

Environmental Assessment Determinations and Compliance Findings for HUD-assisted Projects 24 CFR Part 58

Project Information

Project Name:	Old Town Hall Rehabilitation
Responsible Entity:	City of Fairfax, VA
Grant Recipient:	City of Fairfax, VA
State/Local Identifier:	51600 (FIPS Code)
Preparer/Consultant:	Timmons Group, on behalf of the City of Fairfax
Certifying Officer Name and Title:	Robert A. Stalzer, City Manager, City of Fairfax, VA
Direct Comments to:	Sayed Masood, Capital Projects Manager; City of Fairfax, Public Works Department; 10455 Armstrong Street; Fairfax, VA 22030-3630

Project Location: The Old Town Hall project site comprises approximately 0.34-acre located within a larger approximately 0.65-acre parcel (PIN #57402109A) owned by the City of Fairfax, Virginia at 3999 University Drive within the City limits. The project limits also include City-owned asphalt paved parking lots located north and southeast of the building. The site is bounded to the north by a portion of the Old Town Square Park, to the east by the Ratcliffe-Allison House and commercial businesses, to the south by State Route 236/Main Street and commercial businesses, and to the west by University Drive and commercial businesses.

The Old Town Hall is a 2-story neo-classical style building that was constructed in 1900 by Joseph E. Willard and presented to the Town of Fairfax in 1901. The intent of Mr. Willard's gift of the building was to provide a civic gathering place and cultural facility for the growing town. An addition was constructed in 1990, which added an elevator, accessible restrooms and a warming kitchen for use by caterers. The building is a popular venue for civic events including the City's July 4th celebration, concerts and plays presented by the Cultural Arts Division, and the "Chocolate Lover's Festival." The building is also offered as a rental facility for private events, such as weddings and parties, and hosts over a hundred of these events in a typical year. The Old Town Hall building is currently connected to all local public utilities, including water, sewer, and electricity. Project maps and site photographs are included in **Appendix A**.

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]: The City of Fairfax has been awarded an Economic Development Initiative, Community Project Funding (EDI, CPF) grant, administered through HUD's Office of Community Planning and Development, Congressional Grants Division, to complete interior and exterior improvements to the Old Town Hall building. Rehabilitation efforts will include replacement and relocation of mechanical systems; renovation of the existing warming kitchen, the interior stairwell, doors, restrooms, the flat roof area, and related aspects of the building envelope; and improvement of existing finishes such as repairing plaster, repainting, and the floor finish. Additionally, while repairs to the asphalt paved parking lot

to the north of the Town Hall Building are not included in the budget, these repairs will be completed if residual funding remains available.

Land disturbance activities related to this project will be limited to the landscaped area to the north of the building (approximately 10 feet by 50 feet) and a parking area and ramp located at the southeast corner (approximately 30 feet by 30 feet) for an estimated total of 1,400 square feet (0.032 acre) of ground disturbance at an approximate maximum depth of two feet. All of the utility work to the south of the building was previously completed. Improvements in the area to the north of the building will involve replacement of the stairs, the removal and relocation of HVAC units, and the lowering of the sanitary lateral, which is limited by the depth of the connection to the sewer. Enhancements at the southeast corner of the building will include improvement of the parking area and ramp to meet ADA standards and repair to a masonry retaining wall. A net decrease in impervious area is expected as a result of this work.

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]: The City of Fairfax has proposed several rehabilitation efforts for the existing Old Town Hall building, which was constructed in 1900. One of the building's four columns on the north side of the Old Town Hall's portico failed and fell to the sidewalk on August 14, 2020. As a result of the column failure, the City completed an evaluation of the building porch and front façade and identified significant rehabilitation needs. The columns and portico were repaired at an approximate cost of \$800,000 from the City's General Fund. Further evaluation of the entire building indicated that significant additional work is required to preserve, rehabilitate and upgrade the facility to ensure its continuation to serve the community into the future. The purpose of this project is to rehabilitate the Old Town Hall building, which includes replacing building deficiencies to address safety concerns, renovating facilities to meet ADA-accessibility, and providing modern interior upgrades and finishes. Federal funding is essential to this rehabilitation effort as the City has expended significant reserve funding to effect the repairs dictated by the column failure. The improvements are needed to ensure that this historic structure is appropriately preserved while allowing its continued use to support civic and private events. Detailed project narratives are included in **Appendix A**.

Existing Conditions and Trends [24 CFR 58.40(a)]: The project site currently consists of the Old Town Hall building, which is in need of repairs and rehabilitation. The area immediately surrounding the proposed project site is comprised of public park space, historic properties, and commercial businesses. In accordance with the *City of Fairfax 2035 Comprehensive Plan (February 12, 2019)*, the proposed project aligns with Community Design and Historic Preservation Goal #2 to "*Protect and enhance historic resources.*" The proposed project is a contributing structure registered on the National Register of Historic Places (NRHP) and located within the City's locally-designated Old Town Fairfax Historic Overlay District. The proposed project therefore presents an opportunity for the City to preserve this NRHP-listed structure for its continued use to support local events and serve the community heritage.

Funding Information

The City of Fairfax recently repaired the Old Town Hall portico and columns using the City's General Fund. Additionally, the City completed some on-site utility relocation using the City's General Fund, prior to the federalization of the project. However, additional funding is required to complete the significant additional work required to repair, preserve, rehabilitate and upgrade the building's exterior and interior systems and components. The Old Town Hall Rehabilitation project will utilize HUD EDI, CPF funding and general funds from the City. Construction costs are estimated at \$2,156,159. The total cost of the project, including architectural services, civil and environmental services and City staffing for program administration associated with staff project management during design and construction is estimated to be \$2,846,130.

Estimated Total HUD Funded Amount: **\$2,100,000**

Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: **\$2,846,130**

Source of Funds

Fund Source	Amount
HUD EDI, CPF Grant Number B-22-CP-VA-0894	\$2,100,000
City of Fairfax General Fund	\$746,130
TOTAL FUNDS	\$2,846,130

Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits of approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Airport Hazards 24 CFR Part 51 Subpart D	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>There are no civilian airports within 2,500 feet and no military airports within 15,000 feet of the project site.</p> <p>The closest civilian airport, Dulles International Airport, is located approximately 8.8 miles northwest of the project site; and the closest military airport, Davison Army Airfield, is located approximately 10.7 miles southeast. The project is not located within an Accident Potential Zone (APZ) or Runway Protection Zone/Clear Zone (RPZ/CZ).</p> <p>The proposed project is in compliance with Airport Hazards requirements. See Appendix B.</p>
Coastal Barrier Resources Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>Per the Official Coastal Barrier Resources System Mapper (https://www.fws.gov/cbra/maps/mapper.html), the project site is inland and does not encompass coastal barrier resources. The proposed project is in compliance with the Coastal Barrier Resources Act. See Appendix C.</p>
Flood Insurance Flood Disaster Protection Act of 1973 & National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Panel 5155240002D, effective June 2, 2006, the entire project site is located within an area of minimal flood hazard (Zone X). The City of Fairfax is a member of the National Flood Insurance Program. While flood insurance may not be mandatory in this instance, HUD recommends that insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The proposed project is in compliance with Flood Insurance requirements. See Appendix D.</p>
Clean Air Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>According to the U.S. Environmental Protection Agency's (EPA's) <i>Virginia Nonattainment/Maintenance Status for Each County by Year for all Criteria Pollutants</i>, as of June 30, 2023, the City of Fairfax is currently in nonattainment for 8-Hour Ozone (2015 standard) in 2023, and was in nonattainment for this standard between 2018 and 2022; was</p>

(Continued)

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6		
Clean Air (Continued) Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93		<p>in nonattainment for 8-Hour Ozone (2008 standard) between 2012 and 2018, and is currently in maintenance for this standard; and was in non-attainment for 8-Hour Ozone (1997 standard, revoked on April 6, 2015) between 2004 and 2014.</p> <p>In addition, the City of Fairfax was in nonattainment for PM 2.5 (1997 standard) between 2005 and 2013; however, the City is a maintenance area for this NAAQS and this standard is revoked in attainment or maintenance areas. According to the EPA, the <i>de minimis</i> levels for the 8-Hour Ozone 2015, 2008, and 1997 standards are 0.070 parts per million (ppm), 0.075 ppm, and 0.08 ppm, respectively: https://www.epa.gov/ground-level-ozone-pollution/table-historical-ozone-national-ambient-air-quality-standards-naaqs. Per 9VAC5-80-2130, the project will have ozone emissions of less than 25 tons per year when aggregated with all other net increases in emissions from the source over a period of five consecutive calendar years, so the project is exempt from air quality permit requirements (https://law.lis.virginia.gov/admincode/title9/agency5/chapter80/section2130/). According to the EPA, the <i>de minimis</i> level for the PM 2.5 1997 standard is 100 tons per year (https://www.epa.gov/sites/production/files/2016-03/documents/gc_factsheet_pm2.5_deminimis_3312006.pdf). Per 9VAC5-80-1105, the project will have PM 2.5 of less than 10 tons per year, so the project is exempt from air quality permit requirements (https://law.lis.virginia.gov/admincode/title9/agency5/chapter80/section1105/). Thus, the ozone and PM 2.5 emissions are automatically considered <i>de minimis</i> per 40 CFR §93.153(c)(2), and the project is in compliance with the State Implementation Plan, regardless of the City's air quality status. The proposed project is in compliance with the Clean Air Act. See Appendix E.</p>
Coastal Zone Management Coastal Zone Management Act, sections 307(c) & (d)	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>The proposed project is located within the City of Fairfax, an independent city within the Virginia Coastal Zone Management (CZM) area subject to the Coastal Zone Management Act (CZMA). However, according to the Virginia Department of Environmental Quality (DEQ), federal funding to state and local governments does not require coordination under CZMA Section 307(c)(3)(A) and 15 CFR Part 930, Subpart F, in Virginia. The proposed project is compliant with the CZMA. See Virginia Coastal Zone map and DEQ correspondence in Appendix F.</p>

<p>Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6</p>	<p>Formal compliance steps or mitigation required?</p>	<p>Compliance determinations</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5</p>		
<p>Contamination and Toxic Substances 24 CFR Part 50.3(i) & 58.5(i)(2)</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>According to the Environmental Risk Information Services (ERIS) Database Report, dated March 14, 2023, no <i>Aboveground Storage Tanks (ASTs)</i> are located on-site; however, one <i>AST</i> listing is located within a 0.25-mile radius of the project site. The <i>AST</i> listing is for a registered petroleum storage tank at the Judicial Center, located 0.23 mile southwest of the project site at 4110 Chain Bridge Road. Additionally, no <i>Leaking Storage Tanks (LSTs)</i> or <i>Underground Storage Tanks (USTs)</i> are located on the project site; however, 29 <i>LST</i> listings are listed within a 0.5-mile radius of the project site and 11 <i>UST</i> listings are within a 0.25-mile radius of the project site. All but one of the identified <i>LST</i> sites have received regulatory closure, and all but three of the identified <i>UST</i> listings are inactive and recorded as removed from the ground, permanently out of use, or closed in the ground. The open <i>LST</i> listing is for a release of heating oil at the Old Fire Station #3 at 3988 University Drive, which is at a lower elevation, and the three <i>UST</i> listings are active gasoline and emergency generator (diesel) tanks with no records of violations. Further, two <i>Drycleaner Facilities (FED DRYCLEANERS and DRYCLEANERS [State/DEQ])</i> and six <i>SPILLS</i> listings are located within a 0.25-mile radius and a 0.125-mile radius of the project site, respectively. However, both of the dry cleaner listings are at a lower elevation than the project site, are permanently closed, and have no records of violations, and the <i>SPILLS</i> listings have all received regulatory closure. Following review and based on regulatory status, operational condition, distance, and/or the extrapolated direction of groundwater flow, none of these listings represent a potential environmental risk. The proposed project is in compliance with Contamination and Toxic Substances requirements. See the March 14, 2023, ERIS Database Report in Appendix G.</p>
<p>Endangered Species Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes No <input type="checkbox"/> <input checked="" type="checkbox"/></p>	<p>A March 14, 2023, Virginia Fish and Wildlife Information Services (VaFWIS) query revealed that there are no federal and/or state threatened or endangered species documented within two miles of the project area. A March 13, 2023, Virginia Department of Conservation and Recreation (DCR) Biotics Data System Report indicates that there are no natural heritage resources, including “the habitat of rare, threatened, or endangered plant and animal species,</p> <p style="text-align: right;">(Continued)</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Endangered Species (Continued) Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402		<p>unique or exemplary natural communities, or significant geological formations,” documented within the project boundary and a 100-foot radial buffer. In addition, the project area does not intersect any of the predictive models identifying potential habitat for natural heritage resources.</p> <p>A March 13, 2023, Center for Conservation Biology mapping search revealed no bald eagle nests or roosts within regulatory buffer distances of the project site.</p> <p>A May 19, 2023, U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) official species list revealed one threatened species, the Northern Long-eared Bat (<i>Myotis septentrionalis</i>); one proposed endangered species, the Tricolored Bat (<i>Perimyotis subflavus</i>); and one candidate species, the Monarch Butterfly (<i>Danaus plexippus</i>) may be present in the area of the proposed project. However, there is no critical habitat identified within the project area. The Northern Long-Eared Bat (NLEB) has been uplisted from threatened to endangered as of March 31, 2023. USFWS has provided an updated Determination Key (Dkey) for the NLEB, effective March 21, 2023. A Dkey query on March 22, 2023 received a “no effect” determination for the NLEB and generated a USFWS consistency letter. According to the consistency letter, no further consultation/coordination with USFWS for this project is required with respect to the NLEB.</p> <p>Additionally, Virginia Department of Wildlife Resources (DWR) NLEB and Tri-colored and Little Brown Bat (TCLBB) database searches on March 13, 2023 indicate that there are no documented habitats, roost trees, or hibernacula within the vicinity of the proposed project.</p> <p>The proposed project is in compliance with the Endangered Species Act. See Appendix H.</p>
Explosive and Flammable Hazards 24 CFR Part 51 Subpart C	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project is not a hazardous facility.</p> <p>Review of aerial imagery revealed no “tank-farm” type, large ASTs within one-mile of the project site. Review of the ERIS Database Report revealed no ASTs on-site; however, one AST listing is located within a 0.25-mile radius of the project site. The AST listing is for a registered petroleum storage tank at the Judicial Center, located 0.23 mile southwest of the project site at 4110 Chain Bridge Road. Following review</p> <p style="text-align: right;">(Continued)</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Explosive and Flammable Hazards (Continued) 24 CFR Part 51 Subpart C		<p>and based on regulatory status, operational condition, and distance, this listing does not represent a potential environmental risk. Additionally, the project does not include development, construction, or rehabilitation that will increase residential densities, or conversion.</p> <p>The proposed project is in compliance with Explosive and Flammable Hazards requirements. See the ERIS Database Report in Appendix G and Explosive and Flammable Hazards Worksheet in Appendix I.</p>
Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>All of the soils on the project site are classified as <i>not prime farmland</i> (100%). Additionally, the project site is located within a U.S. Census-designated Urbanized Area and is therefore not subject to the Farmland Protection Policy Act (FPPA). The proposed project is in compliance with the FPPA. See Appendix J.</p>
Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	<p>According to FEMA FIRM Panel 5155240002D, effective June 2, 2006, the entire project site is located within an area of minimal flood hazard (Zone X). The proposed project is in compliance with Executive Order 11988. See Appendix D.</p>
Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	<p>According to the Virginia Cultural Resource Information System (V-CRIS), three identified historic resources or districts are located within the project site boundaries, also defined as the area of potential effect (APE), that include: the <i>Old Town Hall</i> (Virginia Department of Historic Resources [DHR] ID: 151-0007), which is a contributing resource to the <i>City of Fairfax Historic District</i> (DHR ID: 151-0003) eligible for listing on the National Register of Historic Places (NRHP) and/or the Virginia Landmarks Register (VLR), and <i>Earp's Ordinary/Ratcliffe-Allison House</i> (DHR ID: 151-0002) and the <i>City of Fairfax Historic District</i> (DHR ID: 151-0003), which are both listed on the NRHP and VLR. Additionally, the project site is within the boundaries of <i>Earp's Ordinary Addition</i> (DHR ID: 151-0003-0042), which is a contributing resource to the <i>City of Fairfax Historic District</i> that has not been evaluated by DHR.</p> <p>Within the APE, archaeological resource DHR ID: 44FX1065, the <i>Ratcliffe-Allison House</i>, was first surveyed in 1986; however, the site has not been evaluated for listing by DHR.</p> <p style="text-align: right;">(Continued)</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Historic Preservation (Continued) National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800		<p>In correspondence dated June 13, 2023, DHR requested additional information to review and issue a recommendation, including a detailed project description to include architectural/construction plans as well as planting plans that depict the location and extent of ground disturbance.</p> <p>The City of Fairfax provided further summary detail and photographs in a report entitled “Proposed Exterior Renovation/Rehabilitation,” which was provided to DHR on July 26, 2023, for further consideration with an explanation that the City intends to use the HUD grant funding for the cost of the design work.</p> <p>In further correspondence from DHR dated July 27, 2023, DHR stated that <i>“the grant request to develop architectural plans for the rehabilitation of the historic property will have No Adverse Effect, on the condition that draft architectural plans be submitted to DHR for review and comment when they become available.”</i></p> <p>The Catawba Indian Nation and Delaware Nation, Oklahoma have interests in the City of Fairfax and were contacted by the City regarding the project. The Delaware Nation responded on April 18, 2023, that “Delaware Nation has <u>no concern</u> with the Old Town Hall rehabilitation project. Please proceed as planned.” The Catawba Indian Nation responded on May 4, 2023, that the “the Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. However, the Catawba are to be notified if Native American artifacts and/or human remains are located during the ground disturbance phase of this project.”</p> <p>The proposed project is in compliance with Section 106. See Appendix K.</p>
Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	<p>The proposed project includes rehabilitation to the existing Old Town Hall building and its immediate exterior, which is not a noise sensitive use. According to the HUD Noise Abatement and Control Checklist, the project is not subject to the noise standards. The proposed project is in compliance with the Noise Control Act. See Appendix L.</p>

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Formal compliance steps or mitigation required?	Compliance determinations
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5		
Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no sole source aquifers in the region. The proposed project is in compliance with Sole Source Aquifer requirements. See Appendix M .
Wetlands Protection Executive Order 11990, particularly sections 2 and 5	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	Review of the US Fish and Wildlife Service National Wetlands Inventory Wetlands (NWI) Map indicates that no wetlands or streams are present on-site or located on adjacent or nearby parcels. The subject property is not located within a Chesapeake Bay Preservation Area (CBPA) Resource Protection Area (RPA); however, all lands in the City that are not within an RPA are designated as the Resource Management Area (RMA), including the project site. The proposed project is in compliance with Executive Order 11990. See Appendix N .
Wild and Scenic Rivers Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	There are no wild and scenic rivers in Virginia. The closest Nationwide Rivers Inventory (NRI)-listed segment, the Potomac River reach from Broad Run to David Taylor Model Basin, is located approximately 9.7 miles northeast of the project site. The Bull Run reach from Route 659 to west of Route 66 is located approximately 10.8 miles southwest of the project site. The proposed project is in compliance with the Wild and Scenic Rivers Act. See Appendix O .
Environmental Justice Executive Order 12898	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located within Blockgroup 516003002003, with an approximate population of 1,430 for this 0.41 square mile area. The proposed project is not located within a predominantly <i>people of color</i> population (minority) area (44%), with only 14% or less of the population falling below federal poverty limits. By comparison, Blockgroup 5160030065003, located immediately adjacent to and south of the project site, has a lower minority population (33%) with 32% or less of its population falling below federal poverty limits. The project will not cause adverse environmental effects, will not result in displacements, and will not disproportionately and adversely affect low income and minority populations. The project will positively impact the community as a whole by providing needed improvements to a historic structure that serves as a civic gathering place. The proposed project is in compliance with Executive Order 12898. See Appendix P .

Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 & 1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

Impact Codes: Use an impact code from the following list to make the determination.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
LAND DEVELOPMENT		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	The City of Fairfax Future Land Use Map designates the project site as an Activity Center, where mixed-use, pedestrian-oriented development that allows multiple activities are encouraged to take place. The Old Town Fairfax Activity Center (“Old Town Fairfax”) encompasses a cultural hub for the City, with a concentration of historic buildings, public services, active open space, and commercial buildings. This land use designation complements the project site’s CR (Commercial Retail) zoning district, which permits office and general business and retail establishments, and uses accessory or complementary thereto. The project site is also located within the City’s locally-designated Old Town Fairfax Historic Overlay District. Additionally, the overall concept plan for Old Town Fairfax is provided in the Old Town Fairfax Small Area Plan (June 23, 2020), where specific recommendations, general land use, and development limitations at the neighborhood level are provided. The proposed project is in conformance with plans, land use, zoning, scale, and urban design. See Appendix Q .
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	The underlying soil unit on the project site (100%) is <i>Urban land</i> (95), which consists entirely of man-made surfaces such as pavement, concrete, and/or rooftop. <i>Urban land</i> is impervious and will not infiltrate stormwater. All precipitation landing on <i>Urban land</i> will be converted to runoff; units lie atop development disturbed soils. See Appendix R .

Environmental Assessment Factor	Impact Code	Impact Evaluation
Hazards and Nuisances including Site Safety and Noise	3	Project implementation may result in short term impacts to nearby residential and commercial properties in the form of fugitive dust and noise. Appropriate mitigation measures will be employed in accordance with local permitting and OSHA requirements during construction, as needed, to minimize any potential short-term effects. The proposed project will have no long-term adverse effects.
SOCIOECONOMIC		
Employment and Income Patterns	1	The proposed project will provide a minor short-term benefit to employment and income patterns via construction activities during the building's rehabilitation.
Demographic Character Changes, Displacement	2	The proposed project involves rehabilitating the existing Old Town Hall building and its immediate exterior, which will not create any demographic character changes or cause the displacement of any residents.
Environmental Justice	1	This proposed project is not located within a U.S. Census Blockgroup with potential environmental justice concerns. The project will not expose the community to disproportionate adverse environmental or human health conditions. Additionally, the project will provide needed improvements to a historic structure that serves as a civic gathering place. The proposed project will therefore have a long-term beneficial impact related to environmental justice.
COMMUNITY FACILITIES AND SERVICES		
Educational and Cultural Facilities	2	<p>Within the City of Fairfax limits, Daniels Run Elementary School (pre-kindergarten through grade 6) is located approximately 0.7 mile northeast of the project site, Katherine Johnson Middle School (grades 7 and 8) is located approximately 2.0 miles south, and Fairfax High School (grades 9 through 12) is located approximately 1.8 miles northeast. The proposed project will have no effect on the respective schools' populations, as the project does not include the construction of residential housing.</p> <p>According to the City of Fairfax website (https://www.fairfaxva.gov/government/historic-resources/fairfax-museum-visitor-center) and Google Maps, the proposed project is located near cultural facilities such as museums, art galleries, and/or theaters/performing arts centers. The nearest such features are the Fairfax Museum and Visitor Center, located approximately 0.3 mile southeast of the project site; the Fairfax Historic Courthouse Museum, located approximately 0.2-mile southwest; the Civil War Interpretive Center at Historic Blenheim, located approximately one mile northeast; the Fairfax Art League, located approximately 0.3 mile northwest; Studio Gallery J. Pisani, located approximately 0.5 mile northwest; Fenwick Gallery, located approximately 1.1 miles south; and Harris Theater and Center for the Arts, located approximately 1.3 miles south. These facilities will not be adversely impacted by the proposed project.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
Commercial Facilities	2	Commercial facilities are interspersed throughout the project area and include commercial corridors along adjacent Main Street and University Drive, and nearby State Route 123/Chain Bridge Road, located one block to the west of the project site. No adverse impacts are anticipated.
Health Care and Social Services	2	The closest Social Services Department is located approximately 2.1 miles northwest of the project site, and the closest Human Services Department is located approximately 0.4 mile south. The Fairfax Medical Center is located approximately 1.2 miles northwest of the project site, and Inova Fairfax Medical Campus is located approximately 5.5 miles northeast; numerous specialty health care facilities are located within and around these hospitals. An array of general and family practice clinics, eye care, orthopedic surgery, physical therapy, and psychiatric/psychology facilities are also located within a half mile of the project site. No impact is anticipated to local health care and social service facilities.
Solid Waste Disposal / Recycling	2	The proposed project, upon completion, will not generate an increase in solid waste and recycling when compared to the current demand for solid waste collection services. However, adequate public and private options for solid waste collection/disposal and recycling services are available for disposal of building materials to be replaced during repair and rehabilitation activities.
Wastewater / Sanitary Sewers	2	The proposed project includes replacement and relocation of the sanitary lateral located on the north side of the Old Town Hall building. No additional modifications to the existing wastewater and sanitary sewer utilities are proposed. No increase in demand to the on-site utility infrastructure will occur when compared to the current usage of the site.
Water Supply	1	The proposed project will not increase municipal water supply demands when compared to the current usage of the site. However, based on the installation of modern water conserving fixtures and/or appliances in the restrooms and kitchen, these improvements are anticipated to result in slight decreases in water demand.
Public Safety - Police, Fire and Emergency Medical	2	Inova Emergency Room - Fairfax City is located approximately 0.9 mile south of the project site. The Fairfax Volunteer Fire Department is located approximately 0.3 mile south of the project site, and the Fairfax City Fire Station 33 is located approximately 1.6 miles northeast. The Fairfax City Police Department is located approximately 0.7 mile northeast of the project site.
Parks, Open Space and Recreation	2	The Old Town Square Park is located immediately north of the project site. This park includes urban green space, public fountains, a splash pad, city landmarks such as Kitty Pozer Garden and the Fairfax Rotary clock, a pergola, parking, and McCandlish Memorial Garden. Fairfax City Bike Trail, located approximately three blocks east of the project site, is an approximately 0.25-mile off-street combination (Continued)

Environmental Assessment Factor	Impact Code	Impact Evaluation
Parks, Open Space and Recreation (Continued)		<p>paved/unpaved trail that extends south of Main Street to Breckinridge Lane, where it continues as a bike lane/route along George Mason Boulevard to George Mason University.</p> <p>Daniels Run Trail, located approximately 0.25 mile east of the project site, is an approximately one mile off-street paved trail that follows north of Main Street to Daniels Run Park, a 48-acre wooded park with additional trails, a picnic pavilion, and a playground.</p> <p>Ratcliffe Park, located approximately 0.4 mile southeast of the project site, is an approximately 6-acre park that features a grill, a basketball court, a little league field, a small multipurpose field, a picnic pavilion, a playground, and parking.</p> <p>Bell's Bird Sanctuary Park, located approximately 0.5 mile north of the project site, is a Fairfax County recreational area along Accotink Creek that is a popular picnic spot.</p> <p>Providence Park, located approximately one mile southwest of the project site, is an approximately 20-acre park with a playground, grills, a picnic pavilion, tennis courts, a large multi-purpose field, and a trail for hiking and biking.</p>
Transportation and Accessibility	2	<p>Ingress and egress to the project site is from the south via Main Street or from the west via University Drive. A public parking lot with 10 spaces, including two that are ADA-accessible, is located directly north of the Old Town Hall building. As part of the rehabilitation of the front façade and portico necessitated by the column failure, a wheelchair accessible ramp is being added to ensure accessibility through the front doors. Additionally, the parking area and ramp in the southeast corner of the building will be improved as part of the project to meet ADA standards. Sidewalks are currently present along both sides of Main Street and University Drive.</p> <p>The City of Fairfax's City-University Energysaver (CUE) Bus service operates the Gold route along University Drive and the Green route along University Drive/North Street/Blenheim Boulevard and Main Street. In addition, the Washington Metropolitan Area Transit Authority (WMATA) operates Metrobus route 29K along University Drive/North Street/Blenheim Blvd and Main Street. CUE Bus and Metrobus stops are located at University Drive and North Street and University Drive and Main Street.</p> <p>Rail service is not available within the City of Fairfax.</p>
NATURAL FEATURES		
Unique Natural Features, Water Resources	2	No unique natural features or water resources are identified on-site or in the immediate project vicinity. Daniels Run, a tributary to the Potomac River, is located approximately 0.25 mile east of the project site.

Environmental Assessment Factor	Impact Code	Impact Evaluation
Vegetation, Wildlife	2	<p>VaFWIS correspondence dated March 14, 2023, revealed that there are no federal and/or state threatened or endangered species documented within two miles of the project area.</p> <p>DCR correspondence dated March 13, 2023, indicates that there are no natural heritage resources documented within the project boundary and a 100-foot radial buffer. Additionally, the project area does not intersect any of the predictive models identifying potential habitat for natural heritage resources.</p> <p>A May 19, 2023, U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) official species list revealed one threatened species, the NLEB (<i>Myotis septentrionalis</i>); one proposed endangered species, the Tricolored Bat (<i>Perimyotis subflavus</i>); and one candidate species, the Monarch Butterfly (<i>Danaus plexippus</i>) may be present in the area of the proposed project. However, there is no critical habitat identified within the project area. The NLEB has been uplisted from threatened to endangered as of March 31, 2023. USFWS has provided an updated Dkey for the NLEB, effective March 21, 2023. A Dkey query on March 22, 2023, received a “no effect” determination for the NLEB and generated a USFWS consistency letter. According to the consistency letter, no further consultation/coordination with USFWS for this project is required with respect to the NLEB.</p> <p>Additionally, DWR NLEB and TCLBB database searches on March 13, 2023, indicate that there are no documented habitats, roost trees, or hibernacula within the vicinity of the proposed project.</p> <p>See Appendix H.</p>
Other Factors		N/A
Climate Change Impacts	2	<p>According to FEMA’s National Risk Index tool, the City of Fairfax has a Very Low Risk Index (25.6%), a Very Low Expected Annual Loss (28.8%), a Relatively Low Social Vulnerability (25.1%), and a Relatively Moderate Community Resilience (57.3%) when compared to the rest of the United States. The City is most at risk for hazards including hail, heat waves, hurricanes, lightning, and/or strong wind. The proposed project will be designed and constructed for resiliency to withstand these ongoing climate threats. See Appendix S.</p>
Energy Efficiency	1	<p>Energy demand is not projected to increase within the local grid compared to the Old Town Hall’s existing use of the project site. Additionally, energy consumption of the renovated building is projected to be of a reduced need capacity based on the incorporation of sustainable measures for increased energy efficiency, including the replacement of natural gas duct heaters with modern, high efficiency heat pumps.</p>

Additional Studies Performed:

Draft Historic Preservation Review of the Old Town Hall (in progress)

Field Inspection (Date and completed by):

Carol Tyrer, RPA, Circa~, April 12, 2023

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

- Center for Conservation Biology Eagle Nest Locator
- City of Fairfax 2035 Comprehensive Plan
- City of Fairfax CUE Bus
- City of Fairfax Interactive Mapper
- City of Fairfax Office of Historic Resources
- City of Fairfax Schools
- City of Fairfax Zoning Ordinance
- Environmental Risk Information Services (ERIS) Database Report
- EPA EJScreen
- EPA NEPAassist
- EPA Virginia Nonattainment/Maintenance Status
- FEMA Flood Insurance Rate Map
- Google Earth
- Google Maps
- HUD Tribal Directory Assessment Information
- NPS Nationwide Rivers Inventory
- Tribal Historic Preservation Officer (THPO) – Catawba Indian Nation
- THPO – Delaware Nation, Oklahoma
- USDA NRCS Web Soil Survey
- USFWS Coastal Barrier Resources System
- USFWS IPaC Information for Planning and Conservation
- USFWS National Wetlands Inventory
- USGS National Map
- VA Coastal Barrier Resources Map
- VA Dept. of Conservation & Recreation
- VA Dept. of Environmental Quality
- VA Dept. of Historic Resources (SHPO)
- VA Dept. of Wildlife Resources
- VA Fish & Wildlife Information Service
- Virginia’s Coastal Zone Map

List of Permits to be Obtained: Building permit(s) from City’s Building Department; approval from City’s Board of Architectural Review; review and approval of architectural/construction plans and planting plans from DHR

Public Outreach [24 CFR 50.23 & 58.43]: The City of Fairfax has conducted public outreach for the proposed project. The following public meetings and news releases have occurred to date:

- Fairfax City Council public meeting for construction contract and \$590,000 for phase one construction cost, January 25, 2022
- The Connection: “Rehabbing Fairfax City’s Old Town Hall,” February 24, 2022

The public will also have an opportunity to comment during required public notice periods for the HUD Environmental Assessment.

Cumulative Impact Analysis [24 CFR 58.32]: Based on the historical improvement of the project site, including the Old Town Hall building, the proposed action will not introduce any environmental conditions or adverse effects in a magnitude that cannot be reasonably mitigated through responsible design and engineering. Overall, the improvements to the Old Town Hall will result in a positive impact for the City by addressing safety concerns, renovating facilities to meet ADA-accessibility, and modernizing the building so that it may continue to serve the community into the future. No other federally funded construction projects were identified within the City.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]: No alternative locations were considered for the proposed project. The proposed project includes rehabilitation efforts that are specific to the existing Old Town Hall building and its immediate exterior.

No Action Alternative [24 CFR 58.40(e)]: Presently, the No Action Alternative is not a consideration unless funding is not readily available, in which case construction could be delayed while additional funding sources are explored and evaluated. Continued use of the project site as it exists today would not modernize and renovate the current, aging Old Town Hall to address safety issues and provide ADA-accessibility, and therein be a detriment to the human environment. Therefore, the No Action Alternative would not meet the purpose and need of the project.

Summary of Findings and Conclusions: Following a review of the environmental factors stipulated by 24 CFR Part 58, the proposed action may result in short term/temporary environmental impacts that will be sufficiently addressed by appropriate mitigation measures.

Where affected, appropriate mitigation measures have already been proposed. With implementation of these mitigation measures, the project as proposed meets the purpose and need and will result in no significant impacts.

The following conditions are noted:

1. Project work must adhere to all local and state development regulations and/or permitting requirements.
2. Project work must be completed per submitted plan materials. Changes in the scope of the project must be communicated to the HUD Richmond Field Office for Environmental Review documentation update as necessary. No work will be interrupted by the documentation update.
3. Recommendations provided through inter-agency review and Virginia Department of Environmental Quality via the Federal Consistency Determination review should be followed. These recommendations are provided in the appendices of this report as noted in the Compliance checklist above.

Mitigation Measures and Conditions [40 CFR 1505.2(c)]

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
Historic Preservation	The historic property will have No Adverse Effect, on the condition that draft architectural plans be submitted to DHR for review and comment when they become available.
Hazards and Nuisances - Fugitive Dust (40 CFR Subchapter C, Part 50) - OSHA (29 CFR Part 1926 Subpart D)	Fugitive emissions shall be operationally controlled during construction with the use of dust suppressants and ultra-low sulfur diesel fuel.

Mitigation Plan

The City of Fairfax will be responsible for carrying out and monitoring the above mitigation measures and conditions. Sayed Masood, Capital Project Manager of the Public Works Department, is the main project contact. Mr. Masood and his designees will oversee the project so that all mitigation measures will be implemented prior to or during construction as stipulated above. The project will comply with all local, state, and federal regulations, as applicable.

Determination:

Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.27]
The project will not result in a significant impact on the quality of the human environment.

Finding of Significant Impact [24 CFR 58.40(g)(2); 40 CFR 1508.27]
The project may significantly affect the quality of the human environment.

Preparer Signature Susan Morrison Date: 07/31/2023

Susan Morrison, AICP / Senior Project Manager / Timmons Group

Certifying Officer Signature: RA Stalzer Date: 8-7-23

Robert A. Stalzer, City Manager, City of Fairfax, Virginia

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).