creating the potential for underground leaks and soil and groundwater contamination.
- The past presence of railroad tracks presents the potential for historical use of pesticides and creosote for track treatment, which could have contributed to soil and groundwater contamination. In addition, coal cinder and clinker from ash-pits were used to level and grade land in the area, which may have contributed to soil and groundwater contamination.
- At least one historic release of hydraulic fluid has occurred.

In addition to the above RECs, *de minimis* conditions and BERs were identified and documented in the Phase I ESAs, on file with GSA, including the following (PHE 2023a, 2023b, 2023c):

- Cars parked on, or traveling across, paved surfaces may release minor leaks of automotive fluid. Over time, these small releases can impact shallow soil just below the paved surface.

Depending on the age of each existing structure, ACM, LBP, and/or PCBs may be present in at least one of the three considered sites.

3.8.3 Environmental Consequences

An alternative may have the potential for a significant impact if it would:

- Create a hazard to public health or the environment through the use, handling, transport, or disposal of hazardous materials or wastes.
- Create reasonably foreseeable conditions that would have the potential for improper release of hazardous materials into the environment.
- Locate facilities on a site included on a list of hazardous material or waste sites compiled in accordance with federal and state laws.
- Subject humans to soils with concentrations of hazardous materials in excess of health advisory limits.

3.8.3.1 *Construction*

With proper implementation of impact reduction measures, construction of a new federal Courthouse at any of the three considered sites would be expected to result in negligible adverse impacts to human health and safety. As mentioned earlier, Final Phase I ESAs prepared for the sites in October 2023 resulted in the

identification of RECs and other potential issues associated with each site (PHE 2023a, 2023b, 2023c). Further research and/or investigations, in the form of Phase II ESAs, were recommended; however, none have been conducted as of yet. As a result, prior to any ground-disturbing or construction activities at any of the proposed new locations, further research and/or subsurface soil/groundwater investigations would be conducted in an effort to satisfy the recommendations made in the Phase I ESAs.

Remediation efforts would be implemented as warranted. These measures would ensure no significant impacts as they relate to the historic use and potential previous soil and/or groundwater contamination issues associated with the sites. It was determined that ACMs and LBP are or may be present in the existing buildings to be demolished. As a result, prior to any construction or remodeling activities associated with the buildings, appropriate remedial activities would be developed and implemented. This would ensure negligible impacts as a result of existing ACMs and LBP. Additionally, the biggest potential presence for subsurface contamination lies within the USTs located at the TVA Site and associated with the TVA Chattanooga Office Complex (COC). TVA would be responsible for demolition of their existing structures on this site, if it were to be selected; therefore, TVA would also be responsible for the proper abandonment and closure of the USTs in accordance with federal and local regulations. Other potential concerns exist from nearby prior uses of concern at all three sites, including dry cleaners, gas stations, and industrial activities, which could migrate onto the sites. While GSA would not be responsible for remediating this contamination, mitigation would be required to prevent potential exposure to construction workers, occupants, and visitors.

Any generated wastes from demolition, if performed by GSA, and construction activities at the selected site would be recycled or disposed of according to all applicable regulations. All construction debris would be recycled or disposed of at an approved landfill in accordance with all applicable federal, state, and local laws and regulations. Similarly, any hazardous wastes (including oils, lubricants, fuels, solvents, ACM, LBP, PCB-containing materials, mercury, etc.) or contaminated soils generated during the construction or resulting from construction/demolition activities would be disposed of in accordance with all federal, state, and local regulations. The contractor would be required to adhere to all federal guidelines pertaining to solid waste disposal. Any contaminated soils would be properly characterized and transported by licensed contractors to permitted facilities for disposal. These measures would further ensure that impacts would be reduced to negligible levels.

3.8.3.2 *Operation*

Future court operations would not be anticipated to result in the significant use, storage, or disposal of hazardous materials. Therefore, no impacts to human health and safety would be expected.

3.8.3.3 *No Action Alternative*

Implementing the No Action Alternative would result in no impacts to human health and safety. Under the No Action Alternative, court operations would remain at the existing federal courthouse location. No site acquisition would be necessary, and no ground-disturbing, demolition, or construction-related activities would occur. As a result, no significant hazardous impacts would be anticipated.

3.9 SOILS AND GEOLOGY

3.9.1 Definition of the Resource/Regulatory Setting

This section describes the soil and underlying geology within the ROI and the potential effects that could result from implementation of the Proposed Action or the No Action Alternative.

Geological resources consist of surface and subsurface materials and their properties. Principal geologic factors influencing the ability to support structural development are seismic properties (i.e., potential for subsurface shifting, faulting, or crustal disturbance), soil stability, and topography. The term “soil” refers to unconsolidated materials overlying bedrock or other parent material. Soil structure, elasticity, strength,

shrink-swell potential, and erodibility all determine the capacity of the ground to support man-made structures and facilities, provide a landscaped environment, and control the transport of eroded soils into nearby drains and surface waters.

The Farmland Protection Policy Act (FPPA) (7 U.S.C. 4201 et seq.) of 1981 states that federal agencies must "minimize the extent to which federal programs contribute to the unnecessary conversion of farmland to nonagricultural uses." Prime and unique farmland, which is categorized by the United States Department of Agriculture Natural Resources Conservation Service based on underlying soil characteristics, is protected by the FPPA.

Hydric soils are defined as soils that formed under conditions of saturation, flooding, or ponding, for a sufficient duration during the growing season to develop anaerobic conditions in the upper part. Under natural conditions, hydric soils are capable of supporting the growth and reproduction of hydrophytic vegetation. Presence of hydric soils is one of the criteria used to identify and delineate wetlands; there are no wetlands within the ROI.

Stormwater runoff is regulated nationally through the National Pollutant Discharge Elimination System (NPDES). The TDEC is the authorized entity for administering NPDES permits in Tennessee. The state's Construction Stormwater Permitting Program is designed to reduce the amount of sediment and pollution entering surface and groundwater associated with construction projects. Operators of construction sites disturbing one or more acres of land are required to obtain permit coverage for stormwater discharges under a Construction Stormwater General Permit (CSGP). Under the CSGP, operators must implement a range of pollution prevention measures as outlined in a stormwater pollution prevention plan (SWPPP), which includes erosion and sediment controls and site stabilization controls to limit or prevent discharges of pollutants.

3.9.2 Affected Environment

3.9.2.1 *Soil*

Soils of each of the three sites were summarized in recent Phase I ESAs (PHE 2023a, 2023b, 2023c). Soils information was provided by the Natural Resources Conservation Service's Web Soil Survey (WSS). The WSS is a web-based soil data clearinghouse that contains data compiled from the original hardcopy soil surveys but that have been modified slightly for consistency across county lines. For this Site, the soils information presented in WSS originated from the United States Department of Agriculture's Soil Survey of Hamilton County Area, Tennessee.

According to these sources, the only map unit present on each site is described as Urban land. Urban land soil types are those that are considered to have been impacted sufficiently by development that many of the properties of the natural soil have been significantly altered, at least at the surface. This is typically due to the placement of fill and excessive compaction over time. According to the WSS (NRCS 2023), this soil is not classified as prime farmland and is not classified as a hydric soil (i.e., those soils found in wetlands).

3.9.2.2 *Geology*

The three sites are underlain by different geologic features. Geology features underlying the Stadium Site include the Fort Payne Chert in the northwest part of the Site and the Rockwood formation in the southeast portion. The Fort Payne Chert, belonging to the Mississippian geologic system, is described as highly siliceous, gray, fine- to coarse-grained limestone and dolomite with weathered to thick chert ledges, a thin pale-green shale (Maury Shale) layer at the base, and having a thickness of 90 to 200 feet. The Rockwood Formation, belonging to the Silurian geologic system, is described as reddish to yellowish-orange shale with thin beds of siltstone and sandstone, thin layers and lenses of hematite in the upper part, and having a thickness of about 200 feet (Finlayson et al. 1966).

Geology features underlying the 8th Street Site include the Knox Group, which is composed of various dolomite and siliceous limestone members with a maximum thickness of 2,600 feet. The bedrock found in the Knox Group is generally medium to dark gray, very hard, fine to coarsely crystalline rock (Finlayson et al., 1966). Residual soils derived from the Knox Group are typically reddish-brown to yellowish-brown clays with locally heavy amounts of chert fragments. The Strata of the Knox formations typically weather to form a thick cherty overburden in excess of 40 feet thick (S&ME 2016).

Geology features underlying the TVA Site include the upper part (Ochu) of Chickamauga Limestone, which is described as having an upper part of light gray to gray, fine- to medium-grained limestone. The limestone is thin- to medium-bedded, with a very minor chert layer (commonly called flint; a fine-grained, non-crystalline sedimentary rock made up of silicon dioxide), and a thickness of about 500 feet (Finlayson et al. 1966).

3.9.3 Environmental Consequences

To evaluate the impacts on geological, topography, and soil resources, GSA reviewed the project alternatives to determine whether any activities have the potential to cause the following within the ROI:

- Modify or otherwise affect geologic features
- Alter the topography or grade of terrain
- Disturb or displace soils

A significant adverse impact to geological resources would occur if the project alternatives would result in:

- altered geological structures that control groundwater quality;
- exposure of people or structures to potential substantial adverse effects from a geologic hazard (i.e., on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse);
- soil erosion that produces substantial gullying, extensive damage to vegetation, or a sustained increase in sedimentation in streams;
- substantial loss of soil, and/or a substantial decrease in soil stability and permeability; or
- substantial disruption, displacement, compaction, or covering of soils.

Generally adverse impacts on geological resources can be avoided or minimized if proper construction techniques and erosion-control measures are incorporated into project development.

3.9.3.1 *Construction*

Geology

The Proposed Action would have direct, long-term, minor, site-specific impacts on geology during demolition and construction within the ROI. Construction of the new facilities and infrastructure would require excavation; however, the depth of excavation is currently unknown and would depend on the results of the geotechnical investigation and engineering report to be prepared for the development in accordance with P100 Standards and current *U.S. Courts Design Guide*, as amended in 2008 and 2016 (Judicial Conference of the United States 2021). For most of the new facilities and infrastructure, this could involve some disturbance or modification of the surficial geology, but impacts are anticipated to be within a depth comparable to past construction of the existing structures on each of the three sites.

Soils

GSA may be responsible for excavation and removal of any contaminated soils or USTs that may be identified on the selected site. Fill material would be used to replace the excavated soil. The need or extent of excavation and fill remains unknown at this time. However, as fill already represents the majority of

soils currently present on each site, the excavation of soil and replacement with fill material would be considered a short-term, minor adverse impact on soils.

Because surface disturbance would be limited to areas located on already developed and/or on previously disturbed, flat surfaces, loss of topsoil and increased potential for erosion from implementing the Proposed Action at any of the considered sites would represent a direct, long-term, minor, adverse, site-specific impact on soils.

The use of heavy equipment for site preparation and construction of buildings, roads/walkways, parking areas and other infrastructure would require removal of vegetation, grading, excavation, and filling. If any natural soil horizons exist, they would likely be lost during construction. Heavy equipment may compact or loosen and destroy the structure and function of organic and mineral soils over the long term, reducing soil moisture and most likely resulting in increased runoff and erosion.

Soil erosion from use of heavy equipment could also occur as a result of ground disturbance, leading to detachment of soils and transport of disturbed surfaces in wind and stormwater runoff. Soil productivity (i.e., the capacity of the soil to produce vegetative biomass), would be permanently impacted as the surface soils would be replaced with mostly paved development.

The project would require a CSGP from TDEC prior to construction, which specifies measures for stabilizing soils and minimizing soil loss during construction. Compliance with the terms of this permit and a SWPPP would limit impacts from soil erosion during construction.

3.9.3.2 *Operation*

Due to the nature of the Proposed Action, no impacts to geology are expected during operation of the new Courthouse. Once constructed, operation of the proposed Courthouse would not involve ongoing disturbance to soils. All areas disturbed during construction would be revegetated or otherwise stabilized. as it is expected that existing utilities, including stormwater, would be accessed with minimal disturbance.

No prime or unique farmland soils occur on-site. Therefore, implementation of this alternative would have no effect on FPPA-protected farmland.

Due to the implementation of BMPs and compliance with all necessary permits, it is anticipated that the implementation of the Proposed Action would result in short-term, minor, adverse impacts to soils.

3.9.3.3 *No Action Alternative*

Under the No Action Alternative, court operations would remain at the existing federal courthouse. No site acquisition would be necessary, and no ground disturbing, demolition, or construction-related activities would occur. As a result, no impacts to soils and/or geology would be anticipated.

CHAPTER 4 CUMULATIVE IMPACTS

As defined by CEQ, cumulative effects are those that "result from the incremental impact of the Proposed Action when added to other past, present, and reasonably foreseeable future actions, without regard to the agency (federal or non-federal) or individual who undertakes such other actions" (40 CFR 1508.7). Cumulative effects analysis captures the effects that result from the Proposed Action in combination with the effects of other actions taken during the duration of the Proposed Action at the same time and place. Cumulative effects may be accrued over time and/or in conjunction with other pre-existing effects from other activities in the area (40 CFR 1508.25); therefore, pre-existing impacts and multiple smaller impacts should also be considered. Overall, assessing cumulative effects involves defining the scope of the other actions and their interrelationship with the Proposed Action to determine if they overlap in space and time.

The NEPA and CEQ regulations require the analysis of cumulative environmental effects of a Proposed Action on resources that may often manifest only at the cumulative level. Cumulative effects can result from individually minor, but collectively significant actions taking place at the same time, over time. As noted above, cumulative effects are most likely to arise when a Proposed Action is related to other actions that could occur in the same location and at a similar time.

GSA identified the following reasonably foreseeable projects within the City of Chattanooga and in proximity to the sites considered for GSA acquisition and construction of a new Courthouse that may result in incremental adverse cumulative effects (CHCRPA 2023b; River City Company 2023b, 2023c; TDOT 2023b):

- **Future of Hawk Hill** – with the anticipated relocation of the Chattanooga Lookouts baseball team from AT&T Field to the U.S. Pipe & Wheland Foundry site, the existing stadium will be demolished and Hawk Hill (the location referred to as the Stadium Site in this EA) will become available for development. If the Stadium Site is not selected for the Proposed Action, the site will be redeveloped in a different capacity. If the Stadium Site is selected for the Proposed Action, it is likely that areas of the site not required for construction of the new Courthouse would be redeveloped for other uses.
- **Future of TVA Site –** TVA is studying a potential relocation from its existing office complex. Even if the TVA site is not selected for the Proposed Action, there is a potential that the site would be redeveloped for other uses. TVA's NEPA review will analyze the impacts of any potential redevelopment actions.
- **Future of the Solomon Building** − GSA is still in the process of making a final determination on how to best dispose of the Solomon Building. GSA will take into account multiple points of consideration, including financial viability, availability of appropriations, the needs and requirements of the Federal tenancy, as well as the historic significance of the property. It is GSA's goal to make a decision for the Solomon Building that is in the best interest of the Federal Government and taxpayers. Disposal options will be determined through the GSA disposal process.
- **Convention Center** – A recent study identified the need to upgrade and expand the existing Chattanooga Convention Center to construct an associated 400-room hotel.
- **One Riverfront**– development is planned in the Riverfront District to address aging infrastructure and amenities, single-mode roadway design, and an imbalance of tourist and visitor activity relative to local use.
- **Reimagining Broad Street**– this project seeks to develop a comprehensive and visionary plan for Broad Street, which links the downtown area to the Riverfront District. Reimagining Broad Street will be a detailed, block-by-block urban design analysis that will address various enhancements and development opportunities. The TVA Site is bisected by Broad Street.

- **Replacing I-24 Interchanges at Broad and Market Streets** – this project would replace the looping interchanges along I-24 at Broad and Market Streets on the south side of downtown Chattanooga with a single ramp that transitions to a new frontage road extending parallel to I-24. Signalized intersections would provide access to Broad Street, Williams Street, and Market Street. Construction would also include grading, drainage, and paving, as well as the addition of bridges, retaining walls, signals, and lighting.
- **Various Housing Projects** – These projects include proposed residential and mixed-use development projects that could add up to 2,111 units to the local area. The identified projects include:
    - The Bend: A large-scale mixed-use development on the riverfront. A total of 846 units would be built in a phased development.
    - Unum Vine Street Mixed Use Development: A 140-unit mixed development (townhomes, condos, and cottages).
    - A Church to Apartment Conversion in the UTC Area: A 42-unit church conversion and new building.
    - Aaron Nesbitt: A 20-unit apartment complex in the Fort Wood area.
    - RP Homes: A 55-unit townhome development at the intersection of Central Avenue and McCallie Avenue.
    - Pond Holdings: A 28-unit apartment complex at the intersection of Central Avenue and McCallie Avenue.
    - RFM Development: A 245-unit apartment complex in the South Broad area.
    - South Broad Wheland Site Development: A 400-unit, large-scale, mixed-use development in the South Broad area.
    - South Broad Mixed Use Development Town Houses, Apartments: A 272-unit residential mixed-use development in the South Broad area.
    - Southside Gardens Apartments: A 63-unit apartment complex in the South Broad area.

4.1 PROPOSED ACTION

The subsections below provide an assessment of potential cumulative impacts to each resource area analyzed in this EA that could result from the combination of the Proposed Action and the above-identified reasonably foreseeable regional projects.

4.1.1 Air Quality and Climate Change

Construction of the Proposed Action would result in short-term, minor adverse impacts to air quality and climate change, and operation would be expected to have long-term, negligible to minor impacts. Potential impacts at each of the three sites would be similar.

Projects identified in the beginning of this chapter would likely cause the potential for adverse impacts to air quality similar to those described for the Proposed Action. Development in the surrounding area and overall regional growth could cause incremental increases in air emissions. The projects included in the cumulative effects analysis would not be constructed at the same time, so emissions would be staggered and remain below applicable thresholds. All private construction projects would be approved by the City of Chattanooga and comply with all applicable regulations, permits, and standards. Sustainable building practices, including energy-efficient buildings, would help reduce the level of cumulative effects to air quality.

Overall, when considered with other past, present, and foreseeable future actions, the Proposed Action would not be expected to result in significant cumulative impacts to air quality.

4.1.2 Noise

Construction of the Proposed Action at any of the three sites would result in short-term, minor to moderate adverse noise impacts to nearby receptors. Once constructed, operation of the new Courthouse would not be expected to result in substantial elevated noise levels.

Projects identified in the beginning of this chapter would likely cause the potential for adverse noise impacts during construction similar to those described for the Proposed Action. Noise impacts associated with the Proposed Action could be enhanced if other nearby development projects are occurring concurrently. The projects included in the cumulative effects analysis would not be constructed at the same time, so noise impacts of all these projects would be staggered. All construction projects would be approved by the City of Chattanooga and comply with all applicable regulations, permits, and noise ordinances.

Considering overall development and growth rates across downtown Chattanooga, incremental increases in noise associated with the Proposed Action could result in cumulative noise impacts; however, these impacts would not be considered significant. Adherence to local ordinances and use of BMPs would reduce overall noise impacts during construction.

4.1.3 Traffic and Transportation

Construction of the Proposed Action would result in short-term, moderate impacts to traffic and transportation. Once constructed, operation of the new Courthouse would be expected to result in long-term, negligible to minor impacts to traffic and transportation. As the existing courthouse and the three sites considered for acquisition occur in close proximity, the overall net increase in overall traffic volumes in the downtown area would be minimal.

Projects identified in the beginning of this chapter would likely cause the potential for short-term adverse impacts to traffic and transportation similar to those described for the Proposed Action. Impacts associated with the Proposed Action could be enhanced if other nearby development projects are occurring concurrently. The proposed housing projects could add over 2,100 units to the local area and introduce additional traffic to existing roadways. However, these proposed housing projects would be approved by the City of Chattanooga and designed and constructed in accordance with applicable zoning and development plans. As such, it is anticipated that the city has planned for this potential increase in traffic and that the additional vehicles could be accommodated.

Considering overall development and growth rates across downtown Chattanooga, incremental increases in traffic levels associated with the Proposed Action could result in cumulative traffic and transportation impacts; however, these impacts would not be considered significant.

4.1.4 Land Use and Visual Resources

Construction and operation of the Proposed Action would not be expected to impact land use, as siting a new Courthouse at any of the three considered sites would consider existing land use plans and zoning. Construction of the Proposed Action would result in short-term, minor adverse impacts to visual resources, primarily associated with temporary visual disturbances associated with construction equipment, activity, and debris. Once constructed, visual impacts associated with operation of a new Courthouse would not be anticipated, as the building would be designed to complement the aesthetics of the surrounding area.

Projects identified in the beginning of this chapter would likely cause the potential for short-term adverse impacts to land use and visual resources similar to those described for the Proposed Action. Impacts associated with the Proposed Action could be enhanced if other nearby development projects are occurring concurrently. However, the identified cumulative projects would be subject to local building codes, zoning

ordinances, and city approval. As such, impacts to land use and visual resources would not be expected to be significant.

Overall, when considered with other past, present, and foreseeable future actions, the Proposed Action would not be expected to result in significant cumulative impacts to land use and visual resources.

4.1.5 Socioeconomics and Environmental Justice

The Proposed Action would result in negligible adverse impacts to socioeconomics if the Stadium Site or the 8th Street Site were selected for construction of a new Courthouse. Due to the presence of low-income families, construction of the new Courthouse at the TVA Site could result in minor adverse environmental justice impacts due to increased levels of noise and air pollution, temporary road closures/detours, and utility disruptions, among others.

Projects identified in the beginning of this chapter could likewise result in adverse impacts to socioeconomics and environmental justice, depending on the location of each project and the presence of environmental justice communities. Overall, potential impacts would be temporary, with the overall development and growth rate in the downtown Chattanooga area representing a beneficial impact to socioeconomics and environmental justice. When considered with other past, present, and foreseeable future actions, the Proposed Action would not be expected to result in significant cumulative impacts.

4.1.6 Cultural Resources

The Proposed Action could result in minor adverse impacts to cultural resources at the 8th Street Site and the TVA Site due to the nearby presence of NRHP Historic Districts. No cultural resources were identified within the APE of the Stadium Site. Additionally, the 8th Street Site was determined to have the potential for archaeological resources and would require additional surveys if selected.

Potential impacts to nearby historic districts could be minimized through efforts to maintain the character of the district through careful selection of building materials and architectural designs consistent with the existing visual landscape. Overall, when considered with other past, present, and foreseeable future actions, the Proposed Action would not be expected to result in significant cumulative impacts.

4.1.7 Human Health and Safety

Although further research and/or investigations at each of the three sites are recommended prior to selection, potential human health and safety impacts associated with construction of the Proposed Action are not expected to be significant, with the assumption that remediation efforts would be implemented as warranted. Operations at a new Courthouse at any of the considered sites would not be expected to result in impacts to human health and safety. With the implementation of any necessary remediation efforts, the Proposed Action would not be expected to cause incremental increases to human health and safety risks, in conjunction with other projects that may be occurring in the region concurrently. Overall, when considered with other past, present, and foreseeable future actions, the Proposed Action would not be expected to result in significant cumulative impacts to human health and safety.

4.1.8 Soils and Geology

Construction of the Proposed Action would result in short-term, minor adverse impacts to soils and geology, and operation would be expected to have long-term, negligible impacts. Potential impacts at each of the three sites would be similar.

Projects identified in the beginning of this chapter would likely cause the potential for adverse impacts to soils and geology similar to those described for the Proposed Action. Development in the surrounding area and overall regional growth could cause incremental increases in ground disturbance. Complying with any applicable permitting requirements and implementing construction industry standard best practices to reduce soil erosion would help reduce potential adverse effects to soils and geology.

Overall, when considered with other past, present, and foreseeable future actions, the Proposed Action would not be expected to result in significant cumulative impacts to soils and geology.

4.2 NO ACTION ALTERNATIVE

Implementation of the No Action Alternative would result in no increased potential for adverse cumulative impacts. Construction of the new Courthouse would not occur, and existing conditions at each of the three considered sites would remain unchanged from existing baseline conditions. As such, the No Action Alternative would not contribute to cumulative effects.

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CHAPTER 6 LIST OF PREPARERS

Name	Role	Degree	Years of Experience
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Erin Kouvousis	NEPA Deputy Project Manager, Preparation of Socioeconomics and Environmental Justice and Cultural Resources Sections	M.S. Ecology B.S. Conservation	13
Samir Qadir	Preparation of Air Quality Section	M.S. Environmental Policy B.S. Electrical and Electronics Engineering	19
Virginia Boone	Preparation of Land Use and Visual Resources Sections	B.A. English	11
Cynthia Ong	Preparation of Noise and Transportation Sections	M.S. Environmental Science B.S. Civil Engineering	12
Diego Santaella	Preparation of Hazardous Waste and Materials Section	B.S. Environmental Science and Technology	3
Katelyn Kopp	Researcher and Supporting Analyst for Air Quality Section	B.S. Environmental Science	1
Lukas Lightcap	Researcher and Supporting Analyst for Noise and Transportation Sections	B.S. Environmental Science	1
Stephen Kuch	Preparation of Maps and Figures, GIS Support	B.S. Geoenvironmental Science	10

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APPENDIX A SCOPING

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Account #:	STPEI
Company:	POTOMAC-HUDSON ENGINEERING
Ad number #:	292897
PO #:	
Note:	

AFFIDAVIT • STATE OF TENNESSEE • HAMILTON COUNTY

Before me personally appeared Samara Swafford, who being duly sworn that she is the Legal Sales Representative of the CHATTANOOGA TIMES FREE PRESS, and that the Legal Ad of which the attached is a true copy, has been published in the above named newspaper and on the corresponding newspaper website on the following dates, to-wit:

TFP Times Free Press 05/31/23; TFP TimesFreePress.com 05/31/23

And that there is due or has been paid the CHATTANOOGA TIMES FREE PRESS for publication the sum of $246.70. (Includes $0.00 Affidavit Charge).

Samara Swafford

Sworn to and subscribed before me this date:31st day of May, 2023

Shenique Hambrick

My Commission Expires 12/14/2026

SHENIQUA HAMBRICK
STATE OF TENNESSEE NOTARY PUBLIC
HAMILTON COUNTY
MY COMMISSION EXPIRES DECEMBER 14, 2026

Chattanooga Times Free Press

400 EAST 11TH ST
CHATTANOOGA, TN 37403

PUBLIC MEETING

Region 4 of the U.S. General Services Administration (GSA) will hold a public meeting to discuss the site acquisition and construction of a proposed new Federal Courthouse in Chattanooga, Tennessee on Wednesday, June 14, 2023 from 5:30 pm to 7:30 pm at the Mac Avenue Event Space, located at 1304 McCallie Avenue Suite A, Chattanooga, TN 37404.

The purpose of the public meeting is to:

- Offer community members an opportunity to provide input regarding sites under consideration and potential project environmental impacts; and
- Provide information on the National Environmental Policy Act (NEPA) process.

The meeting will be an open house with participant sign-in beginning at 5:30 pm. Brief presentations will be from 6:00 pm to 6:30 pm followed by an opportunity for attendees to submit verbal or written comments. To request American Sign Language interpretation or a foreign language interpreter for this event, please email ashish.desai@gsa.gov no later than June 5, 2023.

The Environmental Assessment will evaluate a range of alternatives for this Courthouse including:

1 Taking no action.
2 Construction of the Courthouse at the Tennessee Valley Authority (TVA) Site – A portion of (specific size and location to be determined) the property bounded by W. 11th St on the north, Market St on the east, W. 12th St on the south, and Chestnut St on the west.
3 Construction of the Courthouse at the Stadium Site – A portion of (specific size and location to be determined) 201, 203, 205, and 301 Power Alley.
4 Construction of the Courthouse at the 8th Street Site – The property bounded by Lindsay St on the west, E. 8th St on the north, Houston St on the east, and extending south to (and including) 814 Lindsay St.

Members of the public are also encouraged to provide written comments on any issues in addition to, or in lieu of, providing comments at the public meeting. Comments must be received by July 1, 2023 and sent to the following mailing address or email address:

General Services Administration
Attention: Mr. Ashish Desai
GSA Region 4
Facilities Management Division
Martin Luther King Jr. Federal Building
77 Forsyth Street SW
Atlanta, GA 30303

or email at ashish.desai@gsa.gov.

GSA Southeast Sunbelt Region

May 31, 2023

Re: Scoping Meeting for the Proposed Chattanooga Federal Courthouse – United States General Services Administration

Dear Interested Party,

Region 4 of the United States General Services Administration (GSA) is preparing an Environmental Assessment (EA) for the acquisition of a site and construction of a new federal courthouse (hereafter referred to as the Courthouse) in Chattanooga, Tennessee (see attached Figure 1). GSA is preparing this EA in accordance with Section 102 of the National Environmental Policy Act (NEPA), Council on Environmental Quality regulations (40 CFR 1500-1508), and the GSA Public Buildings Service NEPA Desk Guide (October 1999). GSA is required, per Section 106 of the National Historic Preservation Act (16 U.S.C. 470f), to consult with stakeholders and will fulfill the Section 106 public notification and consultation requirements through the NEPA process.

The proposed new Courthouse would encompass approximately 186,000 gross square feet; include 39 secured parking spaces, 7 courtrooms, and 9 chambers; and be located within the city limits of Chattanooga. The EA will evaluate a range of alternatives for this Courthouse including:

1. Taking no action.
2. Construction of the Courthouse at the Tennessee Valley Authority (TVA) Site – A portion of (specific size and location to be determined) the property bounded by W. 11th St on the north, Market St on the east, W. 12th St on the south, and Chestnut St on the west (see the attached Figure 2).
3. Construction of the Courthouse at the Stadium Site – A portion of (specific size and location to be determined) 201, 203, 205, and 301 Power Alley (see the attached Figure 3).
4. Construction of the Courthouse at the 8th Street Site – The property bounded by Lindsay St on the west, E. 8th St on the north, Houston St on the east, and extending south to (and including) 814 Lindsay St (see the attached Figure 4).

GSA will hold a public scoping meeting to discuss this project on June 14, 2023 from 5:30pm to 7:30pm at the Mac Avenue Event Space, located at 1304 McCallie Avenue, Suite A, Chattanooga, TN 37404. GSA will publish notice of this public meeting in the *Chattanooga Times Free Press* approximately two weeks prior to the meeting. The purpose of the public scoping meeting is to provide information about the NEPA process, present project information, and solicit public input about the sites that are under consideration and potential environmental impacts of the proposed new Courthouse. The NEPA analysis will examine the impacts that construction of a new Courthouse would have on human, natural, and cultural environments. Public input received will help determine the scope and content of the NEPA analysis.

Your attendance and participation in this process would be greatly appreciated. Please share this notice with any interested party. The meeting will be an open house format followed by brief presentations from GSA. The meeting will include a public comment session so that attendees have an opportunity to submit verbal or written comments for consideration. To request American Sign Language interpretation or a foreign language interpreter for this event, please email ashish.desai@gsa.gov no later than June 5, 2023.

The public is also encouraged to provide written comments on the scoping issues in addition to, or in lieu of, giving their comments at the public meeting. Comments can be provided by mail or by email, and must be received no later than July 1, 2023. Comments shall be sent to the following mailing address or email address:

General Services Administration
Attention: Mr. Ashish Desai
GSA Region 4
Facilities Management Division
Martin Luther King Jr. Building
77 Forsyth Street SW
Atlanta, GA 30303

or email at ashish.desai@gsa.gov.

Sincerely,

Ashish K Desai

Ashish Desai
Environmental Manager
General Services Administration
Martin Luther King Jr. Building
77 Forsyth Street
Atlanta, GA 30303

Attachments:

Figure 1. Locations of Existing Chattanooga Courthouse and Site Alternatives
Figure 2. TVA Site
Figure 3. Stadium Site
Figure 4. 8th Street Site

Figure 1. Locations of Existing Chattanooga Courthouse and Site Alternatives

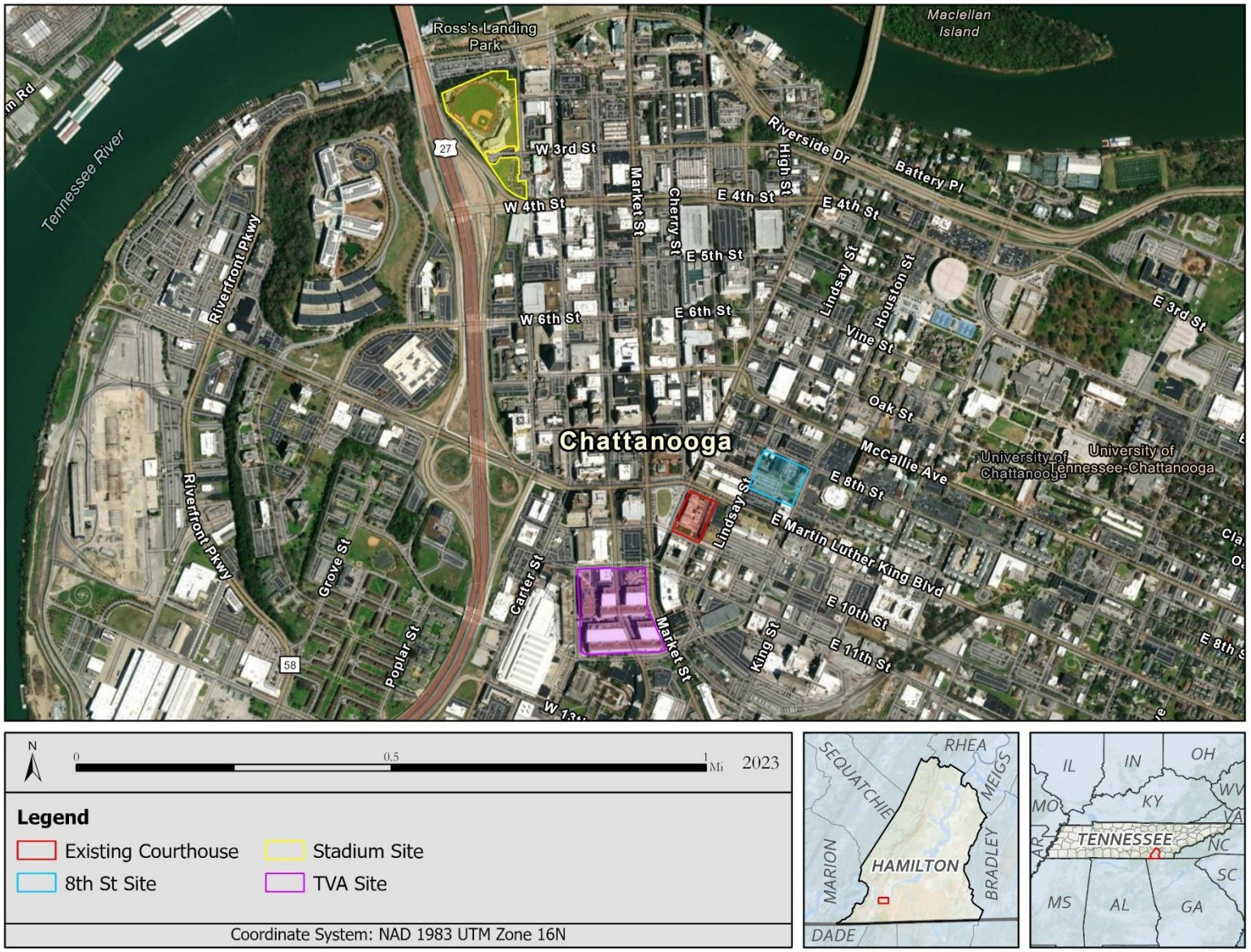


Figure 2. TVA Site

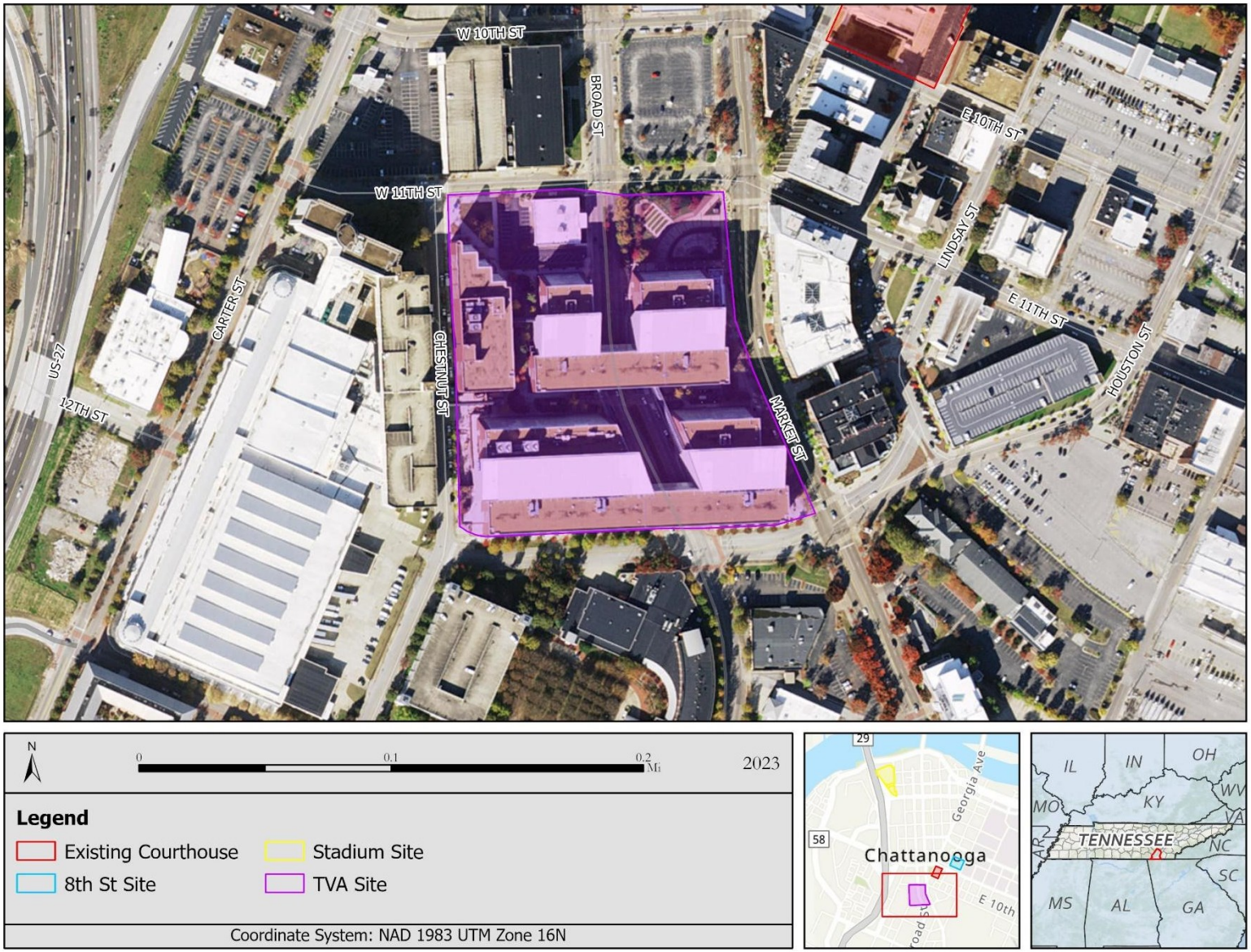
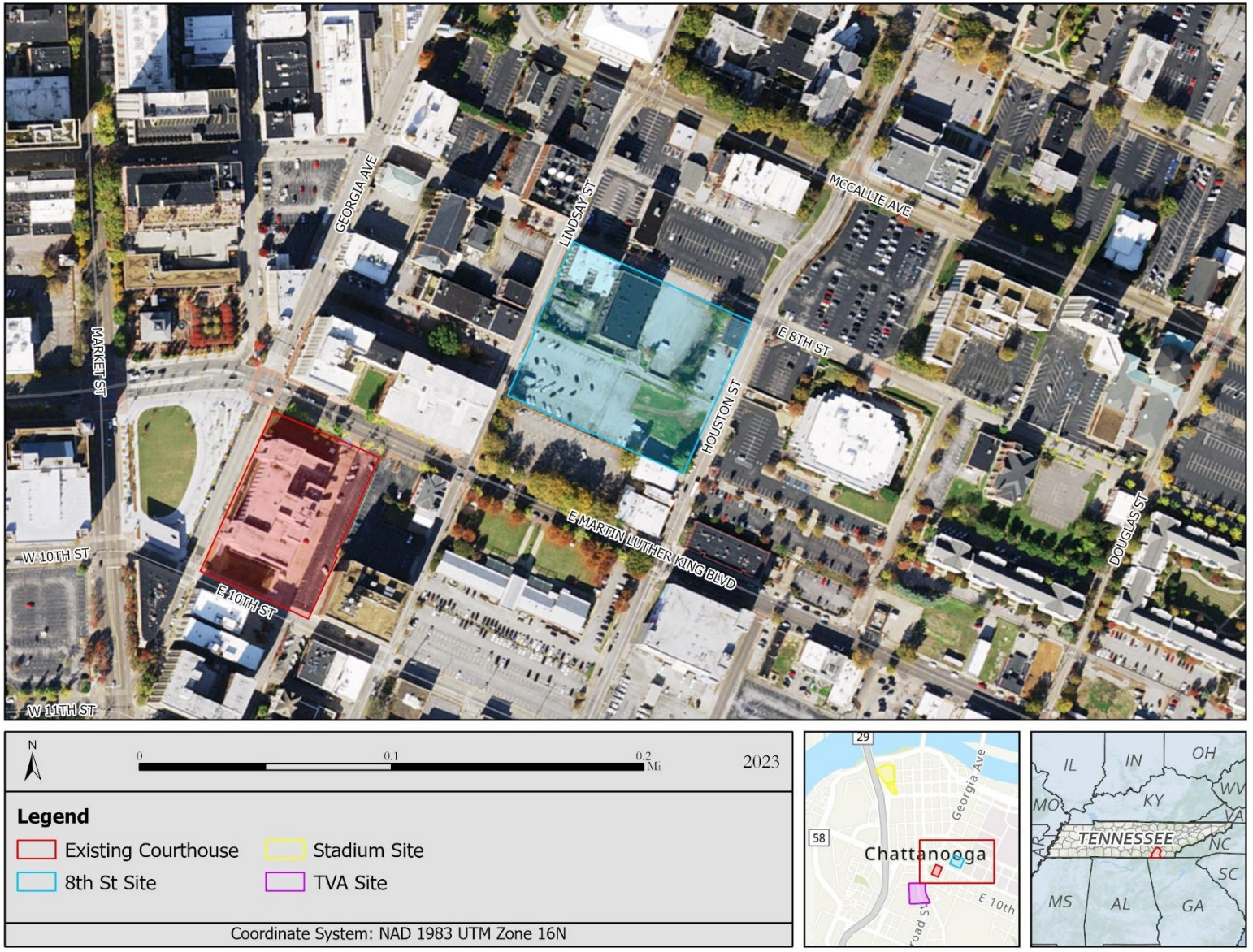


Figure 3. Stadium Site

Figure 4. 8th Street Site



APPENDIX B AGENCY CONSULTATION

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November 2, 2023

Mr. E. Patrick McIntyre, Jr.
Executive Director/State Historic Preservation Officer
Tennessee Historic Commission
2941 Lebanon Pike
Nashville, TN 37214

Re: Initiation of Section 106 Consultation for a United States General Services Administration's Proposed New Federal Courthouse in Chattanooga, Tennessee

Dear Mr. McIntyre,

Pursuant to Section 106 of the National Historic Preservation Act (NHPA; 54 United States Code [U.S.C.] 306108), the United States General Services Administration (GSA) is initiating Section 106 consultation with the Tennessee Historic Commission for the acquisition of one of three sites in downtown Chattanooga and construction and operation of a proposed new federal courthouse (hereafter referred to as the Courthouse). The proposed new Courthouse would encompass approximately 190,478 gross square feet; include 40 secured parking spaces, 7 courtrooms, and 9 chambers; and be located within the city limits of Chattanooga.

Background

GSA has prepared a Draft Environmental Assessment (EA) to analyze the potential impacts from GSA acquiring one of the following sites for construction of the proposed Courthouse:

1. Stadium Site – A portion of (specific size and location to be determined) 201, 203, 205, and 301 Power Alley.
2. 8th Street Site – The property bounded by Lindsay St on the west, E. 8th St on the north, Houston St on the east, and extending south to (and including) 814 Lindsay St.
3. Tennessee Valley Authority (TVA) Site – A portion of (specific size and location to be determined) the property bounded by W. 11th St on the north, Market St on the east, W. 12th St on the south, and Chestnut St on the west).

The Draft EA also considers a No Action Alternative, in which GSA would not acquire a new site in Chattanooga, and no new Courthouse would be constructed. A copy of the Draft EA is available online through GSA's project website: https://www.gsa.gov/chattanoogacourthouse.

Identification of Historic Properties

GSA conducted a Cultural Resources Assessment (CRA) for the three sites under consideration for the new Courthouse. The CRA includes archaeological and historical reviews of each site as well as architectural history survey to determine if there are any known or potential National Register of Historic Places (NRHP) properties that could be affected by the construction of the new Courthouse. A copy of this Final CRA report is enclosed for reference. General relevant findings are summarized below.

Stadium Site: The CRA determined that the Stadium Site has no potential for archaeological

sites and is not associated with any historic buildings nor any existing NRHP historic district.

8th Street Site: The CRA determined that the 8th Street Site has archaeological potential and would require an archaeological survey if selected. Three NRHP historic districts are located within the Area of Potential Effect (APE) of the 8th Street Site, and the CRA recommends that selection of this site will have an indirect adverse visual effect on two of these districts. Seven NRHP-listed buildings are located within the APE of the 8th Street Site. The CRA determined that one of these buildings would be directly affected by selection of the 8th Street Site. The two NRHP historic districts and one NRHP-eligible building potentially affected by construction of the proposed Courthouse at the 8th Street Site include:

- **Martin Luther King Boulevard District** – The Martin Luther King Boulevard Historic District, listed in 1984, represents a historic Black business district. It is listed under Criteria A and C for architectural significance as well as its significance to the commercial development of Black Chattanooga. The western end of the district boundary is adjacent to the south side of the 8th Street Site APE and would be impacted visually by construction of the Courthouse if this site was selected.
- **Saints Peter and Paul Catholic Church and Buildings Historic District** – Listed on the NRHP in 1979, Saints Peter and Paul Catholic Church and Buildings is a discontiguous district including the Saints Peter and Paul Basilica (1890), a 1912 former convent (1912), rectory (1917), and All Saints School (1925). The school is situated within the 8th Street Site APE, while the church, convent, and rectory are on a parcel adjacent to the site, across Lindsay Street to the west.
- **All Saints School (NH-408)** – The All Saints School is a contributing member of the Saints Peter and Paul Catholic Church and Buildings Historic District and is located within the boundary of the 8th Street Site. The school was built in 1925 of steel and concrete with brick veneer cladding, lancet arches in the masonry and a marble flattened Gothic arch over the vestibule harken to the Gothic styling of the main church building. Although the All Saints School is in a state of severe disrepair, it retains a high level of historical integrity of materials, place, and setting, and remains eligible for inclusion within the Saints Peter and Paul Catholic Church and Buildings NRHP boundary. It falls within the project area for the 8th Street Site and would be demolished if the 8th Street Site was the preferred alternative.

The CRA recommends one additional building as eligible for listing on the NRHP. The Young Women's Christian Association (YWCA) building (HN-415), located within the 8th Street Site APE, was constructed in 1912. The building was sold to what is now the Partnership for Families and Children in 1984, and it continues to serve the needs of women in the city. Although operated by a different owner, the building's use has remained largely the same and it retains a high level of historical integrity. The CRA recommends the building eligible for NRHP listing under Criterion A for its role in women's history in Chattanooga.

TVA Site: The CRA determined that the TVA Site does not currently have potential for archaeological sites. Archaeological deposits were excavated prior to the construction of the existing TVA building. Three NRHP historic districts are located within the APE of the TVA Site; however, the CRA recommends that none of these would be indirectly affected if the Courthouse was constructed at this site. Three historic buildings are located on the TVA Site, none of which are recommended eligible for nomination to the NRHP.

Determination of Findings

Pursuant to 36 *Code of Federal Regulations* (CFR) 800.4(d)(1), GSA has determined that selection of the Stadium Site for construction and operation of a new federal Courthouse would have no effect on cultural resources, and selection of the TVA Site would have minimal to no effect on cultural resources.

The CRA recommends that selection of the 8th Street Site has the potential to have direct and indirect effects on archaeological and historic resources. Archaeologically, the site has the potential for preserved deposits and a Phase II archaeological survey would be required to determine if such deposits were present, and if they warranted nomination to the NRHP. If NRHP-eligible archaeological deposits were found, then Phase III data recovery mitigation would likely be required as such deposits could not be avoided. From the historic resource perspective, the site abuts the Martin Luther King Boulevard District and the Saints Peter and Paul Catholic Church and Buildings District. Construction of the new Courthouse on this site would have an adverse effect on both of these districts as it would change their setting and feeling. Selection of the 8th Street Site would also have an adverse effect on the YWCA building (HN-415). Efforts to minimize effects could require design modifications and other actions.

GSA requests the SHPO's concurrence on the agency's findings per 36 CFR Part 800. GSA also welcomes any additional recommendations the SHPO may have regarding mitigation of adverse effects. While our research indicates there are no federally recognized Tribes currently within the state of Tennessee, we acknowledge that ancestral Tribal land is located within the state. GSA requests any information regarding known Tribal resources that may be affected by the Proposed Action and guidance regarding any additional coordination that should be performed to determine whether any such impacts may be anticipated.

Thank you for your review. Please contact me at (470) 471-5187 or danita.brown@gsa.gov or Sarah Love at (470) 725-4586 or sarah.love@gsa.gov if you have any questions or require additional information.

Sincerely,

DocuSigned by:
Danita Brown
7ED0627432C641E...

Danita M. Brown, AIA
Regional Historic Preservation Officer

Cc: Sarah Love, Regional Historic Preservation Specialist

Enclosure:
Cultural Resources Assessment for the Proposed Chattanooga Federal Courthouse (Final; 2023)

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Ms. Nicole Sikula
Deputy Field Supervisor
USFWS Tennessee Ecological Services Field Office
446 Neal Street
Cookeville, TN 38501

31 October 2023

Re: Proposed New Federal Courthouse in Chattanooga, Tennessee

Dear Ms. Sikula,

Potomac-Hudson Engineering, Inc. (PHE) is supporting Region 4 of the United States General Services Administration (GSA) in the preparation of an Environmental Assessment (EA) for the acquisition of a site and construction of a new federal courthouse (hereafter referred to as the Courthouse) in Chattanooga, Tennessee (see attached Figure 1). The proposed new Courthouse would encompass approximately 190,478 gross square feet; include 40 secured parking spaces, 7 courtrooms, and 9 chambers; and be located within the city limits of Chattanooga.

The purpose of this letter is to request technical assistance from the U.S. Fish and Wildlife Services (USFWS) Tennessee Ecological Services Field Office regarding the potential for presence of federally listed species or critical habitat within the vicinity of the proposed sites. GSA is requesting any further information on protected species for consideration in the development of the EA and any conservation measures USFWS recommends for protected species potentially present in the vicinity of the project.

USFWS records indicate the potential for 14 federally protected species. These include gray bat (endangered), northern long-eared bat (endangered), tricolored bat (proposed endangered), dromedary pearlymussel (endangered), orangefoot pimpleback (endangered), pink mucket (endangered), rough pigtoe (endangered), tubercled blossom (endangered), large-flowered skullcap (threatened), small whorled pogonia (threatened), and Virginia spiraea (threatened). In addition, the monarch butterfly is a candidate species, and the whooping crane and Cumberland monkeyface are both listed but as non-essential experimental populations.

USFWS records also indicate the potential presence of the bald eagle and of 13 additional bird species protected under the Migratory Bird Treaty Act (MBTA). These species and their respective breeding seasons within the project area include:

- Bald eagle (September 1 to August 31 [year-round])
- Black-billed cuckoo (May 15 to October 10)
- Bobolink (May 20 to July 31)
- Canada warbler (May 20 to August 10)
- Cerulean warbler (April 27 to July 20)
- Chimney swift (March 15 to August 25)

- Eastern whip-poor-will (May 1 to August 20)
- Golden-winged warbler (May 1 to July 20)
- Kentucky warbler (April 20 to August 20)
- Prairie warbler (May 1 to July 31)
- Prothonotary warbler (April 1 to July 31)
- Red-headed woodpecker (May 10 to September 10)
- Rusty blackbird (breeds elsewhere)
- Wood thrush (May 10 to August 31)

An Information for Planning and Consultation (IPaC) report was generated for your reference under the "Chattanooga Courthouse EA" project name; Project Code #2024-0003328.

GSA is preparing the EA in accordance with National Environmental Policy Act (NEPA), the GSA Public Buildings Service (PBS) NEPA Desk Guide, and the Council on Environmental Quality's (CEQ) NEPA implementing regulations, as well as applicable laws, regulations, and Executive Orders. The EA will evaluate a range of alternatives for this Courthouse including:

1. Construction of the Courthouse at the Stadium Site –

2. Construction of the Courthouse at the 8th Street Site –

3. Construction of the Courthouse at the Tennessee Valley Authority (TVA) Site –

4. No Action Alternative - GSA would not acquire a new site in downtown Chattanooga, and no new Courthouse would be constructed.

The three sites under consideration for acquisition and construction of a new Courthouse are located in developed urban areas where vegetation primarily consists of maintained landscaping. High-quality wildlife habitat is not present. No aquatic habitats exist within any of the alternative sites or would be affected by construction of the proposed Courthouse. While it is possible that migratory birds or individuals of the three protected bat species (gray bat, northern long-eared bat, and tricolored bat) may utilize the limited number of trees for roosts or forage in the open area surrounding the stadium, effects would be negligible due to the limited area of potential habitat, the previously developed nature of the site (the Courthouse would not represent a significant change in existing land use), and the temporary nature of construction in an area where such activities already occur.

We respectfully ask that you provide any information or comments, including any information that would inform the effect determination with respect to federally protected species within 30 days to enable us to complete this phase of the project within the scheduled timeframe to Erin Kouvousis at or erin.kouvousis@phe.com. Additionally, questions can be mailed to: Potomac-Hudson Engineering, Inc., 77 Upper Rock Circle, Suite 302, Rockville, MD 20850.

If you have any questions or require additional information, please do not hesitate to contact me. Thank you for your assistance in this matter.

Sincerely,

Erin J. M. Kouvousis

Erin Kouvousis
Senior Environmental Scientist

Attachments:

Figure 1. Locations of Existing Chattanooga Courthouse and Site Alternatives
Figure 2. Stadium Site
Figure 3. 8th Street Site
Figure 4. TVA Site

Figure 1. Locations of Existing Chattanooga Courthouse and Site Alternatives

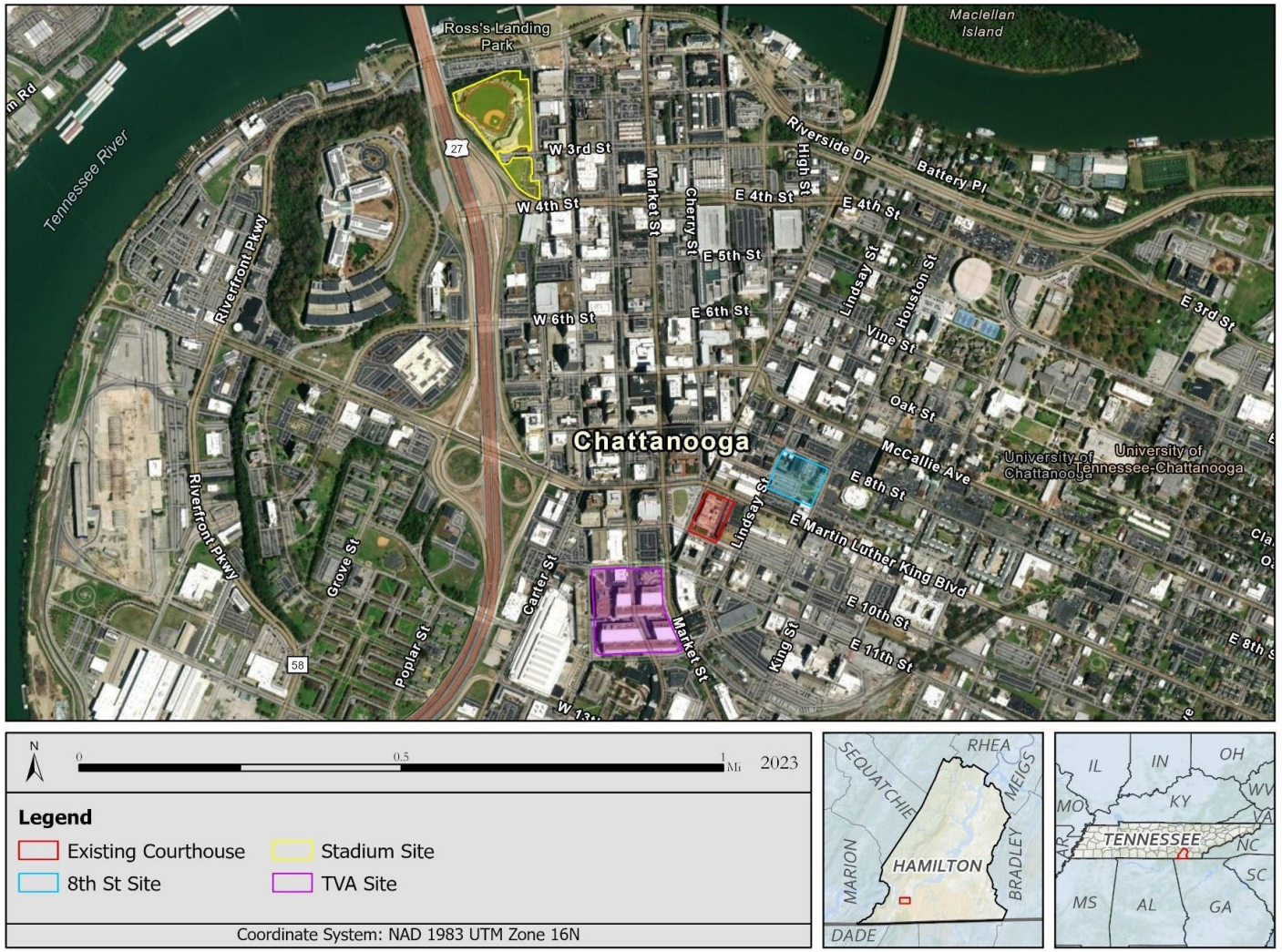


Figure 2. Stadium Site

Figure 3. 8th Street Site

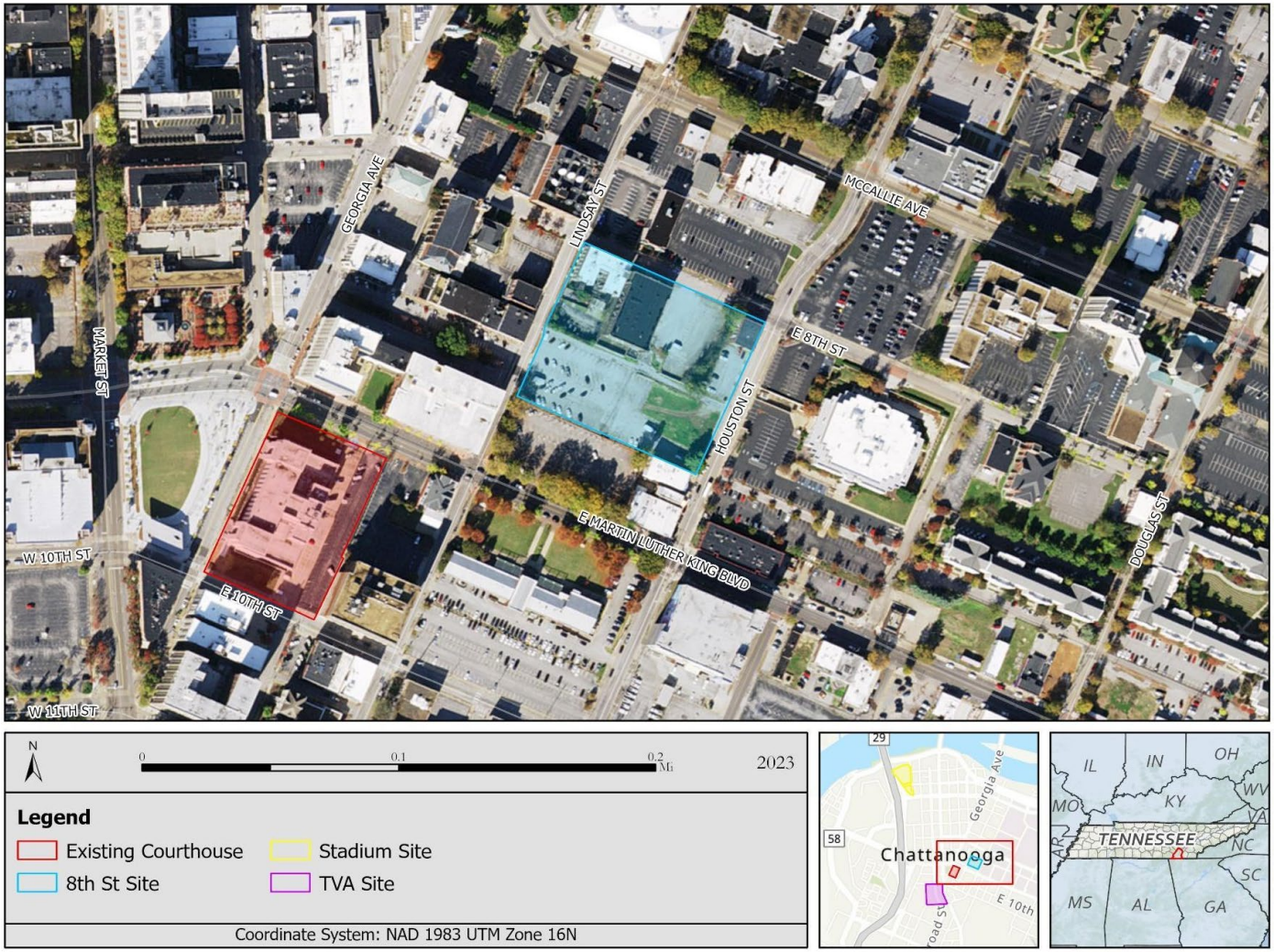
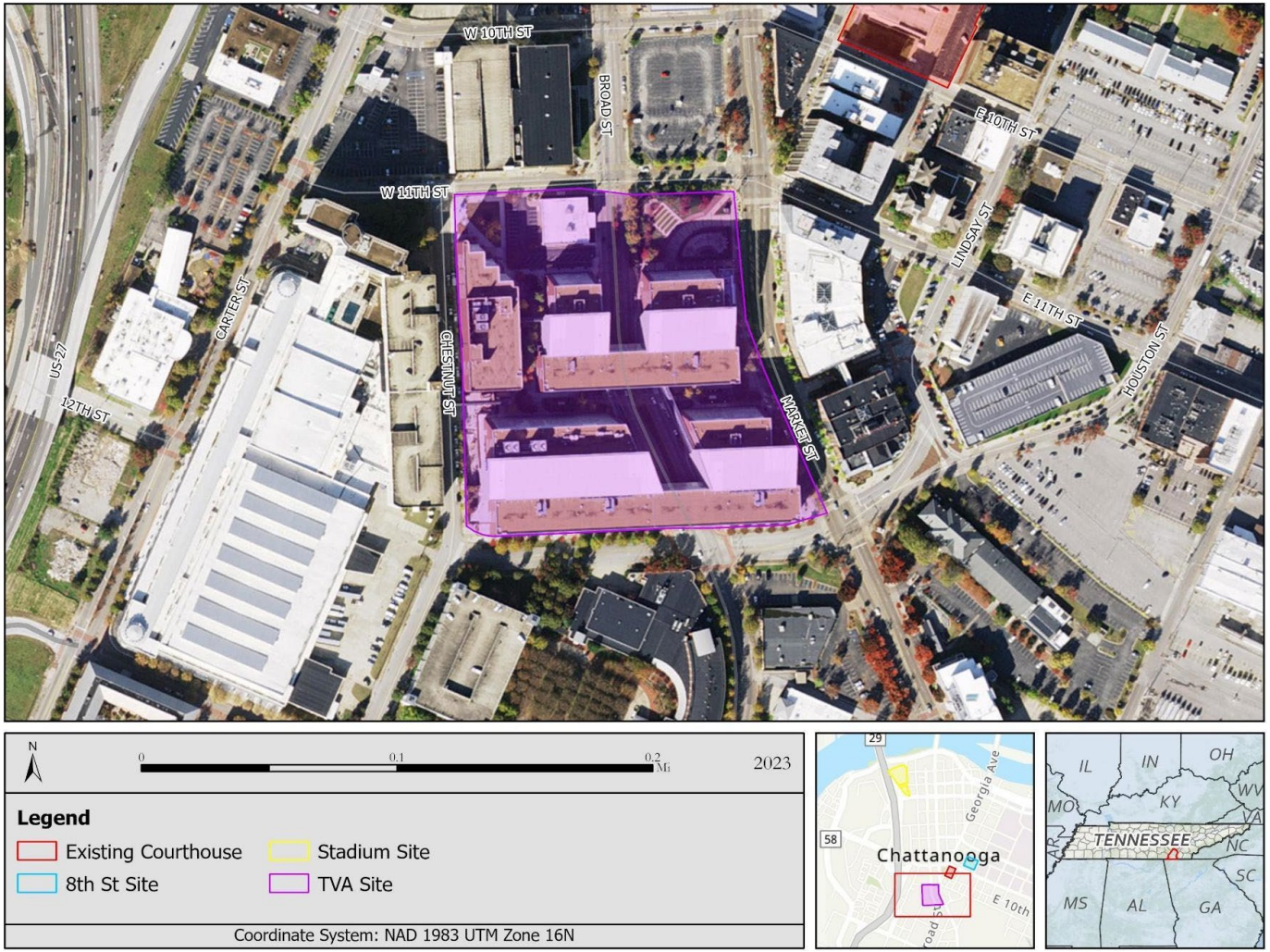


Figure 4. TVA Site



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APPENDIX C PUBLIC COMMENTS AND AGENCY RESPONSES ON THE DRAFT EA

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