

**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:**

Through a Request for Expressions of Interest, the United States (U.S.) General Services Administration (GSA) encouraged property owners to submit prospective sites in Chattanooga for consideration as locations for construction of a new federal courthouse (as referred to throughout this document as the Courthouse). Through this effort and additional public outreach, GSA ultimately identified three locations (referred to as the Stadium Site, 8<sup>th</sup> Street Site, and Tennessee Valley Authority [TVA] Site) for consideration for acquisition and construction of the proposed Courthouse.

The potential impacts resulting from construction of the proposed Courthouse at any of the three sites were analyzed within an Environmental Assessment (EA). GSA completed the *Final Environmental Assessment for the Construction of a New Federal Courthouse, Chattanooga, TN* in March 2024 (GSA 2024a) (also referred to as the “March 2024 Final EA” in this SEA). GSA signed a Finding of No Significant Impact (FONSI) on March 20, 2024. Upon completion of the March 2024 Final EA and FONSI, GSA narrowed the list of sites under consideration to two: the Stadium Site and the TVA Site. The 8<sup>th</sup> Street Site is no longer being considered for acquisition and construction of the proposed Courthouse.

In July 2024, GSA elected to consider an additional location in Chattanooga as another potential site for acquisition and construction of the proposed Courthouse in addition to the sites already identified in the March 20, 2024 FONSI. This additional site, known as the Vine Street Site, is a one-block area bounded by E 5<sup>th</sup> Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west.

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 GSA prepared a Supplemental Environmental Assessment (SEA) 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 the Vine Street Site in the city of Chattanooga, which is now being considered in addition to the alternatives analyzed in the March 2024 Final EA and associated FONSI. All discussions and findings related to the Proposed Action and the No Action Alternative are presented in the attached Final SEA. This SEA assesses the potential impacts of construction and operation of the proposed Courthouse at the Vine Street Site.

**A. PROPOSED ACTION:**

GSA’s Proposed Action is to acquire a site within the City of Chattanooga and to construct and operate a new Courthouse encompassing approximately 190,701 gross square feet and accommodating 40 secured parking spaces, 7 courtrooms, and 9 chambers. The proposed project would replace the existing Joel W. Solomon Federal Building and U.S. Courthouse (Solomon Building), 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.

**B. PURPOSE AND NEED:**

As described in the March 2024 Final EA, 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

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Building, including the inability to meet the long-term operational needs of the courts, insufficient security and safety features, and inefficiency of court operations.

The purpose of this supplemental analysis is to assess the potential impacts of GSA acquiring the Vine Street Site and constructing the proposed Courthouse. This supplemental analysis is needed because the GSA elected to consider the Vine Street Site in addition to the sites identified in the March 20, 2024 FONSI following publication of the March 2024 Final EA.

**C. PUBLIC INVOLVEMENT:**

The Draft SEA was available for public review and comment by publishing the Notice of Availability in the *Chattanooga Times Free Press*. The public was invited to provide comments to GSA on the Draft SEA during a 15-day comment period from December 3, 2024, to December 18, 2024. The Draft SEA was available electronically on GSA's website and announced by letters sent to stakeholders on December 3, 2024. A hard copy was also available for review at the Chattanooga Public Library – Downtown Branch located at 1001 Broad Street, Chattanooga, TN 37402. A total of 115 unique comment submissions were received during the review period. GSA reviewed these comments and considered them during preparation of the Final SEA. GSA plans to announce availability of the Final SEA and FONSI and completion of the NEPA process through publication of a public notice in the *Chattanooga Times Free Press* and letters sent to stakeholders.

**D. ALTERNATIVES CONSIDERED:**

**This SEA considers the following alternatives:**

**Vine Street Site** – A one-block area encompassing 4.12 acres and bounded by E 5<sup>th</sup> Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to 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.

In addition, the Stadium Site and the TVA Site, which were assessed in the March 2024 Final EA and associated FONSI, remain under consideration by GSA as potential sites for acquisition and construction of the proposed Courthouse.

**E. MITIGATION MEASURES:**

The Final SEA 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: water resources, utilities, and socioeconomics and environmental justice. The following resource areas were analyzed in more detail: air quality and climate change; noise; traffic, transportation, and parking; land use and visual resources; cultural resources; human health and safety; soils and geology; and biological resources. The SEA also considered cumulative impacts that might reasonably occur as a result of the Proposed Action.

Based on the analysis contained in the Final SEA, GSA determined that the acquisition of the Vine Street Site for the proposed construction and operation of a new Courthouse in the City of Chattanooga, Tennessee under the Proposed Action would not have significant adverse impacts, either individually or cumulatively, on the human, natural, or cultural environments. Under the No Action Alternative, a new Courthouse would not be constructed in the City of Chattanooga, Tennessee, 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 best management practices identified within the SEA to avoid, minimize, and mitigate potential less-than-significant impacts resulting from implementation of the Proposed Action at the Vine Street Site.

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<b>Air Quality and Climate Change</b>
<ul style="list-style-type: none"> <li>• Use water for dust control when grading roads or clearing land.</li> <li>• Pave roadways and maintain them in a clean condition.</li> <li>• Promptly remove spilled or tracked dirt or other materials from paved streets.</li> <li>• Minimize the use and number of trips of heavy equipment.</li> <li>• Maintain and tune all engines per manufacturer specifications to perform at United States Environmental Protection Agency certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies.</li> <li>• Encourage bids that include use of energy and fuel-efficient fleets and best available control technology.</li> <li>• Conduct periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and consistent with established specifications.</li> <li>• Recycle construction debris to the maximum extent feasible.</li> <li>• Plant shade trees in or near construction projects where feasible.</li> <li>• Reduce construction-related trips of workers and equipment, including trucks.</li> </ul>
<b>Noise</b>
<ul style="list-style-type: none"> <li>• Implement standard noise control measures such as scheduling construction noise within standard working hours, and using equipment noise controls (e.g., mufflers).</li> <li>• Adhere to Occupational Safety and Health Administration regulations to reduce impact of noise on construction workers.</li> </ul>
<b>Traffic, Transportation, and Parking</b>
<ul style="list-style-type: none"> <li>• Establish routes for construction-related vehicles following major highways and roads to the extent practicable.</li> <li>• If appropriate, schedule arrival of construction vehicles and outside typical commuting hours.</li> <li>• Establish designated parking and staging areas.</li> </ul>
<b>Land Use and Visual Resources</b>
<ul style="list-style-type: none"> <li>• Comply with existing land use plans.</li> <li>• Building design, lighting, and landscaping would complement surrounding aesthetics.</li> </ul>
<b>Cultural Resources</b>
<ul style="list-style-type: none"> <li>• If the Vine Street Site is selected, further archaeological investigations and consultation with the Tennessee State Historic Preservation Office (TN SHPO) and Tribes would be required prior to construction.</li> <li>• If the Vine Street Site is selected, the Muscogee Nation requested to be contacted if an inadvertent discovery of archaeological resources occurs during construction.</li> </ul>
<b>Human Health and Safety</b>
<ul style="list-style-type: none"> <li>• Conduct further research/ investigations, as appropriate, prior to ground disturbance.</li> <li>• Develop and implement appropriate remedial activities prior to construction.</li> <li>• Recycle/dispose of generated waste (hazardous or non-hazardous) in accordance with applicable regulations.</li> </ul>

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- Properly characterize contaminated soils and transport to permitted facilities for disposal by licensed contractors.
- Perform remedial 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.
- Prepare and comply with a Stormwater Pollution Prevention Plan to limit impacts from soil erosion during construction.

**Biological Resources**

- Assess the existing structures of the Vine Street Site for potential presence of gray bat, northern long-eared bat, and tricolored bat. If the assessment determines that bats roost in the structures, coordinate with the U.S. Fish and Wildlife Service Tennessee Ecological Field Office regarding next steps, including potential time of year restrictions on demolition.
- Survey the Vine Street Site prior to tree removal for nests of protected bird species, including bald eagles, migratory birds, and state-listed birds. If the survey identifies active nests of these species within the Vine Street Site, any further requirements would be determined in coordination with applicable state and federal resource agencies.
- Revegetate using native seed mixes.

**F. FINDING OF NO SIGNIFICANT IMPACT:**

GSA has completed this supplemental environmental review process for the proposed project and finds there is no significant impact to the quality of the human, natural, or cultural environment associated with the Proposed Action at the Vine Street Site, or at the sites identified in the March 20, 2024 FONSI. GSA plans to implement the measures summarized above to further reduce or avoid potential impacts that may result from implementation of the Proposed Action. Therefore, an Environmental Impact Statement will not be prepared.

DocuSigned by:

*Jeff Smith*

12/27/2024

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

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



December 2024

*Chattanooga Federal Courthouse Project*  
*Final Supplemental Environmental Assessment*

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**ACRONYMS AND ABBREVIATIONS**

°F	degrees Fahrenheit
AADT	annual average daily traffic
ACM	asbestos-containing material
APE	Area of Potential Effect
ASTM	American Society for Testing and Materials
BGEPA	Bald and Golden Eagle Protection Act
bgs	below ground surface
BMP	best management practice
CalEEMod	California Emissions Estimator Model
CEQ	Council on Environmental Quality
CFR	<i>Code of Federal Regulations</i>
CO <sub>2</sub> -eq	carbon dioxide equivalent
dBA	A-weighted decibel
EA	Environmental Assessment
EO	Executive Order
ESA	Environmental Site Assessment
FBC	Form-Based Code
FONSI	Finding of No Significant Impact
GHG	greenhouse gas
GPR	ground-penetrating radar
GSA	General Services Administration
I	interstate
IPaC	Information for Planning and Consultation
LBP	lead-based paint
LEED	Leadership in Energy and Environmental Design
MBTA	Migratory Bird Treaty Act
MOVES	Motor Vehicle Emissions Simulator
NAAQS	National Ambient Air Quality Standards
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act of 1966
NOA	Notice of Availability
NRHP	National Register of Historic Places
OSHA	Occupational Safety and Health Act/Administration

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PBS	Public Buildings Service
PM <sub>2.5</sub>	particulate matter with a diameter of 2.5 micrometers or less
REC	Recognized Environmental Concern
ROI	Region of Influence
SEA	Supplemental Environmental Assessment
SHPO	State Historic Preservation Office
TAAQS	Tennessee Ambient Air Quality Standards
TDEC	Tennessee Department of Environmental Conservation
TVA	Tennessee Valley Authority
U.S.	United States
U.S.C.	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
UST	underground storage tank
UTC	University of Tennessee-Chattanooga
WSS	Web Soil Survey

## CHAPTER 1 PURPOSE AND NEED

This chapter introduces updates to 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 Supplemental Environmental Assessment (SEA). 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 SEA.

### 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.

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.

Through a Request for Expressions of Interest, GSA encouraged property owners to submit prospective sites in Chattanooga for consideration as locations for construction of a new federal courthouse (as referred to throughout this document as the Courthouse). Through this effort and additional public outreach, GSA ultimately identified three locations (referred to as the Stadium Site, 8<sup>th</sup> Street Site, and Tennessee Valley Authority [TVA] Site) for consideration for acquisition and construction of the proposed Courthouse.

The potential impacts resulting from construction of the proposed Courthouse at any of the three sites were analyzed within an Environmental Assessment (EA). GSA completed the *Final Environmental Assessment for the Construction of a New Federal Courthouse, Chattanooga, TN* in March 2024 (GSA 2024a) (also referred to as the "March 2024 Final EA" in this SEA). GSA signed a Finding of No Significant Impact (FONSI) on March 20, 2024. The March 2024 Final EA and GSA's signed FONSI can be viewed on the GSA project website at: <https://www.gsa.gov/about-us/gsa-regions/region-4-southeast-sunbelt/buildings-and-facilities/tennessee/new-chattanooga-courthouse>. Following completion of the March 2024 Final EA and FONSI, GSA narrowed the list of sites under consideration to two: the Stadium Site and the TVA Site. The 8<sup>th</sup> Street Site is no longer being considered for acquisition and construction of the proposed Courthouse.

In July 2024, GSA elected to consider an additional location in Chattanooga as a potential site for acquisition and construction of the proposed Courthouse. This site, known as the Vine Street Site, is a one-block area bounded by E 5<sup>th</sup> Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west (see Figures 1-1 and 1-2). The Vine Street Site encompasses approximately 4.12 acres and comprises eight tax parcels. One parcel supports a multi-tenant office building and garages; one approximately 0.8-acre parcel is undeveloped and supports maintained lawn and limited numbers of trees; and most of the remainder of the Vine Street Site is utilized as surface parking.

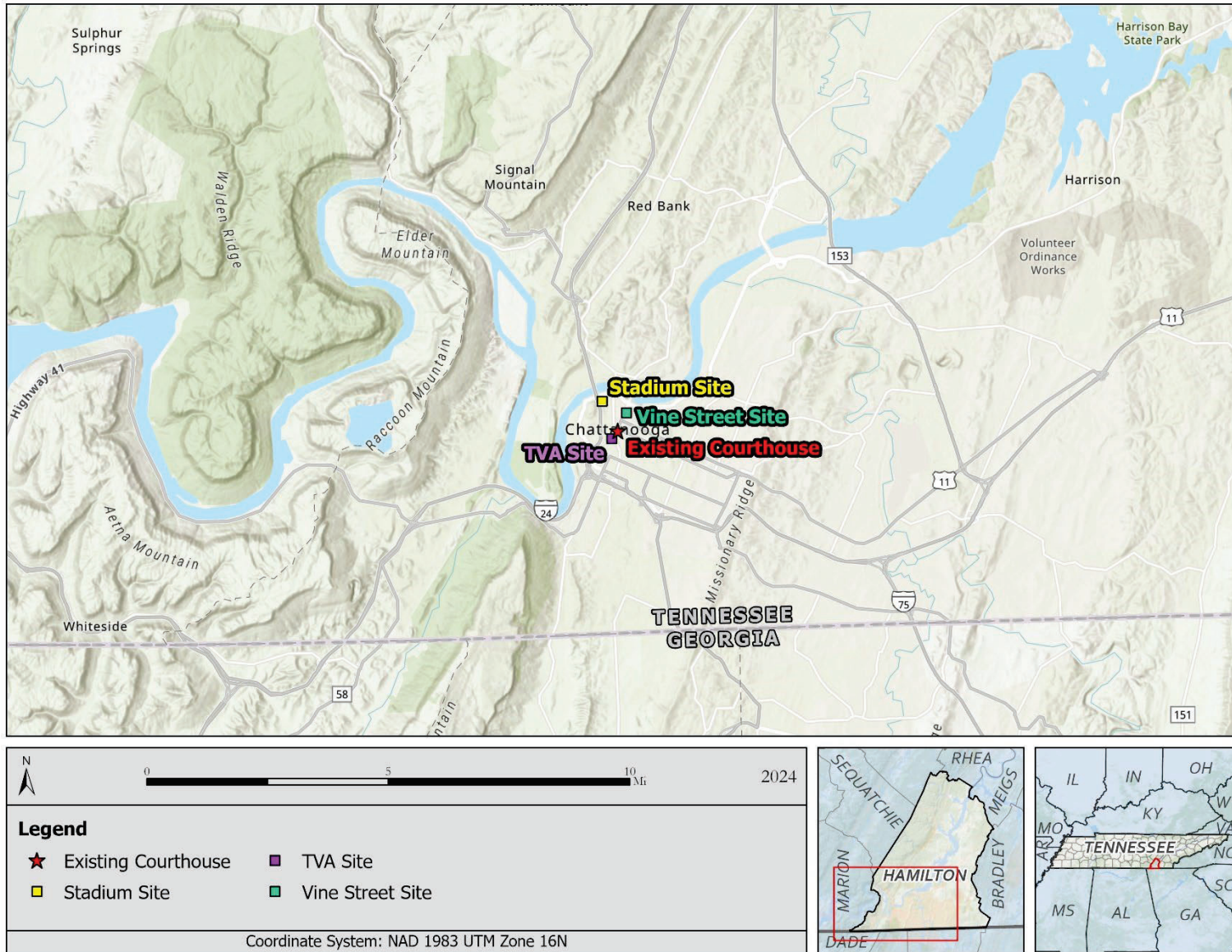


Figure 1-1. General Location of Chattanooga, Tennessee



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

GSA has prepared this SEA for the purpose of analyzing potential environmental impacts from construction of the proposed Courthouse on the Vine Street Site, which GSA elected to consider as an option for acquisition after the release of the March 2024 Final EA and FONSI (GSA 2024a). GSA is aware of the November 12, 2024 decision in *Marin Audubon Society v. Federal Aviation Administration*, No. 23-1067 (D.C. Cir. Nov. 12, 2024). To the extent that a court may conclude that the CEQ regulations implementing NEPA are not judicially enforceable or binding on this agency action, GSA has nonetheless elected to follow those regulations at (40 Code of Federal Regulations [CFR] 1500-1508), in addition to GSA Order ADM 1095.1F (*Environmental Consideration in Decision Making*), the GSA PBS's *NEPA Desk Guide*, and other relevant laws, regulations, and Executive Orders (EOs), including the National Historic Preservation Act (NHPA). As such, GSA will meet the obligations under NEPA found at 42 United States Code (U.S.C.) 4321 *et seq.*

This SEA discloses the environmental impacts that would result from implementing the Proposed Action at the Vine Street Site or the No Action Alternative. SEAs are prepared, published, and filed in the same fashion as a draft or final EA. The scope of this Draft SEA conforms to CEQ NEPA Implementing Regulations (40 CFR 1500-1508) regarding incorporation by reference:

Agencies shall incorporate material, such as planning studies, analyses, or other relevant information, into environmental documents by reference when the effect will be to cut down on bulk without impeding agency and public review of the action. Agencies shall cite the incorporated material in the document, briefly describe its content, and briefly explain the relevance of the incorporated material into the environmental document.

As such, this SEA incorporates by reference information and analysis contained in the March 2024 Final EA (available online at the GSA project website) and focuses on new information related to the Vine Street Site. Where applicable, this SEA references the relevant sections of the March 2024 Final EA that contain additional relevant information.

Section 1.1 of the March 2024 Final EA provides additional background information regarding the existing Courthouse. Section 1.3 of the March 2024 Final EA summarizes relevant environmental laws, regulations, and EOs that pertain to this project and the analysis of potential impacts.

## **1.2 PURPOSE OF AND NEED FOR THE PROPOSED ACTION**

As described in the March 2024 Final EA, 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.

The purpose of this supplemental analysis is to assess the potential impacts of GSA acquiring the Vine Street Site and constructing the proposed Courthouse. This supplemental analysis is needed because the GSA elected to consider the Vine Street Site following publication of the March 2024 Final EA.

## **1.3 AGENCY COORDINATION**

### **1.3.1 Section 106 of the National Historic Preservation Act (NHPA)**

GSA initiated consultation with the Tennessee State Historic Preservation Office (SHPO) regarding the potential impacts from implementing the Proposed Action and the findings of the Cultural Resources Assessment Addendum prepared for this project. Further details regarding SHPO consultation under Section 106 are included in Section 3.6, Cultural Resources. Copies of agency correspondence are included in Appendix B.



There are no federally recognized Native American Tribes in the state of Tennessee. However, GSA identified the following six Tribes with ancestral and historic ties to the area:

1. Alabama-Coushatta Tribe of Texas
2. Cherokee Nation
3. Coushatta Tribe of Louisiana
4. Eastern Band of Cherokee Indians
5. Eastern Shawnee Tribe of Oklahoma
6. Muscogee Nation

GSA initiated consultation with these Tribes under Section 106 of the NHPA with letters dated October 9, 2024. These letters provided information regarding the project and invited Tribal Nations to comment and consult with the findings of the Cultural Resources Assessment Addendum within 30 days, in accordance with Section 106 of the NHPA. GSA received a single reply as a result of this outreach. The Muscogee Nation responded on November 7, 2024, concurring that implementing the Proposed Action at the Vine Street Site would not result in an adverse effect to any known historic properties or sites of cultural or religious significance. The Muscogee Nation requested to be contacted if an inadvertent discovery of items occurs. Appendix B includes a representative copy of the letters sent to Tribes and a copy of the response received from the Muscogee Nation.

### **1.3.2 Section 7 of the Endangered Species Act**

GSA also sent a letter, dated October 18, 2024, to the U.S. Fish and Wildlife Service (USFWS) Tennessee Ecological Services Field Office, providing information on the project, requesting input on resources that may be affected, and asking if the preliminary determinations of effects on protected species were appropriate. The USFWS Tennessee Ecological Services Field Office responded via email on October 22, 2024, stating forest-dwelling bats are not likely to roost in the few trees on the Vine Street Site. However, the bats may roost in buildings, and the existing structures on the site should be assessed for bat use prior to demolition. If no evidence of bats is found during that assessment, there would be no time of year restrictions for building demolition or tree removal, and the Proposed Action would not be likely to adversely affect the northern long-eared bat, gray bat, and tricolored bat. If the building assessments determine that bats may roost within the structures, GSA would coordinate further with the USFWS Tennessee Ecological Services Field Office regarding next steps. Potential mitigation measures may include scheduling building demolition to occur between November 1 and March 31 while these bats are hibernating in mines or caves.

No effects are anticipated to other protected species (due to lack of habitat/species occurrence) identified through the USFWS's Information for Planning and Consultation (IPaC) system for the Vine Street Site.

Copies of all agency correspondence are available in Appendix B.

## **1.4 PUBLIC INVOLVEMENT**

The NEPA process provides opportunities for public involvement, including a public comment period following publication of the Draft SEA. 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 SEA.

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 SEA.

GSA solicited comments from interested persons and stakeholders on the Draft SEA during a 15-day comment period that began on December 3, 2024 and concluded December 18, 2024. The public was notified of the Draft SEA 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. A hardcopy of the Draft SEA was also made available at the Chattanooga Public Library Downtown Branch, located at 1001 Broad Street, Chattanooga, TN 37402. Comments received during the 15-day comment period have been considered in preparation of the Final SEA and will be made part of the Administrative Record. Appendix A contains a copy of the NOA and a copy of the letter sent to stakeholders regarding the availability of the Draft SEA for public review.

A total of 115 unique commenters provided input during the public review. The vast majority of these comments supported the selection of the Vine Street Site for reasons that included accessibility; close proximity to the Hamilton County Courthouse, the University of Tennessee – Chattanooga (UTC), and existing law offices; and the savings in time and money associated with construction on a site that primarily serves as parking areas. Two commenters did not offer an opinion regarding location; one of these expressed general support for a new courthouse, and the other expressed the desire for the court to continue to partner with UTC.

One commenter referred to caves found beneath the Vine Street Site and potential drainage and flooding problems. However, geotechnical borings performed on the Vine Street Site found deep geology and did not indicate the presence of caves. The soils and geology found in this location are typical of the surrounding downtown Chattanooga area and do not represent an increased potential for flooding. The Vine Street Site is not located within a designated 100- or 500-year floodplain. Further details regarding soils and geology can be found in Section 3.8 of this Final SEA.

Other concerns related to the Vine Street Site included the construction of a Courthouse would affect the corridor between the Unum and UTC campuses and that parcels that comprise the Vine Street Site are not currently for sale.

Several comments presented views in support or opposition of the other sites under consideration for construction and operation of the proposed Courthouse. The March 2024 Final EA assesses the potential environmental impacts of constructing and operating the proposed Courthouse at the Stadium Site or the TVA Site. This Final SEA focuses on the potential impacts to the Vine Street Site.

## **CHAPTER 2 DESCRIPTION OF THE PROPOSED ACTION AND ALTERNATIVES**

This chapter describes the alternatives that are analyzed in this SEA. Refer to Chapter 2 of the March 2024 Final EA for detailed descriptions of the alternatives development process, GSA's Proposed Action, analysis of the three action alternatives originally considered by GSA within that NEPA document, and details regarding alternatives initially considered but ultimately dismissed from consideration.

### **2.1 PROPOSED ACTION**

GSA has prepared this SEA for the purpose of analyzing the potential environmental impacts resulting from the Proposed Action to construct and operate a new Courthouse at the Vine Street Site (see Figure 2-1). The proposed new Courthouse would encompass approximately 190,701 gross square feet and would include 40 secured parking spaces, 7 courtrooms, and 9 chambers. There have been no changes to the tenants or operations of the proposed Courthouse since release of the March 2024 Final EA. Disposal or potential reuse of the Solomon Building is outside the scope of this SEA.

### **2.2 VINE STREET SITE**

The Vine Street Site comprises eight tax parcels; seven of these parcels are owned by Provident Life and Accident Insurance Company, and one parcel is owned by the JT Holdings Group. Altogether, the Vine Street Site encompasses approximately 4.12 acres in downtown Chattanooga. The site currently supports a two-story commercial office building; a one-story, multi-unit storage garage; and paved parking surfaces. The office building, built in about 1941, currently has one vacant unit and four active tenants, including a title company, two commercial real estate companies, and an attorney group. One 0.8-acre parcel of the Vine Street Site is undeveloped and supports a maintained lawn and limited numbers of trees.

The Vine Street Site is a one-block area bounded by E 5<sup>th</sup> Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west. Commercial buildings and parking areas are located across the street to the west and south of the Vine Street Site. Residential buildings are located across the street to the north and east of the Vine Street Site, and a surface parking lot is located across Lindsay Street to the east.

If GSA selects the Vine Street Site as the location for the proposed Courthouse, GSA will be responsible for demolishing the existing structures (i.e., office building and storage garage). As such, this SEA discusses the potential demolition of the structures as part of the Proposed Action. While the Courthouse is still in the design phase, construction of the proposed Courthouse may require acquisition or development of the entire 4.12 acres. As such, GSA is considering the entire Vine Street Site within this SEA, although the majority landowner, Provident Life and Accident Insurance Company, has indicated that its property is not currently for sale.

### **2.3 PROJECT INFORMATION**

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

#### **2.3.1 Demolition and Construction**

This SEA assesses potential impacts resulting from demolition activities conducted by GSA at the Vine 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 July 2030.



Figure 2-1. Vine Street Site

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 during normal business hours. All construction and demolition waste would be disposed of and/or recycled at authorized facilities.

### **2.3.2 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. This SEA assesses the potential impacts associated with operation of the proposed Courthouse.

## **2.4 NO ACTION ALTERNATIVE**

The No Action Alternative is included and analyzed in this SEA 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 the needs of the Eastern District of Tennessee would not be met.

## **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 the Vine Street Site and constructing and operating the proposed new Courthouse. The general Region of Influence (ROI) for this SEA includes the Vine Street 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 is the same as that used to prepare the March 2024 Final EA. Refer to Chapter 3 of the March 2024 Final EA for the definition of each resource area and applicable regulations. Section 3.9, Biological Resources, of this SEA presents the definitions and regulatory background for that resource area as biological resources were dismissed from further consideration within the March 2024 Final EA. All references are cited, where appropriate, throughout this SEA.

Wherever possible, the analyses presented in this chapter quantify the potential impacts associated with implementing the Proposed Action 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.

CEQ regulations encourage NEPA analyses to be as concise and focused as possible, consistent with 40 CFR 1500.1(b) and 1500.4(b): "...environmental documents must concentrate on the issues that are truly significant to the action in question, rather than amassing needless detail ... discussing only briefly issues other than important ones." Consistent with the NEPA and CEQ Regulations, this SEA 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 water resources, utilities, and socioeconomics and environmental justice.

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 SEA**

Resource	Reason for Dismissal
Water Resources	The Vine Street Site is located in an upland area and does not support surface waters. The nearest surface water is the Tennessee River, located approximately 1,300 feet northeast of the Vine Street Site. As such, no surface waters would be directly affected by construction or operation of a new Courthouse. Potential indirect effects from stormwater and erosion would be reduced or avoided through implementation of the measures discussed in Section 3.8, Soils and Geology. No wetlands or 100- or 500-year floodplains are located within the Vine Street Site. Per the Phase I Environmental Site Assessments (ESAs) prepared for the Vine Street Site, a recently completed boring investigation conducted by S&ME, Inc reports a boring done on the west portion of the Site reached refusal at 88.5 feet below ground surface (bgs) without encountering groundwater. Additional borings performed on an offsite parcel adjacent to the south of the Site encountered groundwater at depths of 34.4 and 61.1 feet bgs. During the Phase I ESAs, perched water was observed at a depth of approximately 23 feet bgs on the southwest portion of the Vine Street Site.
Utilities	The Vine Street Site maintains 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.
Socioeconomics and Environmental Justice	The Vine Street Site is located within Block Group 2 of Census Tract 31 in Hamilton County, Tennessee. This is the same block group in which the Stadium Site is located. Per the March 2024 Final EA, this block group has a total minority population of 23%, and 4% of the population lives below the poverty line. The minority population is below 50% and is not meaningfully greater than the minority population percentage of the general population (Hamilton County minority population is 31%). Less than 20% of the population of this block group earn an income below the poverty line. Therefore, the Vine Street Site is not located in an area where the Proposed Action would disproportionately affect environmental justice populations. The Proposed Action would not change the demographics or overall population of the Vine Street Site. No new measurable long-term employment opportunities are expected; however short-term economic benefits may occur during construction of the proposed Courthouse.

Source: PHE 2024a, 2024b; S&ME 2024; USCB 2023

bgs = below ground surface; ESA = Environmental Site Assessment; GSA = General Services Administration

## 3.2 AIR QUALITY AND CLIMATE CHANGE

### 3.2.1 Affected Environment

#### 3.2.1.1 Air Quality

Hamilton County, within which the Vine Street Site is located, is in attainment for all pollutants (USEPA 2023a). It was previously in maintenance for the 1997 standards of particulate matter with a diameter of 2.5 micrometers or less (PM<sub>2.5</sub>), but that National Ambient Air Quality Standard (NAAQS) has been revoked. The General Conformity Rule (40 CFR 51, Subpart W, and 40 CFR 93) was established under the Clean Air Act 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.

The current NAAQS and Tennessee Ambient Air Quality Standards (TAAQS) are presented in Table 3.2-1. Please note that since the issuance of the March 2024 Final EA, the United States Environmental Protection Agency (USEPA) has issued a new primary NAAQS for PM<sub>2.5</sub>. This new standard would now apply to the Stadium Site and the TVA Site assessed in the March 2024 Final EA, as well as the Vine Street Site assessed in this SEA.

**3.2.1.2 Greenhouse Gases**

The current level of greenhouse gas (GHG) emissions from all natural and human activities within a region represents 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 of carbon dioxide equivalent (CO<sub>2</sub>-eq).

**3.2.1.3 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).

**Table 3.2-1. Ambient Air Quality Standards**

Pollutant		Primary/ Secondary	Averaging Time	NAAQS	TAAQS	Form
CO		Primary	8 hours	9 ppm	-	Not to be exceeded more than once per year
			1 hour	35 ppm	-	
Pb4		Primary and Secondary	Rolling 3 month average	0.15 µg/m <sup>3</sup>	1.5 µg/m <sup>3</sup>	Not to be exceeded
NO <sub>2</sub>		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
O <sub>3</sub>		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 <sub>2.5</sub>	Primary	1 year	9.0 µg/m <sup>3</sup>	-	Annual mean, averaged over 3 years
		Secondary	1 year	15.0 µg/m <sup>3</sup>	-	Annual mean, averaged over 3 years
		Primary and Secondary	24 hours	35 µg/m <sup>3</sup>	-	98 <sup>th</sup> percentile, averaged over 3 years
	PM <sub>10</sub>	Primary and Secondary	24 hours	150 µg/m <sup>3</sup>	150 µg/m <sup>3</sup>	Not to be exceeded once per year on average over 3 years
SO <sub>2</sub>		Primary	1 hour	75 ppb	0.14 ppm	99 <sup>th</sup> percentile of 10-hour daily maximum concentrations, averaged over 3 years



**Table 3.2-1. Ambient Air Quality Standards**

Pollutant	Primary/ Secondary	Averaging Time	NAAQS	TAAQS	Form
	Secondary	3 hours	0.5 ppb	0.5 ppm	Not to be exceeded more than once per year
	Primary	1 year	-	0.03 ppm	

Source: USEPA 2023b; TDEC 1977

µg = micrograms; CO = carbon monoxide; m<sup>3</sup> = cubic meter; NAAQS = National Ambient Air Quality Standards; NO<sub>2</sub> = nitrogen dioxide; O<sub>3</sub> = ozone; Pb = lead; PM<sub>2.5</sub> = particulate matter with a diameter of 2.5 microns or less; PM<sub>10</sub> = particulate matter with a diameter or 10 microns or less; ppb = parts per billion; ppm = parts per million; SO<sub>2</sub> = sulfur dioxide; TAAQS = Tennessee Ambient Air Quality Standards

**3.2.1.4 Climate Change Assessment**

The Fifth National Climate Assessment details historical and projected future impacts of climate change by U.S. region. The Project Area is within the Southeast region. Forecasted impacts of climate change detailed in the assessment include increased frequency and severity of weather events, including extreme heat, extreme precipitation events, drought persistence and strength, sea level change, and tropical cyclones, as well as decreases in the intensity and frequency of disruptive cold-season events like snowfall and frost days (USGCRP 2023).

**3.2.2 Environmental Consequences**

To evaluate air quality impacts and GHG emissions, the Proposed Action was reviewed for the potential to cause the following:

- Result in emissions of criteria pollutants that would exceed relevant air quality or health standards including the NAAQS or TAAQS; or
- 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 emissions to be considered significant. The change in climate conditions caused by GHGs is a global effect. The Proposed Action would negligibly contribute to global and regional GHG emissions and global climate change.

**3.2.2.1 Construction**

As mentioned previously, the USEPA’s General Conformity Rule under the Clean Air Act 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 Vine Street Site is located 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 2015). Construction duration was assumed based on acre-based phase lengths provided in the California Emissions Estimator Model (CalEEMod) Default Data Tables (CalEEMod 2016). 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.

As shown in Table 3.2-2, total annual direct and indirect emissions associated with demolition of buildings and construction of the proposed Courthouse at the Vine Street Site would cause short term, minor adverse impacts to air quality. Short-term criteria pollutant emissions associated with the 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 best management practices (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 or TAAQS.

**Table 3.2-2. Estimated Demolition and Construction Air Emissions**

Source	Criteria Pollutant Emissions (tons)						GHG Emissions (metric tons)
	CO	NO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>	SO <sub>2</sub>	VOCs	CO <sub>2</sub> -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	1,153.1
Fugitive Dust	--	--	1.28	0.68	--	--	--
<b>Total (Demolition and Construction)</b>	<b>6.74</b>	<b>1.82</b>	<b>1.48</b>	<b>0.81</b>	<b>0.02</b>	<b>0.44</b>	<b>1,966.0</b>

Source: Argonne National Laboratory 2013; CalEEMod 2016; USEPA 2009, 2015

CO = carbon monoxide; CO<sub>2</sub>-eq = carbon dioxide equivalent; GHG = greenhouse gas; NO<sub>2</sub> = nitrogen dioxide; PM<sub>2.5</sub> = particulate matter with a diameter of 2.5 microns or less; PM<sub>10</sub> = particulate matter with a diameter of 10 microns or less; SO<sub>2</sub> = sulfur dioxide; VOC = volatile organic compound

Individuals living or working in close proximity to the Vine Street Site would be most affected by air emissions during construction. Table 3.2-3 lists sensitive receptors within 1,500 feet of the 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 3.2-3. Air Quality Sensitive Receptors Within 1,500 Feet of the Vine Street Site**

Receptor Type	Receptor Name	Direction	Distance
Residential	Hardwick Hogshead Apartments	South	50 feet
Residential	Vine 324 (apartments)	South	50 feet
Residential	Vue on 5 <sup>th</sup> (apartments)	East	60 feet
Hospital	Hearth Hospice	West	95 feet
Residential	Lindsay 414 (apartments)	Northeast	100 feet
Residential	Residences (adjacent to Vine 324)	South	130 feet
Residential	Residences (adjacent to Vue on 5 <sup>th</sup> )	East	150 feet
Residential	Residences (adjacent to Lindsay 414)	Northeast	200 feet
Residential	Residences (between High Street and Georgia Avenue)	Northwest	200 feet
Park	Fountain Park	Southwest	270 feet
Residential	Fitzgerald Apartments	South	300 feet
Residential	The Edge (apartments)	Southeast	350 feet
Residential	Residences (between Lindsay Court and 4 <sup>th</sup> Street)	Northeast	400 feet
Dormitory	UTC West Campus Housing	East	510 feet
Residential	Johnson O'Bear Apartments	Southeast	530 feet
Park	Phillips Park	South	700 feet
Daycare	Children's Enrichment Center	Southeast	700 feet
Residential	Boling Apartments	East	820 feet
Residential	River Rock	West	930 feet
Hospital	Kindred Hospital	Southwest	945 feet
Residential	Battery Place	North	1,000 feet
Residential	Walnut Commons	Northwest	1,210 feet
Residential	Tomorrow Building at Patten Parkway	South	1,355 feet
Library	UTC Library	East	1,385 feet

Note: Measured distances are approximate

**3.2.2.2 Operation**

Operations of the proposed 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, mobile emissions of criteria pollutants and GHGs from employee vehicle use, and GHG emissions from offsite generation of grid-supplied electricity to the building. The Proposed Action site is 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. Therefore, any increase in employee vehicle emissions is expected to be

negligible (short-term) to minor (long-term). 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 Leadership in Energy and Environmental Design (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<sub>2</sub>-eq per square foot per year (ARC 2019), or approximately 1,143 metric tons CO<sub>2</sub>-eq per year for a building the same size as the proposed Courthouse.

**3.2.2.3 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue 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.

**3.2.2.4 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 Affected Environment**

The Vine Street Site is located near various roadways that result in intermittent increases in noise levels from vehicles, including on Georgia Avenue. Nearby land uses in the surrounding area are comprised of commercial properties, residential buildings, and churches. As such, the dominant sources of noise occur from roadway traffic and typical urban activities.

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.

Table 3.3-1 presents noise-sensitive receptors within a 1,500-foot radius from the Vine Street Site. The closest receptors are the properties located directly across the project site, including apartment buildings on Vine Street and Lindsay Street, a hospice on Georgia Avenue, and a church on Vine Street.

**Table 3.3-1. Noise-Sensitive Receptors Within 1,500 Feet of the Vine Street Site**

Receptor Type	Receptor Name	Direction	Distance
Residential	Hardwick Hogshead Apartments	South	50 feet
Residential	Vine 324 (apartments)	South	50 feet
Residential	Vue on 5 <sup>th</sup> (apartments)	East	60 feet
Hospital	Hearth Hospice	West	95 feet

**Table 3.3-1. Noise-Sensitive Receptors Within 1,500 Feet of the Vine Street Site**

Receptor Type	Receptor Name	Direction	Distance
Church	Central Church of Christ	Southeast	95 feet
Residential	Lindsay 414 (apartments)	Northeast	100 feet
Church	The Church of Jesus Christ of Latter-day Saints	North	120 feet
Residential	Residences (adjacent to Vine 324)	South	130 feet
Residential	Residences (adjacent to Vue on 5th)	East	150 feet
Residential	Residences (adjacent to Lindsay 414)	Northeast	200 feet
Residential	Residences (between High Street and Georgia Avenue)	Northwest	200 feet
Church	Bethlehem-Wiley United Methodist Church	West	220 feet
Park	Fountain Park	Southwest	270 feet
Residential	Fitzgerald Apartments	South	300 feet
Residential	The Edge (apartments)	Southeast	350 feet
Residential	Residences (between Lindsay Court and 4 <sup>th</sup> Street)	Northeast	400 feet
Church	The Vine	Southeast	465 feet
Dormitory	UTC West Campus Housing	East	510 feet
Residential	Johnson O'Bear Apartments	Southeast	530 feet
Park	Phillips Park	South	700 feet
Church	First-Centenary United Methodist Church	Southeast	700 feet
Daycare	Children's Enrichment Center	Southeast	700 feet
Residential	Boling Apartments	East	820 feet
Residential	River Rock	West	930 feet
Hospital	Kindred Hospital	Southwest	945 feet
Residential	Battery Place	North	1,000 feet
Church	Baptist Collegiate Ministry	Southeast	1,075 feet
Residential	Walnut Commons	Northwest	1,210 feet
Church	Basilica of Saints Peter & Paul	South	1,225 feet
Church	First Presbyterian Church	Southeast	1,345 feet

**Table 3.3-1. Noise-Sensitive Receptors Within 1,500 Feet of the Vine Street Site**

Receptor Type	Receptor Name	Direction	Distance
Residential	Tomorrow Building at Patten Parkway	South	1,355 feet
Library	UTC Library	East	1,385 feet
Church	Christ Church Episcopal	Southeast	1,415 feet
Hotel	The Edwin Hotel, Autograph Collection	Northwest	1,500 feet

**3.3.2 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.

**3.3.2.1 Construction**

The Proposed Action would consist of the construction of the new Courthouse 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. Noise-generating activities would include the use of construction equipment onsite and vehicles accessing and exiting the project site. 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 A-weighted decibels (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). GSA would be responsible for the demolition of the existing structures on the Vine Street 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.

Noise exposure thresholds, as established by the Occupational Safety and Health Administration (OSHA) and described in Section 3.3.1 of the March 2024 Final EA, 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 3.3-2 displays the noise levels that sensitive receptors close to the proposed sites may experience during construction activities.

Outdoor construction noise levels at sensitive receptors located adjacent to the Vine Street Site are estimated to range from 84.0 dBA to 90.0 dBA for residential properties, 84.4 dBA at a hospice, and 84.4 dBA at a church. Standard buildings with windows shut would further reduce noise levels indoors by approximately 25 dBA. This would reduce detectable noise levels at these receptors to indoor levels ranging from 59.0 dBA to 65.0 dBA, which would be considered tolerable during daytime hours. At 65.0 dBA, the construction noise detected could be considered moderately low or intrusive. A park located 270 feet

southwest from the project site could experience outdoor noise levels of 75.4 dBA, which could be considered loud enough to become a disturbance or an annoyance.

**Table 3.3-2. Potential Noise Exposure to Noise-Sensitive Receptors within Approximately 500 Feet of Each Site**

Receptor Name	Receptor Type	Distance	Exterior Noise Level (dBA)	Interior Noise Level with Standard Reduction (Open Windows) (dBA)	Interior Noise Level with Standard Reduction (Closed Windows) (dBA)
Hardwick Hogshead Apartments	Residential	50 feet	90.0	75.0	65.0
Vine 324 (apartments)	Residential	50 feet	90.0	75.0	65.0
Vue on 5 <sup>th</sup> (apartments)	Residential	60 feet	88.4	73.4	63.4
Hearth Hospice	Hospital	95 feet	84.4	69.4	59.4
Central Church of Christ	Church	95 feet	84.4	69.4	59.0
Lindsay 414 (apartments)	Residential	100 feet	84.0	69.0	59.0
The Church of Jesus Christ of Latter-day Saints	Church	120 feet	82.4	67.4	57.4
Residences (adjacent to Vine 324)	Residential	130 feet	81.7	66.7	56.7
Residences (adjacent to Vue on 5 <sup>th</sup> )	Residential	150 feet	80.5	65.5	55.5
Residences (adjacent to Lindsay 414)	Residential	200 feet	78.0	63.0	53.0
Residences (between High Street and Georgia Avenue)	Residential	200 feet	78.0	63.0	53.0
Bethlehem-Wiley United Methodist Church	Church	220 feet	77.1	62.1	52.1
Fountain Park	Park	270 feet	75.4	NA	NA
Fitzgerald Apartments	Residential	300 feet	74.4	59.4	49.4
The Edge (apartments)	Residential	350 feet	73.1	58.1	48.1
Residences (between Lindsay Court and 4 <sup>th</sup> Street)	Residential	400 feet	71.9	56.9	46.9
The Vine	Church	465 feet	70.6	55.6	45.6

dBA – decibels (A-weighted); NA – not applicable  
Note: Measured distances are approximate.

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 Vine Street Site would be expected to be short-term and range from minor to moderate.

### **3.3.2.2 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. Adverse noise impacts would be considered negligible during operations of the proposed Courthouse at the Vine Street Site.

### **3.3.2.3 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue in the current building, which does not meet the needs of its tenants. The existing noise environment would remain unchanged.

## **3.4 TRAFFIC, TRANSPORTATION, AND PARKING**

### **3.4.1 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. Major public roadways serving near the project site include Riverfront Parkway, E 4<sup>th</sup> Street, Georgia Avenue, and McCallie Avenue.

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).

The Vine Street Site is bounded by Georgia Avenue to the west, E 5<sup>th</sup> Street to the north, Lindsay Street to the east, and Vine Street to the south. 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 (TDOT 2018). E 5<sup>th</sup> Street is a local 2-lane road that runs primarily in an east-west direction. Lindsay Street is a 2-lane road that runs primarily in a north-south direction and is classified as a major collector. Vine Street is a local 2-lane road that runs primarily in an east-west direction.



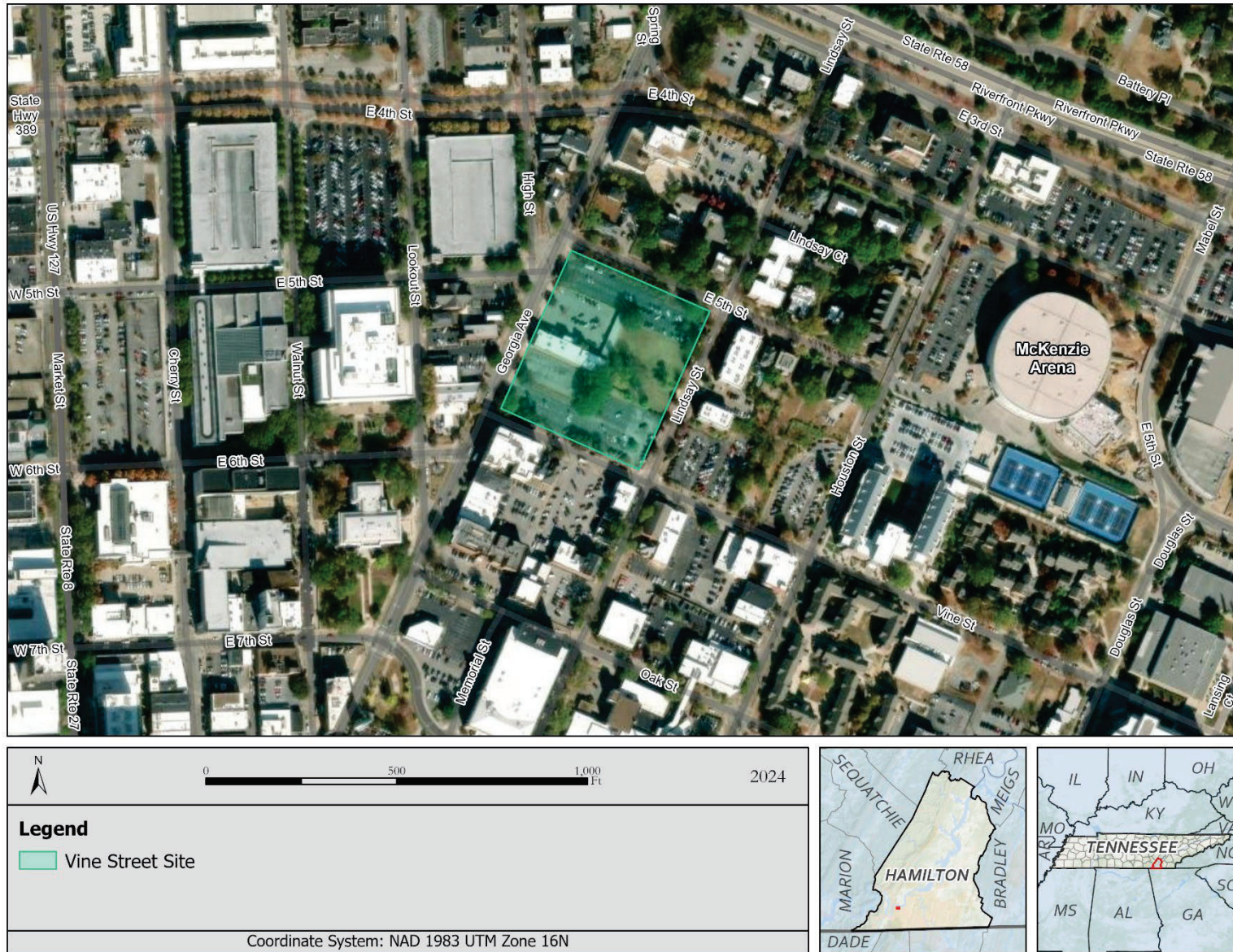


Figure 3.4-1. Roadways Surrounding the Vine Street Site

**Table 3.4-1. AADT Data for Roadways Near the Vine Street Site**

Roadway Segment	Number of Lanes	2019 AADT (vehicles per day)	2023 AADT (vehicles per day) [percent change]
Lindsay Street	2	6,467	6,308 [-2.5%]
Georgia Avenue	4	14,320	13,258 [-7.4%]
E 4 <sup>th</sup> Street	4	18,712	15,749 [-15.8%]
Houston Street	2	2,968	2,553 [-14.0%]

Source: TDOT 2024  
 AADT – Annual Average Daily Traffic

The closest bus service stops are located north of the Vine Street Site, along E 4<sup>th</sup> Street, within a few blocks of the project site. The proposed site includes paved lots for public parking, with approximately 250 pay-to-park spaces. Additional metered street parking spaces are available directly adjacent to the proposed site on Vine Street, 5<sup>th</sup> Street, and Lindsay Street and two public parking garages are located within 700 feet west of the project site at 473 Walnut Street and 425 High Street. Figure 3.4-1 illustrates the roadways surrounding the Vine Street Site. Table 3.4-1 summarizes annual average daily traffic (AADT) data for the major roadways near the Vine Street Site.

In 2019, prior to the effects of COVID on traffic conditions, nearby E 4<sup>th</sup> Street was considered one of the 20 most congested streets in the city (CHCNGA TPO 2020). Overall, traffic volumes on the surrounding roadways have declined since 2019 due to the effects of COVID and the resulting telecommuting trend of workers, with decreases in traffic volumes on the surrounding key roadways ranging from 2.5 to 15.8 percent as presented in Table 3.4-1. As the proposed site is located just west of the UTC campus and only a block away from the McKenzie Arena, the project area experiences heavier traffic volumes during UTC events at the arena.

**3.4.2 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.

**3.4.2.1 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 of 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 Vine Street Site.

Although the number and frequency of vehicles traveling to and from the project site are unknown at this time, it is expected, based on the size and nature of each of the construction activities involved, 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 peak construction, which would occur during the last 18 months of the 36-month construction phase. Up to an additional 30 trucks may be expected during peak construction. At this point in the planning process, GSA does not anticipate requiring any road or lane closures during construction.

GSA would be responsible for the demolition of the existing structures. The demolition activities would generate additional truck traffic over the 6- to 12-month period prior to the construction of the new Courthouse.

As a result of increased traffic volumes during construction, there would be increased congestion on the major roadways leading up to the project site, including Georgia Avenue, which could cause delays, though this impact would generally be limited to peak commuting hours. Based on AADT volumes presented in Table 3.4-1 it is expected that the surrounding roadways would have the capacity to handle the additional construction traffic, especially considering recent reductions in traffic volumes on these roadways. To minimize traffic congestion and conflicts, GSA would specify appropriate routes for construction-related vehicles to follow to and from the Vine Street Site. Routes would follow major highways and roads, and would avoid local, residential, and neighborhood roads, such as Lindsay Street, 5<sup>th</sup> Street, and Vine Street, to the extent practicable.

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, the arrival of construction trucks and personnel, especially during peak construction activities, would be scheduled to occur outside of typical commuting hours (usually from 7:30 a.m. to 8:30 a.m. and 4 p.m. to 6 p.m.) in order to minimize traffic congestion on roadways. GSA would also identify appropriate parking and staging areas for construction vehicles and equipment on-site. Overall, construction traffic would result in short-term, moderate adverse impacts under the Proposed Action.

### **3.4.2.2 Operation**

Because the existing Courthouse and the Vine Street Site are located in close proximity to each other (less than 0.5 mile), 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 Vine Street Site. Table 3.4-1 indicates that the additional traffic volume would represent a small percentage (0.5 to 3%) of recent AADT volumes, and the adjacent roadways are expected to 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 available in the vicinity of the proposed site (on E 4<sup>th</sup> Street), 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.

Depending on the proposed layout of the new Courthouse, some or all of the existing onsite parking spaces could be eliminated from public use. Removal of up to 250 parking spaces could have long-term, adverse impacts to public parking availability, which could adversely affect nearby businesses and organizations. Public parking facilities located within 700 feet of the project site may have the capacity to accommodate

the loss of these parking spaces, though users would have to walk an additional one to two blocks. As such, the loss of this parking lot would have a long-term, minor adverse impact on local businesses and the surrounding community.

Overall, operation of the Proposed Action would result in long-term, minor adverse impacts to transportation resources due to a small increase in traffic volumes and loss of public parking spaces.

### **3.4.2.3 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue in the current building, which does not meet the needs of its tenants. No changes would be made to the proposed sites, and the existing traffic conditions would remain unchanged.

## **3.5 LAND USE AND VISUAL RESOURCES**

### **3.5.1 Affected Environment**

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 (City of Chattanooga Public Works 2023, CHCRPA 2021b).

The Vine Street Site is located within the Urban Context Area according to the FBC, specifically of the classification U-CX-6, commercial mixed use with buildings up to six stories. Areas directly south and west of the Site are also U-CX-6. Areas further west as well as southwest of the Vine Street Site are of the Downtown Core Context Area and have the classifications D-CX-8, and D-PK (park) and D-CIV-4 (civic building) respectively. Areas directly north and east of the Vine Street Site are designated U-CX-4, and directly northeast is designated U-RM-3 for residential buildings.

*Renewing Our Vision*, the title of the update to the City of Chattanooga and Hamilton County’s comprehensive plan, identifies the Vine Street Site as occurring within Development Intensity Level 5 (CHCRPA 2021a). *Downtown Plan Chattanooga 2025*, which provides guidelines for development in Chattanooga by splitting the city into eight districts according to use and use intensity, shows the Vine Street Site occurring on the western edge of the East Downtown district. This district consists primarily of residential, retail, and institutional uses, and serves as a downtown gateway for people entering the city from the north (CHCRPA 2006).

### **3.5.2 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.

#### **3.5.2.1 Construction**

Construction of a new Courthouse at the Vine Street Site would generally comply with existing land use and zoning regulations; therefore, the Proposed Action would not be expected to result in land use impacts. The Vine Street Site is located in an intensely developed area that is 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 the existing zoning classification described in Section 3.5.1 would allow for the construction of a new Courthouse in the Commercial Mixed Use zone. 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 by

the Chattanooga-Hamilton County Regional Planning Agency 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. Of these options, those ranging from three to six stories could be accommodated within the existing zoning classifications of the Vine Street Site.

Construction activities at the Vine Street Site would be expected to result in short-term, minor adverse visual impacts. Users of residential and commercial areas surrounding the Vine Street Site would be subject to visual disturbances associated with construction equipment and debris. The Proposed Action is not expected to affect visual resources, as design of the proposed Courthouse would seek to complement the aesthetics of the surrounding area, choosing façade materials, lighting, and landscaping elements that would exhibit a sense of permanence and quality consistent with *Renewing Our Vision* and *Downtown Plan Chattanooga 2025*.

### **3.5.2.2 Operation**

Operations of a new Courthouse at the Vine Street Site would be consistent 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 operations of the new Courthouse would not be expected, as the building would be designed to complement the aesthetics of the surrounding area.

### **3.5.2.3 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue in the current building, which does not meet the needs of its tenants. Use of the existing courthouse would continue, and there would be no change to land use or visual resources within the ROI.

## **3.6 CULTURAL RESOURCES**

### **3.6.1 Affected Environment**

As part of the overall planning process, the GSA prepared a Cultural Resources Assessment Addendum for the Vine Street Site. The report (NSA 2024) is on file with the GSA, and a copy was sent to the Tennessee SHPO for their review and concurrence. The SHPO responded on November 4, 2024; this response has been incorporated into this section and included in Appendix B.

The Vine Street Site is located in an area that used to be primarily residential, dating back to the mid-1800s. The Cultural Resources Assessment Addendum describes “modest” residential development in an 1871 rendering, which had increased to “densely populated with residences and outbuildings” by 1889 (NSA 2024). The boundaries between residential and commercial areas of downtown Chattanooga began to blur during the early 1900s. Apartment buildings were built to accommodate a growing population. During the second half of the 1900s, investment in the historic center of downtown Chattanooga began to decline, and many residential buildings were converted into offices or businesses.

The Cultural Resources Assessment Addendum evaluated three historic structures that were not previously recorded at the Tennessee SHPO. The existing two-story, multi-tenant office building of the Vine Street Site was originally constructed in 1941 as the Carpenters Union Local No. 74 meeting hall. The building included rental commercial space, a locker room, a meeting hall with a capacity for 750 people, a ladies’ lounge, kitchen, and offices for union workers. This building was evaluated for eligibility for listing on the National Register of Historic Places under Criteria A (associated with events that have made a contribution to the broad patterns of our history), B (associated with lives of persons significant in our past), and C (embody the distinctive characteristic of a type, period, or method of construction or that represent the work of a master or that possess high artistic values). While the structure was built by a locally significant

architect, there are many better examples of his work. Likewise, where there are components of the structure with Art Deco qualities, there are much better examples of this architectural style in Chattanooga. Regarding the evaluation of the structure under Criterion A, the report states (NSA 2024):

Although the Carpenters Local No. 74 Union Hall is a rare example of an extant union hall, the only remaining association with its history the building retains is a UBC seal on the upper façade. The demolition of the interior spaces used by the labor union, including the meeting hall, ladies' lounge, and locker facilities, as well as significant alterations to the exterior of the building, have compromised its historic integrity and ability to convey its history as a labor union hall. In 1996, the TN-SHPO determined the building to be ineligible for the NRHP due to the extent of nonhistoric alterations. Although some of those alterations, including a 1960 addition to the rear of the building, are now more than 50 years of age, none of these additions have achieved significance in their own right and extensive additions from 1979 and additional alterations to the building since 1996 further detract from its integrity.

The Carpenters Local No. 74 Union Hall was recommended not eligible for the NRHP under criteria A, B, or C.

Table 3.6-1 summarizes the surveyed architectural resources within the Vine Street Site’s APE. Overall, 13 structures over 50 years of age were evaluated within the Area of Potential Effect (APE), defined as the Vine Street Site plus a 557-foot (170-meter) buffer to accommodate the site’s viewshed. Two structures, the Gaskill House and the Brabson-Loveman Carriage House, are already listed on the NRHP. Two additional structures, the Gulf Fountain Square Service Station and the Hardwick-Hogshead Building, are not listed individually on the NRHP but are considered contributing resources to a listed historic district. In a letter dated November 4, 2024, the TN SHPO requested that comparative architectural analyses be performed on the Central Church of Christ (400 Vine Street) and the Jefferson Building (501 East 5<sup>th</sup> Street) to compare these structures to buildings of similar age, form, and style in the local context of Chattanooga to determine if they are potentially eligible for listing on the NRHP. GSA responded with a willingness to treat the buildings as eligible, and the TN SHPO responded to this request by recognizing a willingness to regard these buildings as eligible, and stated they had no further concerns aside from archaeological resources.

**Table 3.6-1. Surveyed Cultural Resources within the Vine Street Site  
Area of Potential Effect**

Resource Name	Address	NRHP Status
Gulf Fountain Square Service Station	532 Lookout St	Listed Contributing (Downtown Chattanooga Historic District)
Hardwick-Hogshead Building	600 Georgia	Listed Contributing (Fountain Square Historic District)
Carpenter’s Local No. 74	518 Georgia Avenue	Not Eligible
Firehall No. 3	513 Georgia Avenue	Not Eligible
Central Church of Christ	400 Vine Street	Unknown/Treated as Eligible
Jefferson Building	501 East 5 <sup>th</sup> Street	Unknown/Treated as Eligible
Gaskill House	427 East 5 <sup>th</sup> Street	Listed
Brabson-Loveman Carriage House	407 East 5 <sup>th</sup> Street	Listed
Robinson and Crutchfield Building	424 Georgia Avenue	Not Eligible

**Table 3.6-1. Surveyed Cultural Resources within the Vine Street Site Area of Potential Effect**

Resource Name	Address	NRHP Status
McMahan Law Building	417 Georgia Avenue	Not Eligible
Rea House	511 Georgia Avenue	Not Eligible
Levitt and Levitt Building	312 Vine Street	Not Eligible
Robert T. Davis Building	314 Vine Street	Not Eligible

Source: NSA 2024

The Cultural Resources Assessment Addendum states that there are no previously recorded archaeological resources on the Vine Street Site. However, previously recorded sites are indicative of prior surveys. As there have been no archaeological surveys of these tax parcels, there is the potential to contain yet undiscovered archaeological resources that may be eligible for inclusion on the NRHP. These potential archaeological resources include those associated with Civil War-era earthworks and associated artifacts (NSA 2024).

### 3.6.2 Environmental Consequences

To evaluate the impacts on cultural resources, GSA reviewed the Proposed Action to determine whether any activities have the potential to cause the following within the APE:

- Physical destruction or damage;
- Alteration of a resource, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation 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 from its historic location;
- Change of the character of the resource’s use or of physical features within the setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the significant historic features;
- Neglect of a resource that causes its deterioration, except where such neglect and deterioration are recognized qualities of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and
- Transfer, lease, or sale of a resource 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.

#### 3.6.2.1 Construction

The Cultural Resources Assessment Addendum conducted for the Chattanooga Courthouse Project at the Vine Street Site (NSA 2024) determined that of all those surveyed (see Table 3.6-1), only the Carpenter’s Local No. 74 Union Hall may experience direct effects from implementation of the Proposed Action at the Vine Street Site. The Carpenter’s Local No. 74 Union Hall is now the two-story, multi-tenant office building that exists within the Vine Street Site. This structure would be demolished to accommodate the proposed Courthouse. However, this structure is not considered eligible for listing on the NRHP (NSA 2024). GSA would work with the TN SHPO to implement any further mitigation measures that may be requested if

historic architectural resources could be adversely affected by construction of the Proposed Action at the Vine Street Site. Therefore, no significant adverse effects to historic structures are anticipated from construction of the proposed Courthouse at the Vine Street Site.

The Cultural Resources Assessment Addendum concluded that there is the potential to discover currently unidentified archaeological resources within the Vine Street Site, especially those related to Civil War-era earthworks and associated artifacts. If GSA selects the Vine Street Site for acquisition and construction of the proposed Courthouse, an archaeological survey is necessary to fulfill requirements of Section 106. The archaeological survey should include shovel testing in the grassy lot in the northeastern portion of the Vine Street Site and ground-penetrating radar (GPR) in the paved areas of the site. Following GPR, mechanical trenching may be recommended to investigate anomalies (NSA 2024).

In a response dated November 7, 2024, the Muscogee Nation stated that no known historic properties or sites of cultural or religious significance would be affected by implementing the Proposed Action at the Vine Street Site. However, the tribe requested to be contacted if cultural items and/or human remains are inadvertently discovered on the Vine Street Site.

### **3.6.2.2 Operations**

Once constructed, operation of the proposed Courthouse would not involve ongoing disturbance to soils or surrounding structures. As such, no additional impacts to cultural resources would be anticipated during operations.

### **3.6.2.3 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue in the current building, which does not meet the needs of its tenants. 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 cultural or historic resources impacts would be anticipated.

## **3.7 HUMAN HEALTH AND SAFETY**

### **3.7.1 Affected Environment**

GSA performed Phase I Environmental Site Assessments (ESAs) for each of the two entities owning parcels comprising the Vine Street Site 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). 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" (ASTM International 2021). 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."

Based upon review of historical sources, environmental databases, interviews, user-provided information, site reconnaissance and judgment by an Environmental Professional, RECs were identified at the Vine Street Site and documented in Phase I ESAs on file with the GSA. In general, these RECs included the following (PHE 2024a, 2024b):

- 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 the potential presence of contamination.

In addition to the above RECs, *de minimis* conditions and Business Environmental Risk (BERs) were identified and documented in the Phase I ESAs, on file with GSA, including the following (PHE 2024a, 2024b):

- Cars are parked on, or travel across, the paved surface parking lots on the Site. Minor leaks of automotive fluid from parked vehicles are common. Over time these small releases can impact shallow soil just below the parking surface.
- Based on the age of the commercial building (built circa 1941), asbestos-containing material (ACM) is expected to be present.
- Based on the age of the commercial building, it is expected to contain lead-based paint (LBP).
- Due to the Site being historically developed, there is the potential for underground storage tanks (USTs) to have been utilized in this area.

### **3.7.2 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.

#### **3.7.2.1 Construction**

With proper implementation of BMPs, construction of a new federal Courthouse at the Vine Street Site would be expected to result in negligible adverse impacts to human health and safety. As mentioned earlier, Final Phase I ESAs prepared in October 2024 resulted in the identification of RECs and other potential issues associated with each site and recommended further investigation, in the form of Phase II ESAs (PHE 2024a, 2024b). 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 GPR to inspect for USTs and other subsurface objects of concern; and similar activities.

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 ACM 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, surveys for both ACM and LBP would be performed, and appropriate remedial activities would be developed and implemented as applicable and necessary. This would ensure negligible impacts as a result of existing ACMs and LBP. Other potential concerns exist from nearby prior uses of concern, including dry cleaners, gas stations, and industrial activities, that could migrate onto the site. 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 wastes generated during demolition, if performed by GSA, and construction activities at Vine Street 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 or otherwise regulated wastes (including oils, lubricants, fuels, solvents, ACM, LBP, mercury-containing materials, 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. Any USTs identified through the Phase II ESA would be removed and properly closed in accordance with TDEC regulations.

### **3.7.2.2 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.

### **3.7.2.3 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue in the current building, which does not meet the needs of its tenants. Court operations would remain at the existing federal courthouse location. As a result, no adverse impacts would be anticipated.

## **3.8 SOILS AND GEOLOGY**

### **3.8.1 Affected Environment**

#### **3.8.1.1 Soil**

Soils underlying the Vine Street Site were summarized in recent Phase I ESAs (PHE 2024a, 2024b). 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 the Vine Street 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 two map unit soil groups present at the Vine Street Site are Urban land and Fullerton-Urban land complex, 3 to 40 percent slopes. The southwest half of the Vine Street Site is depicted as Urban land, and the northeast half as Fullerton-Urban land complex, according to the WSS map. 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 (NRCS 2024). The Fullerton-Urban land complex soil group is a mix of Fullerton and other similar soils with Urban land soil types. A typical Fullerton-Urban land complex profile is described to be gravelly silt loam in the top 10 inches, transitioning to gravelly silty clay loam, then gravelly clay from 14 to 65 inches bgs. According to the WSS, the soils at this Site are not classified as prime farmland and are not classified as hydric soils (i.e., those soils found in wetlands) (NRCS 2024).

A boring investigation conducted in 2024 by S&ME indicates the Site has a top layer of fill material (0 to 8 feet bgs), with residuum layers of mostly fat clay and lean clay. A boring done on the west portion of the Vine Street Site indicates lean clay fill in the top 5.5 feet bgs, with layers of residuum lean clay and fat clay material down to 88.5 feet bgs (S&ME 2024).

### **3.8.1.2 Geology**

Geology features underlying the Vine 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).

### **3.8.2 Environmental Consequences**

To evaluate the impacts on soils and geology, GSA reviewed the Proposed Action 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; or
- disturb or displace soils.

An alternative may have the potential for a significant impact if it 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 gully, 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.

#### **3.8.2.1 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 the Vine Street Site.

##### **Soils**

GSA may be responsible for excavation and removal of any contaminated soils or USTs that may be identified on the Vine Street 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 the Vine Street 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 the Vine Street Site 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 Construction Stormwater General Permit 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 Stormwater Pollution Prevention Plan would limit impacts from soil erosion during construction.

### **3.8.2.2 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, as it is expected that existing utilities, including stormwater, would be accessed with minimal disturbance. All areas disturbed during construction would be revegetated or otherwise stabilized.

### **3.8.2.3 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue in the current building, which does not meet the needs of its tenants. Operations of the court would continue at the current location, which no longer meets the needs of its tenants. No impacts to soils and/or geology would be anticipated.

## **3.9 BIOLOGICAL RESOURCES**

### **3.9.1 Regulatory Setting**

**Endangered Species Act.** The Endangered Species Act (16 U.S.C. 1531 *et seq.*) establishes a national policy for conserving threatened and endangered species of fish, wildlife, and plants, and the habitat on which they depend. Under Section 3 of the Endangered Species Act:

- An endangered species is defined as any species in danger of extinction throughout all or a significant portion of its range.
- A threatened species is any species likely to become an endangered species within the near future throughout all or a significant portion of its range.
- A proposed species is a species found to warrant listing as either threatened or endangered, and for which listing has been officially proposed in the *Federal Register*.
- A candidate species is any species that has been announced in the *Federal Register* as undergoing a status review but has not yet been listed. Candidate species do not receive federal protection under the Endangered Species Act until officially listed as a threatened or endangered species.

Critical habitat for federally listed threatened and endangered species is a specific geographic area (or areas) that contain physical or biological features essential to the conservation of the threatened or endangered species and may require management or protection.

Under Section 7 of the Endangered Species Act, federal agencies must consult with the USFWS when any action the agency carries out, funds, or authorizes may affect either a species listed as threatened or endangered under the Endangered Species Act, or any critical habitat designated for it.

**Bald and Golden Eagle Protection Act.** The Bald and Golden Eagle Protection Act (BGEPA; 16 U.S.C. 668-668d) prohibits taking without a permit, or taking with wanton disregard, any bald or golden eagle or their body parts, nests, chicks, or eggs, which includes collection, molestation, disturbance, or killing. The BGEPA includes provisions for the protection of unoccupied nests and a prohibition on disturbing eagles. The BGEPA includes limited exceptions to its prohibitions through a permitting process, including exceptions to take bald or golden eagle nests that interfere with resource development or recovery operations.

**Migratory Bird Treaty Act.** The Migratory Bird Treaty Act (MBTA) (16 U.S.C. 703 *et seq.*) protects birds that have common migration patterns between the U.S. and Canada, Mexico, Japan, and Russia. The MBTA makes it unlawful to pursue, hunt, take, capture, kill, or sell birds (including any parts, dead or alive, feathers, eggs, and nests) that are listed in the statute. Currently there are approximately 1,100 species on the list nationwide.

**3.9.2 Affected Environment**

The Vine Street Site is located in a developed urban area, where the limited vegetation consists of maintained landscaping and scattered trees. The majority of the Vine Street Site has been disturbed and developed. Seven of the eight tax parcels that comprise the Vine Street Site support structures or surface parking lots. Only one of the tax parcels, encompassing an approximately 0.8-acre portion of the Vine Street Site, has not been developed; this parcel supports maintained lawn and a few trees. No native habitat exists within the site. High-quality wildlife habitat is not present, and wildlife occurring within the vicinity would be expected to be limited to those species of birds and small mammals that have adapted to urban environments.

The USFWS’s Information for Planning and Consultation (IPaC) database was queried for federally listed, proposed, or candidate threatened and endangered species and designated critical habitats potentially occurring within the Vine Street Site. The species list generated by the database search includes a total of nine species (three mammals, two clams, one insect, and three flowers; see Table 3.9-1). Table 3.9-1 also includes a brief assessment of each species’ likelihood of occurrence within the ROI, defined as the area within 1,000 feet of the Vine Street Site, based on the species’ range/distribution and habitat requirements.

**Table 3.9-1. Federal Special-Status Species with Potential to Occur within ROI**

Species	Federal Status	Habitat	Expected to Occur in ROI?
Gray bat ( <i>Myotis grisescens</i> )	Endangered	Generally associated with caves for roost sites that may be utilized year-round.	Potentially. While this species is not anticipated to hibernate within the ROI, there is potential for gray bats to utilize the onsite structures as daytime roosting sites.
Northern long-eared bat ( <i>Myotis septentrionalis</i> )	Endangered	Generally associated with old-growth forests and relies on intact interior forest habitat. Forages within forests and along forest edges. Hibernates in caves, mines, and tunnels in areas with temperatures above freezing and with low risk of disturbance. During the daytime, may roost in crevices, under	Potentially. While this species is not anticipated to hibernate within the ROI, there is potential for northern long-eared bats to utilize the onsite structures as daytime roosting sites.

**Table 3.9-1. Federal Special-Status Species with Potential to Occur within ROI**

Species	Federal Status	Habitat	Expected to Occur in ROI?
		loose bark on trees, or in small spaces associated with buildings or under bridges.	
Tricolored bat ( <i>Perimyotis subflavus</i> )	Proposed Endangered	Associated with forests, where they forage near trees and along waterways. Roosts may be found in tree foliage, while maternity colonies may utilize structures such as buildings or bridges. Hibernation usually occurs in caves, mines, or tunnels.	Potentially. While this species is not anticipated to hibernate within the ROI, there is potential for tricolored bats to utilize the onsite structures as daytime roosting sites.
Orange pimpleback ( <i>Plethobasus cooperianus</i> )	Endangered	Found in substrates in riffles and shoals of medium to large rivers.	No. No surface waters exist within the ROI. The Chattanooga River is the nearest surface water and is located more than 1,300 feet northeast of the Vine Street Site.
Pink mucket ( <i>Lampsilis abrupta</i> )	Endangered	Found in large rivers with fast-flowing water.	No. No surface waters exist within the ROI. The Chattanooga River is the nearest surface water and is located more than 1,300 feet northeast of the Vine Street Site.
Monarch butterfly ( <i>Danaus plexippus</i> )	Candidate	Suitable breeding habitat associated with presence of milkweed plants, which grow in sunny areas with soils ranging from well-drained to those occurring near water. Migrates south to overwinter in Mexico.	Unlikely. Limited vegetation is present within the urban ROI. The vegetation that does exist generally is limited to maintained landscaping.
Large-flowered skullcap ( <i>Scutellaria montana</i> )	Threatened	Associated with rocky, shallow soils in oak-pine forests.	Unlikely. Limited vegetation is present within the urban ROI. The vegetation that does exist generally is limited to maintained landscaping.
Small whorled pogonia ( <i>Isotria medeoloides</i> )	Threatened	Associated with successional forests with an open herbaceous layer and soils that are covered by leaf litter.	Unlikely. Limited vegetation is present within the urban ROI. The vegetation that does exist generally is limited to maintained landscaping.
Virginia spiraea ( <i>Spiraea virginiana</i> )	Threatened	Found on periodically flooded banks of streams and occasionally in disturbed rights-of-way. Commonly grows in silt, mud, and sand.	Unlikely. Limited vegetation is present within the urban ROI. The vegetation that does exist generally is limited to maintained landscaping.

Source: NatureServe 2024, USFWS 2024

Per the USFWS IPaC results, 15 migratory birds protected under the MBTA may occur within the ROI; these 15 species are also identified as birds of conservation concern throughout their ranges in the continental U.S. and Alaska. The bald eagle also may be found in the ROI but is not a bird of conservation

concern in this area; this species instead warrants special attention under the BGEPA. These species and their respective breeding seasons within the project area include:

- Bald eagle (*Haliaeetus leucocephalus*) – September 1 to August 31 (year-round)
- Black-billed cuckoo (*Coccyzus erythrophthalmus*) – May 15 to October 10
- Bobolink (*Dolichonyx oryzivorus*) – May 20 to July 31
- Canada warbler (*Cardellina canadensis*) – May 20 to August 10
- Cerulean warbler (*Setophaga cerulea*) – April 27 to July 20
- Chimney swift (*Chaetura pelagica*) – March 15 to August 25
- Chuck-will’s-widow (*Antrostomus carolinensis*) – May 10 to July 10
- Eastern whip-poor-will (*Antrostomus vociferus*) – May 1 to August 20
- Golden-winged warbler (*Vermivora chrysoptera*) – May 1 to July 20
- Henslow’s sparrow (*Centronyx henslowii*) – May 1 to August 31
- Kentucky warbler (*Geothlypis formosa*) – April 20 to August 20
- Prairie warbler (*Setophaga discolor*) – May 1 to July 31
- Prothonotary warbler (*Protonotaria citrea*) – April 1 to July 31
- Red-headed woodpecker (*Melanerpes erythrocephalus*) – May 10 to September 10
- Rusty blackbird (*Euphagus carolinus*) – breeds elsewhere
- Wood thrush (*Hylocichla mustelina*) – May 10 to August 31

A list of rare species found in Hamilton County, Tennessee is available through TDEC. According to that list, there are 36 species in the county designated as threatened or endangered by the state. Table 3.9-2 presents that information from TDEC.

**Table 3-9.2. State-Listed Species in Hamilton County, Tennessee**

Species	State Status	Habitat
<b>Mammals</b>		
Gray bat ( <i>Myotis grisescens</i> )	Endangered	Generally associated with forested landscapes but may roost near openings.
Tri-colored bat ( <i>Perimyotis subflavus</i> )	Threatened	Cave obligate year-round; frequents forested areas; migratory.
<b>Birds</b>		
Bachman’s sparrow ( <i>Peucaea aestivalis</i> )	Endangered	Dry open pine or oak woods; nests on the ground in dense cover.
Golden-winged warbler ( <i>Vermivora chrysoptera</i> )	Threatened	Early successional habitats in foothill regions of Appalachians.
<b>Amphibians</b>		
Tennessee cave salamander ( <i>Gyrinophilus palleucus</i> )	Threatened	Aquatic cave obligate; cave streams & rimstone pools.
<b>Invertebrates</b>		
Chickamauga crayfish ( <i>Cambarus extraneus</i> )	Endangered	Springs and small to medium sized streams under rocks or in vegetation in the South Chickamauga Creek watershed,
Orange pimpleback ( <i>Plethobasus cooperianus</i> )	Endangered	Large rivers in sand-gravel-cobble substrates in riffles and shoals in deep flowing water in the Cumberland and Tennessee river systems.

**Table 3-9.2. State-Listed Species in Hamilton County, Tennessee**

Species	State Status	Habitat
Rough pigtoe ( <i>Pleurobema plenum</i> )	Endangered	Medium to large rivers in sand, gravel, and cobble substrates of shoals in the Tennessee and Cumberland river systems.
Pink mucket ( <i>Lampsilis abrupta</i> )	Endangered	Generally a large river species, preferring sand-gravel or rocky substrates with mod-strong currents in the Tennessee and Cumberland river systems.
Dromedary pearlymussel ( <i>Dromus dromas</i> )	Endangered	Medium-large rivers with riffles and shoals w/ relatively firm rubble, gravel, and stable substrates in the Tennessee and Cumberland systems.
Cumberland monkeyface ( <i>Theliderma intermedia</i> )	Endangered	Shallow riffle and shoal areas of headwater streams and bigger rivers, in coarse sand/gravel substrates in the Tennessee River system.
<b>Plants</b>		
Tall larkspur ( <i>Delphinium exaltatum</i> )	Endangered	Glades and barrens.
Cumberland rose gentian ( <i>Sabatia capitata</i> )	Endangered	Dry open woods and along powerlines.
Fraser's loosestrife ( <i>Lysimachia fraseri</i> )	Endangered	Dry open woods.
Nestronia ( <i>Nestronia umbellule</i> )	Endangered	Upland woods.
Small whorled pogonia ( <i>Isotria medeoloides</i> )	Endangered	Mid-elevation dry woods.
Wood lily ( <i>Lilium philadelphicum</i> )	Endangered	Dry openings and along powerlines.
Fremont's virgin's-bower ( <i>Clematis fremontii</i> )	Endangered	Limestone barrens.
Southern nodding trillium ( <i>Trillium rugelii</i> )	Endangered	Rich mountain woods.
Virginia spiraea ( <i>Spiraea virginiana</i> )	Endangered	Stream bars and ledges.
Small's stonecrop ( <i>Diamorpha smallii</i> )	Endangered	Sandstone outcrops.
Prairie goldenrod ( <i>Oligoneuron album</i> )	Endangered	Barrens.
White fringeless orchid ( <i>Platanthera integrilabia</i> )	Endangered	Acidic seeps and stream heads.
Sharp's lejeunea ( <i>Lejeunea sharpii</i> )	Endangered	Calcareous bluffs and rock and logs of wet sinks.
Florida hedge-hyssop ( <i>Gratiola floridana</i> )	Endangered	Wooded swamps.
Narrow-leaved trillium ( <i>Trillium lancifolium</i> )	Endangered	Alluvial woods and moist ravines.



**Table 3-9.2. State-Listed Species in Hamilton County, Tennessee**

Species	State Status	Habitat
Southern morning-glory ( <i>Stylisma humistrata</i> )	Threatened	Dry piney woods.
Yellow honeysuckle ( <i>Lonicera flava</i> )	Threatened	Rocky woods and thickets.
Mountain bush-honeysuckle ( <i>Diervilla sessilifolia</i> var. <i>rivularis</i> )	Threatened	Dry cliffs and bluffs.
Large-flowered skullcap ( <i>Scutellaria montana</i> )	Threatened	Escarpments and dry woods.
Southern prairie-dock ( <i>Silphium pinnatifidum</i> )	Threatened	Barrens.
Roundleaf fameflower ( <i>Phemeranthus teretifolius</i> )	Threatened	Dry sandy rock outcrops.
Compass plant ( <i>Silphium laciniatum</i> )	Threatened	Barrens.
Northern bush-honeysuckle ( <i>Diervilla lonicera</i> )	Threatened	Rocky woodlands and bluffs.
Menge's fame-flower ( <i>Phemeranthus mengesii</i> )	Threatened	Dry rock ledges.
Granite gooseberry ( <i>Ribes curvatum</i> )	Threatened	Rocky woods.

Source: TDEC 2024

The state-listed invertebrates are all aquatic species and therefore would not be encountered within the ROI. Due to the disturbed nature of the site within an urban area and ongoing mowing and landscaping efforts, it is also not likely that the state-listed plant species presented in Table 3.9-2 would be found within the Vine Street Site.

### 3.9.3 Environmental Consequences

#### 3.9.3.1 Methodology

To evaluate the impacts on biological resources, GSA reviewed the Proposed Action to determine whether any activities have the potential to cause the following within the ROI:

- Loss of habitat;
- Diminished value of habitat for wildlife, plants, or aquatic species;
- Interference with the movement of native resident or migratory wildlife species;
- Conflict with management plans for terrestrial, avian, and aquatic species and their habitat;
- Impacts on or displacement of endangered, threatened, or other protected status species; or
- Encroachment or impacts on designated critical habitat for a federally listed species.

A significant adverse impact to biological resources would occur if the Proposed Action would result in:

- Long-term loss, degradation, or loss of diversity within unique or high-quality plant communities;
- Unpermitted “take” of federally listed species;

- Local extirpation of rare or sensitive species not currently listed under the Endangered Species Act;
- Unacceptable loss of critical habitat, as determined by the USFWS; or
- Violation of the MBTA or BGEPA.

### **3.9.3.2 Construction**

Construction of the Proposed Action at the Vine Street Site would have direct, short-term, negligible, adverse impacts on biological resources. The majority of the Vine Street Site is paved and/or developed. The limited vegetation that is present has been disturbed and does not represent high-quality or native vegetative communities. The species that may be encountered within the ROI would be accustomed to urban environments, including construction noise. While species may be temporarily disturbed or displaced during construction, such activities are common in downtown Chattanooga and would not result in a measurable change in the overall habitat availability for local wildlife or migratory birds.

In a response dated October 22, 2024, the USFWS Tennessee Ecological Field Office stated that the gray bat, northern long-eared bat, and tricolored bat are unlikely to roost in the few trees that exist on the Vine Street Site. However, these species may roost within the existing structures. GSA would assess the existing structures on the Vine Street Site for evidence of bat use; if no evidence is observed, there would be no time of year restrictions on building demolition, and the Proposed Action would not be likely to adversely affect these three bat species. If the assessment determines that protected bats may roost within the structures, GSA would coordinate with the USFWS Tennessee Ecological Services Field Office to determine potential next steps or additional measures to reduce or avoid impacts to these species.

The Vine Street Site does not support high-quality habitat for the additional state-listed species within Hamilton County, as identified by TDEC and presented in Table 3.9-2. If the two state-listed bird species forage or nest within the ROI, they may be temporarily displaced during construction; however, these species are forest-dwelling birds, and construction activities are common in downtown Chattanooga. GSA would survey the Vine Street Site prior to tree removal for nests of protected bird species, including bald eagles, migratory birds, and state-listed birds. If the survey identifies active nests of these species within the Vine Street Site, any further requirements would be determined in coordination with applicable state and federal resource agencies. Therefore, potential impacts to federally and state-protected species would remain negligible during construction.

### **3.9.3.3 Operations**

No additional impacts to vegetation or wildlife habitat are anticipated during operations of the Proposed Action. The change in noise associated with operation would be negligible in relation to the current nature of the area. The noise and human activity associated with operation of the proposed Courthouse is not expected to result in measurable indirect effects to vegetation, wildlife, or protected species within the ROI.

### **3.9.3.4 No Action Alternative**

Under the No Action Alternative, GSA would not acquire the Vine Street Site and would not construct a new Courthouse in downtown Chattanooga. Operations would continue in the current building, which does not meet the needs of its tenants. Operations of the court would continue at the current location, which no longer meets the needs of its tenants. No impacts to biological resources 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.

In the March 2024 Final EA, 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; McCormick 2024; River City Company 2023a, 2023b; TDOT 2023; TVA 2024):

- **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 the March 2024 Final 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. Construction of the new stadium began in July 2024, and completion is expected in 2026.
- **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 analyzes the impacts of demolishing the buildings and disposing of the land, disposing of the buildings and land, and partial retention and renovation. While a Final EA and FONSI were completed in June 2024, TVA has not yet decided on its preferred alternative.
- **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 approximately 1,970 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.
  - 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 SEA 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.

Projects identified in the beginning of this chapter would likely result in potential 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 the Vine Street Site 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, Transportation, and Parking**

Construction of the Proposed Action would result in short-term, moderate impacts to traffic, transportation, and parking. Once constructed, operation of the new Courthouse would be expected to result in long-term, negligible to minor impacts to traffic, transportation, and parking. 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, transportation, and parking 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 approximately 1,970 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, transportation, and parking 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 the Vine Street Site 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 Cultural Resources**

A Cultural Resources Assessment Addendum prepared for the Vine Street Site determined that the Proposed Action would not affect historic structures. While there are no known archaeological resources within the Vine Street Site, known resources are indicative of previous surveys; thus, the potential exists to encounter archaeological resources during construction at the site. GSA would perform additional surveys if the Vine Street Site is selected. Overall, when considered with other past, present, and foreseeable future actions, the Proposed Action would not be expected to result in significant cumulative impacts.

#### **4.1.6 Human Health and Safety**

Although further research and/or investigations at the Vine Street Site would be recommended prior to selection and acquisition, 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 the Vine Street Site 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.

#### **4.1.7 Soils and Geology**

Construction of the Proposed Action would result in long-term, minor adverse impacts to soils and geology, and operation would be expected to have long-term, negligible impacts. 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.

#### **4.1.8 Biological Resources**

Construction of the Proposed Action would result in short-term negligible adverse impacts to biological resources. No additional adverse impacts would be expected during operations. Projects identified in the beginning of this chapter would likely cause the potential for adverse impacts to vegetation, wildlife, and protected species similar to those described for the Proposed Action. Development in the surrounding area could cause incremental disturbance or loss of vegetation and temporary displacement of wildlife. 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 biological resources.

### **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 the Vine Street Site would remain unchanged from existing baseline conditions. As such, the No Action Alternative would not contribute to cumulative effects.

## **CHAPTER 5 CONCLUSIONS**

### **5.1 COMPARISON OF ALTERNATIVES**

Table 5.1-1 provides a summary comparison of the potential impacts that may result from implementation of the alternatives considered within this SEA, the impacts of implementing the Proposed Action at the other two sites that remain under consideration by GSA (i.e., the Stadium Site and the TVA Site), as well as industry-standard BMPs and project-specific measures that could be implemented to further reduce potential adverse impacts. The impacts presented for the Stadium Site and the TVA Site appear as presented in the March 2024 Final EA. As the 8<sup>th</sup> Street Site is no longer being considered for construction of the proposed Courthouse, potential impacts related to that site are not presented in Table 5.1-1. As shown in Table 5.1-1, 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 FONSI for this Proposed Action.

**Table 5.1-1. Comparison of Potential Impacts**

<b>Resource Area</b>	<b>Vine Street Site</b>	<b>Stadium Site</b>	<b>TVA Site</b>	<b>No Action</b>	<b>Cumulative Impact</b>	<b>Measures to Further Reduce or Avoid Less-Than-Significant Impacts</b>
Air Quality and Climate Change	Negligible to minor impacts associated with construction; negligible impacts associated with operations.	Negligible to minor impacts associated with construction; negligible impacts associated with operations.	Negligible to minor impacts associated with construction; negligible impacts associated with operations.	No impact	No significant cumulative impacts	<ul style="list-style-type: none"> <li>• Use water for dust control when grading roads or clearing land.</li> <li>• Pave roadways and maintain them in a clean condition.</li> <li>• Promptly remove spilled or tracked dirt or other materials from paved streets.</li> <li>• Minimize the use and number of trips of heavy equipment.</li> <li>• 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.</li> <li>• Encourage bids that include use of energy- and fuel-efficient fleets and best available control technology.</li> <li>• Conduct periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and consistent with established specifications.</li> <li>• Recycle construction debris to the maximum extent feasible.</li> <li>• Plant shade trees in or near construction projects where feasible.</li> <li>• Reduce construction-related trips of workers and equipment, including trucks.</li> </ul>
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	<ul style="list-style-type: none"> <li>• Implement standard noise control measures such as scheduling construction noise within standard working hours, and using equipment noise controls (e.g., mufflers).</li> <li>• Adhere to OSHA regulations to reduce impact of noise on construction workers.</li> </ul>



**Table 5.1-1. Comparison of Potential Impacts**

<b>Resource Area</b>	<b>Vine Street Site</b>	<b>Stadium Site</b>	<b>TVA Site</b>	<b>No Action</b>	<b>Cumulative Impact</b>	<b>Measures to Further Reduce or Avoid Less-Than-Significant Impacts</b>
Traffic, Transportation, and Parking	Moderate impacts associated with construction; minor impacts associated with operations.	Moderate impacts associated with construction; minor impacts associated with operations.	Moderate impacts associated with construction; minor impacts associated with operations.	No impact	No significant cumulative impacts	<ul style="list-style-type: none"> <li>Establish routes for construction-related vehicles following major highways and roads to the extent practicable.</li> <li>If appropriate, schedule arrival of construction vehicles and outside typical commuting hours.</li> <li>Establish designated parking and staging areas.</li> <li>If the TVA Site is selected, the contractor would coordinate with the city to re-route construction workers and/or trucks during major events at the convention center.</li> <li>If the TVA Site is selected, coordinate with the Chattanooga Department of Transportation and the Tennessee Department of Transportation and, if needed, submit a transportation impact study regarding the direct impact on Broad Street and potential indirect impacts to surrounding roadways and intersections.</li> </ul>
Land Use and Visual Resources	No land use impacts anticipated; minor impacts to visual resources associated with construction; no impacts to visual resources associated with operations.	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 visual resources associated with operations.	No impact	No significant cumulative impacts	<ul style="list-style-type: none"> <li>Comply with existing land use plans.</li> <li>Building design, lighting, and landscaping would complement surrounding aesthetics.</li> </ul>
Cultural Resources	No significant impacts during construction; no impacts associated with operations.	No impact.	No impact.	No impact	No significant cumulative impacts	<ul style="list-style-type: none"> <li>If the Vine Street Site is selected, further archaeological investigations and consultation with SHPO and Tribes would be required prior to construction.</li> <li>If the Vine Street Site is selected, the Muscogee Nation requested to be contacted if an inadvertent</li> </ul>

**Table 5.1-1. Comparison of Potential Impacts**

Resource Area	Vine Street Site	Stadium Site	TVA Site	No Action	Cumulative Impact	Measures to Further Reduce or Avoid Less-Than-Significant Impacts
						discovery of archaeological resources occurs during construction.
Human Health and Safety	Negligible impacts during construction, no impacts associated with operations.	Negligible impacts during construction, no impacts associated with operations.	Negligible impacts during construction, no impacts associated with operations.	No impact	No significant cumulative impacts	<ul style="list-style-type: none"> <li>Conduct further research/ investigations, as appropriate, prior to ground disturbance.</li> <li>Develop and implement appropriate remedial activities prior to construction.</li> <li>Recycle/dispose of generated waste (hazardous or non-hazardous) in accordance with applicable regulations.</li> <li>Properly characterize contaminated soils and transport to permitted facilities for disposal by licensed contractors.</li> <li>Remediate activities as appropriate in consultation with TDEC in order to reduce any impacts.</li> </ul>
Soils and Geology	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	<ul style="list-style-type: none"> <li>Perform a geotechnical investigation and prepare an engineering report for the development in compliance with GSA design standards and current U.S. Courts Design Guide, as amended in 2008 and 2016.</li> <li>Obtain a Construction Stormwater General Permit from TDEC prior to construction.</li> <li>Prepare and comply with a Stormwater Pollution Prevention Plan to limit impacts from soil erosion during construction.</li> </ul>
Biological Resources	Minor impacts associated with construction; negligible impacts associated with operations.	No impacts	No impacts	No impact	No significant cumulative impacts	<ul style="list-style-type: none"> <li>Assess the existing structures of the Vine Street Site for potential presence of gray bat, northern long-eared bat, and tricolored bat. If the assessment determines that bats roost in the structures, coordinate with USFWS Tennessee Ecological Field Office regarding next steps, including potential time of year restrictions on demolition.</li> </ul>

**Table 5.1-1. Comparison of Potential Impacts**

Resource Area	Vine Street Site	Stadium Site	TVA Site	No Action	Cumulative Impact	Measures to Further Reduce or Avoid Less-Than-Significant Impacts
						<ul style="list-style-type: none"> <li>• Survey the Vine Street Site prior to tree removal for nests of protected bird species, including bald eagles, migratory birds, and state-listed birds. If the survey identifies active nests of these species within the Vine Street Site, any further requirements would be determined in coordination with applicable state and federal resource agencies.</li> <li>• Revegetate using native seed mixes.</li> </ul>

OSHA = Occupational Safety and Health Administration; SHPO = State Historic Preservation Office; TDEC = Tennessee Department of Environment and Conservation; USEPA = United States Environmental Protection Agency; USFWS = United States Fish and Wildlife Service

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## CHAPTER 7 LIST OF PREPARERS

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Robert Naumann	Principal-in-charge, EA Oversight	M.S. Environmental Science B.S. Resource Ecology and Management	26
Erin Kouvousis	NEPA Project Manager, Preparation of Human Health and Safety and Cultural Resources Sections	M.S. Ecology B.S. Conservation	14
Samir Qadir	Preparation of Air Quality Section	M.S. Environmental Policy B.S. Electrical and Electronics Engineering	19
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Cynthia Ong	Preparation of Noise and Transportation Sections	M.S. Environmental Science B.S. Civil Engineering	13
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
Sarah Harvey	Researcher and Supporting Analyst for Land Use and Visual Resources and Soil and Geology Sections	BS Environmental Science and Technology	1
Stephen Kuch	Preparation of Maps and Figures, GIS Support	B.S. Geoenvironmental Science	13

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## **APPENDIX A. PUBLIC INVOLVEMENT**

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December 3, 2024

Re: Draft Supplemental Environmental Assessment (SEA) for the Proposed Chattanooga, TN  
Federal Courthouse – United States General Services Administration

Dear Interested Party,

Region 4 of the United States General Services Administration (GSA) has prepared a Draft Supplemental Environmental Assessment (SEA) for the acquisition of a site and construction of a new federal courthouse (hereafter referred to as the Courthouse) in Chattanooga, Tennessee. GSA has prepared this Draft SEA 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 with fulfill the Section 106 public notification and consultation requirements through the NEPA process.

This SEA supplements a Final EA prepared in March 2024, which assessed three sites in the city of Chattanooga for acquisition, design and construction and operation of the proposed Courthouse. The proposed new Courthouse would encompass approximately 190,701 gross square feet; include 40 secured parking spaces, 7 courtrooms, and 9 chambers; and be located within the city limits of Chattanooga.

Following completion of the Final EA, on April 9, 2024, GSA conducted a press release and announced two short listed sites, Hawk Hill Stadium Site and TVA Office Complex. However, GSA is electing to consider another potential location as a site for the proposed Courthouse. The new proposed site, Vine Street Site, is a one-block area bounded by E 5<sup>th</sup> Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west. The Vine Street Site encompasses approximately 4.12 acres and is comprised of eight parcels. One parcel supports a multi-tenant office building and garages; one approximately 0.8-acre parcel is undeveloped and supports maintained lawn and limited numbers of trees; and most of the remainder of the Vine Street Site is utilized as surface parking.

The public is encouraged to provide written comments on the Proposed Action and the findings presented in the Draft SEA and Draft Finding of No Significant Impact (FONSI). The Draft SEA and Draft FONSI are available online through GSA's project website: <https://www.gsa.gov/chattanoogacourthouse> under Latest Updates. A hardcopy is also available for review at the Chattanooga Public Library Downtown Branch, located at 1001 Broad Street, Chattanooga, Tennessee 37402. Any substantive comments received by the deadline will be addressed in the Final SEA. Comments can be sent via email by December 18, 2024 to [ashish.desai@gsa.gov](mailto:ashish.desai@gsa.gov). If sent by mail, comments must be postmarked by December 18, 2024 and sent to the following address:



GSA Southeast Sunbelt Region

**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

Sincerely,

*Ashish Desai*

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

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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:

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*Samara Swafford*

Sworn to and subscribed before me this date: 4th day of December, 2024



*Sheniqua Hambrick*

My Commission Expires 12/14/2026

# Chattanooga Times Free Press

400 EAST 11TH ST  
CHATTANOOGA, TN 37403

**NOTICE OF AVAILABILITY  
Draft Supplemental Environmental  
Assessment for  
New Federal Courthouse in  
Chattanooga, Tennessee**

Pursuant to the requirements of the National Environmental Policy Act (NEPA), the United States General Services Administration (GSA) Southeast Sunbelt Region (Region 4) announces the availability of a Draft Supplemental Environmental Assessment (SEA) for the construction and operation of a new federal courthouse (Courthouse) located in Chattanooga, Tennessee for public review.

This SEA supplements a Final EA prepared in March 2024, which assessed three sites in the city of Chattanooga for acquisition, design and construction, and operation of the proposed Courthouse. The proposed new Courthouse would encompass approximately 190,701 gross square feet; include 40 secured parking spaces, 7 courtrooms, and 9 chambers; and be located within the city limits of Chattanooga.

Following completion of the Final EA, on April 9, 2024, GSA conducted a press release and announced two short listed sites, Hawk Hill Stadium Site and TVA Office Complex. However, GSA is electing to consider another location as a site for the proposed Courthouse. The Vine Street Site is a one-block area bounded by E 5th Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west. The Vine Street Site encompasses approximately 4.12 acres and is comprised of eight tax parcels. One tax parcel supports a multi-tenant office building and garages; one approximately 0.8-acre tax parcel is undeveloped and supports maintained lawn and a limited number of trees; and most of the remainder of the Vine Street Site is utilized as surface parking.

The Draft SEA also considers a No Action Alternative, which provides a baseline for comparison with impacts from the Proposed Action and to satisfy 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 Draft SEA and Draft Finding of No Significant Impact (FONSI) are available online through GSA's project website: <https://www.gsa.gov/chattanoogacourthouse>. A hardcopy is available for review at the Chattanooga Public Library Downtown Branch, located at 1001 Broad Street, Chattanooga, Tennessee 37402. Any substantive comments received by the deadline will be addressed in the Final SEA. Comments can be sent via email by December 18, 2024 to [ashish.desai@gsa.gov](mailto:ashish.desai@gsa.gov). If sent by mail, comments must be postmarked by December 18, 2024 and sent to the following 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



## **APPENDIX B. AGENCY CONSULTATION**

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

21 October 2024

**Re: Proposed New Federal Courthouse in Chattanooga, Tennessee (IPaC Project Code #2024-0148568)**

Dear Ms. Sikula,

Potomac-Hudson Engineering, Inc. (PHE) is supporting Region 4 of the United States General Services Administration (GSA) in the preparation of a Supplemental Environmental Assessment (SEA) for the acquisition of a site and construction of a new federal courthouse (hereafter referred to as the Courthouse) in Chattanooga, Tennessee. This SEA considers a fourth site in downtown Chattanooga and supplements a Final Environmental Assessment (EA) that analyzed three additional sites. The fourth site, which became an option for consideration as a site for the proposed Courthouse after completion of the Final EA in March 2024 and is known to GSA as the Unum Site, is a one-block area bounded by E 5th Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west (see attached Figure 1). The Unum Site encompasses approximately 4.13 acres and comprises eight parcels. One parcel supports a multi-tenant office building and garages; one approximately 0.8-acre parcel is undeveloped and supports maintained lawn and limited numbers of trees; and most of the remainder of the Unum Site is utilized as surface parking. The proposed new Courthouse would encompass approximately 190,701 gross square feet; include 40 secured parking spaces, 7 courtrooms, and 9 chambers; and be located within the city limits of Chattanooga. This SEA will supplement the Final EA prepared in March 2024, which assessed three sites in the city of Chattanooga for acquisition and construction and operation of the proposed Courthouse.

GSA is preparing the SEA in accordance with the 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 SEA will also consider a No Action Alternative, in which GSA would not acquire a new site in Chattanooga, and no new Courthouse would be constructed.

The purpose of this letter is to request concurrence with our preliminary effect determination for the federally listed species within the vicinity of the Unum Site pursuant to Section 7 of the Endangered Species Act (ESA) of 1973 as amended (16 U.S.C. 1531 et seq.). An Information for Planning and Consultation (IPaC) report related to the Unum Site was generated for your reference under Project #2024-0148568.

## **Special-Status Species**

Per the IPaC official species list for the Proposed Action at the Unum Site, USFWS records indicate the potential for 10 federally protected species. These include gray bat (endangered), northern long-eared bat (endangered), tricolored bat (proposed endangered), orangefoot pimpleback (endangered), pink mucket (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 is listed as a non-essential experimental population.

USFWS records also indicate the potential presence of the bald eagle and of 15 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)
- chuck-will's-widow (May 10 to July 10)
- eastern whip-poor-will (May 1 to August 20)
- golden-winged warbler (May 1 to July 20)
- Henslow's sparrow (May 1 to August 31)
- 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)

The Unum Site is located in a developed urban area where the limited vegetation present primarily consists of maintained landscaping. No surface waters exist within the site. High-quality wildlife habitat is not present. No aquatic habitats exist within the Unum Site or would be affected by construction of the proposed Courthouse. No critical habitat was identified within the Unum Site. As such, we propose a preliminary effects determination of "no effect" for the following species:

- orangefoot pimpleback
- pink mucket
- large-flowered skullcap
- small whorled pogonia
- Virginia spiraea
- monarch butterfly
- whooping crane

to these species, GSA would survey the Unum Site prior to tree removal. If the survey identifies active nests of migratory birds within the Unum Site, any further requirements would be determined in coordination with applicable state and federal resource agencies.

The active (non-hibernating) period for gray bat, northern long-eared bat, and tricolored bat is generally considered to be April 1 to October 31. During these months, the bats are out foraging or may utilize trees for roosting, potentially including those within the Unum Site. These bats hibernate in caves and mines between November 1 and March 31 and would not be found within the Unum Site during these months. If the survey determines the presence of gray bat, northern long-eared bat, or tricolored bat within the Unum Site during the species' active period of April 1 to October 31, the trees would not be removed as bats may be present. However, the trees may be removed between November 1 and March 31 while the bats are offsite and hibernating in

The noise generated by construction would not be expected to result in adverse indirect effects due to the general site location within an urban area. No adverse effects on migratory birds are anticipated, and we propose a preliminary effects determination of "may affect, not likely to adversely affect" the federally listed gray bat, northern long-eared bat, and tricolored bat.

### **Concurrence Request**

We would greatly appreciate your concurrence with our preliminary effect determination within 30 days to enable us to complete this phase of the project within the scheduled time frame. We also welcome any information on the species potentially present in the project area that would further inform the preliminary effect determinations contained herein, as well as any input on proposed impact reduction measures that could be incorporated into the Proposed Action to avoid adverse effects to these species. Comments may be submitted at your earliest convenience to Erin Kouvousis at [erin.kouvousis@phe.com](mailto:erin.kouvousis@phe.com). Additionally, comments or 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.

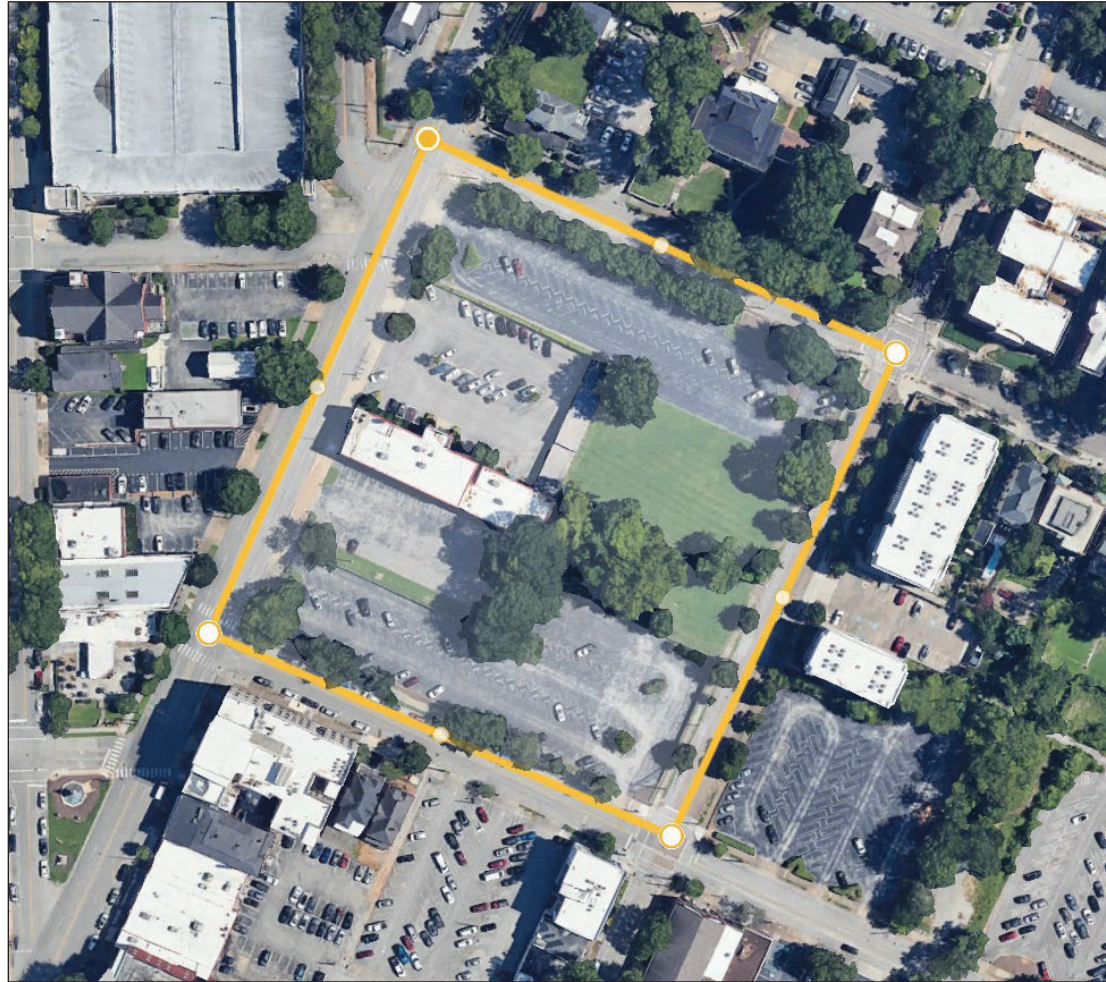
Sincerely,



Erin Kouvousis  
Senior Environmental Scientist

Attachments:  
Figure 1. Unum Site

Figure 1. Unum Site



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----- Forwarded message -----

From: **Tennessee ES, FWS**

Date: Tue, Oct 22, 2024 at 6:25 PM

Subject: Re: [EXTERNAL] Project Review - IPaC Project Code 2024-0148568

To: Erin J.M. Kouvousis

Cc: Ashish Desai - 4P1ME Sykes, Robbie  
, Tennessee ES, FWS

Hi Erin,

We received the review request for the proposed new federal courthouse on the Unum Site in Chattanooga, Tennessee. I notice in the letter that you have requested our concurrence for the NLAA determinations for the bats. It is our policy that we can only "officially" concur when a may affect or NLAA determination is made and submitted by the lead federal agency or their designated non-federal representative (a non-federal representative designation has to be submitted in writing from the lead federal agency). Also, we do not concur with no effect determinations (but we can let you know if the no effect is appropriate).

If you are not the designated non-federal representative, we treat the review as a Technical Assistance request, and we have language we can respond with letting you know if there are species concerns. For this site, we wouldn't anticipate forest dwelling bats utilizing the few trees on site as roosts based on the developed nature and high traffic around the area. Northern long-eared bats and gray bats have been known to utilize buildings as roosts, and I notice there is an existing building on the site. If that building is to be torn down, and it has areas where bats could get in and utilize it as a roost, that may need to be assessed before removal. That being said, if an assessment of the building is proposed before being removed, and no evidence of bat use is observed, there would not be any time of year restrictions on when the trees or building could be removed, and we would concur with a NLAA for the NLEB, gray bat, and tricolored bat. Also, due to no suitable habitat existing at the site for the other species

on the IPaC list, a no effect determination would be appropriate for them.

If you have any questions, please let me know.

Sincerely,

Robbie Sykes

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**From:** Erin J.M. Kouvousis  
**Sent:** Monday, October 21, 2024 5:26 PM  
**To:** Tennessee ES, FWS  
**Cc:** Ashish Desai - 4P1ME  
**Subject:** [EXTERNAL] Project Review - IPaC Project Code 2024-0148568

**This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.**

Hello,

Potomac-Hudson Engineering, Inc. is supporting the U.S. General Services Administration (GSA) in the preparation of a Supplemental Environmental Assessment (SEA) for the construction and operation of a new federal courthouse in Chattanooga, Tennessee. Pursuant to the federal Endangered Species Act (ESA) Section 7, we are seeking input from the US Fish and Wildlife Services (USFWS) Tennessee Ecological Services Field Office regarding potential effects on federally listed species or potential environmental concerns associated with this proposed project (IPaC project code 2024-0148568). Please see the attached letter and species list obtained from IPaC for additional information. An additional hardcopy of the letter is being mailed to your office.

Please review the attached project information and advise as to whether you may concur with a determination of “may affect, not likely to adversely affect” gray bat, northern long-eared bat, and tricolored bat if the proposed Courthouse was constructed at the Unum Site and “no effect” to other protected species included in the IPaC official species list.

We would appreciate any comments, concerns, information, studies, or other data you may have regarding this project within thirty (30) days of receipt of this correspondence.

Thank you,  
Erin





GSA Southeast Sunbelt Region

October 9, 2024

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

Re: Continuation of Section 106 Consultation for a United States General Services Administration's Proposed New Federal Courthouse in Chattanooga, Tennessee  
Project#: SHPO0003983

Dear Mr. McIntyre,

On November 2, 2023, the United States General Services Administration (GSA) initiated Section 106 consultation with the Tennessee Historic Commission pursuant to Section 106 of the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108. Consultation was initiated in connection with GSA's acquisition of a site in downtown Chattanooga for the construction and operation of a new federal courthouse (Courthouse). A copy of the letter initiating consultation under Section 106 for this effort is enclosed for your quick reference. 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.

At the time GSA initiated Section 106 consultation, three sites were being considered. Now that a fourth site is under consideration, GSA is continuing its Section 106 consultation. This fourth site, known by GSA as the "Unum Site", is a one-block area bounded by E 5<sup>th</sup> Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west. GSA is preparing a Supplemental Environmental Assessment (SEA) to analyze the potential impacts of constructing and operating the proposed Courthouse at the Unum site in the event it is selected. The SEA will consider a No Action Alternative, i.e. an alternative in which GSA would not acquire a new site in Chattanooga and no new Courthouse would be constructed.

### **Identification of Historic Properties**

GSA prepared an Addendum to the Cultural Resources Assessment (CRA) for the Unum Site, which supplements the CRA performed for the original three sites under consideration for the new Courthouse. The Addendum CRA includes archaeological and historical reviews of the Unum Site as well as an 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 Addendum CRA report is enclosed for reference. General relevant findings are summarized below.



The Addendum CRA determined that the Unum Site has no known archaeological resources; however, the soils present and recent history of land use at the Unum Site are similar to conditions at nearby archaeological sites. In addition, a Civil War-era earthwork known as Lunette O'Meara, which was part of Fort Sherman, was located near the northeast corner for the Unum Site. As such, the Addendum CRA recommends the Unum Site has the potential to contain NRHP-eligible archaeological resources.

The Addendum CRA assessed 13 resources over 50 years of age within the Area of Potential Effect (APE). The Addendum CRA determined that the Unum Site is not located within any existing NRHP historic districts and that no NRHP-listed or eligible resources are located on the site. Contributing resources from two NRHP districts (the Downtown Chattanooga Historic District and the Fountain Square Historic District) are located within the APE of the Unum Site. Two individually NRHP-listed resources (the Gaskill House and the Brabson-Loveman House) are located north of the Unum Site. One recommended-eligible individual resource (the Jefferson Building) is located northeast of the Unum Site within the viewshed APE.

Three of the 13 resources assessed within the APE had not been previously surveyed. These included two sites within the APE (Firehall No. 3 and the Central Church of Christ) and one on the Unum Site itself (Carpenters Local No. 74 Building). All three of these newly surveyed sites were recommended as not eligible for the NRHP within the Addendum CRA.

In a letter dated September 30, 1996, the Tennessee Historical Commission (THC) responded to a request by the United Brotherhood of Carpenters to assess the eligibility of the Carpenters' Local Union No. 74 for listing on the National Register of Historic Places. According to THC, the building does not meet the criteria for listing on the NRHP due to an abundance of modern materials.

### **Determination of Findings**

Pursuant to section 800.4(d)(1) of Title 36 of the *Code of Federal Regulations* (CFR), GSA has determined that selection of the Unum Site for acquisition, construction, and operation of the new federal Courthouse would have no adverse effect on any NRHP-listed or eligible historic resources.

As the Addendum CRA notes that the Unum Site has the potential to contain NRHP-eligible archaeological resources, it is recommended that an archaeological survey using shovel testing and ground-penetrating radar (GPR) be conducted. The shovel tests should be excavated in the grassy lot in the northeastern portion of the Unum Site, and GPR should be used on paved areas. The location of GPR grids should be placed in locations within the block that have the potential to retain historic features, such as the Civil War-era lunette, rear of apartment buildings and houses, and along interior alleyways. Following GPR, mechanical trenching may be recommended to investigate anomalies. Monitoring by a professional archaeologist during ground-disturbing development of the Unum Site may also be warranted, dependent upon the results of survey efforts.

GSA requests the SHPO's concurrence on the agency's finding of no adverse effect on above ground resources within 30 days per 36 CFR Part 800. GSA also welcomes any additional recommendations the SHPO may have regarding the potential for adverse effects of subsurface and archaeological resources. While our research indicates there are no federally recognized Tribes currently within the state of Tennessee, we acknowledge that ancestral Tribal land is



GSA Southeast Sunbelt Region

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. GSA also plans to continue the consultation with six Tribes with ancestral ties to the area initiated during assessment of the original three sites considered for construction of the proposed Courthouse.

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

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Danita M. Brown".

7ED0627432C641E...  
Danita M. Brown, AIA

Regional Historic Preservation Officer

Cc: Sarah Love, Regional Historic Preservation Specialist

Enclosures:

1. *Initiation of Section 106 Consultation for a United States General Services Administration's Proposed New Federal Courthouse in Chattanooga, Tennessee (November 2, 2023)*
2. *Addendum Cultural Resources Assessment for the Proposed Chattanooga Federal Courthouse (Final; 2024)*



**TENNESSEE HISTORICAL COMMISSION**  
STATE HISTORIC PRESERVATION OFFICE  
2941 LEBANON PIKE  
NASHVILLE, TENNESSEE 37243-0442  
OFFICE: (615) 532-1550

**MEMORANDUM**

**TO:** Section 106 Coordinator, Kelley Reid  
**FROM:** National Register Coordinators, Rebecca Schmitt & J. Ethan Holden  
**DATE:** November 1, 2024  
**RE:** Eligibility Determination for Section 106 Project: New Federal Building in downtown Chattanooga, Unum Site

**Listed/Eligible Resources**

Listed Resources should remain listed. These include:

- Downtown Chattanooga HD
- Fountain Square HD
- Gaskill House
- Brabson-Loveman House

**Requests for More Info**

**Jefferson Building**, 501 East Fifth Street – We request a comparative architectural analysis with other apartment buildings of similar age, form, and style in the local context of Chattanooga. Eligibility under Criterion C will come down to whether this stands out in its local context in comparison to other examples. Please note that eligibility under C does not require a high amount of stylistic detail, as was suggested in the evaluation. There could be various ways to evaluate its architectural significance – is this a great example of this apartment form in Chattanooga? Did the size or style appear to influence design trends? Is this building representative of how Craftsman details were applied to apartment buildings in Chattanooga? Or is this an unique example?

We have determined that the building is not eligible under Criterion A in the area of Community Planning and Development. This is based on feedback from NPS, which has suggested that CP&D is generally not an appropriate area of significance for single apartment buildings because their association with population booms/development does not automatically mean that the building itself played an important role in that development, though there certainly could be instances of a single building being important for that reason but there would have to be sufficient documentation and context, which we have not seen here. CP&D is generally more applicable to neighborhoods or district. Our understanding is that NPS is planning to issue guidance on CP&D in the near future.

**Central Church of Christ**, 400 Vine – We request a comparative architectural analysis with other churches of similar age, form, and style in the local context of Chattanooga. The church retains



**TENNESSEE HISTORICAL COMMISSION**  
STATE HISTORIC PRESERVATION OFFICE  
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OFFICE: (615) 532-1550

several good stylistic details as well as the common mid-20<sup>th</sup> century alteration of education wing additions. Alterations are evident, including a ca. 2007 infill of an open-air walkway which was not mentioned in the report but has impacted the façade. NR guidance indicates that resources with alterations can still be eligible if analysis of local architectural context shows the resource stands out, such as if this is among the better examples of its style or architectural evolution, even with its alterations. More info on alterations should also be included, such as an approximate date of when the stained-glass windows were installed to replace the previous pivot windows.

Please also revise the report in regard to the discussion of Criteria Consideration A. Criteria Consideration A is simply a check to ensure that religious properties are being evaluated/listed for their significance and not on the merits of the religion associated with the property. Criteria Consideration A does not require 'exceptional' significance as the report suggested. The only time exceptional significance is required is when a property is less than 50 years old and triggers Criteria Consideration G. This property is more than 50 years old and therefore the exceptional significance standard does not apply.

**Not Eligible Resources**

The remainder of the resources do not appear to be eligible, either due to lack of significance and/or for lack of integrity. These include:

- Robinson and Crutchfield Building, 424 Georgia Ave
- McMahan Law Building, 417 Georgia Ave
- Rea House, 511 George Ave
- Levitt and Levitt Building, 312 Vine St
- Davis House, 314 Vine St
- Carpenters' Local no. 74, 518 Georgia Ave
- Firehall No. 3, 513 Georgia Ave



October 9, 2024

Turner Hunt  
Tribal Historic Preservation Officer  
Muscogee (Creek) Nation  
P.O. Box 580  
Okmulgee, OK 74447  
thunt@mcn-nsn.gov  
[section106@mcn-nsn.gov](mailto:section106@mcn-nsn.gov)

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

Dear Mr. Hunt,

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) initiated consultation with the Muscogee (Creek) Nation via a letter dated January 23, 2024, 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. Construction will require ground disturbance for construction of the building foundation and the installation of underground utilities.

GSA is continuing consultation under Section 106 now that a fourth site in downtown Chattanooga is being considered. This fourth site, known by GSA as the Unum Site, is a one-block area bounded by E 5th Street to the north, Lindsay Street to the east, Vine Street to the south, and Georgia Avenue to the west. GSA is preparing a Supplemental Environmental Assessment (SEA) to analyze the potential impacts of construction and operation of the proposed Courthouse at this location if the Unum site is selected. The SEA will also consider a No Action Alternative, in which GSA would not acquire a new site in Chattanooga, and no new Courthouse would be constructed.

### **Identification of Historic Properties**

GSA conducted an Addendum Cultural Resources Assessment (CRA) for the Unum Site, which supplements the CRA performed for the original three sites under consideration for the new Courthouse. The Addendum CRA includes archaeological and historic resource reviews of the Unum Site as well as an 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 Addendum CRA report is enclosed for reference. General relevant findings are summarized below.

The Addendum CRA determined that the Unum Site has no previously recorded archaeological resources; however, the soils present and recent history of land use at the Unum Site are similar to conditions at nearby archaeological sites. In addition, a Civil War-era earthwork known as Lunette O'Meara, which was part of Fort Sherman, was located near the northeast corner for the Unum Site. As such, the Addendum CRA recommends the Unum Site has the potential to contain NRHP-eligible archaeological resources. Regarding the potential for Native and Indigenous cultural resources, the CRA has determined that while the landform is ideal for



GSA Southeast Sunbelt Region

previous Native American occupation, historic development, demolition, and modern construction have impacted the parcel to an unknown degree and the potential for Indigenous cultural materials may be low, but not absent. Thus, the recommendation is to perform shovel testing where possible to determine a more accurate assessment of the potential for resources pre-dating European colonization.

### Determination of Findings

Pursuant to 36 Code of Federal Regulations (CFR) 800.4(d)(1), GSA has determined that selection of the Unum Site for acquisition and construction and operation of a new federal Courthouse would have no adverse effect on any NRHP-listed or eligible historic resources.

As the Addendum CRA notes that the Unum Site has the potential to contain NRHP-eligible archaeological resources, it is recommended that an archaeological survey using shovel testing and ground-penetrating radar (GPR) be conducted. The shovel tests should be excavated in the grassy lot in the northeastern portion of the Unum Site, and GPR should be used on paved areas. The location of GPR grids should be placed in locations within the block that have the potential to retain historic features, such as the Civil War-era lunette, rear of apartment buildings and houses, and along interior alleyways. Following GPR, mechanical trenching may be recommended to investigate anomalies. Monitoring by a professional archaeologist during ground-disturbing development of the Unum Site may also be warranted, dependent upon the results of survey efforts.

GSA requests the THPO's review of the agency's Cultural Resources Assessment within 30 days per 36 CFR Part 800. GSA also welcomes any additional recommendations the Muscogee (Creek) Nation may have regarding mitigation of adverse effects. With the acknowledgement and recognition of ancestral Tribal lands located within the modern state of Tennessee, 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. GSA also plans to continue the consultation with additional Tribal Nations with ancestral ties to the area initiated during assessment of the original three sites considered for construction of the proposed Courthouse.

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

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Danita M. Brown".

7ED0627432C641E...

Danita M. Brown, AIA  
Regional Historic Preservation Officer

Cc: Sarah Love, Region 4 Historic Preservation & Fine Arts Specialist

Enclosure: *Addendum Cultural Resources Assessment for the Proposed Chattanooga Federal Courthouse, Chattanooga, Tennessee*

----- Forwarded message -----

From: Section106 <[Section106@mcn-nsn.gov](mailto:Section106@mcn-nsn.gov)>

Date: Thu, Nov 7, 2024 at 3:34 PM

Subject: Re: Initiation of Consultation for the General Services Administration's Proposed New Federal Courthouse in Chattanooga, TN.

To: Sarah Love - 4P1EA

Hello Sarah,

Thank you for your recent correspondence on the Unum Site Alternative Location for the Proposed Chattanooga Federal Courthouse in Chattanooga, Tennessee. This project is occurring in the Muscogee (Creek) Nation's area of interest. This response is in accordance with 36 CFR Part 800.2(c)(2)(ii)(D). This letter is to assist your identification efforts for this undertaking in compliance with Section 106 of the National Historic Preservation Act. The Muscogee Nation appreciates the invitation to consult on this undertaking.

The Muscogee Nation **concurs** that there will be no adverse effect to any known historic properties or sites of cultural or religious significance by the proposed undertaking at the Unum Site. Please let us know the next phase for court house development. We ask to be contacted if an inadvertent discovery of items such as cultural items and/or human remains occurs. Otherwise, we have no objections to the project, and work could proceed as planned.

Please let me know if you have any questions.

Mvto,

**Savannah J. Waters, PhD**

Historian

Historic and Cultural Preservation Department

The Muscogee (Creek) Nation

<https://www.muscogeenation.com/>



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GSA Southeast Sunbelt Region

December 11, 2024

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

Re: Continuation of Section 106 Consultation for a United States General Services Administration's  
Proposed New Federal Courthouse in Chattanooga, Tennessee  
Project#: SHPO0003983

Dear Mr. McIntyre,

In response to your letter dated November 4, 2024, regarding the above referenced GSA undertaking, we acknowledge your requirement for additional context to determine whether the Jefferson Building at 501 East Fifth Street and the Central Church of Christ at 400 Vine Street, are eligible for listing in the National Register of Historic Places (NRHP) under Criterion C. The U.S. General Services Administration (GSA) is prepared to recognize and treat both buildings as eligible for their architectural significance, and therefore move forward with consultation per Section 106 of the National Historic Preservation Act.

In this regard, GSA is prepared to proceed into consultation on the proposed project's potential indirect effects within the viewshed of the Area of Potential Effect for the Vine Street Site (previously referred to as UNUM Site) from the proposed construction of a new federal courthouse on these historic resources considering their architectural significance. We anticipate that given the unchanged scope of the undertaking, that our potential impacts for these additional identified historic resources will be consistent with the Tennessee Historical Commission's previous review of our undertaking's effects, detailed in the Cultural Resources Assessment dated October 4, on the National Register listed Downtown Chattanooga Historic District, Fountain Square Historic District, Gaskill House, and Brabson-Loveman House.

Please note that we intend to continue consultation on GSA's potential impacts on archaeological resources by providing a detailed archaeological survey report following the appropriate field investigations.

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

Sincerely,

DocuSigned by:

A handwritten signature in black ink that reads "Danita M. Brown".

7ED0627432C641E...

Danita M. Brown, AIA  
Regional Historic Preservation Officer

Cc: Sarah Love, Regional Historic Preservation Specialist



**TENNESSEE HISTORICAL COMMISSION**  
STATE HISTORIC PRESERVATION OFFICE  
2941 LEBANON PIKE  
NASHVILLE, TENNESSEE 37243-0442  
OFFICE: (615) 532-1550  
[www.tnhistoricalcommission.org](http://www.tnhistoricalcommission.org)

2024-12-18 10:05:23 CST

Ms Danita Brown  
General Services Administration  
[danita.brown@gsa.gov](mailto:danita.brown@gsa.gov)

RE: General Services Administration (GSA), New Construction of Chattanooga Federal Courthouse, Project#: SHPO0003983, Chattanooga, Hamilton County, TN

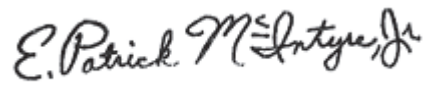
Dear Ms Danita Brown:

In response to your request, we have reviewed the letter you submitted regarding the update on the assessment of eligible for the Jefferson Building and Central Church of Christ. Our review of and comment on your proposed undertaking are among the requirements of Section 106 of the National Historic Preservation Act. This Act requires federal agencies or applicants for federal assistance to consult with the appropriate State Historic Preservation Office before they carry out their proposed undertakings. The Advisory Council on Historic Preservation has codified procedures for carrying out Section 106 review in 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

Based on the information provided, we concur that the project as currently proposed will not adversely affect the National Register listed Downtown Chattanooga Historic District, the Fountain Square Historic District, the Gaskill House, and the Brabson-Loveman House.

This office has no objection to the implementation of this project as currently planned. If project plans are changed or previously unevaluated archaeological resources are discovered during project construction, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act. Please provide your Project # if you submit additional information regarding this undertaking. Questions and comments may be directed to Kelley Reid, who drafted this response, at [Kelley.Reid@tn.gov](mailto:Kelley.Reid@tn.gov), +16157701099. We appreciate your cooperation.

Sincerely,

A handwritten signature in black ink that reads "E. Patrick McIntyre, Jr." in a cursive script.

E. Patrick McIntyre, Jr.  
**Executive Director and  
State Historic Preservation Officer**

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