

NEPA Construction Consulation

North Carolina Department of Transportation

NEPA/SEPA Consultation Form

STIP Project No.

B-6051 & U-6143

WBS Element

48708.1.1 & 48326.1.1

Federal Aid Project No.

0029074 & 0007005

A. Project Description, Location, and Purpose:

Bridge No. 91 over Catawba River (Lake Wylie) on US 29/74 (Wilkinson Boulevard) is located on the border of Gaston and Mecklenburg Counties (B-6051, NCDOT Division 12). The purpose and need of this project is to address structural and geometric deficiencies of the bridge and its approaches on US 74, the emergency detour needs of I-85, the navigational clearance requirements over Lake Wylie and to improve the intersection of US 74 and NC 7 to address deficient turning movements. Four lanes of traffic will be maintained on US 74 during peak hours throughout project construction. The first phase would maintain 4 lanes of traffic on the existing Bridge No. 91 while constructing approximately half of the new bridge (enough to temporarily allow four lanes of traffic) to the north of Bridge No. 91. Traffic will then be shifted to the new structure while demolishing the old bridge. The new bridge will then be completed by building the southern half for a total width of 109.5 feet.

B. Consultation Phase: (Check one)

☐

Right-of-Way

☒

Construction

☐

Other: Identify the trigger – (e.g., design change, change in impacts)

C. NEPA/SEPA Class of Action Initially Approved as: (Check one)

☒

FHWA Class III (CE)

5/8/23

D. Changes in Proposed Action & Environmental Consequences:

Changes: While the proposed design concept remains the same, the drainage and utilities designs, as well as the boater safety plan, resulted in impacts outside of the original study area. Additional study areas underwent screenings for each discipline (see section on **Environmental Consequences and Agency Coordination** below). A boater safety plan was developed in coordination with Duke Energy, the NC Wildlife Resources Commission, and the Lake Wylie Marine Commission ([B-6051 Boater Safety Plan](#), 2024). The boater

safety plan was required as part of the conveyance application with Duke Energy as the project impacts the Lake Wylie Federal Energy Regulatory Commissions (FERC) license. The plan addresses the scope of construction activities, details of boater notifications during construction, the boater safety system and implementation, and the staging plan for the contractor. There are no changes in the action proposed in the CE (see **Attachment 1**). The study area has had modifications resulting from drainage design, utilities easements and the boater safety plan (**Figure 1** below).

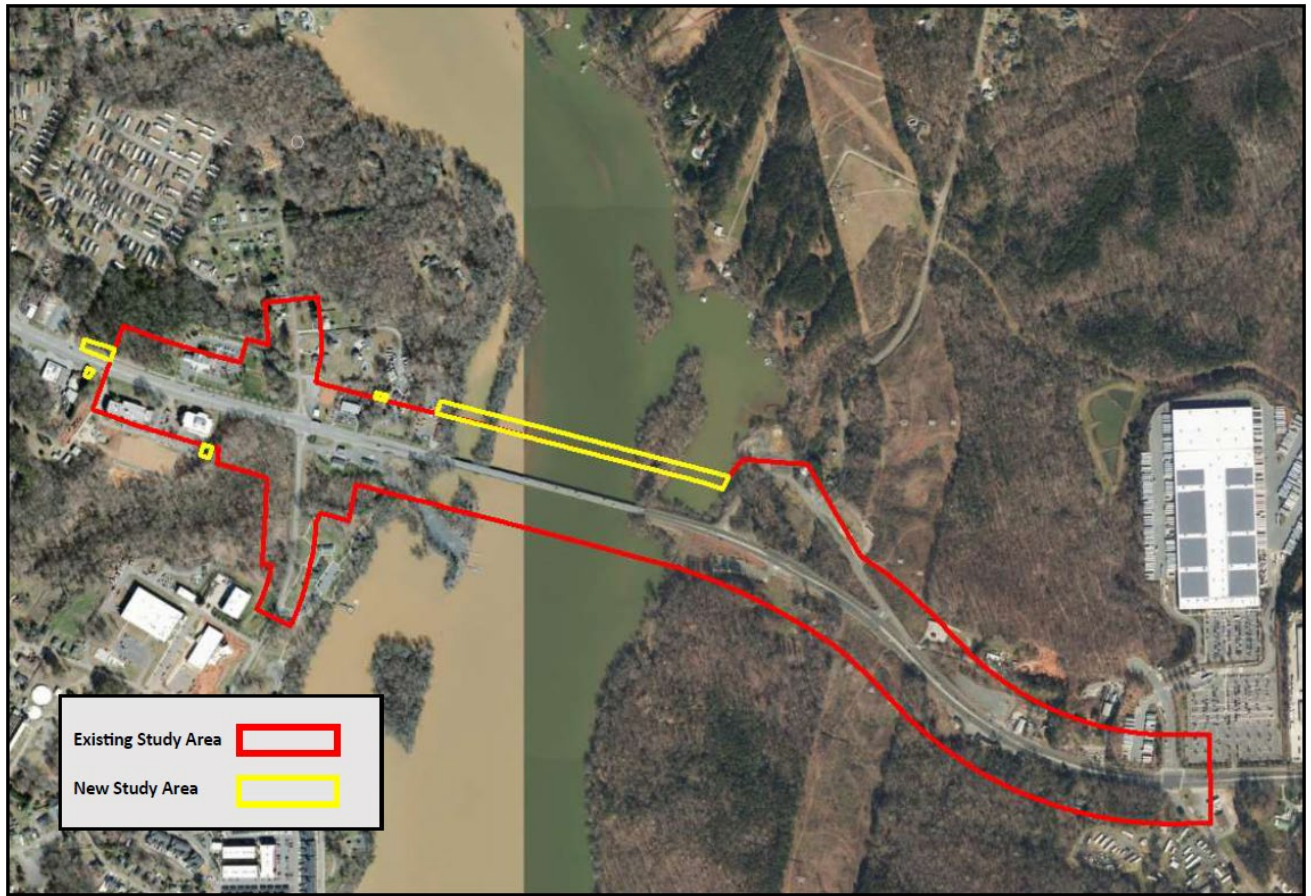


Figure 1. B-6051 & U-6143 existing (red) and new (yellow) study areas.

Environmental Consequences and Agency Coordination:

Physical Footprint – The right of way plans include all slope stakes, easements (temporary and permanent), and are within the updated study area, seen in **Attachment 1 – Environmental Map**. The design of the permanent and temporary bridges matches the designs and alignments from the original CE. There are three business relocates associated with this project.

Threatened and Endangered Species - As of February 26, 2025, the US Fish and Wildlife Service's Information for Planning and Consultation (IPaC) listed the following federally protected species in the original and additional study areas in **Table 1**.

Table 1. Federally protected species listed for B-6051.

Scientific Name	Common Name	Federal Status	Habitat Present	Biological Conclusion
<i>Perimyotis subflavus</i>	tricolored bat	Proposed Endangered*	Yes	MANLAA
<i>Clemmys muhlenbergii</i>	bog turtle	T(S/A)	Yes	Not Required
<i>Hexastylis naniflora</i>	dwarf-flowered heartleaf	Threatened	Yes	No Effect
<i>Danaus Plexippus</i>	monarch butterfly	Proposed Threatened*	Unknown	N/A
<i>Helianthus schweinitzii</i>	Schweinitz's sunflower	Endangered	Yes	No Effect

*Proposed for listing

T(S/A) – Threatened due to similarity of appearance

MANLAA – May Affect-Not Likely to Adversely Affect

On September 14, 2022, the U.S. Fish and Wildlife Service announced a proposal to list the tricolored bat (*Perimyotis subflavus*) as endangered under the Endangered Species Act. In informal conferencing dated May 30, 2024, USFWS concurred with a biological determination that the project “may affect, not likely to adversely affect” the tricolored bat should it become listed with the conditions listed in their letter (see **Attachment 2 – USFWS Informal Concurrence Conference**).

The Monarch Butterfly was proposed for federal listing in December 2024. However, no restrictions will take effect until the proposal is finalized, which is expected in late 2025 or early 2026. Until then, proposed species do not receive protection under the Endangered Species Act (ESA), except that federal action agencies must ensure their actions do not jeopardize the species' existence.

Wetland and Streams – On July 18, 2024, NCDEQ DWR issued a Section 401 Water Quality Certification and Buffer Certification, and on November 4, 2024, a GP-50 permit was issued by the US Army Corps of Engineers for the project (USACE File Number **SAW-2019-00027**). An individual permit was not required which is consistent with what was anticipated in the Categorical Exclusion (CE).

Specific impacts associated with the proposed project calculated from the permits include the permanent impact to 583 linear feet (lf) of stream channel, 0.289 acre of wetland and 0.523 acres of open water and the temporary impact to 72 lf of stream channel, 0.084 acres of wetlands and 5.704 acres of open water.

No new wetlands or streams were identified in the additional study areas ([B-6051 NRTM Additional Study Areas](#), 2024).

Historic Architecture/Archaeology – As part of the coordination leading into the Categorical Exclusion, two properties eligible for the National Register of Historic Places were identified: the subject bridge and the western half of Gaston College Campus. Removing the bridge constituted an Adverse Effect and a Memorandum of Agreement was completed to document the decision in the original Categorical Exclusion. No new

historic properties were identified in the new study areas, and no additional survey was required (see **Attachment 3 - Historic Architecture Screening Additional Study Areas**). Within the original study area, a temporary utility easement was determined necessary at the corner of the historic Gaston College Campus. In coordination with NCDOT, FHWA, and SHPO, it was determined to have no effect (see **Attachment 4 - Historic Gaston College Campus Update**).

On January 16, 2019, a search of the NC HPOWEB GIS Service map revealed that, in addition to the National Register-eligible Bridge No. 91, the North Carolina Vocation Textile School is within the Area of Potential Effects for this project. In a letter dated October 8, 2019, HPO concurred with the recommendation that the school is eligible for National Register listing. An Effects meeting was held on June 28, 2022, where a Finding of Adverse Effect was determined for the removal of Bridge No. 91. In January 2023, a Memorandum of Agreement (MOA) was signed. In September 2024, utilities coordination concluded, and a Temporary Utility Easement is required for a trench connecting to existing underground utilities. In an email correspondence with HPO and FHWA, it was determined that no historic properties will be affected by this additional action.

On October 31, 2023, HPO sent a letter accepting the photographic documentation, which satisfies MOA Stipulation I. The final stipulation remains unresolved and concerns the design of the bridge. NCDOT will ensure the following elements are incorporated into the design and construction of the new bridge: A. Church Rail; and B. New End Rails will emulate the curve of existing end rails and include replica plaques, as is noted on the Green Sheet.

This project was evaluated to comply with Section 106 of the National Historic Preservation Act and NC GS 121 (12)a.

No archaeology survey was recommended for the original study area. The additional study areas were screened, and no archaeological survey was recommended. (see **Attachment 5 - Archaeology Screening Additional Study Areas**).

GeoEnvironmental – GeoEnvironmental screenings for the original study area identified four sites of concern with low monetary and scheduling impacts anticipated. GeoEnvironmental screenings for the additional study areas identified no additional resources of concern ([B-6051 GeoEnvironmental Phase I Report - Additional Areas](#), 2024).

Utilities – Final utility coordination for the proposed project resulted in a Temporary Utility Easement within the property boundary of Gaston College. In coordination with SHPO and FHWA, both agencies determined that no historic properties will be affected by this additional action (see **Attachment 4 - Historic Gaston College Campus Update**).

Noise - The pavement of the final design proposed for B-6051 is identical to what was studied in the Traffic Noise Report (TNR) and therefore the findings of the original TNR dated March 2023 remain valid. Therefore, unless modifications to the project design occur, including consideration of additional alternative alignments and/or changes to predicted Design Year 2045 traffic volumes, no traffic noise abatement measures are

recommended for detailed analysis during final design, and no noise abatement measures are proposed for incorporation into the project.

E. Conclusion:

The above NEPA documentation has been reevaluated (as required by either 23 CFR 771 or by NC General Statute Chapter 113A Article 1). It has been determined that the current proposed action is essentially the same as the original proposed action. Proposed changes, if any, are noted in Section D. It has been determined that anticipated social, economic, and environmental impacts were accurately described in the above referenced document(s) unless noted otherwise herein. Therefore, the original Administration Action remains valid.

F. Coordination

NCDOT personnel have discussed the current project parameters with qualified NCDOT representatives and FHWA (where applicable). The NCDOT Project Manager, David Stutts, hereby verifies the involvement of the following staff and the incorporation of their technical input:

RK&K Design Engineer:	Carter Mull	3/18/25
Environmental Specialist:	Jeff Wyatt	3/18/25
FHWA (if applicable):	George Hoops	3/20/25

G. Consultation Approval for NCDOT Project B-6051 & U-6143

Prepared By:

3/21/2025

Date

DocuSigned by:

John Williams

BD47CE8EC3E644B

John Williams, NEPA/SEPA Specialist
RK&K

Prepared For:

David Stutts
NCDOT, Project Manager

Reviewed By:

3/21/2025

Date

Signed by:

Christine Farrell

2171F0A838AD481

Christine Farrell
NCDOT, Environmental Policy Unit NEPA Program Consultant



Approved

In adherence with 23 CFR 771 (NEPA) or NC General Statute Chapter 113A Article 1 (SEPA), NCDOT approves this Consultation.

or



Certified

NCDOT staff certifies if FHWA signature was previously required or where changes have resulted in FHWA signature being required.

3/24/2025

Date

DocuSigned by:

David Stutts

A1A2999A8BC64F2

David Stutts, Project Engineer, PEF Program Management
North Carolina Department of Transportation

FHWA Approved: FHWA signature required for Type I or II CE with Substantial Changes, Type III CE, FONSI or ROD.

3/24/2025

Date

DocuSigned by:

George Hoops

9260FA57998140B

for Yolonda Jordan, Division Administrator
Federal Highway Administration

H. Project Commitments (as of 3/18/25)

STIP Project No. **B-6051 & U-6143**

Replace Bridge No. 91 over the Catawba River and Improve Intersection of US 74 & NC 7

Gaston & Mecklenburg Counties

Federal Aid Project No. 0029074

WBS Element 48708.1.1 & 48326.1.1

Structures Management - Structures Management Unit- Section 4(f) / Section 106 - Historic Bridge No. 91

Bridge No. 91 will be photo documented prior to let of the project.

- Historic Bridge Plans will be provided to HPO

The replacement bridge will:

- include church rail
- include end rails that emulate the curved end rail on the existing bridge including replica plaques

In a letter dated October 23, 2023, the SHPO confirmed that this commitment has been fulfilled.

Division Office - Division 10 & 12 Traffic Engineers – Posted Speed Limits

The posted speed limit ordinances through the project limits will be adjusted to 45 mph prior to the Let of this project.

Structures Management - Structure Management Unit- Aesthetics for Bridge

Based on participation by local government, the rails, caps, and round columns on the new bridge will be stained beige-white and trimmed with a stamped brick pattern and stained three colors.

- The bridge will also include pedestals with conduit and mounting plates. The Structure Management Unit and NCDOT Lighting Group are currently coordinating with Duke Energy regarding the specifications these lights will require for the bridge.
- The bridge will also include 7'x14' scenic overlooks on both sides near the apex of the bridge.

Structures Management - Structure Management Unit and Division 12 Construction- Bicycle and Pedestrian Accommodations

MUP's will be included:

- along north side of US 74 beginning at Gaston College terminating at Moores Chapel Road
- along south side of US 74 beginning at Gaston College and terminating at ISWA Nature Preserve.
- along both sides of NC 7
- along east side of Moores Chapel Loop beginning at US 74 and terminating at the end of the proposed roadway work on the road.

Sidewalk will be included:

- along Hazeleen Avenue.

Structures Management - Structures Management Unit - Navigational Clearance on Bridge 91

Based on coordination with Lake Wylie Marine Commission, Duke Energy, Local Emergency Services and the NC Wildlife Resources Commission (which has navigational authority over inland waters) the project will include 17' of clearance over full pond elevation in the navigational channel and 12' of clearance over full pond elevation in the middle third of the bridge.

Structures Management - Structures Management Unit / Division 10 & 12 - Boater Safety Plan

Based on coordination with Lake Wylie Marine Commission, Duke Energy, and NCWRC, NCDOT and the selected contractor will implement the Boater Safety Plan which outlines the requirements for notification and protection of boaters and the general scope of work that will impact Lake Wylie.

Division Office - Structures Management Unit / Division 10 and 12 – Weigh Station

The abandoned weigh station on the north side of Moores Chapel Loop is outside the current study area but potentially historic. Division 10 has agreed that the property will not be touched as part of this project including for the purposes of a staging area during construction. If this changes, the property will have to be evaluated and if determined historic, have to go through Section 106 and Section 4(f).

Structures Management - Structures Management Unit / Division 12 – Kevin Loftin Park Sidewalk

The project plans and construction will include a proposed sidewalk extending from an existing sidewalk within Kevin Loftin Park near the boat ramp and connecting to the crosswalk on US 74. The cost of the sidewalk will be reimbursed by the City of Belmont as part of the Municipal Agreement.

Structures Management - Structures Management Unit / Division 12 – Municipal Agreement

A municipal agreement will be required for reimbursement of the aesthetic enhancements proposed for the Local Government Aesthetics Committee. The GCL-MPO representative, Tori Dellinger, will coordinate the percent of cost share between the various representatives to be included in the agreement. The agreement will also cover a requested sidewalk in Kevin Loftin Park to be constructed with B-6051/U-6143.

Geotech/Geoenvironmental - Structures Management Unit /GeoEnvironmental Section – Phase II Study

The GeoEnvironmental Phase I Report identified two sites of concern that will be affected by the footprint of this project. Both are located on a property at the corner of NC 7 and US 74. One is currently operating as a gas station and the other was formerly a gas station. Once the right of way impact is established, a Phase II GeoEnvironmental Screening will be requested.

Structures Management - Structures Management Unit– Plantable Medians on City of Belmont Side of Project

The medians will include curb and gutter perimeters leaving soil in the median in the center which the City of Belmont will use at the completion of the project for plantings and natural area.

Environmental Analysis Unit - Environmental Coordination and Permitting - Tricolored Bat Conservation Measures

The US Fish and Wildlife Service, in a letter dated May 30, 2024, responded to a request from NCDOT to initiate informal conference procedures for effects that this project may have on federally protected species. NCDOT has agreed to implement the following conservation measures for the project:

- Tree clearing will take place from October 16 to March 31.
- The existing bridge and culverts ≥ 3 feet in manufactured diameter within the action area will be surveyed within 30 days of let to ensure absence of roosting bats. The U.S. Fish and Wildlife Service (Service) Asheville Field Office will be contacted immediately if bats are observed.
- Should blasting occur, it will take place after tree clearing within the action area has been completed.

Environmental Analysis Unit - Environmental Coordination and Permitting - 404 Permit Project Specific Conditions

The US Army Corps of Engineers, in permit SAW-2019-00027 dated November 4, 2024, responded to an application submission for a Department of the Army general permit verification. The following project specific special condition was included as part of the response.

- “The Permittee shall fully implement the enclosed Memorandum of Agreement between the Permittee, the North Carolina State Historic Preservation Officer, and the Federal Highways Administration, which is incorporated herein by reference and attached to this permit.”

Attachments

Attachment 1

AMAZON
DISTRIBUTION
CENTER

HISTORIC SITE:
SLOANS FERRY BRIDGE

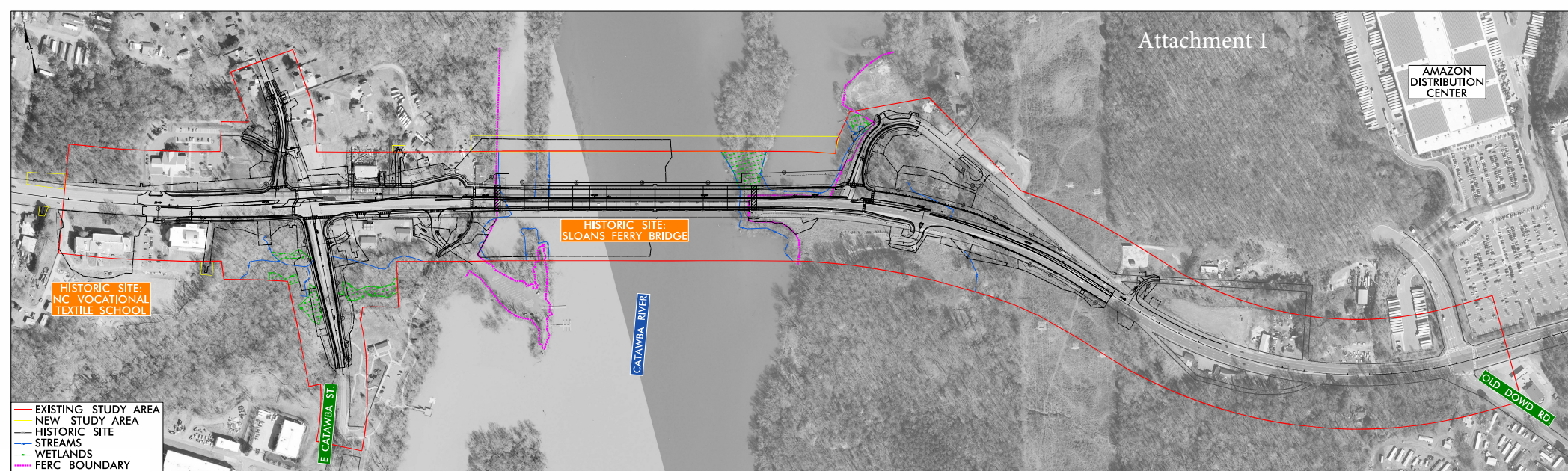
HISTORIC SITE:
NC VOCATIONAL
TEXTILE SCHOOL

CATAWBA RIVER

E CATAWBA ST.

OLD DOWD RD.

- EXISTING STUDY AREA
- NEW STUDY AREA
- HISTORIC SITE
- STREAMS
- WETLANDS
- FERC BOUNDARY





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Asheville Field Office
160 Zillicoa Street Suite B
Asheville, North Carolina 28801



May 30, 2024

Erin Cheely
ECAP Western Team Lead, Environmental Analysis Unit
North Carolina Department of Transportation
1598 Mail Service Center
Raleigh, North Carolina 27699

Subject: Informal Conference for Replacement of Bridge 091 on US 29/74 (Wilkinson Boulevard) over Catawba River (Lake Wylie) in Gaston and Mecklenburg Counties; and for Intersection Improvement at US 74 (Wilkinson Boulevard) and NC 7 (Catawba Street) in Belmont (TIP Nos. B-6051 and U-6143, respectively; Service Log #18-407)

Dear Erin Cheely:

On February 29, 2024, we received your request to initiate informal conference procedures for effects the subject project may have on federally proposed species. We have reviewed the information you submitted along with additional information received on May 16, 2024, and the following is provided in accordance with the provisions of the National Environmental Policy Act (42 U.S.C. § 4321 et seq.); the Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661 - 667e); and section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 - 1543) (Act).

Project Description

According to the information provided, the North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 91 (B-6051) on US 29/74 (Wilkinson Boulevard) over Catawba River (Lake Wylie) on the border of Gaston and Mecklenburg Counties and improve the intersection (U-6143) of US 74 (Wilkinson Boulevard) and NC 7 (Catawba Street). The purpose of the bridge replacement is to provide adequate width to support lane connection on the eastern and western roadway approaches and to provide adequate vertical clearance for emergency navigational purposes on Lake Wylie. The purpose of the intersection improvement is to address deficiencies. The work will involve tree clearing, percussive activities such as pile driving and guardrail installation during any time of year, temporary lighting for night work, and the addition of permanent lighting. Blasting may occur. The Federal Highway Administration (FHWA) is the federal lead for this project for section 7 purposes, with authority delegated to NCDOT.

NCDOT has agreed to implement the following conservation measures for the project:

1. Tree clearing will take place from October 16 to March 31.
2. The existing bridge and culverts ≥ 3 feet in manufactured diameter within the action area will be surveyed within 30 days of let to ensure absence of roosting bats. The U.S. Fish and Wildlife Service (Service) Asheville Field Office will be contacted immediately if bats are observed.
3. Should blasting occur, it will take place after tree clearing within the action area has been completed.

Federally Listed Species

The information provided indicates that “No Effect” (NE) determinations have been made for dwarf-flowered heartleaf (*Hexastylis naniflora*), Michaux’s sumac (*Rhus michauxii*), Schweinitz’s sunflower (*Helianthus schweinitzii*), and smooth coneflower (*Echinacea laevigata*). In instances of suitable habitat being absent from the action area, we would agree that NE determinations are appropriate. In instances where suitable habitat is present and botanical surveys conducted during the optimal survey window and within the past 1 or 2 years (depending on the species) have negative results, we would concur with a biological determination of “may affect, not likely to adversely affect” (NLAA). This information is provided for the sake of the administrative record.

The correspondence received from NCDOT requests conference for tricolored bat (*Perimyotis subflavus*).

According to the information provided, a suitable bridge roost and suitable roosting, commuting, and foraging habitat for tricolored bat occur within the action area. Three suitable culverts occur within the action area. The bridge and culverts were surveyed for bats and signs of bat use on August 10, 2022, and results were negative. There is element occurrence data for the tricolored bat approximately 15 miles west of the project area.

The completed structure surveys and proposed conservation measures minimize effects to bats potentially occurring within the action area. Any effects from the addition of permanent lighting within the action area are expected to be insignificant, given that the lighting plan directs lighting primarily at the roadway and predominately includes low output lighting, meaning that lighting on the surrounding waterway and landscape is expected to be minimal. Effects from construction noise to unknown tree roosts within the action area but outside the construction limits, while minimized, are not avoided. Bats that are present in proximity to transportation corridors are expected to be tolerant of baseline noise and vibration levels (or have already modified their behaviors to avoid them). How temporary increases in noise and vibration from construction activities effect bats within existing transportation corridors has not been well studied, though one study found that bats habituated rapidly to traffic noise (Luo et al. 2014). Given the information available and conservation measures above, we do not believe any response to project noise and vibration by bats that are already tree-roosting in the area is expected to rise to the level of harm (as defined at 50 CFR 17.3).

On September 14, 2022, the U.S. Fish and Wildlife Service (Service) published a proposal in the Federal Register to list the tricolored bat as endangered under the Act. As a result, NCDOT has requested a conference for the tricolored bat as the project may be on-going after the effective date of any final listing rule, if one is published. Based on the information provided, the analysis above, and the commitments to minimize project impacts, we have determined that the proposed project will not jeopardize the continued existence of the tricolored bat. Additionally, we would concur with the NCDOT’s determination that the project is NLAA the tricolored bat should it become listed.

Conservation Recommendations

Conservation recommendations are discretionary agency activities to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, to help implement recovery plans, or to develop information. General recommendations for the benefit of fish and wildlife resources are provided here:

- **Pre-construction Surveys for Bats:** While the commitment to survey structures within 30 days of the let date is a helpful measure, it may not ensure absence of bats prior to construction and demolition, considering that the let date and construction dates are not synonymous. Therefore, we recommend conducting structure surveys in accordance with the Service’s Range-wide Indiana Bat and Northern Long-eared Bat Survey Guidelines (which includes tricolored bat), ideally within 14 days of construction, or, alternatively, within 30 days of construction.

- **Provide Terrestrial Wildlife Passage:** Where riparian corridors suitable for wildlife movement occur adjacent to a project, a spanning structure that also spans a portion of the floodplain and provides or maintains a riprap-free level path underneath for wildlife passage would provide a safer roadway and facilitate wildlife passage. A 10-foot strip may be ideal, though smaller widths can also be beneficial. Alternatively, a “wildlife path” can be constructed with a top-dressing of finer stone (such as smaller aggregate or on-site alluvial material) to fill riprap voids if full bank plating is required. If a multi-barrel culvert is used, the low flow barrel(s) should accommodate the entire stream width and the other barrel should have sills to the floodplain level and be back-filled to provide dry, riprap-free wildlife passage and well as periodic floodwater passage.
- **Riparian Replanting:** Because the removal of forested riparian habitat can affect the quality and suitability of foraging and commuting habitat for bats and the water quality for aquatic organisms, we recommend replanting the riparian zone with native, fast-growing trees and shrubs that would serve to stabilize the stream bank, filter runoff and reduce erosion and sedimentation, block light pollution, and generally improve the quality of the habitat for bats and aquatic species. Examples of potential native tree species to plant include: Sycamore, tulip poplar, black cherry and river birch. Planting with established (e.g. containerized) young trees can increase the survival rate of plantings and contribute to faster improvement of riparian habitat.
- **Noise Considerations for Bats:** If suitable roost trees are present near high-decibel activity (81 – 162 dBA) and would experience noise above background levels (41 – 70 dBA), avoid conducting those high-decibel activities during the bat summer occupancy season (April 1 – September 30). Alternatively, activity could avoid the pup season (May 15 - July 31). To minimize noise levels, incorporate sound-dampening devices such as noise shrouds for pile driving.
- **Lighting:**
 - Lighting should only be on when needed, only lighting the needed area, be no brighter than necessary, minimize blue light emissions, and be fully shielded (pointing downward).
 - Avoid lighting landscape features such as trees, shrubs, building facades, adjacent wooded areas, and the surface waters of rivers and streams that provide suitable habitat for bats, pollinators, and other wildlife species.
 - When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the Backlight-Uplight-Glare (BUG) system developed by the Illuminating Engineering Society, the goal is to be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.
 - Use light fixtures with a lower lumen output, reducing overall brightness.
 - Use the shortest light poles that meet highway and safety requirements.
 - If using LEDs, use lights with Type I or II distribution patterns that create rectangular lighting patterns that limit light spill into adjacent habitats.
 - For bridge projects, consider design features that block automobile headlights from reaching surface waters and surrounding riparian habitats.
 - Prioritize use of low-pressure sodium (LPS), high-pressure sodium (HPS), or LED light sources that emit “warm” light. “Warm” light sources are those that contain low amounts of blue light in their spectrum. Choosing light sources with a color temperature of no more than 3,000 Kelvins will minimize the effects of blue light exposure.

Reinitiation Notice

We believe the requirements under section 7 of the Act are fulfilled for the federally listed species discussed above. However, obligations under section 7 must be reconsidered if: (1) new information reveals impacts of this proposed action may affect listed species or critical habitat in a manner not previously considered, (2) this proposed action is subsequently modified in a manner that was not

considered in this review, or (3) a new species is listed, or critical habitat is determined that may be affected by the proposed action.

We appreciate the opportunity to provide these comments. Please contact Ms. Holland Youngman of our staff at holland_youngman@fws.gov if you have any questions. In any future correspondence concerning this project, please reference our Service Log #18-407.

Sincerely,

- - original signed - -

Janet Mizzi
Field Supervisor

**HISTORIC ARCHITECTURE AND LANDSCAPES******NO SURVEY REQUIRED FORM****17-12-0050
Updated2

This form only pertains to Historic Architecture and Landscapes for this project. It is not valid for Archaeological Resources. You must consult separately with the Archaeology Group.

PROJECT INFORMATION

Project No:	BR-0020/B-6051	County:	Gaston
WBS No.:	67020.1.1	Document Type:	State EA
Fed. Aid No:		Funding:	<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal
Federal Permit(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Permit Type(s):	USACE

Project Description:

Replace Bridge No 91 on US 29/US 74 over Catawba River

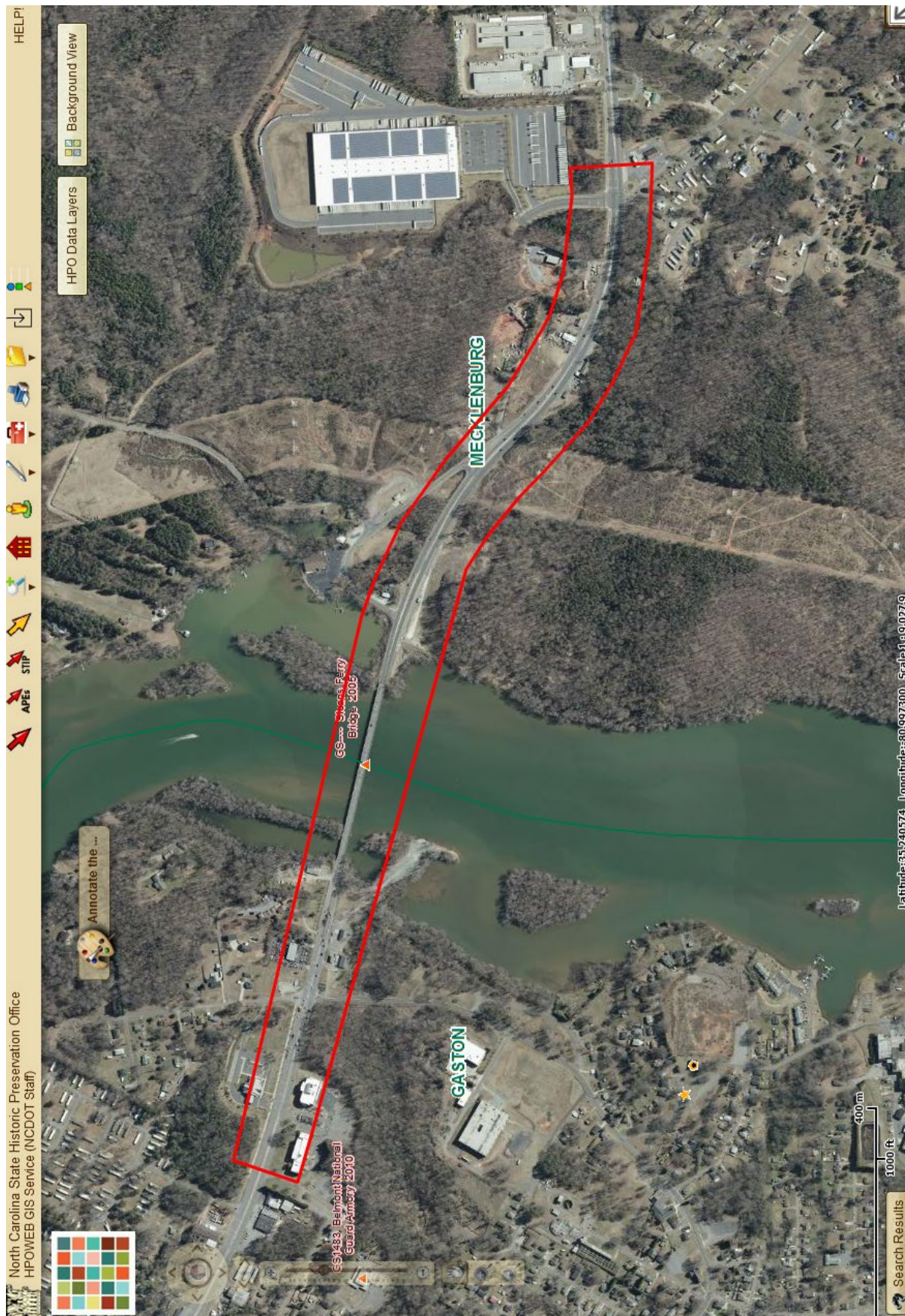
SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW**Description of review activities, results, and conclusions:**

On January 22, 2018 a search of NC HPOWEB GIS Service map reveals that the in the Area of Potential Effects a number of properties over 50 years of age, including Gaston College. Furthermore the bridge itself has been determined eligible for National Register listing. Removing the bridge will constitute an Adverse Effect and will require a Memorandum of Agreement to mitigate for the adverse effect. In April 2024, additional study areas were added to the APE. There are no historic properties in these new areas. No survey required.

SUPPORT DOCUMENTATION
☒ Map(s) ☐ Previous Survey Info. ☒ Photos ☐ Correspondence ☐ Design Plans
FINDING BY NCDOT ARCHITECTURAL HISTORIANHistoric Architecture and Landscapes -- ****NO SURVEY REQUIRED******Shelby Reap****April 11, 2024**

NCDOT Architectural Historian

Date





Updated APE April 2024

17-12-0050
updated

HISTORIC ARCHITECTURE AND LANDSCAPES NO HISTORIC PROPERTIES AFFECTED FORM

This form only pertains to Historic Architecture and Landscapes for this project. It is not valid for Archaeological Resources. You must consult separately with the Archaeology Group.

PROJECT INFORMATION

Project No:	B-6051/U-6143 Formerly BR-0020	County:	Gaston/Mecklenburg
WBS No.:	48708.1.1	Document Type:	FCE
Fed. Aid No:	Not assigned	Funding:	<input type="checkbox"/> State <input checked="" type="checkbox"/> Federal
Federal Permit(s):	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Permit Type(s):	USACE 404 FERC Conveyance of Easement Permit
<u>Project Description:</u> [B-6051] Replace Bridge 91 over Catawba River (Lake Wylie) on US 74 (Wilkinson Boulevard) between Belmont and Charlotte (Gaston/Cleveland Counties) and [U-6143] Improvements to the intersection of Catawba Street and US 74 (Wilkinson Boulevard) in Belmont, NC.			

SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

<p><u>Description of review activities, results, and conclusions:</u> On January 16, 2019 a search of NC HPOWEB GIS Service map revealed that in addition to the National Register-eligible Bridge No. 91, the North Carolina Vocation Textile School is in the Area of Potential Effects for this project. In a letter dated October 8, 2019, HPO concurred in the recommendation that the school is eligible for National Register Listing. An Effects meeting was held on June 28, 2022. A Finding of Adverse Effect was determined for the removal of Bridge No. 91. In January 2023, an MOA was signed. In September 2024, Utilities coordination concluded and a Temporary Utility Easement is needed for a trench which will connect to existing underground utilities. In an email correspondence with HPO and FHWA, it was determined that no historic properties will be affected by this additional action. [see attached emails]</p>
<p><u>Why the available information provides a reliable basis for reasonably predicting that there are no unidentified significant historic architectural or landscape resources in the project area:</u> HPOGIS and County Tax Data provide reliable information regarding structures in the APE. These combined utilities are considered valid for purposes of determining the likelihood of historic resources being present.</p>

SUPPORT DOCUMENTATION

☒ Map(s) ☐ Previous Survey Info. ☐ Photos ☒ Correspondence ☒ Design Plans

FINDING BY NCDOT ARCHITECTURAL HISTORIAN

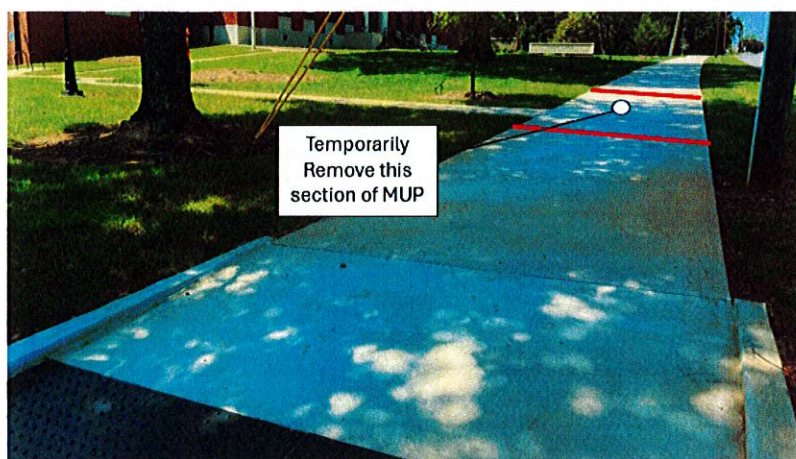
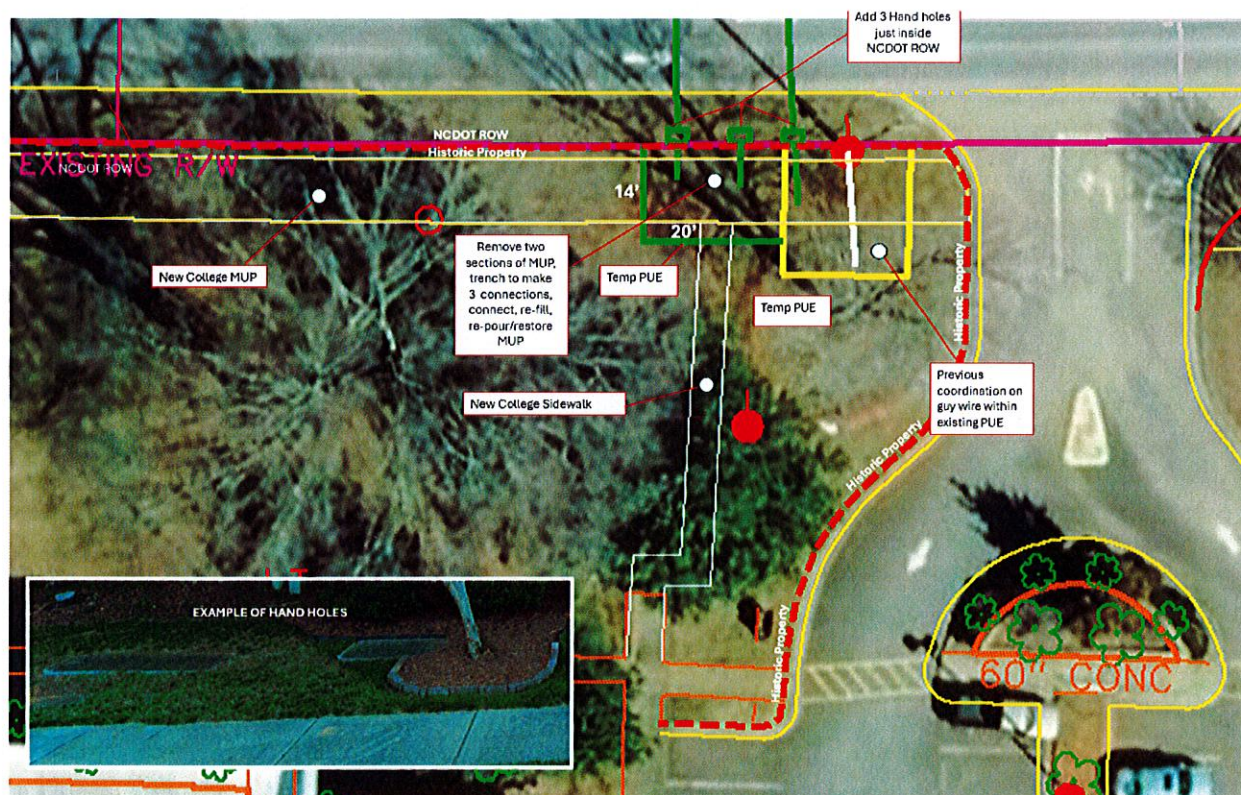
Historic Architecture and Landscapes -- NO HISTORIC PROPERTIES AFFECTED

Shelby Reap

October 10, 2024

NCDOT Architectural Historian

Date



Reap, Shelby L

From: Wilcher, Seth (FHWA) <seth.wilcher@dot.gov>
Sent: Wednesday, September 18, 2024 2:01 PM
To: Reap, Shelby L
Subject: RE: [External] B-6051 2nd Utility Issue on Historic College Property

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Yes, this does not sound like something that is going to need additional discussion. I'm operating on the assumption that there are no archaeological concerns with the trenching due to previous ground disturbance; but I definitely don't think there are any architectural history concerns.

Seth Wilcher
Preconstruction & Environment Specialist
U.S. Department of Transportation
Federal Highway Administration
Terry Sanford Federal Building
310 New Bern Avenue, Suite 410
Raleigh, NC 27601
(919) 747-7019
seth.wilcher@dot.gov

From: Reap, Shelby L <slreap@ncdot.gov>
Sent: Wednesday, September 18, 2024 6:38 AM
To: Wilcher, Seth (FHWA) <seth.wilcher@dot.gov>
Subject: FW: [External] B-6051 2nd Utility Issue on Historic College Property

CAUTION: This email originated from outside of the Department of Transportation (DOT). Do not click on links or open attachments unless you recognize the sender and know the content is safe.

Seth,

Are you ok with these changes?

Thanks
Shelby

Shelby Reap
Architectural Historian
Environmental Analysis Unit
North Carolina Department of Transportation

919-707-6088 office
slreap@ncdot.gov

1598 Mail Service Center (Mail)
Raleigh, NC 27699-1598
1000 Birch Ridge Drive (Delivery)

Raleigh, NC 27610



Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

[Facebook](#) [Twitter](#) [YouTube](#)

From: Gledhill-earley, Renee <renee.gledhill-earley@dn-cr.nc.gov>
Sent: Friday, August 30, 2024 10:54 AM
To: Reap, Shelby L <slreap@ncdot.gov>; seth.wilcher@dot.gov
Subject: RE: [External] B-6051 2nd Utility Issue on Historic College Property

Good by me with good documentation sent as well.

Renee Gledhill-Earley
Environmental Review Coordinator
NC State Historic Preservation Office
919-814-6579

Please note my new email address is renee.gledhill-earley@dn-cr.nc.gov

From: Reap, Shelby L <slreap@ncdot.gov>
Sent: Friday, August 30, 2024 10:48 AM
To: Gledhill-earley, Renee <renee.gledhill-earley@dn-cr.nc.gov>; seth.wilcher@dot.gov
Subject: FW: [External] B-6051 2nd Utility Issue on Historic College Property

Renee and Seth,

John has sent in an addition to the impact of this bridge replacement in Gaston. We have already completed Effects for this one. The addition is similar to what Rachelle brought us with trenching for communications. Can I submit this as a No Adverse Effects and have you sign a form via Docusign or would you like to have him present this at our September Effects meeting?

Thanks
Shelby

Shelby Reap
Architectural Historian
Environmental Analysis Unit
North Carolina Department of Transportation

919-707-6088 office
slreap@ncdot.gov

1598 Mail Service Center (Mail)
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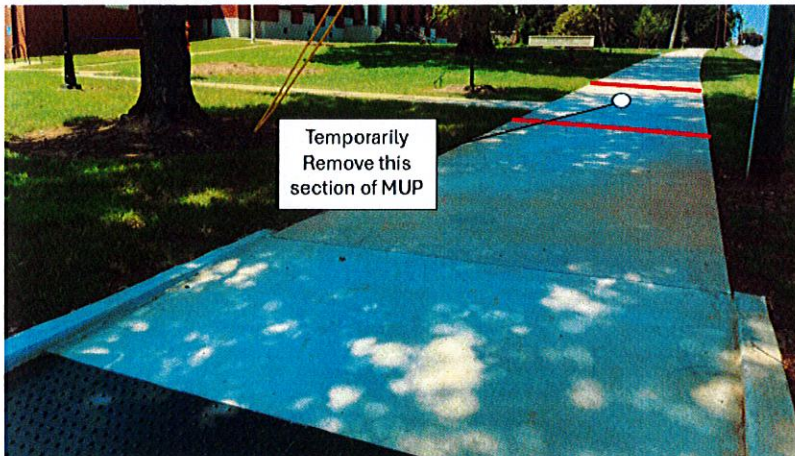
[Facebook](#) [Twitter](#) [YouTube](#)

From: John Williams <jwilliams@rkk.com>
Sent: Thursday, August 29, 2024 3:02 PM
To: Reap, Shelby L <slreap@ncdot.gov>; Furr, Mary P. <mpfurr@ncdot.gov>
Cc: Sarah Conner <sconner@rkk.com>
Subject: [External] B-6051 2nd Utility Issue on Historic College Property

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Hi Shelby and Mary Pope,

The utilities coordination is now complete for B-6051 and has determined a temporary PUE right next to the one we included in the original effects determination, is also required. It would establish three handholes just inside the ROW but a trench is required to connect with existing underground utilities. The complicating factor is that the College, independent of our project, has just installed a multi-use path (MUP) in the area where we'd have to trench. We would remove the section of the MUP shown below, trench, connect, fill, repour and restore the MUP.



Below is an image of the plan view.

Would this also likely fall in the range of no adverse effect and can you get us on an upcoming effects meetings agenda?

I believe from a 4(f) perspective, that because no permanent PUE is required, it would not constitute a 4(f) but I'll run this by FHWA to verify once I have your take on whether it would be no adverse effect. We will make an ETRACS request if you agree the above is the proper course of action. [What is the next Effects Meeting with a spot available?](#)

**NO ARCHAEOLOGICAL SURVEY REQUIRED FORM**

This form only pertains to ARCHAEOLOGICAL RESOURCES for this project. It is not valid for Historic Architecture and Landscapes. You must consult separately with the Historic Architecture and Landscapes Team.

**PROJECT INFORMATION**

Project No: **B-6051 (Resubmittal #3)** County: **Gaston/Mecklenburg**
 WBS No: **48708.1.1** Document: **State MCC**
 Federal Aid No: **N/A** Funding: ☒ State ☐ Federal
 Federal Permit Required? ☒ Yes ☐ No Permit Type: **USACE, FERC**

Project Description: NCDOT's Divisions 10 and 12 propose to replace Bridge No. 91 on US 29/US 74 (Wilkinson Boulevard) over the Catawba River in Gaston and Mecklenburg counties. Bridge No. 91 was constructed in 1933 and is considered to be functionally obsolete; therefore, it is scheduled to be replaced. Since Final Designs have now been developed, the original Study Area for the project (which has been reviewed three times now) has been expanded once more and submitted for additional environmental review. Overall, the Study Area now encompasses about 94.22 acres, inclusive of existing roadways, the structure to be replaced, Y-line extensions, the Catawba River itself, and any modern development. Since the last review, the Study Area has been expanded to include very small areas outside what has previously been reviewed, and now includes an additional 3.07 acres that were not considered as part of any previous environmental review. This PA form only covers the expanded sections of the Study Area.

SUMMARY OF CULTURAL RESOURCES REVIEW***Brief description of review activities, results of review, and conclusions:***

The resubmittal for this project was accepted for review on Wednesday, April 10, 2024. A review of the databases maintained by the Office of State Archaeology (OSA) was deemed not necessary based on the information compiled during the first three reviews for this project. As stated before, an archaeological survey has never been conducted at this bridge location, although several of the nearby islands within the Catawba River as well as a potential corridor for the Charlotte Outer Loop have been surveyed. Only three (3) archaeological sites have been recorded within one (1) mile of the project area, the closest being within a powerline easement southeast of the expanded Study Area. Digital copies of HPO's maps (Belmont and Charlotte West Quadrangles) as well as the HPOWEB GIS Service (<http://gis.ncdcr.gov/hpweb/>) were last reviewed on Thursday, April 11, 2024. There are two (2) known historic architectural resources (North Carolina Vocational Textile School [GS3287] and the Sloans Ferry Bridge [GS3298]) located within the expanded Study Area; however, intact archaeological deposits would not be anticipated for such resources within the footprint of the proposed project. In addition, topographic maps, historic maps (NCMaps website), USDA soil survey maps, and aerial photographs were utilized and inspected to gauge environmental factors that may have contributed to historic or precontact settlement within the project limits, and to assess the level of slope as well as modern, agricultural, hydrological, and other erosive-type disturbances within and surrounding the expanded Study Area.

(This project falls within a North Carolina County in which the following federally recognized tribes have expressed an interest: Catawba Indian Nation, Cherokee Nation, Eastern Band of Cherokee Indians, and the United Keetoowah Band of Cherokee Indians. We recommend that you ensure that this documentation is

forwarded to these tribes using the process described in the current NCDOT Tribal Protocol and PA Procedures Manual.)

Brief Explanation of why the available information provides a reliable basis for reasonably predicting that there are no unidentified historic properties in the APE:

This project is still listed as being State funded with a federal permit required. As part of the project's resubmittal, permanent/temporary easements will not be necessary; however, additional ROW will be required. Based on Final Designs, the overall Study Area has been expanded and now includes an additional five (5) areas totaling 3.07 acres beyond what has previously been reviewed. At this time, we are still in compliance with NC GS 121-12a, since there are no eligible (i.e., National Register-listed) archaeological resources located within the project's expanded sections of the Study Area that would require our attention.

From an environmental perspective, the expanded Study Area locations include small commercially developed areas in Gaston County and a 2.75-acre section across the Catawba River (about 70 feet wide by about 1,700 feet long). Located in the south-central Piedmont physiographic region of the state, these areas consist of four (4) soil types, all of which are considered to be eroded, severely disturbed by modern development, or frequently flooded (Urban land [Ur], Lloyd sandy clay loam, 2-8% slopes, moderately eroded [LdB2], Lloyd sandy clay loam, 8-15% slopes, moderately eroded [LdD2], and Chewacla loam, 0-2% slopes, frequently flooded [ChA]). Based on the poor soil conditions and the level of development, the preservation of intact archaeological resources would not be anticipated within these expanded areas.

As before, the Office of State Archaeology (OSA) has reviewed numerous projects within the vicinity of the expanded Study Area for environmental compliance, including borrow pits/hazardous waste sites (ERs 10-0924 and 18-0611), commercial development (ERs 21-1953 and 22-1552), industrial development (ERs 18-3032 and 21-2259), municipal/recreational projects (ERs 21-0014 and 22-2296 and GS 21-2294), residential development (ERs 89-0201, 16-1492, 17-0557, and 20-1700), transportation improvements (ERs 08-2567, 13-1015, 18-1641, 19-2816, 19-2937 [as well as the Charlotte Outer Loop]), and utility upgrades (ERs 92-7435, 96-9138, 00-9210, 13-2894, 21-0583, and 23-2578). Stating a low probability for intact and significant archaeological resources to be present, OSA did not require an archaeological survey for most of these projects. Based on favorable topographical settings and the large-scale nature of certain projects, archaeological surveys were recommended and conducted for the Catawba-Wateree Hydroelectric Relicensing Project (OSA Biblio# 5430), which included several islands and the riverbanks to either side of the Catawba River in the vicinity of the expanded Study Area, as well as one of the proposed corridors for the Charlotte Outer Loop project. Although numerous resources were identified and/or revisited as part of these two large surveys, none was located within or adjacent to the expanded Study Area as currently designed.

Within five (5) miles of the expanded Study Area, NCDOT's Archaeology Group has now reviewed at least thirty-seven (37) transportation-related projects for environmental compliance under the Programmatic Agreement (PA) with the State Historic Preservation Office (NC-HPO), including this very project three times. An archaeological survey was not recommended for most of these projects (35/37), citing various reasons (e.g., heavily disturbed, eroded, and/or poorly drained contexts and/or the restrictive/constrained nature of each APE [i.e., contained within existing ROW]). Archaeological surveys were recommended and conducted for the widening of I-85 (PA 16-01-0004 [TIP# I-5719 and C-5600G]) and for the replacement of Bridge No. 82 on US 29/US 74 over the South Fork of the Catawba River (PA 16-01-0110 [TIP# B-5857]). Four (4) archaeological sites were documented as a result of the widening project; however, none of the sites was determined eligible for the NRHP. Three of the four sites documented were cemeteries and, thus, are afforded an additional level of protection based on the nature of the resource. No archaeological resources were recorded at all from the survey for the bridge replacement project.

Based on the information above and given the small size of the areas that have been added to the overall Study Area, there is still a low probability for significant prehistoric and/or historic archaeological materials to be present. Therefore, it is believed that the expanded Study Area, as depicted, is unlikely to contain intact and significant archaeological resources. No archaeological survey is required for this project. If design plans change or are made available prior to construction, then additional consultation regarding archaeology will be required. At this time, no further archaeological work is recommended. If archaeological materials are uncovered during project activities, then such resources will be dealt with according to the procedures set forth for "unanticipated discoveries," to include notification of NCDOT's Archaeology Group.

SUPPORT DOCUMENTATION

See attached: ☒ Map(s) ☒ Previous Survey Info ☐ Photos ☐ Correspondence
Other:

FINDING BY NCDOT ARCHAEOLOGIST: NO ARCHAEOLOGY SURVEY REQUIRED

Paul J Mohler
NCDOT ARCHAEOLOGIST II

April 12, 2024

Date

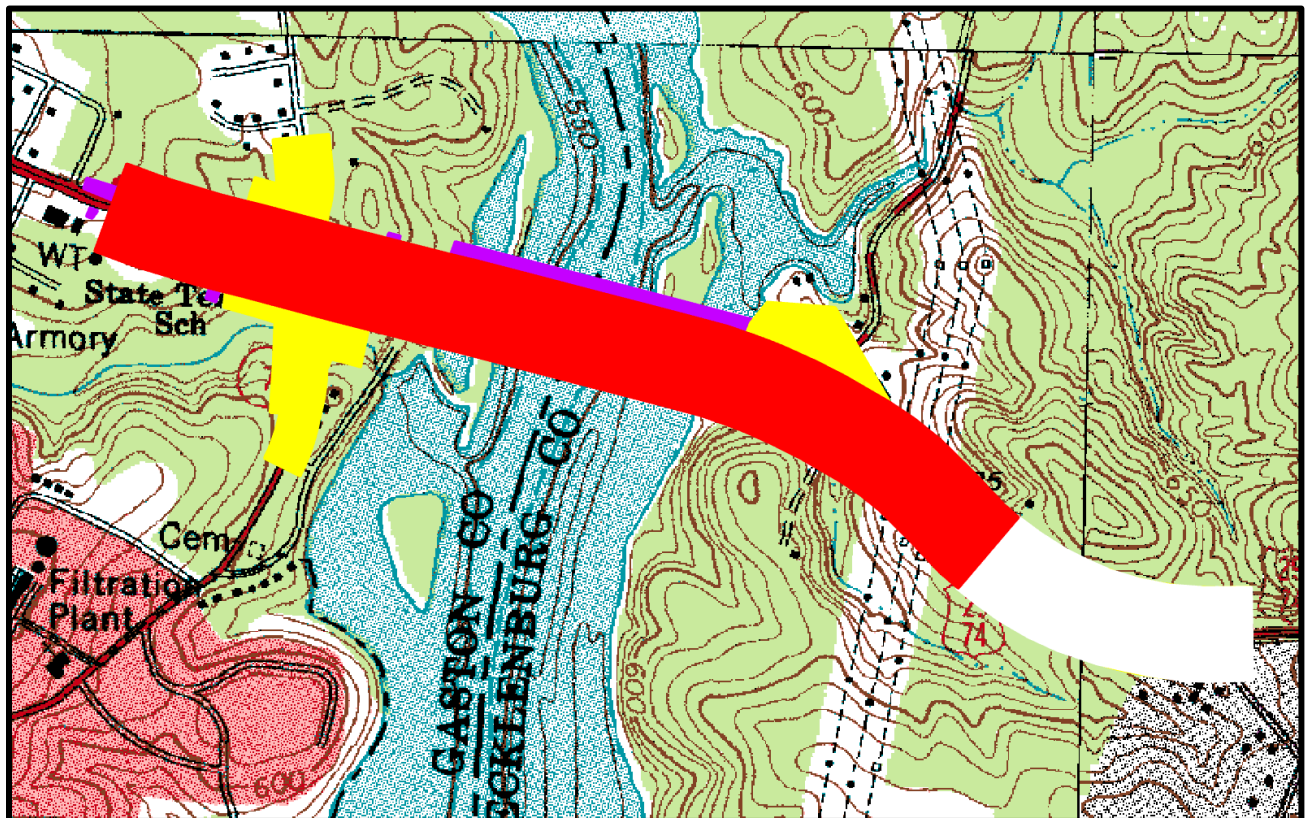


Figure 1: Belmont, NC (USGS 1973) and Charlotte West, NC (USGS 1968 [PR80]) (NB – Red = Original Study Area [Jan 2018]; White = Expanded Study Area [Sep 2018]; Yellow = Expanded Study Area [Oct 2022]; Purple = Expanded Study Area [Apr 2024]).

